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Strasbourg, 24 January 2020



T-CY (2020)2
Public

Cybercrime Convention Committee (T-CY)

Preparation of a 2nd Additional Protocol to the Budapest Convention on Cybercrime

Summary report of the 10th Meeting of the T-CY Protocol Drafting Group (Strasbourg, 21 – 24 January 2020)

Summary report

The 10th meeting of the T-CY Protocol Drafting Group was held in Strasbourg from 21 to 24 January 2020. It was chaired by Cristina Schulman (Romania, Chair of the T-CY).

65 representatives from Argentina, Australia, Belgium, Canada, Chile, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Germany, Italy, Japan, Latvia, Mauritius, Netherlands, Norway, Portugal, Romania, Slovakia, Spain, Sri Lanka Ukraine, United Kingdom and USA as well as experts of the European Commission participated.

Representatives of the PC-OC Restricted Group of experts on international co-operation (PC-OC¹ MOD) joined the meeting on Friday, 24 January, for an exchange of views.

The PDG:

- In the opening:
 - Underlined the importance of concluding the preparation of the 2nd Additional Protocol to the Convention on Cybercrime as soon as possible given international developments in this field;
 - Reviewed the stakeholder consultations held within the framework of the Octopus Conference in November 2019.

- Held discussions and worked on text on:
 - Joint investigation team and joint investigations;
 - Undercover investigations;
 - Data protection safeguards.

- Held an exchange of views with representatives of the PC-OC MOD

- Agreed to put on the agenda of the next PDG (17 March – 20 March 2020):
 - Undercover investigations: finalisation of draft;
 - Data protection;
 - Extended searches: review of feasibility;
 - Direct cooperation with providers: initial discussion on preservation requests, disclosure of content in emergency situations, WHOIS/Domain registration data;
 - Joint investigation teams and joint investigations: review of comments if necessary.

¹ Council of Europe Committee of Experts on the Operation of European Conventions on Co-operation in Criminal Matters (PC-OC)