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

Fifth session

Vienna, 11–21 April 2023

Annotated provisional agenda

Provisional agenda

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2. Adoption of the agenda and organization of work.
3. Presentation by the Committee Chair of the report on the fourth intersessional consultation with multi-stakeholders, held on 6 and 7 March 2023.
4. Provisions on international cooperation.
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11. Adoption of the report.
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Annotations

1. Opening of the session

In its resolution [74/247](#), the General Assembly decided to establish an open-ended ad hoc intergovernmental committee of experts, representative of all regions, to elaborate a comprehensive international convention on countering the use of information and communications technologies for criminal purposes, taking into full consideration existing international instruments and efforts at the national, regional and international levels on combating the use of information and communications technologies for criminal purposes, in particular the work and outcomes of the



open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime.

The Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes held an organizational session in New York from 10 to 12 May 2021.

On 26 May 2021, the General Assembly adopted resolution [75/282](#), in which it decided, *inter alia*, that the Committee should convene at least six sessions of 10 days each, and a concluding session, and provide a draft convention to the General Assembly at its seventy-eighth session. The Ad Hoc Committee held a session on organizational matters in New York on 24 February 2022. It held its first session in New York from 28 February to 11 March 2022, its second session in Vienna from 30 May to 10 June 2022, its third session in New York from 29 August to 9 September 2022 and its fourth session in Vienna from 9 to 20 January 2023.

At the session on organizational matters, the Ad Hoc Committee held elections to fill two vacant Vice-Chair positions, from the Asia-Pacific States and the Latin American and Caribbean States, and adopted the list of other relevant non-governmental organizations, civil society organizations, academic institutions and private sector entities that may participate in the Committee, in line with paragraph 9 of resolution [75/282](#). At its first session, the Ad Hoc Committee adopted a road map and mode of work with a view to facilitating the fulfilment of the Committee's mandate through a well-planned, organized and transparent approach, and also adopted the structure of the convention. In addition, the Ad Hoc Committee considered the objectives and scope of the convention and held a preliminary exchange of views on key elements of the convention. At its second and third sessions, the Ad Hoc Committee undertook a first reading of the chapters on criminalization, the general provisions, procedural measures and law enforcement, international cooperation, technical assistance, preventive measures, the mechanism of implementation and the final provisions, and the preamble, and exchanged views on the basis of the written submissions of Member States. At its fourth session, the Ad Hoc Committee undertook a second reading of the chapters on criminalization, general provisions and procedural measures and law enforcement using a consolidated negotiating document prepared by the Chair of the Ad Hoc Committee on the basis of the outcomes of the first reading of those draft chapters during the second session ([A/AC.291/16](#)).

In line with the road map approved by the Ad Hoc Committee at its first session, the fifth session of the Ad Hoc Committee will be opened in Vienna on Tuesday, 11 April 2023, at 10 a.m. in Board Room C, on the fourth floor of the C-Building of the Vienna International Centre. The session will be held in a hybrid format (in person and online), with simultaneous interpretation in the six official languages of the United Nations and with two three-hour meetings per day, one in the morning and one in the afternoon, on the understanding that online interventions are not to exceed 30 minutes per meeting, as decided by Member States at the fourth session of the Ad Hoc Committee. Further information for participants, including on any coronavirus disease (COVID-19) mitigation measures and the use of the online platform, will be made available on the website of the session.¹

2. Adoption of the agenda and organization of work

The road map and mode of work for the Ad Hoc Committee ([A/AC.291/7](#), annex II), which were approved by the Committee at its first session, provide guidance for the Committee to fulfil its mandates from the first session to the concluding session, to be held in 2024, including the substantive agenda items for all meetings.

The present annotated provisional agenda was prepared in line with the road map and mode of work, which provides that the Ad Hoc Committee will conduct a second reading of the provisions of the convention on international cooperation, technical

¹ www.unodc.org/unodc/en/cybercrime/ad_hoc_committee/ahc_fifth_session/main.

assistance, preventive measures and the mechanism of implementation, the final provisions and the preamble at its fifth session.

