Towards the development of effective cybercrime legislation in Eastern Africa

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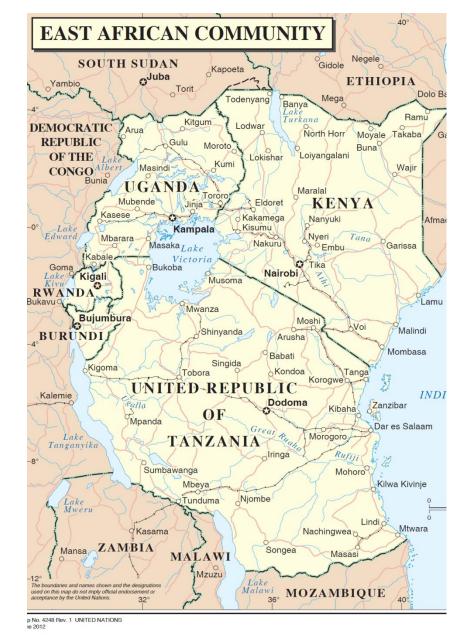
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The African Centre on Cyberlaw and Cybercrime Prevention

- Who we are
- What we do
- Where we are

The East African project

Incidence of cybercrime

- **http://allafrica.com/stories/201311270364.html**

- 26 NOVEMBER 2013

❑regional responses to cybercrime

❑Domestic responses to cybercrime

WHAT HAS BEEN DONE SO FAR

African Regional initiatives (drafts)

- EAC Legal framework for Cyberlaws EAC 1 and EAC 2 (2008)

- ECOWAS Directive CIDIR. 1/08/11 on Fighting Cybercrime (2011)

- COMESA Cybersecurity Draft Model Bill (2011)

- African Union Convention on the Establishment of a Legal Framework Conductive to Cybersecurity in Africa (2012)

- SADC Model Law on Computer Crime and Cybercrime (2012)

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What is wrong with the legal response?

- Disproportionate focus on e-commerce laws

- Insufficient safeguards and conditions regarding procedural powers

- Inconsistency with international treaties, regulatory framework

What is wrong with enforcement measures ?

- Lack of resources

- Inadequate criminal justice strategies

- Skills training

The participants

Proposals –legal

- Ratification on the Budapest Convention, regional and international conventions-;

- Use existing treaties like United Nations Convention against Transnational Organised Crime, 2000;

- Amend substantive laws to deal with emergent forms of cybercrime;

- Amend procedural laws to include electronic or other intangible evidence of cybercrime.

Proposals- strategies

- enhance transborder cooperation ;
- initiate extradition, mutual legal assistance;
- collaboration with Council of Europe;
- schemes for compensating victims;
- form an East African cyber police unit;
- Enhance capacity building training;
- Narrow the digital divide.

proposals for ACCP

- facilitate awareness-raising programmes;
- conduct research into the status and impact of existing initiatives in cybercrime legislation;
- ensure prompt implementation of recommendations of the workshop.

Budapest convention 2001- the challenges of harmonistion

- reflect experiences of majority rural African population at the normative level?

Updates from the 5 states

- Burundi

- Kenya

- Rwanda

- Tanzania

- Uganda

Thank you!

http://cybercrime-fr.org/index.pl/accp