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**Ad Hoc Committee to Elaborate a Comprehensive International Convention on
Countering the Use of Information and Communications Technologies for
Criminal Purposes**

First substantive session 28 February – 11 March 2022

“Agenda item 4 – Objectives and Scope of the Convention”

Statement by

Kingdom of the Netherlands

Mr. Jacco-Pepijn Baljet

NEW YORK, 2 March 2022

Madam Chair,

1. The Netherlands aligns with the statement made by the EU and would like to add the following in national capacity.
2. Thank you for your efforts and those of the Secretariat. We generally support your approach, including your proposal on the scope and objectives of the convention. We hope it serves as a productive basis for consensus.
3. We would like to add our voice to the remarks by UK, New Zealand, Colombia, Brazil and many others, especially the comments on protection and promotion of human rights and fundamental freedoms, including strong safeguards, precise and consistent definitions of key elements used in the Convention, provisions on prevention, reference to the complementarity of the new Convention with existing international instruments and respect for sovereignty. Regarding the latter, let me underline that respect for sovereignty and territorial integrity applies to all UN Member states, whether large or small.
4. Moreover, Madam Chair, we would like to propose that we consider changing the reference to “prevent and combat” to “prevent and counter”. Despite the seriousness of the worldwide cybercrime threat and its impact on socio-economic development, this is, unlike the ongoing aggression against Ukraine, not a war, and we should avoid those connotations. Such connotations can risk a disproportionate impact on human rights and fundamental freedoms of state measures against cybercrime.
5. Lastly, Madam Chair, when negotiating this legally binding instrument, I cannot remain silent on the ongoing flagrant violations of international law, including the UN Charter, by the unprovoked invasion by Russian forces of Ukraine. We stand in solidarity with the Ukrainian people.

Thank you, Madam Chair.