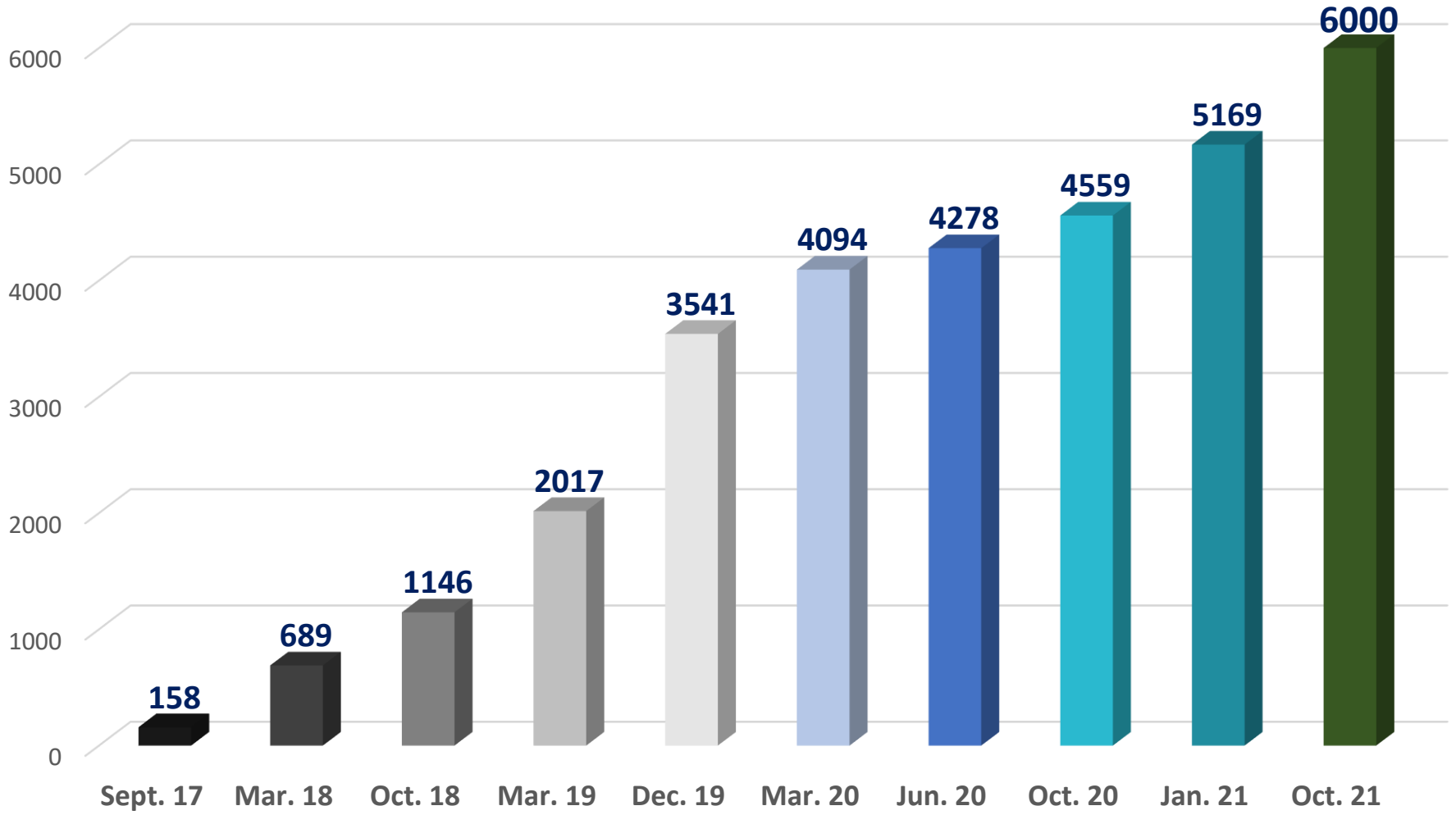
