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Strasbourg, 18 November 2019

T-CY (2019)40

Cybercrime Convention Committee (T-CY)

T-CY 22

22nd Plenary of the T-CY

Strasbourg, 18 November 2019

Meeting report

1 Introduction

The 22nd Plenary of the T-CY Committee, meeting in Strasbourg on 18 November 2019, was chaired by Cristina SCHULMAN (Romania). More than 160 representatives of 71 State Parties and Observer States as well as Observer Organisations participated.

The regular plenary session was followed by a meeting of the T-CY Protocol Drafting Plenary from 19 to 20 November and the Octopus Conference from 20 to 22 November 2019.

2 Decisions

The T-CY decided:

Agenda item 1: Opening of the meeting and adoption of the agenda

- To adopt the agenda;

Agenda item 2: State of ratifications and accessions: tour de table

- To welcome the recent accession to the Convention by Peru;
- To welcome the steps underway and progress made towards ratification or accession by Benin, Colombia, Ireland, Nigeria, Sweden and Tunisia;

To welcome the interest in the Budapest Convention by ad-hoc observers from Brazil, Korea and Singapore;
- To note the progress made worldwide in terms of legislation on cybercrime and electronic evidence based on the provisions of the Budapest Convention on Cybercrime;

Agenda item 3: Protocol on Xenophobia and Racism via Computer Systems

- To welcome ratification of and accession to the Protocol by 32 States to date;
- To take note of monitoring reports of the European Commission on Racism and Intolerance (ECRI) recommending ratification and implementation of the Protocol in country monitoring reports;
- To underline the need to reconcile the fight against racism and xenophobia with the right to the freedom of expression;
- To invite the Bureau to identify appropriate means to assist States in the implementation of the Protocol (such as guidelines, documentation of good practices, court decisions, case studies or legislation);

Agenda item 4: Cooperation on cybercrime: relevant international developments

- To welcome the information provided by:
 - European Commission;
 - EUROJUST;
 - Commonwealth Secretariat;
 - SELEC;

- To welcome the information provided by Council of Europe bodies:
 - Lanzarote Convention Committee (T-ES);
 - CDMSI (Steering Committee on Media and Information Society);

Agenda item 5: Mapping study on cyberviolence: online tool

- To welcome the new online tool prepared by the Secretariat;
- To invite Parties and Observers to provide additional information;

Agenda item 6: Use of the Budapest Convention in practice: documentation of good practices

- To underline the usefulness of documenting the value of the Budapest Convention in practice;
- To invite the Bureau to prepare a template or a set of questions to permit Parties to provide examples, statistics, case studies and stories that illustrate how the Convention (including participation in the T-CY and capacity building based on the Convention) makes a difference in terms of:
 - domestic legislation, investigations and prosecutions,
 - international cooperation through mutual assistance, 24/7 contact points and other means,
 - cooperation with the private sector,
 - impact of capacity building activities;

Agenda item 7: Update on key developments by Parties and Observers

- To note with interest information provided on cybercrime policies, legislative developments, training or major cases by Parties to the Budapest Convention and observers in the T-CY: Albania, Australia, Chile, Costa Rica, Dominican Republic, Ghana, Morocco, Russian Federation, Senegal, Serbia, Singapore, Turkey, United Kingdom, USA

Agenda item 8: Next meetings of the T-CY

To hold, subject to funding, the following meetings in 2020:

3 Appendix

3.1 T-CY Calendar 2020

Date	Place	Activity
21 - 24 January	Strasbourg	Protocol Drafting Group
16 (AM) March	Strasbourg	T-CY Bureau
16 (PM) – 20 (AM) March	Strasbourg	Protocol Drafting Group
9 April	Vienna	PDG Subgroup (if necessary [following UN Expert Group])
11 (PM) – 15 (AM) May	Strasbourg	Protocol Drafting Group (and consultations TBC)
[2 – 5 June	Strasbourg	Protocol Drafting Group] TBC
29 June – 2 July (AM)	Strasbourg	T-CY 23 (29 June) Protocol Drafting Plenary 30 June – 2 July
21 September	Strasbourg	T-CY Bureau
22 – 24 September	Strasbourg	Protocol Drafting Group
30 (PM) November – 3 December	Strasbourg	T-CY 24 and Protocol Drafting Plenary (joint session with the CDPC TBC)

