

**Romanian Presidency of the Council of the European Union  
in cooperation with the Council of Europe**

**Conference on**

**Criminal Justice in Cyberspace**

**Athénée Palace Hilton Hotel, Bucharest**

**25 (19h00) – 27 February 2019 (17h30)**

**Agenda**

**Purpose**

Criminal justice is an important element of the response to cybercrime and other crime in cyberspace involving electronic evidence.

While cyberthreats and their impact are increasing and affecting core values of societies in Europe and worldwide, criminal justice authorities are faced with complex challenges.

At the same time, solutions are in place or are being developed. Examples are the E-evidence proposals at the European Union or the preparation of an additional Protocol to the Budapest Convention on Cybercrime at the Council of Europe. And both organisations have been supporting capacity building on cybercrime worldwide for many years.

The purpose of the conference is to add further momentum to solutions in place or in preparation and to promote cooperation at all levels to strengthen the rule of law in cyberspace.

**Participation**

The conference is aimed at representatives and cybercrime experts from:

- European Union Member States and institutions
- Eastern Partnership countries
- Parties to the Budapest Convention
- Service providers

The event is organised by the Ministry of Justice of Romania in cooperation with the Cybercrime Programme Office of the Council of Europe (C-PROC) in Bucharest.

**Participation is on invitation only.** For further information please contact:

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## Agenda

Monday, 25 February 2019	
19h00 – 22h00	<b>Special event and welcome reception: C-PROC five years on</b> <ul style="list-style-type: none"> <li>▪ Welcome remarks: <ul style="list-style-type: none"> <li>– Gabriella Battaini-Dragoni (Deputy Secretary General of the Council of Europe)</li> <li>– Tudorel Toader (Minister of Justice of Romania)</li> </ul> </li> <li>▪ Capacity building on cybercrime: the experience of the Cybercrime Programme Office of the Council of Europe (C-PROC) in Bucharest <ul style="list-style-type: none"> <li>– Sigrid Brettel (Head of Sector for Good Governance and Security, DG NEAR, European Commission)</li> <li>– Carlos Badin-Bujan (Programme Manager, DEVCO, European Commission)</li> <li>– Alexander Seger (Head of C-PROC, Council of Europe)</li> </ul> </li> <li>▪ Buffet dinner</li> </ul>
Tuesday, 26 February 2019	
8h30	<b>Registration</b>
9h30	<b>Opening</b> <ul style="list-style-type: none"> <li>▪ Tudorel Toader (Minister of Justice of Romania)</li> <li>▪ Gabriella Battaini-Dragoni (Deputy Secretary General of the Council of Europe)</li> </ul>
10h00	<b>Session 1 – Threats, victims and impact of crime in cyberspace: predictions for 2019?</b> <p>Moderator: Virgil Spiridon (Head of Operations, Cybercrime Programme Office of the Council of Europe, C-PROC, Romania)</p> <ul style="list-style-type: none"> <li>▪ Threat assessment panel: <ul style="list-style-type: none"> <li>– Ioana Albani (Deputy Chief Prosecutor, DIICOT, Romania)</li> <li>– Philipp Amann (Senior Strategic Analyst, European Cybercrime Centre (EC3))</li> <li>– Catalin Zetu (National Cybercrime Unit, Romanian National Police)</li> <li>– Alexandru Catalin Cosoi (Senior Director, Forensic and Investigative Unit, Bitdefender)</li> </ul> </li> <li>▪ Discussion: <ul style="list-style-type: none"> <li>– What are the key threats that criminal justice authorities will be faced with in 2019?</li> <li>– Are governments able to meet their obligation to protect individuals and their rights in cyberspace?</li> <li>– Preventing and controlling cybercrime: how relevant is the criminal justice response? How can the private sector contribute?</li> </ul> </li> </ul>
11h30	<i>Coffee break</i>

11h45	<p><b>Session 2 – Reconciling security and fundamental rights: implications of court decisions and data protection rules on access to electronic evidence?</b></p> <p>Moderator: Alexander Seger (Head of Cybercrime Division, Council of Europe)</p> <ul style="list-style-type: none"> <li>▪ Introductory presentations: <ul style="list-style-type: none"> <li>– Court decisions on access to data (Jörg Polakiewicz, Director of Legal Advice and Public International Law, Council of Europe)</li> <li>– Data protection rules (Etienne Maury, Legal and Policy Officer, Commission Nationale Informatique et Libertés, CNIL, France)</li> <li>– European Union standards on data protection (Claire-Agnès Marnier, Legal Officer, European Union Data Protection Supervisor)</li> </ul> </li> <li>▪ Discussion: <ul style="list-style-type: none"> <li>– What conditions for obtaining subscriber information (static versus dynamic IP addresses)?</li> <li>– What data protection conditions for direct cooperation with service providers in another State (within and outside EU)?</li> </ul> </li> </ul>
13h00	<i>Lunch break</i>
14h30	<b>Session 2 cont'd</b>
15h00	<p><b>Session 3 – Challenges for criminal justice in cyberspace</b></p> <p>Moderator: Markko Künnapu (Ministry of Justice of Estonia, former Chair of the Cybercrime Convention Committee)</p> <ul style="list-style-type: none"> <li>▪ Introductory panel <ul style="list-style-type: none"> <li>– Where is the evidence? Territoriality and jurisdiction in cyberspace (Pedro Verdelho, Prosecutor, Portugal)</li> <li>– Mutual legal assistance (Daniela Buruiana, Chair, Task Force on Cybercrime, EUROJUST)</li> <li>– Public/private – Law enforcement/service provider cooperation <ul style="list-style-type: none"> <li>– Lani Cossette (Microsoft)</li> <li>– Nicole Jones (Google)</li> </ul> </li> <li>– Again: WHOIS – WHAT NOW? (Cathrin Bauer-Bulst, Deputy Head of Unit on Cybercrime, DG Home, European Commission)</li> </ul> </li> </ul>
15h45	<i>Coffee break</i>
16h00	<ul style="list-style-type: none"> <li>▪ Discussion <ul style="list-style-type: none"> <li>– What are the key challenges that criminal justice authorities will be faced with in 2019?</li> <li>– Wish-list: What would criminal justice authorities like to have to maintain the rule of law in cyberspace?</li> </ul> </li> </ul>
17h30	<i>End of session</i>
19h30	<i>Dinner hosted by the Ministry of Justice</i>

