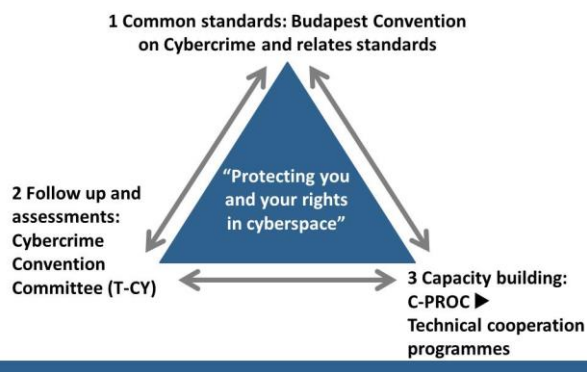# CYBERCRIME@COE UPDATE

on Council of Europe activities on cybercrime

Highlights 1st Quarter 2016

- Liechtenstein ratified the Budapest Convention on Cybercrime bringing the number of [Parties to 48](#). A further 18 States have signed it or been invited to accede.
- The Cloud Evidence Group of the Cybercrime Convention Committee (T-CY) prepared an [informal summary](#) of issues and options currently under consideration regarding criminal justice access to evidence in the Cloud. This fed into the Amsterdam Conference on [Jurisdiction in Cyberspace](#) held by the Netherlands Presidency of the European Union.
- The Cybercrime Programme Office of the Council of Europe ([C-PROC](#)) in Bucharest commenced the implementation of three new capacity building projects: Cybercrime@EAP III, iPROCEEDS and GLACY+. Nine new staff joined C-PROC.
- The Office provided support to legislation, judicial training, law enforcement training, institution building and public/private cooperation to Mauritius, Guyana, Kenya, Nigeria, Senegal, South Africa, Sri Lanka, Tonga and Ukraine.

Cooperation on Cybercrime: the approach of the Council of Europe

1 Common standards: Budapest Convention on Cybercrime and relates standards

"Protecting you and your rights in cyberspace"

2 Follow up and assessments: Cybercrime Convention Committee (T-CY)

3 Capacity building: C-PROC ▶ Technical cooperation programmes

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Stay connected

Join our Octopus Cybercrime Community

The Octopus Community is a platform for information sharing and cooperation on cybercrime and electronic evidence.

Current tools include country wiki profiles on cybercrime legislation and policies, training materials and blogs.

New tools on public/private cooperation and international cooperation are in the making.

[JOIN THE COMMUNITY](#)

Save the date

- T-CY [Plenary](#) and [data protection exchange](#), Strasbourg, 23-25 May
- Budapest Convention turns 15! T-CY Plenary and Octopus Conference, Strasbourg, 14-18 November

COUNCIL OF EUROPE

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UPDATE: Budapest Convention and Cybercrime Convention Committee (T-CY)

Basics

Budapest Convention on Cybercrime	T-CY
Opened for signature: 23 November 2001	Members as at 31 March 2016: 48
Parties as at 31 March 2016: 48	Observer States: 20
Signatories and States invited to accede: 18	Observer Organisations: 9

Liechtenstein joins Budapest Convention

Liechtenstein deposited the instrument of ratification to become the 48th Party to the Budapest Convention.

A further 18 States have signed it or been invited to accede.

In addition to these 66 States, the number of States adopting legislation on the basis of the Budapest Convention keeps increasing as reflected in requests for assistance received by C-PROC.

Guidance Notes

One of the functions of the T-CY is the preparation of Guidance Notes. They represent the common understanding on how to apply provisions of the Budapest Convention to new phenomena such as botnets or identity theft.

New Guidance Notes are in preparation and are to be discussed in forthcoming T-CY plenaries.

The Budapest Convention turns 15!

In November 2016, the Budapest Convention will turn 15. The anniversary will be celebrated at the Octopus Conference (16-18 November 2016) and offer an opportunity to reflect on achievements to date and the future course of action to "protect you and your rights in cyberspace".

Cloud Evidence Group (CEG)

The T-CY working group – tasked to propose solutions regarding criminal justice access to electronic evidence in the cloud – met at the Max-Planck-Institute in Freiburg, Germany from 7 to 9 February.

The CEG discussed a Guidance Note on access to subscriber information (Article 18) as well as possible elements of a Protocol to the Budapest Convention, and produced an informal summary of issues and options currently under consideration by the Group.

