



In the name of God, the Compassionate, the Merciful

**Statement by the Representative of the Islamic Republic of Iran
Before the Ad hoc Committee for Elaboration of the Convention on
Countering the Use of ICT for Criminal Purposes
Agenda Item (6): Preliminary Exchange of Views on Key Elements of the
Convention**

(28 February-11 March 2022, New York)

Madam Chair;

At the outset we would like to recall our earlier support of the work of the committee and appreciate your leadership of the session.

Madam Chair;

The spiral of crime created by use of ICT for criminal purposes, which reconfigures its manifestations with technological advancement, defies and challenges methods previously proved useful in fighting crimes. Criminals often further their plots by adopting sophisticated methods and technologies, rendering traditional means of countering such crimes comparatively inadequate. This is not to prejudice the utility of traditional stratagems in countering these crimes but to underline the importance of a collective response proportionate to the scale, intensity and specificities of such technology-driven crimes.

With that in mind, the provisions of the convention should include elements that commensurate with the severity of the challenges and perplexities of such crimes. One such element is effective cooperation between law enforcement and service providers and other entities that provide technology-based services. It is commonly noted that criminals exploit and misuse services such as social networking applications for, *inter alia*, coordinating and carrying out their criminal acts and recruiting victims. Despite measures taken at various levels, lack of a robust, inclusive and global concerted cooperation in this area has appeared as an acute challenge that law enforcement grapple with on a daily basis. We must seize the opportunity to promote, facilitate and support such cooperation by delineating



concrete measures including expeditious preservation and disclosure of electronic data to law enforcement and preventing distribution of criminal content.

By the same token, cooperation among law enforcement should also be strengthened through a specialized network and channel that enable competent authorities to respond in a timely manner to requests for cooperation. The convention should envisage and establish a secure, time-sensitive and standard channel for prompt assistance and smooth cooperation of law enforcement at the international level. At times, criminals face no hurdle in realizing their criminal intents right away, so must we respond proportionately by ensuring that such channel of cooperation benefits from information and communications technologies and standardized methods for facilitating and expediting cooperation in investigation, apprehension and prosecution of offenders. Criminals who exploit ICT, know no boundaries, they surreptitiously cut across geographical lines and victimize people. Therefore, this channel should be available to all States without discrimination so as to bring criminals to justice.

Crimes aim to corrode the rule of law; if we are to succeed in our fight against crimes committed via ICT, the rule of law must be upheld at the international level by adhering to the fundamental principles of international law. In this regard, the convention should ensure that the fight against these crimes complies and is consistent with, in particular, the principles of sovereign equality, non-intervention and territorial integrity.

Excellencies, Dear Colleagues;

It is axiomatic that crimes we're speaking of, are quite dependent on technology as it is also self-evident that countries do not have the same levels of development. The central role of economic development in fighting crimes has long been reaffirmed in the relevant international conventions which particular importance in combating crimes committed via ICT could not be overstated, especially, taking into account the critical technological gap that exist between developing and developed countries. The convention should dedicate substantial provisions for taking concrete measures for fighting such crimes through economic development. This is the significant requisite for ensuring that criminals do not exploit such gaps. To this end, provision of constructive opportunities for the sustainable economic development of developing countries and enhancing



assistance to support countries' efforts to fight crime effectively based on their needs and priorities should be included within the purview and provisions of the convention. A shared future in cyberspace and equal access of all states to the global internet infrastructure is also a key factor that should be ensured to enable an effective fight against these crimes.

In the same vein, the Unilateral Coercive Measures which in stark violation of the fundamental principles of international law impede economic development of States thus undermines efforts and abilities of countries in fighting such crimes must be terminated.

Madam Chair;

In the end, I'd like to reaffirm that for improving the the capacity of States to counter use of ICT for criminal purposes and also keep pace with the technological developments and thereby enabling them to fight emerging modi operandi of criminals, establishing a conference of States Parties is essential.

Thank you