**2492\_17\_EE course\_materials**

**Comments on Final materials**

**Session 0:**

Slide 4: missing a “to”: “is to provide”

**Session 1:**

Slide 30: exif? data – Google says it is a valid term, but should be written in capital letters

**Session 2:**

Slide 74: I am not sure I understand correctly: “Article 2 through 11” or should be “Article 2 to 11”

Slide 75: “ordre public” should be “order public”? I am not sure, your input is needed ☺.

Slide 78: “ordre public” should be “order public”? I am not sure, your input is needed ☺.

**Session 3:**

**Word doc “Nemo Tenetur ECHR”:**

Page 8: “VeraCrypt” instead of “Veracrypt”

Page 9: “VeraCrypt” instead of “Veracrypt”

**PPT:**

Slide 13 – Notes section: long space/tab underlined below

Paragraph 2 of Article 15 does not limit the types of conditions and safeguards that could be applicable. This article only provides for a list of safeguards that must be implemented as a minimum, where appropriate in view of the nature of the procedure or power concerned (depending on **the more or less intrusive nature of the power or procedure**).

These latter safeguards are:

* a judicial or other independent supervision,
* grounds justifying application,
* and the limitation of the scope and the duration of such power or procedure.

**Independent supervision** and **scope and time limitation** are traditional safeguards that ensure the proportionality of the intrusive measures, by imposing limits to these measures and by enabling the independent verification of the respect of these limitations and of the other principles ensuring rights protection.

The **specification of the grounds** that justify the intrusive measure is another principle that traditionally ensures both the necessity and the proportionality of this measure (this specification enables to verify if the measure that limits freedoms is effectively needed, and if this measure is proportionate to the specific aim to be reached).

The idea that safeguards must be implemented to the extent they are “*appropriate in view of the nature of the procedure or power concerned*” deserves to be further detailed. This indication recalls for the third time the importance of taking into account the surrounding circumstances in the determination of appropriate safeguards. For example, as recalled in the explanatory report to the Convention on Cybercrime, “*Parties should clearly apply conditions and safeguards such as*” the ones mentioned in §2 mentioned in this slide “*with respect to interception, given its intrusiveness*”, but will not apply equally to data preservation. Specific circumstances might also call for safeguards that are not listed in Article 15. According to the explanatory report, these other safeguards “*that should be addressed under domestic law include the right against self-incrimination, and legal privileges and specificity of individuals or places which are the object of the application of the measure*” (for example, the protection of journalists, judges and attorney-at-law offices and correspondence should be reinforced).

Finally, paragraph 3 of Article 15 evokes the necessity to consider the impact of the powers and procedures upon the rights, responsibilities and legitimate interests of third parties, to the extent that it is consistent with the public interest, in particular the sound administration of justice. This requirement is the second aspect of the principle of proportionality, which was mentioned while defining this principle in the previous slide.

The principle of proportionality is ensuring that no other less intrusive power or procedure could enable reaching adequately the objective of this power or procedure, taking into account both the nature and circumstances of the offence, and the nature and legitimacy of the impacted fundamental rights. Paragraph 3 of Article 15 addresses the last part of this latter sentence, by ensuring that implemented safeguards take into account the impact on fundamental rights, responsibilities and legitimate interests of third parties.

Paragraph 3 limits the necessity to reduce the impacts of the power or procedure to situation where this reduction is “consistent with the public interest, in particular the sound administration of justice”. This means that the impact of the powers or procedures must firstly be assessed in relation to the sound administration of justice and other public interests (e.g. public safety and public health and other interests, including the interests of victims and the respect for private life). In the extent that the limitation of the impact of the power or procedure on other rights and interests is compatible with the safeguard of these public interests, then other safeguards should be implemented in order to safeguard these other interests, such as “minimising disruption of consumer services, protection from liability for disclosure or facilitating disclosure under this Chapter, or protection of proprietary interests” (see [1] the explanatory report to the Convention on cybercrime, § 148).

***References:***

[1] Explanatory report to the Convention on cybercrime, §148.

Slide 34: “The state” instead of “The State”

**Session 4:**

Slide 8 – Notes section: “mini USB” instead of “mini usb”

Digital data storage is essentially the recording of digital information in a storage medium, usually by electronic means. The storage device typically enables a user to store large amounts of data in a relatively small physical space, and makes sharing that information with others easy. Ranging from mini usb devices to huge racks of backup storage drives.

