The Permanent Mission of the Russian Federation to the International Organizations in Vienna presents its compliments to the United Nations Office on Drugs and Crime and has the honour to inform that Angola, Kyrgyzstan, Lao People’s Democratic Republic, Togo and Zimbabwe have decided to co-sponsor comments to the UNODC background paper on outline and modalities for the further activities of the open-ended ad hoc intergovernmental committee of experts to elaborate a comprehensive international convention on countering the use of information and communications technologies for criminal purposes, that were presented by the Russian Federation on behalf of a group countries on 31 July 2020 and updated on 1 September 2020.

The Permanent Mission of the Russian Federation has the honor to forward the comments with the updated list of co-sponsors and request the United Nations Office on Drugs and Crime to post them on its official website by replacing the initial version.

The Permanent Mission avails itself of this opportunity to renew to the Office the assurances of its highest consideration.

Attachment: above mentioned, 3 pages.

Vienna, «9» February 2021
Proposed outline and modalities for the further activities of the open-ended ad hoc intergovernmental committee of experts to elaborate a comprehensive international convention on countering the use of information and communications technologies for criminal purposes

Comments by

Angola, Azerbaijan, Belarus, Burundi, Cambodia, China, Congo, Cuba, Democratic People’s Republic of Korea, Eritrea, Ethiopia, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Lao People’s Democratic Republic, Madagascar, Myanmar, Nicaragua, Pakistan, Russian Federation, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Togo, Venezuela (Bolivarian Republic of), Zimbabwe
(as of January 25, 2021)

On December 27, 2019, in accordance with its resolution 74/247, the UN General Assembly established an open-ended ad hoc intergovernmental committee of experts mandated to elaborate a universal convention against information crime under the UN auspices.

It is important that the ad hoc committee works in a complementary, non-confrontational, constructive and cooperative manner. It should aim to have a non-politicized, transparent and pragmatic discussion in order to fulfill its task.

We believe that the only purpose of the organizational session of the ad hoc committee (New York, May 10-12, 2021) is for the committee to elaborate and adopt its modalities for the entire period of its operation.

1. The "digital revolution" of the past decades, while having enormous potential for the development of States, creates new opportunities for perpetrators and may contribute to a rise in the levels and complexity of crime. Recently the situation has been exacerbated by the coronavirus disease (COVID-19) pandemic, since, with enterprises, business entities and governmental agencies being forced to switch to remote work, the cybercrime rate has increased by several times. The development of a unified and effective
legal framework in order to counter information crime is anticipated as never before. We urge all countries of the world to unite their efforts to elaborate a convention as expeditiously as possible. To that end we believe it reasonable to hold 4-5 substantive sessions of the ad hoc committee of 10 working days each in 2021-2022/early 2023.

2. The fight against cybercrime affects the interests of all States of the world without exception. The future convention should become a universal, accessible and reliable tool against information crime. It is therefore essential to ensure that the negotiations involve the broadest possible range of States, including developing countries, small island developing States and the least developed countries. To this end, we suggest that the substantive sessions of the ad hoc committee are held at the UN Headquarters in New York where all 193 UN Member States are represented.

3. In order to ensure fair, effective and timely decision-making, in its work the ad hoc committee shall be guided by the rules of procedure and established practice of the General Assembly and its Third Committee, unless the ad hoc committee decides otherwise.

4. It is our understanding that the United Nations Office on Drugs and Crime will traditionally play the role of the technical Secretariat in preparing and conducting the sessions of the ad hoc committee.

5. We highlight the importance of the input of multi-stakeholders to the work of the ad hoc committee and admit the possibility of holding, from within voluntary contributions of UN Member States, intersessional consultative meetings with business, non-governmental organizations and academia, to discuss the issues within the ad hoc committee’s mandate.

6. We do not support the proposals to hold the organizational session of the ad hoc committee in virtual or hybrid online formats, since they proved to be inefficient and limited.
7. As for the forthcoming substantive sessions of the ad hoc committee, the future convention should be elaborated taking into full consideration existing international instruments, best practices and efforts at the national, regional and international levels on combating the use of information and communications technologies for criminal purposes, and be based on strict respect for and protection of human rights. A number of provisions of the effective international treaties in this field could serve as foundation for the future convention.

8. While elaborating the convention it should be taken into account that an efficient fight against information crime contributes to the sustainable development of States and progress towards achieving the Sustainable Development Goals.