

## Questionnaire in preparation of the Conference

*The purpose of this questionnaire is to share information on cybercrime legislation and allow to assess the current state of implementation of the Convention on Cybercrime under national legislation. It does not necessarily reflect official positions of the country covered or of the Council of Europe.*

*The questionnaire should be completed by representatives of States participating in the Conference and returned by **15 March 2008** in electronic format to:*

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<b>Country:</b>		
Signature of Convention:	Yes: _____ (Date)	No: _____
Ratification/accession:	Yes: _____ (Date)	No: _____
	<p>If not yet signed/acceded to:</p> <p>What measure are being undertaken in your country to become a Party?</p> <p>What specific obstacles (legislative or other) prevent ratification/accession?</p>	
<b>Provisions of the Convention</b>	<b>Corresponding provisions/solutions in national legislation</b> (pls quote or summarise briefly; pls attach relevant extracts as an appendix)	
Chapter I – Use of terms		
Article 1 – “Computer system”, “computer data”, “service provider”, “traffic data”		
Chapter II – Measures to be taken at the national level		
Section 1 – Substantive criminal law		
Article 2 – Illegal access		
Article 3 – Illegal interception		
Article 4 – Data interference		

Article 5 – System interference	
Article 6 – Misuse of devices	
Article 7 – Computer-related forgery	
Article 8 – Computer-related fraud	
Article 9 – Offences related to child pornography	
Title 4 – Offences related to infringements of copyright and related rights	
Article 10 – Offences related to infringements of copyright and related rights	
Article 11 – Attempt and aiding or abetting	
Article 12 – Corporate liability	
Article 13 – Sanctions and measures	
<i>Section 2 – Procedural law</i>	
Article 14 – Scope of procedural provisions	
Article 15 – Conditions and safeguards	
Article 16 – Expedited preservation of stored computer data	
Article 17 – Expedited preservation and partial disclosure of traffic data	
Article 18 – Production order	
Article 19 – Search and seizure of stored computer data	
Article 20 – Real-time collection of traffic data	
Article 21 – Interception of content data	
<i>Section 3 – Jurisdiction</i>	
Article 22 – Jurisdiction	
<i>Chapter III – International co-operation</i>	
Article 24 – Extradition	
Article 25 – General principles relating to	

mutual assistance	
Article 26 – Spontaneous information	
Article 27 – Procedures pertaining to mutual assistance requests in the absence of applicable international agreements	
Article 28 – Confidentiality and limitation on use	
Article 29 – Expedited preservation of stored computer data	
Article 30 – Expedited disclosure of preserved traffic data	
Article 31 – Mutual assistance regarding accessing of stored computer data	
Article 32 – Trans-border access to stored computer data with consent or where publicly available	
Article 33 – Mutual assistance in the real-time collection of traffic data	
Article 34 – Mutual assistance regarding the interception of content data	
Article 35 – 24/7 Network	
Article 42 – Reservations	<i>No need to fill in this information as it will be copied from the Council of Europe treaty data base</i>

## **Appendix**

Please attach relevant extracts from national legislation referred to in the above table.