



Octopus Conference 2019

Cooperation against Cybercrime

20-22 November 2019

Palais de l'Europe, Council of Europe, Strasbourg, France

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Draft

Conference Programme



PRÉSIDENTIE FRANÇAISE
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2019 MAI - NOVEMBRE
Conseil de l'Europe
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Overview



WED, 20 NOVEMBER		
<i>Plenary session</i>	<i>Hemicycle</i>	
14h00	<ul style="list-style-type: none"> ▶ Opening session ▶ Criminal justice and the rule of law in cyberspace: challenges ▶ Responses to cybercrime: what good news? 	
18h30 Reception offered by France (Foyer of Hemicycle)		
THU, 21 NOVEMBER		
<i>Workshops</i>	<i>Room 11</i>	<i>Hemicycle</i>
9h30	Workshop 1: <ul style="list-style-type: none"> ▶ Online child sexual exploitation and sexual abuse: mapping responses 	Workshop 2: <ul style="list-style-type: none"> ▶ Data protection and criminal justice: what are the issues?
<i>Workshops</i>	<i>Hemicycle</i>	<i>Room 1</i>
14h30	Workshop 3: <ul style="list-style-type: none"> ▶ Cooperation on cybercrime and cybersecurity: from incidents response to criminal justice 	Workshop 4: <ul style="list-style-type: none"> ▶ Evidence in cyberspace: multi-stakeholder consultation on the Protocol to the Budapest Convention
FRI, 22 NOVEMBER		
<i>Workshops</i>	<i>Hemicycle</i>	<i>Room 1</i>
9h30	Workshop 5: <ul style="list-style-type: none"> ▶ Cybercrime, "fake news" and election interference 	Workshop 4 cont'd: <ul style="list-style-type: none"> ▶ Evidence in cyberspace: multi-stakeholder consultation on the Protocol to the Budapest Convention
<i>Plenary session</i>	<i>Hemicycle</i>	
14h00	Plenary: <ul style="list-style-type: none"> ▶ Results of workshops ▶ Lightning sessions ▶ Current futures: Artificial intelligence ▶ Octopus take-aways (panel) ▶ Conclusions 	
17h00 End of conference		

For any question please contact:

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Detailed programme

WED, 20 NOVEMBER	
Plenary session	Hemicycle Languages: English / French / Spanish
14h00 – 18h00	<p>Plenary</p> <p>Moderators: Vanessa El Khoury-Moal (Bureau de la négociation pénale européenne et internationale, Direction des affaires criminelles et des grâces, Ministère de la justice) / Jan Kleijssen (Director of Information Society and Action against Crime, Council of Europe)</p> <p>► Opening session [14h00 – 15h00]</p> <ul style="list-style-type: none"> – Marija Pejčinović Burić (Secretary General of the Council of Europe) – Interventions: <ul style="list-style-type: none"> – Ursula Owusu-Ekufu (Minister of Communications of Ghana) – Emilia Navas Aparicio (Attorney General of Costa Rica) – Ebrima Sillah (Minister of Information and Communication Infrastructure, the Gambia) – Chitaru Shimizu (Director, International Safety and Security Cooperation Division, Ministry of Foreign Affairs, Japan) – Jean-Baptiste Mattéi (French Presidency of the Committee of Ministers of the Council of Europe, Permanent Representative of France) <p>► Criminal justice and the rule of law in cyberspace: challenges [15h00 – 15h45]</p> <ul style="list-style-type: none"> – The grand picture (Eric Freyssinet, Direction générale de la gendarmerie nationale, France) – The 1% problem: How relevant is the criminal justice response? (Alexander Seger, Head of Cybercrime Division, Council of Europe) – Discussion <p>Coffee break 15h45-16h00</p> <p>► Responses to cybercrime: what good news?</p> <ul style="list-style-type: none"> – Successful investigations [16h15 – 16h30] <ul style="list-style-type: none"> – GandCrab - Disrupting a Multi Hundred Million Ransomware as a Service Business (Catalin Zetu, Head of Cyber Attacks, Central Cybercrime Unit, Romanian Police) – Results of capacity building [16h30 – 16h45] – The global state of cybercrime legislation [16h30 – 17h15] <ul style="list-style-type: none"> – Overview (Alexander Seger) – Example Guatemala (Jose Rodrigo Valladares, Member of Congress, Guatemala) – Example Niger (Sidi Mohamed Raliou, Director of Digital Economy, Ministry of Posts, Telecommunications and Digital Economy, Niger) – Example Fiji (Deborah Weiss, Permanent Secretary, Ministry of Communications, Republic of Fiji) – Cooperation in emergency situations [17h15 – 18h15] <ul style="list-style-type: none"> – Sri Lanka Easter Bombings (Jayantha Fernando, Director, ICTA, Sri Lanka) – Christchurch attack New Zealand (Damian Rapira-Davies, Principal Adviser for Digital Safety / Merran Cooke, Crown Counsel and Mutual Assistance Coordinator, Government of New Zealand) – The Christchurch Call (Henri Verdier, Ambassadeur pour le Numérique, France)