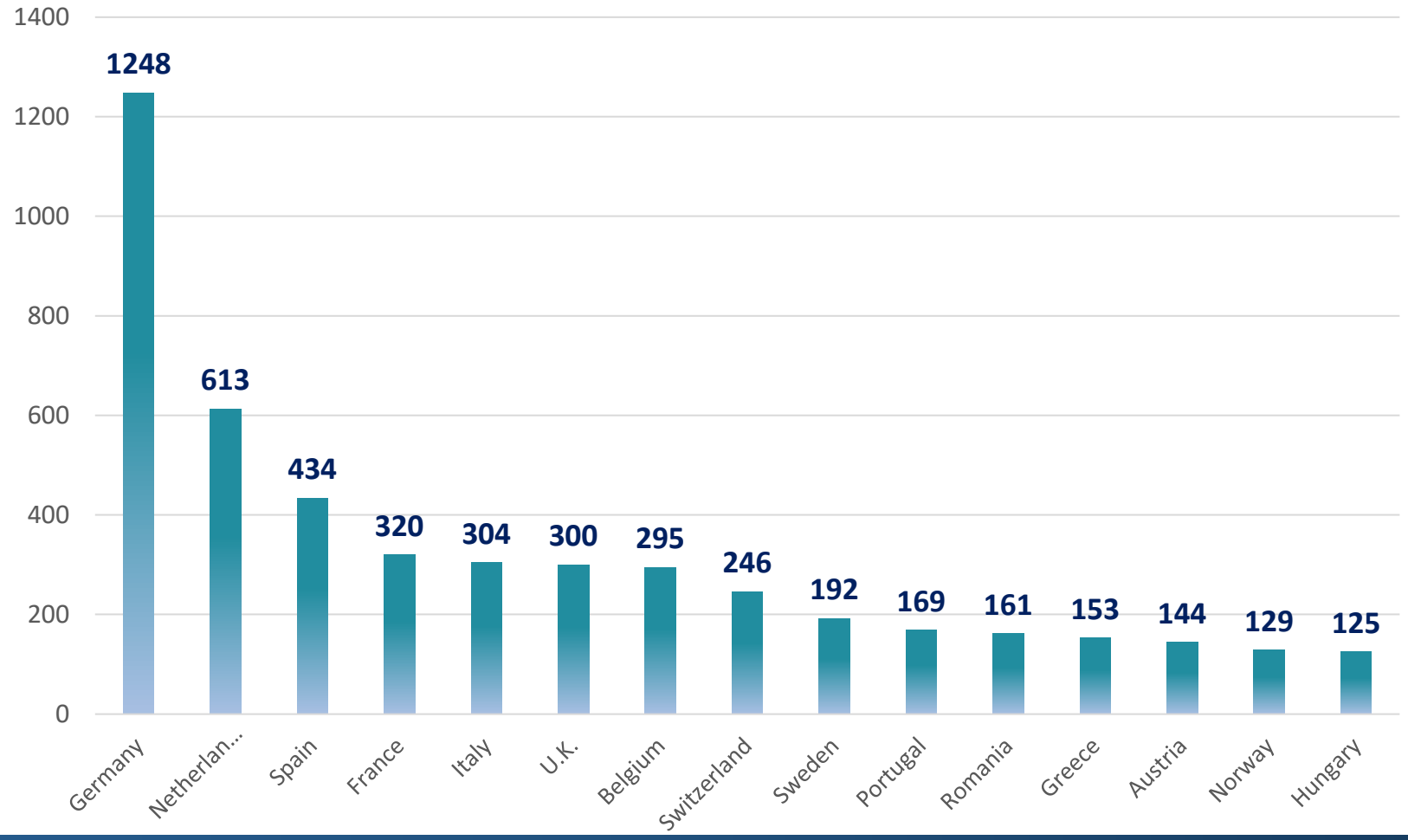
The SIRIUS Project

