



[www.coe.int/cybercrime](http://www.coe.int/cybercrime)

**Information Security Forum – 20<sup>th</sup> Annual World Congress**

**Cybersecurity and fundamental rights: what are the issues?**

**Vancouver, 1-3 November 2009**

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**About the Council of Europe ... [www.coe.int](http://www.coe.int)**

**Measures against crime**

**in order to promote**

**democracy  
rule of law  
human rights**

*Established in 1949  
Currently 47  
member States*

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# Cybersecurity and fundamental rights: Context

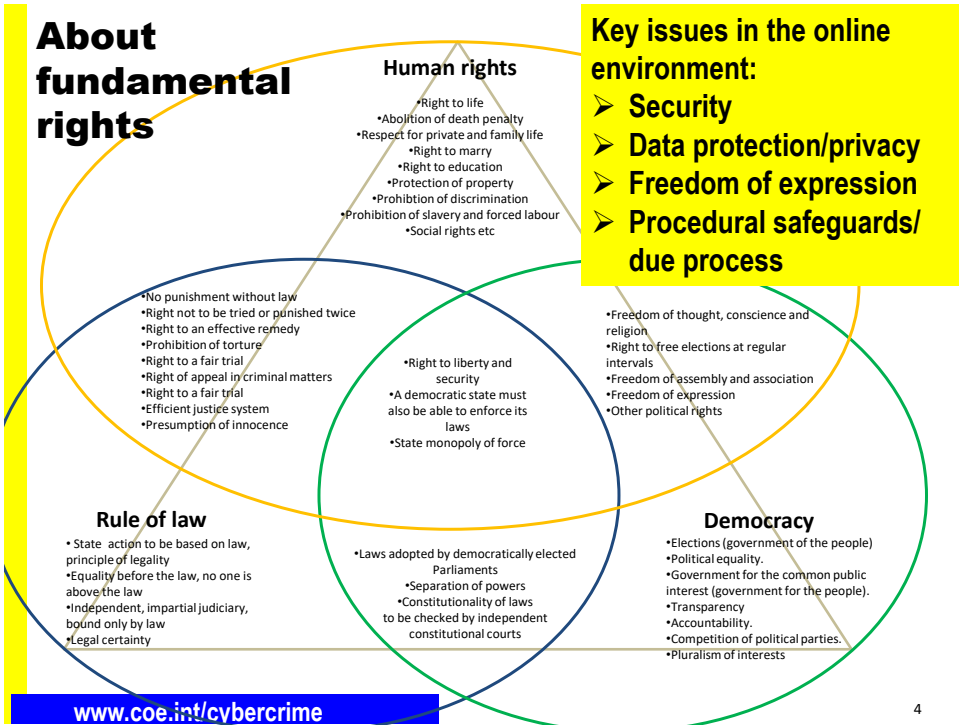
- Reliance of societies on ICT -> vulnerable to cybercrime and threats
- Global network/information society vs constitutional nation state
- Internet governance
- WSIS (Geneva 2003/Tunis 2005): ICT to contribute to development, human rights, democracy, rule of law
- Multitude of stakeholders
- Fora and networks (Internet Governance Forum, EuroDiG, ISF)
- Technological developments (cloud computing, IPv6 etc) -> what impact on security and fundamental rights?

**Key question: how to ensure security while maintaining due process, freedom of expression and privacy in a global environment?**

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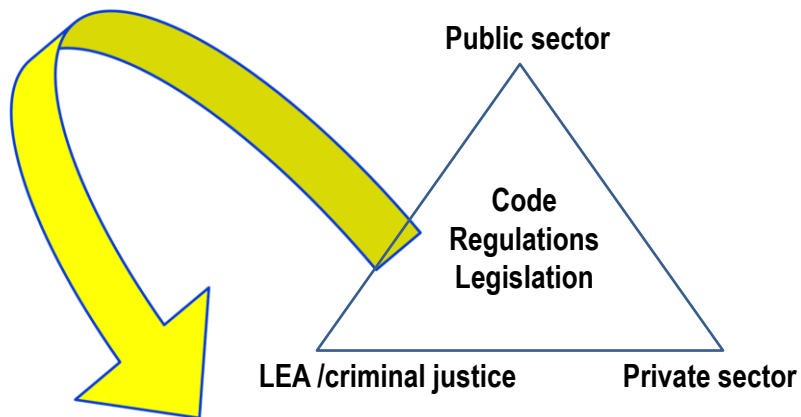
## Measures against cybercrime



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## Measures against cybercrime



Global standards/principles/guidelines:

- For cybercrime: Budapest Convention on Cybercrime (CETS 185)
- For data protection/privacy: ? [CoE Convention on data protection (CETS 108)?]

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## CoE measures against cybercrime

- Define what is criminal conduct -> substantive criminal law
- Provide investigators with effective/efficient tools -> procedural law
- Allow for efficient international cooperation -> international agreements, direct police cooperation, efficient MLA
- Global harmonisation
- Developing legislation
- Law enforcement + judicial training
- Protecting children
- Procedural safeguards + data protection
- LEA – ISP cooperation
- Identifying solutions:
  - Tracing criminal money flows
  - Cooperation LEA + CERT + ?
  - Traceability and accountability: authentication?
  - Security and privacy in the clouds?

“Budapest”  
Convention on  
Cybercrime

Global capacity  
building

Example:  
**Project on Cybercrime**  
CoE with support from  
industry and other partners

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COOPÉRATION CONTRE LA CYBERCRIMINALITÉ

COOPERATION AGAINST CYBERCRIME

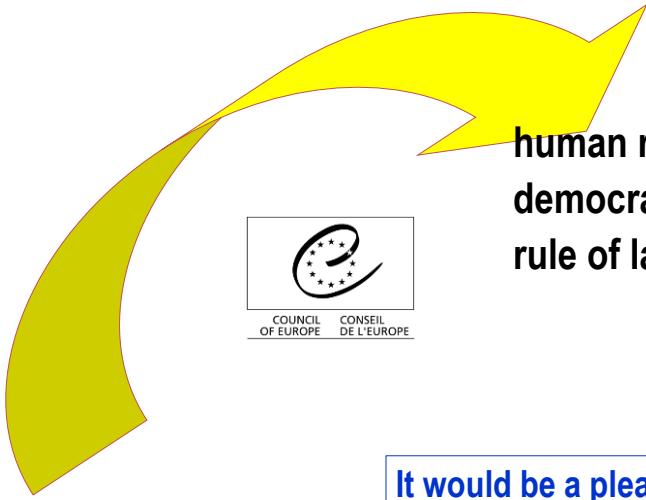
КООПЕРАЦІЯ ПРОТІВ КИБЕРПРЕСТУПНОСТІ

CONSEIL DE L'EUROPE

March  
23-25 Strasbourg, France 2010

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**human rights  
democracy  
rule of law**

**Multi-stakeholder  
cooperation against  
cybercrime**

**It would be a pleasure to work  
with ISF member!**

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