

Project on Cybercrime
Summary and Workplan 2008 – 2009

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Project title	Project against cybercrime (DG1/VC/567)
Project area	A global project to support European and non-European countries to accede and implement the Convention on Cybercrime (ETS 185) or its Protocol on Xenophobia and Racism (ETS 189)
Budget	EURO 1.1 mio
Funding	Council of Europe (Project 1429 - economic crime) Voluntary contributions from Microsoft and Estonia (Additional contributions from other donors being sought)
Implementation	Economic Crime Division (Directorate General of Human Rights and Legal Affairs, Council of Europe)
Duration	30 months (1 September 2006 – 28 February 2009)

BACKGROUND AND JUSTIFICATION

Computer networks are turning the world into a global information society in which any kind of information is available to internet users almost anywhere and in which electronic commerce may soon exceed hundreds of billions of Euros. However, this process is accompanied by an increasing dependency on such networks and a growing vulnerability to criminal intrusion and misuse. Networks facilitate illegal access to information, attacks on private or public computer systems, distribution of illegal content as well as cyber-laundering and possibly cyber-terrorism. Cybercrime thus poses new challenges to criminal justice and international cooperation. In order to counter cybercrime and protect computer networks, Governments must provide for:

- effective criminalisation of cyber-offences. Legislation of different countries should be as harmonized as possible to facilitate cooperation
- investigative and prosecutorial procedures and institutional capacities which allow criminal justice agencies to cope with high-tech crime
- conditions facilitating direct cooperation between State institutions, and between State institutions and the private sector
- efficient mutual legal assistance regimes allowing for direct cooperation among multiple countries and networks for urgent investigations.

In November 2001, the Convention on Cybercrime (ETS 185) of the Council of Europe was opened for signature. Its implementation will help parties cope with these challenges. By the beginning of the project (September 2006), the Convention had been ratified by 15 States and signed by a further 28 countries – including Canada, Japan, South Africa and the United States which are non-member States. The Additional Protocol on the Criminalisation of Acts of a Racist and Xenophobic Nature Committed through Computer Systems (ETS 189) of January 2003 had been ratified by 7 and signed by another 24 States, including Canada.

The need for a global legal framework against cybercrime has been underlined on numerous occasions and support to the broadest possible implementation of the Convention of the Council of Europe has been expressed by many European and non-European countries, international

organisations and the private sector. Already at the Octopus Interface conference on the "challenge of cybercrime" (Strasbourg, 15 to 17 September 2004) it was stated that "the Council of Europe and other donors should provide technical assistance to such countries to bring their legislation and institutions in line with the requirements of the Convention".

The present project is designed to follow up on this. It is to serve as a resource allowing the Council of Europe to support European and non-European countries in a pragmatic and flexible manner.

OBJECTIVE AND EXPECTED OUTPUTS

Project objective:	To promote broad implementation of the Convention on Cybercrime (ETS 185) and its Protocol on Xenophobia and Racism (ETS 189)
Indicators of success:	By the end of the project (February 2009): <ul style="list-style-type: none"> 40 countries (including 8 non-European ones) will be parties to the Convention (ETS 185), and 12 will be parties to the Protocol (ETS 189) the level of investigation, prosecution and adjudication of cybercrime and the level of international cooperation through the 24/7 network of contact points will have improved as reflected in the reports to the Cybercrime Committee (T-CY)
Output 1:	Cybercrime legislation strengthened in accordance with the Convention on Cybercrime and its Protocol. Draft laws meeting the standards of ETS 185 and 189 available in at least 10 European and 5 non-European countries
Indicator of success:	Number of ratifications/accessions by countries that have not been party to these treaties by the beginning of the project Number of countries where legislation complies with the standards of these treaties
Target groups:	Experts and working groups responsible for law drafting of countries willing to implement ETS 185 and/or 189
Output 2:	Capacities of criminal justice systems strengthened to investigate, prosecute and adjudicate cybercrime
Indicator of success:	Number of persons trained Number of prosecutions and convictions for cybercrime
Target groups:	Judges, prosecutors and police officers of countries that have signed ETS 185 or 189
Output 3:	Capacities of criminal justice bodies to cooperate internationally re-enforced
Indicator of success:	Number of persons trained Number of requests for assistance received/sent/processed Quality and dissemination of a cooperation manual
Target groups:	Central authorities for mutual legal assistance and 24/7 contact points

IMPLEMENTATION ARRANGEMENTS

The project serves as a resource to support:

- activities carried out by the Council of Europe
- activities carried out by other partners through Council of Europe expertise
- the participation of officials from different countries in specific activities carried out by other organisations or partners.

