



Project Cybercrime@EAP III *Public/private cooperation*

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

**Second Regional Meeting under the CyberCrime@EAP III project
organised by the Council of Europe**

**19-20 September 2016
Crowne Plaza Hotel, Minsk, Belarus**

(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 Launching Conference of the CyberCrime@EAP III project, held in Kyiv, Ukraine, on 6-7 April 2016, focused on the afore-mentioned issues in the Eastern Partnership context. The current work of the Cybercrime Convention Committee, initial overview of the situation with public-private partnership in the Eastern Partnership region and specific policies of service providers were discussed.

The Second Regional Meeting in Minsk will take these discussions further, and will offer a more in-depth review of situation and possible actions on the basis of mapping study on public-private cooperation in the Eastern Partnership region undertaken by the Council of Europe, and will offer an opportunity for more involved dialogue between various stakeholders on developing platforms for strengthening such cooperation in cybercrime and electronic evidence.

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

Funded
by the European Union
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by the Council of Europe

Objective and expected outcome

The meeting will bring together criminal justice authorities, telecommunications regulators and major service providers to continue the discussion initiated in the Launching event of the project, and to further develop specific activities under the project against the background of the mapping study and platform for public-private cooperation.

The meeting will also serve as an opportunity for Belarus to present its approaches to the said cooperation and to discuss experience that may be relevant for other Eastern Partnership states.

The meeting is expected to contribute toward the following outcomes:

- Common understanding of the state of public/private cooperation in the region (based on the outcome of the mapping study and country visits) in terms of:
 - Legislation;
 - Cooperation between cyber security and cybercrime actors;
 - Responsibilities of ISPs and communications regulators.
- Further development of the online tool on public/private cooperation;
- Production of the updated workplan for 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.

Draft agenda

Monday, 19 September 2016	
8h30	Registration
9h00	Opening session <ul style="list-style-type: none">- TBC, Government of Belarus- TBC, European Union/EEAS Delegation to Belarus- TBC, Council of Europe Information Point in Minsk- Giorgi Jokhadze, Council of Europe Cybercrime Programme Office, Bucharest, Romania
9h30	Coffee break/Press briefing
10h00	Public-private cooperation in cybercrime and electronic evidence: international experience and best practices <ul style="list-style-type: none">- EU action on cybercrime and public-private cooperation in the framework of criminal justice: <i>European Commission representative (TBC)</i>- International Trends in Public-Private Partnership against Cybercrime: <i>Albena Spasova, International Cyber Investigation Training Academy</i>

	<ul style="list-style-type: none"> - Public-Private cooperation in terms of access to illegal content and takedowns: <i>International Association of Internet Hotlines INHOPE (TBC)</i> - Council of Europe Guidelines on Law and Enforcement and ISP cooperation - current state of play: <i>Jean-Christophe Le Toquin, Managing Partner, SOCOGI</i> - Public-Private cooperation on cybercrime and electronic evidence: industry perspective (<i>Prof. Michael Rotert, Chairman of the Board, eco – German Association of the Internet Industry</i>)
11h15	Coffee break
11h40	<p>Direct cooperation with multi-national service providers on cybercrime and electronic evidence</p> <ul style="list-style-type: none"> - The state of cooperation: presentation of the T-CY Cloud Evidence Group background report: <i>Markko Kunnapu, member of the T-CY Bureau, Ministry of Justice of Estonia</i> - Presentations by multinational service providers on policies and practices of direct cooperation (<i>speakers TBC</i>) <p>Discussion with EAP country team representatives</p>
12h30	Lunch break
14h00	<p>Public-private cooperation in the Eastern Partnership region: mapping study</p> <ul style="list-style-type: none"> - Presentation of the main findings of the study: <i>Jean-Christophe Le Toquin, Managing Partner, SOCOGI</i> and <i>Giorgi Jokhadze, Project Manager, Cybercrime Programme Office, Council of Europe</i> <p>Discussion with country team members from EAP countries</p>
15h30	Coffee break
15h50	<p>Platforms for public-private cooperation: focus on information sharing and awareness</p> <ul style="list-style-type: none"> - Cyber Security Forum and Black Sea/Eastern Partnership networking projects as platforms for public-private cooperation – <i>Irakli Gvenetadze, Chairman of the Data Exchange Agency, Ministry of Justice of Georgia</i> - State of the Cybercrime@EAP III online platform for public-private cooperation – <i>Giorgi Jokhadze, Project Manager, Cybercrime Programme Office, Council of Europe</i> - Developing the cooperation platform further – additional options: <i>Marjan Stoilkovski, Head of Cyber Crime Unit, Former Yugoslav Republic of Macedonia</i> <p>Discussion with country team members from EAP countries</p>
17h30	End of day 1
Tuesday, 20 September 2016	
9h00	<p>Focus on Belarus: Sector-specific approach to public-private partnerships</p> <ul style="list-style-type: none"> - Liability of Internet service providers in Belarus and cooperation with law enforcement: <i>Operative and Analytical Centre at the Administration of the President of the Republic of Belarus and the Ministry of</i>

