



Octopus Conference 2021

Workshop 1 – Regional workshop for Asia

Strengthening International Cooperation on Cybercrime and Electronic Evidence in the region : Challenges and Solutions

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I . **Key Challenges** to Int'l Cooperation on Cybercrime and electronic evidence.

- **Jurisdiction, etc.**

- Language, Culture, Tradition, Value and Religion
- Crime definition, Justice system(investigate, seize, prosecute, etc.)

- **Lack of Legal Sytem for Swift Cooperation**

- Executive order for preserving evidence, search warrant
- Bilateral or multilateral treaties(ex. Budapest Convention)

- **Varied Awareness on Cybercrime(Different Threats)**

- Cyber-infra, Inducing factor(rich victim, hideout), Crime rate, size



II . What are the **specific problems** of int'l cooperation on Cybercrime and e-evidence **in Asia**.

- **Lower Awareness on Cybercrime(Lower Threat)**
 - Worse cyber-infra, investigative technique, Potential hideout
 - Short of bilateral or multilateral treaty
- **Worse Legal System for Fast Evidence Securing**
 - No preservation order, Strict search warrant, etc.
 - Less cooperation network(ex. G7 24/7 Network)
- **Weak Leadership for Cooperation**
 - EUROPOL's J-CAT, U.S's Counter Ransomware Initiative



III. **How** do criminal justice authorities in Asia **obtain evidence from other states.**

- **Official Cooperation(binding)**

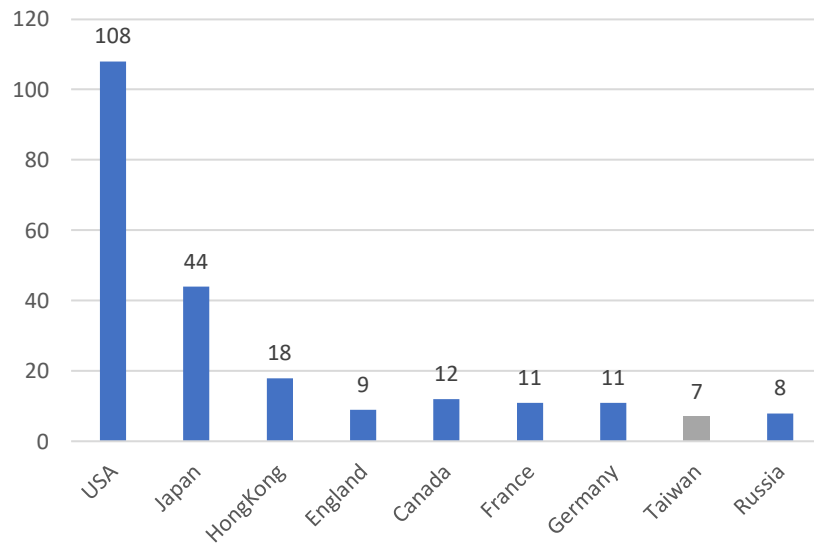
- Mutual Legal Assistance Treaty
- Budapest Convention

- **Unofficial Cooperation(non-Binding)**

- G7 24/7 Cybercrime Network
- INTERPOL
- Inter-law-enforcement-agency co-working(sharing info, exchange of human and physical resources)

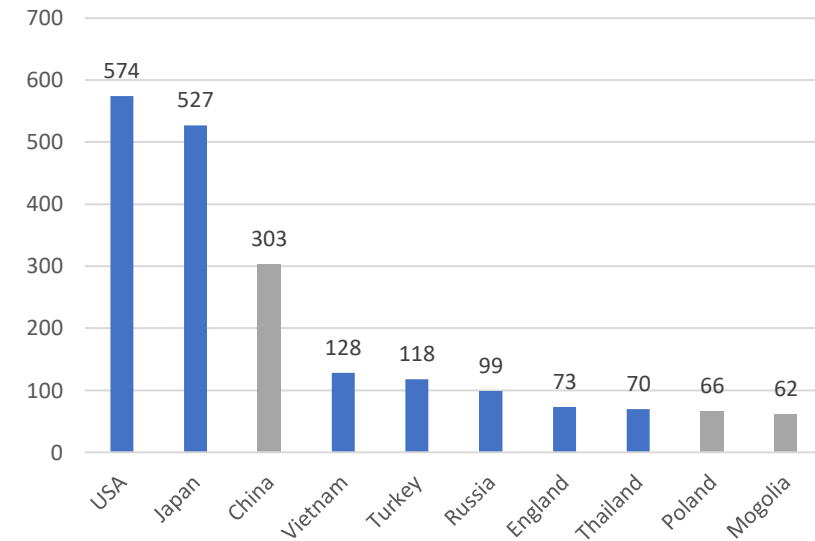


2010-2019 Number of Cooperations



G7 24/7 Network

■ No MLAT



MLAT

■ Not joined in G7 24/7 Network



IV. Conclusion

- **Long-term Goal : Legislation for Better Cooperation**
 - Preservation order, Eased search warrant
 - Improving MLAT (exchange of evidence between the POCs)
 - Direct request to ISPs(2nd additional protocol)
- **Short-term Realistic Goal : Inter-law-enforcing-agency Cooperation**
 - Exchange of Human and Material Resources
 - INTERPOL, EUROPOL
- **Cyber-capacity Building**
 - APC-HUB : Asia-Pacific region, led by KSPO (beginning stage)