

# Budapest Convention

On 23 November 2001 in Budapest, the Council of Europe Convention on Cybercrime was opened for signature. 20 years later, this treaty, known as the “**Budapest Convention**”, remains **the most relevant international agreement on cybercrime and electronic evidence**.



The Council of Europe began to work on **criminal justice** responses to cybercrime from the mid-1980s onwards. In 1997, the Organisation started to negotiate a **binding international treaty on cybercrime**.



From the outset it had a global ambition and was designed to go **beyond the membership of the Council of Europe**: Canada, Japan, South Africa and the USA participated in the negotiation.

## The Budapest Convention requires the Parties:



To provide in their **criminal law** for a list of offences against and by means of **computers**



To give their **criminal justice authorities** the powers to investigate cybercrime and to collect **electronic evidence** in relation to any crime



To engage in effective **international cooperation**

The Budapest Convention is complemented by the **Cybercrime Convention Committee** representing all the Parties to this treaty. The Convention and this Committee are backed up by capacity building activities.

In 2014, the Council of Europe established a dedicated **Cybercrime Programme Office** in Romania, that supports countries worldwide through hundreds of activities every year.



## The Convention keeps evolving in terms of substance and membership

In 2003, it was complemented by a **first additional Protocol on Xenophobia and Racism committed via computers**.

In 2021 the Cybercrime Convention Committee concluded work on the **Second Additional Protocol to the Convention**.

Guidance Notes adopted by the Committee explain how the Convention can be applied to address new challenges.

By October 2021, over

**40%**

of **UN Member States** were either **Parties (66)**

**Signatories (2)**

have been invited to accede **(10)**



Beyond membership, the **Budapest Convention** serves States worldwide as a guideline or at least as a source inspiring domestic legislation. By June 2021, over 120 States had adopted **criminal law provisions** corresponding to those of the Convention. Many more are benefiting from **capacity building activities** to enable them to align their laws and implement the Convention.

Some countries began to work on specific legislation on cybercrime and electronic evidence already in the 1990s. By June 2021, some **92% of UN Member States** had either carried out such reforms or reforms were underway. Many African States, in particular, have commenced reforms during the past eight years. This shows the importance of the topic, world-wide acknowledgement for need for legislation in place to address **cybercrime and electronic evidence**.



#BC20cybercrime



[www.coe.int/cybercrime](http://www.coe.int/cybercrime)

