

**EXPERT GROUP TO CONDUCT A COMPREHENSIVE STUDY ON CYBERCRIME  
7<sup>th</sup> session**

**Vienna, Austria – April 6-8, 2021**

**Agenda item 3: Discussion of future work of the Expert Group**

**Mr. Chairman,**

**Canada agrees with the recommendations made at previous sessions of the Intergovernmental Expert Group on Cybercrime (IEG) that the IEG should continue its important work.**

**Since its establishment in 2011, the IEG has proven to be an invaluable forum to advance our shared interest of combatting cybercrime at a time when individuals and groups are increasingly using the internet to commit criminal acts. And now, more than ever, the United Nations needs a forum for experts to exchange information and experiences, and collaborate, including on the development of best practices, emerging criminal phenomena, the identification impediments to the investigation and prosecution of cybercrime, and the development of prevention and capacity building strategies. Canada agrees that the Commission on Crime Prevention and Criminal Justice (CCPCJ) should and can extend the mandate of the IEG beyond 2021.**

**Canada agrees that the IEG mandate needs to be revised bearing in mind the role of the open-ended ad hoc committee to elaborate a comprehensive international convention on cybercrime that was established in 2019 by United Nations General Assembly (UNGA) resolution A/RES/74/247. However, it is very important to remember that, in addition, during that same session in 2019, the UNGA also passed an equally important resolution, (A/RES/74/173), which recognized the importance of the IEG as “an important platform for the exchange of 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 for cybercrime”.**

**Therefore, consistent with? these two important resolutions, the IEG should continue to serve as a non-political forum for information exchange and to inform the negotiation process. Cybercrime and the challenges presented by electronic evidence are complex issues that need to be discussed by experts in a specific, focused forum. The IEG has already made significant strides in a number of important areas that are globally recognized as priorities in the fight against cybercrime, including bringing domestic legislation in-line with international standards, and has resulted in innovative capacity building initiatives.**

**With the AHC focused on its own mandate of elaborating a comprehensive Convention, the IEG could continue to serve “as a platform for the exchange of information and best practices, including model laws or 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”. Canada would also be interested in the IEG being mandated to conduct a regular assessment of cybercrime trends and assisting in drawing on best practices in existing instruments.**

**Should the IEG no longer be in a position to continue to perform its mandate, we must consider an alternative forum for expert exchange with the UN Office on Drugs and Crime (UNODC) facilitating and the CCPCJ guiding the work.**

**Canada is strongly of the view that we simply cannot afford to defer expert work in the area of cybercrime while we await the conclusion of the negotiations of the AHC, as has been suggested by some.**

**Thank you Mr. Chairman.**