

FAQ
Future international convention on countering the use of information and communications technologies for criminal purposes

4 May 2023

Is there a United Nations convention on cybercrime?

Member States are currently negotiating a new convention on countering the use of information and communications technologies for criminal purposes. On 26 May 2021, the UN General Assembly (GA) adopted [resolution 75/282](#), according to which a draft convention is to be provided to the GA at its 78th session, which will be held between September 2023 and September 2024.

Who decided that there should be an international convention on countering the use of information and communications technologies for criminal purposes?

The GA made this decision on 27 December 2019, by adopting [resolution 74/247](#) on “Countering the use of information and communications technologies for criminal purposes”. This resolution launched the process towards a new international convention on the use of ICTs for criminal purposes, and established an [Ad Hoc Committee](#) to elaborate a “comprehensive international convention”.

Is there already an international convention on the use of ICTs for criminal purposes/cybercrime?

There are a number of conventions of varying scope that address the issue of the use of ICTs for criminal purposes/cybercrime, but there is currently no UN legally binding instrument on this subject.

What is the relationship with existing international instruments?

According to GA [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 outcomes of the [open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime](#), a subsidiary body of the United Nations Commission on Crime Prevention and Criminal Justice.

How are the negotiations conducted?

Negotiations take place during the sessions of the Ad Hoc Committee according to the roadmap and mode of work for the Ad Hoc Committee, which was adopted at its first session in March 2022. You will find the roadmap, the schedule of sessions and the agenda items to be covered during each session in Annex II to the [Report on the first session](#).

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

GA [resolution 75/282](#) encourages the Chair of the Ad Hoc Committee to solicit inputs from a diverse range of stakeholders such as interested intergovernmental organizations, non-governmental organizations in consultative status with the Economic and Social Council, as well as other non-governmental organizations, civil society organizations, academic institutions and the private sector. For more information about the engagement of multi-stakeholders kindly visit the [webpage](#) of the Ad Hoc Committee.

What has the Ad Hoc Committee done so far?

The Ad Hoc Committee convened a three-day organizational session in May 2021 in New York, where it elected 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.

On 24 February 2022, the Ad Hoc Committee held a one-day [organizational session](#) in New York, to resolve organizational matters (deciding on the participation of multi-stakeholders, in accordance with paragraph 9 of GA resolution 75/282 and electing two Vice-Chairs of the Bureau of the Ad Hoc Committee).

At its [first session](#) (28 February – 11 March 2022), the Committee conducted a preliminary exchange of views on key elements of the convention. It decided on the [structure of the convention](#), agreed on the [road map and mode of work](#) for the Ad Hoc Committee, including the organizational arrangements for intersessional consultations with multi-stakeholders.

At its [second](#) (30 May – 10 June 2022) and [third sessions](#) (29 August – 9 September 2022), the Ad Hoc Committee undertook a first reading of the chapters on criminalization, the general provisions, procedural measures and law enforcement, international cooperation, technical assistance, preventive measures, the mechanism of implementation and the final provisions, and the preamble, and exchanged views on the basis of the written submissions of Member States.

At its [fourth](#) (9-20 January 2023) and [fifth sessions](#) (11-21 April 2023), the Ad Hoc Committee undertook a second reading of the chapters on the criminalization, general provisions, procedural measures and law enforcement ([A/AC.291/16](#)), as well as on the preamble, the provisions on international cooperation, preventive measures, technical assistance and the mechanism of implementation and the final provisions ([A/AC.291/19](#)), using a consolidated negotiating document prepared by the Chair of the Ad Hoc Committee on the basis of the outcomes of the first reading of those draft chapters during the second and third sessions.

In addition, in line with the methodology for conducting of work by the Ad Hoc Committee at its fourth session (available [here](#)), and the revised methodology for conducting of work by the Ad Hoc Committee at its fifth session (available [here](#)), proposed by the Committee Chair, five co-facilitated informal negotiation groups were created for Member States to exchange views on specific areas identified by the Chair as requiring particular attention and potentially benefitting from focused informal discussions, in order to explore possibilities for compromise and solutions. For more information on the co-facilitated informal negotiation groups, please see [here](#).

Moreover, four intersessional consultations with multi-stakeholders were held to date on [24-25 March](#), [13-14 June](#), [3-4 November 2022](#) and [6-7 March 2023](#), in line with paragraph 10 of General Assembly resolution 75/282 and the road map and mode of work of the Ad Hoc Committee.

What happens next?

According to resolution 75/282, the Committee will convene at least six negotiating sessions, in Vienna or in New York, 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 Chair will prepare, with assistance of the secretariat, the draft text of the convention on the basis of the negotiations held during the fourth and fifth sessions, in advance of the sixth session to be held in August 2023.

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

UNODC serves as Secretariat to the Ad Hoc Committee, including for the sessions held in New York and Vienna. For more information, kindly visit the [homepage](#) of the Committee.

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: [UNODC Global Programme on Cybercrime](#).
