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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

Second session

Vienna, 30 May–10 June 2022

Annotated provisional agenda

Provisional agenda

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.

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, and on 26 May, 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.

Owing to the impact of the coronavirus disease (COVID-19) pandemic, the first negotiating session of the Ad Hoc Committee, originally scheduled for January 2022, was postponed by the General Assembly in its decision 76/552. In the same decision, the Assembly decided that the Committee should hold a one-day session for the purpose of addressing organizational matters and its first session no later than 18 April 2022, health conditions and space permitting. Accordingly, the session on organizational matters was held on 24 February 2022, and the first session of the Ad Hoc Committee was held in New York from 28 February to 11 March 2022.

At the session on organizational matters, the Ad Hoc Committee held elections to fill two vacant Vice-Chair positions from Asia-Pacific States and Latin American and Caribbean States, and adopted the list of other relevant non-governmental organizations, civil society organizations, academic institutions and the private sector, 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.

In line with the road map approved by the Ad Hoc Committee at its first session, the second session of the Ad Hoc Committee will be opened in Vienna on Monday, 30 May 2022, at 10 a.m. In view of the ongoing COVID-19 pandemic, 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), as decided by Member States by means of a silence procedure on 11 April 2022. Further information on the format of the meeting will be made available on the website of the meeting.¹

In accordance with the COVID-19 mitigation measures currently in place at the Vienna International Centre, the meetings of the second session will be held in a hybrid format, with delegations having the choice to participate in the formal meetings in person in the Plenary Hall on the first floor of the M-Building of the Vienna International Centre (limited to two delegates in the meeting room for each Member State, the Holy See, the State of Palestine and the European Union), through Zoom, with remote simultaneous interpretation (with a maximum of 1,000 interactive attendees), or by both means. The session will also be webcast to the public via the website. The meeting format for the first session of the Ad Hoc Committee does not set a precedent for subsequent sessions.

Moreover, owing to the ongoing COVID-19 mitigation measures currently applying at the Vienna International Centre, in-person participation for multi-stakeholders will be held in Conference Room M3 (M Building), which will be connected to the Plenary Hall remotely. Conference Room M3 has the capacity to accommodate 40 seats at a desk, which will be allotted on a first-come, first-served basis. Representatives of organizations who register to participate in person and wish to take the floor are kindly requested to register for the list of speakers with the secretariat (further information on how to register for the list of speakers will be made available on the website in due course).

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 at its first session, provide guidance for the Committee to fulfil

¹ www.unodc.org/unodc/en/cybercrime/ad_hoc_committee/ahc-second-session.html.

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 foresees that the Ad Hoc Committee will examine the provisions of the convention on criminalization, the general provisions and the provisions on procedural measures and law enforcement.

Documentation

Annotated provisional agenda (A/AC.291/8)

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

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 first intersessional consultation with multi-stakeholders was held in Vienna on 24 and 25 March 2022. Furthermore, pursuant to the road map and mode of work, the Chair, with the support of the secretariat, prepared a report, which was made available on the website of the Ad Hoc Committee in advance of the second session, and is 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 first intersessional consultation with multi-stakeholders.

Documentation

Chair's report on the first intersessional consultation of the Ad Hoc Committee (A/AC.291/CRP.9)

4. Provisions on criminalization

The Ad Hoc Committee at its second session will undertake a first reading of the provisions on criminalization, in accordance with the road map and mode of work. The Ad Hoc Committee will conduct its work on the basis of the written submissions of Member States, in the form of specific drafting suggestions or general comments on the provisions on criminalization, articulated in line with the chapters contained in the structure of the convention approved at its first session, which may facilitate the reaching of agreement and identification of relevant issues for negotiation.

For the consideration of agenda item 4, the Ad Hoc Committee will have before it a compilation of proposals and contributions submitted by Member States on the provisions on criminalization, which is available in the six official languages of the United Nations and has been circulated to Member States, in line with the road map and mode of work.

Documentation

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)

5. General provisions

The Ad Hoc Committee at its second session will also undertake a first reading of the general provisions of the convention, in accordance with the road map and mode of work. The Ad Hoc Committee will examine the written submissions of Member

States, in the form of specific drafting suggestions or general comments on the general provisions, articulated in line with the chapters contained in the approved structure of the convention.

For the consideration of agenda item 5, the Ad Hoc Committee will have before it the compilation of proposals and contributions submitted by Member States on the general provisions, which is available in the six official languages of the United Nations, in line with the road map and mode of work.

Documentation

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)

6. Provisions on procedural measures and law enforcement

The Ad Hoc Committee at its second session will further undertake a first reading of the provisions on procedural measures and law enforcement, in accordance with the road map and mode of work. The Ad Hoc Committee will examine the written submissions of Member States, in the form of specific drafting suggestions or general comments on the provisions on procedural measures and law enforcement, articulated in line with the chapters contained in the approved structure of the convention.

For the consideration of agenda item 6, the Ad Hoc Committee will have before it the compilation of proposals and contributions submitted by Member States on the provisions on procedural measures and law enforcement, which is available in the six official languages of the United Nations, in line with the road map and mode of work.

Documentation

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)

7. Any other business

The Ad Hoc Committee may address any other matters under agenda item 7. 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.

8. 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.

9. Closure of the session

The Chair of the Ad Hoc Committee is expected to close the session on Friday, 10 June 2022.

Annex

Proposed organization of work*

<i>Date/time</i>	<i>Agenda item</i>	<i>Title or description</i>
Monday, 30 May		
10 a.m.–12 noon	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
3–5 p.m.	4	Provisions on criminalization (<i>continued</i>)
Tuesday, 31 May		
10 a.m.–12 noon	4	Provisions on criminalization (<i>continued</i>)
3–5 p.m.	4	Provisions on criminalization (<i>continued</i>)
Wednesday, 1 June		
10 a.m.–12 noon	4	Provisions on criminalization (<i>continued</i>)
3–5 p.m.	4	Provisions on criminalization (<i>continued</i>)
Thursday, 2 June		
10 a.m.–12 noon	4	Provisions on criminalization (<i>continued</i>)
3–5 p.m.	5	General provisions
Friday, 3 June		
10 a.m.–12 noon	5	General provisions (<i>continued</i>)
3–5 p.m.	5	General provisions (<i>continued</i>)
Monday, 6 June		
10 a.m.–12 noon	5	General provisions (<i>continued</i>)
3–5 p.m.	6	Provisions on procedural measures and law enforcement
Tuesday, 7 June		
10 a.m.–12 noon	6	Provisions on procedural measures and law enforcement (<i>continued</i>)
3–5 p.m.	6	Provisions on procedural measures and law enforcement (<i>continued</i>)
Wednesday, 8 June		
10 a.m.–12 noon	6	Provisions on procedural measures and law enforcement (<i>continued</i>)
3–5 p.m.	6	Provisions on procedural measures and law enforcement (<i>continued</i>)

* 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>
Thursday, 9 June		
10 a.m.–12 noon	6	Provisions on procedural measures and law enforcement (<i>continued</i>)
3–5 p.m.	6	Provisions on procedural measures and law enforcement (<i>continued</i>)
Friday, 10 June		
10 a.m.–12 noon	6	Provisions on procedural measures and law enforcement (<i>continued</i>)
3–5 p.m.	7	Any other business
	8	Adoption of the report
	9	Closure of the session
