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CyberCrime@IPA

Regional workshop on cooperation between the LEA and ISP

Villa Hotel Belvedere
Durres - Albania, 9-10 June 2011

Activity outline

BACKGROUND

The European Union/Council of Europe regional project CyberCrime@IPA started on 1 November 2010 and its launching conference took place on 17-18 February 2011 in Istanbul, Turkey. Countries and areas participating in CyberCrime@IPA are: Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia, "the former Yugoslav Republic of Macedonia", Turkey and Kosovo[1].

The project is implemented by the Council of Europe and it comprises eight expected results.

Expected result 7 is related to the cooperation between the law enforcement agencies (LEA) and Internet service providers (ISP):

> Strengthening of co-operation between Law Enforcement Agencies and Internet Service Providers in investigations relating to cybercrime.

It should be noted that the Council of Europe, under the Global Project on Cybercrime, adopted guidelines for LEA/ISP cooperation in April 2008. CyberCrime@IPA will promote the implementation these guidelines in the project areas.[2]

The approach of the project with regard to LEA/ISP cooperation is as follows:

- Analysis of current cooperation between LEA and ISP in the project countries/areas
- Promotion of cooperation agreements (such as Memoranda of Understanding) between LEA and ISPs in each project area
- Training of LEA and ISP staff responsible for cooperation
- Promotion of standard procedures for cooperation

The first regional workshop under this component of the project is scheduled for 9-10 June 2011 in Tirana.

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[1] All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

[2] These are available in the languages of the project areas at http://www.coe.int/t/dghl/cooperation/economiccrime/cybercrime/Documents/LEA_ISP/default_en.asp

OBJECTIVE

The regional workshop is aimed at the following:

– To review the current state of cooperation between LEA and ISP in the project areas
– To discuss the feasibility of cooperation agreements based on the LEA/ISP guidelines of 2008
– To reach agreement on specific steps to taken in each project area regarding LEA/ISP cooperation

PARTICIPANTS

From each project area, three participants will be funded from the project budget:

– Two representatives of high tech crime units
– One representative of the prosecution services.

Representatives from service providers from each project area are strongly encouraged to participate.

The working languages of the conference will be English and Albanian.

CONTACT

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Draft Agenda

Day I	
8h45	Registration of participants

Session 1: Opening session	

9h00	▪ Opening statements
	
	   - Host Country (TBC)
	   - European Union Delegation (TBC)
	   - Mr Alexander Seger, Head of the Economic Crime Division, Council of Europe

Session 2: LEA/ISP cooperation: guidelines and good practices	
9h30	▪ Introduction to the workshop and overview of the need for co-operation between LEA and ISP (*Alexander Seger*) ▪ The Guidelines for LEA/ISP cooperation in the investigation of cybercrime of 2008 (*Alexander Seger*) ▪ Good practices of LEA/ISP cooperation (including memoranda of understanding and criminal compliance programmes) (*Microsoft Uwe Rasmussen and ECO – Randolph Morawe and Steven Wickenden*)
11h00	*Coffee break*

Session 3: Review of LEA/ISP cooperation in project areas: types of request and cooperation	
11h15	Interventions/discussion by participants: ▪ Types and forms of cooperation between LEA/ISP in project areas ▪ Types of request sent/received ▪ Good/bad practices of cooperation
13h00	*Lunch break*

Session 4: Review of LEA/ISP cooperation in project areas: responsibilities, authorities and limitations set by domestic legislation	
14h30	▪ Overview of the domestic procedural law and presentation of responsibilities, authorities and limitations set by this legislation (presentation by representatives of prosecution services)
16h00	*Coffee break*

Session 5: Review of LEA/ISP cooperation in project areas: procedures for legally binding requests	
16h15	▪ Good practices of procedures for legally binding requests (presentation by experts) ▪ Current procedures for legally binding requests in project areas (interventions/discussion by participants)
17h30	*End of day 1*

Day II	
Session 6: Specific measures to enhance LEA/ISP cooperation in each project area	
9h00	Detailed discussion of the LEA/ISP guidelines of 2008 in view of adaptation to each project area: ▪ Common measures to be taken by LEA and ISP (guidelines 10-16) ▪ Measures to be taken by law enforcement (guidelines 17 – 40)
11h00	*Coffee break*
11h15	▪ Measures to be taken by service providers (guidelines 41 – 59)
Session 7: Preparation of proposals/recommendations for measures to be taken.	
12h00	▪ Participants prepare proposals/recommendations regarding specific measures and steps to be taken in each project country/area with regard to co-operation between the LEA and ISP
13h00	*Lunch break*
Session 8: Presentation of proposals by each delegation and conclusions	
14h30	▪ Recommendations and conclusions - Each delegation will present its recommendations on the steps needed at the domestic level - Recommendations by experts - Conclusions
16h00	**End of the meeting**