

## **FAQ - new United Nations convention on cybercrime**

### **Is there a United Nations convention on cybercrime?**

Member States are preparing to negotiate a draft of a new convention on cybercrime. On 26 May 2021, the UN General Assembly (GA) adopted [Resolution 75/282](#), according to which a draft is to be provided to the GA at its 78<sup>th</sup> session, which will begin in September 2023 and conclude in September 2024.

### **Who decided there should be an international cybercrime convention?**

The GA on 27 December 2019 adopted Resolution [74/247](#) on “Countering the use of information and communications technologies for criminal purposes”, launching a process towards a new international treaty on cybercrime, and establishing an Ad Hoc Committee to elaborate a “comprehensive international convention”.

### **Isn't there already an international convention on cybercrime?**

There are a number of treaties and conventions of varying scope that address the issue of cybercrime, but there is no UN legal instrument on cybercrime.

### **What is the relationship with existing international instruments?**

According to Resolution 75/282, the process towards the UN convention shall take into account existing international instruments and efforts at the national, regional and international levels on combating the use of information and communications technologies for criminal purposes. This also includes the work and outcomes of the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime.

### **What is the difference between the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime and the Ad Hoc Committee?**

The open-ended intergovernmental [Expert Group](#) to Conduct a Comprehensive Study on Cybercrime was established by the Vienna-based Commission on Crime Prevention and Criminal Justice (CCPCJ) on the request of GA Resolution [65/230](#), and is a subsidiary body of CCPCJ. The Expert Group is separate from the Ad Hoc Committee negotiating the new cybercrime convention, which is a subsidiary body of the GA with a different mandate.

### **What has the Ad Hoc Committee done so far?**

The Ad Hoc Committee convened a three-day organizational session in May 2021 (postponed from August 2020 due to the COVID-19 pandemic: [74/567](#); [75/555](#)) in New York, where it elected the Officers of the Committee and discussed an outline and modalities for further activities. The Committee also held informal consultations under the leadership of its Chair to facilitate the fulfilment of its mandates.

### **What happens next?**

According to the terms of Resolution 75/282, the Committee will convene at least six negotiating sessions, each lasting 10 days, and a concluding session in New York to adopt a draft convention and provide it to the General Assembly at its 78th session.

The [first session](#) of the Ad Hoc Committee was scheduled to be held in New York from 17 to 28 January 2022, but in view of COVID-19 related developments the General Assembly decided on 20 January 2022 to postpone the first session (document symbol when adopted: A/76/L.33.rev.1). The General Assembly further decided that the Ad Hoc Committee shall hold a one-day meeting in New York as soon as possible, preferably before 28 February 2022, for

the purpose of addressing organizational matters; convene at least six sessions of 10 days each, held no less than 11 weeks apart; and hold its first negotiation session in New York no later than 18 April 2022, health conditions and space permitting. If health conditions and space do not permit a meeting in New York by April 2022, the Ad Hoc Committee shall hold its first negotiation session in May 2022, with the first, third and fourth sessions in Vienna and the second, fifth and sixth sessions in New York, with a concluding session taking place in New York.

**Are only governments involved in the work of Ad Hoc Committee?**

Resolution 75/282 encourages the Chair of the Ad Hoc Committee to solicit inputs from a diverse range of stakeholders. The Resolution also reaffirms that representatives of non-governmental organizations with [ECOSOC consultative status](#) may register with the secretariat in order to participate in the sessions, and it lays out the modalities for the participation of representatives from groups – other non-governmental organizations, civil society organizations, academic institutions and the private sector – including those with expertise in the field of cybercrime.

**What is the role of the United Nations Office on Drugs and Crime (UNODC)?**

UNODC serves as Secretariat for the Ad Hoc Committee, including for the sessions in Vienna and New York. For more information:

[https://www.unodc.org/unodc/en/cybercrime/ad\\_hoc\\_committee/home](https://www.unodc.org/unodc/en/cybercrime/ad_hoc_committee/home)

UNODC also has a Global Programme on Cybercrime, mandated to assist Member States in their struggle against cyber-related crimes through capacity building and technical assistance. For more information: [Global Programme on Cybercrime \(unodc.org\)](#)

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