The project is implemented by the Economic Crime Division of the Directorate General of Human Rights and Legal Affairs of the Council of Europe by making use of the expertise available in countries which are party or signatory to the convention. Close cooperation with public and private sector partners will be sought.

ACTIVITIES CARRIED OUT FROM SEPTEMBER 2006 TO JULY 2008

Date	Place	Description
31 Aug - 1 Sep 2006 ✓	Geneva, Switzerland	Participation in the Meeting of the International Telecommunication Union on cybersecurity and spam: promotion of the Convention on Cybercrime as a guideline for the development of national legislation
17-19 Oct 2006 ✓	Rome, Italy	Support to the 2nd Training Conference of the G8 Network of 24/7 contact points
27-29 Nov 2006 ✓	Pitesti, Romania	Support to the National Cybercrime Training Conference in Romania
29-30 Nov 2006 ✓	Lisbon, Portugal	International seminar for Portuguese-speaking countries on "Meeting the challenge of cybercrime - Experience, good practice and proposals for improvement"
13-14 Feb 2007 ✓	Cairo, Egypt	Meetings and legislative advice to facilitate accession to the Convention on Cybercrime. Followed by a review of the draft law on cybercrime in April 2007
20-23 Feb 2007 ✓	New Delhi, India	Meetings and legislative advice to facilitate accession to the Convention on Cybercrime Followed by a review of the draft legislative amendments in March 2007
Feb 2007 ✓	Strasbourg	Analysis of the draft law on cybercrime of Pakistan
6-7 Feb 2007 ✓	Kyiv, Ukraine	Regional conference for countries of eastern Europe on cooperation against cybercrime (funded by the UPIC project on international cooperation in criminal matters)
27 Feb – 2 Mar 2007 ✓	Brasilia, Brazil	Meetings and legislative advice to facilitate accession to the Convention on Cybercrime
19–21 Mar 2007 ✓	Belgrade, Serbia	Regional conference for countries of south-eastern Europe on cooperation against cybercrime (funded by the PACO Serbia project on economic crime)
26-27 Mar 2007 ✓	Bucharest, Romania	Support to two training seminars for prosecutors (National Institute for Magistrates of Romania)
18-20 Apr 2007 ✓	South Africa	Meetings to promote the ratification of the Convention on Cybercrime and its Protocol and participation in the Symposium "Symposium on online security and the safety and welfare of South Africa's citizens" organised by Microsoft
23–24 Apr 2007 ✓	Philippines/ Asia and Pacific	Promotion of cybercrime legislation in line with the Convention on Cybercrime – Contribution to the Workshop on network security organised by the Asia-Pacific Economic Cooperation and ASEAN in Manila, Philippines
11 May 2007 ✓	Moscow, Russian Federation	Meeting on the implementation of the Convention on Cybercrime in the Russian Federation
14–15 May 2007✓	Geneva	Workshop on the Convention on Cybercrime within the framework of the WSIS follow up cluster of events at the ITU
May 2007✓	Strasbourg	Analysis of the draft law on cybercrime of the Philippines
18 June 2007✓	Dubai	Contribution to a regional meeting of states of the Gulf Cooperation Council (in cooperation with Microsoft)

