



Statement on behalf of the EU and its Member States

First negotiating session of the Ad-hoc Committee set up to elaborate a ‘UN Convention on countering the use of information and communications technologies for criminal purposes’

Agenda Item 5 - Structure of the Convention

United Nations

New York

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Madam Chair, Your Excellencies, Distinguished Delegates,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries North Macedonia*, Montenegro* and Albania*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as the Republic of Moldova and Georgia, align themselves with this statement.

* North Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.

At the outset let me express the EU and its Member States' full solidarity with Ukraine and the Ukrainian people. The EU condemns in the strongest possible terms Russia's military aggression against Ukraine, which grossly violates international law and the UN Charter, and undermines international security and stability. The EU demands that Russia immediately ceases its military actions and stops its disinformation campaign and cyber-attacks. These circumstances and the continued cyber-attacks against Ukraine are not conducive to a constructive engagement with Russia on a legally binding convention in the cyber field

The European Union and its Member States consider that the structure of the future Convention should logically follow from its objectives and scope as discussed under the previous agenda item.

We therefore propose the following elements for the structure of the future Convention:

- A preamble and a chapter with general provisions that sets the scope and objectives of the Convention;
- A chapter that includes a narrow catalogue of crimes and precise definitions of those crimes;
- A chapter on domestic procedural rules, and fundamental principles to be respected including respect for human rights and fundamental freedoms including privacy and personal data protection, legality, necessity, proportionality;
- A chapter that provides a basis for international cooperation, notably towards lawfully obtaining and collecting electronic evidence in criminal proceedings;
- A chapter that provides a basis for technical assistance, training and capacity building, and the UNODC's role in that regard;
- A chapter on final provisions.

Thank you Madam Chair.