•		
•		

&0cellences, dear colleag!es,

) he Co!ncil of &!rope is pleased to *e a*le to \$or/ alongside the 1 nited - ations, among other organisations present here today, to help address the many iss!es raised *y the e0ploitation of information and comm!nications technologies *y terrorists and their s!pporters2

) he Con+entions on criminal matters are \$idely ratified among the 89 mem*er States, and are open for signat! re and ratification *y other interested non(&!ropean States2

A good e0ample of this is the &!ropean Con+ention on the)ransfer of Sentenced :ersons, ratified *y o+er 6; States, or the B!dapest Con+ention on Cy*ercrime, ratified *y; 0 States incl!ding A!stralia, Canada, <apan, Israel and the 1 nited States of America2

) he Co!ncil \$or/s hard \$ith mem*er States to ma/e s!re that all instr!ments are ef6.161(;)0.444461(0)0.444461()-11868(t)-4.05-4.2735

internet companies, s!ch as internet ser+ice pro+iders, comm!nications ser+ices and content(hosting platforms, to e0ec!te re4!ests *y la\$ enforcement entities in a proper, e0pedited and effecti+e manner2

) hese model information re4! est forms \$ill *e *ased on similar general principles as the '#A model re4! est forms, partic! larly that they \$ill try to find !niform standards, facilitate operational engagement, and help a+oid incomplete or !n\$or/a*le re4! ests2

It is clear that p!*lic/pri+ate cooperation is essential \$hen it comes to the r!le of la\$ in cy*erspace, *e it in relation to terrorism, cy*ercrime or e+idence in the clo!d, and the Co!ncil of &!rope aims to ma/e life easier for *oth state instit!tions and pri+ate companies2

Aithin the frame \$or/ of the B! dapest Con+ention on Cy*ercrime \$hich has *een the leading treaty on Binternational cooperation in

) his not only applies to s!*stanti+e la\$, *!t also to proced!ral la\$ and international cooperation2

)he B!dapest Con+ention re4!ires parties to adopt a set of proced!ral po\$ers to sec!re electronic e+idence, s!ch as search and seiG!re of comp!ter systems, prod!ction orders for data, interception of comm!nications etc2)hese are s!*7ect to r!le of la\$ safeg!ards2)hey apply to electronic e+idence in relation to any crime, incl!ding in relation to terrorist offences2 International cooperation pro+isions also largely apply to cooperation in cases of electronic e+idence, not 7!st cy*ercrime2

Hne diffic! Ity that criminal ?! stice a! thorities are faced \$ith is that electronic e+idence needed is increasingly in foreign, !n/no\$n, m! Itiple or shifting ?! risdictions?

'!t!al legal assistance arrangements are th!s not al\$ays feasi*le or too c!m*ersome to sec!re +olatile electronic e+idence2

) he Cy*ercrime Con+ention Committee therefore esta*lished t\$o years ago a Clo!d &+idence Aor/ing Gro!p to identify sol!tions2

)he "ecommendations of the Clo!d &+idence Gro!p \$ere disc!ssed *y the Committee and *y the international Hctop!s Conference from 18 to 1D - o+em*er2)he res!lts are as follo\$s5

pro+isions for direct cooperation \$ith pro+iders in other 7! risdictions and pro+isions for the protection of personal data2

) he Cy*ercrime Con+ention Committee \$ill hopef!lly decide in <!ne 2019 \$hether to go ahead \$ith the negotiation of a :rotocol to the B!dapest Con+ention2

) hese de+elopments sho\$ that the Con+ention on Cy*ercrime is ali+e and /ic/ing2 It is a*le to address comple0 challenges, incl!ding in relation to the terrorist mis!se of information technologies, \$hile at the same time ens!ring that r!le of la\$ re4!irements are met2

International co(operation to fight crime and terrorism matters m!st not *e seen as an aim in itself, *!t as an indispensa*le means to address transnational pro*lems effecti+ely2)he international comm!nity already has effecti+e tools2)hey m!st no\$ *e p!t into effect2