



COUNCIL OF EUROPE    CONSEIL DE L'EUROPE

**Ministry of Justice Bulgaria**

CEAD 20681

## **Workshop on Cybercrime legislation and training of judges**

17-18 December 2007, Plovdiv, Bulgaria

**Organised by the Ministry of Justice of Bulgaria  
in cooperation with the Council of Europe**

### **Objective**

The workshop is aimed at two objectives:

1. To review the effectiveness of the existing legislation on cybercrime. This will include an assessment of the current legislation against the provisions of the Convention on Cybercrime which Bulgaria ratified in 2005 and the preparation of proposals for further improvements of the legislation
2. To train judges in the application of current cybercrime legislation. This will include their participation in the review of the current legislation, raising awareness of cybercrime, presentations and discussions on the investigation, prosecution and adjudication of cybercrime, the gathering of electronic evidence and proposals for future training for judges

### **Participants**

Up to 70 participants in total:

- Representatives from the Ministry of Justice, Prosecution and Ministry of Interior (National Service Organised Crime) involved in cybercrime and legislation
- Up to 35 judges from Bulgaria (District Courts)
- Up to 5 judges serving as trainers at the National Institute of Justice
- Judges from "the former Yugoslav Republic of Macedonia", Romania and Serbia

### **Contact**

#### **Ministry of Justice**

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## Programme (tentative)

Day 1	
Morning (9h00 – 12h30)	<p><b>Opening</b></p> <p>Opening statements by:</p> <ul style="list-style-type: none"> <li>▪ Peter Rashkov (Justice Affairs Councillor, Permanent Representation of the Republic of Bulgaria to the EU)</li> <li>▪ Alexander Seger (Council of Europe)</li> </ul> <p><b>1. Review of cybercrime legislation</b></p> <ul style="list-style-type: none"> <li>▪ The Convention on Cybercrime (Alexander Seger, Council of Europe)</li> <li>▪ Cybercrime legislation in neighbouring countries (Cristina Schulman, Romania)</li> <li>▪ Cybercrime legislation in Bulgaria (Ilona Krastenjalkova, Supreme Prosecution Office of Cassation)</li> <li>▪ Review of the Bulgarian legislation against the provisions of the Convention (discussion moderated by Marco Gercke)</li> </ul>
<i>Lunch break</i>	
Afternoon (14h30 – 17h30)	<p><b>2. The threat of cybercrime</b></p> <ul style="list-style-type: none"> <li>▪ What is cybercrime? (Alexander Seger, Council of Europe)</li> <li>▪ Current threats: Phishing and other forms of identity theft, fraud, malware, botnets, attacks against critical infrastructure, child pornography and others (presentation by Marco Gercke)</li> <li>▪ Cybercrimes in Bulgaria and neighbouring countries (interventions by participants)</li> </ul> <p><b>3. Investigating, prosecuting, adjudicating cybercrimes</b></p> <ul style="list-style-type: none"> <li>▪ Introduction: Procedural measures under the Convention (Alexander Seger)</li> <li>▪ Specific procedural measures (expedited preservation, production orders, search and seizure of stored computer data, real-time collection of traffic data, interception of content data), legal provisions and the role of judges – how are these applied in practice? (Examples provided by speakers and judges from Bulgaria and participating countries) <ul style="list-style-type: none"> <li>▪ Specific procedural measures from the perspective of the practice (Svetoslav Vasilev, Deputy Director of the Sofia Investigation Service Office)</li> <li>▪ Investigating, prosecuting and adjudicating of online piracy – the USA experience (Matthew Lamberti, Intellectual Property Law Enforcement Coordinator for Eastern Europe, US Department of Justice)</li> </ul> </li> <li>▪ Case studies: Romania (Ioana Albani, Romania and George Dorel Matei, Romania) Serbia (Bojana Paunovic, Serbia)</li> </ul>

<b>Day 2</b>	
Morning (9h00 – 12h30)	<ul style="list-style-type: none"> <li>▪ Electronic evidence in court (Fredesvinda Insa and Carmen Lázaro, CYBEX, Spain)</li> </ul> <p><b>4. International cooperation</b></p> <ul style="list-style-type: none"> <li>▪ The provisions of the Convention on Cybercrime and their implementation in practice (presentation by Cristina Schulman and Ioana Albani)</li> <li>▪ Examples from Bulgaria, Serbia and “the former Yugoslav Republic of Macedonia”</li> </ul>
<i>Lunch break</i>	
Afternoon (14h30 – 16h30)	<p><b>5. Training on cybercrime for judges</b></p> <p>Training in Bulgaria to date:</p> <ul style="list-style-type: none"> <li>▪ Thomas Peebles, Resident Legal Advisor, US Department of Justice – OPDAT, United States Embassy</li> </ul> <p>Proposals by judges from Bulgaria and participating countries on:</p> <ul style="list-style-type: none"> <li>▪ Identification of training needs</li> <li>▪ Organising training for judges</li> </ul> <p><b>6. Closing session</b></p>