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PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	16 July 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2025) 417 annex
Subject:	ANNEX 1 to the Proposal for a COUNCIL DECISION on the conclusion, on behalf of the European Union, of the United Nations Convention against Cybercrime; Strengthening International Cooperation for Combating Certain Crimes Committed by Means of Information and Communications Technology Systems and for the Sharing of Evidence in Electronic Form of Serious Crimes

Delegations will find attached document COM(2025) 417 final.

Encl.: COM(2025) 417 final



EUROPEAN
COMMISSION

Brussels, 16.7.2025
COM(2025) 417 final

ANNEX 1

ANNEXES

to the

Proposal for a COUNCIL DECISION

on the conclusion, on behalf of the European Union, of the United Nations Convention against Cybercrime; Strengthening International Cooperation for Combating Certain Crimes Committed by Means of Information and Communications Technology Systems and for the Sharing of Evidence in Electronic Form of Serious Crimes

ANNEX I

Reservations and notifications

1. The Union and the Member States shall act in accordance with the below indications when it comes to reservations, declarations, notifications or communications, and other considerations.

RESERVATIONS

2. The United Nations Convention against Cybercrime does not have a dedicated provision on reservations. Rather, it explicitly allows a Party to declare that it avails itself of a reservation provided in some of the articles of the Convention (Article 11 paragraph 3; Article 23 paragraph 3(a); Article 23 paragraph 3(b) chaussette; Article 42 paragraph 5; Article 63 paragraphs 3 and 4).
3. On that basis, the Union and the Member States shall make a reservation based on Article 63 paragraph 3 indicating that they do not consider themselves bound by Article 63 paragraph 2 regarding the settlement of disputes.
4. When Member States consider making their own reservations on issues of national competence, they shall inform the Commission 2 months in advance.
5. The human rights conditions and safeguards recognised and provided for in this Convention, including those in Articles 6; 21 paragraph 4; 24; 36; 37 paragraph 15, 40 paragraph 22 are part of its object and purpose and therefore Member States shall not formulate reservations on these articles. Any such reservations by non-EU State Parties to the Convention should be objected as going against the object and purpose of the Convention.

NOTIFICATIONS

6. The Convention requires a Party to make notifications in accordance with Article 40 paragraphs 12(c) and 13; Article 41 paragraph 2; Article 67 paragraph 1.
7. The Convention also requires a Party to communicate to the Secretary-General of the United Nations the name and address of an authority responsible for making or receiving requests for extradition or provisional arrest in accordance with Article 37 paragraph 19.
8. Member States shall communicate to the Secretary-General of the United Nations the name and address of an authority responsible for making or receiving requests for extradition or provisional arrest under Article 37 paragraph 19 and inform the Commission thereof.
9. The Union and the Member States shall notify the Secretary-General of the United Nations of the central authority or authorities having the responsibility and power to receive requests for mutual legal assistance under Article 40 paragraph 12(c) and inform the Commission thereof.

10. The Union and the Member States shall notify the Secretary-General of the United Nations of the language or languages acceptable to Member States under Article 40 paragraph 13 and inform the Commission thereof.
11. Member States shall notify the Secretary-General of the United Nations of the point of contact available 24 hours a day, 7 days a week under Article 41 paragraph 2 and keep an updated register of points of contact and inform the Commission thereof.
12. Member States shall refrain from notifying the Secretary-General of the United Nations of the denunciation of the Convention under Article 67 paragraph 1 unless the Council has adopted a decision that the Union should denounce the Convention.