

Co-facilitated informal meetings on the use of terms of the 6th session of the Ad Hoc Committee

Report to Plenary – September 1st 2023

Thank you, madam Chair.

It is a pleasure to report to the Plenary on the activities of the co-facilitation process on terminology. Group 2 is the longest running group and engagement has been consistent across the Ad hoc Committee sessions.

The meetings were co-facilitated by Ambassador Rapulane Sidney Molekane, Permanent Representative of South Africa Permanent Representative of South Africa to the United Nations and International Organizations in Vienna and by Eric Sogocio, Counsellor at the Brazilian Mission to the International Organizations in Vienna.

The group held seven sessions during the last two weeks

The group discussed the terms included in the Chair's draft. Starting from the bottom of the list and making its way upwards to the top of the list.

The group was able to agree in informals with three terms: "Freezing or Seizure", "Confiscation", "Predicate offence", which were object of consensus.

Three new terms were proposed by member states for discussion: "Person", "Regional Economic Organization", "Emergency".

The co-facilitators proposed a paragraph 2 to be added to the article, stating that countries are not required to have the same textual terminology in their domestic legislation if the domestic legislation is in line with the convention

The co-facilitators also tackled the two first terms on the list, which had not been proposed on the Chair's draft. "Computer system / Information and Technology Device" and "Computer data / Digital Information".

The co-facilitators proposed a discussion on the elements that should be useful for investigators and practitioners and that should be encompassed by the definition of terms. In other words, the group followed the methodology of identifying elements that would define the terms.

The terms themselves were not touched and should be discussed later on in a way that they may reflect the elements mentioned by delegations.

It was not possible to agree on other terms, like traffic data, content data, subscriber information, personal data, serious crime, child, property and proceeds of crime because essential elements for the definition of those terms are still dependent on negotiations within the text of the convention.

One Member State suggested that the text on terminology under negotiation be sent to Plenary and that the discussions on the terms continue in Plenary.

The co-facilitators thank you, madam Chair, for your trust. We thank the secretariat for all their support. Finally, we thank the participation of delegations, the suggestions and the good will that marked the work of the group.