

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

**Madam Chair,**

At the outset, let me congratulate you and members of your Bureau and assure you of my delegation's full support.

2. We welcome the convening of the first substantive session of the Ad Hoc Committee to elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes.

3. Pakistan looks forward to a fruitful exchange of views with other Member States in order to effectively implement the mandate provided to this committee by the UN General Assembly Resolution 74/247.

**Madam Chair,**

4. The use of information and communications technologies (ICTs) for criminal purposes is a global challenge and a serious threat which takes advantage of the increased reliance on the digital environment. It also enables many other types of crimes including illicit financial flows and corruption, posing a formidable challenge to security worldwide. It inhibits the potential of digital economies as cybercrime saps \$1.5 trillion annually from the global economy particularly harming the developing countries.

5. At the same time, we are also plagued by the exponential proliferation of disinformation through online platforms and social media. This is exacerbating social discord, competing nationalisms, discrimination, hate speech, stigmatization, racism, xenophobia, Islamophobia and related intolerances.

6. It is evident that the international system in its current form is ill-equipped to deal with the growing scourge of cybercrime. The world must unite in formulating a comprehensive international instrument that will protect the victims of crimes committed in cyberspace and guarantee maximum protection and legal remedies.

7. The magnitude of the threat requires concerted efforts towards updating a proper global normative framework as the traditional mechanisms of law enforcement and legal cooperation are inadequate to meet the speed and complexity of the issue at hand.

8. To add to existing challenges, internet service providers and social media companies, which hold important information needed to investigate cybercrime and collect electronic evidence, frequently have physical headquarters in one country, provide services in different continents and store their information on servers

somewhere else on the planet. This poses serious challenges for the law enforcement agencies particularly from developing countries.

9. Undoubtedly, the new International Convention on Cybercrime offers an unprecedented opportunity to arrive at a consensus under the aegis of United Nations to secure international cooperation to effectively counter Cybercrime.

### **Madam Chair,**

10. We would take this opportunity to express our preliminary views on the scope, objectives and structure (elements) of the envisaged convention which are the focus of the first substantive session.

### **Objectives**

11. The objectives of the convention should include:

- a) One, enhancing international cooperation against cybercrime;
- b) Two, promoting and strengthening measures aimed at effectively preventing and combating the use of ICTs for criminal purposes; and
- c) Three, strengthening cooperation in capacity building and technical assistance, and promoting the exchange of information in this field, based on the needs of broader international cooperation and the interests of the developing countries.

### **Structure and Scope**

12. The structure of the future convention should be similar the other the existing UN conventions on transnational crimes such as UNTOC and UNCAC.

13. In terms of the scope of the convention, it should not only be limited to computer-dependent crimes but should also cover limited types of computer-enabled crimes such as prohibition on committing incitement to violence, xenophobia, and racism in accordance with Article 20 of the ICCPR.

14. Importantly, criminal offences must be clearly defined and narrowed to avoid legal uncertainty caused by vague provisions resulting in violation of human rights and fundamental freedoms.

### **Responsibilities of Service Providers**

15. The proposed Convention should clearly define the respective roles and responsibilities of service providers and social media companies in the investigation and combating of cybercrime.

16. There should also be enhanced public-private partnerships in the prevention of cybercrime as a significant proportion of the internet infrastructure is owned and operated by the private sector in developed countries.

**Madam Chair,**

17. In conclusion, any future convention on cybercrime should provide the developing countries with an opportunity to have the widest possible capacity building and technical assistance, including implementation of respective plans and programmes to counter ICT crimes, training and mutual exchange of relevant expertise and experience, which will facilitate international cooperation.

**I thank you**

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