

Panel:

► **International cooperation between criminal justice authorities – a Case study [30 min]**

- Introductory presentation
- The shutdown of the Avalanche botnet
 - Zahid JAMIL, Barrister-at-law, Pakistan

► **The 24/7 networks and other international cooperation instruments [60 min]**

- INTERPOL
 - Dong Uk KIM, Digital Crime Officer
- Commonwealth Secretariat
 - Shadrach HARUNA, Commonwealth Secretariat
- Council of Europe
 - Matteo LUCCHETTI, Program Manager Cybercrime
- The case of UK
 - Daniel GRUBB, Cyber Policy, Home Office

► **Experiences, best practices and challenges [60 min]**

- Albert ANTWI-BOASIAKO, Ministry of Communications, Ghana
- Nigeria
- Emmanuel MUGABI, Uganda
- Morocco (TBC)

► **Q&A [30 min]**

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Reference
materials

8	<i>International judicial cooperation – 24/7 Points of contact network and MLA authorities. Case studies, challenges and way forward</i>
Room 2	<i>Wednesday, 17 October 2018, 14h00-17h30</i>
<p><u>Background:</u> <i>The increasing reliance on internet for businesses and social transactions and the ubiquitous nature of electronic evidence in most criminal cases, have heighten the need for Law enforcement agencies and prosecution services to deal with identification of cybercriminals in foreign jurisdictions or with acquisition of data that are located abroad. Due to the volatility and fleeting nature of this form of evidence, there is an increasing need to structure cooperation in a manner that would be efficient and effective for criminal justice.</i></p> <p><i>Jurisdiction is traditionally structured on territorial basis. Thus nations guide their sovereign power zealously. However, sovereignty, a fundamental principle of statehood, is one of the major tools in the armoury of the criminals – who use the barriers of sovereignty to shield themselves and evidence of their crimes from detection. They often take advantage of differences between legal systems, the clash of bureaucracies, the protection of sovereignty and, many times, the incapacity of law enforcement and nations to work together to overcome their differences, to foster their crimes. The scale and volume of these crimes, the technical complexity of identifying the perpetrators and, where identified, the challenges of bringing them to justice remain issues of critical and urgent concern to the law enforcement community.</i></p> <p><i>This is aggravated by the ease and speed at which this crime is committed across borders and the slow bureaucratic criminal justice response. However, with the increasing wave of trans-border crime and its attendant consequences on varied economies, serious consideration and attention are being increasingly given to the issue of how international co-operation can be structured to provide effective action against criminals.</i></p> <p><i>Regional blocks have aligned and restructured their cross border cooperation, relating to cybercrime and electronic evidence to meet the urgency required. Such changes have been given prominence in the Budapest Convention 24/7 network for parties to the Convention and its additional protocol. Countries that are yet to be party to the Convention have also administratively structured cooperation informally through law enforcement cooperation mechanism, such as INTERPOL or regional prosecutorial cooperation, complementing formal cooperation through central authorities, to ensure quick, efficient and effective cooperation.</i></p> <p><i>These forms of cooperation have proved successful particularly for parties to Budapest Convention. Those outside the Budapest convention are developing as product of necessity but need to be fostered, strengthened and anchored by legislation for effectiveness. However, challenges such as cumbersome administrative procedures, necessity to cope with very varied legislations, policy frameworks and different levels of collaboration provided by private sectors persist. These challenges are multiple with countries without formal 24/7 network.</i></p> <p><u>Purpose:</u> <i>The purpose of this session through case studies and discussions, is to identify the need for the efficacy of the 24/7 network, assess (1) the challenges in providing cross border assistance in criminal matters between central authorities and criminal justice agencies in Africa and in other regions; (2) regional and international best practices; (3) the way forward.</i></p> <p><u>Structure:</u> <i>The Workshop is structured into two parts. The first part, comprised of Comsec, CoE, Interpol, UK and one individual expert, runs for one and a half hours. The second part will discuss country experiences and is comprised of some contact persons sharing their experiences on the best practice and challenges will run for one hour. The half an hour will be devoted to Q/A session..</i></p>	
<p><u>Chair:</u> Shadrach HARUNA, Commonwealth Secretariat</p> <p><u>Rapporteur:</u> Shadrach HARUNA, Commonwealth Secretariat</p>	