Guides and tools: development, implementation and benefits

SIRIUS Membership Growth



15 most represented countries



*includes Europol

SIRIUS State of Play

1

Guidelines

General Guidelines in 9 languages
48 OSP Specific Guidelines
3 Factsheets

2

Request templates

General templates by SIRIUS
Specific templates for OSPs
List of portal links

3

Tools

33 tools submitted by Europol or EU Member States
7 OSINT tools

4

Trainings

E-learning series on the EPE
Webinar series with CEPOL – translated in ES, IT, FR

5

OSP Finder

Database of OSPs with information on how to submit data requests
Information submitted by users too

6

Other resources

Annual E-Evidence Report
List of OSP terms of services
Public database of EU MS links

Key figures

23480 Tool downloads

22850 OSP Specific guidelines downloads

2008 Facebook Specific Guidelines downloads

1311 General Guidelines downloads

SIRIUS Latest Activities

ECR
Europol Code Repository

SIRIUS APP

Digital Evidence Situation Report

Standardised templates with UNODC and UNCTED

SPoC
network

SIRIUS GAME

SIRIUS App – released Sept. 2020

- App created by a developer on the SIRIUS team
- Updated regularly, as soon as new or updated guidelines are published
- Latest release: OSP Finder with almost 1,000 contact details

SIRIUS Video Game – launched Oct. 2020

Created in partnership with CENTRIC

Step 1: Scenario

Writing a complex scenario with Law Enforcement colleagues in SIRIUS

First review with EU IRU colleagues

Step 2: Back end

CENTRIC created the backend on their Pegasus engine

Continuous review by SIRIUS team

Step 3: Videos

SIRIUS team created 20 videos for an immersive experience

Testing by colleagues in the SPOC network

Step 4: Launch

Browser version launched for SIRIUS community

CENTRIC will provide periodic updates

SIRIUS Video Game – launched Oct. 2020

Created in partnership with CENTRIC

- Players follow leads and create their own adventure
- They have 24 hours to solve the case (24 minutes in real life)
- 6 mistakes or running out of time triggers another attack

SIRIUS Video Game – launched Oct. 2020

Press coverage

Forbes

EDITORS' PICK | 1,579 views | Oct 14, 2020, 06:00am EDT

'Who Wants To Be A Millionaire' But For Terror Attacks: Game Trains Police To Get Facebook Data Fast

Thomas Brewster Forbes Staff

Cybersecurity

Associate editor at Forbes, covering cybercrime, privacy, security and surveillance.

When a terrorist strikes, getting information fast from a tech giant can make the difference between police catching the suspects, or another attack taking place. That's the premise of a new game created by Europol, the European body responsible for connecting the continent's myriad policing agencies and helping them investigate major crimes.

Right now, police officers are often confused by the process. What data can they request from which provider? Can they retrieve any encrypted content from the likes of Apple or WhatsApp? What legal mechanisms should they be using? What's the best language to use to ensure they get the information they want quickly?

BUSINESS INSIDER

Economía Tecnología Estrategia Política Más temas

La Europol quiere entrenar con este videojuego a los policías de toda Europa para que aprendan a reclamar datos de usuarios sospechosos a Google, Facebook o TikTok

Alberto R. Aguar 14 oct. 2020 19:02h.

Reuters/Hannibal Hanschke

- Una división de la Europol ha creado un juego cuestionario con el que ayudan a los policías de toda Europa a reclamar información sobre usuarios sospechosos a las tecnológicas.
- Apple tuvo a España entre los países más 'ignorados' por peticiones de información sobre usuarios rechazadas.
- Una de las personas detrás de la iniciativa es un guardia civil español que lidera el proyecto SIRIUS: quiere ayudar a que todos los cuerpos policiales del continente mejoren sus procesos a la hora de solicitar información a las tecnológicas.
- Descubre más historias en *Business Insider España*.

Alerta: un tiroteo en plena ciudad. Un hombre ha abierto fuego en

SIRIUS Digital Evidence Situation Report

Publication in November 2020

This report **sheds light on the current situation of digital evidence in the Union**, as there is a need for digital data in most criminal investigations.