11–12 June 2007✓	Strasbourg	Octopus Interface Conference on “Cooperation against cybercrime”
19-21 June 2007✓	Casablanca, Morocco	Training of prosecutors from northern Africa and the middle east – Contribution to the UNDP POGAR project
10 Sep 2007✓	New Delhi (India)	National conference on Cybercrime (in cooperation with ASSOCHAM)
12-14 Sep 2007✓	New Delhi (India)	Contribution to the Interpol Global Conference on Cybercrime
17 Sep 2007✓	Geneva (Switzerland)	ITU workshop
26-28 Sept 2007✓	Sao Paulo (Brazil)	ICCyber 2007: International Conference on Cybercrime
28 Sept 2007✓	Sao Paulo (Brazil)	Meeting with the Internet Steering Group of Brazil
28 Sept 2007✓	Sao Paulo (Brazil)	Training workshop for prosecutors
Oct 2007✓	Strasbourg	Launching of studies on cybercrime
1-2 Oct 2007✓	Colombia	National Workshop on Cybercrime Legislation
2 Oct 2007✓	Lyon (France)	Interpol European Working Party
5 Oct 2007✓	Geneva (Switzerland)	ITU High Level Expert Group meeting
9-11 Oct 2007✓	Washington DC (USA)	London Action Plan/ European Union Contact Network of Spam Authorities 3rd joint workshop
12 Oct 2007✓	Brussels	Meeting with eBay
22 Oct 2007✓	Paris	Study on cooperation between law enforcement and service providers: first meeting of the working group
24-26 Oct 2007✓	Heerlen (The Netherlands)	European Network Forensics and Security Conference
25-26 Oct 2007✓	Makati City (Philippines)	Legislators and Experts Workshop on Cybercrime
26-27 Oct 2007✓	Verona (Italy)	International conference “Computer crimes and cyber crimes: global offences, global answers”
29-31 Oct 2007✓	Jakarta (Indonesia)	Meetings on cybercrime legislation for Indonesia followed by a legislative analysis
5-9 Nov 2007✓	Bangkok (Thailand)	Policing Cyberspace International Summit
7-9 Nov 2007✓	Tomar (Portugal)	Contribution to the “Conference on Identity Fraud and Theft” organised by the authorities of Portugal within the context of the EU Presidency
7-9 Nov 2007✓	The Hague	Europol high-tech crime expert meeting
12-16 Nov 2007✓	Rio de Janeiro (Brazil)	Internet Governance Forum
15-16 Nov 2007✓	Brussels	European Commission expert conference on cybercrime
15-16 Nov 2007✓	Buenos Aires (Argentina)	Workshop on cybercrime legislation and accession to the Convention
19-20 Nov 2007✓	Washington DC (USA)	Organisation of American States
26-27 Nov 2007✓	Cairo (Egypt)	Regional conference on cybercrime
30 Nov-2 Dec✓	Courmayeur (Italy)	Contribution to United Nations ISPAC Conference on the Evolving Challenge of Identity-related Crime
8 Jan 2008✓	Geneva	Participation in ITU High Level Expert Group
29-30 Jan 2008✓	Kosovo	Legislative assistance workshop

7 Feb 2008✓	Düsseldorf, Germany	Study on law enforcement – service provider cooperation: 2nd meeting of the working group
11 Feb 2008✓	Brussels	Cyber Security Roundtable event 'Assessing the Threat of Cyber Security' (Security Defence Agenda, SDA)
19 Feb 2008✓	Tbilisi, Georgia	Legislative assistance workshop
20-21 Feb 2008✓	Montreux, Switzerland	McAfee cybersecurity meeting
20 Mars✓	Lille	2ème Forum International sur la Cybercriminalité
1-2 April 2008✓	Strasbourg	Octopus Interface Conference on cybercrime (to be followed by Cybercrime Convention Committee on 3-4 April 2007)
23-24 April 2008✓	Montenegro	Legislative assistance workshop
22 April 2008✓	Bosnia and Herzegovina	Legislative assistance workshop
9 April 2008✓	Kuala Lumpur, Malaysia	Meetings with the Government on cybercrime legislation and the Convention
10 April 2008✓	Singapore	Participation in Interpol-ASEAN cybercrime workshop
23 April 2008✓	Barcelona, Spain	CYBEX judicial training conference
16-17 April 2008✓	Dominican Republic	Workshop to review legislation and promote accession to the Convention (organised by Microsoft)
21-22 April 2008✓	Costa Rica	Meetings with government authorities on cybercrime legislation
13-15 May 2008✓	Port of Spain, Trinidad and Tobago	OAS/US DOJ regional workshop on cybercrime legislation in the Caribbean region
22 May 2008✓	Geneva	Participation in ITU High Level Expert Group
18-21 May 2008✓	Brisbane, Australia	Participation in AUSCERT cybercrime conference and meetings with Australian authorities
22 May 2008✓	Kuala Lumpur, Malaysia	IMPACT summit on cyberterrorism
26-27 May 2008✓	Tokyo, Japan	CECOS cybersecurity summit (Anti-Phishing Working Group)
28 May 2008✓	Brasilia, Brazil	Workshop on cybercrime legislation at the House of Representatives
4 June 2008✓	Vienna, Austria	OSCE: Presentation on cyberterrorism to the 32nd Joint Meeting of the Forum for Security Cooperation and the Permanent Council
4-6 June 2008✓	Reims, France	Cybercrime conference on a European reporting platform
9-10 June 2008✓	Egypt	Judiciary training workshop (in cooperation with Microsoft)
17-18 June 2008✓	The Hague	Europol meeting on the coordination of cybercrime training
18 June 2008✓	Luxembourg	Training of judges (in cooperation with Microsoft)
19 June 2008✓	Luxembourg	Conference "Cybercriminalité: réalités et solutions"
20 June 2008✓	London	Meeting on cooperation with the Crown Prosecution Service
23 June 2008✓	Ankara	Meeting on cybercrime legislation and accession by Turkey to the Convention on Cybercrime
26 June 2008✓	Geneva	HLEG meeting at the ITU
26/27 June 2008✓	Seoul, Korea	APEC meeting on cybercrime and terrorism
9-11 July 2008✓	Cotonou, Benin	Workshop for Western and Central African countries on cybercrime legislation and investigation (organised by

