



24/7 network and contact points

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Legal Basis

- Council of Europe Convention on Cybercrime. Article 35
- Council of European Union Framework Decision on attacks against information systems 2005/222/JHA



Explanatory Report

- existing police co-operation and mutual assistance modalities require supplemental channels to address the challenges of the computer age effectively. The channel established in this Article is based upon the experience gained from an already functioning network created under the auspices of the G8 group of nations.



Why new channel?

- Ministry of Foreign Affairs
- Ministry of Justice
- Interpol, Europol, Sirene, G8
- immediate, expedited or provisional measures
- existing channels are not enough
- direct channel bypassing the MFA, MOJ



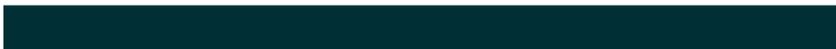
Tasks

- technical advice
- preservation of data
- collection of evidence
- giving of legal information
- locating of suspects



24/7

- 24 hours a day
- 7 days a week
- office hours
- must be available
- laptop, mobile, smartphone etc



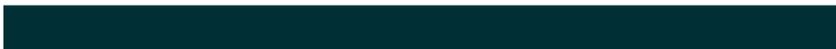


Options for CP?

- police-type body
- prosecutor-type body
- combination of these two
- national contact point for another organisation (Interpol, Europol, Schengen)
- non-police, intelligence, national telecommunications authority, CERT ???



- body or organisation
- individual who is nominated namely





How to?

- national law or regulation (law ratifying the Convention)
- internal regulation
- in both cases Council of Europe must be notified



Costs

- setting a CP per se does not cost a lot
- CP must be able to fulfill all the necessary tasks
- capacity building demands resources



Powers

- general police powers in order to perform duties
- special powers provided by legislation
- possibility to act as investigator, surveillance officer etc
- wait for formal request if needed



Daily work

- request format
- official MLA request – when needed
- timeframe – replies take time



Problems

- country has not nominated CP
- CP lacks of powers
- no coordination
- no effective cooperation between national authorities



Estonian experience

- Central Criminal Police Criminal Intelligence Department
- CP for Interpol, Europol, Sirene, G8
- central authority is MoJ
- legal basis – law ratifying the Convention and internal regulation
- equipped with all the general police powers



International cooperation

- Use of general channels – Interpol, Europol
- 1959 Strasbourg Convention + protocol
- EU MLA Convention 2000
- Bilateral agreements, liaison officers



Thank you!

