



Confidential Data



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CCPCJ:

Data Privacy

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Letter from the Chair

Hello esteemed delegates,

I welcome you to ClarkMUNXII!

I am Adrija Das, Singaporean Indian and a first-year in Clark University. I am a Political Science major with a concentration in International Relations. I did my IB diploma from UWCSEA, Singapore, graduating in 2021; over the four years of my high school, I engaged in several activities relating to journalism and politics. I was involved in Model United Nations (MUN) during all four years of my high school. I attended 8 MUN conferences during this time. The MUN conference at The Hague was one that I wanted to highlight as I represented my high school at such a large-scale event with schools from all over the world. I co-created a political podcast in high school with my cohorts. The podcast gave me insights into journalism in areas like research and reporting. We covered topical political events such as the US Capitol insurrection, Environmentalism, and contentious issues like capital punishment. I find myself deeply interested in events relating to humanitarian crises and global political conflicts. I find these topics particularly compelling due to the immense number of stories that go unheard of; humans forced to live and deal with dire circumstances alone. Still, millions today face issues such as discrimination, ethnic cleansing, mass killings, and state persecution. We see this in China, Myanmar, Uganda, and other countries. Governments and people in power act against their own people like in Venezuela and El Salvador. There are bilateral and multilateral political conflicts regarding national security, education, economics, and especially to do with COVID-19. I believe that they should get the recognition they deserve through the power of today's media. Every individual's capacity to change someone's life is more significant than ever today. I aspire to pursue Journalism as a political/humanitarian-focused journalist to capture the crucial moments that will make history and chronicle them into the articles that people cannot put down when they read the news.

If you have any questions feel free to reach out, my email is addas@clarku.edu.

Introduction and Role of the Committee

The Commission on Crime Prevention and Criminal Justice is the primary policy-making body within the United Nations for crime prevention and criminal justice. The CCPCJ was established in 1992 by the Economic and Social Council (ECOSOC). It is a functional commission of ECOSOC and contributes to the work of ECOSOC and the General Assembly of the United Nations. ECOSOC implemented the CCPCJ's mandates and priorities, which encompass improving international action to combat national and transnational crime and the efficiency and equity of criminal justice systems. Furthermore, providing members states a forum to exchange understanding and information to develop national and international strategies and identify priorities for combating crime. The Commission guides the UN in crime prevention and criminal justice. It takes action through resolutions and decisions. The CCPCJ develops policy on crime through resolutions and decisions, standards and norms, and thematic discussions and expert groups. The Commission meets annually for the regular session in Vienna during the beginning of the year and reconvenes towards the end to primarily discuss budgetary and operational matters. Since 2011, the Commission and the UN Commission on Narcotic Drugs have held joint meetings during the reconvened sessions. The Commission also acts as the predatory body for the United Nations Congress on Crime Prevention, and Criminal Justice held every five years. The congress includes a culmination of policymakers, practitioners, parliamentarians, individual experts, and civil society to discuss international standard-setting and policy-making in the CCPCJ. The CCPCJ not only works on crime prevention and Criminal Justice but aims to contribute to sustainable development as a functional committee of ECOSOC. The Commission contributes to the Council and the General Assembly of the United Nations by providing to the forum on sustainable development, showcasing its contribution to achieving the sustainable development goals and 2030 agenda. The Commission also closely cooperates with other commissions on topics regarding crime prevention and criminal justice. It proses international action against crime; recently, it has tackled issues regarding trafficking in persons and smuggling of migrants, crimes that affect the environment, crimes affecting the environment, smuggling of commercial goods in addition to child sexual exploitation and sexual abuse online. The CCPCJ acts in order to prevent crime more effectively and make criminal justice systems globally fairer and more efficient.

Historical Background

The CCPCJ was initially created in 1948. The Secretary-General was requested to convene a seven-member meeting every five years. This committee was originally named the International Group of Experts on the Prevention of Crime and Treatment of Offenders. Two years later, the Ad Hoc Committee of Experts on the prevention of crime and the Treatment of Offenders was created to cement a solidified position as a committee in the UN. In 1965 Thorsten Eriksson suggested that the UN create a Social Defense Trust Fund, establish the UN Social Defense Research Institute, and reorganize the Ad Hoc Committee, making it permanent under ECOSOC and expanding membership to ten bodies (UN CCPCJ, 2021). The committee was then renamed the Advisory Committee of Experts on the Prevention of Crime and Treatment of Offenders. Next, in 1971 the membership was increased to 15 members, and it was renamed again to the Committee on Crime Prevention and Control. Finally, in 1992 the committee was named the Commission on Crime Prevention and Criminal Justice and expanded to 40 members based on the equitable geographic distribution (UN CCPJ, 2021).

