

**MINISTRY**

**INTERNATIONAL RELATIONS AND COOPERATION**

**REPUBLIC OF SOUTH AFRICA**

**QUESTION FOR written REPLY:**

**NATIONAL ASSEMBLY (NA)**

**DATE OF PUBLICATION: 04 September 2020**

**2136. Mr C Mackenzie (DA) to ask the Minister of International Relations and Cooperation**:

What are the reasons that the Government has not ratified the Council of Europe Convention on Cybercrime, commonly known as the Budapest Convention, after becoming a signatory on 23 November 2001 and (b) by what date does the Government intend to ratify the Budapest Convention? **NW2699E**

**REPLY:**

1. The Government does not intend to ratify the Budapest Convention, despite the fact that South Africa (SA) participated in negotiations on the Budapest Convention on Cybercrime, and signed the instrument on 23 November 2001. The Government took the decision to not ratify this instrument on the basis that the country’s policy on cybercrime did not comply with the provisions of the Convention. Even with the recent adoption of the Cybercrimes Bill by both Houses of Parliament, SA will not ratify this regional instrument, as a matter of principle, as the country would have little influence of shaping the instrument because non-EU members are only allowed to make submissions which the CoE considers in their absence. This is a position held by all Government departments.
2. Not applicable.