



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

www.coe.int/cybercrime

The Project on Cybercrime:

- **Activities and results to date**
- **Priorities and funding needs in 2008**

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The Project on Cybercrime

Project objective: To promote broad implementation of the Convention on Cybercrime (ETS 185) and its Protocol on Xenophobia and Racism (ETS 189)

40 ratifications by Feb 09

Output 1: Legislation

Draft laws meeting the standards of ETS 185 and 189 available in at least 10 European and 5 non-European countries

Output 2: Criminal justice capacities

Capacities of criminal justice systems strengthened to investigate, prosecute and adjudicate cybercrime

Output 3: International cooperation

Capacities of criminal justice bodies to cooperate internationally re-enforced

Start: Sep 06

End: Feb 09

Funding Sep 06 – Apr 08:

➤ **CoE and Microsoft**

Additional funding required for 2008/9:

Euro 355,000+

Microsoft: Euro 150,00

Estonia: Euro 50,000

Euro 150,000+ still needed

**Some 50 activities were carried out
between Sep 2006 and Mar 2009**

- in 25 different countries around the world**
- in cooperation with a large number of other organisations**

Activities: cooperation with countries and regions

- Arab region
- Argentina
- Brazil
- Colombia
- Egypt
- India
- Indonesia
- Nigeria
- Philippines
- Romania
- Russian Federation
- Serbia
- South Africa
- South-eastern Europe
- Ukraine

Activities: cooperation with countries and regions

Example: Cooperation with the Philippines

- **April 2007: CoE participation in the APEC/ASEAN cybersecurity workshop in Manila with a formal request for support during the meeting**
- **May 2007: Written analysis of the draft law by CoE experts**
- **June 2007: Participation of representative from the Philippines in Octopus Interface Conference**
- **July/September 2007: Revised draft law prepared in Philippines**
- **September 2007: Request for accession from Philippines**
- **October 2007: Dep of Justice/Dep of ICT/CoE workshop in Manila to review new version of the draft law with recommendations for further improvements**
- **March 2008: Committee of Ministers and Parties agree to invite Philippines**
- **2008: Draft law now in Parliament for hearings**

Activities: cooperation with other organisations

- **Octopus Interface**
- **APEC**
- **EU and EC**
- **Europol**
- **G8**
- **ITU**
- **IGF**
- **Interpol**
- **London Action Plan**
- **OAS**
- **POLCYB**
- **UNODC**

Activities: studies

Research studies completed by 1 April 2008

➤ **Study 1: Cybercrime situation report**

➤ **Study 2: Cybercrime legislation (“Legislation implementing the Convention on Cybercrime: comparative analysis of good practices and effectiveness”)**

➤ **Study 3: The role of service providers (“Cooperation between service providers and law enforcement against cybercrime: towards common guidelines?”)**

➤ **Study 4: International cooperation (“The effectiveness of international cooperation against cybercrime: examples of good practice”)**

➤ **Study 5: Data protection (“Investigating cybercrime and the protection of personal data and privacy”)**

The Project on Cybercrime helped establish the Convention as the primary reference standard for cybercrime legislation globally

Interpol global cybercrime conference (New Delhi, September 2007)

The delegates at the 7th International Conference on Cyber Crime recommend:

- That the Convention on Cyber Crime of the Council of Europe shall be recommended as providing the international legal and procedural standard for fighting cyber crime. Countries shall be encouraged to join it.

EU Council meeting Justice and Home Affairs (Brussels, 8-9 November 2007)

- Implementation by all countries
- Pivotal role of the CoE Convention on Cybercrime
- EU to support implementation globally in liaison with the Council of Europe

Cairo Declaration (Nov 2007)

- the Budapest Convention is recognized as the global guideline.
- Countries of the Arab region are encouraged to make use of this model.

Results: Output 1 - Legislation

- **Legislative reforms in some 150 countries promoted**
- **Reforms underway in at least 40 countries**

- **Country profiles on cybercrime legislation**

Specific advice on draft laws provided to:

- **Argentina**
- **Brazil**
- **Colombia**
- **Egypt**
- **India**
- **Indonesia**
- **Nigeria**
- **Pakistan**
- **Philippines**
- **Serbia**

Results: Output 2 - Criminal justice capacities

➤ **Several hundred police officers participated in different events**

➤ **Study on law enforcement – service provider cooperation initiated**

➤ **Training of judges?**

Results: Output 3 – international cooperation

- **Cooperation promoted through international and regional events**

- **Strengthening of 24/7 contact points**
- **Joint Directory of the CoE and the G8**