Current Situation

The latest session of CCPCJ was the thirtieth reconvened session in Vienna in December 2021. The session included the work of the standing open-ended intergovernmental working group on improving the governance and financial situation and the budget for the biennium 2022-2023 of the UNODC. The executive director's report on gender balance and geographical representation within the UNODC. There are five conference room papers. The conference room papers include enhanced support to member states through implementing the UN Office at Vienna for gender equality and the empowerment of women. The New Working Methods of the Governing Bodies of UNODC: From business Continuity to preparations for the Post-COVID era. Information on the implementation of General Assembly resolution 75/290 A on ECOSOC strengthening. Lastly, the extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the UNODC. The Background Paper was regarding the thematic discussion on effective measures to prevent and counter the smuggling of migrants while protecting the rights of smuggled migrants, particularly women and children, and those of unaccompanied migrant children. The action taken by the Commission endorsed the dates, deadlines, and arrangements for its thirty-first session referred to in the report. Draft decision II, on the organization of the thematic discussions at future sessions of the Commission (E/CN.15/2021/L.13), was adopted, as orally amended by the Chair, for

transmission to the Economic and Social Council. The 31st session of the Commission on Crime Prevention and Criminal Justice is from the 16th to the 20th of May.

Topic of the Situation

At this conference the Commission will convene to address the issue regarding data protection and online privacy. Some of the most critical data privacy and protection issues are regulation, privacy, data tampering, theft, and unauthorized access. The growth of data is exponential. Organizations must be able to protect both customers' personal information and sensitive personal information. With the exponential growth of data, there is still the issue of security practices risking organizations of a data breach. Personal Identifiable Information (PII) is one of the biggest concerns with data privacy. The cost of maintaining data privacy is high. A data breach can cost millions of dollars in lost revenue. If an organization is breached, they face intense regulatory penalties from several entities. Organizations must make investments in multiple key security technologies and infrastructure to ensure their data is safeguarded, recovered, and restored. There are a wide array of vulnerabilities with data protection and privacy. The increase in these vulnerabilities continues to increase. Human error creates a level of complexity. Many security analysts claim that human error is the biggest challenge in data privacy and security.

Over the summer of 2020, the EU Court of Justice, in a legal case usually shortened to Schrems, invalidated prior regulatory actions that allowed the EU-U.S. Privacy Shield framework to stand in place of the fuller data privacy protections required in the EU. Other challenges posed by the EU's GDPR and California's Consumer Privacy Act (CCPA) now more closely resembles its European inspiration through the recently passed California Privacy Rights and Enforcement Act (CPRA). The passage of CPRA through a ballot initiative came as CCPA went into effect. However, the new provisions will not become effective until Jan. 1, 2023.

Advertising is a massive industry at the center of the internet, benefiting from personal data. Brands and promotions that appear are often tailored to the users' interests. Facebook, Google, and Twitter offered their search and social networking services to users; however, they could also track which sites were visited through 'cookies' and used personal data to target users with personalized marketing. Many businesses, companies, and organizations can gain access to personal information to trade and share that information, which creates a massive privacy issue.

Hacking and fraud have been an ongoing issue with unregulated users since the 2000s. Scammers from various countries exploit citizens of foreign states and extort them for monetary gains. In addition, the many scamming practices, such as phishing and pharming, have evolved to target the undereducated segments of society within countries and take advantage of them. On a larger scale, companies storing

private customer data online have been vulnerable to cyber attacks that steal or destroy valuable data. These breaches infringe upon citizens' rights to privacy and security, as their sensitive information can be misused for criminal purposes. Finally, at the government level, cybercrime issues can be of the highest importance due to their transnational nature. Individual non-state actors can perpetrate an act of cyber terrorism by stealing protected government data or by disabling crucial government functions through Distributed Denial of Service (DDoS) attacks. They may also employ the dark web as a means of dealing in illicit materials, such as drugs, or trafficking humans, which act against the safety of all nations. Furthermore, should sensitive government data be auctioned off to another state, then the nation's security can be heavily compromised, making this a grave threat to all countries.

The United Nations Office on Drug and Crime (UNODC) has implemented the Global Programme on Cybercrime⁴⁹ to tackle some of the issues above, but it is typically up to individual member states to implement their policies. The UNODC promotes long-term and sustainable capacity building in the fight against cybercrime by supporting national structures and reducing the impact of the various cyber crimes occurring around the world.

Committee Composition

The United Nations Commission on Crime Prevention and Criminal Justice has 40 member states elected by the Economic and Social Council. Twelve African states; Algeria, Burkina-Faso, Nigeria, Egypt, Eritrea, Kenya, Mauritania, Mauritius, South Africa, and Togo. Nine Asia-Pacific States; India, Iraq, Iran, Kuwait, Thailand, Afghanistan, China, Indonesia, and Japan. Eight Latin American and the Caribbean States; Brazil, Cuba, Ecuador, Guatemala, Mexico, Bolivia, Colombia, and Uruguay. Seven Western European and the Other States; Austria, France, Germany, Italy, Turkey, United Kingdom, and the United States of America. The committee has one chair, three vice-chairs, and one rapporteur. Alessandro Cortese from Italy is the Head Chair, Takeshi Hikihara is the 1st Vice-Chair, Teodolinda Rosa Rodrigues Coelho from Angola is the 2nd Vice-Chair, Armen Papikyan is the third from Armenia; finally, the rapporteur is Carlos Alberto Garcia Reyes from Guatemala.

Questions to Consider

1. To what extent is surveillance justified for the cybersecurity of a nation?
2. What deterrents can be employed to prevent cybercrime at a transnational level?
3. How can the UN Sustainable Development Goals be supported by technical infrastructure for preventing cybercrime?
4. What resources will be required to deal with borderless crimes that affect political decisions in nations?
5. How is cybercrime evolving and how can it be combated by the CCPCJ?

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