



Recommendation 2041 (2014)¹

Final version

Improving user protection and security in cyberspace

Parliamentary Assembly

1. The Parliamentary Assembly, referring to its [Resolution 1986 \(2014\)](#) on improving user protection and security in cyberspace, emphasises the importance of increasing intergovernmental action by the Council of Europe in this field.
2. Welcoming the Committee of Ministers Internet Governance Strategy 2012-2015 and the numerous initiatives it has already taken in this field, the Assembly recommends that the Committee of Ministers:
 - 2.1. consider the feasibility of drafting an additional protocol to the Convention on Cybercrime (ETS No. 185) regarding serious violations of fundamental rights of users of online services;
 - 2.2. analyse to what extent the European Convention on Mutual Assistance in Criminal Matters (ETS No. 30) needs to be updated in order to deal with mutual assistance concerning transnational cybercrime and cyber evidence;
 - 2.3. analyse to what extent the European Convention on the Legal Protection of Services based on, or consisting of, Conditional Access (ETS No. 178) can be utilised in order to increase the security of conditional access systems for online services, in particular as regards “cloud computing” services;
 - 2.4. assist member States, if requested, in the implementation of the Convention on Cybercrime as well as the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108);
 - 2.5. complete, as a matter of urgency, the revision of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, taking into account Assembly [Recommendation 1984 \(2011\)](#) on the protection of privacy and personal data on the Internet and online media;
 - 2.6. support and co-ordinate a pan-European approach to the globalisation of the Internet Corporation for Assigned Names and Numbers (ICANN) and its Internet Assigned Numbers Authority (IANA), as outlined in the Montevideo Statement on the Future of Internet Cooperation of 7 October 2013;
 - 2.7. invite its observer States to work actively with the Council of Europe towards improving user protection and security in cyberspace, and ask them to set up joint initiatives with the Council of Europe in this respect;
 - 2.8. invite the European Union to accede to the Convention on Cybercrime as well as to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data and call on the parties to these conventions to actively prepare this process;
 - 2.9. on the basis of evidence released by Edward Snowden about mass violations of the right to privacy established by Article 8 of the European Convention on Human Rights (ETS No. 5), set up an action plan to prevent these violations.

1. *Assembly debate* on 9 April 2014 (14th Sitting) (see [Doc. 13451](#), report of the Committee on Culture, Science, Education and Media, rapporteur: Mr Axel E. Fischer; and [Doc. 13481](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Arcadio Díaz Tejera). *Text adopted by the Assembly* on 9 April 2014 (14th Sitting).