This was presented at the conference on "Crossing borders: jurisdiction in cyberspace" held in Amsterdam on 7-8 March under the Netherlands EU Presidency, in order to ensure that efforts at the level of the European Union and within the framework of the Budapest Convention remain coordinated.

The CEG will hold a further meeting with service providers on 25 April and an exchange of views with data protection organisations on 23 May.

T-CY assessment of sanctions and measures

The 3rd cycle of assessments by the T-CY is focusing on Article 13 of the Budapest Convention regarding sanctions and measures. Detailed replies have been received from 45 Parties and several Observer States. The analysis of replies will be presented at T-CY 15.

T-CY Plenary 15 (Strasbourg, 24-25 May)

T-CY 15 will focus on the assessment of sanctions and measures (Article 13 Budapest Convention), the work of the Cloud Evidence Group and follow up to the assessment report on mutual legal assistance.

UPDATE on capacity building by C-PROC

NEW: iPROCEEDS

Duration: January 2016 – June 2019

Budget: EUR 5.56 Million

Funding: Joint project of the European Union (under IPA II Multi-country action programme 2014) and the Council of Europe

Participating countries/areas: Albania, Bosnia and Herzegovina, Montenegro, Serbia, "the former Yugoslav Republic of Macedonia", Turkey and Kosovo*.

This new project is targeting proceeds from online crime in South-Eastern Europe through:

- Public reporting systems on online fraud and other cybercrime
- Legislation allowing for the search, seizure and confiscation of proceeds from online crime
- Stronger cooperation between cybercrime units, financial investigators, financial intelligence units and prosecutors
- Guidelines for financial sector entities
- Public/private information sharing
- Judicial training
- International cooperation

Initial assessment visits to all project areas will be carried out in April and May and the launching conference is foreseen for 13-14 June.

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* This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

NEW: Global Action on Cybercrime Extended (GLACY+)

Duration: March 2016 – February 2020

Budget: EUR 10 Million

Funding: Joint project of the European Union (Instrument Contributing to Peace and Stability) and the Council of Europe

Project partner: INTERPOL Global Complex for Innovation in Singapore

Participating countries: Priority countries in Africa, Asia/Pacific, Caribbean and Latin America which will also serve as hubs to share experience, tools and good practices with the countries of their respective region.

GLACY+ is to:

- Promote consistent cybercrime and cybersecurity policies and strategies.
- Strengthen the capacity of police authorities to investigate cybercrime and engage in effective police-to-police cooperation with each other as well as with cybercrime units in Europe and other regions.
- Enable criminal justice authorities to apply legislation and prosecute and adjudicate cases of cybercrime and electronic evidence and engage in international cooperation.

The inception phase has commenced and the launching conference is foreseen for October 2016.

About C-PROC

The Cybercrime Programme Office of the Council of Europe (C-PROC) in Bucharest, Romania, is responsible for assisting countries worldwide in the strengthening of their criminal justice capacity to respond to the challenges posed by cybercrime and electronic evidence on the basis of the standards of the Budapest Convention on Cybercrime.

C-PROC became operational in April 2014 following an offer by the Government of Romania and a decision by the Committee of Ministers of the Council of Europe in 2013.

With the launch of new projects in early 2016 it now has 20 staff.

UPDATE: Eastern Partnership projects

Basics

Cybercrime@EAP II – International cooperation	**NEW: Cybercrime@EAP III – Public/private cooperation**
Duration: May 2015 – December 2017	**Duration:** January 2016 – December 2017
Budget: EUR 800,000	**Budget:** EUR 700,000
Funding: Joint project of the European Union and the Council of Europe under the Eastern Partnership Facility	Funding: Joint project of the European Union and the Council of Europe under the Eastern Partnership Facility
Participating countries: Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine	**Participating countries:** Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine

UKRAINE, 4-5 April:

Third meeting on international cooperation in the Eastern Partnership region

Cybercrime@EAP II supports Eastern Partnership countries in the improvement of regional and international cooperation on cybercrime and electronic evidence and thus to follow up to the recommendations of the Cybercrime Convention Committee (T-CY).

The third regional meeting will focus on the question of electronic evidence obtained through police-to-police cooperation, practical procedures for 24/7 points of contact, and templates for preservation, as well as requests for stored computer data.

Experts and partners of the project from Estonia, France, Germany, Portugal, Romania, "The Former Yugoslav Republic of Macedonia", United Kingdom and the United States will assist participants and share their experience.

