
African Forum on Cybercrimes

Addis Ababa, Ethiopia

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Workshop 3 -Intl. Cooperation Against
Cyber Enabled Financial Crimes



The Commonwealth

Types of Cyber enabled financial crimes

- Advance Fee fraud
- Transactions in virtual currencies
- Identity theft – stealing payment card details, account take over, card cloning, ATM hacking
- Hacking financial institutions computer systems

Examples of financial crimes

- In February 2016, US\$ 1 billion was stolen from the account of the central bank of Bangladesh, at the Federal Reserve Bank of New York were issued via the SWIFT network.
- Among financial services firms in the US, banks alone lost USD16.8 billion to cybercriminals in 2017.
- In April 2018, it was reported that some top banks in the UK were subject of coordinated attacks by cybercriminals
- U.S. Treasury views cyberattacks as one of the key threats to US financial
- stability

Why International Cooperation is needed

Transnationality

- One crime
 - One world
 - Many sovereign nations

No nation is immune



Legal Basis for International Cooperation

- National legislation
- Bilateral Agreements
- Multi-lateral Agreements
- Reciprocity



Key considerations in international cybercrime investigations

- National coordination
- Cooperation is key in every phase of the case
- Cultivate and maintain personal contacts with foreign counterparts
- Informal cooperation should precedes formal one;
- Consider joint team investigations – passive or active, co or non-co located

Forms of International Cooperation

- **Formal** cooperation usually through diplomatic channels or central authorities to ensure that the evidence satisfies the requirement of judicial procedures of admissibility – usually for coercive measures
- Informal cooperation for the gathering of relevant intelligence or for non coercive measures
 - ✓ Preventive measures through intelligence sharing
 - ✓ Preservation of res such as electronic data pending formal requests;
 - ✓ Should precede formal cooperation
 - ✓ Joint investigation team

Forms of International Cooperation – Informal

- **Informal cooperation**
 - Usually intelligence gathering of non coercive measures through personal contacts, agency to agency cooperation and regional or professional informal networks of contact persons,
 - The assistance through this could be investigative measures, emergency provisional measures in some jurisdictions, proactive disclosure of information, joint investigation, opening of a foreign case etc.

Forms of International Cooperation –Formal in the Commonwealth

- **Formal** cooperation

Commonwealth has several initiatives aimed at facilitating international cooperation between member states

- Mutual Assistance relating to Criminal Matters in the Commonwealth– Harare Scheme,
- London Scheme for the extradition of fugitive offenders within the Commonwealth,
- The Scheme for the transfer of Convicted Offenders within the Commonwealth

Forms of International Cooperation –Formal in the Commonwealth

- **Formal** cooperation
 - The Commonwealth Schemes though voluntary and non-binding instruments, have tremendous influence in the Commonwealth,
 - Used as basis of cooperation between member states,
 - Harmonised domestic cooperation legislation around Commonwealth

Forms of International Cooperation –Informal in the Commonwealth

- **Informal** cooperation
 - The Commonwealth Network of Contact Persons (CNCP)
 - The CNCP comprises of at least one contact point from each of the criminal jurisdictions of the Commonwealth.
 - Contact points act as active intermediaries entrusted with the task of facilitating coordination and complementing central Authorities for effectiveness.

Forms of International Cooperation –Informal in the Commonwealth

- **Informal** cooperation
 - Putting together electronic evidence 24/7 contact points for the Commonwealth countries Network of Contact Persons (CNCP)
 - E-evidence 24/7 contact point in a country could be the same as the transnational crime contact point.

Thank You



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