3.2 Agenda

Plenary T-CY 22 Monday, 18 November 2019, 9h30 – 18h00	
1.	Opening of the 22 nd Plenary and adoption of the agenda
2.	State of ratifications and accessions: tour de table Signatory States and States invited to accede are invited to provide an update on the state of ratification or accession to the Budapest Convention.
3.	Protocol on Xenophobia and Racism via Computer System Members and observers are invited to discuss the state of implementation of the Protocol and share good practices.
4.	Cooperation on cybercrime: relevant international developments Members and observers, including international organisations, are invited to share information on relevant international developments regarding cybercrime and e-evidence.
5.	Mapping study on cyberviolence: online tool Participants are invited to exchange views on the online tool on cyberviolence prepared by the Secretariat as follow up to the recommendation on the Mapping Study on Cyberviolence adopted by the T-CY in July 2018.
6.	Use of the Budapest Convention in practice: documentation of good practices The T-CY Workplan includes action 1.5 "Document available case studies and statistics on the actual use of the Budapest Convention in practice. Parties were therefore invited on 2 October 2019 to submit relevant information. T-CY members are invited to discuss the information received and follow up to be given.
7.	Update on key developments by Parties and Observers Participants are invited to present information on major legislative developments, cases, important events, and training. Given that only limited time will be available during this one-day plenary, delegations may also submit written updates which are to be published as part of the Plenary documentation.
8.	Next meeting of the T-CY* T-CY members are invited to decide on the proposal to hold T-CY 23 on 29 June 2020, prior to the meeting of the Protocol Drafting Plenary on 30 June to 2 July 2020. This proposal is subject to the availability of funding.

3.3 List of participants (T-CY)

Bureau members

Country	Name	Institution
ROMANIA	Cristina SCHULMAN (T-CY Chair)	Legal Adviser Ministry of Justice Directorate International Law and Judicial Cooperation
PORTUGAL	Pedro VERDELHO (T-CY Vice-Chair)	Public Prosecutor General Prosecutor's Office of Lisbon
ARGENTINA	Marcos SALT	Member Advisory Committee Against Computer-Related Crimes
CANADA	Gareth SANSOM	Deputy-Director Criminal Law Policy Section Department of Justice
ESTONIA	Markko KÜNNAPU	Adviser Ministry of Justice
FRANCE	Vanessa EL KHOURY-MOAL	Magistrate at the European and International Criminal Bargaining Office, Criminal Matters and Pardons Directorate Ministry of Justice
NETHERLANDS	Erik PLANKEN	Senior Policy Advisor Cybercrime Law Enforcement Department Ministry of Justice
SRI LANKA	Jayantha FERNANDO	Chairman, Sri Lanka CERT & Director/ Legal Advisor, ICTA
SWITZERLAND	Andrea CANDRIAN	Stv. Chef, International Criminal Law Unit Federal Office of Justice

Parties

COUNTRY	NAME	INSTITUTION
ALBANIA	Diana Stillo SILA	Head of Unit Department of Foreign Jurisdiction Relations Ministry of Justice
ALBANIA	Edmond KOLOSHI	Prosecutor Prosecutor's Office of Lezha
ALBANIA	Denisa ASKO	Prosecutor Ministry of Justice
ANDORRA	Maria Àngels MORENO AGUIRRE	Judge of Financial Criminal Investigations Batllia d'Andorra
ARGENTINA	Marcos SALT	Member of the Advisory Committee Against Computer-Related Crimes

