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Agenda item 106

Crime prevention and criminal justice

Resolution adopted by the General Assembly on 18 December 2019

[on the report of the Third Committee (A/74/400)]

74/173. Promoting technical assistance and capacity-building to strengthen national measures and international cooperation to combat cybercrime, including information-sharing

The General Assembly,

Recalling its resolution [65/230](#) of 21 December 2010, in which it endorsed the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, and requested the Commission on Crime Prevention and Criminal Justice to establish, in line with paragraph 42 of that Declaration, 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,

Recalling also its resolutions [46/152](#) of 18 December 1991, [60/1](#) of 16 September 2005, [67/1](#) of 24 September 2012, [69/193](#) and [69/196](#) of 18 December 2014, [70/178](#) of 17 December 2015, [71/209](#) of 19 December 2016, [72/196](#) of 19 December 2017 and [73/186](#) and [73/187](#) of 17 December 2018,

Recalling further its resolution [70/174](#) of 17 December 2015, in which it endorsed 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,



Welcoming Commission on Crime Prevention and Criminal Justice resolution 26/4 of 26 May 2017,¹ in which the Commission decided that the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime would dedicate its future meetings to examining, in a structured manner, each of the main issues dealt with in the draft comprehensive study on cybercrime prepared by the United Nations Office on Drugs and Crime under the auspices of the Expert Group, encouraged the Expert Group to develop possible conclusions and recommendations for submission to the Commission and requested the Office to periodically collect information on new developments, progress made and best practices identified,

Welcoming also the workplan of the Expert Group for the period 2018–2021, which was adopted by the Expert Group at its fourth meeting, held in Vienna from 3 to 5 April 2018,

Noting that the Expert Group will dedicate its next meeting to international cooperation and prevention, taking into account the information on those issues in the draft comprehensive study on cybercrime, comments submitted by Member States and recent developments at the national and international levels,

Recalling its resolution 73/186, in which, inter alia, it noted with appreciation the fourth meeting of the Expert Group and called upon Member States to support the workplan of the Expert Group,

Recalling also its resolution 73/187, in which it requested the Secretary-General to seek the views of Member States on the challenges that they faced in countering the use of information and communications technologies for criminal purposes and to present a report based on those views for its consideration at its seventy-fourth session,

Recalling further that, in its resolution 73/187, it decided to include in the provisional agenda of its seventy-fourth session an item entitled “Countering the use of information and communications technologies for criminal purposes”,

Stressing the need to enhance coordination and cooperation among Member States in combating cybercrime, including by providing technical assistance to developing countries, upon request, to improve national legislation and enhance the capacity of national authorities to deal with cybercrime in all its forms, including its prevention, detection, investigation and prosecution, emphasizing in this context the role that the United Nations, in particular the Commission on Crime Prevention and Criminal Justice, plays, and reaffirming the importance of respect for human rights and fundamental freedoms in the use of information and communication technologies,

Welcoming with appreciation the work of the Expert Group and its focus on substantive discussions among practitioners and experts from Member States,

Noting that the United Nations Convention against Transnational Organized Crime² is a tool that may be used by States parties to provide international cooperation for preventing and combating transnational organized crime and that, for some States parties, may be used in some cases of cybercrime,

Conscious of the challenges faced by all States in combating cybercrime, and emphasizing the need to reinforce technical assistance and capacity-building activities, upon request and based on national needs, taking into account the specific challenges faced by developing countries in this regard,

¹ See *Official Records of the Economic and Social Council, 2017, Supplement No. 10 (E/2017/30)*, chap. I, sect. D.

² United Nations, *Treaty Series*, vol. 2225, No. 39574.

Looking forward to the discussions to be held during the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, which will address issues pertaining to cybercrime, including electronic evidence,

Welcoming with appreciation the efforts of the United Nations Office on Drugs and Crime in advancing the implementation of the Global Programme on Cybercrime for the purpose of fulfilling its mandate to provide technical assistance and capacity-building on cybercrime,

1. *Welcomes with appreciation* the outcome of the fifth meeting of the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime, held in Vienna from 27 to 29 March 2019;

2. *Acknowledges* the importance of the work of the Expert Group to continue 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;

3. *Notes with appreciation* that the Expert Group will develop, in accordance with its workplan for the period 2018–2021, possible conclusions and recommendations for submission to the Commission on Crime Prevention and Criminal Justice;

4. *Recognizes* the Expert Group 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;

5. *Encourages* Member States to develop and implement measures to ensure that cybercrime and crimes in which electronic evidence is relevant can be effectively investigated and prosecuted at the national level and that effective international cooperation can be obtained in this area, in accordance with domestic law and consistent with relevant and applicable international law, including applicable international human rights instruments;

6. *Urges* Member States to encourage the training of law enforcement officers, investigative authorities, prosecutors and judges in the field of cybercrime, including in relevant skills in evidence collection and information technology, and to equip them to effectively carry out their respective roles in investigating, prosecuting and adjudicating cybercrime offences;

7. *Encourages* Member States to endeavour to provide, upon request and based on national needs, appropriate technical assistance and sustainable capacity-building to strengthen the ability of national authorities to deal with cybercrime and to continue exchanging views on practical experiences and other technical aspects in this regard;

8. *Reaffirms* the role of the United Nations Office on Drugs and Crime, pursuant to Commission on Crime Prevention and Criminal Justice resolution 22/8 of 26 April 2013,³ as a central repository of cybercrime laws and lessons learned with a view to facilitating the continued assessment of needs and criminal justice capabilities and the delivery and coordination of technical assistance;

9. *Requests* the United Nations Office on Drugs and Crime to continue to periodically collect information on new developments, progress made and best

³ See *Official Records of the Economic and Social Council, 2013, Supplement No. 10* and corrigendum (E/2013/30 and E/2013/30/Corr.1), chap. I, sect. D.

practices identified and to periodically report that information to the Expert Group and the Commission on Crime Prevention and Criminal Justice;

10. *Invites* the Expert Group to provide advice, on the basis of its work, to the United Nations Office on Drugs and Crime, including with regard to the Global Programme on Cybercrime, in order to assist, without prejudice to other issues included in the mandate of the Expert Group, in identifying high-priority capacity-building needs and effective responses, without prejudice to the status of the Commission as the governing body of the crime programme of the Office;

11. *Requests* the United Nations Office on Drugs and Crime to continue to provide, upon request and based on national needs, technical assistance and sustainable capacity-building to Member States to deal with cybercrime, through the Global Programme on Cybercrime and, inter alia, its regional offices, in relation to the prevention, detection, investigation and prosecution of cybercrime in all its forms, recognizing that cooperation with Member States, relevant international and regional organizations, the private sector, civil society and other relevant stakeholders can facilitate this activity;

12. *Invites* Member States to consider pursuing cooperation, where appropriate and in a transparent and accountable manner, with the private sector and civil society in developing measures to combat cybercrime;

13. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations;

14. *Requests* the Secretary-General to report to the Commission at its twenty-ninth session on the implementation of the present resolution.

*50th plenary meeting
18 December 2019*