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**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 third 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 third session in New York from 29 August to 9 September 2022. During the session, the Ad Hoc Committee held 15 meetings.
2. The session was opened by the Chair of the Ad Hoc Committee, Faouzia Boumaiza Mebarki (Algeria), who delivered opening remarks.

**B. Attendance**

3. The session was attended by representatives of 149 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 web pages of the third session of the Ad Hoc Committee.<sup>1</sup>

**C. Documentation**

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

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<sup>1</sup> [www.unodc.org/unodc/en/cybercrime/ad\\_hoc\\_committee/ahc\\_third\\_session/main.html](http://www.unodc.org/unodc/en/cybercrime/ad_hoc_committee/ahc_third_session/main.html).

<sup>2</sup> Ibid.



## **II. Organizational matters**

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

6. At its 1st meeting, on 29 August 2022, the Ad Hoc Committee adopted the provisional agenda as orally amended and the proposed organization of work as contained in document [A/AC.291/11](#). The agenda was as follows:

1. Opening of the session.
2. Organizational matters:
  - (a) Adoption of the agenda and organization of work;
  - (b) Election of the Vice-Chair.
3. Presentation by the Committee Chair of the report on the second intersessional consultation with multi-stakeholders, held on 13 and 14 June 2022.
4. Provisions on international cooperation.
5. Provisions on technical assistance.
6. Provisions on preventive measures.
7. Provisions on the mechanism of implementation.
8. Final provisions.
9. Preamble.
10. Any other business.
11. Adoption of the report.
12. Closure of the session.

### **B. Election of the Vice-Chair**

7. The Ad Hoc Committee elected by acclamation Miguel de Almeida e Sousa (Portugal) as Vice-Chair.

## **III. Presentation by the Committee Chair of the report on the second intersessional consultation with multi-stakeholders, held on 13 and 14 June 2022**

8. At its 1st meeting, on 29 August 2022, the Ad Hoc Committee considered agenda item 3, entitled “Presentation by the Committee Chair of the report on the second intersessional consultation with multi-stakeholders, held on 13 and 14 June 2022”.

9. For its consideration of the item, the Committee had before it a conference room paper containing the report of the Chair on the second 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.12).

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

#### IV. Provisions on international cooperation

11. At its 1st to 7th meetings, held from 29 August to 1 September 2022, the Ad Hoc Committee considered agenda item 4, entitled “Provisions on international cooperation”.

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

(a) Compilation of proposals and comments submitted by Member States on the provisions on international cooperation, technical assistance, preventive measures and the mechanism of implementation, the final provisions and the preamble of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/12](#), [A/AC.291/12/Add.1](#) and [A/AC.291/12/Add.2](#));

(b) Guiding questions on the chapters on international cooperation, technical assistance, preventive measures, the mechanism of implementation and the final provisions, and the preamble, of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/13](#));

(c) Compilation of draft provisions submitted by Member States on international cooperation, technical assistance, preventive measures, the mechanism of implementation, the final provisions and the preamble ([A/AC.291/CRP.13](#)).

13. Statements were made by representatives of the following Member States: South Africa (on behalf of the Group of African States), Singapore, Islamic Republic of Iran, Indonesia, Philippines, Costa Rica, Kenya, Jamaica (on behalf of the Caribbean Community), Germany, Egypt, China, Czechia, Malaysia, Belarus, Italy, Japan, Georgia, Syrian Arab Republic, France, United States of America, Netherlands, Russian Federation, Mexico, Cameroon, Burkina Faso, Uruguay, Pakistan, United Republic of Tanzania, Portugal, Argentina, Luxembourg, Viet Nam, Norway, Israel, United Kingdom of Great Britain and Northern Ireland, Canada, Armenia, Liechtenstein, Republic of Moldova, Bolivarian Republic of Venezuela, Nigeria, South Africa, Serbia, Romania, Nicaragua, Senegal, Ecuador, Chile, El Salvador, Switzerland, Austria, Australia, Slovenia, New Zealand, Thailand, India, Paraguay, Brazil, Denmark, Estonia, Republic of Korea, Morocco, Saudi Arabia, Honduras, Colombia, Panama, Dominican Republic, Azerbaijan, Cuba, Namibia, Haiti, Sierra Leone, Ghana, Angola, Eritrea, Oman, Albania and Peru.

