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*This information sheet has been prepared by the Cybercrime Programme Office (C-PROC) of the Council of Europe in view of facilitating international cooperation. It does not necessarily reflect official positions of the State covered or of the Council of Europe.*

## 1. Categories of Data (subscriber information, traffic data, content data)

### 1.1. Definitions under national legislation

<b>Subscriber Information</b> Article 183	We don't have an exact legislation regarding to this point. There is no definition of content data under Andorran law. We need the judicial services from the investigating Judge.
<b>Traffic Data</b> Article 183	We don't have an exact legislation regarding to this point. There is no definition of content data under Andorran law. We need the judicial services from the investigating Judge.
<b>Content Data</b> Article 183	We don't have an exact legislation regarding to this point. There is no definition of content data under Andorran law. We need the judicial services from the investigating Judge.

In general terms we don't have an exact legislation to cover the recovery data of this types files described, but we are going to explain how to get the information regarding, for example, IP addresses or any data concerned in one investigation as profile name, activity connections, first IP registered in platform like Facebook, Instagram, etc.

We usually, requested the information through the investigating judge that is the person in charge to send the foreign C.R.I (International Rogatory Commission). If the information is from Andorra the Judge give to the Police from Andorra the judicial service to get the Subscriber Information – Traffic Data and Content Data, from any user or data regarding of addresses IP, user profile, etc. For the time being, Andorra ISPs normally comply with such requests through the judicial services and above all if we are done it the content preservation before.

Above all, the article from the "*codi penal*" – legislation, that we request this information is in relation of :

**"Títol X. Delictes contra la intimitat i la inviolabilitat de domicili"**

"Crimes againts privacy and iniolability of home"

**"Article 183. Escoltes il-legals i conductes afins".**

"illegal listening and related conduct" – Communications

But at the end it depends of what kind of crime we are investigating; if the sentence it's higher than 2 years we can request the information. Because we don't have the MLAT (Mutual Legal Assistance) the way to proceed it's like we are going to explain.

## 2. Procedures for preservation requests of stored computer data

### 2.1 Expedited preservation of stored computer data (Art. 29)

#### General remarks

Mainly, to request the information of stored computer data we use the methodology of the judicial office to obtain the content of the data if it is in the environment from Andorra and without using a CRI (see top of the document).

Despite we use the CRI procedure, another way for preserve requests it must be addressed to the 24/7 contact point foreign or from Andorra.

Andorra's designated 24/7 contact point is Cybercrime Group from the Police, Ministry of Interior of Andorra.

We have to keep in mind, the period preservation data from ISP's Andorra is around 12 months.

#### Procedures in place

**Step 1:** contact point from Police of Andorra make a judicial investigation.

**Step 2:** judge give to Police the judicial serves (if the case is from Andorra).

**Step 2.1:** relevant ISP is approached and requested to preserve data.

**Step 2:** judge execute CRI (International Rogatory Commission) – MLA (foreign case).

**Step 2.1:** relevant ISP is approached and requested to preserve data through Budapest 24/7.

**NOTE:** Keep in mind the maximum period conservation from Andorra is around 12 months.

### 2.2 Expedited disclosure for stored traffic data (Art. 30)

#### General remarks

Same the last point

#### Procedures in place

Same the last point

## 3. Procedures for mutual legal assistance

### 3.1 Requests for stored computer data: subscriber, traffic, content data (Art. 31)

Same the last point

»» Go to [Subscriber information](#) | [Traffic Data](#) | [Content Data](#)

#### ► Requests for subscriber information

##### **General remarks**

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Same last point

##### **Competent Authorities**

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Provisional law on judicial procedures from 21 December 1993 establishes the internal basis for MLA in civil and criminal matters:

The Ministry of Justice of the requesting Party to the Andorran Ministry of Interior and shall be returned through the same channels; OR

Competent authorities of the requesting Party through the diplomatic channel, INTERPOL or any other way;

##### **Relevant contact points**

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Contact: Grup de Delictes Tecnològics – Group of Cybercrimes

Identification PO352 – Head of Cybercrime Group - Annabel López Medina  
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Phone number : +376.333928

##### **Prior consultations**

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Same last point

## Accepted legal basis / mechanisms for MLA requests

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### Content of the request

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### Applicable legal requirements

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### Confidentiality requirements

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### Urgent requests

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### Translation

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Andorra accepts mainly the requests in English, French and Spanish.

### Limitations

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#### ▶ Requests for Traffic Data

### General remarks

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Same last point

### Competent Authorities

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Same last point

### **Accepted legal basis / mechanisms for MLA requests**

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### **Content of the request**

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### **Applicable legal requirements**

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### **Confidentiality requirements**

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### **Urgent requests**

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### **Translation**

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Andorra accepts mainly the requests in English, French and Spanish.

### **Limitations**

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## **► Requests for Content Data**

### **General remarks**

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Same last point

### **Competent Authorities**

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## **Relevant contact points**

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## **Accepted legal basis / mechanisms for MLA requests**

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## **Content of the request**

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## **Applicable legal requirements**

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## **Confidentiality requirements**

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## **Urgent requests**

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## **Translation**

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Mainly, Andorra accepts the requests in English, French and Spanish.

## **Limitations**

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## 3.2 Requests for real time collection of traffic data (Art. 33)

### General remarks

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Same last point

### Competent Authorities

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Competent authorities of the requesting Party through the diplomatic channel, INTERPOL or any other way;

### Relevant contact points

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### Prior consultations

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Same last point

### Accepted legal basis / mechanisms for MLA requests

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### Content of the request

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### Applicable legal requirements

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### Confidentiality requirements

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### Urgent requests

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## **Translation**

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Mainly, Andorra accepts the requests in English, French and Spanish.

## **Limitations**

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### 3.3 Requests for interception of content data (Art. 34)

## **General remarks**

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Same last point

## **Competent Authorities**

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The Ministry of Justice of the requesting Party to the Andorran Ministry of Interior and shall be returned through the same channels; OR

Competent authorities of the requesting Party through the diplomatic channel, INTERPOL or any other way;

## **Relevant contact points**

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## **Prior consultations**

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## **Accepted legal basis / mechanisms for MLA requests**

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## **Content of the request**

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## **Applicable legal requirements**

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## **Confidentiality requirements**

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## **Urgent requests**

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## **Translation**

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Mainly, Andorra accepts the requests in English, French and Spanish.

## **Limitations**

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