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Report on the meeting of the Expert Group to Conduct a Comprehensive Study on Cybercrime held in Vienna from 25 to 28 February 2013

I. Introduction

1. In its resolution 65/230, the General Assembly requested the Commission on Crime Prevention and Criminal Justice to establish, in line 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, an open-ended intergovernmental expert group, to be convened prior to the twentieth session of the Commission, to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, 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 to propose new national and international legal or other responses to cybercrime.
2. The first meeting of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime was held in Vienna from 17 to 21 January 2011 (the report on that meeting is contained in document UNODC/CCPCJ/EG.4/2011/3).
3. Furthermore, in its resolution 67/189, the General Assembly noted with appreciation the work of the Expert Group and encouraged it to enhance its efforts to complete its work and to present the outcome of the study to the Commission on Crime Prevention and Criminal Justice in due course.

II. Outcome of the meeting

4. The Expert Group took note of the comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, as prepared by the United Nations Office on Drugs and Crime (UNODC) under the auspices of the Expert Group, pursuant to the mandate



contained in General Assembly resolution 65/230 and the collection of topics for consideration within a comprehensive study of the impact of and response to cybercrime and the methodology for that study, as adopted at the meeting of the expert group held from 17 to 21 January 2011.¹

5. The Expert Group noted that its deliberations, as well as the study, reflected a compilation of views and different approaches taken by States to preventing and combating the phenomenon of cybercrime.

6. In discussions concerning the study, it was noted that there was broad support for capacity-building and technical assistance, and for the role of UNODC in that regard.

7. Diverse views were expressed regarding the content, findings and options presented in the study.

8. The Expert Group discussed the way forward and recommended further consideration of the study at the twenty-second session of the Commission on Crime Prevention and Criminal Justice.

III. Organization of the meeting

A. Opening of the meeting

9. The second meeting of the Expert Group to Conduct a Comprehensive Study on Cybercrime was held in Vienna from 25 to 28 February 2013. Seven meetings were held.

10. The meeting was opened by Xolisa Mfundiso Mabhongo (South Africa), the Chair of the Expert Group. At the opening of the meeting, statements were made by representatives of Canada, the Russian Federation and Argentina. A statement was also made by the Secretariat.

11. Introductory statements were made by the Secretariat under agenda items 2, 3 (a)-(e) and 4.

12. Statements were made by representatives of the following States: Argentina, Iran (Islamic Republic of), United States of America, Poland, Netherlands, China, Russian Federation, Japan, Portugal, Brazil, Finland, United Kingdom of Great Britain and Northern Ireland, South Africa, Trinidad and Tobago, Republic of Korea, Canada, Romania, Iraq, Norway, Sweden, Morocco, Oman, Spain, Hungary, Australia, Libya, Indonesia, India, Malaysia, Thailand, Turkey, Chile, Belgium, Mexico, Philippines, Côte d'Ivoire, France, Belarus, Austria, Nigeria, Lebanon, Serbia, Zimbabwe, United Arab Emirates, Switzerland, Czech Republic, Estonia, Germany and Egypt.

13. Statements were made by the representative of Ireland on behalf of the States Members of the United Nations that are members of the European Union, a regional economic integration organization.

¹ The collection of topics and the methodology are contained in annexes I and II of document E/CN.15/2011/19.

14. A statement was made by an observer for the Economic and Social Commission for Western Asia.
15. A statement was made by an observer for the African Institute for the Prevention of Crime and the Treatment of Offenders.
16. The meeting also heard statements by an observer for the International Telecommunication Union, a specialized agency of the United Nations.
17. Observers for the Organization of American States, the Council of Europe, the European Union and the International Criminal Police Organization (INTERPOL) also made statements.
18. Under agenda item 3 (c), an audiovisual presentation was made by a representative of the Russian Federation.
19. Under agenda item 5, an audiovisual presentation was made by a representative of the Islamic Republic of Iran.

B. Adoption of the agenda and other organizational matters

20. At its 1st meeting, on 25 February 2013, the Expert Group adopted the following provisional agenda:
 1. Organizational matters:
 - (a) Opening of the meeting;
 - (b) Adoption of the agenda.
 2. Presentation of information gathered and work done to conduct a draft comprehensive study of the problem of cybercrime in accordance with General Assembly resolution 65/230.
 3. Review of draft content and findings of the study in respect of the problem of cybercrime and responses to it by Member States, the international community and the private sector:
 - (a) The phenomenon of cybercrime;
 - (b) Cybercrime legislation and criminalization;
 - (c) Law enforcement and criminal justice responses and capacity;
 - (d) International cooperation in cybercrime matters;
 - (e) Prevention of cybercrime.
 4. Options to strengthen existing and propose new national and international legal or other responses to cybercrime.
 5. Discussion of the way forward.
 6. Other matters.
 7. Adoption of the report.

C. Attendance

21. The meeting was attended by representatives of 87 Member States, a non-member observer State, Secretariat units, an entity of the United Nations, institutes of the United Nations crime prevention and criminal justice programme network, a specialized agency of the United Nations, intergovernmental organizations and the private sector.

22. A list of participants was circulated at the meeting (UNODC/CCPCJ/EG.4/2013/INF/2).

D. Documentation

23. The Expert Group had before it, in addition to the draft comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, the following documents:

(a) Provisional agenda (UNODC/CCPCJ/EG.4/2013/1/Rev.1);

(b) Executive summary of the comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector (UNODC/CCPCJ/EG.4/2013/2).

IV. Adoption of the report

24. At its 7th meeting, on 28 February 2013, the Expert Group adopted its report (UNODC/CCPCJ/EG.4/2013/L.1).