- **Study on good practices in international cooperation launched**

Results: Ratification of the Convention

Ratification of the Convention on Cybercrime since November 2001

Year	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
	2002	2003	2004	2005	2006	2007
Add. ratif.	+ 2	+2	+4	+3	+7	+3
Total	2	4	8	11	18	21

- **22 countries have signed (many in 2001) but not yet ratified the Convention (including 19 CoE M/S)**
- **13 EU M/S have ratified – 14 EU M/S have not yet ratified the Convention**
- **7 CoE M/S have not yet signed the Convention**

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The way ahead: Approach

Project logic remains valid

Project objective: To promote broad implementation of the Convention on Cybercrime (ETS 185) and its Protocol (ETS 189)

- **Output 1: Legislation**
- **Output 2: Criminal justice capacities**
- **Output 3: International cooperation**

Cooperation and synergies with a broad range of public and private sector partners

Activities globally + specific results

Pragmatic, iterative, dynamic, responsive approach

The way ahead: Priorities in 2008

Legislation:

- **Promoting the Convention as the „model“**
- **Implementation of the provisions**
- **More emphasis on Protocol on Xenophobia and Racism**
- **Activities on child pornography (art 9) in conjunction with CETS 201**
- **Promote ratification in Europe**
- **Review legislation in countries that have ratified**
- **Continue cooperation with countries around the world where reforms are already underway**

The way ahead: Priorities in 2008

Criminal justice capacities:

- **Guidelines for law enforcement – service provider cooperation**
- **Study on cybercrime investigations and privacy and data protection**
- **Contribution to the training of investigators and prosecutors**
- **Training of judges**

The way ahead: Priorities in 2008

International cooperation:

- **Study on good practices**
- **24/7 points of contact – directory and training**
- **Activities on international cooperation**

The way ahead: Activities proposed

More than 50 activities between April 2008 and February 2009

For example:

- Participation in Interpol-ASEAN cybercrime workshop. Singapore, 10 April 2008
- Workshop to promote accession to the Convention, Dominican Republic, 16-17 April 2008 and Costa Rica on 21-22 April
- CYBEX judicial training conference Spain, 23 April 2008
- Workshop on cybercrime legislation and investigation, Albania, 1-2 May 2008
- OAS/DOJ regional workshop on cybercrime legislation in the Caribbean region Port of Spain, Trinidad and Tobago, 13-15 May 2008
- Workshop on cybercrime legislation in Mexico (tbc)

The way ahead: Activities proposed

- **CECOS cybersecurity summit Tokyo, Japan, 26-27 May 2008**
- **Participation in AUSCERT cybercrime meeting Brisbane, Australia, 18-21 May 2008**
- **Participation in ITU High Level Expert Group, Geneva, 22 May 2008**
- **Legislative assistance workshop Bosnia and Herzegovina, 22 April 2008**
- **Workshop on cybercrime legislation at the House of Representatives, Brasilia, Brazil, 28 May 2008**
- **Cybercrime conference, Reims, France, 4-6 June 2008**
- **Judiciary training workshop (in cooperation with Microsoft) Egypt, 9-10 June 2008**
- **Regional workshop for European 24/7 points of contact (TBC)**

The way ahead: Cooperation with Microsoft

Cooperation to date:

- **Funding**
- **Facilitation of contacts**
- **Co-organisation of events**
- **Convention as framework of reference for Microsoft**
- **Support to cooperation with other private sector stakeholders**
- **Support to study on law enforcement – service provider cooperation**

- **Cooperation pragmatic and result-oriented**
- **Continuation in 2008/9 envisaged**

The way ahead: Financial situation and funding needs

Current situation

	Contributions	Spent	Balance
Microsoft	270,000	185,430	84,570
CoE	280,000	208,828	71,172
Total	550,000	394,258	155,742

Budget estimate Dec 2007 – Feb 2009

	Required	Available	Add. needs
Personnel	120,000	54,039	65,951
Events etc.	300,000	93,212	206,788
Studies	50,000	2,500	47,500
Other	40,000	5,992	34,008
Total	510,000	155,742	354,258

The way ahead: Financial situation and funding needs

Needed Euro	Euro 355,000+
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Microsoft pledge	Euro 150,000
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Estonia received	Euro 50,000
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Still required	Euro 150,000+
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- **Follow up project: Mar 2009 – Feb 2011 to be designed by mid-2008**
- **Octopus March 2009: Evaluation of current project, launch of new project**



Thank you.

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