

**THAILAND Comments on the Preliminary Conclusions and
Recommendations Resulting from the 4th, 5th, and 6th Meetings of the
Expert Group and on the Future Work of the Expert Group**

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Today's world society is moving towards an era in which information technology is rapidly expanding. The cyber world is developed to be a space where people normally use for communication, commercial transactions including payment of goods and services. On the one hand, such development has facilitated daily life, but on the other side, information and communication technologies may be misused as a tool to commit criminal offences. The Covid-19 pandemic is a significant catalyst for the growth of cyberspace applications owing to the social distancing norms and nationwide lockdowns. Cyberspace has almost become the vital channel for effective interaction, education and primary way of work. Therefore, cybercriminals are inevitably targeting people's increased dependence on digital tools. Over the years, cybercrime has caused severe damage to the economic and social systems of many countries. Cyberthreats also lead to a problem of security of the Nations. The Expert Group Meeting then is a vital forum for exchanging viewpoints of Member States. Almost recommendations made through previous meeting are a useful guideline to develop strategies for countering cybercrime as well as strengthen international cooperation network.

Comments on the Compilation of all preliminary conclusions and recommendations suggested by Member States during the meetings of the Expert Group to Conduct a Comprehensive Study on Cybercrime held in 2018, 2019 and 2020 (Document no. UNODC/CCPCJ/EG.4/2021/CRP.1 dated 17 January 2021)

Overall, the compilation of all preliminary conclusions and recommendations prepared by the Rapporteur, with assistance from the Secretariat has already covered the recommendations of the Member States throughout the previous Expert Group Meetings (EGMs) comprehensively.

However, we have some remarks and suggestions that some conclusion and recommendations in one meeting much more match with another meeting topic. Couple examples of this are item II. A.4.(b) may be more compatible with subheading IV. A. 'International Cooperation'; or item II.A.4.(k) and item III.A.6(p) may be more compatible with subheading IV.B. 'Prevention'. Another example, III.A.6(r) has the main idea similar to item IV.B.9(a). Therefore, we do suggest that in addition to the compilation of all preliminary conclusions and recommendations (as in Document no. UNODC/CCPCJ/EG.4/2021/CRP.1), the UNODC may alternatively consider producing separate summary paper to categorize all conclusions and recommendations from previous EGMs into the following groups (as examples), together with merging the similar contents in the same heading for easier consideration by the Commission on Crime Prevention and Criminal Justice (CCPCJ):

- Recommendations on policy making

- Recommendations on legislation and criminalization (both domestic and international levels)
- Recommendations on international cooperation matters (both formal and in formal channels)
- Recommendations on participation of stakeholders
- Recommendations on preventive measures
- Recommendation on capacity-building activities, etc.

Comments on the Future Work of the Expert Group

We firmly agree with item II.A.4.(p) that Member States should continue to use the Expert Group as a platform for the exchange of information and best practices, including model laws and model clauses, relating to such issues as jurisdiction, special investigative techniques, electronic evidence, including challenges posed by the volatile nature of electronic evidence and its admissibility in court, and international cooperation. We believe that the intergovernmental expert meeting is an important forum to gather views and experiences on the global community's response to cybercrime. As cybercrime evolves in its natures and violence every single year, we do suggest that UNODC should keep organizing the EGMs in ongoing manners.

Moreover, we do agree with item II.B.5.(o) that Member States should identify trends in the activities underlying cybercrime through research and should further evaluate the possibility and feasibility of mandating the Expert Group or UNODC to conduct and make available on an annual basis, with substantive contributions by Member States, an assessment of cybercrime trends. To ensure that this recommendation in the fourth EGM can be succeeded, we suggest that UNODC may create a format template for collecting and recording cybercrime statistics in the form that be suitable for criminal analysis purposes by Member States. Also, the UNODC may gather these statistics from Member States to produce annual report of cybercrime trends as open source data for further research studies.

After the Sixth EGM that the delegate of the Office of the Attorney General of Thailand participated in presentations by expert panellists on Prevention. There are some progressive activities launched by the Office of the Attorney General of Thailand for combating with Cybercrime. In 1st October 2020, 'Nitivajra Institute' has been established to be an academic organization directly under the supervision of the Attorney General with an aim to improve the Thai justice system as a whole to be in line with international principles and standards, as well as to facilitate coordination among different agencies in the justice system to truly render justice to the people. Also, in the same year, 'Attorney General Investigation Academy' has been established for capacity building in criminal investigation and prosecution purpose. Its first masterpiece is the visual training project on topic of integrated investigation on cybercrime and hitech crimes via Zoom platform during February to June 2021. The training topics include cybercrime investigation techniques, cybercrime prosecution and digital evidences as well as cryptocurrencies and computer forensics. The speakers are not only public prosecutors but also expert officers from other law enforcement/ regulator agencies. We hope that apart from educating public prosecutors, it is the forum for strengthening cooperation and sharing experience, concerns or opinions between public prosecutors and other law enforcement/ regulatory agencies. We believe that this is the starting point to adopt recommendations from the EGM and we hope that UNODC will be a key authority to support all possible assistances to Thailand and other Member States in combating with cybercrime.