Lesson 2.2 (Substantive Provisions of the Budapest Convention - Part 1)

|  |  |  |
| --- | --- | --- |
| Lesson 2.2 Substantive Provisions of the Budapest Convention - Part 1 | | 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 offences against the confidentiality, integrity and availability of computer systems and data, established in accordance with the Budapest Convention. The session covers, in detail, each element of Article 2 (illegal access), Article 3 (illegal interception), Article 4 (data interference), Article 5 (system interference) and Article 6 (misuse of devices) of the Budapest Convention | | |
| **Objectives:**  By the end of this session delegates will be able to:   * Understand the meaning of fundamental terms such as:  1. computer data 2. computer system 3. traffic data 4. service provider  * Identify the elements which constitute the offence of:  1. illegal access 2. illegal interception 3. data interference 4. system interference 5. misuse of devices | | |
| **Trainer Guidance**  This session has been prepared to provide delegates with a comprehensive understanding of the definitions under Chapter I of the Budapest Convention and the substantive law provisions outlined in Title 1 of Chapter II Section 1 of the Budapest Convention (Offences against the confidentiality, integrity and availability of computer data and systems). This session has been divided into six parts, in addition to an introduction and a conclusion. The first part covers the definitions of computer system, computer data, traffic data and service provider. The second part covers the offence of illegal access. The third part covers the offence of illegal interception. The fourth part covers the offence of data interference. The fifth part covers the offence of system interference. The sixth part covers the offence of misuse of devices.  Prior to delivery of this session, it is recommended that the trainer review Paragraph 22 – 78 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 9  Mandatory Slides | These slides explain the definitions of the terms under Chapter I of the Budapest Convention, namely “computer system”, “computer data”, “service provider” and “traffic data”.  Each slide has been divided into two columns. The column on the left-hand side replicates the text of the Budapest Convention, while the column on the right-hand side provides an explanation of the definition. | |
| 10 to 20  Mandatory Slides | These slides explain the offence of illegal access, as provided under Article 2 of the Budapest Convention.  The first set of slides provides a summary of the main elements of Article 2 of the Budapest Convention. It also provides two case studies of the offence of illegal access in different countries.  The remaining slides have been divided into two columns. The column on the left-hand side replicates the text of Article 2 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 2 of the Budapest Convention. | |
| 21 to 31  Mandatory Slides | These slides explain the offence of illegal interception, as provided under Article 3 of the Budapest Convention.  The first set of slides provides a summary of the main elements of Article 3 of the Budapest Convention. It also provides two case studies of the offence of illegal interception in different countries.  The remaining slides have been divided into two columns. The column on the left-hand side replicates the text of Article 3 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 3 of the Budapest Convention. | |
| 32 to 41  Mandatory Slides | These slides explain the offence of data interference, as provided under Article 4 of the Budapest Convention.  The first set of slides provides a summary of the main elements of Article 4 of the Budapest Convention. These slides also provide a case study of an Australian man who was tried for allegedly committing the offence of data interference. The slides also have a photo of a trojan horse, which can be used by the trainer to explain how trojans can be used to commit the offence of data interference.  The remaining slides have been divided into two columns. The column on the left-hand side replicates the text of Article 4 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 4 of the Budapest Convention. | |
| 42 to 52  Mandatory Slides | These slides explain the offence of system interference, as provided under Article 5 of the Budapest Convention.  The first set of slides provides a summary of the main elements of Article 5 of the Budapest Convention. These slides include some images that can be used to gain the interest of the delegates – which seek to compare telecommunication systems with the internet, to provide some context on DDOS attacks – one type of system interference. These slides also include a case study of a man sentenced to six-years imprisonment for committing system interference.  The remaining slides have been divided into two columns. The column on the left-hand side replicates the text of Article 5 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 5 of the Budapest Convention. | |
| 53 to 66  Mandatory Slides | These slides explain the offence of misuse of devices, as provided under Article 6 of the Budapest Convention.  The first set of slides provides a summary of the main elements of Article 6 of the Budapest Convention. These slides include some images of skimming devices that a common manifestation of the offence of misuse of devices. These slides also provide two case studies of the offence of misuse of devices.  The remaining slides have been divided into two columns. The column on the left-hand side replicates the text of Article 6 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 6 of the Budapest Convention. | |
| 67 to 68  Important Slides | These slides bring the session to a close – recapping the content and providing opportunity for the delegates to ask questions for clarification. | |
| **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. | | |