



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)

States parties

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

Signatory states

Austria, Belgium, Czech Republic, Georgia, Greece, Ireland, Liechtenstein, Luxembourg, Malta, Poland, Sweden, Switzerland, United Kingdom, Canada, Japan, South Africa.

Invited to accede

Chile, Costa Rica, Dominican Republic, Mexico, Philippines.

- 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 States Parties to this treaty.
- It is supplemented by a Protocol on xenophobic and racist acts 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.

Objectives

- to criminalise offences against the confidentiality, integrity and availability of computer data and systems, computer-related offences, content-related offences (i.e. 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, Cambodia, countries of the Caribbean, Chile, Colombia, Costa Rica, the Dominican Republic, India, Indonesia, Mauritius, Mexico, Morocco, Niger, Nigeria, the Philippines, Senegal, Sri Lanka and many others.
- Cooperation between key stakeholders strengthened, including public-private cooperation.
- The Project on Cybercrime is now in phase 2 and is financially supported by contributions from Estonia, Monaco, Romania, Microsoft and McAfee; 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. They are now being applied in several countries and also made use of by the European Union.
- A concept for the training of judges and prosecutors in matters related to cybercrime and electronic evidence adopted in September 2009.
- A typology study on criminal money flows on the Internet is being prepared by the global Project on Cybercrime jointly with MONEYVAL and led by the Russian Federation.
- Measures promoted to protect children against online sexual exploitation and abuse in line with the Convention on Cybercrime (CETS 185) and the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS 201).
- Stronger capacities for international investigations through the establishment of 24/7 contact points and close cooperation between the Council of Europe, Interpol, Europol and the G8 High-tech Crime Subgroup.

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