18h30	Reception offered by the French Presidency of the Committee of Ministers of the Council of Europe (Foyer of Hemicyle)
THU, 21 NOVEMBER	
Workshop session	Room 11 Languages: English / French / Spanish
9h30 – 13h00	<p>Workshop 1 – Online child sexual exploitation and sexual abuse: mapping responses</p> <p>Purpose: Designing effective policy and legislative responses to Online Child Sexual Exploitation and Abuse (OCSEA) remains a challenge in the ever-changing digital environment. To effectively respond to the specific risks and challenges faced by children in the digital environment a victim-centred approach combining law enforcement responses, legislation and child protection systems more generally. Integrated, multi-stakeholder cooperation is central to ensure effective investigation and prosecution, whilst at the same time ensuring victims are identified and supported to make a full recovery. Based on a mapping study currently being undertaken by the Council of Europe and case studies, this workshop will discuss policies and measures to ensure effective investigation, prosecution and victim-support.</p> <p>Moderator/s: Maria-Andriani Kostopoulou (Chair of the Ad-hoc Committee for the Rights of the Child, CAHENF) / Regína Jensdóttir (Head of the children’s Rights Division and Council of Europe co-ordinator for the Rights of the Child)</p> <p>Rapporteur: Gioia Scappucci (Executive Secretary to the Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse)</p> <p>Secretariat: Naomi Trewinnard (Senior Project Officer, Children’s Rights Division, Council of Europe) / Ovidiu Majina (Senior Project Officer, C-PROC, Council of Europe)</p> <ul style="list-style-type: none"> ▶ Introduction and objective of the workshop [10 min] <ul style="list-style-type: none"> – Maria-Andriani Kostopoulou – Regína Jensdóttir ▶ OCSEA: Global threats and trends [15 min] <ul style="list-style-type: none"> – Amy Crocker (Global Partnership to End Violence Against Children) ▶ Preventing and Combatting OCSEA: A baseline mapping of Council of Europe member States [25 min] <ul style="list-style-type: none"> – Victoria Baines (Visiting Research Fellow, University of Oxford) <ul style="list-style-type: none"> – Common challenges identified – Common strengths identified – Key recommendations ▶ Discussion on Global trends and Baseline mapping [25 min] ▶ Case study: international cooperation success stories from the Philippines [35 min]

