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EuroMed Justice & EuroMed Police

1st EuroMed Conference on Digital Evidence

Lisbon (Portugal), 23rd – 25th April 2018

PROGRAMME

Venue: Direção nacional da polícia judiciária
Address: R. Gomes Freire 174, Lisbon

Lead Firms / Chefs de file



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1ST EUROMED CONFERENCE ON DIGITAL EVIDENCE

GENERAL PRESENTATION

The first EuroMed Conference on Digital Evidence represents a key phase for the improvement of judicial and law enforcement cooperation between the EU Member States and the South Partner Countries (SPCs). The Conference is the result of joint efforts of the EuroMed Justice and EuroMed Police with the support of UNCTED, UNODC and IAP.

In the context of evolving and volatile cyber environment, the **main purposes** of the EuroMed Conference on Digital Evidence are to provide the judicial and investigating authorities with the tools to secure and obtain cross-border electronic evidence quickly and effectively. Law enforcement and judicial authorities from South Partner Countries experience difficulties to access such data.

PARTICIPANTS

- Representatives of Eurojust (including Task Force on Cybercrime), European Judicial Cybercrime Network (EJCN), European Judicial Network in criminal matters (EJN), Europol, , the United Nations Office on Drugs and Crime (UNODC), the United Nations Counter Terrorism Executive Directorate (UN-CTED) and the International Association of Prosecutors (IAP).
- SPCs Members of EuroMed justice CrimEx.
- EuroMed Police
- SPCs law enforcement representatives in EuroMed Police
- CyberSouth (EU-Council of Europe funded project)
- CT-MENA (EU funded project)
- Service providers
- European Commission representatives
- EU Member States representatives
- Experts – EuroMed Digital Evidence Manual

OBJECTIVES

Moderated by the Senior Experts of the two EuroMed Justice and Police teams, the representatives of the SPCs to the Conference are invited to:

1. Detail the answers to the questionnaires together with challenges in conducting cross-border gathering of digital evidence from Communication and Internet Services Providers (CISPs), exchange experiences and best practices

2. Discuss and agree on the outline and content of the EuroMed Digital Evidence Manual
3. Discuss the needs and SPC-EU interest to create a EuroMed Digital Evidence Fiche/Tool similar with EuroMed Fiche on judicial cooperation
4. Identify the SPC-EU interest to support the creation of the internet – on line information and support portal – gateway – containing main databases of national SPCs and international legislation related to digital evidence
5. Identify the criteria for the selection of National Cybercrime/Digital Evidence Contact Points.

Following the Lisbon Conference, the South Partner Countries, based on consultation and coordination at national level with their representatives in Cyber South and UN Global Initiative will nominate the cybercrime/digital evidence Contact Points that will take part in the “Regional Workshop for the EuroMed Justice Cybercrime/Digital Evidence Contact Points” to be organised in 2019.

Following the 3 days debates, the 1st EuroMed Conference on Digital Evidence will adopt a **Statement** regarding the measures to improve the cross-border access to electronic evidence for criminal investigations and prosecutions.

The 1st EuroMed Conference on digital Evidence will take place in English and French, with simultaneous interpretation to Arabic, English and French.

Sunday, 22nd April 2018

Arrival of the participants

Monday, 23rd April 2018

09.00 - 09.30 Registration

09.30 - 09.50 Opening and Welcome

- *Ms. Joana VIDAL, General Prosecutor of Portugal*
- *Mr. Pedro DO CARMO, Deputy National Director of the Portuguese Judicial Police*

09.50 - 10.10 European Commission proposals

- EU proposal for Electronic Evidence Regulation
- EU proposal for Legal Representatives Directive
- *Mr. Virgil Ivan-Cucu, Key Expert EuroMed Justice*

10.10 - 10.20 Introduction of the 1st EuroMed Conference on Digital Evidence

- EuroMed Justice and EuroMed Police teams
- *Mrs Victoria Palau, EuroMed Justice Team Leader*
- *Mr Michel Quille, EuroMed Police Team Leader*

10.20 - 10.50 UNCTED, UNODC, IAP

- *Mr. Marc PORRET (UNCTED)*
- *Ms. Guadalupe MEGRES (UNODC)*
- *Ms. Oghereruona IGUYOVWE (IAP)*

10.50 - 11.30 Eurojust, EJM, EJCJN

- *Mr. Antonio CLUNY (Eurojust)*
- *Ms. Maria ALMEIDA (EJM)*
- *Ms. Daniela BURUIANA (Eurojust Task Force on Cybercrime)*
- *Mr. Pedro VERDELHO (EJCJN, European Judicial Cybercrime Network)*

11.30 - 11.50 Coffee Break

11.50 - 12.15 Europol, CyberSouth

- *Ms. Beatrice BERTON, Europol*
- *Mr. Ionut STOICA – CyberSouth introduction*

12.15 - 12.25 EuroMed Justice – EuroMed Police Framework Setting

- EuroMed Justice and EuroMed Police teams
 - *Mr. Virgil Ivan-Cucu, Key Expert EuroMed Justice*
 - *Mr. Carlos Garcia, Key Expert EuroMed Police*

12.25 - 13.00 EuroMed Cybercrime/Digital Evidence Contact Points

- EuroMed Justice and EuroMed Police teams
 - *Mr Virgil Ivan-Cucu, Key Expert EuroMed Justice*
 - *Mr Carlos Garcia Key, Expert EuroMed Police*
- Best practices: CiberRed/CiberRede (Iberoamerican Network of Cybercrime Prosecutors) and Forum Cibercrime (Public Prosecutors of the Community of Portuguese Language Countries)
 - *Mr. Pedro VERDELHO, Senior Prosecutor. Attorney's General Office, Portugal*

