

## About the project

This training course sponsored by the European Commission is part of a project consisting of eight seminars that will take place in Trier between 2012 and 2015. The project comprises basic training courses on the legal and technical aspects of cybercrime to provide approximately 500 judges and prosecutors with the essential skills necessary to cope with internet-related offences.

## Key topics

- Introduction to cybercrime: definitions, development of computer crime, overview of the most relevant offences and how they are committed
- Legal challenges and solutions in fighting cybercrime: challenges in applying traditional criminal law instruments, procedural law, jurisdictional issues and international cooperation
- Cybercrime case studies (real-life scenarios to be discussed in small working groups)
- Material and procedural jurisdiction in cyberspace

## Who should attend?

This course is primarily aimed at judges and prosecutors.

## Speakers and chairs

**Christiaan Beardman**, Judge, Court of Appeal; Dutch Expertise Centre on Cybercrime, The Hague

**Laviero Buono**, Head of Section for European Criminal Law, ERA, Trier

**Marco Gercke**, Professor of Criminal Law, University of Cologne; Director, Cybercrime Research Institute, Cologne

**Alisdair Gillespie**, Professor, Criminal Law and Justice, De Montfort University, Leicester

**Henrik Kaspersen**, Professor Emeritus, Computer Law, Free University of Amsterdam

**Jan Kerkhofs**, Public Prosecutor, Office of the Public Prosecutor, Dendermonde, Belgium

**Albena Spasova**, President of the International Cyber Investigation Training Academy, Sofia

**Philippe Van Linthout**, Investigating Judge, Court of First Instance, Mechelen, Belgium

## For further information

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Europäische Rechtsakademie  
Academy of European Law  
Académie de Droit Européen  
Accademia di Diritto Europeo



## BASIC TRAINING COURSE ON LEGAL AND TECHNICAL ASPECTS OF CYBERCRIME FOR JUDGES AND PROSECUTORS

FOCUS ON JURISDICTIONAL ISSUES  
IN CYBERSPACE

**Trier, 25-26 April 2013**  
ERA Conference Centre  
Metzer Allee 4, Trier, Germany

**Organiser:**  
Laviero Buono, ERA



With the financial support of the Prevention of and Fight against Crime Programme of the European Commission's Directorate-General for Home Affairs

**Language:** English

**Event number:** 313DT11





## Thursday, 25 April 2013

- 08:30 Arrival and registration of participants
- 09:00 **Welcome and introduction**  
*Laviero Buono*
- PART I  
WITHIN CYBERCRIME: THE CHALLENGE TODAY**
- 09:15 **New trends in organised crime: the cyber menaces**
- Introduction to and definition of cybercrime
  - Different types of offences within cybercrime
  - The effective criminalisation of cyber-offences
  - What is a "botnet"? What do we mean by "phishing"? And "denial of service attacks (DOS)"?
  - EU legislation to fight cybercrime
  - Cybercrime: significant challenges for judges and prosecutors including jurisdictional issues
- Marco Gercke*
- 10:45 Discussion
- 11:00 Break
- 11:30 **Malware, cooperation with the internet industry and data protection issues**
- What is malware and why should we worry about it?
  - *It takes two to tango!* Cooperation with the internet industry as a tool to fight cybercrime
  - Cybercrime and the new challenges for data protection
- Albena Spasova*
- 13:00 Discussion
- 13:15 Lunch

## PART II WORKSHOPS

The workshops use case studies especially prepared for the course and are designed to represent the type of cybercrime cases with which participants will be dealing in real life. The exercise is meant for oral discussion within each working group. The fictitious cybercrime scenario will form an integral part of the documents distributed to participants.

- 14:15 **Presentation of the case by the trainers**  
*Christiaan Baardman*  
*Jan Kerkhofs*  
*Philippe Van Linthout*
- 14:45 **Division into working groups**
- 16:15 Break
- 16:45 **Working group reports (10 minutes each) and discussion**  
*Christiaan Baardman*  
*Jan Kerkhofs*  
*Philippe Van Linthout*
- 17:30 End of first day
- 19:30 Dinner

## Friday, 26 April 2013

## PART III CYBERCRIME JURISDICTION

- 09:00 **Jurisdictional issues in cyberspace**
- The principle of *lex loci delicti commissi* in the digital age
  - Procedural issues and jurisdictional conflicts
  - Remote investigations
- Henrik Kaspersen*
- 10:30 Discussion
- 11:00 Break
- 11:30 **Jurisdictional issues concerning child pornography online**
- Child sexual exploitation facilitated by information and communication technologies: general jurisdictional issues
  - 'Double jeopardy' principle
  - 'Active and passive personality' principle
  - Securing jurisdiction: offender behaviour
- Alisdair Gillespie*
- 12:45 Discussion
- 13:00 End of the course and light lunch

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Programme may be subject to amendment.  
For programme updates: [www.era.int](http://www.era.int)