

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

**Informal consultation  
January 26, 2024  
*Delivered by Paloma Lara-Castro***

Thank you for the opportunity to take part in this informal session. We have been participating in this committee since its first sessions and we highlight the challenges that Member States have.

Throughout the negotiations over the last two years, civil society groups and other stakeholders have consistently emphasized that the fight against cybercrime must not come at the expense of human rights, gender equality, and the dignity of the people whose lives will be affected by this Convention.

Our concerns regarding the proposed text of the Convention are deeply rooted in our extensive experience, research and commitment to human rights and its intersection with technology. Over the years, we've witnessed how national and regional cybercrime laws are unfortunately misused to target journalists and security researchers unjustly, suppress dissent and whistleblowers, endanger human rights defenders, limit free expression, and justify disproportionate state surveillance.

As we have already stated on several occasions, we consider that the draft requires greater commitments and safeguards for human rights guarantees, as well as the reinforcement of the integration of effective gender perspective throughout the articles.

In our active involvement in this process, we have been closely examining the gender implications of the treaty. We have strongly advocated for the mainstreaming of a gender perspective throughout the convention to advance gender equality effectively. While we appreciate the inclusion of the importance of mainstreaming a gender perspective in the preamble of the zero draft, we believe it's essential to integrate this perspective throughout each article to prevent the Convention from being used to the detriment of people's human rights on the basis of gender. Rather, the current draft facilitates criminalizing and surveillance of women and LGBTQIA people, undermining the struggle for equal rights.

In its current form, the cybercrime treaty, far from being a tool that guarantees people greater security online, has become a threat to the exercise of human rights, particularly in countries with fragile democracies and histories of

techno-authoritarianism. Furthermore the text justifies the implementation of greater capabilities for state surveillance of online activities and facilitates cooperation between States for gathering and sharing personal information on citizens without the control needed to prevent abuses and for the investigation of “serious” crimes defined by national laws, even if they contradict human rights laws.

The present draft text falls short of this goal and these basic minimum requirements, and must be comprehensively revised and amended to reflect these concerns.

Madame Chair, we participated online and in person in the sessions and intersessionals, as well as sending in our concerns and suggestions. We regret the lack of possibility of participation online in the concluding session which will specially affect civil society from the Global South. Nevertheless, we are going to continue in this spirit of contributing with this committee for the next two weeks.

Thank you, Madame Chair.