



Project Cybercrime@EAP III

Public/private cooperation

Արևելյան Գործընկերության
Східне партнерство Eastern
Partnership აღმოსავლეთ
პარტნიორობა Parteneriatul
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Oriental Усходняе Партнёрства

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Improving public/private cooperation on cybercrime and electronic evidence in the Eastern Partnership region

**Meeting and conference under the CyberCrime@EAP III project
organised by the Council of Europe**

**6-7 April 2016
Hilton Hotel, Kyiv, Ukraine**

(Draft) Outline

Background

Cooperation between criminal justice authorities and private sector entities, including in particular service providers, is essential to protect society against crime. Such cooperation concerns primarily access by police and prosecution services to data held by service providers for criminal justice purposes, but also the sharing of information and experience, as well as training.

In recent years, the question of public/private cooperation and specifically the issue of criminal justice access to data have become more complex. This is also true for countries participating in the Eastern Partnership. Often, local and multinational service providers are reluctant to cooperate, criminal justice measures and national security measures are not clearly separated, and public trust is limited. Moreover, law enforcement powers such as those foreseen in the Budapest Convention on Cybercrime are not always clearly defined in criminal procedure law, and this adversely affects law enforcement/service provider cooperation as well as human rights and the rule of law.

The present project will address these issues. It will be managed in conjunction with the CyberCrime@EAP II project on international cooperation by the Cybercrime Programme Office of the Council of Europe (C-PROC) in Romania.

Objective

The meeting will bring together criminal justice authorities, telecommunications regulators and major service providers to initiate the project and identify key issues as well as current

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

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initiatives regarding public/private cooperation in the Eastern Partnership region. The meeting will also serve as the launching event of CyberCrime@EAP III.

Participants

- Representatives of the country project teams from the six EAP countries;
- Experts on the subject matter from partner countries;
- Experts on the subject matter from international organizations;
- Representatives from private sector / multinational service providers.

The working languages will be English and Russian.

Programme outline

Wednesday, 6 April 2016	
Launching event for Cybercrime @EAP III project	
8h30	Registration
9h00	Opening session <ul style="list-style-type: none"> - TBC, Government of Ukraine - TBC, European Union Delegation to Ukraine - TBC, Council of Europe office in Kyiv - Alexander Seger, Head of Cybercrime Division, Council of Europe
9h30	Public-private cooperation on cybercrime and electronic evidence: challenges <ul style="list-style-type: none"> - The question of cybercrime and electronic evidence - Current challenges in the public-private cooperation - Overview of the CyberCrime@EAP III Project
10h00	Coffee break
10h30	International experience and best practices for public-private cooperation <ul style="list-style-type: none"> - Cormac Callanan, SOCOGI: overview of global trends - EU, digital markets and public-private cooperation in the framework of criminal justice: Michele Socco, European Commission - Directorate General for Migration and Home Affairs - Internet service providers and law enforcement cooperation: Ukrainian ISP association (TBC) - Cooperation with law enforcement on cybercrime: private sector view (TBC) - Martins Brizs, Latvian Police - Electronic platform for exchange of data on cybercrime between the law enforcement and the Internet service providers in Latvia Discussion with country team members
12h30	Lunch break
14h00	Current situation with public-private cooperation in the Eastern Partnership region <ul style="list-style-type: none"> - Presentations by country team members from each EAP country on: <ul style="list-style-type: none"> • Legal framework for cooperation, including agreements; • Safeguards and guarantees in implementing procedural powers under the Convention on Cybercrime;

	<ul style="list-style-type: none"> • Cooperation in the wider framework of cyber-security (including CSIRT community); • Examples of sector-specific cooperation, if any (e.g. banking sector); • Practical aspects and challenges of cooperation. <p>Discussion with country team members</p>
15h45	Coffee break
16h00	<p>Cybercrime@EAP III project: steps ahead (C-PROC)</p> <ul style="list-style-type: none"> - Discussion on project planning and upcoming initiatives: <ul style="list-style-type: none"> • Design and contents of the situation mapping study; • Concept of online resource on public-private cooperation; • Directions of legislative reform; • Workplan for regional and in-country events.
18h00	End of Launching event
Thursday, 7 April 2016	
Conference on Public-Private Cooperation: Criminal Justice Access to Electronic Evidence	
9h00	<p>Opening remarks</p> <ul style="list-style-type: none"> - TBC, Government of Ukraine - TBC, representative of business/ISP association - Alexander Seger, Head of Cybercrime Division, Council of Europe (TBC)
9h30	Coffee break/Press briefing
10h00	<p>Overview of Cybercrime Convention Committee work on related standards</p> <p>(Alexander Seger, Pedro Verdelho)</p> <ul style="list-style-type: none"> - Incorporation and provision of services - Trans-border access / cloud access - Procedural powers - Other issues
11h00	<p>Procedural aspects of Ukrainian legislation related to public-private cooperation and access to evidence: key problems</p> <p>(facilitated by C-PROC)</p> <ul style="list-style-type: none"> - Presentation by the representative of Ukraine - Discussion
12h30 Lunch break	
14h00	<p>Cooperation with criminal justice: overview of provider policies in Ukraine</p> <ul style="list-style-type: none"> - Communications regulator - ISP association - Data protection authority <p>Interventions by representatives of providers (including foreign)</p> <p>Comments by country delegations and experts</p>
15h45	Coffee break
16h00	<p>Discussion on practical aspects of access to electronic evidence</p> <p>(facilitated by Pedro Verdelho)</p> <ul style="list-style-type: none"> - Important definitions: subscriber information, traffic data, content data - Data preservation vs. data retention - Production orders - Safeguards and guarantees

	Direct cooperation with foreign service providers
17h30	Closing remarks <ul style="list-style-type: none">- TBC, Government of Ukraine- TBC, representative of business/ISP association- Alexander Seger, Head of Cybercrime Division, Council of Europe (TBC)
18h00	End of conference

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