

www.coe.int/TCY

Bucharest, 9 September 2020



T-CY (2020)24
Public

Cybercrime Convention Committee (T-CY)

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

Summary report of the 13th Meeting of the T-CY Protocol Drafting Group (Virtual meetings between 3 and 9 September 2020)

Summary report

The 13th meeting of the T-CY Protocol Drafting Group was held in the form of virtual meetings on 3, 4, 8 and 9 September 2020. It was chaired by Cristina Schulman (Romania, Chair of the T-CY).

88 representatives from Albania, Argentina, Australia, Austria, Belgium, Canada, Chile, Colombia, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Germany, Hungary, Italy, Japan, Lithuania, Malta, Netherlands, Norway, Portugal, Romania, Serbia, Slovakia, Spain, Ukraine, United Kingdom and USA as well as experts of the European Commission participated in the virtual sessions.

- Opening: the PDG noted the comments made by the Chair that:
 - Protocol negotiations started three years ago, in September 2017, and that progress was made on several provisions due to the hard work by PDG members;
 - negotiations demonstrated that the Parties to the Budapest Convention share a common understanding of an Internet providing for the free flow of information where restrictions need to be clearly defined and be proportionate and subject to appropriate safeguards, including data protection, and that because of this common understanding it was possible to reach compromise solutions to complex issues;
 - it was important to undertake the necessary efforts to prepare the draft Protocol by the end of 2020;

 - The PDG discussed updates and worked on provisions on:
 - Extension of searches;
 - Undercover investigations by means of a computer system;
 - Expedited disclosure in an emergency;
 - Request for domain name registration information (WHOIS);
 - Data protection;
 - Common and final provisions.

 - The PDG agreed to put on the agenda of the next Protocol Drafting Plenary (22 to 25 September):
 - Expedited disclosure in an emergency for finalisation;
 - Domain name data (WHOIS) for finalisation;
 - Extension of searches for update on state of play;
 - Undercover investigations for update on state of play;
 - Data protection for update and exchange of views;
 - Common and final provisions for update and exchange of views.
-