

Cybercrime: common standards and joint action

Workshop 23

Wednesday 15 September, 14.15–16.15 (Room 4)



Focus

Instruments and tools to cope with cybercrime are already available. The core problem is that these are not necessarily implemented in all countries and regions of the world. The workshop is to discuss the following possible solutions:

- *Reinforcing global capacity building (technical assistance) efforts to support countries in the implementation of existing tools and instruments in a pragmatic manner.*
- *Setting up of a mechanism (a type of “Cybercrime Action Task Force”) to determine needs and review progress made by countries in the implementation of the Budapest Convention and other instruments and tools.*

In the face of the growing threat of cybercrime, governments and other public and private sector institutions as well as international organisations have developed a wide range of instruments and tools.

Common standards include the Budapest Convention on Cybercrime with legislative measures to criminalise offences against and by means of computer data and systems, with tools for efficient investigations and the preservation, search and seizure of electronic evidence, and measures for effective international cooperation in line with human rights and rule of law standards.

Numerous other organisations and public and private sector stakeholders have prepared further tools and concluded agreements for training, the creation of high-tech crime units and of 24/7 points of contact, the protection of children, the prevention of fraud, the prevention of terrorism, public-private and multi-stakeholder cooperation, and many others.

These are constantly reviewed, updated or improved and new ones are being developed, for example, to allow for investigating cybercrime in the context of cloud computing or for the search, seizure and confiscation of criminal money on the internet.

However, available tools and instruments are not necessarily made use of in all countries and regions of the world.

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This was pointed out at the Octopus conference on Cooperation against Cybercrime (www.coe.int/octopus) in Strasbourg in March 2010 but also at the United Nations Congress on Crime Prevention and Criminal Justice (Salvador, Brazil, April 2010).

Support to the effective implementation of existing tools and instruments appears to be the most pragmatic way ahead to help societies cope with the challenge of cybercrime.

Common and urgent efforts to strengthen legislative frameworks, criminal justice capacities, international cooperation and public/private cooperation, the protection of children and measures against criminal money flows on the Internet are therefore required based on tools and instruments already available, or easily adaptable. Additional resources will be required and efforts would need to be undertaken to facilitate access to funds for development assistance (ODA) for measures against cybercrime.

Based on good practices and initiatives underway, the workshop is to discuss how capacity building can be further promoted.

The second question to be addressed by the workshop is whether the setting up of a mechanism ("Cybercrime Action Task Force") for cooperation among governments and public and private sector organisations committed to take action against cybercrime may help mobilise support and ensure the implementation of existing tools and instruments. Such a mechanism could, in particular, assess progress made by countries and organisations.

The workshop should contribute to further international debates on this matter.

Panellists:

- Markko Künnapu, Ministry of Justice of Estonia and chair of the Cybercrime Convention Committee (T-CY)
- Rusudan Mikhelidze, Ministry of Justice of Georgia
- Zahid Jamil, Pakistan
- Jayantha Fernando, Director/Legal Advisor, ICT Agency of Sri Lanka
- Laurent Masson, Director for Anti-Piracy and Digital Crimes for Microsoft in Europe, Middle East and Africa (EMEA)
- Cristina Schulman, Council of Europe

Moderator: Alexander Seger, Council of Europe

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