



EuroMed Justice CrimEx 12

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25 of May 2021

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COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Agenda

- **24/7 Contact Points Network**
- **International Network of the National Judicial Trainers**

Responsibilities of 24/7 CP (Art 35)

- the provision of technical advice
- the preservation of data pursuant to art 29 and 30
- the collection of evidence, the provision of legal information, and locating of suspect

Further responsibilities under the SA Protocol to the Budapest Convention

- Article 9 -Expedited disclosure of stored computer data in an emergency
- Article 10 -Emergency mutual assistance

Setup of 24/7 Network

- Directory of 24/7 CP
- 65 members of the Network (Parties to the Budapest Convention)
- T-CY –follow up mechanism
- Established based on law or internal regulations
- Attached mainly to Ministry of Interior (Police) or Prosecutor's Office
- Primarily CP/secondary CP

Strengths of the Network

- It is a trustworthy Network with increasingly strong relations between members
- Cooperation within the Network is expeditious, efficient, in real time and successful
- The list of contact points is kept up to date and thus reliable
- Generally, contact points are available 24/7
- Electronic data can be expeditiously preserved
- The contact points are formed by multidisciplinary and qualified teams
- The electronic data retained through the use of the network and additionally collected through subsequent MLA procedures can be used as evidence in criminal cases
- The Network can be used for obtaining information on legal frameworks of the counterpart
- The Network can facilitate MLA procedures

Templates for requests of data

- Art 29 –Expedited preservation of stored computer data
- Art 31 –Mutual assistance regarding accessing of stored computer data
- Developed based on T-CY 2014 recommendations 5 and 17 (*assessment report on the mutual legal assistance provisions of the Budapest Convention*)
- Non-binding nature

<https://rm.coe.int/t-cy-2018-11-template-article29-request-v26-final/16808c4956>

<https://rm.coe.int/t-cy-2018-10-template-article31-mla-subscriber-v15-final/16808c4955>

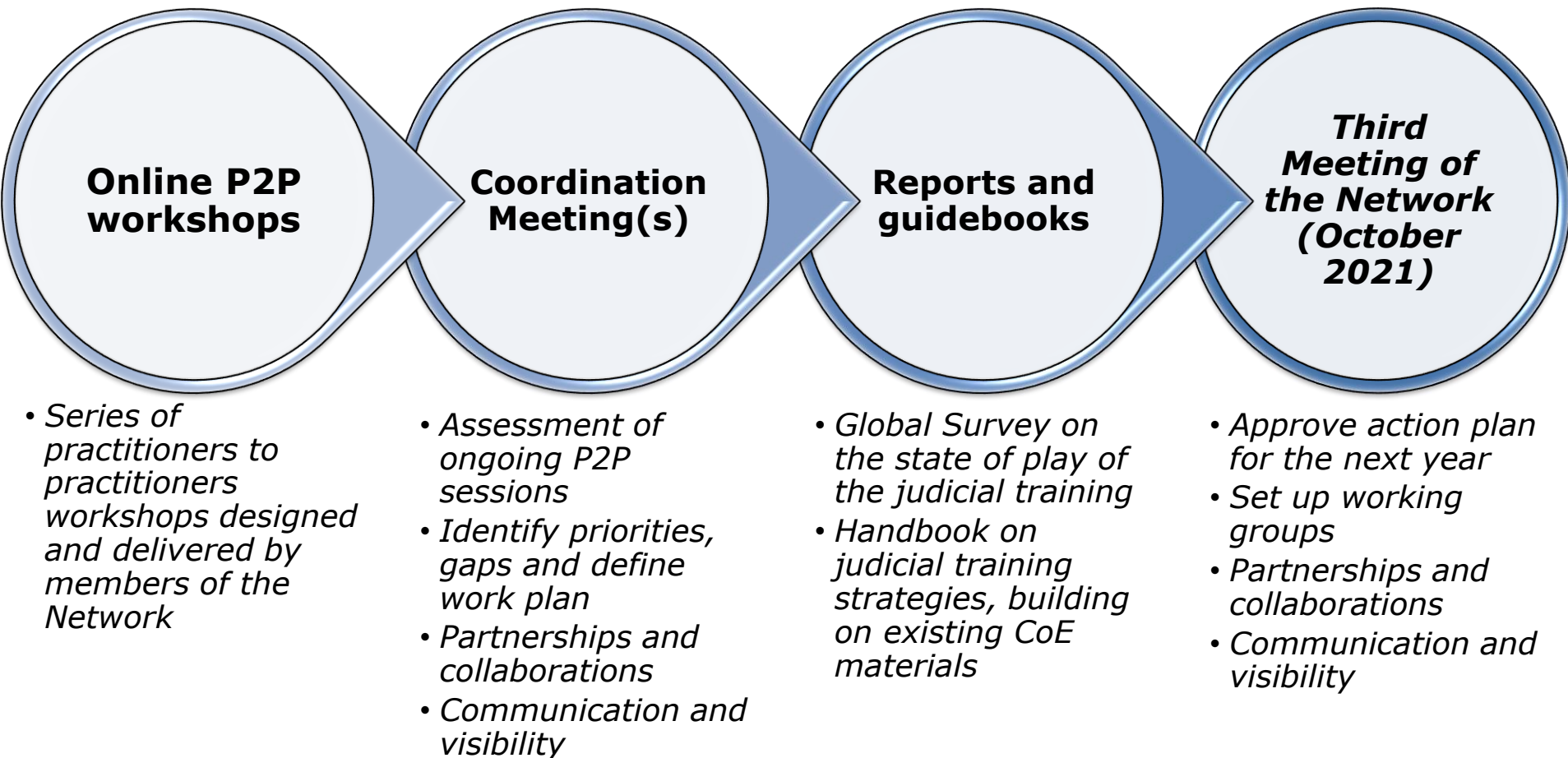
International Network of the National Judicial Trainers

Mission and scope

- facilitate a common and coordinated approach to judicial training on cybercrime and electronic evidence
- strengthen professional networking of trainers

Membership

- Judges, magistrates, prosecutors that have been formed as judicial trainers under the Council of Europe capacity building programmes on cybercrime and electronic evidence
- Judges, magistrates and prosecutors that are vetted by the national training institutions
- Representatives of judicial and prosecutors' training schools
- Judicial training experts vetted by the Council of Europe



Practitioners to practitioners' workshops

- 98% of the respondents expressed the interest to become members of the Network
- 34 respondents in 15 countries expressed the interest to deliver P2P workshops
- Roll out February to July 2021
- By end of May, 4 thematic workshops, with participants from up to 19 countries
- Up to 70 participants attending at the same time in a workshop



Trainers and countries



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