



Project Cybercrime@EAP II International cooperation

Արևելյան Գործընկերության
Східне партнерство Eastern
Partnership აღმოსავლეთ
პარტნიორობა Parteneriatul
Estic Şarc tərəfdaşlığı
Partenariat Oriental Усходняе
Партнёрства

Summary

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Project title / number:	Cybercrime@EAP II (2015/DGI/JP/3312)
Project area:	Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova, Ukraine
Duration:	30 months (1 May 2015 – 31 October 2017)
Budget:	EURO 800,000
Funding:	European Union and Council of Europe Programmatic Cooperation Framework for Eastern Partnership countries
Implementation:	Cybercrime Programme Office (C-PROC) of the Council of Europe

BACKGROUND AND JUSTIFICATION

Efficient international cooperation, including expeditious mutual legal assistance (MLA) is one of the most important conditions for effective measures against cybercrime and other offences involving electronic evidence given the transnational and volatile nature of electronic evidence. In practice, however, procedures are considered too complex, lengthy and resource intensive, and thus too inefficient. This is also true for the countries participating in the Eastern Partnership.

According to information available, police and judicial authorities in the six EaP countries:

- Typically request traffic and subscriber data via 24/7 points of contact, police-to-police co-operation, and mutual legal assistance or directly from multi-national service providers. Content is rarely requested given the complexity of the procedures;
- Mostly send requests but increasingly also receive requests from abroad;
- Send/receive requests primarily related to fraud as well as organised crime. Increasingly they also cover offences against computer data and systems.

The six EaP countries are considered important sources and targets of cybercrime (and thus are of major concern for member states of the European Union and the Council of Europe), but the level of international co-operation on cybercrime and electronic evidence is extremely limited and very few requests for mutual legal assistance related to electronic evidence are sent or received.

Programmatic Cooperation Framework for Armenia, Azerbaijan, Georgia, Republic of Moldova, Ukraine and Belarus

Funded
by the European Union
and the Council of Europe



COUNCIL OF EUROPE



Implemented
by the Council of Europe

Problems identified include:

- Complex and time-consuming procedures for mutual legal assistance;
- Absence of mechanisms for expedited mutual legal assistance in the sense of Article 31 of the Budapest Convention;
- Limited role of 24/7 points of contact;
- Delays in replies and often no replies from foreign countries to requests for police and judicial cooperation;
- Limited cooperation with multi-national service providers;
- Limited trust in cooperation with and between the six EaP countries.

Five of the six EaP countries (the exception is Belarus) are parties to the Budapest Convention on Cybercrime. All six have established 24/7 points of contact for urgent international co-operation.

The Cybercrime Convention Committee (T-CY) – that is the Parties to the Budapest Convention on Cybercrime – in December 2014 completed an [assessment of the functioning of the international cooperation provisions](#) of this treaty and adopted a set of recommendations. The present project will support EAP countries in the follow up to these recommendations.

CyberCrime@EAP II follows a [first phase from 2011 to 2014](#).

OBJECTIVE, EXPECTED OUTPUTS AND ACTIVITIES

Project objective	To enable efficient regional and international co-operation on cybercrime and electronic evidence. Outcome indicators: <ul style="list-style-type: none">- The number of mutual legal assistance requests on cybercrime and electronic evidence sent/received will have increased in the six countries by month 30.- The number of requests sent/received by 24/7 points of contact will have increased in the six countries by month 30.- Draft amendments to procedures and rules on mutual legal assistance on cybercrime and electronic evidence are available by month 24 in the six countries.
Result 1	The authorities responsible for mutual legal assistance in the six EAP countries will have better skills and tools (manual, online resources) for international co-operation on cybercrime and electronic evidence. It is assumed that this will lead to a measurable increase in MLA requests already by the end of the project.
Activities	
	Establish a working group of representatives of MLA authorities of the six EaP countries and of 2-3 other countries (resource persons).
	Organise 3 meetings of the MLA working group to review the functioning of mutual legal assistance on cybercrime and electronic evidence, to define roles and responsibilities and to identify strengths and weakness and to prepare and adopt a set of recommendations.

	Assist the MLA working group in the preparation and adoption of a set of recommendations for further action.
	Support implementation of the recommendations resulting from the above activities.
Result 2	<p>The role of 24/7 points of contact will have been strengthened in the six EaP countries.</p> <p>It is assumed that this will lead to a measurable increase in the number of requests sent/received by 24/7 points of contact.</p>
Activities	
	Establish a working group of representatives of 24/7 contact points of the six EaP countries and of 2-3 contact points of other countries (resource persons).
	Organise 3 meetings of the working group to review the functioning of 24/7 contact points, to define roles and responsibilities, and to identify strengths and weaknesses.
	Assist the 24/7 working group in the preparation and adoption of a set of recommendations for further action.
	Support implementation of the recommendations resulting from the above activities.
Output 3	<p>Recommendations for amendments to procedures and rules on mutual legal assistance on cybercrime and electronic evidence are available for the six EaP countries.</p> <p>It is assumed that adoption and implementation of these recommendations will enhance the effectiveness of international co-operation in these matters in the longer term.</p>
Activities	
	Prepare a detailed analysis of the rules and procedures for mutual legal assistance on cybercrime and electronic evidence.

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