



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 7 - Discussion and decision-making on the mode of work of the Ad Hoc Committee during subsequent sessions and intersessional periods

United Nations

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Madam Chair, Your Excellences, 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

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

Bosnia and Herzegovina, as well as the Republic of Moldova and Georgia, align themselves with this statement.

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 welcome the Chair's efforts to elaborate a programme of work for the Ad Hoc Committee, including informal consultations with participating UN Member States, and intersessional consultations with stakeholders.

We strongly support the Chair's proposal to organise these sessions in a thematic way following a 'chapter-by-chapter' approach. We consider this the best approach to ensure predictability, inclusiveness and a transparent working method. This approach would in no way delay the process nor the timetable envisaged by Resolution 75/282. In our view, such a process is the best approach to guarantee a successful outcome.

Once we have had the opportunity to exchange views on the objectives, scope and structure of the Convention, all delegations will have the opportunity to provide concrete proposals regarding identified chapters of the future Convention, which we will then discuss during the next formal sessions.

Madam Chair,

Let me begin with some observations on the organizational arrangements for the intersessional consultations.

The EU and its Member States welcome these intersessional consultations, as they will facilitate an active exchange with multi-stakeholders and provide clear channels to receive their contributions.

However, the proposed calendar for the intersessional consultation with stakeholders does not appear to be fully appropriate.

For the EU and its Member States, it is important that the topics proposed for discussion are clear and focused and known sufficiently in advance. This would give all delegations – both large and small ones – enough time to prepare their

positions to be submitted in writing either ahead of the sessions or presented during the sessions.

In that respect, the calendar of work might be challenging for many UN Member States. The deadlines for providing inputs are tight to receive meaningful contributions from all Member States and stakeholders.

We therefore recommend that delegations would be given a bit more time to submit their contributions after each session. It is also important that the proposed mode of work clarify that delegations are free to submit proposals at any stage of the negotiations.

Madam Chair,

Turning now to the topics proposed for discussion during the future sessions.

The EU and its Member States consider that including “*procedural measures and law enforcement*” among the topics to be discussed at the second session, over and above the general provisions and the provisions on criminalisation, might be overly ambitious.

We would therefore plead to devote the next three sessions (i.e. session 2, 3 and 4) to the first reading of the chapters and have sessions 5 and 6 devoted to the second discussion.

This would ensure that following the preliminary exchange of views on the objectives, scope and structure of the Convention during this first session, all UN Member States have the opportunity to provide input and submit concrete proposals while allowing for a more in-depth discussion of each chapter during the first reading.

Finally, Madam Chair, a word on format of the texts to be discussed at each session.

A compilation of all submissions received would be a very useful background document to allow a first in-depth discussion of the different chapters during the 2nd, 3rd and 4th sessions.

This approach would guarantee an inclusive process by allowing all UN Member States and multi-stakeholders enough time to conduct appropriate consultations and thereafter to provide their contribution to the Convention.

In addition, the EU and its Member States remain of the opinion that the compilation prepared by the Chair, with the support of the Secretariat, should contain only those chapters relevant to the discussions for the following session.

We also support the Chair's intention of preparing a final text of the Convention based on the outcomes of the second reading/discussion of the various chapters.

In our view, it is essential to keep this element in the roadmap as it is the best guarantee to include the voices of all UN Member States on an equal footing and, ultimately, to reach a universally adopted convention.

Thank you, Madam Chair.