EUROPEAN JUDICIAL CYBERCRIME NETWORK

14TH PLENARY MEETING

15 - 16 JUNE 2023

On the 15th of June 2023, the Vice-President of Eurojust, welcomed the participants to the 14th Plenary Meeting of the EJCN, held in person with online participations.

The Vice-President highlighted the importance of the EJCN in connecting cybercrime experts and providing knowledge to the judiciary, thanking the EJCN for the continuous support to the work of judicial authorities in cybercrime.

The EJCN Plenary was attended by the Contact Points from EU Member States, Norway, Serbia, Switzerland and the United States, guests from the Japanese Prosecution Service, representatives from Eurojust, Europol, European Judicial Network, Council of the European Union, European Commission and European Union Cybercrime Task Force.

This Plenary meeting focused in the various aspects of challenges of the **metaverse, joint investigation teams in cybercrime, spontaneous information in relation to art. 26. of the Budapest Convention and cooperation with crypto assets service providers**. On day 2, internal matters of the Network and its Subgroups were discussed and inputs were provided by the above mentioned Stakeholders.

Europol Internet Referral Unit presented the topic of the **metaverse**. This presentation described the concept of the **metaverse** and showed the differences between open and closed metaverses. During the presentation, it was pointed out that the open, decentralized metaverses pose a higher risks for abuse by criminal groups, as well as more complex problems in relation to evidence gathering. The Network concluded that the topic of crimes committed with a connection to the metaverse should be followed, as the technology for its use develops.

Joint Investigation Teams in cybercrime pose particular technical and operational challenges due to the complex nature of cybercrime investigations and particular problems of addressing victim remediation connected with ransomware or crypto assets.

This topic discussion was presented by the EJCN Contact Points from Italy, Portugal and Serbia with the presentation of Italian and Serbian cases, that although separated in time and location, showed similarities from

a *modus operandi* perspective and the need to cooperate with private partners, a point that may need to be addressed in a JIT agreement related to cybercrime.

The Network concluded that JITs are a very important tool to fight cybercrime, that should be used widely to obtain a more efficient, swift and coordinated response against cybercrime Organized Criminal Groups and the infrastructure used to support their criminal activity.

On the topic of **spontaneous exchange of information in the fight against cybercrime**, article 26 of the Budapest Convention is a quite relevant provision to facilitate investigations on transnational cybercrime cases, involving several jurisdictions and a high number of victims.

The Network, with the support of a colleague from Eurojust Casework Unit and the Belgian Contact Point, discussed how different jurisdictions might interpret this provision and other connected provisions on international cooperation. The Network concluded that art. 26 of the Budapest Convention should be considered a highly useful tool in cybercrime investigations, which allows the cooperation to really start and develop to a multinational scenario, avoiding as much as possible the use of formal international legal assistance tools.

The topic will continue to be followed in the EJCN Digital Evidence Subgroup.

As crypto assets adoption continues, crypto exchanges have emerged as gateways for investors seeking to navigate the decentralized financial ecosystem but also as portals for criminals to send the proceeds of their activity out into the off chain eco-system.

The discussion on **how to cooperate with Crypto Assets Service Providers** had the presence of representatives from the a private partner (CASP) and from the SIRIUS Project, who informed participants on current available resources on CASPs in the SIRIUS Platform.

The representative from the private sector informed participants on the policies to obtain information and seizure of crypto assets, stressing that it is company policy to cooperate with legal requests from LEA/JA authorities – regulation and compliance create confidence in the industry, expanding cryptocurrency adoption.

It was concluded that the private sector and judicial authorities still have points to discuss on the requirements to obtain data and seize funds from CASPs. The topic will continue to be followed from both sides.

The second day of the Plenary was initiated with a Tour de Table with the EJCN Contact Points, who shared news and relevant cases from their jurisdictions.

The Plenary was then followed by the meetings of the EJCN Subgroups – Case Building (pure cybercrime), Cripto Assets, Data Retention, Digital Evidence and Training, updates by the respective Chairs and by updates from the Stakeholders – Eurojust, European Commission, Council of the European Union,, European Judicial Network, Europol and European Union Cybercrime Task Force.

The Chair of the Cybercrime Working Group informed the Plenary that Eurojust has followed the initiative of the Czech Presidency on the establishment of a permanent Secretariat to support the EJCN in its near

future planning. While these resources are not yet made available, the Spanish Presidency will continue to support this ambition.

The meeting was finalized with the closing remarks of the Spanish Contact Point, who reinforced the idea that the Spanish Presidency will provide its best efforts to have the Council Conclusions concerning the establishment of an EJCN Secretariat at Eurojust implemented.