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

15. The observer for the Holy See made a statement.

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

17. Further statements were made by representatives of the following civil society organizations and private sector entities: International Chamber of Commerce United Kingdom, International Chamber of Commerce, Microsoft Corporation, Privanova SAS, Cyber Saathi Foundation, Global Forum on Cyber Expertise, Libyan Transparency Association, Electronic Frontier Foundation, Derechos Digitales, Global Partners Digital Limited, Cyber Security Tech Accord, Global Initiative against Transnational Organized Crime, Doctor Web Ltd., Access Now, AWTAD Anti-Corruption Organization and Humanity for the World.

18. 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 and shared to guide a focused and structured discussion. The views expressed would be taken into consideration by the Chair in preparing, with the support of the Secretariat,

a consolidated negotiating document, as foreseen in the road map and mode of work for the Committee, adopted at its first session (A/AC.291/7, annex II).

## V. Provisions on technical assistance

19. At its 7th to 10th meetings, on 1 and 2 September 2022, the Ad Hoc Committee considered agenda item 5, entitled “Provisions on technical assistance”.

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

(a) Compilation of proposals and comments submitted by Member States on the provisions on international cooperation, technical assistance, preventive measures and the mechanism of implementation, the final provisions and the preamble of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes (A/AC.291/12, A/AC.291/12/Add.1 and A/AC.291/12/Add.2);

(b) Guiding questions on the chapters on international cooperation, technical assistance, preventive measures, the mechanism of implementation and the final provisions, and the preamble, of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes (A/AC.291/13);

(c) Compilation of draft provisions submitted by Member States on international cooperation, technical assistance, preventive measures, the mechanism of implementation, the final provisions and the preamble (A/AC.291/CRP.13).

21. Statements were made by representatives of the following Member States: Senegal, South Africa (on behalf of the Group of African States), Brazil, Pakistan, Jamaica (on behalf of the Caribbean Community), Czechia, Islamic Republic of Iran, Philippines, India, Israel, Malaysia, Costa Rica, Italy, Japan, South Africa, Burkina Faso, Russian Federation, Uruguay, Germany, Nicaragua, New Zealand, Switzerland, Norway, Egypt, Netherlands, Bolivarian Republic of Venezuela, United Kingdom, Canada, Luxembourg, Sweden, Viet Nam, Portugal, Thailand, Indonesia, United States, Australia, Argentina, Nigeria, Chile, Dominican Republic, Armenia, Mexico, Austria, Ecuador, France, Oman, Azerbaijan, Colombia, China, El Salvador, Ghana, Kenya, United Republic of Tanzania, Republic of Korea and Peru.

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

23. The observer for the Holy See made a statement.

24. Statements were also made by representatives of the following intergovernmental organizations and United Nations entities: International Telecommunication Union, African Union, INTERPOL and World Bank.

25. Further statements were made by representatives of the following civil society organizations and private sector entities: Global Forum on Cyber Expertise, Andishe Varzane Fanavari Tanzimi, Royal Institute of International Affairs – Chatham House, International Chamber of Commerce, International Chamber of Commerce United Kingdom, Microsoft Corporation, Global Partners Digital Limited, Global Initiative against Transnational Organized Crime, Derechos Digitales, Cyber Security Tech Accord, Electronic Frontier Foundation, Libyan Transparency Association and AWTAD Anti-Corruption Organization.

26. 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 and shared to guide a focused and structured discussion. The views expressed would be taken into consideration by the Chair in preparing, with the support of the Secretariat, a consolidated negotiating document, as foreseen in the road map and mode of work for the Committee, adopted at its first session (A/AC.291/7, annex II).

27. One Member State proposed that countries willing to do so could, on a voluntary basis, share their needs for and possible offers of technical assistance, to be published on the website of the Ad Hoc Committee.

## VI. Provisions on preventive measures

28. At its 9th and 10th meetings, on 2 September 2022, the Ad Hoc Committee considered agenda item 6, entitled “Provisions on preventive measures”.

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

(a) Compilation of proposals and comments submitted by Member States on the provisions on international cooperation, technical assistance, preventive measures and the mechanism of implementation, the final provisions and the preamble of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/12](#), [A/AC.291/12/Add.1](#) and [A/AC.291/12/Add.2](#));

(b) Guiding questions on the chapters on international cooperation, technical assistance, preventive measures, the mechanism of implementation and the final provisions, and the preamble, of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/13](#));

(c) Compilation of draft provisions submitted by Member States on international cooperation, technical assistance, preventive measures, the mechanism of implementation, the final provisions and the preamble ([A/AC.291/CRP.13](#)).

