Lesson 2.5 Procedural Powers under the Budapest Convention - Part 2

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| Lesson 2.5 Procedural Powers under the Budapest Convention - Part 2 | | Duration: 90 minutes |
| **Resources Required:**   * PC/Laptop loaded with software versions compatible with the prepared materials * Internet access (if available) * PowerPoint or other presentation * Copy of the Budapest Convention | | |
| **Session Aim:**  The aim of this session is to provide the participants with a comprehensive understanding of the elements of the procedural powers related to the search and seizure of stored computer data, real-time collection of traffic data and interception of content data, as well as the jurisdictional scope of the Budapest Convention. The session covers, in detail, each element of Article 19 (search and seizure), Article 20 (real-time collection of traffic data), Article 21 (interception of content data) and Article 22 (jurisdiction). | | |
| **Objectives:**  By the end of this session delegates will be able to:   * Identify the elements of the procedural powers of:  1. Search and seizure of stored computer data 2. Real-time collection of traffic data 3. Interception of content data  * Understand the jurisdictional scope of the Budapest Convention. | | |
| **Trainer Guidance**  This session has been prepared to provide delegates with a comprehensive understanding of the procedural law provisions outlined in Chapter II Section 2. This session has been divided in four parts, in addition to an introduction and a conclusion. The first part covers the search and seizure of stored computer data. The second part covers the real-time collection of traffic data. The third part covers the interception of content data. The fourth part covers the jurisdictional scope of the Budapest Convention.  Prior to delivery of this session, it is recommended that the trainer review Paragraph 184 – 239 of the [Explanatory Report to the Convention on Cybercrime](https://rm.coe.int/16800cce5b).  The trainer may wish to encourage a discussion about how each of the provisions covered in this session have been established under domestic law. | | |
| **Lesson Content** | | |
| **Slide Numbers** | **Content** | |
| 1 to 4  Mandatory Slides | The opening slides are the introduction to the session and include the agenda and the session aims and objectives. | |
| 5 to 18  Mandatory Slides | These slides explain the procedural law provisions related to search and seizure of stored computer data under Article 19 of the Budapest Convention.  The first set of slides provides a summary of the power under Article 19 of the Budapest Convention. It also provides two case studies to demonstrate different ways in which this power has been exercised including seizing physical data storage devices and rendering computer data inaccessible.  The next set of slides have been divided into two columns. The column on the left-hand side replicates the text of Article 19 of the Budapest Convention with a specific element highlighted, while the column on the right-hand side provides an explanation of the highlighted element. The trainer is expected to go through each element, to provide the delegates with a comprehensive understanding of Article 19 of the Budapest Convention. | |
| 19 to 29  Mandatory Slides | These slides explain the procedural law provisions related to real-time collection of traffic data under Article 20 of the Budapest Convention.  The first slide provides a summary of the power under Article 20 of the Budapest Convention.  The next set of slides have been divided into two columns. The column on the left-hand side replicates the text of Article 20 of the Budapest Convention with a specific element highlighted, while the column on the right-hand side provides an explanation of the highlighted element. The trainer is expected to go through each element, to provide the delegates with a comprehensive understanding of Article 20 of the Budapest Convention. | |
| 30 to 42  Mandatory Slides | These slides explain the procedural law provisions related to the interception of content data under Article 21 of the Budapest Convention.  The first set of slides provides a summary of the power under Article 21 of the Budapest Convention. It also provides a case study of the interception of content data in relation to a crime chat network that was being used by tens of thousands of criminals.  The next set of slides have been divided into two columns. The column on the left-hand side replicates the text of Article 21 of the Budapest Convention with a specific element highlighted, while the column on the right-hand side provides an explanation of the highlighted element. The trainer is expected to go through each element, to provide the delegates with a comprehensive understanding of Article 21 of the Budapest Convention. | |
| 43 to 50  Mandatory Slides | These slides explain the jurisdictional scope of the Budapest Convention as outlined in Article 22.  The first slide provides a summary of the jurisdictional scope provided under Article 22 of the Budapest Convention.  The next set of slides have been divided into two columns. The column on the left-hand side replicates the text of Article 22 of the Budapest Convention with a specific element highlighted, while the column on the right-hand side provides an explanation of the highlighted element. The trainer is expected to go through each element, to provide the delegates with a comprehensive understanding of Article 22 of the Budapest Convention. | |
| 51 to 52  Important Slides | 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 module. | |
| **Practical Exercises**  There are no practical exercises associated with this lesson. | | |
| **Assessment/Knowledge Check**  No knowledge check or assessment has been requested for this session. | | |