

Resolution

2011/35

International cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity-related crime

The Economic and Social Council,

Concerned about substantial increases in the volume, rate of transnational occurrence and range of offences relating to economic fraud and identity-related crime,

Concerned also about the use of identity-related crime to further the commission of other illicit activities,

Concerned further about the role played by information, communications and computer technologies in the evolution of economic fraud and identity-related crime,

Convinced of the need to develop comprehensive, multifaceted and coherent strategies and measures, including both reactive and preventive measures, to counter such forms of crime,

Convinced also of the importance of partnerships and synergies between Member States and civil society, in particular when they are developing their respective strategies and measures,

Convinced further of the need for Member States to explore the development of appropriate and timely support and services for victims of economic fraud and identity-related crime,

Bearing in mind the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,¹ in which serious concerns were expressed about the challenge posed by economic fraud and identity-related crime and their links to other criminal and, in some cases, terrorist activities, and in which Member States were invited to take appropriate legal measures to prevent, prosecute and punish economic fraud and identity-related crime and to continue to support the work of the United Nations Office on Drugs and Crime in that area and were encouraged to enhance international cooperation in that area, including through the exchange of relevant information and best practices, as well as through technical and legal assistance,

Acknowledging the efforts of the United Nations Office on Drugs and Crime to facilitate the work of the core group of experts on identity-related crime as a platform to bring together on a regular basis representatives of Governments, private sector entities, international and regional organizations and academia to pool experience, develop strategies, facilitate further research and agree on practical action against identity-related crime,

Noting the work of the core group of experts on identity-related crime at its meetings held in Vienna from 18 to 22 January 2010 and from 6 to 8 December 2010,

¹ General Assembly resolution 65/230, annex.

Recalling that, in its resolutions 2007/20 of 26 July 2007 and 2009/22 of 30 July 2009, the Economic and Social Council requested the United Nations Office on Drugs and Crime to provide, upon request and subject to the availability of extrabudgetary resources, legal expertise or other forms of technical assistance to Member States reviewing or updating their laws dealing with transnational fraud and identity-related crime in order to ensure that appropriate legislative responses to such offences were in place,

1. *Takes note* of the report of the Secretary-General,² containing information on the efforts of reporting Member States to implement Economic and Social Council resolution 2009/22 and on their strategies for responding to the problems posed by such forms of crime;

2. *Recommends* that the work of the core group of experts on identity-related crime be taken into account by the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, which was established in accordance with paragraph 42 of the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,¹ the international community and the private sector, including the exchange of information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing and propose new national and international legal or other responses to cybercrime;

3. *Welcomes* the elaboration by the United Nations Office on Drugs and Crime and distribution to Member States of the *Handbook on Identity-related Crime*, including a practical guide to international cooperation to combat identity-related crime, expresses its gratitude to the Government of Canada for its financial support of that work, and encourages the use of the *Handbook* in technical assistance activities, in line with the mandates arising from Economic and Social Council resolutions 2004/26 of 21 July 2004, 2007/20 of 26 July 2007 and 2009/22 of 30 July 2009;

4. *Also welcomes* the work on victim issues in the field of identity-related crime undertaken in the framework of the United Nations crime prevention and criminal justice programme and its component institutions and, in particular, the release of a manual providing guidelines to law enforcement agents and prosecutors on the protection of victims of identity-related crime, and invites the United Nations Office on Drugs and Crime, through the core group of experts on identity-related crime and subject to the availability of extrabudgetary resources, to work jointly with the International Centre for Criminal Law Reform and Criminal Justice Policy, with a view to expanding the manual, where appropriate, for use in different legal systems;

5. *Urges* Member States to cooperate effectively at the bilateral, regional and international levels, including on matters of extradition, mutual legal assistance, and confiscation of proceeds of crime and property and their return, in connection with economic fraud and identity-related crime;

² E/CN.15/2011/16.

6. *Encourages* Member States to study, at the national level, the specific short- and long-term effects of economic fraud and identity-related crime on society and on victims of such forms of crime and to develop strategies or programmes to combat those forms of crime;

7. *Requests* the United Nations Office on Drugs and Crime to continue its efforts, in consultation with the United Nations Commission on International Trade Law, to promote mutual understanding and the exchange of views between public and private sector entities on issues related to economic fraud and identity-related crime and, in particular, to focus the future work of the core group of experts on identity-related crime on, among other things, the various issues raised by engaging the resources and expertise of the private sector in the development and delivery of technical assistance in this field;

8. *Invites* the United Nations Office on Drugs and Crime to cooperate with other international organizations active in this field, including the International Telecommunication Union and its Lead Study Group on Identity Management, as well as the International Criminal Police Organization (INTERPOL) and the International Civil Aviation Organization, in areas such as the setting of technical standards for documents, the forensic examination of fraudulent documents and the compilation of data that could be used for pattern analysis and the prevention of identity-related crime;

9. *Requests* the United Nations Office on Drugs and Crime to continue its efforts, including through the core group of experts on identity-related crime, to collect information and data on the challenges posed by economic fraud and identity-related crime in different geographical regions;

10. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twenty-second session on the implementation of the present resolution.

*48th plenary meeting
28 July 2011*

