



# General Assembly

Distr.: General  
27 June 2022

Original: English

## **Report of the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes on its second session**

### **I. Opening of the session**

#### **A. Opening and duration of the session**

1. The Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes held its second session in Vienna from 30 May to 10 June 2022. During the session, the Ad Hoc Committee held 19 meetings.
2. The session was opened by the Chair of the Ad Hoc Committee, Ms. Faouzia Boumaiza Mebarki (Algeria), who delivered opening remarks.

#### **B. Attendance**

3. The session was attended by representatives of 143 States Members of the United Nations. Also attending were observers for non-member States, representatives of entities of the United Nations system and observers for intergovernmental, non-governmental and other organizations.
4. A list of registered participants has been made available on the website of the Ad Hoc Committee.<sup>1</sup>

#### **C. Documentation**

5. A list of the documents before the Ad Hoc Committee at its second session has been published on the website of the Committee.<sup>2</sup>

<sup>1</sup> [www.unodc.org/unodc/en/cybercrime/ad\\_hoc\\_committee/home](http://www.unodc.org/unodc/en/cybercrime/ad_hoc_committee/home).

<sup>2</sup> Ibid.



## **II. Adoption of the agenda and organization of work**

6. At its 1st meeting, on 30 May 2022, the Ad Hoc Committee adopted the annotated provisional agenda and the proposed organization of work as contained in document [A/AC.291/8](#). The agenda was as follows:

1. Opening of the session.
2. Adoption of the agenda and organization of work.
3. Presentation by the Committee Chair of the report on the first intersessional consultation with multi-stakeholders, held on 24 and 25 March 2022.
4. Provisions on criminalization.
5. General provisions.
6. Provisions on procedural measures and law enforcement.
7. Any other business.
8. Adoption of the report.
9. Closure of the session.

## **III. Presentation by the Committee Chair of the report on the first intersessional consultation with multi-stakeholders, held on 24 and 25 March 2022**

7. At its 1st meeting, on 30 May 2022, the Ad Hoc Committee considered agenda item 3, entitled “Presentation by the Committee Chair of the report on the first intersessional consultation with multi-stakeholders, held on 24 and 25 March 2022”.

8. For its consideration of the item, the Ad Hoc Committee had before it a conference room paper containing the report of the Chair on the first intersessional consultation, which had been held, pursuant to paragraph 10 of General Assembly resolution [75/282](#), to solicit inputs from a diverse range of stakeholders on the elaboration of the draft convention (A/AC.291/CRP.9).

9. The Chair presented an overview of the above-mentioned report.

## **IV. Provisions on criminalization**

10. At its 1st to 11th meetings, held from 30 May to 6 June 2022, the Ad Hoc Committee considered agenda item 4, entitled “Provisions on criminalization”.

11. For its consideration of item 4, the Ad Hoc Committee had before it the following:

(a) Compilation of proposals and contributions submitted by Member States on the provisions on criminalization, the general provisions and the provisions on procedural measures and law enforcement of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/9](#) and [A/AC.291/9/Add.3](#));

(b) Overview of existing instruments, recommendations and other documents on countering the use of information and communications technologies for criminal purposes (A/AC.291/CRP.10);

(c) Compilation of draft provisions submitted by Member States on criminalization, general provisions and procedural measures and law enforcement (A/AC.291/CRP.11).

12. Statements were made by representatives of the following Member States: Singapore, Argentina, Republic of Korea, New Zealand, El Salvador, Czechia,

Panama, Jamaica (on behalf of the Caribbean Community), Islamic Republic of Iran, Japan, Kuwait, Cuba, Liechtenstein, Brazil, United Kingdom of Great Britain and Northern Ireland, Sudan, Dominican Republic, Pakistan, Australia, Nigeria, Egypt, Germany, Canada, Guatemala, Azerbaijan, Switzerland, Georgia, Netherlands, India, Eritrea, Norway, United States of America, Uruguay, Israel, Russian Federation, Sweden, Chile, Austria, Colombia, Slovenia, France, Mongolia, China, Malaysia, Italy, Mozambique, Cameroon, Ecuador, Ghana, Jordan, Morocco, Kenya, Philippines, United Republic of Tanzania, Indonesia, Senegal, Mexico, Republic of Moldova, Thailand, Portugal, Viet Nam, Bolivarian Republic of Venezuela, Paraguay, Estonia, Armenia, Costa Rica, South Africa, Romania, Algeria, Oman, United Arab Emirates, Finland, Peru, Burkina Faso, Haiti, Bangladesh, Poland, Honduras, Angola, Fiji, Niger, Madagascar, Luxembourg, Malawi, Belarus and Iraq.