<p>Coffee break 10h45 – 11h00</p>	<ul style="list-style-type: none"> – Markk L. Perete, Undersecretary, Department of Justice, Philippines – Attorney Angela Marie De Gracia, Department of Justice, Philippines – Discussion <p>▶ Case study: multi-stakeholder co-operation at national level and international level: lessons learned from Germany [35 min]</p> <ul style="list-style-type: none"> – Andreas Hautz, Department of International Affairs, Jugendschutz – Discussion <p>▶ Case study: co-operation in the context of pro-active policing to identify victims and locate perpetrators [35 min]</p> <ul style="list-style-type: none"> – Paul Bayer, Child Rescue Coalition – Richard Matthews, Child Rescue Coalition – Discussion <p>▶ Conclusions [15 min]</p>
THU, 21 NOVEMBER	
<p>Workshop session</p>	<p>Hemicycle Languages: English / French / Spanish</p>
<p>9h30 – 13h00</p>	<p>Workshop 2 – Data protection and criminal justice: what are the issues?</p> <p>Purpose: Cybercrime is a threat to individuals, to their private life and to other fundamental rights as demonstrated, for example, by large data breaches and exposure of personal information online. Governments have the obligation to protect individuals also in the online environment, among other things through an effective criminal justice response. When doing so, States have to meet a number of human rights and rule of law requirements, and they need to integrate into criminal procedures considerations for the rights to privacy and the protection of personal data. Often the goals of criminal justice and of data protection are seen as contradictory with the latter considered an obstacle to effective criminal investigations. The purpose of this workshop is to provide criminal justice authorities, civil society, data protection organisations and industry with a better understanding of each other’s concerns. It is to explain how generic principles of data protection function in concrete situations of criminal investigations.</p> <p>Moderator/s: Alessandra Pierucci (Chair of the Data Protection Committee of the Council of Europe)</p> <p>Rapporteur: Mario Oetheimer (Deputy Head of Research and Data Unit, EU Fundamental Rights Agency, Vienna)</p> <p>Secretariat: Matteo Lucchetti (Project Manager, C-PROC, Council of Europe/ Peter Kimpian (Data Protection Unit, Council of Europe)</p> <p>▶ Introduction and objective of the workshop [10 min]</p> <ul style="list-style-type: none"> – Alessandra Pierucci (Chair of the T-PD of the Council of Europe) <p>▶ Data breaches and data protection – the landscape [35 min]</p>

<p>Coffee break 10h45 – 11h00</p>	<ul style="list-style-type: none"> – Kurt Opsahl (Deputy Executive Director and General Counsel, Electronic Frontier Foundation, USA) – Dave Piscitello (Interisle Consulting Group LLC, USA) <p>▶ Reconciling interests: do data protection requirements prevent effective crime investigations? [45 min]</p> <ul style="list-style-type: none"> – Data Retention: implications of court decision? (Jan Kerkhofs, Belgian Federal Public Prosecutor, Counter Terrorism Unit & Cybercrime Unit, Belgium) – WHOIS issue – What now? (Gregory Mounier, EUROPOL) – The ICANN perspective (Elena Plexida, ICANN) – Discussion <p>▶ Case study: Conditions for obtaining subscriber information [45 min]</p> <ul style="list-style-type: none"> – Overview based on T-CY discussion paper (Alexander Seger, Council of Europe) – Discussion <p>▶ Case study: International transfer of data in a criminal investigation– Article 14 of Convention 108+ in practice [45 min]</p> <ul style="list-style-type: none"> – Gert Vermeulen (Professor of (International & European) Criminal Law, and Director of the Institute for International Research on Criminal Policy (IRCP), Ghent University, Belgium) – Discussion <p>▶ Conclusions [10 min]</p>
THU, 21 NOVEMBER	
<p>Workshop session</p>	<p>Hemicycle Languages: English / French / Spanish</p>
<p>14h30 – 18h00</p>	<p>Workshop 3 – Cooperation on cybercrime and cybersecurity: from incidents response to criminal justice</p> <p>Purpose: This workshop covers the links between cybersecurity and the prevention and control of cybercrime. It will consider in particular the cooperation between criminal justice authorities and Computer Security Incident Response Teams (CSIRTs). The purpose of this session is to identify ways in which cooperation between criminal justice authorities and cybersecurity actors could improve, including through common definitions, or procedures for incident handling and the collection of electronic evidence, and in areas of common interest such as the protection of critical infrastructure.</p> <p>Moderators: Albert Antwi-Boasiako, National Cybersecurity Advisor, Ministry of Communications, Ghana / Emmanuel Kessler, Office central de lutte contre la criminalité liée aux technologies de l'information et de la communication, France</p> <p>Rapporteur: Jayantha Fernando, Chairman, Sri Lanka CERT</p> <p>Secretariat: Giorgi Jokhadze/ Mariana Chicu (Project Managers, C-PROC, Council of Europe)</p> <p>▶ Introduction and objective of the workshop [5 min]</p>

