



REPUBLIC OF MOZAMBIQUE

PROPOSED DECLARATION (STATEMENT) OF PROF. LOURINO CHEMANE, CHAIR OF THE BOARD OF THE NATIONAL INSTITUTE INFORMATION-INTIC HEAD OF THE MOZAMBIKAN DELEGATION AT THE 4TH SESSION OF THE AD HOC COMMITTEE FOR ELABORATION OF THE COMPREHENSIVE INTERNATIONAL CONVENTION ON COMBATING THE USE OF INFORMATION AND COMMUNICATION TECHNOLOGIES FOR CRIMINAL PURPOSES

I. General Statement

Madam Chair

1. The Delegation of Mozambique welcomes all Participants of this 4th SESSION OF THE AD HOC COMMITTEE FOR ELABORATION OF THE COMPREHENSIVE INTERNATIONAL CONVENTION ON COMBATING THE USE OF INFORMATION AND COMMUNICATION TECHNOLOGIES FOR CRIMINAL PURPOSES;

2. Mozambique recognizes the work that has been carried out by the secretariat of the ad hoc committee, which is wisely conducted in this act, by Madam Chair.

3. Mozambique also recognizes the effort made by the secretariat to include Member States positions that represent their major concerns and interests in the fight against cybercrime, which are increasing every day in frequency as well as in intensity and impact;

4. The Mozambican Government congratulates and thanks the secretariat, particularly for "including" this "country position in the consolidated document, both cyber dependent crimes and the cyber enabled crimes. Mozambique delegation are open to discuss the type of the cyber enabled crime that must highlighted in the future convention.

5. Mozambique "is taking into consideration" the observations included in this consolidated document, "wich is inspiring national cybersecurity and cybercrime instruments approved by the Mozambican government and will guide the instruments under elaboration process;

6. Mozambique Recognizes the experts' efforts to provide a more comprehensive cooperation in "ICT," but it is necessary that the countries that own advanced information and communication technologies do not stop supporting countries that do not have these technologies, at the risk of creating a gap and digital disruption, thus making all systems vulnerable, as criminals could serve as a gateway for the illicit use of ICTs in these countries.

7. Our country's participation in this exercise to draft the convention against the use of ICT for criminal purposes has been contributing to the drafting of our cybersecurity instruments and the fight against cybercrime, with a focus on the cybersecurity law, Digital law, and data protection law.

II. Mozambican Position

1.In Chapter I: General provisions:

Highlight the fact that Mozambique is in line with the approach of including "Cyber Dependent Crimes" and "Cyber Enabled Crimes" in cases where the latter have "scope", "speed", and "scale or impact" large in society due to the use of ICTs.

We also highlight the need for the future Convention to be "Technology Neutral" in order to be relevant in time mainly with the major developments in the area of emerging digital technologies such as artificial intelligence, drones, Cloud Computing, among others that are characterizing the 4th Revolution Industrial

2.In Chapter II: Criminalization

Mozambique agrees with the wording used in his chapter, "Cyber Enabled Crimes" mentioned in the articles 6 to 10, as they are in line with national legislation.

Mozambican delegation, agrees with the articles in Cluster 3 as we believe they are associated with many crimes in Group 1, and acknowledge the work required for its revision of Article 16 (Identity-related crimes) to avoid specific technical terms such as "password ", "digital Signatures" changing it to the use of generic terms such as "user authentication", "access authorization", "digital authentication" and "digital certification"

We propose the elimination of Cluster 6 and its articles, as we think that they can be distributed to other groups in order to avoid duplication

Mozambique considers that Cluster 5 crimes aimed at protecting children online., not only are relevant but they should be maintained.

Therefore Mozambique supports the extension of online protection in the future Convention of other vulnerable groups such as women, young people, the elderly, indigenous people, and people with special needs, because the data that Mozambique

has been registering shows that the focus of some crimes of Cluster I has as main target these groups .

Mozambique positively appreciates the emphasis given to crimes related to terrorism, children and women using ICT in the instrument now being negotiated.

The Mozambican delegation supports the inclusion of articles 29, 30 and 31 of Cluster 9, agreeing with a need for a profound revision of article 32 or even its exclusion and improving the treatment of this matter in other similar international instruments. Mozambique is currently one of the victims of terrorism and there is strong evidence that terrorist activities and their crimes are being "Cyber Enabled".

The magnitude of these crimes in terms of "speed", "scale", "extent or impact" or the fact that they are contributing to a significant part of the population being deprived of basic human rights and jeopardizing national sovereignty and economic and social stability lead Mozambique to "strongly" support its inclusion even recognizing the need for some work and time for due harmonization and consensus, which will certainly undergo the necessary revisions.

We end this statements by thanking the United Nations for this important initiative and expressing our commitment to collaborate in the elaboration of the future convention and its implementation in our country.