

Madam Chair,

Distinguished delegates,

Regarding the objectives and scope of this future Convention, as the voice of the judiciary professionals of my country, I can express belief that future UN Convention on suppression and combating of ICT crimes, above everything, should serve as a practical instrument for criminal law enforcement and judicial authorities in the global fight against cybercrime, with the aim of adding value to the international cooperation. As reflected in General Assembly resolutions 74/247 and 75/282, a future United Nations convention should take into full consideration the existing framework of tried-and-tested international and regional instruments in the field of organized crime and cybercrime, like the Council of Europe Convention on Cybercrime. Therefore, any new convention should complement and avoid impairing in any way the application of existing instruments or the further accession of any country to them, and, to the extent possible, avoid duplication.

Scope of a future United Nations convention should be focused primarily on substantive criminal law and criminal procedural law, as well as associated mechanisms for international cooperation. It should also comply with international human rights standards and strive to fight cybercrime in the most effective manner while actively protecting its' victims.

Substantive criminal law provisions linked to cybercrime offences should be criminalized by all States parties to a future United Nations convention. These provisions should in general relate only to high-tech crimes and cyber- dependent crimes, such as illegally gaining access to, intercepting or interfering with computer data and systems.

Provisions of substantive criminal law should, to the extent possible, be drafted in a technologically neutral manner in order to encompass technical developments in the future. Incompatibility with other international conventions should be avoided, in particular where certain offences, such as arms trafficking or the illicit distribution of narcotic drugs, are already widely covered by existing provisions in international conventions, such that the inclusion of these types of behaviour in a convention on cybercrime would not be of added value.

Appropriate substantive and procedural conditions and safeguards should ensure compatibility with human rights and fundamental freedoms, including the principles of legality, necessity and proportionality of law enforcement action and specific substantive and procedural guarantees ensuring, in particular, the right to privacy and personal data protection, the right to freedom of expression and information and the right to a fair trial.

Procedural measures and criminal procedural provisions regarding mechanisms for cooperation between the parties to a future United Nations convention, including cooperation in investigations and other judicial proceedings and in obtaining electronic evidence, where appropriate and relevant, while ensuring it can be collected, preserved, authenticated and used in criminal proceedings, should be in place as well.

Capacity-building, the sharing of best practices and lessons learned, and technical assistance, including the significant role of the United Nations Office on Drugs and Crime in these areas, and cooperation with other international programmes and projects already functioning for number of the years in different areas of the world with this regards, should be encompassed as well.

Thank you.