13
transparency reports

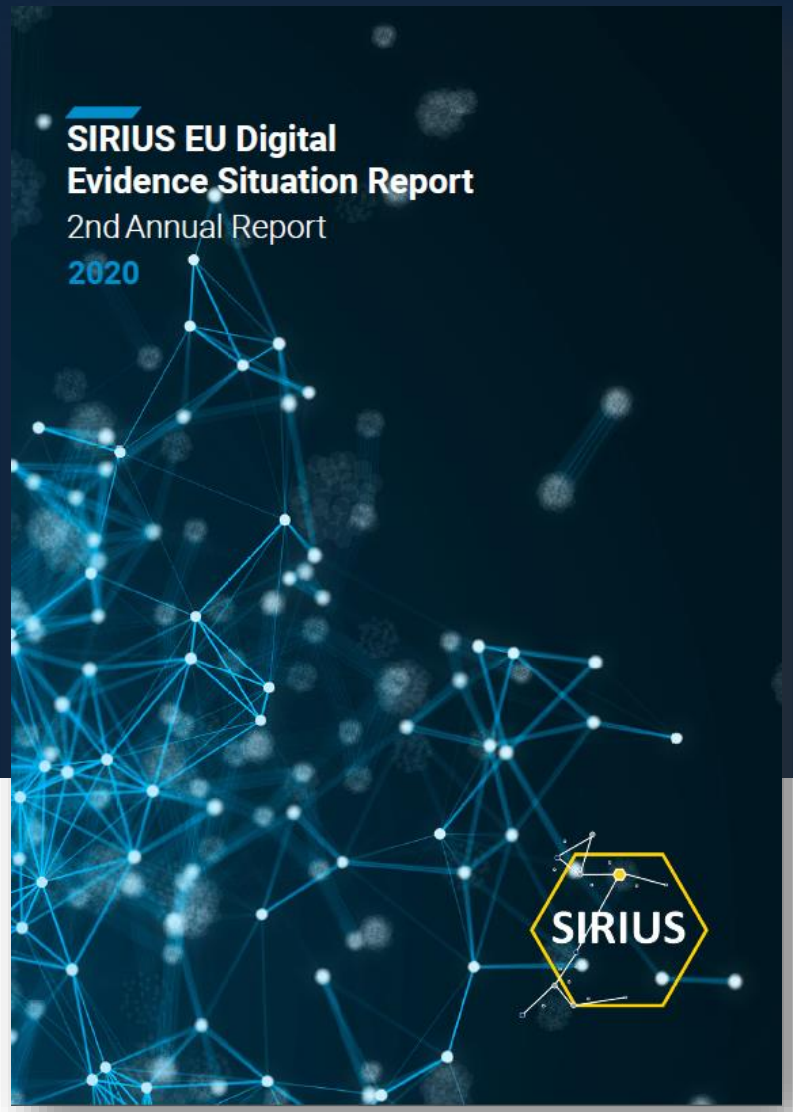
Drafted by Europol and Eurojust, the report **brings together perspectives** from law enforcement, judicial authorities and Online Service Providers.

254
Responses from EU and UK law enforcement and judiciary

The report shows **an increase in the satisfaction of officers** with the existing cross-border data request process, and **many challenges to be addressed**.

7
Interviews with Online Service Providers

Next edition available in November 2021!



Published 1 December 2020:

europol.europa.eu/sirius

QUESTIONS?

sirius@europol.europa.eu
sirius.eurojust@eurojust.europa.eu

Next edition available in November 2021!

Embracing the digital transformation

*"E-evidence in any form is relevant in around **85%** of total (criminal) investigations."*

*"In almost **two thirds** (65%) of the investigations where e-evidence is relevant, a request to service providers **across borders** (based in another jurisdiction) is needed."*