	<p><i>Internal Affairs of Belarus (participants TBC)</i></p> <ul style="list-style-type: none"> Public-private cooperation in the banking sector – working group against fraud: <i>National Bank of Belarus (TBC)</i> Public-private partnerships in information and cyber security: <i>Mr. Oleg Anishenko, Deputy Chairman of the Infopark Internet Business Association</i> <p>Discussion facilitated by experts</p>
10h30	Coffee break
11h00	<p>Legislative requirements for public-private cooperation in the Eastern Partnership</p> <ul style="list-style-type: none"> Necessary elements for legal framework in terms of public-private cooperation in cybercrime and electronic evidence: <i>Giorgi Jokhadze, Project Manager, Cybercrime Programme Office of the Council of Europe</i> Interventions by country team members from each EAP country on: <ul style="list-style-type: none"> Applicable definitions and categories of data; Legal framework for procedural powers under the Budapest Convention; Safeguards and guarantees, including data protection requirements; Liability of service providers and regulation of communications; Other related subjects and instruments (agreements, etc.) <p>Discussion facilitated by experts</p>
12h30	Lunch break
14h00	<p>Cooperation between cyber-security players and cybercrime institutions in the Eastern Partnership</p> <ul style="list-style-type: none"> Cooperation of the national CSIRTs with different communities (including law enforcement) – <i>Daniel Ionita, Director of Analyses, Policies and Cooperation Directorate, CERT-RO</i> Interventions by country team members from each EAP country on: <ul style="list-style-type: none"> Applicable definitions of critical infrastructure; Existence/updates to cyber-security strategies and action plans; Computer incident reporting/handling and links to law enforcement; Exchange of operative/intelligence information; Capacity building (discussion platforms, projects, joint training, etc.); Other relevant issues. <p>Discussion facilitated by experts</p>
15h15	Coffee break
15h40	<p>National communications regulators and possibilities for cooperation on cybercrime and electronic evidence</p> <p>Liability of service providers and regulation – <i>Jean-Christophe Le Toquin, Managing Partner, SOCOGI</i></p> <ul style="list-style-type: none"> Interventions by country team members from each EAP country on: <ul style="list-style-type: none"> Overview of functions for communications regulators;

	<ul style="list-style-type: none"> • Data retention policies; • Responsibility for content hosting and content access; • Regulation for content blocking and takedowns; • Voluntary reporting and monitoring mechanisms; • Other related subjects (agreements, projects, etc.) <p>Discussion facilitated by experts</p>
17h00	<p>Cybercrime@EAP III project: future steps <i>Session led by the Cybercrime Programme Office</i></p> <ul style="list-style-type: none"> - Discussion with the EAP country team members: <ul style="list-style-type: none"> • Project planning and management; • Composition and handling of the country teams; • Updated workplan for regional and in-country events.
17h30	<p>Closing remarks</p> <ul style="list-style-type: none"> - TBC, Government of Belarus - TBC, Council of Europe
17h45	End of event

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