

Statement by AUSTRIA

at the Fourth Negotiating Session of the Ad-hoc Committee to Elaborate a
Comprehensive International Convention on Countering the Use of Information
and Communications Technologies for Criminal Purposes

10. January 2023

Item 5: General Provisions

Austria fully aligns herself with the statement by the European Union on behalf of the EU and its Member States and would like to add the following in national capacity.

We support the inclusion of the five articles in Chapter I on General Provisions. Madam Chair, regarding Article 2, while we agree with your choice to address the definitions only after the main substantive articles of the future convention, we would like to point out that the overall direction and aim of the convention will considerably change if a term like “information and communication technologies” is used instead of “computer systems”. This term – information and communication technologies – is very broad and would go far beyond what our understanding of cybercrime and of the focus of this Convention would and should be. We therefore believe that the terms “cybercrime” and “computer system” should be used in the convention.

On article 5, an article that is of great importance to us, let me highlight that any effort to address cybercrime needs to promote and protect, not undermine, human rights, not least freedom of expression and the right to privacy. Therefore, the Convention needs strong conditions and safeguards that ensure the highest possible protection of human rights and fundamental freedoms.