



# iPROCEEDS

Project on targeting crime proceeds on the Internet in South-eastern Europe and Turkey

Version 5 December 2016

## Activities outline 3.7.7 and 7.3.8

### Workshop on inter-agency and international cooperation for search, seizure and confiscation of online crime proceeds

Hotel AFA

8-9 December 2016, Pristina, Kosovo\*<sup>1</sup>

#### BACKGROUND

The issues of cybercrime, electronic evidence, crime proceeds and money laundering cut across different institutions and involve, in particular, cybercrime units, financial investigation units, Financial Intelligence Units (FIUs) and prosecution services. However, cybercrime investigations are rarely accompanied by financial investigations and vice versa, investigations of financial or other crimes are rarely accompanied by cybercrime investigations. To this end there is a need for more effective inter-agency cooperation between all these institutions, which is expected to have the strongest impact on the search, seizure and confiscation of online crime proceeds.

Cybercrime and the criminal money flows on the Internet do not stop at geographical borders. Therefore, to address these phenomena in a comprehensive way, investigative activities should span across the borders and also operate within different jurisdictions. Therefore, effective international cooperation is also crucial for the search, seizure and confiscation of online crime proceeds. Linking up tracing of proceeds of crime, anti-money laundering and countering terrorist financing measures with investigations on cybercrime and computer forensics offers added opportunities. For example, provisional measures to freeze assets should be accompanied by requests for the expedited preservation of electronic evidence.<sup>2</sup> This is one of the reasons that Recommendation 36 of the Financial Action Task Force proposes implementation of the Budapest Convention on Cybercrime and the 2005 Warsaw Convention.

Putting in place domestic protocols on information sharing according to relevant regulations and permissible less formal alternatives represents one of the tools that would enhance in an efficient way cross-sector information sharing and international cooperation between cybercrime units, financial investigation units, FIUs and prosecution services in the search, seizure and confiscation of online crime proceeds.

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

<sup>2</sup> See para 317 of

[http://www.coe.int/t/dghl/monitoring/moneyval/Typologies/MONEYVAL\(2013\)6\\_Reptyp\\_flows\\_en.pdf](http://www.coe.int/t/dghl/monitoring/moneyval/Typologies/MONEYVAL(2013)6_Reptyp_flows_en.pdf)

Under **Expected result 3 and 7** the iPROCEEDS project will work toward strengthening inter-agency cooperation and international cooperation and information sharing between cybercrime units, financial investigation units and financial intelligence units as well as between competent authorities for judicial cooperation in search, seizure and confiscation of online crime proceeds.

In this context, the iPROCEEDS will organise a workshop on inter-agency and international cooperation for search, seizure and confiscation of online crime proceeds in Kosovo\* and will assist the national authorities in the preparation of inter-agency cooperation protocols and domestic protocols for international sharing of intelligence and evidence.

## **OBJECTIVE**

The objective of the workshop is to give a clear picture to participants on how to combine financial and cybercrime investigations at domestic level and in international cooperation and which are the fora for such cooperation leading to the preparation of structured and documented procedures (domestic protocols) for inter-agency and international sharing of information and evidence that are auditable, simple and applied by Cybercrime unit, Financial Investigation Unit, FIU and Prosecution service in the search, seizure and confiscation of online crime proceeds.

## **PARTICIPANTS**

Members of the national project team, in particular representatives of the Cybercrime Unit, Integrated Financial Investigation Unit, Financial Intelligence Unit, Prosecution service and competent authorities for judicial cooperation (MLA authority).

## **LOCATION**

Hotel AFA, 15 Rruga Ali Kelmendi, Pristina.

## **Programme**

<b>Thursday, 8 December 2016</b>	
<b>Workshop I on inter-agency cooperation for search, seizure and confiscation of online crime proceeds</b>	
9h00	<b>Registration</b>
9h30	<b>Opening</b>
09h50	<p><b>Domestic rules and procedures related to inter-agency cooperation between Cybercrime Unit, Integrated Financial Investigation Unit, Financial Intelligence Unit, and Prosecution service in the search, seizure and confiscation of online crime proceeds.</b></p> <ul style="list-style-type: none"> <li>- The role and responsibilities of the institutions in cybercrime investigation /financial investigation / money laundering investigation;</li> <li>- Domestic rules and procedures related to inter-agency cooperation at national level in the search, seizure and confiscation of online crime proceeds;</li> <li>- Less formal approaches of inter-agency cooperation provided on voluntary basis / Memoranda of Understanding;</li> <li>- Legal and practical obstacles / challenges that affect the process of sharing of information, intelligence and evidence at national level. Existing information flow and possibilities for improvement.</li> </ul> <p>Presentations by cybercrime investigators, financial investigators, FIU and prosecutors followed by discussions with Council of Europe experts.</p>