Wednesday, 27 February 2019	
9h30	<p><b>Session 4 – Criminal justice in cyberspace: Solutions on e-evidence</b></p> <p>Moderator: Cristina Schulman (Chair of the Cybercrime Convention Committee, Ministry of Justice, Romania)</p> <ul style="list-style-type: none"> <li>▪ Making better use of what we have: enhancing the use of the Budapest Convention on Cybercrime <ul style="list-style-type: none"> <li>– Introductory presentation (Alexander Seger, Executive Secretary, Cybercrime Convention Committee, Council of Europe)</li> <li>– Discussion</li> </ul> </li> <li>▪ EU E-evidence proposals (state of play) <ul style="list-style-type: none"> <li>– Introductory presentation (Cristina Schulman, Ministry of Justice, Romanian Presidency of the Council of the European Union)</li> <li>– Comments (Cathrin Bauer-Bulst, DG Home and Tania Schroeter, DG JUST, European Commission)</li> <li>– Discussion</li> </ul> </li> <li>▪ Update on technical solutions: Secure EU portal for e-evidence requests (Cristian Nicolau, Head of Unit, DG Just, European Commission)</li> </ul>
11h00	<i>Coffee break</i>
11h30	<ul style="list-style-type: none"> <li>▪ Towards a Protocol to the Budapest Convention <ul style="list-style-type: none"> <li>– Introductory presentation</li> <li>– Discussion</li> </ul> </li> <li>▪ Solutions on e-evidence: will they work for non-European countries? <ul style="list-style-type: none"> <li>– USA (Ken Harris, Senior Counsel for International Criminal Matters, U.S. Mission to the European Union) [TBC]</li> <li>– Argentina (Martin Gershanik, Ministry of Justice, Argentina)</li> <li>– Discussion</li> </ul> </li> <li>▪ Solutions on E-evidence: the view of the private sector <ul style="list-style-type: none"> <li>– Comments on solutions proposed by representatives from Facebook (Gail Kent), Google (Nicole Jones), Microsoft (Lani Cossette)</li> </ul> </li> </ul>
13h00	<i>Lunch break</i>
14h30	<p><b>Session 5 – Solutions: Capacity building programmes of the European Union and the Council of Europe</b></p> <p>Moderator: Virgil Spiridon (Head of Operations, Cybercrime Programme Office of the Council of Europe, C-PROC, Romania)</p> <ul style="list-style-type: none"> <li>▪ Overview <ul style="list-style-type: none"> <li>– Impact of capacity building programmes 2013-2018 (Alexander Seger, Head of C-PROC)</li> <li>– Expectations (Carlos Badin-Bujan, Programme Manager, DEVCO, European Commission)</li> </ul> </li> <li>▪ Examples of good practice (iPROCEEDS, GLACY+, CyberSouth) <ul style="list-style-type: none"> <li>– Brief presentations by experts from project countries</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>▪ Capacity building in the Eastern Partnership region: from Cybercrime@EAP to CyberEast <ul style="list-style-type: none"> <li>– Expectations (Roberto Segundo, Programme Manager, DG NEAR, European Commission)</li> <li>– Towards CyberEast (Giorgi Jokhadze, Project Manager, C-PROC)</li> <li>– Comments by experts from Eastern Partnership countries</li> </ul> </li> <li>▪ New initiative on cybercrime capacity building in Central Asia (Rasa Ostrauskaite, Organisation for Security and Cooperation in Europe)</li> <li>▪ Reconciling security and fundamental rights: towards a <a href="#">Handbook on cybercrime and human rights</a> (Antonio Gutierrez-Cardenete, EU Fundamental Rights Agency)</li> </ul>
<b>17h00</b>	<b>Session 6 – Conclusions</b> <ul style="list-style-type: none"> <li>▪ Cristina Schulman (Ministry of Justice, Romania)</li> <li>▪ Alexander Seger (Head of Cybercrime Division, Council of Europe)</li> </ul>
<i>17h30</i>	<i>Coffee/snack</i>