UKRAINE, 30 March – 1 April:

Assessment visit to Ukraine

Visits to EAP countries are now being carried out to map current strengths, weaknesses, opportunities and risks regarding public/private and specifically law enforcement/service provider cooperation, and to document good practices and initiatives already underway. The visit to Kyiv was the first of these missions.

UKRAINE, 6-7 April:

Launch of the CyberCrime@EAP III Project and First international meeting on improving public-private cooperation on cybercrime and electronic evidence in the EAP region

The new project aims to support countries of the Eastern Partnership to strengthen the current modalities for cooperation with the private sector (public-private cooperation) in cybercrime and electronic evidence. This will be achieved through improved capacities of institutions, reform of legislative framework, and support for common platforms for exchange of information and experience.

The work under the project will rely on the relevant standards of the Budapest Convention on Cybercrime and other applicable standards and best practices for public-private cooperation, including but not limited to the "Guidelines for the cooperation between law enforcement and internet service providers in the investigation of cybercrime" adopted by the Council of Europe's Octopus Conference in 2008.

UPDATE: GLACY project on Global Action on Cybercrime

GLACY basics

Duration: November 2013 – October 2016

Budget: EUR 3.35 million

Funding: Joint project of the European Union and the Council of Europe

Participating countries: Mauritius, Morocco, Philippines, Senegal, South Africa, Sri Lanka and Tonga – all of them are Parties, signatories or invitees to the Budapest Convention

SRI LANKA, 12-14 January:

Assessment and advice workshop on cybercrime reporting systems, interagency and public-private cooperation

Two experts of the International Cyber Security Protection Alliance carried out an assessment and provided advice on cybercrime reporting systems and current modalities for interagency and public-private cooperation on cybercrime. read more

SRI LANKA, 8-10 February:

Live data forensics training for law enforcement and CERT

A team of the Romanian Computer Emergency Response Team (CERT-RO) delivered Live Data Forensics Training for investigators of the National Police of Sri Lanka and the national CERT, as well as for one Tongan representative.

This exercise had been delivered earlier on for national and departmental CERTs in South Africa in September 2015. Digital Forensics training is also foreseen for law enforcement and CERT officers in the Philippines, in June 2016. read more

MAURITIUS, 21-23 March:

Second international workshop on the Manual on Standard Operating Procedures on e-evidence

The Manual on Standard Operating Procedure for Electronic Evidence is to serve as a reference document for the development of SOPs by national authorities.

Workshop participants from GLACY countries and international experts reached agreement on the structure and contents of the Manual.

**SOUTH AFRICA, 11-15 January /
SENEGAL, 8-11 February:**

Advanced Judicial Training and Support to the nationally delivered course by GLACY trained trainers

GLACY experts trained trainers in the delivery of the advanced judicial training course for South African judges. The trained judges applied their skills when they delivered a course to 18 district magistrates from various provinces of South Africa with the support of the two GLACY experts.

A group of high level magistrates from Senegal and other specialized officials from the ICT field have also delivered with success the introductory course to 30 magistrates in the beginning of their career. The activity was monitored and supported by one GLACY international expert.

TONGA, 24-26 February:

Support to the Pacific Region Cybercrime Criminal Justice Training and Network

The Attorney General's Office of Tonga hosted a 3 day regional workshop on cybercrime training specific to the criminal justice systems in the Pacific region.

The Council of Europe supported the Commonwealth Secretariat in the organization of the event and GLACY experts facilitated the delivery of the training.

**SRI LANKA, 11-12 February /
MAURITIUS, 24-25 March:**

Study visit of Tongan delegation to SL-CERT and CERT-MU

GLACY is promoting South-South cooperation.

Tonga intends to establish a Computer Emergency Response Team. GLACY therefore organised a study visit for Tongan authorities to CERT-MU (Mauritius) and SL-CERT (Sri Lanka).

UPDATE: Cybercrime@OCTOPUS

Cybercrime@Octopus Basics

Duration: January 2014 – December 2016

Budget: EUR 1.8 million

Funding: voluntary contributions including from Estonia, Japan, Monaco, Romania, United Kingdom, USA and Microsoft

Participating countries: A facility to support any country in the implementation of the Budapest Convention.

Octopus Conferences on Cooperation against Cybercrime are organised under this project. Octopus 2016 will take place from 16-18 November 2016.