13. The representative of the European Union, in its capacity as observer, made a statement on behalf of the European Union and its member States.

14. The observer for the State of Palestine made a statement.

15. Statements were also made by representatives of the following intergovernmental organizations and United Nations entities: Council of Europe, International Criminal Police Organization (INTERPOL), Inter-Parliamentary Union and Office of the United Nations High Commissioner for Human Rights.

16. Further statements were made by representatives of the following civil society organizations, private sector entities and academic institutions: Microsoft Corporation, World Business Organization Limited, Access Now, Article 19 – International Centre against Censorship, Global Partners Digital Limited, Privacy International (on behalf of Electronic Frontier Foundation and Human Rights Watch), International Conference on Cyberlaw, Cybercrime and Cybersecurity, Global Initiative against Transnational Organized Crime, Alliance of NGOs on Crime Prevention and Criminal Justice, Maat for Peace, Development and Human Rights Association, Association Adala-Justice and Cyberlaw University.

17. The Chair opened the floor for preliminary remarks of a general nature concerning proposals relating to the chapter containing provisions on criminalization. The Ad Hoc Committee exchanged views on the questions that had been prepared by the Chair on the basis of the written submissions of Member States. To guide a focused and structured discussion on the provisions on criminalization, the questions had been shared in advance.<sup>3</sup> The views expressed would be taken into consideration by the Chair in preparing, with the support of the Secretariat, a consolidated negotiating document in advance of the fourth session of the Ad Hoc Committee, as foreseen in its road map and mode of work, adopted at its first session.

## V. General provisions

18. At its 11th to 14th meetings, on 6 and 7 June 2022, the Ad Hoc Committee considered agenda item 5, entitled “General provisions”.

19. For its consideration of item 5, the Ad Hoc Committee had before it the following:

(a) Compilation of proposals and contributions submitted by Member States on the provisions on criminalization, the general provisions and the provisions on procedural measures and law enforcement of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/9/Add.1](#) and [A/AC.291/9/Add.3](#));

(b) Overview of existing instruments, recommendations and other documents on countering the use of information and communications technologies for criminal purposes ([A/AC.291/CRP.10](#));

<sup>3</sup> The questions were made available on the website of the Ad Hoc Committee.

(c) Compilation of draft provisions submitted by Member States on criminalization, general provisions and procedural measures and law enforcement (A/AC.291/CRP.11).

20. Statements were made by representatives of the following Member States: Jamaica (on behalf of the Caribbean Community), Philippines, Switzerland, Russian Federation, Netherlands, Czechia, Azerbaijan, Canada, China, Thailand, Japan, Indonesia, Mexico, Liechtenstein, United States, Chile, United Kingdom, Malaysia, Argentina, Egypt, Singapore, Paraguay, Republic of Korea, Germany, France, Colombia, Pakistan, Ghana, Cuba, Iraq, New Zealand, South Africa, Portugal, Islamic Republic of Iran, Bolivarian Republic of Venezuela, Senegal, Australia, Slovenia, Nigeria, Brazil, Angola, Israel, Poland, Italy, Ecuador, Haiti, Burkina Faso, Eritrea, India, Dominican Republic, Oman, Jordan, Peru, Costa Rica, Uruguay, Guatemala, Viet Nam, Belarus, Honduras, Zimbabwe, Morocco, Kenya, Armenia, Fiji, Saudi Arabia, Sudan and El Salvador.

21. The representative of the European Union, in its capacity as observer, made a statement on behalf of the European Union and its member States.

22. The Chair opened the floor for remarks of a general nature on proposals relating to the chapter containing general provisions, as well as on the questions on that chapter that had been prepared by the Chair on the basis of the submissions of Member States and shared in advance to guide a focused and structured discussion.<sup>4</sup> Those remarks would be taken into consideration by the Chair in preparing, with the support of the Secretariat, a consolidated negotiating document in advance of the fourth session of the Ad Hoc Committee.

