

21 March 2017

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**Expert Group to Conduct a
Comprehensive Study on Cybercrime**
Vienna, 10-13 April 2017

Annotated provisional agenda

Provisional agenda

1. Organizational matters:
 - (a) Opening of the meeting;
 - (b) Adoption of the agenda.
2. Update by the Secretariat on the status of implementation of General Assembly resolution 65/230 and Commission on Crime Prevention and Criminal Justice resolutions 22/7 and 22/8.
3. Adoption of the summaries by the Rapporteur of deliberations at the first and second meetings of the Expert Group.
4. Consideration of the draft comprehensive study of the problem of cybercrime and comments thereto, and consideration of the way forward on the draft study.
5. Exchange of information:
 - (a) National legislation;
 - (b) Best practices;
 - (c) Technical assistance;
 - (d) International cooperation.
6. Examining options to strengthen existing responses and to propose new national and international legal or other responses to cybercrime.
7. Other matters.
8. Adoption of the report.



Annotations

1. Organizational matters

(a) Opening of the meeting

The third meeting of the Expert Group to Conduct a Comprehensive Study on Cybercrime will be opened on Monday, 10 April 2017, at 10 a.m.

(b) Adoption of the agenda and organization of work

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,¹ an open-ended intergovernmental expert group, 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.

The first meeting of the Expert Group was held in Vienna from 17 to 21 January 2011. At that meeting, the Expert Group reviewed and adopted a collection of topics and a methodology for the study (E/CN.15/2011/19, annexes I and II).

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 in due course.

The second meeting of the Expert Group was held from 25 to 28 February 2013. At that meeting, 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) with the guidance 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 first meeting of the Expert Group.

As reflected in the report on the second meeting (UNODC/CCPCJ/EG.4/2013/3) of the Expert Group, diverse views were expressed regarding the content, findings and options presented in the study. 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.

In its resolution 22/7, entitled “Strengthening international cooperation to combat cybercrime”, the Commission, *inter alia*, requested the Secretariat to translate the comprehensive study on cybercrime into all six official languages of the United Nations and to disseminate it in due time to Member States, for their comments, in order to assist the Expert Group in the performance of its mandate.

In the same resolution, the Commission requested the Expert Group, with the assistance of the Secretariat, as appropriate, to continue its work towards fulfilling its mandate.

Pursuant to Commission resolution 22/7, in 2015 and 2016 the Secretariat commissioned the translation of the comprehensive study on cybercrime into all

¹ General Assembly resolution 65/230, annex.

six official languages of the United Nations² and disseminated it to Member States for their comments. The comments were reproduced as received on the website of UNODC.³

Also pursuant to resolution 22/7, in 2016 the Secretariat assisted Member States in reconvening the Bureau⁴ of the Expert Group, in accordance with the rules of procedure of the functional commissions of the Economic and Social Council. The first meeting of the reconvened extended Bureau was held on 1 December 2016.

The dates for the third session of the Expert Group were decided by the extended Bureau on 27 December 2016, by silence procedure. The provisional agenda for the meeting was agreed upon by the extended Bureau at its meeting held on 15 March 2017.

The proposed organization of work (see annex) was prepared in accordance with the financial statement (E/CN.15/2013/CRP.10, annex XVIII) on Commission resolution 22/7 in order to enable the Expert Group to perform its mandated functions within the time and according to the conference services available to it. The resources available will permit the holding of eight plenary meetings over the course of four days, with interpretation into the six official languages of the United Nations.

2. Update by the Secretariat on the status of implementation of General Assembly resolution 65/230 and Commission on Crime Prevention and Criminal Justice resolutions 22/7 and 22/8

Under agenda item 2, the Secretariat will provide an oral report on the status of implementation of General Assembly resolution 65/230 and of Commission resolution 22/7. In addition, the Expert Group will have for its consideration a conference room paper prepared by the Secretariat relating to the implementation of Commission resolution 22/8.

Documentation

Report of the open-ended intergovernmental expert group on the comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector (E/CN.15/2011/19)

Note by the Secretariat relating to the implementation of Commission resolution 22/8 (UNODC/CCPCJ/EG.4/2017/CRP.1)

3. Adoption of the summaries by the Rapporteur of the deliberations of the first and second meetings of the Expert Group

In its resolution 22/7, the Commission invited the Expert Group to finalize summary reports of the deliberations of its first and second meetings and requested the Secretariat to disseminate them to Member States in all six official languages of the United Nations, for adoption by the Group.

