

Regional Workshop on COVID-19 related cybercrime and electronic evidence in ASIA

Impact of COVID-19 on cybercrime and electronic evidence

- Cybercrime landscape in Asia
- Challenges faced by the criminal justice authorities during the COVID-19 pandemic

7-9 March 2022 Sri Lanka Octopus





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CYBERCRIME LANDSCAPE IN ASIA





Asia Cybercrime Landscape in Covid 19 Pandemic

Bureaucracy

Accelerated digitization of society: online schooling, teleworking

Cybercrimes

Quarantine(professionals, judges, prosecutors, trained first responders)

Increased internet penetration



Covid-19 and cybercrime

Huge Increase in number of cybercrime



Emergent trends

- -New business model of cybercrime
- -Targeted cybercrimes-



Organized crimes

Huge increase in number of cybercrime

- Online scams and phishing
- fraud
- Misinformation or fake news
- Malicious or fraudulent websites
- Ransomware and malware
- Cryptojacking
- Distributed Denial of Service (DDoS) attacks
- Child sexual exploitation online



Emergent trends

New business model

• Crimes as a service

Targeted crimes

- Targeted victims: Hospitals
- Targeted themes: Pharmaceutics



Covid 19 and organized crimes

- Recruitment of online money mules
- Sextortion
- Illegal immigration
- Falsified products
- Illegal wildlife trade



CHALLENGES

Challenges faced by the criminal justice authorities during the COVID-19 pandemic



Electronic Evidence Challenges

Attribution

Speed

Varying Legal Tradition

Language

Retention regimes

Time

Jurisdiction

technology

0.1 Problem

Covid-19 Pandemic Challenges

Legal challenges



Institutional cooperation

CHALLENGES IDENTIFIED



LEGAL CHALLENGES

- AVAILABILITY OF LEGAL FRAMEWORK (Strategy, Substantive, Procedural..)
- PUBLIC-PRIVATE ISP COOPERATION
- STATISTICS: regular assessment of cybercrime landscape

INSTITUTIONAL CHALLENGES

- CAPACITY BUILDING and SPECIALIZATION
- BUREAUCRACY: Digitalization of the criminal justice authorities
- PUBLIC-PUBLIC AND PUBLIC-PRIVATE COMMUNICATION AND
- INFORMATION SHARING
- PREVENTION MEASURES
- TECHNICAL CAPABILITIES
- LACK OF TEMPLATES OR GUIDANCE NOTES LESSONS LEARNED

INTERNATIONAL COOPERATION CHALLENGES

- INTERNATIONAL FRAMEWORK :BUDAPEST CONVENTION (data preservation,24/7 POC..)
- FORMAL AND INFORMAL COOPERATION (Interpol...)



LEGAL CHALLENGES

AVAILABILITY OF LEGAL FRAMEWORK

- Strategy
- Substantive law
- Procedural powers

PUBLIC-PRIVATE ISP COOPERATION

STATISTICS

- Regular assessment of cybercrime landscape
- Identify most emerging crimes

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INTERNATIONAL COOPERATION CHALLENGES

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INTERNATIONAL FRAMEWORK :BUDAPEST CONVENTION

- Data preservation
- 24/7 POC

CHANNELS OF COMMUNICATION-Mutual legal assistance regime

- Formal cooperation
- Semi-formal cooperation(Interpol, Europol..)
- Informal cooperation

BUDAPEST CONVENTION



Budapest Convention

The Drafting Group assists the T-CY Plenary in the preparation of a draft Second Additional Protocol to the Convention on Cybercrime (ETS 185).

2nd Additional Protocol

Summary

The "Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence" was approved by the Committee of Ministers on 17 November 2021. It was prepared by the Cybercrime Convention Committee (T-CY) between September 2017 and May 2021. Over ninety sessions of the T-CY Protocol Drafting Plenary, Drafting Group and Sub-groups as well as six rounds of stakeholder consultations were held in this period.

It is expected that this Protocol will be opened for signature in May 2022.



Channels of communication

Formal

- Cooperation through CA
- Direct Cooperation

Semi-formal

- Europol
- Eurojust
- Interpol

Informal

- Art 26 (spontaneous sharing)
- Direct contacts with foreign counterparts



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OCTOPUS PROJECT

Regional Study on COVID-19 Related Cybercrime in Asia

Examples from

India, Indonesia, Japan, Laos, Malaysia, Philippines, Singapore, Sri Lanka, Vietnam