30. Statements were made by representatives of the following Member States: Russian Federation, Cuba, India, Costa Rica, United States, Singapore, Netherlands, Switzerland, South Africa, Islamic Republic of Iran, Indonesia, Dominican Republic, Germany, Liechtenstein, Malaysia, Chile, Brazil, Israel, Viet Nam, Burkina Faso, France, Oman, Japan, Jamaica (on behalf of the Caribbean Community), Portugal, Norway, Philippines, Australia, Nigeria, Canada, Saudi Arabia, New Zealand, Ecuador, El Salvador, Niger, Argentina, United Kingdom, Georgia, China and Thailand.

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

32. The observer for the Holy See made a statement.

33. Statements were also made by representatives of the following intergovernmental organizations: African Union and INTERPOL.

34. Further statements were made by representatives of the following civil society organizations and private sector entities: Microsoft Corporation, International Chamber of Commerce United Kingdom, International Chamber of Commerce, Cyber Security Tech Accord and Electronic Frontier Foundation.

35. 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 and shared to guide a focused and structured discussion. The views expressed would be taken into consideration by the Chair in preparing, with the support of the Secretariat, a consolidated negotiating document, as foreseen in the road map and mode of work for the Committee, adopted at its first session ([A/AC.291/7](#), annex II).

## VII. Provisions on the mechanism of implementation

36. At its 11th and 12th meetings, on 6 September 2022, the Ad Hoc Committee considered agenda item 7, entitled “Provisions on the mechanism of implementation”.

37. For its consideration of item 7, the Ad Hoc Committee had before it the following:

(a) Compilation of proposals and comments submitted by Member States on the provisions on international cooperation, technical assistance, preventive measures and the mechanism of implementation, the final provisions and the preamble of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/12](#), [A/AC.291/12/Add.1](#) and [A/AC.291/12/Add.2](#));

(b) Guiding questions on the chapters on international cooperation, technical assistance, preventive measures, the mechanism of implementation and the final provisions, and the preamble, of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/13](#));

(c) Compilation of draft provisions submitted by Member States on international cooperation, technical assistance, preventive measures, the mechanism of implementation, the final provisions and the preamble ([A/AC.291/CRP.13](#)).

38. The Director of the Division for Treaty Affairs of the United Nations Office on Drugs and Crime delivered a presentation on the implementation mechanisms of treaties related to drug control, organized crime and corruption. The presentation was followed by an exchange of views with delegates.

39. Statements were made by representatives of the following Member States: Russian Federation, Slovenia, France, Indonesia, Brazil, United Republic of Tanzania, Singapore, Malaysia, Switzerland, Republic of Korea, Norway, Japan, Uruguay, Czechia, Burkina Faso, Israel, United States, Chile, Netherlands, Colombia, Nicaragua, Islamic Republic of Iran, Oman, Italy, Nigeria, Germany, Egypt, United Kingdom, Argentina, Paraguay, Thailand, Viet Nam, Bolivarian Republic of Venezuela, Austria, Ghana, Ecuador, South Africa, China, Canada, Jamaica (on behalf of the Caribbean Community), Dominican Republic, Australia, Costa Rica, El Salvador, Armenia and Morocco.

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

41. The observer for the Holy See made a statement.

42. Statements were also made by representatives of the following intergovernmental organizations: INTERPOL and African Union.

43. Further statements were made by representatives of the following academic institutions, civil society organizations and private sector entities: International Chamber of Commerce United Kingdom; International Chamber of Commerce; Microsoft Corporation; Red en Defensa de los Derechos Digitales; Alliance of NGOs on Crime Prevention and Criminal Justice; Libera Università “Maria SS. Assunta”, Dipartimento di Giurisprudenza Palermo; Doctor Web Ltd.; AWTAD Anti-Corruption Organization; Libyan Transparency Association; Cyber Security Tech Accord; Humanity for the World; Derechos Digitales; and Global Initiative against Transnational Organized Crime.

44. 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 and shared to guide a focused and structured discussion. The views expressed would be taken into consideration by the Chair in preparing, with the support of the Secretariat, a consolidated negotiating document, as foreseen in the road map and mode of work for the Committee, adopted at its first session ([A/AC.291/7](#), annex II).

## VIII. Final provisions

45. At its 12th and 13th meetings, on 6 and 7 September 2022, the Ad Hoc Committee considered agenda item 8, entitled “Final provisions”.