Documentation

Annotated provisional agenda ([A/AC.291/18](#))

3. Presentation by the Committee Chair of the report on the fourth intersessional consultation with multi-stakeholders, held on 6 and 7 March 2023

In paragraph 10 of its resolution [75/282](#), the General Assembly encouraged the Chair of the Ad Hoc Committee to host intersessional consultations to solicit inputs from a diverse range of stakeholders on the elaboration of the draft convention.

In accordance with resolution [75/282](#) and the road map and mode of work for the Ad Hoc Committee, the fourth intersessional consultation with multi-stakeholders will be held in Vienna on 6 and 7 March 2023. Furthermore, pursuant to the road map and mode of work, the Chair, with the support of the Secretariat, will prepare a report on that intersessional consultation, which will be made available on the website of the Ad Hoc Committee in advance of the fifth session and will be before the Ad Hoc Committee as a conference room paper.

In line with paragraph 17 of the road map and mode of work for the Ad Hoc Committee, the Chair will present her report on the fourth intersessional consultation with multi-stakeholders.

Documentation

Chair's report on the fourth intersessional consultation of the Ad Hoc Committee ([A/AC.291/CRP.16](#))

4. Provisions on international cooperation

The Ad Hoc Committee at its fifth session will undertake a second reading of the provisions on international cooperation, in accordance with the road map and mode of work. The Committee will conduct its work on the basis of the consolidated negotiating document on the preamble, the provisions on international cooperation, preventive measures, technical assistance and the mechanism of implementation and the final provisions of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes, which was prepared by the Chair, with the support of the Secretariat, on the basis of the outcomes of the second and third sessions, for the consideration of the Committee.

For its consideration of agenda item 4, the Ad Hoc Committee will have before it the consolidated negotiating document, which is available in the six official languages of the United Nations, in line with the road map and mode of work.

Documentation

Consolidated negotiating document on the preamble, the provisions on international cooperation, preventive measures, technical assistance and the mechanism of implementation and the final provisions of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/19](#))

5. Provisions on technical assistance

The Ad Hoc Committee at its fifth session will also undertake a second reading of the provisions on technical assistance, in accordance with the road map and mode of work. The Ad Hoc Committee will examine the provisions on technical assistance as contained in the consolidated negotiating document prepared by the Chair with the support of the Secretariat.

For its consideration of agenda item 5, the Ad Hoc Committee will have before it the consolidated negotiating document, which is available in the six official languages of the United Nations, in line with the road map and mode of work.

Documentation

Consolidated negotiating document on the preamble, the provisions on international cooperation, preventive measures, technical assistance and the mechanism of implementation and the final provisions of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/19](#))

6. Provisions on preventive measures

The Ad Hoc Committee at its fifth session will further undertake a second reading of the provisions on preventive measures, in accordance with the road map and mode of work. The Ad Hoc Committee will examine the provisions on preventive measures as contained in the consolidated negotiating document prepared by the Chair with the support of the Secretariat.

For its consideration of agenda item 6, the Ad Hoc Committee will have before it the consolidated negotiating document, which is available in the six official languages of the United Nations, in line with the road map and mode of work.

Documentation

Consolidated negotiating document on the preamble, the provisions on international cooperation, preventive measures, technical assistance and the mechanism of implementation and the final provisions of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/19](#))

7. Provisions on the mechanism of implementation

The Ad Hoc Committee at its fifth session will undertake a second reading of the provisions on the mechanism of implementation, in accordance with the road map and mode of work. The Ad Hoc Committee will examine the provisions on the mechanism of implementation as contained in the consolidated negotiating document prepared by the Chair with the support of the Secretariat.

For its consideration of agenda item 7, the Ad Hoc Committee will have before it the consolidated negotiating document, which is available in the six official languages of the United Nations, in line with the road map and mode of work. For further reference, the Ad Hoc Committee will have before it a conference room paper in English prepared by the Secretariat on the mechanisms of implementation for international treaties on drug control, organized crime and corruption.

