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International court for cybercrime



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Towards a global legal approach to internet crime

The existing possibilities of legal assistance and international cooperation in combating cybercrime are overwhelmingly regarded as being inadequate. Viewing the existing international legal environment it seems to be generally accepted that the Council of Europe Convention on Cybercrime— together with the Commonwealth Model Law on Cybercrime – has developed the most comprehensive approach to an international legal framework since it covers both criminal law and procedural law as well as questions of international legal cooperation.

For the great majority of the commentators, the Cybercrime Convention of the Council of Europe is the best basis at present for creating an international legislative framework. 47 states have already become parties including four (very important) non-EU members, namely, the United States, Canada, Japan and South Africa. The extensive cooperation requirements to which the parties are subject are also regarded as a promising **basis for international law enforcement**. The Convention is also supported by the Asia-Pacific Economic Cooperation, the European Union, INTERPOL and the Organisation of American States.

Based on the information available at present and the evaluation of existing initiatives in the field, **the WCLF suggests that the Council of Europe establishes a court with jurisdiction for adequately serious transnational crimes committed in or from a signatory state (International Court for Cybercrime)**. The existing legal harmonisation methods and mutual legal assistance practice could be usefully supplemented by such an institution.