		the US DOJ)
22 July 2008✓	Buenos Aires, Argentina	Workshop on the new criminal legislation on cybercrime

WORKPLAN FOR THE PERIOD AUGUST 2008 – FEBRUARY 2009

In addition to the Cybercrime Convention Committee (T-CY), the Project against Cybercrime is the most important resource that the Council of Europe has at its disposal to support the implementation of the Convention.

Results so far show that the project has been very effective and pragmatic, and that much has been achieved with limited resources.

The momentum created by the project now provides unique opportunities to make an impact around the world by the scheduled end of the project in February 2009.

At the same time, preparations for a follow up project and the mobilisation of the necessary resources needs to commence without delay.

Activities proposed (August 2008 – February 2009)

<i>Date</i>	<i>Place</i>	<i>Description</i>
Aug 2008 – Feb 2009	Misc	Legislative analysis
Aug – Sep 2008	Strasbourg	Study on “jurisdiction”
Aug – Oct 2008	Strasbourg	Finalisation of materials for the training of judges
Aug – Oct 2008	Strasbourg	Study on the effectiveness of 24/7 points of contact
20-22 Aug 2008	Rio, Brazil	International Lawyers Association Conference
26 Aug 2008	Belo Horizonte, Brazil	Training workshop for prosecutors
27-28 Aug 2008	Brasilia, Brazil	Meetings with public authorities on cybercrime legislation
3-5 Sep 2008	Bogota, Colombia	OAS/CoE regional conference on cybercrime legislation for 18 OAS member States
16 – 18 Sep 2008	Geneva	IGF Preparatory meeting
25 – 26 Sep 2008	Brussels	European Commission meeting on cybercrime
6-8 October 2008	Spain	Conference on Electronic Evidence and the fight of Cybercrime
20 – 21 Oct 2008	Strasbourg	European Dialogue on Internet Governance
10 – 12 Oct 2008	Abidjan, Ivory Coast	Organisation Internationale de la Francophonie: Pan-African conference on cybercrime
23 Oct 2008	Athens, Greece	Eurojust: Strategic meeting on cybercrime
23-24 Oct 2008	Istanbul, Turkey	Conference on cybercrime
30-31 Oct 2008	Kuala Lumpur	EC/ASEAN workshop on cybercrime legislation
11-12 Nov 2008	Minsk, Belarus	Workshop on cybercrime legislation and investigation
13 Nov 2008	Barcelona	ISMS forum “Threats to Information Security”
17 Nov 2008	“the former Yugoslav Republic of Macedonia”	Training workshop for judges and prosecutors
18-19 Nov 2008	“the former	Regional workshop on 24/7 points of contact

	Yugoslav Republic of Macedonia"	
3 – 6 Dec 2008	India	Participation in Internet Governance Forum
Jan 2009	Romania	Training workshop for judges and prosecutors

This list will be updated in the light of emerging needs and opportunities.

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