ARMENIA	Arsen ELOYAN	Senior Officer Police Senior Lieutenant Hi-Tech Crime Department Police of the Republic of Armenia
ARMENIA	Robert ADILKHANYAN	Head of the Department of Investigation of Cybercrime and High Technology Crime of the General Department of Investigation of Special Important Cases Investigative Committee of the Republic of Armenia
ARMENIA	Artur MANUKYAN	Senior prosecutor, Department of Supervision over Legality of Pre-trial Proceedings in Office of the Prosecutor General of the Republic of Armenia
AUSTRALIA	Nathan WHITEMAN	Assistant Director Electronic Surveillance Section Cross-Border Data & Cybercrime Section National Security Policy Branch National Security & Law Enforcement Policy Division/Department of Home Affairs
AUSTRALIA	Jennifer HYATT	Senior Legal Officer Australian Attorney-General's Department
AUSTRIA	Judith HERRNFELD	Referentin in der Sektion IV Federal Ministry of Justice
AZERBAIJAN	Rauf ABDULHASANOV	Ministry of Interior
AZERBAIJAN	Fariza MIRZAYEVA	Prosecutor on matters of extradition and legal issues
AZERBAIJAN	Parviz AGHAVERDIYEV	Deputy of the Department of Cyber Security The State Security Service
BELGIUM	Delphine WYNANTS	Attachée au service des Infractions et Procédures Particulières de la Direction générale Législation, Libertés et Droits fondamentaux
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BULGARIA	Vladimir DIMITROV	Inspector Bulgarian Cybercrime Unit General Directorate Combating Organized Crime Ministry of Interior
CABO VERDE	Nandixany de Lurdes Souto AMADO V. ANDRADE	Assessora Ministra da Justiça e Trabalho
CANADA	Gareth SANSOM	Deputy-Director Criminal Law Policy Section Department of Justice
CANADA	Normand WONG	Criminal Law Policy Section Counsel Justice Canada
CANADA	Thomas BEVERIDGE	Counsellor, International Criminal Operations Mission of Canada to the EU

CANADA	Agnes PUST	Global Affairs Canada
CANADA	Claudette Rondeau	Claudette Rondeau Counsel, Centre for Information and Privacy Law, Public Law and Legislative Services Sector, Department of Justice Canada
CHILE	Camila BOSCH CARTAGENA	Lawyer Money Laundering, White Collar, Environmental, Cyber and Organized Crimes Unit Public Prosecution Office
CHILE	Patricio AGUIRRE VACCHIERI	Consejero, Direccion de Seguridad Internacional y Humana, Ministerio de Relaciones Exteriores, Gobierno de Chile
CHILE	Mauricio FERNANDEZ MONTALBAN	Head Cybercrime and money laundering unit (uldeco) Public Prosecutors office
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DENMARK	David Carl Behrens	Ministry of Justice
DENMARK	Tanja SCODERLUND	Prosecutor, Danish Director of Public Prosecutions
DOMINICAN REPUBLIC	Claudio PEGUERO	Advisor to the Director General of Police in Cyber Matters National Police
DOMINICAN REPUBLIC	Cesar MOLINE RODRIGUEZ	Cyber Security, E-commerce and Digital signature Director Dominican Institute for Telecommunications
DOMINICAN REPUBLIC	Ivan Vladimir FELIZ VARGAS	Attorney General of Court of Appeal, Head of the Office of the Special Prosecutor for High Technology Offenses
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ESTONIA	Markko KÜNNAPU	Adviser Ministry of Justice

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FINLAND	Jouko HUHTAMÄKI	Ministry of the Interior, Police Department
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GHANA	Mildred ADDO	Officer National Cyber Security Centre
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NORTH MACEDONIA	Lejla KADRIU	Public Prosecutor Basic Public Prosecutor's Office Tetovo North Macedonia
NORTH MACEDONIA	Lenka DAVITKOVA	Judge Basic Criminal Court Skopje

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SERBIA	Dragan JOVANOVIĆ	Deputy Head of Department Ministry of Interior Service for Combating Organized Crime Department for Cyber Crime
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SPAIN	Maria Elvira TEJADA DE LA FUENTE	Head, Cybercrime Prosecutor's Office, General Prosecutor's Office
SPAIN	Antonio LÓPEZ MELGAREJO	Computer crime Cuerpo Nacional de Policía
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SRI LANKA	Wickramasinghe KUMUDINI	Justice, Court of Appeal
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UNITED STATES OF AMERICA	Sheri SHEPHERD-PRATT	Trial Attorney, Office of International Affairs Criminal Division, U.S. Department of Justice U.S. Department of Justice

