
EUROPEAN JUDICIAL CYBERCRIME NETWORK

13TH PLENARY MEETING

12 - 13 DECEMBER 2022

On the 12th of December 2022, the Vice-President of Eurojust Mr. Boštjan Škrlec, welcomed the participants to the 13th Plenary Meeting of the EJCNC, held in hybrid format.

The Vice-President of Eurojust highlighted the efforts Eurojust is developing in relation to the gathering and preservation of digital evidence connected with core international crimes and how they can be relevant to practitioners, namely to the EJCNC Contact Points, as experts in E-evidence.

In relation to the work of the Network, the Vice-President thanked the efforts of the Czech Presidency in proposing the enhancement of the current support to the activities of the Network to a full Secretariat. This is seen as a well-deserved recognition to the work of the EJCNC, which will also enable Eurojust to offer a better support to EU practitioners in the field of cybercrime.

Representatives from Eurojust, Europol, European Judicial Network and European Commission attended the Plenary, which focused in the various aspects of online fraud and lawful access to encrypted content data.

Cooperation with 3rd countries, Joint Investigation Teams, cryptocurrencies and asset recovery in cooperation with Virtual Assets Service Providers were discussed on the first day, with presentations from representatives of Prosecution Services of Germany, Poland and Serbia. The use of Joint Investigations Teams in relation to online fraud, in which victims and perpetrators are located in multiple jurisdictions, was highlighted as a very useful tool for more efficient evidence gathering and successful investigations.

The EJCNC Contact Points for The Netherlands and Slovakia presented a different perspective of online fraud. The focus of this discussion was *modus operandi*, to the fraud directed at the user of a service or platform, how investigations can be focused on the facilitators of the fraud, rather than the fraudsters or money mules and how the platforms can implement mechanisms to protect users.



On the end of day one, the Prosecution Service of The Netherlands - Digital Intrusion Team (DIGIT) presented their work and the discussion on encryption continued on day 2, with the analysis of Eurojust supported cases on encrypted mobile networks (Encrochat, SkyECC and Anom).

In relation to encryption and lawful access to encrypted content, the EJCNC discussed best practices and EU jurisprudence on the topic. This topical discussion was chaired by the EJCNC French Contact Point and included perspectives presented by the French Prosecution Service, EJCNC Belgian Contact Point, a Belgian Investigating Judge and the USA Liaison Prosecutor present at Eurojust.

The European Commission representative presented the Network for discussion the latest developments in relation to the Digital Evidence Package, highlighting the relevance of the EJCNC past and future input on the topic as well as the effective need for a proper support to the Network as proposed by the CZ Presidency.

The Chair of the Cybercrime Team at Eurojust mentioned the very concrete contributions of the Network in relation to cybercrime, thanking the CZ Presidency for the much-needed concrete proposal to create a Secretariat to support the EJCNC, in similarity to the other Networks hosted by Eurojust.

This new Secretariat, mentioned by the CZ Presidency to be created as a priority, will greatly enhance the support given to practitioners in cybercrime cases and improve the synergies already existing between Eurojust and the EJCNC.

In relation to the work developed by the EJCNC, the Chairs of the Subgroups presented the latest developments and plans for 2023, namely:

- the continuation of the Cybercrime, Digital Evidence and Cryptocurrencies Master Classes, an additional practitioners meeting to discuss cryptocurrencies seizure, analysis of data retention legislation and the availability of experts from the Case Building Subgroup to share best practices with colleagues, with the objective of increasing effective international cooperation in cybercrime.

The Plenary was finalized with the discussion of internal matters of the EJCNC.