



CZECH REPUBLIC

Permanent Mission of the Czech Republic to the United Nations

Ad Hoc Committee to Elaborate a Comprehensive International Convention on
Countering the Use of ICTs for Criminal Purposes (1st session)

General debate

Statement by

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Madam Chair,

Let me start by sincerely thanking you and the Secretariat for the tremendous efforts you have undertaken to have this meeting take place. Let me assure you, madam Chair, of the full support of the Czech Republic to you and to the process aimed at reaching a consensus on a text of a future international instrument on the fight against cybercrime.

At the outset, the Czech Republic fully aligns itself with the statement delivered by the European Union and wishes to add the following in its national capacity.

Madam Chair, we join others in strongly condemning Russia's unprecedented military aggression against Ukraine. By its unprovoked and unjustified military actions, Russia is grossly violating international law and undermining European and global security and stability. The former Czech President Václav Havel said that for many centuries there has been a so-called Russian problem which is that Russia does not know exactly where it starts and where it ends. And as we can see these words are unfortunately very true even today.

We believe that this Committee should not be politicized and we look forward to fruitful and rich expert discussions on the scope, objectives and structure of the future UN convention on cybercrime. However, we cannot remain silent and we cannot ignore that, as we speak, fundamental principles of the UN Charter are being blatantly violated by one of the members of the United Nations.

Therefore we have serious doubts that Russia will be able to adhere to the international law which we are about to start negotiating here. After the Russian attack on Ukraine and continuing military, verbal and cyber threats, we do not have any grounds to believe that Russia would be acting in good faith here at the ad-hoc committee. They have seriously violated mutual trust, which we have been building in the UN and other international fora.

Madam Chair, especially in this light our discussions here will be more important than we could have imagined a few weeks or even days ago. Cyberattacks are a part of this war as well, and we now have a unique opportunity to define a common ground for fighting them. In this respect we greatly appreciate the compilation you have prepared, Madam Chair, of the submissions of the UN Member States, as well as the roadmap, and your document on the scope, objectives and structure of the future convention. We find these documents as a good basis for our discussions here and we expect that the result of our work this session should be to agree upon this basis of our future negotiations.

The Czech Republic is convinced the convention should not be a theoretical analysis, but on the contrary, it should be a practical and useful tool to be used to globally fight cybercrime. We agree the convention could contain definitions of crimes related to cyberspace, in particular we

believe we could agree upon several cyber-dependent crimes. We hope the convention will provide a basis for international cooperation in cybercrime matters, in particular in the area of e-evidence. We would welcome if the part on international cooperation included possibilities of enhanced cooperation among law enforcement authorities of parties to the convention, including provisions on direct contact. We are happy to see a proposal for a chapter on technical assistance, and we would suggest capacity building should be included there as well. The principle of state sovereignty, as it is proposed in the suggested scope of the convention, must be tackled very sensitively, with respect to international cooperation on cybercrime matters and with a special consideration of direct cooperation. The Czech Republic is convinced the entire convention must be guided by the principle of adherence to human rights and fundamental freedoms and should be based on existing international instruments in this area. We share your view, madam Chair, that the convention should not include cybersecurity issues which are the focus of other relevant fora, neither it should provide very technical definitions.

The Czech Republic very much supports the participation of stakeholders in the process, we believe their views and experience will be an invaluable asset and contribution to our work. We therefore welcome the roadmap you prepared, madam Chair, which includes intersessional meetings where the non-governmental participants could discuss the status of negotiations with interested states. As the timeframe for the negotiation of the convention is quite tight, we would welcome having more intersessional meetings in which all Member States and interested stakeholders would be able to discuss prevailing issues and thus be better prepared for the drafting sessions. We also share the concern expressed previously by some states that the deadlines set in the roadmap for submissions of inputs should be reconsidered with respect to the distance between individual sessions to provide enough time for Member States to deliver the inputs which would then be included in future discussions.

Madam Chair, let me reiterate the full support of the Czech Republic to the negotiating process, we are very glad to see you personally devoted to ensuring inclusivity and finding consensus. Let these ideas form the overarching spirit of our discussions. And as I started by quoting the former Czech President, let me finish by quoting the former President of our host country today, John F. Kennedy, who said “Let us never negotiate out of fear, but let us never fear to negotiate”. I wish all of us no fear and lots of good will and faith in our negotiations.

Thank you.