46. For its consideration of item 8, the Ad Hoc Committee had before it the following:

(a) Compilation of proposals and comments submitted by Member States on the provisions on international cooperation, technical assistance, preventive measures and the mechanism of implementation, the final provisions and the preamble of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/12](#), [A/AC.291/12/Add.1](#) and [A/AC.291/12/Add.2](#));

(b) Guiding questions on the chapters on international cooperation, technical assistance, preventive measures, the mechanism of implementation and the final provisions, and the preamble, of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/13](#));

(c) Compilation of draft provisions submitted by Member States on international cooperation, technical assistance, preventive measures, the mechanism of implementation, the final provisions and the preamble ([A/AC.291/CRP.13](#)).

47. Statements were made by representatives of the following Member States: Singapore, Mexico, Russian Federation, Brazil, Switzerland, Malaysia, Japan, France, Liechtenstein, Viet Nam, Azerbaijan, Nigeria, India, New Zealand, Australia, Philippines, Chile, South Africa, Norway, Netherlands, Argentina, Republic of Korea, Germany, Israel, Peru, Canada, United Republic of Tanzania, Thailand, China, United States, Costa Rica, Uruguay, Indonesia, Egypt, Islamic Republic of Iran, Oman, Paraguay, Dominican Republic, Ghana, Portugal, Burkina Faso, United Kingdom, Armenia, Colombia, Morocco, Haiti and Jamaica (on behalf of the Caribbean Community).

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

49. The observer for the Holy See made a statement.

50. A statement was made by the representative of the following intergovernmental organization: African Union.

51. A statement was also made by the representative of the following civil society organization: AWTAD Anti-Corruption Organization.

52. 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 and shared to guide a focused and structured discussion. The views expressed would be taken into consideration by the Chair in preparing, with the support of the Secretariat, a consolidated negotiating document, as foreseen in the road map and mode of work for the Committee, adopted at its first session ([A/AC.291/7](#), annex II).

## IX. Preamble

53. At its 14th meeting, on 7 September 2022, the Ad Hoc Committee considered agenda item 9, entitled “Preamble”.

54. For its consideration of item 9, the Ad Hoc Committee had before it the following:

(a) Compilation of proposals and comments submitted by Member States on the provisions on international cooperation, technical assistance, preventive measures and the mechanism of implementation, the final provisions and the

preamble of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/12](#), [A/AC.291/12/Add.1](#) and [A/AC.291/12/Add.2](#));

(b) Guiding questions on the chapters on international cooperation, technical assistance, preventive measures, the mechanism of implementation and the final provisions, and the preamble, of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/13](#));

(c) Compilation of draft provisions submitted by Member States on international cooperation, technical assistance, preventive measures, the mechanism of implementation, the final provisions and the preamble ([A/AC.291/CRP.13](#)).

55. Statements were made by representatives of the following Member States: El Salvador, Bolivarian Republic of Venezuela, Russian Federation, Australia, Jamaica (on behalf of the Caribbean Community), New Zealand, Norway, India, China, Republic of Korea, Japan, Ecuador, Liechtenstein, Uruguay, United States, Israel, Argentina, South Africa, Switzerland, Burkina Faso, Malaysia, Canada, Paraguay, Slovenia, Islamic Republic of Iran, Panama, Costa Rica, France, United Kingdom, Thailand, Germany, Nigeria, Mexico, Singapore, Indonesia, Morocco and Viet Nam.

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

57. A statement was made by the representative of the following intergovernmental organization: African Union.

58. Statements were also made by representatives of the following civil society organizations: Red en Defensa de los Derechos Digitales and Humanity for the World.

59. 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 and shared to guide a focused and structured discussion. The views expressed would be taken into consideration by the Chair in preparing, with the support of the Secretariat, a consolidated negotiating document, as foreseen in the road map and mode of work for the Committee, adopted at its first session ([A/AC.291/7](#), annex II).

60. Following the exchange of views on the preamble, the Ad Hoc Committee decided that the drafting of the preamble should be conducted after progress had been made on the substantive articles of the draft convention.

## **X. Any other business**

61. At its 14th meeting, on 7 September 2022, the Ad Hoc Committee considered agenda item 10, entitled “Any other business”.

62. Statements were made by representatives of the following Member States: Argentina, Thailand and Haiti.

63. A statement was also made by the representative of the European Union, in its capacity as observer.

## **XI. Adoption of the report**

64. At its 15th meeting, on 9 September 2022, the Ad Hoc Committee adopted the report on its third session ([A/AC.291/L.8](#) and [A/AC.291/L.8/Add.1–6](#)), as orally amended.

65. A statement was made by the representative of Brazil.

## **XII. Closure of the session**

66. At its 15th meeting, on 9 September 2022, a closing statement was made by the Chair of the Ad Hoc Committee.

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