<p>Coffee break 16h00 – 16h15</p>	<ul style="list-style-type: none"> ▶ “Incidents” versus “crime”: defining the terms and response [30 min] <ul style="list-style-type: none"> – Common Taxonomy for Law Enforcement and CSIRTs (Gregory Mounier, EC3, Europol) – Reporting incidents vs. reporting cybercrime (managed discussion) ▶ One incident, two paths? Differences between incident handling and criminal investigations [45 min] <ul style="list-style-type: none"> – Current incident handling frameworks for CSIRTs (Sabin Popescu, Deputy Director, CERT-RO) – Preserving integrity of evidence in incident handling (Emmanuel Kessler, Ministry of Interior, France) – Human rights implications of incident handling/law enforcement response (Marko Juric, Zagreb University, Croatia) ▶ Critical infrastructure protection: a major case for cooperation [45 min] <ul style="list-style-type: none"> – Case study: major attack on critical infrastructure (Oleksandr Bakalynskiy, State Service of Special Communication and Information Protection of Ukraine) – Defining critical infrastructure (David Kvatadze, Manager, CERT.GOV.GE) – Incident handling vs criminal justice response in protecting critical infrastructure: pros and cons (managed discussion) ▶ What could be done to improve CSIRT cooperation with law enforcement? [30 min] <ul style="list-style-type: none"> – Operational examples and suggestions from participating countries – Capacity building example: EU4Digital/CyberEast (Nicholas Cendrowicz, Deputy Head of Unit, DG NEAR, European Commission) ▶ Conclusions [10 min]
THU, 21 NOVEMBER – FRI, 22 NOVEMBER	
<p>Workshop session</p>	<p>Room 1 Languages: English / French / Spanish</p>
<p>Thu, 14h30 to Fri, 13h00</p>	<p>Workshop 4 – Evidence in cyberspace: multi-stakeholder consultation on the Protocol to the Budapest Convention</p> <p>Purpose: The Cybercrime Convention Committee (T-CY) decided in June 2017 to prepare a draft 2nd Additional Protocol to the Budapest Convention on Cybercrime. Negotiations commenced in September 2017 and are expected to last until the end of 2020. The T-CY wishes to continue to engage in close consultation with civil society, data protection experts and industry during the drafting process in order to seek their views and benefit from their experience. This workshop will be an opportunity for consultations on specific draft provisions. The T-CY, therefore, invites comments on draft text published for the purpose of these consultations.</p> <p>Panel: Representatives of the Cybercrime Convention Committee (T-CY)</p> <p>Rapporteur: Betty Shave (Consultant, USA)</p> <p>Secretariat: Alexander Seger (Executive Secretary T-CY, Council of Europe)</p> <ul style="list-style-type: none"> ▶ Objective and context of the consultation <ul style="list-style-type: none"> – Rationale of the Protocol (Alexander Seger)