This project furthermore supports the work of the Cybercrime Convention Committee (T-CY).

MOMBASA, KENYA, 16-19 February

Support to the elaboration of a bill on cybercrime

Under the Cybercrime@Octopus project, the Council of Europe assisted the authorities of Kenya in the preparation of a draft law on cybercrime.

The meeting involved the Ministry of ICT, the Communications Authority of Kenya, the Central Bank, the Office of the Director of Public Prosecutions, the Kenya Law Reform Commission, the National Police Service and the National Intelligence Service.

It resulted in a "zero draft" which is now undergoing further editing before a process of public consultations.

ABUJA, NIGERIA, 25-26 February

Dialogue with Nigeria on cybercrime

Following adoption of a law on cybercrime in 2015, the Government of Nigeria and the T-CY have entered into a dialogue in view of closer cooperation.

A T-CY delegation visited Abuja for meetings with the Attorney General, the Minister of Interior, the Chair of the Economic and Financial Fraud Commission and other interlocutors.

In terms of legislation, Nigeria seems largely compliant with the Budapest Convention. Further capacity building would be required to ensure effective enforcement of the law.
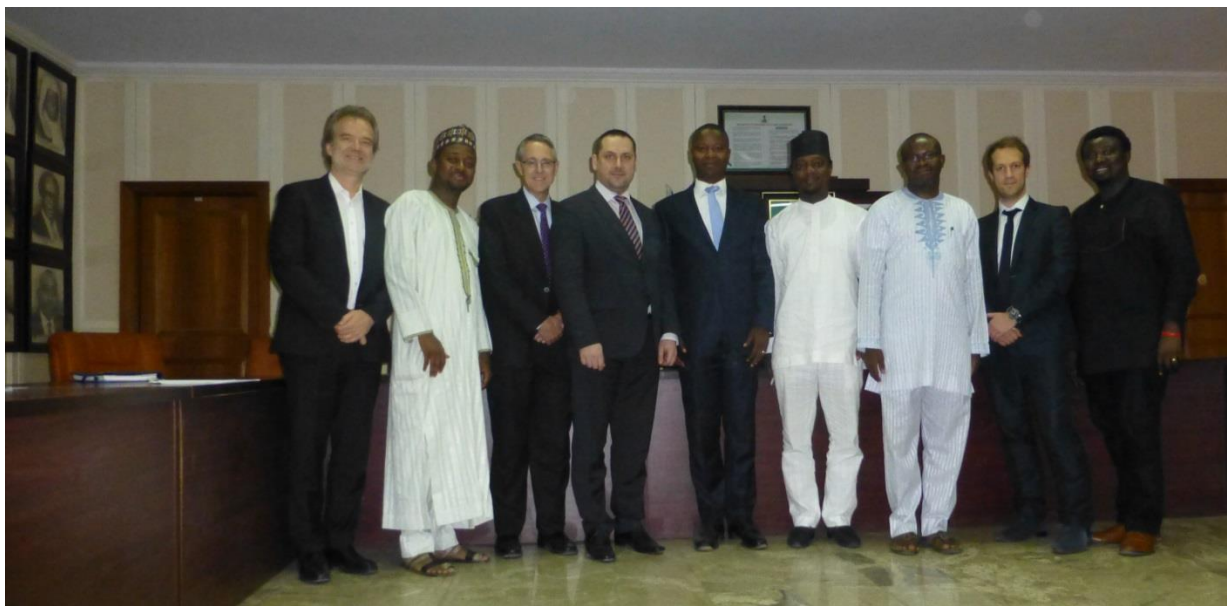
Inventory of activities (January – March 2016)

January 2016

GLACY	Scoping mission on cybercrime reporting systems, combined with workshop on reporting systems and legal basis for interagency cooperation, Colombo, Sri Lanka, 12-14 January
GLACY	Advanced judicial training and Support to delivery of introductory judicial training, Johannesburg, South Africa, 11-15 January
iPROCEEDS	Planning meeting on regional projects in South-eastern Europe, The Hague, 21 January
General	ICANN: Public Safety Working Group of the Governmental Advisory Committee (GAC), Brussels, 28 January