Observer States

COUNTRY	NAME	INSTITUTION
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COLOMBIA	Diana Carolina KECAN CERVANTES	Cybersecurity Desk, Crime Prevention Office Ministry of Foreign Affairs of Colombia
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NIGERIA	J.I. AJAKAYE	Deputy Director
NIGERIA	Ama Ehi Sandra OHIEN	Senior State Counsel, Central Authority Unit, Federal Ministry of Justice
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RUSSIA	Anton KOSHKIN	Expert Federal Security Service of the Russian Federation
RUSSIA	Anastasiya TOROPOVA	Attaché Legal Department Ministry of Foreign Affairs
RUSSIA	Airat HAMIDULLIN	Attaché Department of New Threats and Challenges Ministry of Foreign Affairs
RUSSIA	Alexander BODROV	Expert Federal Security Service of the Russian Federation
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TUNISIA	Mohamed MESSAI	Conseiller à la Cour d'Appel de Tunis Ministère de l'Intérieur
TUNISIA	Selsebil NAIRI	Juge Tribunal de 1ere instance Grombalia Ministère de la Justice

Ad-hoc observers

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REPUBLIC OF KOREA	Yoonhoo KIM	Director / Cybercrime investigation and prosecution Cybercrime Investigation Division, Forensic Science Investigation Department, Supreme Prosecutors' Office in South Korea
REPUBLIC OF KOREA	Yonghwa HONG	Prosecutor of Gwangju, District Prosecutors' Office, Supreme Prosecutor's Office
REPUBLIC OF KOREA	Byungkook YOO	Prosecutor of Changwon District Prosecutors' Office, Supreme Prosecutors' Office
REPUBLIC OF KOREA	Doobong Lee	Director General of Forensic Science Investigation Department, Supreme Prosecutors' Office / Overall management and tasks Forensic Science Investigation Department, Supreme Prosecutors' Office
REPUBLIC OF KOREA	Gu Jun NAM	Director General of the Cyber Bureau Korean National Police
REPUBLIC OF KOREA	Byeong Il KWAK	Section Chief of the Cyber International Cooperation Korean National Police
REPUBLIC OF KOREA	Sang Eun LEE	Senior Inspector Korean National Police
REPUBLIC OF KOREA	Keong Mo JEONG	Digital Forensic Examiner Korean National Police
SINGAPORE	Kannan GNANASIHAMANI	Senior Director (Technology Crime) Attorney-General's Chambers of Singapore
SINGAPORE	Yi HON	Deputy Team Leader (Technology Crime) Attorney-General's Chambers of Singapore

Observer organisations

ORGANISATION	NAME	POSITION
COMMONWEALTH	Shakirudeen ALADE	Programme Assistance - Cyper Capability Programmes
EUROPEAN COMMISSION	Tjabbe BOS	Policy officer, Cybercrime Unit , Directorate General for Migration and Home Affairs
EUROPEAN COMMISSION	Manuel GARCÍA SÁNCHEZ	Directorate-General for Justice and Consumers International Data Flows and Protection
EUROJUST	Daniela BURUIANA	Chair of the Task Force on cybercrime National member for Romania

INTERPOL	Milos MIJOMANVIC	Digital Crime Officer
SELEC	Snejana MALEEVA	Director General

Experts

ORGANISATION	NAME	POSITION
CONSULTANT	Betty SHAVE	Consultant
EXPERT	Fernanda TEIXEIRA SOUZA DOMINGOS	Federal Prosecutor Coordinator of São Paulo Cybercrime Unit Deputy Coordinator of the National Support Group on Cybercrime Federal Prosecution Service - Brazil
EXPERT	Neide CARDOSO DE OLIVEIRA	Federal Circuit Prosecutor in Rio de Janeiro Coordinator of the National Support Group about cybercrimes of the Federal Prosecution Service in Brazil Federal Prosecution Service in Brazil

Council of Europe Committees

COMMITTEES	NAME	POSITION
CDMSI (Steering Committee on Media and Information Society)	Emir POVLAJIC	Head of Division for Licensing, Digitalization and Coordination in Broadcasting, Communications Regulatory Agency
T-ES (Lanzarote Convention Committee)	Maria José CASTELLO-BRANCO	Legal Adviser, Civil Justice Unit, International Affairs Department, Directorate General for Justice Policy, Ministry of Justice, Lisbonne, Portugal

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