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Countering the use of information and communications technologies for criminal purposes

Algeria, Angola, Azerbaijan, Belarus, Bolivia (Plurinational State of), Burundi, Cambodia, China, Cuba, Democratic People's Republic of Korea, Egypt, Eritrea, Iran (Islamic Republic of), Kazakhstan, Lao People's Democratic Republic, Libya, Madagascar, Myanmar, Nicaragua, Russian Federation, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Uzbekistan, Venezuela (Bolivarian Republic of) and Zimbabwe: draft resolution

Countering the use of information and communications technologies for criminal purposes

The General Assembly,

Noting that information and communications technologies, while having enormous potential for the development of States, create new opportunities for perpetrators and may contribute to a rise in the levels and complexity of crime,

Noting also the potential risk of the misuse of emerging technologies, including artificial intelligence, while recognizing their potential in preventing and combating the use of information and communications technologies for criminal purposes,

Concerned by the increase in the rate and diversity of crimes committed in the digital world and their impact on the stability of critical infrastructure of States and enterprises and on the well-being of individuals,

Recognizing that diverse criminals, including traffickers in persons, are taking advantage of information and communications technologies to carry out criminal activities,

Stressing the need to enhance coordination and cooperation among States in combating the use of information and communications technologies for criminal purposes, including by providing technical assistance to developing countries, upon their request, to improve national legislation and frameworks and build the capacity of national authorities to deal with such use in all its forms, including its prevention, detection, investigation and prosecution, and emphasizing in this context the role that the United Nations, in particular the Commission on Crime Prevention and Criminal Justice, plays,



Recalling Commission on Crime Prevention and Criminal Justice resolution 22/8 of 26 April 2013,¹ in which the Commission welcomed the efforts of the United Nations Office on Drugs and Crime in fulfilling its mandate to provide technical assistance and capacity-building on cybercrime,

Noting the work carried out by the Commission on Crime Prevention and Criminal Justice under the auspices of an open-ended intergovernmental expert group which was established to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector,

Recalling its resolution 65/230 of 21 December 2010, in which the General Assembly endorsed the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,

Recalling also 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,² adopted at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015,

Noting the discussions held during the first to fifth meetings of the open-ended intergovernmental expert group, held in Vienna from 17 to 21 January 2011, 25 to 28 February 2013, 10 to 13 April 2017, 3 to 5 April 2018 and 27 to 29 March 2019, reaffirming the importance of the study and the need to further enhance international discussion on and cooperation against cybercrime,

Noting also the importance of the international and regional instruments in the fight against cybercrime and the ongoing efforts to examine options to strengthen existing and propose new national and international legal or other responses to the use of information and communications technologies for criminal purposes,

Recalling its resolutions 53/70 of 4 December 1998, 54/49 of 1 December 1999, 55/28 of 20 November 2000, 56/19 of 29 November 2001, 57/53 of 22 November 2002, 58/32 of 8 December 2003, 59/61 of 3 December 2004, 60/45 of 8 December 2005, 61/54 of 6 December 2006, 62/17 of 5 December 2007, 63/37 of 2 December 2008, 64/25 of 2 December 2009, 65/41 of 8 December 2010, 66/24 of 2 December 2011, 66/181 of 19 December 2011, 67/27 of 3 December 2012, 68/193 of 18 December 2013, 68/243 of 27 December 2013, 69/28 of 2 December 2014, 70/237 of 23 December 2015, 71/28 of 5 December 2016, 72/196 of 19 December 2017, 73/27 of 5 December 2018 and 73/187 of 17 December 2018,

Recalling also the reports of the Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security,³ which is of the view that States should consider how best to cooperate to prosecute the criminal use of information and communication technologies,

Taking note of Commission on Crime Prevention and Criminal Justice resolution 26/4 of 26 May 2017,⁴ in which the Commission expressed appreciation for the work done by the Expert Group to Conduct a Comprehensive Study on Cybercrime and requested the Expert Group to continue its work, with a view to examining options to

¹ See *Official Records of the Economic and Social Council, 2013, Supplement No. 10 (E/2013/30)*, chap. I, sect. D.

² Resolution 70/174, annex.

³ A/65/201, A/68/98 and A/70/174.

⁴ See *Official Records of the Economic and Social Council, 2017, Supplement No. 10 (E/2017/30)*, chap. I, sect. D.

strengthen existing responses and propose new national and international legal or other responses to cybercrime, and in this regard reaffirming the role of the United Nations Office on Drugs and Crime,

Taking note also of Economic and Social Council resolution 2019/19 of 23 July 2019 entitled “Promoting technical assistance and capacity-building to strengthen national measures and international cooperation to combat cybercrime, including information-sharing”, adopted on the recommendation of the Commission on Crime Prevention and Criminal Justice,

Recognizing the role of the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime as an important platform for exchanging information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing responses and to proposing new national and international legal or other responses to cybercrime,

Reaffirming the importance of respect for human rights and fundamental freedoms in the use of information and communications technologies,

1. *Takes note* of the report of the Secretary-General,⁵ which was prepared pursuant to resolution 73/187;

2. *Decides* to establish an open-ended ad hoc intergovernmental committee of experts, representative of all regions, to elaborate a comprehensive international convention on countering the use of information and communications technologies for criminal purposes, taking into full consideration existing international instruments and efforts at the national, regional and international levels on combating the use of information and communications technologies for criminal purposes, in particular the work and outcomes of the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study of Cybercrime;

3. *Also decides* that the ad hoc committee shall convene a three-day organizational session in August 2020, in New York, in order to agree on an outline and modalities for its further activities, to be submitted to the General Assembly at its seventy-fifth session for its consideration and approval;

4. *Requests* the Secretary General to allocate the necessary resources in order to organize and support the work of the ad hoc committee within the United Nations programme budget;

5. *Invites* donor countries to provide assistance to the United Nations in ensuring the active engagement of developing countries in the work of the ad hoc committee, including by covering travel costs and accommodation expenses;

6. *Decides* to examine the question at its seventy-fifth session under the item entitled “Countering the use of information and communications technologies for criminal purposes”.

⁵ A/74/130.