February 2016

T-CY	Meeting of the Cloud Evidence Group and Bureau of the T-CY, Freiburg, 7-10 February
GLACY	Meeting of the group of experts on the development of the Standard Operating Procedures for digital forensics, Bucharest, Romania, 2-4 February
GLACY	Support to introductory judicial training, Dakar, Senegal, 8-11 February
GLACY	Live data forensics training for law enforcement & CERT with participation of two delegates from Tonga, Colombo, Sri Lanka, 8-10 February
GLACY	Study visit of Tongan delegation to SL-CERT, Colombo, Sri Lanka, 11-12 February
Cybercrime@ Octopus	Technical assistance to Kenya in the elaboration of the first draft of the new "Computer and Cybercrimes" Bill for the country, Mombasa, Kenya, 16-19 February
GLACY	Support the Pacific Region Cybercrime Criminal Justice Training and Network, Nuku'Alofa, Tonga, 24-26 February
Cybercrime@ Octopus	Mission of the Cybercrime Convention Committee (T-CY) to engage in a dialogue with the Government of Nigeria, Abuja, Nigeria, 25-26 February

March 2016

T-CY	Participation in Conference on Jurisdiction in Cyberspace, Amsterdam, 7-8 March
General	Panel on cybersecurity organised by the Wall Street Journal, London, 10 March
GLACY+	Planning meeting of the Council of Europe/INTERPOL teams, Bucharest, Romania, 11-12 March
GLACY	Second international workshop on adaptation and update of the Electronic Evidence Guide through development of the Standard Operating Procedures for digital forensics (with the participation of all GLACY countries), Port Louis, Mauritius, 21-23 March
GLACY	Workshop on law enforcement training strategies, Port Louis, Mauritius, 24 March
GLACY	Study visit of Tongan delegation to CERT-MU, Port Louis, Mauritius, 24-25 March
GLACY	Advisory mission on cybercrime reporting systems, combined with workshop on reporting systems and interagency cooperation, Dakar, Senegal, 30 March-1 April
CyberCrime@ EAP III	CEAP III assessment visit, Kyiv, Ukraine, 30 March-1 April

Coming next (April – June 2016)

April 2016

GLACY	Training of trainers, Introductory course on Cybercrime and Electronic Evidence for the Judiciary, Colombo, Sri Lanka, 31 March-3 April
GLACY	Introductory Training on Cybercrime and Electronic Evidence for Prosecutors, Sri Lanka, 5-6 April
CyberCrime@ EAP II	Third Meeting on Improving International Cooperation on Cybercrime in the Eastern Partnership region, Kiev, Ukraine, 4-7 April
CyberCrime@ EAP III	Criminal Justice Access to Evidence Conference, Kiev, Ukraine, 4-7 April
GLACY	International Workshop on Judicial Training Curricula Integration, Johannesburg, South Africa, 11-13 April
GLACY	First Responders Course for the Gendarmerie, Rabat, Morocco, 11-14 April
GLACY	Workshop on training strategies for law enforcement and magistrates, Rabat, Morocco, 15 April
iPROCEEDS	Country assessment visits: Belgrade, Serbia (14-15 April); Podgorica, Montenegro (18-19 April); Skopje, "The former Yugoslav Republic of Macedonia" (21-22 April)
CyberCrime@ EAP III	Country assessment visits: Yerevan, Armenia (13-15 April); Tbilisi, Georgia (18-20 April)
General	Working breakfast on cybercrime for Permanent Representations organised by the Thematic Coordinator Information Society, Strasbourg, France, 15 April
GLACY	Advisory mission on cybercrime reporting systems, combined with workshop on reporting systems and interagency cooperation, as well as public-private cooperation, Rabat, Morocco, 18-19 April
T-CY	T-CY visit to Ireland to engage in a dialogue regarding ratification of the Budapest Convention, Dublin, Ireland, 21-22 April
T-CY	Meeting of the Cloud Evidence Group and meeting with service providers, Brussels, 24-25 April
GLACY	International workshop and training for 24/7 points of contact of the GLACY countries (with participation of all GLACY countries), Colombo, Sri Lanka, 25-27 April

May 2016

GLACY	Conference for the regional magistrates, Johannesburg, South Africa, 2-3 May
GLACY	Advisory mission on reporting systems, combined with in country workshop on legal basis for interagency cooperation and workshop on public-private cooperation in cybercrime, Johannesburg, South Africa, 2-3 May
GLACY	Advisory mission on cybercrime reporting systems, combined with workshop on reporting systems and interagency cooperation, as well as public-private cooperation, Port Louis, Mauritius, 5-6 May
iPROCEEDS	Country assessment visits: Sarajevo, Bosnia and Herzegovina (5-6 May); Tirana, Albania

