Third session of the ad hoc committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes

International Cooperation – General principles and scope of the provisions

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• Thank you, Mister Chair.

• At the outset, let me express Liechtenstein’s solidarity with the people and Government of Ukraine. Liechtenstein strongly condemns the Russian aggression against Ukraine which constitutes a blatant violation of the foundational principles of the UN Charter and the international order founded upon it. Liechtenstein calls for an immediate end of the illegal military intervention.

• Mister Chair

• I wish to thank you and your team for the tireless efforts in organising this meeting and for the timely distribution of the Guiding Questions, which we thus were able to process in more detail.

• I would like to address some of the questions of the first set regarding international cooperation – general principles and scope:

• Regarding the first question – Liechtenstein supports the inclusion of the conventional forms of international cooperation as set out in the UNTOC and UNCAC conventions. We believe that we should strictly stick to the existing international instruments in this regard. In general, the provisions on international cooperation should primarily enable and promote cooperation between states.

• To answer your second question, we would like to state that extradition provisions may only apply to the offences established in accordance with the convention and should be limited to serious offences. If other forms of international cooperation should apply to the collection and sharing of electronic evidence beyond the offences to be established by the convention, further discussions will be necessary and these will strongly depend on the built-in safeguards and Human Rights protections. The limitation to serious offences is one of such safeguards, a senseful set of grounds for
refusal and dual criminality provisions would be other important elements.

- Regarding the third question – Liechtenstein supports a very close adoption of the provisions on extradition and mutual legal assistance of the established UN conventions UNTOC and UNCAC. In these negotiations, we should rely upon existing international and regional instruments whenever possible.

- Question four – to keep the answer short: yes.

- And regarding question five – a threshold penalty period for offences to which the extradition articles may apply could be senseful. Relevant regional instruments, such as the European Convention on Extradition, know such a threshold penalty period as well. But Liechtenstein is flexible regarding such a threshold.

- Thank you, Mister Chair