Documentation

Consolidated negotiating document on the preamble, the provisions on international cooperation, preventive measures, technical assistance and the mechanism of implementation and the final provisions of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/19](#))

Conference room paper prepared by the Secretariat on the mechanisms of implementation established under selected multilateral treaties ([A/AC.291/CRP.15](#))

8. Final provisions

The Ad Hoc Committee at its fifth session will also undertake a second reading of the final provisions, in accordance with the road map and mode of work. The Ad Hoc

Committee will examine the final provisions as contained in the consolidated negotiating document prepared by the Chair with the support of the Secretariat.

For its consideration of agenda item 8, the Ad Hoc Committee will have before it the consolidated negotiating document, which is available in the six official languages of the United Nations, in line with the road map and mode of work.

Documentation

Consolidated negotiating document on the preamble, the provisions on international cooperation, preventive measures, technical assistance and the mechanism of implementation and the final provisions of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/19](#))

9. Preamble

The Ad Hoc Committee at its fifth session will further undertake a second reading of the preamble, in accordance with the road map and mode of work. The Ad Hoc Committee will examine the preamble as contained in the consolidated negotiating document prepared by the Chair with the support of the Secretariat.

For its consideration of agenda item 9, the Ad Hoc Committee will have before it the consolidated negotiating document, which is available in the six official languages of the United Nations, in line with the road map and mode of work.

Documentation

Consolidated negotiating document on the preamble, the provisions on international cooperation, preventive measures, technical assistance and the mechanism of implementation and the final provisions of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes ([A/AC.291/19](#))

10. Any other business

The Ad Hoc Committee may address any other matters under agenda item 10. As no issues to be raised under the agenda item have come to the attention of the Secretariat, no documentation regarding the item is foreseen.

11. Adoption of the report

The Ad Hoc Committee is to adopt a report on its session, the draft of which will be prepared by the Rapporteur in coordination with the Secretariat.

12. Closure of the session

The Chair of the Ad Hoc Committee is expected to close the session on Friday, 21 April 2023.

Annex

Proposed organization of work*

<i>Date/time</i>	<i>Agenda item</i>	<i>Title or description</i>
Tuesday, 11 April		
10 a.m.–1 p.m.	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 fourth intersessional consultation with multi-stakeholders, held on 6 and 7 March 2023
3–6 p.m.	4	Provisions on international cooperation
	4	Provisions on international cooperation (<i>continued</i>)
Wednesday, 12 April		
10 a.m.–1 p.m.	4	Provisions on international cooperation (<i>continued</i>)
3–6 p.m.	4	Provisions on international cooperation (<i>continued</i>)
Thursday, 13 April		
10 a.m.–1 p.m.	4	Provisions on international cooperation (<i>continued</i>)
3–6 p.m.	5	Provisions on technical assistance
Friday, 14 April		
10 a.m.–1 p.m.	5	Provisions on technical assistance (<i>continued</i>)
3–6 p.m.	5	Provisions on technical assistance (<i>continued</i>)
Monday, 17 April		
10 a.m.–1 p.m.	6	Provisions on preventive measures
3–6 p.m.	6	Provisions on preventive measures (<i>continued</i>)
Tuesday, 18 April		
10 a.m.–1 p.m.	6	Provisions on preventive measures (<i>continued</i>)
3–6 p.m.	7	Provisions on the mechanism of implementation

* The proposed timetable for each agenda item is indicative in nature. Should an item be finalized earlier, the following agenda item will be taken up.

<i>Date/time</i>	<i>Agenda item</i>	<i>Title or description</i>
Wednesday, 19 April		
10 a.m.–1 p.m.	7	Provisions on the mechanism of implementation (<i>continued</i>)
3–6 p.m.	8	Final provisions
Thursday, 20 April		
10 a.m.–1 p.m.	8	Final provisions (<i>continued</i>)
3–6 p.m.	9	Preamble
Friday, 21 April		
10 a.m.–1 p.m.	9	Preamble (<i>continued</i>)
3–6 p.m.	9	Preamble (<i>continued</i>)
	10	Any other business
	11	Adoption of the report
	12	Closure of the session