Transforming International Cooperation

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Transforming International Cooperation – The What & Why?

➢ International Cooperation - Formal & Informal / Police to Police/ Judicial/ LEA - Private Sector /

➢ Cybercrime and Electronic Evidence is transnational - underpins the needs of countries for more efficient international cooperation in cybercrime cases and cooperation with service providers to track, arrest and prosecute offenders.
Transforming International Cooperation – The Issues we face

➢ Delays in MLA requests,
➢ Investigators frustration with getting subscriber & traffic data from ISPs/ cloud storage
➢ AI /IoTs Exacerbates Identifying & locating offenders,
➢ Data preservation/ data retention(or lack of)
➢ Collecting & sharing information and evidence,
➢ Transforming intelligence into evidence for prosecutions
International Cooperation – Recommendations for Inclusion in the Report

➢ Multilateral Treaties & MLA – enhancing formal international cooperation frameworks for expediency to the point of being effective in cybercrime cases and electronic evidence, through consensus-based decision making.

➢ Informal cooperation – Strengthen 24/7 networks, inter-institutional collaboration, and improve interoperability through standardization of information requests and authentication procedures and multi-stakeholder buy-in.

➢ Adoption of provisions allowing for direct cooperation with service providers in other jurisdictions with regard to requests for subscriber information, preservation requests, and emergency requests.
International Cooperation – Recommendations for Inclusion in the Report

➢ Jurisdictional issues - Refine mechanisms to mitigate conflicts, and address the challenges of attribution and capacity to investigate.

➢ Tools – Standardisation and dissemination of procedural tools (such as production orders, expedited preservation, trans-border access, etc) available for LEA-Private Sector direct cooperation/solving the tracing problem and their appropriate usage.

➢ The imperative to develop adequate (uniform?) data retention/data preservation rules and timelines to ensure that electronic evidence can be preserved or obtained to support further MLA requests.
International Cooperation – Recommendations for Inclusion in the Report

➢ Standardization of provisions for giving effect to orders from another State for expedited production of data and extending searches.
➢ Improvement of national implementation and enhance improved domestic coordination & synergy, for the collection & sharing of information and evidence for prosecutions.
➢ Standardising frameworks for special investigative techniques, joint investigations and joint investigation teams, to enhance attribution.
International Cooperation – Recommendations for Inclusion in the Report

- Training & Capacity building - sustainable
  - Legislators/Policymakers – commit to improve data retention for law enforcement use/Committing adequate personnel and resources.
  - LEAs/Investigators, Analysts - Improve Ability to forensically Collect and Share Evidence Internationally
  - Judges, Prosecutors, CAUs, lawyers – Effective Adjudication
  - Networking and knowledge sharing – JITs/Engagement on regional and international level to enhance enforcement capabilities ...