10h50	<b>Tracing online crime proceeds at domestic level (1): cybercrime investigation and parallel financial investigation</b> <ul style="list-style-type: none"> <li>- Defining the scope of online crime proceeds: profit from cybercrime; payment for criminal goods, online crime proceeds from other crimes.</li> <li>- Online money laundering typologies.</li> </ul> <p>Speakers: Michael JAMEISON and Dave O'REILLY, Council of Europe experts.</p>
11h20	Coffee break
12h10	<b>Tracing online crime proceeds at domestic level (2): FIU role</b> <ul style="list-style-type: none"> <li>- Red flags and indicators to detect cybercrime and online money laundering;</li> <li>- Bank/financial data analysis;</li> <li>- FIU's powers to block and freeze transactions;</li> <li>- LEA/FIU information exchange to investigate criminal money on the Internet (money laundering and predicate offences) at domestic level.</li> </ul> <p>Speakers: Nicolae FUIOREA, Ana-Maria NICULAE, National Office for Prevention and Control of Money Laundering - FIU Romania.</p>
12h40	<b>Models of inter-agency cooperation in the search, seizure and confiscation of online crime proceeds:</b> <ul style="list-style-type: none"> <li>- Multi-agency task force;</li> <li>- E-information exchange between institutions;</li> <li>- Permanent or temporary multi-agency groups for intelligence exchange, including Cybercrime Unit (FATF Rec. 30, 31).</li> </ul> <p>Speaker: Zahid JAMIL, Council of Europe expert.</p>
13h10	Lunch break
14h30	<b>Roundtable discussion (1): elements of a domestic protocol for inter-agency cooperation and sharing of information and evidence.</b> <p>Lead by Council of Europe experts.</p>
15h30	Coffee break
16h00	<b>Roundtable discussion (2) contd.</b> <p>Lead by Council of Europe experts.</p>
17h00	<b>Conclusions</b> <p>Roundup of findings by experts and representatives of national institutions.</p>
17h30	End of workshop
<b>Friday, 9 December 2016</b>	
<b>Workshop II on international cooperation for search, seizure and confiscation of online crime proceeds</b>	
9h30	<b>International cooperation in Kosovo*: the current situation</b> <ul style="list-style-type: none"> <li>- International cooperation to obtain electronic evidence through mutual legal assistance, police-to-police cooperation and direct cooperation with multinational service providers;</li> <li>- International cooperation / information sharing to obtain financial information through cooperation between Financial Intelligence Units (presentation by FIU);</li> <li>- International cooperation in financial investigations for the search,</li> </ul>

	<p>seizure and confiscation of crime proceeds (presentation by financial investigators, prosecutors, MLA authority).</p> <p>Presentation by national MLA authority, prosecutors, Cybercrime Unit, FIU followed by discussions with Council of Europe experts.</p>
10h30	<p><b>Cybercrime and electronic evidence: the basics of international cooperation</b></p> <ul style="list-style-type: none"> <li>- International tools and possibilities for accessing electronic evidence (police-to-police cooperation, MLA, 24/7 networks and other mechanisms);</li> <li>- Intelligence vs. evidence;</li> <li>- Making cooperation more efficient - standardisation of MLA requests;</li> <li>- Co-operation between Cybercrime Unit, Integrated Financial Investigation Unit, Prosecution service, courts and MLA authority.</li> </ul> <p>Speakers: Zahid JAMIL and Michel JAMEISON, Council of Europe experts.</p> <p>Discussion</p>
11h00	<p><b>International fora for cooperation/information sharing to obtain financial information such as the Egmont Group and CARIN (Camden Asset Recovery Interagency Network).</b></p> <p>Speakers: Nicolae FUIOREA, Ana-Maria NICULAE, National Office for Prevention and Control of Money Laundering - FIU Romania.</p> <p>Discussion</p>
11h30	Coffee break
12h00	<p><b>Enhancing international cooperation in cybercrime, financial and anti-money laundering investigations.</b></p> <ul style="list-style-type: none"> <li>- How to combine financial and cybercrime investigations in international cooperation?</li> <li>- How to enhance inter-agency cooperation at the domestic level to obtain intelligence and evidence from abroad?</li> <li>- How to use FIU powers at international level?</li> <li>- How to use 24/7 POC to collect evidence related to search, seizure and confiscation of online crime proceeds?</li> </ul> <p>Speaker: Dave O'REILLY, Council of Europe expert.</p>
12h30	Lunch break
14h00	<b>Roundtable discussion (1): identification of high-level components of domestic protocol for international sharing of information and evidence.</b>
15h00	Coffee break
15h30	<p><b>Roundtable discussion (2) contd.</b></p> <p>Lead by Council of Europe experts.</p>
16h30	<p><b>Conclusions</b></p> <p>Roundup of findings by experts and representatives of national institutions</p>
17h00	End of workshop

## Contact

For any additional information please contact:

Mariana CHICU  
Project Manager  
Cybercrime Programme Office (C-PROC)  
Tel: +40-21-201-7840  
Email: [mariana.chicu@coe.int](mailto:mariana.chicu@coe.int)

Zlatka MITREVA  
Senior Project Officer  
Cybercrime Programme Office (C-PROC)  
Tel: +40- 21-201-7880  
Email: [zlatka.mitreva@coe.int](mailto:zlatka.mitreva@coe.int)