

**Statement of the Republic of Poland at the
Seventh session of the Open-ended intergovernmental expert group
to conduct a comprehensive study of the problem of cybercrime
Vienna, 6-8 April 2021**

The Republic of Poland welcomes the work by the Open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime undertaken during its six thematic meetings held over the last ten years.

We believe that the IEG constitutes a unique platform for experts and practitioners to exchange experience, good practices, but also information on how to face challenges that come up every day. The ever evolving technologies offer new opportunities, but at times also serve as vehicles for cybercrime.

Therefore, we see great merit in extending the mandate of the group or setting up a new similar one, to maintain and further the work done so far.

The Republic of Poland has analyzed the recommendations and conclusions resulting from the sessions of the Group and underscores that the vast majority of them constitutes a good basis for the report to be submitted to the Commission on Crime Prevention and Criminal Justice (CCPCJ).

In our statement, we would like to focus on the chapter dedicated to the issues of **International Cooperation**.

With regard to this topic, we would like to underline that any new frameworks or instruments to be developed in the field of cybercrime should be complementary to the already existing treaties and mechanisms. By no means should the States be put in a position to go against their previous international commitments or agreements already in place.

The Republic of Poland is convinced, that any measures to prevent or counter cybercrime must not be in contravention of human rights and fundamental freedoms. Thus, we must ensure that the proportionality of investigative measures and the personal data protection regimes are in place. The regulation in the field cyberspace should aim at promoting a more free, open, secure and resilient cyberspace for all.

We are also of the opinion that the civil society, including non-governmental organizations and academia, must be involved in the efforts to prevent and counter cybercrime, as they offer a wide variety of valuable perspectives.

Taking into account the above mentioned issues, the Republic of Poland would like to particularly underline the importance of the following recommendations from the chapter International Cooperation: (b); (k); (o); (s); (t); (u); (hh); (ll); (rr); (uu); (aaa); (ddd).

A separate cluster of recommendations is devoted to the Electronic Evidence, but this important issue has been also touched upon across other chapters. It is worth mentioning, that currently, the negotiation of an optional protocol to the Budapest Convention are ongoing, to make more effective use of electronic evidence. Given the growing role of electronic evidence, judges, prosecutors and investigators may be confronted with it and they should have enough knowledge to tackle it.

Therefore, we would like to particularly underscore recommendation (j) from the Criminalization Chapter and recommendation (f) from the Electronic Evidence and Criminal Justice Chapter.

Thank you for your attention.