



Organization for Security and
Co-operation in Europe



13 May 2013

International Conference

on

**The Use of Special Investigation Techniques to Combat Terrorism
and other Forms of Serious Crime**

14 – 15 May 2013, Strasbourg
Palais de l'Europe, Room 1

With the support of Switzerland, Ireland, Liechtenstein and the United States of America

PROGRAMME

TUESDAY 14 MAY 2013

8.30 - 09.30 **Registration of participants**

9.30 - 10.00 **Opening of the Conference**

Chair: **Mr. Jan KLEIJSEN**, Director, Information Society and Action against Crime, Directorate General of Human Rights and Rule of Law, Council of Europe

Opening statements

- **Mr. Thorbjørn JAGLAND**, Secretary General of the Council of Europe
- **Mr. Mike SMITH**, Executive Director, UN Security Council Counter-Terrorism Committee Executive Directorate
- **Ambassador Mykola TOCHYTSKYI**, Permanent Representative of Ukraine to the Council of Europe, on behalf of the OSCE Chairmanship
- **Mr. Mounir EL FASSI**, Head of the Counter Terrorism Unit, League of Arab States

10.00 - 11.10 **Session I: Special Investigation Techniques - an Overview of Existing International Standards and their Application**

Moderator: **Mr. Mike SMITH**, Executive Director, UN Security Council Counter-Terrorism Committee Executive Directorate

Keynote presentations

- **Dr. Aaron BUGEJA**, Chair of CODEXTER (Introduction: "How International Organisations Can Promote the Use of Special Investigation Techniques to Combat Terrorism and other Forms of Serious Crime while Respecting Human Rights and the Rule of Law")
- **Ms. Marta REQUENA**, Chief of the UNODC Terrorism Prevention Branch
- **Mr. Tawfiq BOUACHBA**, Legal adviser of the Council of the Arab Ministers of Interior
- **Dr. Christiane HÖHN**, Council of the European Union, Adviser to the EU Counter-terrorism Coordinator

Panel debate

NOTE: The aim of this session is to give participants a clear overview of existing international standards (globally and regionally), on the use of special investigation techniques and, possibly, experience from the application of standards in practice.

11.10 - 11.30 **Coffee break**

11.30 - 13.00 **Session II: Special Investigation Techniques, Human Rights and the Rule of Law – Challenges and Possible Solutions**

Moderator: **Mr. Jan KLEIJSEN**, Director, Information Society and Action against Crime, Directorate General of Human Rights and Rule of Law, Council of Europe

Presentations

- **Ms. Ana Maria SALINAS DE FRIAS**, Professor of Public International Law, University of Malaga (review of ECtHR case-law)
- **Ms. Snježana BOKULIĆ**, Head of the Human Rights Department, Office for Democratic Institutions and Human Rights
- **Ms. Nicole EI-KHOURY**, Legal Officer, UN Security Council Counter Terrorism Committee Executive Directorate
- **Mr. Ivan KOEDJIKOV**, Counter-terrorism Coordinator, Head of Action against Crime Department, Council of Europe (“Challenges put by emerging technological developments and their use”)

Panel debate

NOTE: The aim of this session is to highlight possible conflicts between the use of special investigation techniques and the safeguarding of basic Human Rights and the rule of law (including where it comes to usability of evidence across jurisdictions) and, possibly, give concrete examples.

13.00 - 14.30 **Lunch break**

14.30 - 16.30 **Session III: Special Investigation Techniques, the Internet and Telecommunications**

Moderator: **Mr. Yahya EL HASSAN**, Judicial Expert, Council of the Arab Ministers of Justice

Presentations

- **Dr. Luis VALLES**, Head of the Department of Technical and Operational Support, Central Operational Unit, Guardia Civil, Spain
- **Mr. Marc RENFER**, Chief of Investigative Section III Terrorism, Federal Department of Justice and Police, Switzerland (“Strategic and Legal Challenges in Countering the Support of Terrorism on the Internet”)
- **Mr. Álvaro DEL HOYO MANENE**, S21sec, Department of Signal Theory, Telematics and Communications, ETS Computer and Telecommunication Engineering

Panel debate

NOTE: the aim of this session is to look into the use of special investigation techniques on the Internet (such as infiltration of social media, data mining, acquisition and retention of traffic and content data). Challenges to, and examples of successful, cross-border cooperation in this area could be highlighted. In addition the aim is to examine and discuss the impact of smartphone technology on the use of special investigation techniques. Practical and possible legal problems could be highlighted.

16.30 - 17.00 **Coffee break**

17.00 - 18.00 **Session IV: Special Investigation Techniques – Turning Intelligence into Evidence (Law Enforcement perspective)**

Moderator: **Mr. Thomas A. WUCHTE**, Head of the OSCE, Transnational Threats Department, Action against Terrorism Unit

Presentations

- **Dr. Bilal SEVINÇ**, 3rd Degree Police Chief, Turkish National Police
- **Mr. Larry TREMBLAY**, Superintendent, Director General of Federal Policing Criminal Operations, Royal Canadian Mounted Police
- **Dr. Bibi T. VAN GINKEL**, Research Fellow, International Centre for Counter-Terrorism, The Hague

Panel debate

18.30 - 20.30 **Reception hosted by the Council of Europe and Switzerland**

WEDNESDAY 15 MAY 2013

9.00 - 10.40 **Session IV: Special Investigation Techniques - Turning Intelligence into Evidence (Judiciary perspective)**

Moderator: **Mr. Thomas A. WUCHTE**, Head of the OSCE Transnational Threats Department/Action against Terrorism Unit

Presentations

- **Dr. Lars OTTE**, Senior Public Prosecutor, Federal Public Prosecutor General Office, Germany ("The coordination of "proactive" and "reactive" investigations in Germany - The German Joint Counter-Terrorism Centre")
- **Mr. Olivier CHRISTEN**, Prosecutor, Chief of Section on Counter-Terrorism and Attacks against State Security, France
- **Mr. David SCHARIA**, Senior Legal Officer and Coordinator, Legal and Criminal Justice Group, CTED

Panel debate

NOTE: Practical and legal problems could be highlighted as well as good practices from different legal systems on how to ensure that information acquired through special investigation techniques can be turned into evidence accepted by the courts in criminal and terrorism cases.

10.40 - 11.10 **Coffee break**

11.10 - 12.30 **Session V: International Cooperation in Special Investigation Techniques**

Moderator: **Dr. Bibi T. VAN GINKEL**, Research Fellow, International Centre for Counter-Terrorism, The Hague

Presentations

- **Mr. Jesper HJORTENBERG**, Vice-Chair of the European Committee on Crime Problems (CDPC), Deputy Director, National member for Denmark at EUROJUST (“International cooperation in Special Investigation Techniques – some reflections on the state of play and challenges”)
- **Mr. Ahmed Seif EL-DAWLA**, Chief of Section, UN Security Council Counter Terrorism Committee Executive Directorate
- **Mr. Mounir EL FASSI**, Head of the Counter Terrorism Unit, League of Arab States

Panel debate

NOTE: The aim of this session is to examine and discuss the challenges States are facing when using special investigation techniques in the investigation of transborder terrorist and serious organised crime cases.

12.30 - 14.00 **Lunch break**

14.00 - 15.30 **Closing session: summing up by the moderators**

Chair: **Ambassador Jurg LINDENMANN**, Counter Terrorism Co-ordinator, Switzerland

The moderators of the five sessions briefly present the outcome of the discussions and the Chair of the Final session can present a Chairman’s summing up of points for follow-up.