## VI. Provisions on procedural measures and law enforcement

23. At its 14th to 18th meetings, from 7 to 9 June 2022, the Ad Hoc Committee considered agenda item 6, entitled “Provisions on procedural measures and law enforcement”.

24. For its consideration of item 6, the Ad Hoc Committee had before it the following:

(a) Compilation of proposals and contributions submitted by Member States on the provisions on criminalization, the general provisions and the provisions on procedural measures and law enforcement of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes (A/AC.291/9/Add.2 and A/AC.291/9/Add.3);

(b) Overview of existing instruments, recommendations and other documents on countering the use of information and communications technologies for criminal purposes (A/AC.291/CRP.10);

(c) Compilation of draft provisions submitted by Member States on criminalization, general provisions and procedural measures and law enforcement (A/AC.291/CRP.11).

25. Statements were made by the representatives of the following Member States: Paraguay, Costa Rica, United Kingdom, Japan, Mexico, Argentina, United States, Islamic Republic of Iran, Germany, Armenia, Netherlands, India, New Zealand, Jamaica (on behalf of the Caribbean Community), China, Australia, Iraq, Indonesia, South Africa, Azerbaijan, Luxembourg, Serbia, United Republic of Tanzania, Colombia, Canada, Ghana, Eritrea, Burkina Faso, Morocco, Senegal, Oman, Russian Federation, Kenya, Israel, Honduras, Switzerland, France, Algeria, Malaysia, Slovenia, Singapore, Philippines, Italy, Dominican Republic, Brazil, Pakistan, Republic of Korea, Poland, Bolivarian Republic of Venezuela, Nigeria, Egypt, El Salvador, Ecuador, Norway, Chile, Angola, Mozambique, Thailand and Fiji.

<sup>4</sup> The questions were made available on the website of the Ad Hoc Committee.

26. The representative of the European Union, in its capacity as observer, made a statement on behalf of the European Union and its member States.

27. Statements regarding the general provisions and the provisions on procedural measures and law enforcement were made by representatives of the following intergovernmental organizations and specialized agencies of the United Nations system: International Chamber of Commerce, INTERPOL, World Bank and International Telecommunication Union.

28. Statements regarding the general provisions and the provisions on procedural measures and law enforcement were also made by representatives of the following civil society organizations, private sector entities and academic institutions: Microsoft Corporation, Global Initiative against Transnational Organized Crime, Alliance of NGOs on Crime Prevention and Criminal Justice, Access Now, World Business Organization Limited, Electronic Frontier Foundation, Humanity for the World, Andishe Varzane Fanavari Tanzimi, Red en Defensa de los Derechos Digitales, Rapha House International, National Law University, Delhi, Ambivium Institute on Security and Cooperation, and Action Citoyenne pour l'Information et l'Éducation au Développement Durable.

29. The Chair opened the floor for comments of a general nature on proposals relating to the chapter containing provisions on procedural measures and law enforcement, as well as on the questions on that chapter that had been prepared by the Chair on the basis of the submissions of Member States and shared in advance to guide a focused and structured discussion.<sup>5</sup> Those comments would be taken into consideration by the Chair in preparing, with the support of the Secretariat, a consolidated negotiating document in advance of the fourth session of the Ad Hoc Committee.

## **VII. Any other business**

30. At its 18th meeting, on 9 June 2022, the Ad Hoc Committee considered agenda item 7, entitled “Any other business”.

31. The Chair informed the Ad Hoc Committee of the request by a multi-stakeholder, referred to as “World Business Organization Limited” in the list of other relevant non-governmental organizations, civil society organizations, academic institutions and private sector entities whose participation had been approved by the Committee at its session on organizational matters (see [A/AC.291/6](#), annex I), to henceforth be referred to as “International Chamber of Commerce United Kingdom”. The Ad Hoc Committee approved the request.

## **VIII. Adoption of the report**

32. At its 19th meeting, on 10 June 2022, the Ad Hoc Committee adopted the report on its second session ([A/AC.291/L.7](#) and [A/AC.291/L.7/Add.1–Add.6](#)).

33. Statements were made by the representatives of Ecuador (on behalf of the Group of Latin American and Caribbean States), the Philippines and Oman.

## **IX. Closure of the session**

34. At its 19th meeting, on 10 June 2022, a closing statement was made by the Chair of the Ad Hoc Committee.

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<sup>5</sup> The questions were made available on the website of the Ad Hoc Committee.