	(9-10 May); Ankara, Turkey (12-13 May); Pristina, Kosovo* (19-20 May)
GLACY	West Africa/ECOWAS Conference on international cooperation in cybercrime, Dakar, Senegal, 9-11 May
GLACY	Conference for the district magistrates, Johannesburg, South Africa, 11-13 May
GLACY	Study visit of Sri Lankan CERT and police/forensics experts on benchmarking digital forensics services and standard operating procedures, Manila, Philippines, 9-13 May
CyberCrime@ EAP III	Country assessment visits: Baku, Azerbaijan (4-6 May); Minsk, Belarus (10-12 May), Chisinau, Moldova (16-18 May)
T-CY	Cloud Evidence Group: Exchange with data protection organisations, Strasbourg, France, 23 May
T-CY	T-CY 15 Plenary, Strasbourg, France, 24-25 May (with the participation of representatives from GLACY, CEAP II & III and iPROCEEDS countries and support of Cybercrime@Octopus)
Cybercrime@ Octopus	Regional training for prosecutors from ECOWAS countries organised by the Global Prosecutors E-Crime Network (GPEN), Abuja, Nigeria, 24-26 May 2016
GLACY	International Workshop on effectiveness of legislation measured through statistics, preceded by mapping the current initiatives and activities across different international organizations (with participation of all GLACY countries), Rabat, Morocco, 30-31 May
GLACY	In-country workshop on law enforcement training strategies, Dakar, Senegal, 31 May

June 2016

GLACY	Awareness raising on CY issues for the national police, Dakar, Senegal, 1-2 June
GLACY	Advisory mission on cybercrime reporting systems and workshop on reporting systems, interagency cooperation and public-private cooperation, Nuku'Alofa, Tonga, 1-2 June (TBC)
GLACY	Workshop on the draft/new Code of Criminal Procedure, focusing on judicial and operational aspects of cybercrime procedures, Dakar, Senegal, 1-3 June
GLACY	Support to national delivery of introductory judicial course, Colombo, Sri Lanka, 6-8 June
iPROCEEDS	Launching conference, 13-14 June 2016 (TBC)
GLACY	Training on the setup and responsibilities of the high-tech crime unit, combined with workshop on law enforcement training strategies, Colombo, Sri Lanka, 13-17 June
GLACY	Digital data forensics and Live data forensics for law enforcement and CERT, Manila, Philippines, 15-17 and 20-22 June
GLACY	Advanced judicial training, with participation of 2 delegates for Tonga, Manila, Philippines, 15-17 or 20-22 June (TBC)
GLACY	Joint training of the police, prosecution service and the Ministry of Justice on collection and analysis of cybercrime statistics, Rabat, Morocco, 20-22 June
GLACY	Advanced judicial training, Colombo, Sri Lanka, 20-24 June
GLACY	Audit of the First Responder's Training course, Port Louis, Mauritius, 26 June-1 July

Inventory of capacity building projects

Cybercrime@Octopus

Duration: January 2014 – December 2016

Geographical scope: Global

Budget: EUR 1.8 million

Funding: voluntary contributions including from Estonia, Japan, Monaco, Romania, United Kingdom, USA and Microsoft

CyberCrime@EAP II

Duration: May 2015 – October 2017

Geographical scope: Eastern Partnership region

Budget: EUR 800,000

Funding: Joint project of the European Union and the Council of Europe under the Eastern Partnership Facility

CyberCrime@EAP III

Duration: December 2015 – December 2017

Geographical scope: Eastern Partnership region

Budget: EUR 700,000

Funding: Joint project of the European Union and the Council of Europe under the Eastern Partnership Facility

iPROCEEDS

Duration: January 2016 – June 2019

Geographical scope: South-eastern Europe and Turkey

Budget: EUR: 5.56 Million

Funding: Joint project of the European Union (under IPA II Multi-country action programme 2014) and Council of Europe

GLACY - Global Action on Cybercrime

Duration: November 2013 – October 2016

Geographical scope: Global

Budget: EUR 3.35 million

Funding: Joint project of the European Union and the Council of Europe

GLACY+ (Global Action on Cybercrime Extended)

Duration: March 2016 – February 2020

Geographical scope: Global

Budget: EUR 10 million

Funding: Joint project of the European Union (Instrument Contributing to Peace and Stability) and the Council of Europe

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