Trainer should identify the different types:

Pen drives

External hard drives

Internal hard drives

LTO tape drive

CD/DVD/BR

NAS

Slide 9: format the bullets with the same indent

Type of potential evidence

* Pictures
* Videos
* Audio
* Applications used
* Social Media accounts
* Internet History
* Email
* Etc, etc

Instead of

Type of potential evidence

* Pictures
* Videos
* Audio
* Applications used
* Social Media accounts
* Internet History
* Email
* Etc, etc

Slide 22 – Notes section:

I assume the website should be [www.coe.int](http://www.coe.int) without the “.” afterwards

For this exercise - ask the participants to open a web browser on their own laptop and type in the web address (Domain name) of the Council of Europe. www.coe.int. and to click the return button – this will take them to the CoE website.

You could also ask them to type in any other web addresses that they know or choose a common one like yahoo.com.

The purpose of this exercise is to show that you can reach a website without going through a search engine – as most people would.

Slide 35 – Notes section:

“WiFi” instead of “wifi”

If we switch the phone off wifi and use 4G – the IP will change.

This action was performed three times with the same phone at 14:30, 14:37 and 14:38. Between each IP request the phone was switched to flight mode to cut the connection then reconnected. It is clear to see that a different (although similar) IPv4 was assigned each time.

Slide 45: no comma needed

Several data records make up a data file, and several data files make up a database.

**Session 5 – ok**

**Session 6**

Slide 5: „DVD” instead of „dvd”

Slide 34: “WiFi” instead of “wifi”

**Session 7, 8 – ok**

**Session 9**

**Lesson plan – ok**

**Case file**

Page 7: „observe” instead of „onserve”

Page 7: one “.” to be deleted

There is also a desktop (pc1) in the living room; **Bob** was behind it when the police entered the apartment Bob initiated a format the storage media, which was successful..

Page 8: space before comma to be deleted “The Flickr account, connected” and to be added after the comma

The Flickr account ,connected to the Yahoo account, contains a mass of Daesh propaganda material and a draft of a video claiming to be a terrorist attack on the national airport. It seems to be crucial evidence.

Page 10: “apartment” instead of “apartement”

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Nas1 | NAS-Server | Running | In apartement, yet not found?! | files, pictures and documents reconnaissance national airport |

Page 10: “mail account” instead of “mailaccount”

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Pc2 | Desktop | Running; unlocked; | Bedroom 1 | Open mailaccount [Alice\_in\_wonderland\_72@yahoo.com](mailto:alice.in.wonderland@rocketmail.com)  And Telegram groups (screenshots),  folder called “Kaboom” on the C-drive, with accurate manuals on how to build a TATP bomb, as well as instruction and test videos apparently recorded in the Daesh warzone by Daesh members.  Malware defence |

Page 13: “a” to be deleted

Anystate State Security is in knowledge about facts that prove that the suspects **Bob** and **Sam** have been observed visiting a the Ibn Taymiyyah mosque in Rafah, PS on 23/08/2028 from 16:56 to 17:41. After this visit the suspects organised a car parade showing ISIS/Daesh flags.

Pages 16-21: fonts to be uniformised (there are some sentences/replies written with different fonts)

e.g. This report (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Pages 19, 20: For the sake of uniformity – “agent PEGGY” instead of “agent Peggy” (all other names are written in CAPS)

Page 23: “WiFi” instead of “Wifi”

Page 23: the space before the comma to be deleted: “noticed , recently”

Page 24: 1 space to be deleted between “the” and “use”

Page 64: 1 space to be deleted between “the” and “Flickr”

**Session 10**

Slide 14: delete the last bullet

Slide 28 – Notes section: it is either “have smartphones” or “have a smartphone”

It is estimated that 80% of the world’s population (3.5 billion people) have a smartphones.

**Session 11:**

Slide 10: the “=” should be removed

Slide 12 – Notes section: “Powerpoint” instead of “powerpoint”

**Session 12 - ok**

**Session 13:**

Slide 4: „Powerpoint presentations” instead of “power point presentations”

**Session 14 - ok**