

**Revised methodology for conducting of work by the Ad Hoc Committee
at its fifth session endorsed by the Ad Hoc Committee**

(Status: 22 February 2023)

The methodology for conducting of work by the Ad Hoc Committee at its fourth and fifth sessions, proposed by the Committee Chair, was endorsed by the Ad Hoc Committee at its fourth session held in Vienna from 9 to 20 January 2023. Following a proposal by the Chair at the 20th meeting of the fourth session based on the experience and lessons learned during the session, the Ad Hoc Committee revised the above-mentioned methodology and decided that the fifth session should have a single round for comments on all chapters contained in the consolidated negotiating document prepared for the fifth session. Accordingly, the present document presents the revised methodology for conducting of work by the Ad Hoc Committee at its fifth session.

I. Introduction

1. In accordance with the [Road Map and mode of work](#) of the Ad hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes (Ad Hoc Committee), the Chair is tasked with the preparation, with the support of the secretariat, of the consolidated negotiating document in advance of the fourth and fifth sessions, on the basis of the outcomes of the first reading of the draft chapters of the convention during the second and third sessions.
2. The consolidated negotiating document is proposed as an instrument to enable the Ad Hoc Committee to elaborate the text of the convention. It will be structured in a form akin to a treaty and contain treaty language.
3. Guided by principles of inclusivity and transparency, the revised methodology for facilitating the Ad Hoc Committee to fulfil its mandates during the fifth session was proposed by the Chair and endorsed by the Committee at its fourth session.
4. The following two considerations were taken into account in the preparation of the present text:
 - *Time*: The Ad Hoc Committee has 9 days during the fifth session to conduct the second reading of the draft provisions. Therefore, it is important to organize the substantive discussions during the formal sessions in the most effective way possible to advance the work of the Ad Hoc Committee. The time constraint may require the best use of the time between sessions to enable the Committee to finalize its tasks within the decided timeframe.
 - *Resources*: The resource limitations of many delegations were taken into consideration while seeking to maintain an open and inclusive process.
5. The proposed methodology aims to facilitate the transition from a consolidated negotiating document toward a draft text of the future convention. According to the Road map and the mode of work, after the fourth and fifth sessions respectively, the Chair is tasked, with the support of the secretariat, to prepare a draft text of the convention. The draft convention will consist of a clean text, based on the outcomes of the second reading of the draft chapters of the convention.

II. On the methodology

1. The conduct of the text-based negotiations at formal meetings

6. The second reading of the relevant chapters of the convention during the fifth session will be conducted **in one round**. The consolidated negotiating document will be projected on the screen, without using track-changes.
7. The Chair will invite Member States to provide their substantive amendments and proposals on each provision or cluster of provisions under consideration. The Chair and the secretariat will take note of the substantive amendments and proposals, without reflecting them, in real-time, through the track change mode.
8. At each following day, the secretariat will publish an updated document, in English only, reflecting concrete language proposals formulated by Member States through interventions at the Plenary. To support the drafting of this document, Member States may transmit to the secretariat their amendments to the provisions being examined as proposed in their interventions, and they are kindly asked to check each updated document and to request that the secretariat make corrections that reflect language submitted at the plenary at their earliest opportunity.
9. The consolidated negotiating document and the above-mentioned document will serve as a basis for the Chair for the preparation of the draft text of the convention. The draft text of the convention will be a clean text that translates the perception of the Chair of a possible consensus on the future convention.

2. The process of co-facilitators and intersessional informal consultations

10. As decided by the Ad Hoc Committee at its fourth session, the co-facilitators selected by the Chair for the informal negotiations at the fourth session would continue their work during the fifth session. In addition, the Chair has designated two additional facilitators among elected officers and outside the Bureau, to conduct the discussions on the chapter on the mechanism of implementation.
11. The work of co-facilitators shall be inclusive and open to all delegations. During the formal sessions, co-facilitators could convene, in hybrid format, informal meetings open to all delegations. These informal meetings should be organized on time slots other than those allocated to the formal meetings of the Ad Hoc Committee (that is, before the morning session, after the afternoon session or during the lunch break).
12. The co-facilitators will present an oral report on the progress of their efforts to the formal meeting of the Ad Hoc Committee. Any decision on the outcomes of the co-facilitators process shall be taken at the formal session.
13. During the intersessional periods, the Chair, with the assistance of co-facilitators, may conduct informal consultations, in an inclusive way, on the issues that have not been solved during the formal sessions. Any decision on the outcomes of these consultations shall be taken at the formal session.
14. The outcomes of the process of co-facilitators will serve as inputs for the Chair for the elaboration of the draft text of the convention.

3. Role of the Bureau

15. In addition to seeking support from the Bureau members in the facilitation of informal negotiations, the Chair will convene regular Bureau meetings to evaluate the progress in the elaboration process and seek advice on future actions to help reach consensus on all issues. Co-facilitators, including those are not the members of the Bureau, could be invited to brief the Bureau on their efforts.
16. Such meetings would also allow the Bureau to be fully informed in the case of a decision-making process, as provided for in paragraph 5 of General Assembly resolution [75/282](#).

4. Establishment of a group of experts with skills in the official languages of the United Nations

17. At its fourth session, the Ad Hoc Committee decided to postpone to its fifth session the decision on the composition and format of a group of experts with skills in the official languages of the United Nations (consistency group) who would be tasked with ensuring the consistency of the text of the convention in all official languages of the United Nations.
