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Cybercrime Convention Committee (T-CY)

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

Summary report of the 11th Meeting of the T-CY Protocol Drafting Group (Virtual meetings on 2, 4 and 9 June 2020)

Summary report

The 11th meeting of the T-CY Protocol Drafting Group was foreseen to take place in Strasbourg from 17 to 20 March 2020. Due to the COVID-19 pandemic it was postponed and then held in the form of virtual meetings on 2, 4 and 9 June 2020. It was chaired by Cristina Schulman (Romania, Chair of the T-CY).

96 representatives from Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Canada, Chile, Colombia, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Germany, Hungary, Italy, Japan, Latvia, Lithuania, Mauritius, Netherlands, Norway, Portugal, Romania, Serbia, Slovakia, Spain, Sri Lanka, Ukraine, United Kingdom and USA as well as experts of the European Commission participated in one or more of the virtual sessions.

The PDG:

- Opening: the PDG noted the comments made by the Chair:
 - the COVID-19 pandemic was accompanied by a large increase in cybercrime;
 - PDG members continued to contribute to advance the Protocol through virtual meetings;
 - the draft Protocol should be completed as soon as possible.

 - The PDG discussed updates and worked on provisions on:
 - Direct preservation requests to service providers;
 - Direct disclosure by a provider in an emergency;
 - Undercover investigations by means of a computer system;
 - Request for domain name registration information (WHOIS);
 - Data protection.

 - The PDG noted that the draft provision on “Joint investigation team and joint investigations” was provisionally adopted in May 2020 by the Protocol Drafting Plenary via silent procedures.

 - The PDG agreed to put on the agenda of the next PDG (virtual meetings from 30 June to 2 July 2020):
 - Undercover investigations;
 - Direct/expedited disclosure in an emergency;
 - Domain name data (WHOIS);
 - Data protection.
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