

GNI Statement on the UNCC ahead of the Signing Ceremony for the “Hanoi Convention”

The Global Network Initiative (GNI) remains deeply concerned about the human rights implications of the UN Convention Against Cybercrime (the Convention). As we have maintained, the Convention’s provisions create a permission structure for the extraterritorial surveillance and prosecution of human rights defenders, the harassment of tech company employees, and the compelled compromise of systems that protect the privacy and security of users around the world. Over the last ten months since the Convention’s adoption by the UN General Assembly, geopolitical tensions and democratic backsliding have worsened. In this context, GNI maintains its position that rights-respecting states should not sign or ratify the Convention. Instead, they should work together with civil society and private sector actors and use their political capital to push for increased safeguards and push back against further expansions of scope.

As detailed in our [previous statement](#), the Convention creates broad powers not previously enshrined in any other international instruments, applies to an extremely wide range of crimes “committed through the use of information and technology systems,” and – despite laudable efforts to introduce human rights and effective gender mainstreaming language into the text – fails to create meaningful human rights safeguards that would guard against its misuse.

Since the Convention was ratified by the UN General Assembly in December of last year, GNI and its members have continued to document ongoing examples of States [misusing cybercrime laws](#), [granting themselves enhanced surveillance powers](#), and [undermining encryption](#). These trends amplify our previously expressed concerns that the Convention will be used to justify overbroad governmental authorities, compel private companies to comply with inappropriate and disproportionate demands, and facilitate transnational repression.

The rise in transactionalism and skepticism of multilateralism raise new, serious concerns about the extent to which rights-respecting countries can prevent the Convention’s scope from being further expanded through the negotiation of a supplemental protocol, which is set to commence early next year. Countries that oppose this expansion can and should credibly insist that their support and possible ratification of the Convention will be contingent on achieving rights-protecting outcomes in those negotiations.



In short, now is not the time for rights-respecting countries to endorse and commit themselves to implementing a flawed Convention, which is poised to be made worse. Instead, in this moment of geopolitical uncertainty and ascendent authoritarianism, States should refrain from signing and ratifying the UNCC, [advocate](#) for the next stage of negotiations to be conducted in an even more open and participatory manner, and insist that any possible supplemental protocol must result in stronger safeguards against abuse.