



In the name of God, the Compassionate, the Merciful

**Statement by
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the United Nations
Before the Ad hoc Committee for Elaboration of the Convention on
Countering the Use of ICT for Criminal Purposes
Agenda Item (3): General Debate**

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Madam Chair.

I would like to commence by expressing my profound appreciation for your abled leadership and tireless efforts of the Secretariat in preparation of this meeting whose dedication made it all possible to convene the first session of the ad hoc committee in spite of difficulties caused by the Covid-19 pandemic.

Madam Chair.

Information and communications technologies have presented an exceptional opportunity for nations to thrive and prosper, yet, we are all aware of the sobering fact that criminals are exponentially misusing such technologies to carry out illicit activities and realize their illegitimate purposes. The rampant crime we witness today and the egregious harm it inflicts upon our societies is even hard to take measure, for *modi operandi* of criminals are becoming increasingly diversified and sophisticated and the compounded nature of such offences is substantially evolving. Crimes committed via use of ICT often transcend geographical boundaries turning it into an unprecedented pressing challenge for Member States to overcome. As such, a strengthened collective response at the international level within a sound international legal framework one which promotes harmonized and context-specific regulations and set standardized operating procedures for expedited international cooperation is more than necessary.

Despite the proclivity of few for negating the dearth of and the dire need for an international convention in this area, the Islamic Republic of Iran, throughout



years, has long been among the strongest advocates for this overdue and vital framework. We co-sponsored and supported the adoption of resolution 74/247, pursuant to which the Ad hoc Committee has been established, with a view to reinvigorating and revitalizing efforts in tackling the growing use of ICT for criminal purposes while keeping pace with technology. It is for this reason that we reaffirm our continued support for the work of the committee and welcome the active and constructive engagement of all Member States in the process of elaboration of the Convention and in supporting the smooth and uninterrupted performance of the Committee in discharging its mandate. In this regard, we highly commend the invaluable efforts of the Russian Federation and China in proposing a draft convention for the purpose of accelerating the work of the Committee. We further reaffirm that conducting the works of the Committee in an inclusive, transparent and technical manner constitute essential prerequisites for successful fulfillment of mandates conferred upon the Committee; otherwise, we might risk the progress we have all made thus far.

Excellencies, distinguished representatives, ladies, and gentlemen;

With the support of all Member States, we have now before us a singular opportunity for reaffirming our unwavering and collective efforts in countering crimes committed via use of ICT and in strengthening cooperation through elaboration of an international convention under the aegis of the United Nations. This obliges us to revisit the *raison d'être* of initiating such process in the first place, by way of which, we concur that the convention should, amongst others, aim to effectively promote and strengthen prevention of and combating use of ICTs for criminal purposes as well as to promote, facilitate, support and expedite international cooperation and assist States Parties in the fight against such crimes. Such collective response to the use of ICT for criminal purposes could be well-realized through a vision that cherishes a shared future in cyberspace for all Member States with equal opportunities and without discrimination.

In this respect, taking into account the technological transformations in the field of ICT which amounts to sophistication in crimes perpetrated, thereby necessitating commensurable and proportionate responses by law enforcement, special attention should be made as to effective measures for providing required and politically neutral technical assistance to and enhancing technological capabilities of states parties, in particular developing countries, in fighting such crimes notably through transfer of technology. The convention should also allow



for exchange of relevant information, lessons learned, expertise and knowledge among state parties aimed at prevention of and effective combat against criminals.

Madam Chair.

The convention should endeavor to ensure that State Parties throughout their measures in fighting crimes committed by use of ICT, respect and uphold the fundamental principles of international law, in particular, sovereign equality, territorial integrity and non-intervention. In this context and taking into account that promoting international cooperation among States is expected to constitute as the purpose of the Convention, no state shall hinder cooperation among other states in countering such offences, particularly, by adopting unilateral measures to the detriment of any state party. That being said, Member States should desist and refrain from promulgating and applying Unilateral Coercive Measure which, in violation of the fundamental principles of international law, stymie effective cooperation among Member States and undermine the ability of states to fight the ever-evolving crimes perpetrated by use of ICT. As such, these unlawful measures should be addressed in this area from a technical standpoint so as to ensure equal access to necessary tools for overcoming the challenges emerged due to use of ICT for criminal purposes and enable states to efficiently engage in international cooperation and efficiently tackle such criminal activities.

Madam Chair.

Fostering an expedited and effective international cooperation in fighting use of ICT for criminal purposes by promoting constructive and impartial collaborations as well as adopting a technical and non-politicized approach akin to that of police-to-police cooperation should be an integral part of the convention. For this purpose, the convention should establish an expedited, standardized and secure channel for international cooperation one that could assure effective cooperation among law enforcement at the international level and without discrimination. Nevertheless, we must also address in an efficient manner the ways and means that offenders exploit technological tools to realize their criminal intents. Criminals of various kinds perpetually and increasingly misuse services provided by private sectors including service providers and social media networking platforms, posing a daunting challenge to fighting such criminal acts. The fundamental and crucial importance of cooperation of these entities with law enforcement in investigation and prosecution of such offences could not be



overstated; suppressing such misuses would actually deprive criminals of any chance of expanding pernicious activities. Thus, the convention should indeed specify and stipulate obligations and regulations as to the cooperation of the private sector, service providers and other similar entities, in particular those with global or substantial outreach at the international level with a view to ensuring timely and effective cooperation on the part of these entities with law enforcement.

Madam Chair.

We reiterate the primary role and responsibility of Member States as the main stakeholder in preventing and combating use of ICT for criminal purposes and notwithstanding the utility of participation of non-governmental organizations and other entities delineated in resolution 75/282 in the works of the Ad hoc Committee, we reaffirm the intergovernmental nature of the Committee and the prerogatives of States in all aspects of its works including in drafting and negotiation of the convention. In addition, it is understood that substantial difference exists as to the nature and status of, *inter alia*, intergovernmental organizations, non-governmental organizations and also other entities outlined in paragraphs 7 to 10 of resolution A/RES/75/282 and that these organizations and entities do not fall within the same category. Thus, application of modalities to their participation may not be construed as affording such entities the same status.

Madam Chair.

We remain fully supportive of the work of the Committee and now that the process of elaboration of the convention has been rekindled despite various challenges including Covid-19 pandemic, we would like to assure you of our active engagement in this process and once again invite Member States to expedite the works of the Committee so as to finalize the convention in due time and send an unequivocal signal to criminals that the international community will not acquiesce to their unlawful activities and will bring them to justice.

I thank you