**Lesson Plan**

Lessons 1.2.3 (Procedural provisions under Budapest Convention)

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| Lessons 1.2.3 (Procedural Rules) | | Duration: 150 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. | | |
| **Session Aim:**  The overall purpose of this session is to provide delegates with a comprehensive understanding of procedural powers that are related to cybercrime and electronic evidence, as envisaged under the Budapest Convention. | | |
| **Objectives:**  By the end of the lesson the students will be able to:   * Explain the procedural provisions of the Budapest Convention * Explain the importance of conditions and safeguards and the way they can be determined | | |
| **Trainer Guidance**  This session has been prepared to provide delegates with a comprehensive understanding of procedural powers that are related to cybercrime and electronic evidence. The session has been divided into three parts, in addition to an introduction and a conclusion. The first part of the session deals with procedural powers in the Budapest Convention on Cybercrime. These slides provide the text of each procedural power in Chapter 2, Section 2 of the Budapest Convention on Cybercrime as well as detailed slides explaining each element in every article. The second part of the session covers conditions and safeguards associated with the procedural powers. | | |
| **Lesson Content** | | |
| **Slide Numbers** | **Content** | |
| 1 to 4 | 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. | |
| 5 to 124 | These slides cover the procedural law provisions under Chapter II, Section 2 of the Budapest Convention. The trainer must first introduce the delegates to basic definitions such as “computer data”, “content data”, “traffic data” and “service provider” as used in the Budapest Convention. Following this, the trainer is required to cover the text and detailed explanations of the following procedural powers in the Budapest Convention:  a. Expedited preservation of stored computer data (Article 16)  b. Expedited preservation and partial disclosure of preserved traffic data (Article 17)  c. Production order (Article 18)  d. Search and seizure of stored computer data (Article 19)  e. Real-time collection of traffic data (Article 20)  f. Interception of content data (Article 21)  Delegates must be taken through the important elements of these procedural law articles of the Budapest Convention. The important elements of each article are individually marked in red text, and each individual highlighted element is followed by slides with explanations of the preceding element. The trainer may opt not to use these detailed non-essential slides; but it is important that each procedural power be explained in sufficient detail. | |
| 125 to 139 | This section looks at the conditions and safeguards provided for under the Budapest Convention, and explains the elements of Article 15. This section also covers rights that are guaranteed by the European Convention on Human Rights and the International Covenant on Civil and Political Rights.  It is important that these slides be delivered in a manner highlights the practical considerations that delegates would need to take into account when exercising procedural powers or dealing with the exercise of procedural powers. For instance, the participants should be made aware of the different rights that may be affected in any cybercrime proceedings, and how such rights may be safeguarded. | |
| 140 to 142 | 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**  No practical exercises are envisaged in this lesson. | | |
| **Assessment/Knowledge Check**  No formal assessment has been prepared for this session. The trainer is encouraged to check knowledge and understanding by asking relevant questions throughout the session. | | |