<p>Coffee breaks Thursday, 16h00 – 16h15 Friday, 10h45 – 11h00</p>	<ul style="list-style-type: none"> – Context and relevant developments: <ul style="list-style-type: none"> – EU E-evidence proposals (Lauri Rautio, Chair of COPEN, Senior Ministerial Adviser, Ministry of Justice, Finland / Tjabbe Bos, Cybercrime Unit, DG Home, European Commission) – US/UK “Cloud agreement” (Kenneth Harris, United States Department of Justice, Senior Counsel for International Criminal Matters, U.S. Mission to the European Union / Daniel Grubb, Cyber Policy, UK Home Office) – Discussion and interventions by stakeholders <p>► Update on work underway</p> <ul style="list-style-type: none"> – Language – Emergency mutual legal assistance – Video conferencing – Other provisions <p>Short presentations on substance and added value of provisions by members of the Protocol Drafting Group followed by discussions and interventions by stakeholders.</p> <p>► Draft provision: “Giving effect to orders from another Party for expedited production of data”</p> <ul style="list-style-type: none"> – The issue to be addressed and related challenges – Draft provision – Discussion <p>Short presentations on the substance and added value of this provision by members of the Protocol Drafting Group and examples of possible domestic implementations, followed by discussions and interventions by stakeholders.</p> <p>► Draft provision: “Direct disclosure of subscriber information” by providers in other Parties</p> <ul style="list-style-type: none"> – The issue to be addressed and related challenges – Draft provision – Discussion <p>Short presentations on the substance and added value of this provision by members of the Protocol Drafting Group and examples of possible domestic implementations, followed by discussions and interventions by stakeholders.</p>
FRI, 22 NOVEMBER	
<p>Workshop session</p>	<p>Hemicycle Languages: English / French / Spanish</p>
<p>9h30 – 13h00</p>	<p>Workshop 5 – Cybercrime, “fake news” and election interference</p> <p>Purpose: Interference with elections through malicious cyber activities against computers and data used in elections and election campaigns undermines free, fair and clean elections and trust in democracy. Disinformation operations, as experienced in particular since 2016, may have the same effect. Measures to counter such treats may in turn create risks to other core values such as the freedom of expression. The purpose of this workshop is to map responses and possible risks, and identify priority actions to be taken by different stakeholders.</p> <p>Moderator: Cathie Burton (Journalist, Division of Web and Audio-Visual</p>

Coffee break
10h45 – 11h00

Communication, Directorate of Communications of the Council of Europe)

Rapporteur: Anne-Kari Valdal (Consultant at Proactima, Norway)

Secretariat: Marie Agha-Wevelsiep (Project Manager, C-PROC, Council of Europe) / Gaël Martin-Micallef (Legal Adviser, Venice Commission, Council of Europe)

► **Introduction and objective of the workshop** [10 min]

► **E-threats to democracy** [60 min]

- Introductory presentation: Venice Commission's Report on digital technologies and elections by Richard Barrett, Deputy Director General of the Office of the Attorney General, Member of the Venice Commission, Ireland
- Case study: Election interference via malicious cyber activities (Ryan Bloom, Managing Director of Analysis for Threat Investigations at NISOS)
- Discussion

► **Responses** [100 min]

- Cybersecurity
 - Discussion: how to secure systems to secure public trust?
 - Introduction (Liisa Past, Chief Research Officer of the Information System Authority of Estonia / Anna Nyqvist, Director of the Election Authority of Sweden, Valmyndigheten)
- Criminal justice responses
 - Budapest Convention on Cybercrime - Guidance Note on Election Interference (Markko Kunnapu, Legal adviser Ministry of Justice of Estonia)
 - Discussion:
 - Why is election interference not prosecuted? (Albert ANTWI-BOASIAKO, National Cybersecurity Advisor, Ghana)
 - Is a conventional criminal justice response adequate? (Kannan G.), Senior Director (Technology Crime), Attorney-General's Chambers, Singapore)
- Responses to disinformation
 - Legal responses: Protection from Online Falshoods and Manipulation Act, Singapore
 - Adapting rules on transparency and accountability in elections to the age of the Internet (Anna Nyqvist, Head of Unit for IT and Communication at the Election Authority of Sweden)
 - Role of Media (Marie Bohner, Project Manager, the First Draft Network)
 - Role and responsibility of the private sector (Adria Rodriguez, ScytI/Ryan Bloom, NISOS)
 - Discussion

► **Conclusions: Priority actions** [20 min]



FRI, 22 NOVEMBER

Plenary session	Hemicycle	Languages: English / French / Spanish
14h30 – 17h00	Plenary <ul style="list-style-type: none">▶ Results of workshops▶ Lightning talks<ul style="list-style-type: none">– Up to 10 talks [max 5 min/1 slide]▶ Current future challenges: What to expect from artificial intelligence?<ul style="list-style-type: none">– Introduction (Patrick Penninckx, Head of Information Society Department, Council of Europe)– Discussion▶ Octopus take-aways (panel)▶ Concluding panel<ul style="list-style-type: none">– Amabelia Chuquela (Deputy Attorney General, Mozambique)– Gabriel Juarez Lucas (Deputy Minister for Information and Communication Technologies, Guatemala) 	
17h00	End of conference	