**Lesson 2.1 Mechanisms under the Budapest Convention to Facilitate International Cooperation**

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| Lesson 2.1 Mechanisms under the Budapest Convention to Facilitate International Cooperation | | Duration: 90 minutes |
| **Resources Required:**   * PC/Laptop loaded with software versions compatible with the prepared materials * Internet access (if available) * PowerPoint or other presentation software * Copy of the Budapest Convention for participants | | |
| **Session Aim:**  The aim of this session is to provide the participants with a comprehensive understanding of the elements of the international cooperation and mutual assistance provisions of the Budapest Convention and the provisions being considered for the Additional Protocol. The session covers, in detail, each element of Article 23 (general principles related to international cooperation), Article 24 (extradition), Article 25 (general principles related to mutual assistance), Article 26 (spontaneous information, Article 27 (mutual assistance procedures in the absence of applicable arrangements), Article 28 (confidentiality and limitation of use), Article 29 (expedited preservation of stored computer data), Article 30 (partial disclosure of preserved traffic data), Article 31 (mutual assistance regarding accessing of stored computer data), Article 32 (transborder access to stored computer data with consent or where publicly available), Article 33 (mutual assistance regarding the real-time collection of traffic data), Article 34 (mutual assistance regarding the interception of content data) and Article 35 (24/7 Networks) of the Budapest Convention. It will also look in detail at the current proposals under discussion in regards the Second Additional Protocol to the Budapest Convention. | | |
| **Objectives:**  By the end of this session delegates will be able to:   * Reviewing the general provisions of international cooperation and mutual assistance under the Budapest Convention * Reviewing the specific provisions of international cooperation and mutual assistance under the Budapest Convention * Discussing provisions of Second Additional Protocol to the Budapest Convention * Understanding how to use different mechanisms under the Budapest Convention to seek cooperation * Introduction to different templates for MLA requests | | |
| **Trainer Guidance**  This session intends to provide foundational information on the Budapest Convention and on international frameworks that enable international cooperation to the participants. The session has been prepared to provide delegates with a comprehensive refresher of the definitions under Chapter I of the Budapest Convention, substantive law provisions outlined in Chapter II Section 1 of the Budapest Convention, and the procedural law provisions outlined in Chapter II Section 2 of the Budapest Convention. This session has been divided into four parts, in addition to an introduction and a conclusion.  Prior to delivery of this session, it is recommended that the trainer review Paragraph 240 – 302 of the [Explanatory Report to the Convention on Cybercrime](https://rm.coe.int/16800cce5b). | | |
| **Lesson Content** | | |
| **Slide Numbers** | **Content** | |
| 1 to 3  Mandatory Slides | The opening slides are the introduction to the session and include the agenda and the session aims and objectives. | |
| 4 to 39  Mandatory Slides | These slides provide a detailed overview of the general international cooperation and mutual assistance provisions of the Budapest Convention from Article 23 – 28. This covers each element of Article 23 (general principles related to international cooperation), Article 24 (extradition), Article 25 (general principles related to mutual assistance), Article 26 (spontaneous information, Article 27 (mutual assistance procedures in the absence of applicable arrangements), Article 28 (confidentiality and limitation of use). The slides have been divided into two columns. The column on the left-hand side replicates the text 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 these general provisions. This part includes several poll questions. | |
| 40 to 79  Mandatory Slides | These slides provide a detailed overview of the special international cooperation and mutual assistance provisions of the Budapest Convention from Article 29 – 35. This covers each element of Article 29 (expedited preservation of stored computer data), Article 30 (partial disclosure of preserved traffic data), Article 31 (mutual assistance regarding accessing of stored computer data), Article 32 (transborder access to stored computer data with consent or where publicly available), Article 33 (mutual assistance regarding the real-time collection of traffic data), Article 34 (mutual assistance regarding the interception of content data) and Article 35 (24/7 Networks). The slides have been divided into two columns. The column on the left-hand side replicates the text 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 these special provisions. This part includes several poll questions. | |
| 80 to 101  Mandatory Slides | These slides provide details of the Second Additional Protocol to the Budapest Convention. While this is supposed to provide participants with an indication of the scope of the Second Additional Protocol, it will be important to update these slides prior to each delivery to ensure that the work-in-progress condition of the Second Additional Protocol is accurately reflected. | |
| 102 to 115  Mandatory Slides | These set of slides provide some examples of different mutual assistance request forms created by certain jurisdictions such as Hong Kong and the United Kingdom. These slides also go through the Council of Europe templates for requesting mutual assistance in accordance with Article 29/30 and Article 31 of the Budapest Convention. The purpose is to provide the participants with a practical understanding of how the Budapest Convention provisions are implemented when a party makes a request. The trainer can try to make this session interactive by asking the trainers what kind of information they would fill in each part of the Council of Europe templates. | |
| 116 to 118  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. | | |