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English only

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

First session

New York, 28 February–11 March 2022

**Proposals on objectives and scope of the Comprehensive
International Convention on Countering the Use of
Information and Communications Technologies for
Criminal Purposes**

Note by the Secretariat**I. Introduction**

1. The present proposal was elaborated by the Chair of the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes, and it presents proposals on the objectives and the scope of the convention.

II. Proposal on the objectives of the convention

2. The objectives of the convention shall be:
- To promote and strengthen measures to prevent and combat the use of ICTs for criminal purposes/cybercrime, while protecting ICT users from such crime.
 - To promote, facilitate and support international cooperation in preventing and combating the use of ICTs for criminal purposes/cybercrime.
 - To provide practical tools to enhance technical assistance among States Parties and build the capacity of national authorities to prevent and combat the use of ICTs for criminal purposes/cybercrime, and strengthen measures to promote the exchange of information, experiences and good practices.

III. Proposal on the scope of the convention

(i) *Scope of application*

3. The future convention shall apply to preventing and combating the use of ICTs for criminal purposes/cybercrime.



(ii) *Elements to include within the scope of the convention*

4. The convention shall include provisions on:
 - Defining the types of crime that involve the use of ICTs for criminal purposes/cybercrime, which should be considered criminal acts in the legal systems of all States Parties.
 - Establishing criminal liability for the commission of the abovementioned offences and accessory and ancillary liability. Liability of legal persons shall be also established.
 - Imposing obligations for States Parties to establish sufficient procedural powers to enable timely response, investigation and prosecution of the offences set out in the convention.
 - Developing measures, in particular establishing and strengthening competent authorities, to ensure the collection, obtaining and sharing electronic evidence.
 - Establishing concrete measures to deal with the proceeds of offences set out in the convention.
 - Defining preventive measures limiting the risk of the use of ICTs for criminal purposes/cybercrime for individuals, businesses, and States Parties.
 - Providing for criteria to establish jurisdiction over crimes set out in the convention.
 - Promoting and facilitating international cooperation, in particular through effective and rapid mutual legal assistance and the establishment of 24/7 contact points, as well as extradition, special investigative techniques, law enforcement cooperation, etc.
 - Providing tools to enhance technical assistance, capacity building including the exchange of information, experiences and good practices.
 - Defining clear mechanisms for implementation and other follow-up mechanisms.
 - Protecting State sovereignty.
 - Providing human rights safeguards in preventing and combating the use of ICTs for criminal purposes/cybercrime.
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