

**Octopus Interface Conference – Cooperation against Cybercrime
Council of Europe, Strasbourg, 23-25 March 2010**

Contribution by the US Department of Justice

CYBERTRAINING OFFERED BY THE US TO OTHER COUNTRIES

For many years, the Computer Crime and Intellectual Property Section (CCIPS) of the Criminal Division of the US Department of Justice has offered seminars on cyberissues to other countries. These seminars usually last about one week and are conducted regionally. (We do not usually have enough money to conduct seminars for single countries). Generally, the events have covered one or more of three topics: legislative drafting of cybercrime statutes (substantive, procedural and mutual legal assistance sections);¹ cyberinvestigative capacity-building; and the use of electronic evidence in prosecutions. Audiences may include police, prosecutors, judges, and policy-makers at many levels, depending on the topic. Fluency in English is not necessary. These seminars are often presented in conjunction with multilateral organizations - for example, the African Union, the Organization of American States or the Asia Pacific Economic Cooperation forum. Following is a brief summary of CCIPS activities.² CCIPS has a limited budget for foreign cybertraining, but normally conducts five or six sessions of its own each year. It also takes part in events run by other US agencies.

2009/2010 ACTIVITIES

AFRICA/MIDDLE EAST

Thus far in 2010, CCIPS has presented a regional cybercrime legislation workshop for North Africa and the Middle East, with participants from six states. The Council of Europe (COE) Project on Cybercrime contributed a facilitator and source materials for this workshop. CCIPS has also spoken at conferences such as the AfrNIC Government and Law Enforcement Working Group. A further two legislative drafting workshops are planned by the autumn of 2010, both for sub-Saharan Africa, and an electronic evidence seminar in southern Africa in the late autumn. CCIPS is also considering videoconference workshops, since they can be set up more rapidly, cheaply, and responsively to countries' wishes.

A growing number of prosecutors, investigators, and other officials from across Africa participate in a cybercrime e-mail network that was created as a result of a 2006 CCIPS program. This listserv is privately- and African-run and is unique to Africa. It provides members with an informal means to communicate about cybercrime issues relevant to Africa. To join this listserv, please email betty.shave@usdoj.gov.

THE AMERICAS

In 2009, under the auspices of the Organization of American States (OAS)-REMJA Working Group on Cybercrime, and with assistance from the COE Project on Cybercrime, CCIPS presented regional cybercrime investigation/prosecution workshops in Chile, Panama, and the Bahamas, and an advanced legislation workshop in Paraguay. Thirty-three out of 34 OAS member states participated in these workshops.

CCIPS attorneys also provided training and technical assistance in cybercrime programs run by other agencies, such as a conference on cybercrime in Bermuda jointly sponsored by the Global

¹ The US does not discuss US law in these sessions; rather, it focuses on the Convention on Cybercrime.

² This paper discusses primarily seminars offered by CCIPS, not the cybertraining offered to other countries by other US government organizations such as the US Secret Service or the US Federal Bureau of Investigation. However, CCIPS runs a foreign-cybertraining coordination group among US government agencies. If a country requests training that is not within CCIPS' competence, CCIPS passes the request (with the requesting country's permission) to other agencies in the group to see if they can assist.

Prosecutors E-Crime Network and the Bermuda Department of Public Prosecutions and a hemispheric cybersecurity conference jointly sponsored by three OAS entities.

In 2010, CCIPS will present three workshops on investigating large-scale transnational Internet crimes. All OAS member states will be invited to send investigators and prosecutors to these workshops. In addition, CCIPS plans cybercrime training in Trinidad & Tobago for Caribbean states.

ASIA

CCIPS participated in a bi-lateral cybercrime training program for prosecutors in the Philippines in April 2009 and spoke on courtroom presentation and investigative measures for cybercrime investigations.

In spring 2010, CCIPS plans a two-day cybercrime awareness raising program in Brunei for the Association of Southeast Asian Nations (ASEAN) Regional Forum. The program will assist participating economies with developing cybercrime legislation which is consonant with the Convention on Cybercrime. The program is also designed to establish contacts that will facilitate ongoing training programs in ASEAN for cybercrime investigation and prosecution.

PROJECTED 2011 ACTIVITIES

CCIPS has not yet secured funding for its 2011 activities, so its program is only in the planning, not final, stages. However, CCIPS hopes to be able to conduct two seminars in OAS countries and two in Asia between October 2010 and October 2011. These four programs will be similar in content and will cover the practicalities of obtaining and sharing electronic evidence internationally, including suggestions for improving the system. In Africa, CCIPS plans workshops on obtaining and using electronic evidence (including internationally), one in sub-Saharan Africa and a second in North Africa/the Middle East. CCIPS hopes to offer a third event in sub-Saharan Africa on cybercrime.

24/7 CYBERCRIME NETWORK TRAINING CONFERENCE

Since 1998, the 24/7 Cybercrime Network has facilitated urgent requests among member countries to advance investigations that depend on electronic evidence. This contact-point-to-contact-point network currently has 55 member countries throughout the world. In October 2010, a training conference for the 24/7 Cybercrime Network country points of contact will be hosted by Italy. This is the third such training conference. Limited sponsorships for travel may be available. Countries interested in joining this collaborative cybercrime network should email michael.mccluskey@usdoj.gov.

REVIEW OF DRAFT CYBERCRIME STATUTES

If a country has drafted a cybercrime (or similar) statute, on request, CCIPS will read and comment on the draft confidentially, usually by email. CCIPS will comment on more than one draft if a country wishes. The language of the draft is not usually a problem; in the past, we have been able to arrange translation or to assign a CCIPS attorney who reads the necessary language. If a country would like comments from several countries but does not know whom to contact, CCIPS will also, on request, arrange the necessary contacts. To date, about twenty countries have used this process.

CONTACT INFORMATION

Countries or organizations interested in any of the above are invited to contact Ms. Betty SHAVE, Assistant Deputy Chief for International Cybercrime, Computer Crime and Intellectual Property Section, US Department of Justice, betty.shave@usdoj.gov.