**Lesson 2.4 Challenges Faced**

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| Lesson 2.4 Challenges Faced | | Duration: 60 minutes |
| **Resources Required:**   * PC/Laptop loaded with software versions compatible with the prepared materials * Internet access (if available) * PowerPoint or other presentation software | | |
| **Session Aim:**  The aim of this session is to provide the participants with an understanding of some of the key challenges faced when it comes to international cooperation in relation to cybercrime and electronic evidence, and possible ways that the Budapest Convention and best practice can address those challenges. | | |
| **Objectives:**  By the end of this session delegates will be able to:   * Recognise key challenges associated with international cooperation with respect to cybercrime and electronic evidence * Identify practical implications posed by the key challenges associated with international cooperation * Explore possible solutions to address the challenges associated with international cooperation | | |
| **Trainer Guidance**  The slides identify some of the key challenges that are faced when it comes to international cooperation in relation to cybercrime and electronic evidence. These include the challenge of speed, the challenge of language, the challenge of time, the challenge of varying legal tradition, and the challenge of attribution. If the trainer has experienced any challenges with respect to international cooperation, these practical examples should also be shared with the participants. The participants may also be asked to share their experiences when it comes to international cooperation, and whether anything they have learned during this course will help them going forward. | | |
| **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 10  Mandatory Slides | These slides discuss the challenge of speed – namely the inherent requirement that international cooperation related to cybercrime and electronic evidence be conducted at a fast pace and how it plays against mutual legal assistance processes which are inherently slow. The slide identifies a practical solution – seeking preservation of the data sought to be obtained from another jurisdiction. This part ends with a poll question. | |
| 11 to 14  Mandatory Slides | These slides discuss the challenge of language – namely the challenge with working across multiple jurisdictions where different languages are used in legal systems. They also identify certain measures that may be adopted to address this challenge, such as making requests in the language of the requested country’s legal system, providing translations of supporting documents and complying with requirements for translation. | |
| 15 to 19  Mandatory Slides | These slides discuss the challenge of time – namely the challenge with working across multiple time zones. Since timestamps are particularly crucial in making sure the correct information is sought, obtained and assessed, states need to be careful about how they state requests to minimise the possibility of any errors. | |
| 20 to 42  Mandatory Slides | These slides discuss the challenge of varying legal traditions. This is one of the biggest challenges when it comes to cooperation. The nature of cybercrime and electronic evidence often requires countries with no political and legal ties to cooperate with one another. These slides first identify different types of legal systems, before explaining how variations in the legal systems can pose challenges with respect to international cooperation. | |
| 43 to 50 | These slides discuss the challenges of attribution – tying a suspect to a particular device at a specific time up to the level of proof required by the local legal system. Since various bits of information that are stored in different places, likely in different jurisdictions, help to complete the attribution, it is often a challenge to collect all such information. | |
| 51 to 53  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. | | |