**Lesson Plan**

Lesson 2.1.4 - 2.1.5 (Budapest Convention Case Study)

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| Lesson 2.1.4 - 2.1.5 (Budapest Convention Case Study) | | Duration: 90 minutes |
| **Resources Required:**   * PC/Laptop loaded with software versions compatible with the prepared materials * Projector and display screen. * Internet access (if available). * Student notepaper and pens. * Copies of case study and Budapest Convention for delegates | | |
| **Session Aim:**  The purpose of this session is to provide delegates with an opportunity to develop practical aspects of their knowledge of the Budapest Convention by working on a case study problem that covers substantive law, procedural powers, mutual legal assistance and other forms of international cooperation enabled by the Budapest Convention. | | |
| **Objectives:**  By the end of the lesson the delegates will be able to:   * Recall the substantive law, procedural law & international cooperation-related provisions of the Budapest Convention covered in the introductory course * Explain the scope and extent of the substantive law, procedural law & international cooperation-related provisions of the Budapest Convention * Apply the provisions of the Budapest Convention and corresponding domestic legislations apply to case studies related to substantive, procedural & international cooperation law | | |
| **Trainer Guidance**  Budapest Convention is the first international treaty specifically addressing cybercrimes, procedural powers relating to cybercrimes and electronic evidence and international cooperation between parties. This advanced lesson is in the form of a short case study that covers all aspects of the Budapest Convention, relying on concepts covered in introductory modules related to substantive law, procedural powers, mutual legal assistance and public-private cooperation. The case study is appropriately divided into four parts and the accompanying presentation which includes an introduction to the case study has five parts. | | |
| **Lesson Content** | | |
| **Slide Numbers** | **Content** | |
| 1 to 3 | The first slides lay out the structure and objectives of this session. Delegates will be given an opportunity to ask any preliminary questions that they may have regarding the structure and objectives of the session. | |
| 4 to 18 | These slides introduce the delegates to the facts and questions of the case study that the delegates will be expected to work on. The trainer should explain the facts in detail to the delegates and in particular should focus on the key aspects of the facts that are important for the purposes of answering the questions. The trainer should give an opportunity to the delegates to ask any questions about the facts or any of the questions at this preliminary stage before giving them time to solve the case study. | |
| **Case Study Exercise** | | |
| 19 to 35 | These slides cover the questions pertaining to substantive law. It is expected that the delegates have had the opportunity to attempt to answer the relevant questions. The trainer should revise the relevant facts and then deal with each question individually. The slides are organised in this way. Each question is followed by slide(s) highlighting facts relevant to the question, which is followed by slide(s) highlighting relevant parts of related Budapest Convention provisions, which is finally followed by the appropriate responses and explanations.  The trainer should give ample opportunities to the delegates to verbally answer the questions to sharing answers to the questions. These slides are intended to test both theoretical and practical aspects of the delegates’ understanding of the Budapest Convention and in particular concepts related to Articles 2 (Illegal access), 5 (System interference) and 6 (Misuse of devices) of the Budapest Convnetion. | |
| 36 to 51 | These slides cover the questions pertaining to procedural powers. It is expected that the delegates have had the opportunity to attempt to answer the relevant questions. The trainer should revise the relevant facts and then deal with each question individually. The slides are organised in this way. Each question is followed by slide(s) highlighting facts relevant to the question, which is followed by slide(s) highlighting relevant parts of related Budapest Convention provisions, which is finally followed by the appropriate responses and explanations.  The trainer should give ample opportunities to the delegates to verbally answer the questions to sharing answers to the questions. These slides are intended to test both theoretical and practical aspects of the delegates’ understanding of procedural powers of the Budapest Convention and skills in regard to identifying relevant procedural powers to exercise given certain facts. In particular concepts related to Article 16 (Expeditious Preservation of Stored Computer Data), 18.1.a. & 18.1.b. (Production order related to subscriber information & computer data) of the Budapest Convention are tested in this part. | |
| 52 to 64 | These slides cover the questions pertaining to other forms of international cooperation. In particular they cover forms of international cooperation enabled by the Budapest Convention that do not require mutual legal assistance requests. It is expected that the delegates have had the opportunity to attempt to answer the relevant questions. The trainer should revise the relevant facts and then deal with each question individually. The slides are organised in this way. Each question is followed by slide(s) highlighting facts relevant to the question, which is followed by slide(s) highlighting relevant parts of related Budapest Convention provisions, which is finally followed by the appropriate responses and explanations.  The trainer should give ample opportunities to the delegates to verbally answer the questions to sharing answers to the questions. These slides are intended to test both theoretical and practical aspects of the delegates’ understanding of forms of cooperation under the Budapest Convention. In particular concepts related to Article 18.1.b. (Direct trans-border production orders seeking subscriber information) and Article 32 (Trans-border access to data with consent) are the subject of the questions included in this part. | |
| 65 to 79 | These slides cover the questions pertaining to mutual assistance. It is expected that the delegates have had the opportunity to attempt to answer the relevant questions. The trainer should revise the relevant facts and then deal with each question individually. The slides are organised in this way. Each question is followed by slide(s) highlighting facts relevant to the question, which is followed by slide(s) highlighting relevant parts of related Budapest Convention provisions, which is finally followed by the appropriate responses and explanations.  The trainer should give ample opportunities to the delegates to verbally answer the questions to sharing answers to the questions. These slides are intended to test both theoretical and practical aspects of the delegates’ understanding of mutual assistance related provisions of the Budapest Convention and skills in regard to identifying relevant mutual assistance provisions to use given certain facts. In particular concepts related to Article 29 (Expedited Preservation of Stored Computer Data), Article 30 (Expedited Disclosure of Preserved Traffic Data), Article 31 (Mutual assistance regarding accessing stored computer data) and Article 33 (Mutual assistance regarding real-time collection of traffic data) are tested in this part. | |
| 80 to 82 | The trainer should recap the session objectives with the delegates and give them the opportunity to ask any questions relating to the materials covered in this lesson. | |
| **Practical Exercises**  The delegates are expected to complete the case study included in this lesson after the trainer completes Slides 1 to 18. | | |
| **Assessment/Knowledge Check**  No formal assessment has been prepared for this session. The delegates will be expected to participate actively after completion of case study exercise. | | |