² Available at www.unodc.org/unodc/en/organized-crime/emerging-crimes.html.

³ Available at www.unodc.org/unodc/en/organized-crime/comments-to-the-comprehensive-study-on-cybercrime.html.

⁴ The members of the reconvened Bureau of the Expert Group are as follows: Chair, Doctor Mashabane (South Africa); Vice-Chairs, Gustavo Meira Carneiro (Brazil), Yanduan Li (China), and the rotating chairmanship of the group of Eastern European States; Rapporteur, Christopher D. Ram (Canada). In addition, the members of the extended Bureau of the Expert Group are as follows: the chairs of the regional groups and the Group of 77, the European Union and representatives of the Russian Federation and the United States of America.

At the first meeting of the reconvened extended Bureau of the Expert Group, the Rapporteur informed the extended Bureau that he was currently working on finalizing the summaries of the deliberations of the first and second meetings of the Expert Group and that he expected to finish his work before the end of January 2017. At the same meeting, the Chair, inter alia, requested the Rapporteur to finalize the summaries by the end of January 2017.

For its consideration of agenda item 3, the Expert Group will have before it the summaries by the Rapporteur of the first and second meetings of the Expert Group, held in Vienna from 17 to 21 January 2011 and from 25 to 28 February 2013, respectively.

Documentation

Summary by the Rapporteur of deliberations at the first meeting of the Expert Group to Conduct a Comprehensive Study on Cybercrime, held in Vienna from 17 to 21 January 2011 ([UNODC/CCPCJ/EG.4/2017/2](#))

Summary by the Rapporteur of deliberations at the second meeting of the Expert Group to Conduct a Comprehensive Study on Cybercrime, held in Vienna from 25 to 28 February 2013 ([UNODC/CCPCJ/EG.4/2017/3](#))

4. Consideration of the draft comprehensive study of the problem of cybercrime and comments thereto, and consideration of the way forward on the draft study

In its resolution 22/7, the Commission, inter alia, requested the Secretariat to translate the comprehensive study on cybercrime into all six official languages of the United Nations and to disseminate it in due time to Member States for their comments, in order to assist the Expert Group in the performance of its mandate. For its consideration of agenda item 4, the Expert Group may wish to consult the comments received, which are available on the UNODC website.

5. Exchange of information

In the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation, adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and endorsed by the General Assembly in its resolution 70/174, Member States noted the activities of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, and invited the Commission to consider recommending that the Expert Group continue, based on its work, to exchange information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing responses and to propose new national and international legal or other responses to cybercrime.

6. Examining options to strengthen existing responses and to propose new national and international legal or other responses to cybercrime

Under agenda item 6, the Expert Group may wish to examine options to strengthen existing responses and to propose new national and international legal or other responses to cybercrime, based on the exchange of information on national legislation, best practices, technical assistance and international cooperation, in line with the Doha Declaration.

7. Other matters

As no issues to be raised under agenda item 7 have come to the attention of the Secretariat, no documentation regarding the item is currently foreseen.

8. Adoption of the report

Under agenda item 8, a report on the meeting of the Expert Group will be adopted.

Annex

Proposed organization of work

<i>Date</i>	<i>Time</i>	<i>Item</i>	<i>Title or description</i>
Monday, 10 April	10 a.m.-1 p.m.	1 (a)	Opening of the meeting
		1 (b)	Adoption of the agenda
	3-6 p.m.	2	Update by the Secretariat on the status of implementation of General Assembly resolution 65/230 and Commission on Crime Prevention and Criminal Justice resolutions 22/7 and 22/8
Tuesday, 11 April	10 a.m.-1 p.m.	3	Adoption of the summaries by the Rapporteur of deliberations at the first and second meetings of the Expert Group
		4	Adoption of the summaries (<i>continued</i>)
	3-6 p.m.	4	Consideration of the draft comprehensive study of the problem of cybercrime and comments thereto, and consideration of the way forward on the draft study
		4	Consideration of the draft comprehensive study (<i>continued</i>)
		5	Exchange of information on: (a) national legislation; (b) best practices; (c) technical assistance; and (d) international cooperation
Wednesday, 12 April	10 a.m.-1 p.m.	5	Exchange of information (<i>continued</i>)
		6	Examining options to strengthen existing responses and to propose new national and international legal or other responses to cybercrime
	3-6 p.m.	6	Examining options (<i>continued</i>)
Thursday, 13 April	10 a.m.-1 p.m.	7	Other matters
	3-6 p.m.	8	Adoption of the report