13.00 - 14.30 Lunch Break

14.30 - 15.15 Presentation of the EuroMed Digital Evidence Manual

- EuroMed Justice and EuroMed Police teams
- EuroMed Digital Evidence Manual experts:
 - *Mr. Dan SUTER, Director iJust - International Justice Consultants, former Specialist Prosecutor (UK)*
 - *Ms. Lina CEPEDA, SP Outreach Expert*
 - *Mr. Marc VARRI, Law Enforcement Consultant*

15.15 - 16.00 Tour de table

- Interventions, debates, questions, comments from the South Partner Countries from international, European organisations and other participants to the Conference

16.00 - 16.15 Coffee Break

16.15 - 17.30 Tour de table

- Interventions, debates, questions, comments from the South Partner Countries, from international, European organisations and other participants to the Conference

End of first day

Tuesday, 24th April 2018

09.30 – 10.00 Update on the questionnaire for the CISPs

- *Ms. Lina CEPEDA, SP Outreach Expert*

10.00 – 10.30 JustPaste.it

- *Mr. Mariouz ZURAWEK, Founder of JustPast.It*

10.30 – 10.50 Coffee Break

10.50 – 11.30 Google

- *Ms. Acadia SENESE (by Videoconference)*

PARALLEL SESSIONS

Parallel session 1

11.30 - 13.00 **Mixt Working Group JUSTICE and POLICE/Law Enforcement** – moderated by EuroMed Justice and EuroMed Police
Debates on the topics mentioned in the Annex one to the program

Parallel session 2

11.30 – 13.00 **Mixt Working Group JUSTICE and POLICE/Law Enforcement** – moderated by EuroMed Justice and EuroMed Police
Debates on the topics mentioned in the Annex one to the program

13.00 - 14.15 Lunch

Parallel session 3

14.15 - 15.30 **Working Group JUSTICE** – moderated by EuroMed Justice
Debates on the content and use of the digital manual and the **Mutual Legal Assistance Request**

1. Who would prepare a MLAR
2. Do you liaise with the OIA before sending to the U.S.
3. Do you already have a Guide dedicated to electronic evidence
4. Do you have model MLARs
5. Any case studies referring to challenges

Parallel session 4

14.15 - 15.30 **Working Group POLICE/LAW ENFORCEMENT** – moderated by EuroMed Police
Debates on the content and use of the digital manual

15.30 - 15.50 Coffee Break

15.50 - 17.00 **Plenary Session**
Reports from the WGs
Debates

End of the Second Day

20.00 **Official dinner offered by the Minister of Justice of Portugal:**

Restaurant “Varanda de Lisboa” (Hotel Mundial)
Praça Martim Moniz 2
1100-341 Lisboa

Wednesday, 25th April 2018

09.30 - 09.45 Cyber South & Budapest Convention

- *Mr. Ionut STOICA, Cybercrime Programme Office (C-PROC)*

09.45 - 10.00 US Cloud Act

- Euromed Experts

10.00 - 10.15 The Digital Evidence - Portugal

- *Mr. Rogério BRAVO, Chief Inspector, Criminal Police, Portugal*

10.15 - 10.30 COMJIB / IBERRED (Conference of Ministers of Justice of Ibero-American countries)

- *Mr. Gabriel JUÁREZ, Deputy Minister of Technology, Information and Communication of Guatemala*

10.30 - 11.00 Q&A

11.00 - 11.20 Coffee break

11.20 - 13.00 Conclusions and way forward

- Final Debates on the EuroMed Digital Evidence Manual
- Draft Conference Statement

13.00 - 14.45 Lunch

14.45 - 15.30 Approval of the EuroMed digital evidence manual. Endorsement of conference statement

15.30 Closing of the Conference

*** End of the Conference ***

Annex 1

Parallel sessions 1 and 2 of the Mixt Working Group JUSTICE and POLICE/Law Enforcement will debate the following topics:

Inter-institutional coordination

1. Which are the methods or procedures allowing judges, prosecutors and law enforcement to coordinate during the process of gathering e-evidence.

Are there any coordination meetings that judges, prosecutors and law enforcement hold during the investigations? How they do that, and how frequent they are?

Preservation

1. Who makes a **preservation request** to Services Providers (SP) **in another State** - is there **one point of contact** to prevent multiple requests
2. How are preservation requests made by Requesting States to SPs **in your State** - directly to any SPs in State or by MLAR
3. What must be included in a preservation request
4. How long does the process take
5. Any good/bad case examples for case studies in the Guide
6. Is the Simplified Uniform Request (SUR) fit for purpose

Emergency Disclosure Request (EDR)

1. Who makes a **emergency disclosure request** to SPs **in another State** - is there **one point of contact** to prevent multiple requests
2. How are EDR requests made by Requesting States to SPs your State - directly to any SPs in State or by MLAR
3. What must be included in an EDR to your State
4. How long does the process take
5. Any good/bad case examples for case studies in the Guide
6. Is the SUR fit for purpose

Voluntary Disclosure

1. Who makes a **voluntary disclosure request** to SPs in another State - is there one point of contact to prevent multiple requests
2. Can voluntary requests be sent by Requesting States directly to any SPs in your State
3. Any good/bad case examples for case studies in the Guide
4. Is the form in Annex E of the Guide fit for purpose