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Cybercrime Convention Committee (T-CY)

T-CY 15

15th Plenary Meeting of the Cybercrime Convention Committee

Annotated agenda (draft)

24 May (9h00) – 25 May 2016 (18h00)

Palais de l'Europe, Room 5

Council of Europe, Strasbourg

(Note: The plenary will be preceded by an exchange of view with data protection organisations, on 23 May 2016, organised by the T-CY Cloud Evidence Group)

Annotated agenda

(Please note that agenda items marked with * are for decision by the members representing contracting Parties to the Budapest Convention)

1. Opening of the 15 th Plenary and adoption of the agenda
2. Status of signatures, ratifications, accessions to the Budapest Convention and its Protocol Participants are invited to discuss the status of signature, ratification or accession by specific countries.
3. Information provided by parties and observers – Tour de table Participants are invited to present information on legislative developments, major cases, important events, training provided to other countries, including by international organisations etc. Signatories and States invited to accede are invited to report on progress made towards ratification/accession to the Budapest Convention on Cybercrime and its Protocol on Xenophobia and Racism. Brief interventions (2 minutes per intervention).
4. Dialogue with international organisations (T-CY observers) Representatives of international organisations with observer status in the T-CY are invited to present relevant activities and engage in a dialogue with T-CY members. Observers include the African Union Commission, Commonwealth Secretariat, European Union (Commission, ENISA, EUROJUST, EUROPOL), INTERPOL, ITU, OAS, OECD, OSCE, UNODC, and G7.
5. Status of 3 rd round of T-CY assessments on Article 13 on sanctions and measures T-CY 11 Plenary decided to dedicate the 3 rd cycle of assessments on Article 13 (sanctions and measures) and adopted the questionnaire. Presentation and discussions on the draft study prepared by the Centre for Commercial Law Studies, Queen Mary, University of London.
6. Assessment of Preservation Provisions Assessment of Malta and Panama in view of adoption of reports.
7. Cloud Evidence Group: Update The Cloud Evidence Group will provide an update on activities undertaken: <ul style="list-style-type: none">- information on the exchange of views with data protection organisations;- information on discussions with providers on practical measures to enhance cooperation between service providers and criminal justice authorities of Parties; T-CY members and observers are invited to discuss: <ul style="list-style-type: none">- draft Guidance Note on the production of subscriber information (Article 18 Budapest Convention);- possible elements of an additional protocol to the Budapest Convention.

8. Follow up to Assessment Report on Mutual Legal Assistance

The [T-CY assessment report on mutual legal assistance](#) invites Parties to follow up on recommendations falling under the responsibility of domestic authorities and to report back to the T-CY no later than 18 months from adoption of this report on measures taken to permit the T-CY, in line with the Rules of Procedure (Article 2.1.g), to review progress made.

T-CY members and observers are invited to engage in an initial discussion on follow up given to the Recommendations of the Assessment Report.

The Secretariat will report on follow up given through capacity building projects.

The T-CY Bureau will report on information received on emergency procedures (Recommendation 8).

9. Guidance notes

The T-CY is invited to consider:

- Interception of VoiP communications and remote searches: The T-CY Bureau will present a proposal on the approach to be followed in response to the request by Slovakia.
- Proposal by the USA for a Guidance Note on Terrorism.

10. T-CY Workplan for 2016/17

The T-CY Bureau will inform the Parties on the outcomes of the official visits to Ireland and Nigeria.

11. Financial resourcing of the T-CY for 2016/17

The Secretariat will inform participants on the state of financial resources available for the T-CY in 2016 and 2017.

Following the decision on T-CY financing taken at the 9th Plenary, Parties are invited to consider financial support to the T-CY through voluntary contribution to the CYBERCRIME@OCTOPUS project.

12. Activities of capacity building projects and the Cybercrime Programme Office of the Council of Europe (C-PROC)

The Secretariat will provide an update of capacity building projects and the Council of Europe [Programme Office on Cybercrime](#) (C-PROC) in Bucharest.

13. Elections *

Elections of Chair, Vice-Chair and Bureau in line with Article 5 and 6 of the [Rules of Procedure](#).

14. Any other business

- Exchange of view on Parliamentary Assembly of the Council of Europe: [Recommendation 2089\(2016\) on Intellectual property rights in the digital era](#) ("Invite the Cybercrime Convention Committee to draw up guiding principles on legal and practical measures against the infringement of copyright and related rights, in accordance with Article 10 of the Convention on Cybercrime").

- Information on the CODEXTER drafting group to update Recommendation Rec(2005)10 on the use of "special investigation techniques in relation to serious crimes, including acts of terrorism" (T-CY 14 had appointed Mr. Markko Künnapu (Estonia) and Mr. Eirik Tronnes Hansen as T-CY representatives in this Group).

15. Next meeting of the T-CY*

T-CY members are invited to decide on the proposal to hold T-CY 16 together with the Octopus Conference and the Anniversary of 15 years of Budapest Convention in the week 14-18 November 2016.

This proposal is subject to the availability of funding.