

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

Third session

CHECK AGAINST DELIVERY

Statement by  
Mr. Amir Sagie  
Cyber Affairs Coordinator, MFA Jerusalem

International Cooperation (question 8-23)

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Thank you Madam Chair for giving us the floor.

The Israeli delegation presented yesterday our perspectives on the first cluster of questions 1-7 and at this point we wish to share our responses to some of the remaining questions under the Int. Cooperation chapter.

Madam Chair,

On the question relating to the preferred channels for transmission of requests for extradition and Mutual Legal Assistance, it is our preference that requests be done in the traditional and diplomatic channels. Similarly regarding Mutual Legal Assistance, requests can be transmitted between the traditional, designated competent authorities . In cases of urgent circumstances, other more speedy mechanisms such as electronic means, like email, can be considered . In any event, we believe the drafting of these provisions in the convention, pertaining to urgent cases, should be broad enough as to allow all the relevant options.

Regarding the questions pertaining to grounds for refusal, Israel would like to see the retention of maximum flexibility and adherence to agreed practices as they appear in other relevant UN conventions. As for question 16 – we are of the view that this clause should not be added to the text of the convention.

As for the additional questions and especially on the issue of investigation powers we would like to first see the suggested language of these provisions and reserve our remarks for a later stage. Nevertheless, we wish to stress the need to accommodate the different contexts and situations and make

sure the proposed language is flexible and broad enough to accommodate them as much as possible.

Regarding question 20 on the matter of international cooperation in the return of assets; seizure or confiscation of assets, we are aware of the two models provided by UNCAC and UNTOC and the differences that exist between them – at this stage, the UNTOC model appears to be more relevant in terms of the nature of this proposed convention but we remain open to discussion and further review of this matter. As such, ahead of any possible drafting of these provisions, we wish to highlight the need to take into account relevant practices deriving from domestic legislations and international conventions dealing with economic enforcement.

On question 21 on the matter of establishing the 24/7 network of POCs, like the network that exists and is fully operational in the Budapest framework, Israel supports this idea and wishes to encourage other parties, that haven't already done so, to establish their own 24/7 centers.

Per question 23 our answer is short – yes – we fully support including and allowing the usage of hearings held by video or telephone conference for taking evidence. However, we do not support the suggestion to use states' diplomatic or consular missions for this purpose.

Thank you Chair.