

Global Action on Cybercrime Extended Action globale sur la cybercriminalité elargie





Implemented by the Council of Europe

Online Investigations: Darknet and online sexual violence against children

Preparing, receiving, executing and responding to formal requests from foreign authorities for assistance to obtain electronic evidence: Rules and good practices; issues encountered

Christian AGHROUM

Council of Europe Expert

30th September – 1st October 2019 The Hague, The Netherlands Formal assistance requests during internet investigations on Darknet and online sexual violence against children

Preparing, receiving, executing and responding to formal requests from foreign authorities for assistance to obtain electronic evidence

Rules and good practices; issues encountered

Eurojust – CoE / Glacy +

Issues

- Necessity
 - To act quickly To research evidences To keep evidences During a small part of time

Evidences around the world Difficulty to maintain them on darknet websites Many countries do not response Lack of legislation Lac of willing Lack of knowledge Corruption

Eurojust – CoE / Glacy +

Official

- Border exchanges : commissariats transfrontaliers (EU)
- Regional level : EU / West Africa / ASEAN
- International level : Interpol

Non-official

- Same levels
- Associations (IPA / Francopol / Gendarmeries ...)
- Friendship networks
- Direct access

Cybercrime : new context : PPP More and more NGO or private organisations

WW major issues

- International aspects
 - Reciprocity (legislation issue)
 - Data retention periods
 - Lack of technical inputs (international hour for example)
 - Exchange of evidences or extracts of those evidences
 - Lenght to escalade and to dis-escalade

WW major issues

- Domestic aspects
 - Lack of central point of contact
 - National, federal, regional, local level
 - Same level of understanding between LEA and Judicial authorities
 - Redouncy (same inquiry, different LEA and prosecutors)
 - Quick and efficient link between LEA and Judicial authorities
 - E.g. : in some countries Police and Justice is not using the same langage

WW shared technical and human resources difficulties

- Level of technicity in the country (material, laboratories ...)
- Data preservation (time limit, volume, cost)
- Level of trained people ; how to keep them
- ISP and other private sector link (obligation or not, prosecution if no response or not ...)

facebook

aw Enforcement	Request Access	×
	Email Email address Enter your email address to receive a unique link to the Law Enforcement Online Request System. The link will give you access to the system for on hour.	
Request Secure Access to the La	Cancel Sub	mit

If you are a law enforcement agent who is authorized to gather evidence in connection with an official investigation, you may request records from Facebook through this system.

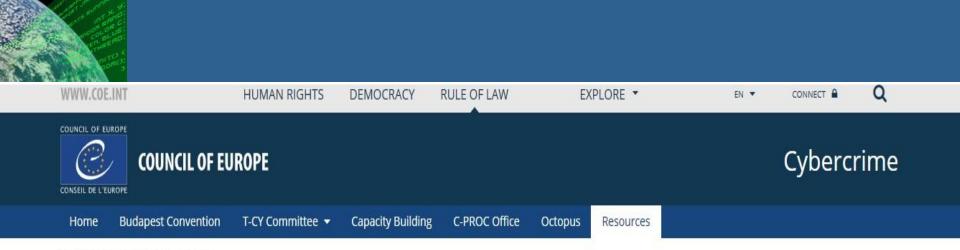
✓ I am an authorized law enforcement agent and this is an official request.

Request Access

Warning: Requests to Facebook through this system may be made only by governmental entities authorized to obtain evidence in connection with official legal proceedings pursuant to Title 18, United States Code, Sections 2703 and 2711. Unauthorized requests will be subject to prosecution. By requesting access you are acknowledging that you are a government official making a request in official capacity. For further information please review the Law Enforcement Guidelines.

Dark net

- The same in worse
 - Specialists
 - No company to work with
 - No transparency for LEA and Justice
 - Cryptology
 - Undercovering operations or/and informants
 - Witness protection
 - Criminal assets seizure



You are here: Cybercrime > Resources

Ø,

P

6

International Cooperation against Cybercrime

Cybercrime is very much transnational crime. **Urgent measures** that are needed to preserve data at the national level are also necessary within the framework of international co-operation.

Chapter III of the **Convention on Cybercrime** provides a legal framework for international cooperation with general and specific measures, including the obligation of countries to cooperate to the widest extent possible, urgent measures to preserve data and efficient mutual legal assistance.

- Overview of the international cooperation provisions of the Convention
- > List of competent authorities for judicial cooperation and 24/7 points of contact
- About 24/7 points of contact

The Convention on Cybercrime is complemented by a wide range of other treaties of the Council of Europe on

international cooperation in criminal matters (see Transnational Criminal Justice).



Protecting You and Your Rights in Cyberspace



PPP : to exchange more









http://www.ispcan.org 🖸

An opportunity for investigators

24/7 network

