COUNCIL OF EUROPE ACTION AGAINST CYBERCRIME

As societies rely on information and technology they become increasingly vulnerable to risks, in particular cybercrime. The Convention on Cybercrime provides a response to this risk, not only in Europe but worldwide. Through the Project on Cybercrime the Council of Europe supports countries all over the world in the implementation of the Convention.

The Convention on Cybercrime (2001)

State Parties

Albania, Armenia, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, Estonia, Finland, France, Hungary, Iceland, Italy, Latvia, Lithuania, Netherlands, Norway, Romania, Slovakia, Slovenia, "the former Yugoslav Republic of Macedonia", Ukraine, United States.

Signatory States

Austria, Azerbaijan, Belgium, Czech Republic, Georgia, Germany, Greece, Ireland, Luxembourg, Malta, Moldova, Montenegro, Poland, Portugal, Serbia, Spain, Sweden, Switzerland, United Kingdom, Canada, Japan, South Africa.

- The Convention is the only binding international instrument on this issue and serves as a guideline for any country wishing to draw up comprehensive national legislation to combat cybercrime, and as a framework for international co-operation between State Parties to this treaty.
- It is supplemented by a Protocol on Xenophobia and Racism committed through computer systems (2003).
- The Convention defines conduct rather than technology, ensuring that laws and procedures remain valid even as technology evolves.
- It is open to non-member states of the Council of Europe.
- The Convention on the prevention of terrorism (2005) makes provisions for making the recruitment and training of terrorists via the Internet a terrorist offence.

Objectives

- to criminalise offences against the confidentiality, integrity and availability of computer data and systems, computer-related offences, content-related offences (ie child pornography, racism and xenophobia) and offences relating to infringement of copyright and associated rights in a consistent and harmonised manner;

- to set up procedures to make investigations more efficient;
- to provide a legal basis for international co-operation between States Parties to the Convention, including exchanges of spontaneous information, extradition and international mutual assistance, and contact points working round the clock, 24 hours a day, seven days a week.

Achievements

- More than 100 countries around the world are now strengthening their legislation using the Convention on Cybercrime as a guideline or "model law". These include Argentina, Benin, Botswana, Brazil, the countries of the Caribbean, Chile, Colombia, Costa Rica, the Dominican Republic, India, Indonesia, Mexico, Morocco, Niger, Nigeria, the Philippines and Sri Lanka.
- Cooperation between key stakeholders strengthened, including public-private cooperation.
- The Project on Cybercrime is financially supported by contributions from Microsoft and the Government of Estonia; other private sector partners and initiatives participate in project activities.
- Guidelines to strengthen co-operation between law-enforcement agencies (the police and criminal justice authorities) and Internet service providers in the investigation of cybercrime adopted in April 2008 under the Project on Cybercrime.
- Training of law enforcement officials, prosecutors and judges promoted.
- Stronger capacities for international investigations through the establishment of 24/7 contact points, the training of competent authorities for judicial cooperation and close cooperation between the Council of Europe, Interpol, Europol and the G8 High-tech crime subgroup.

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