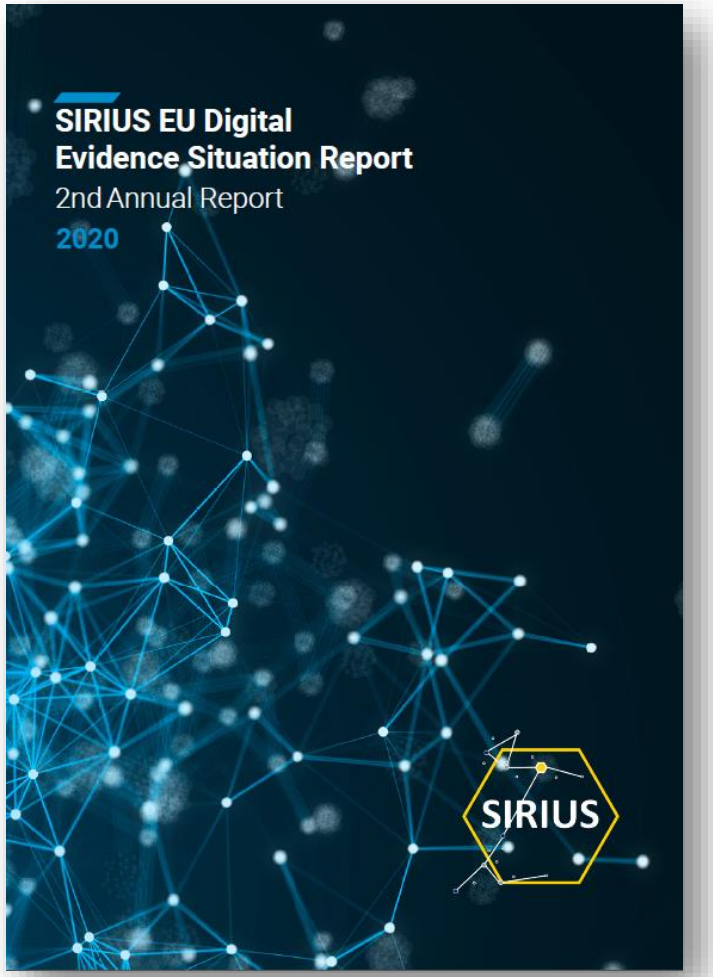
Know more: *EU Commission impact assessment*

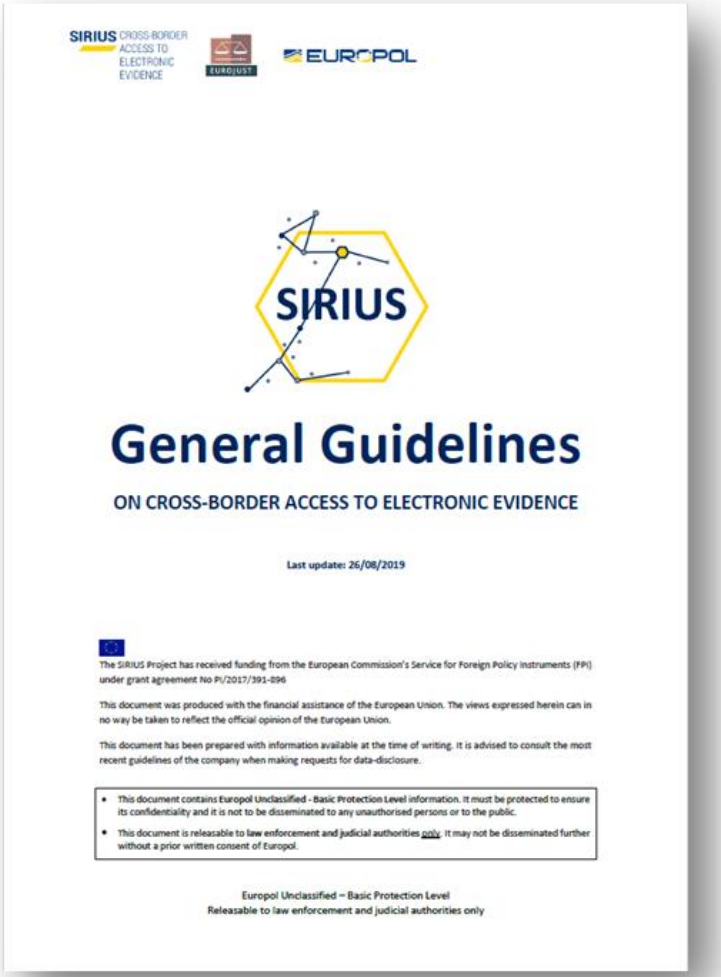
Embracing the digital transformation

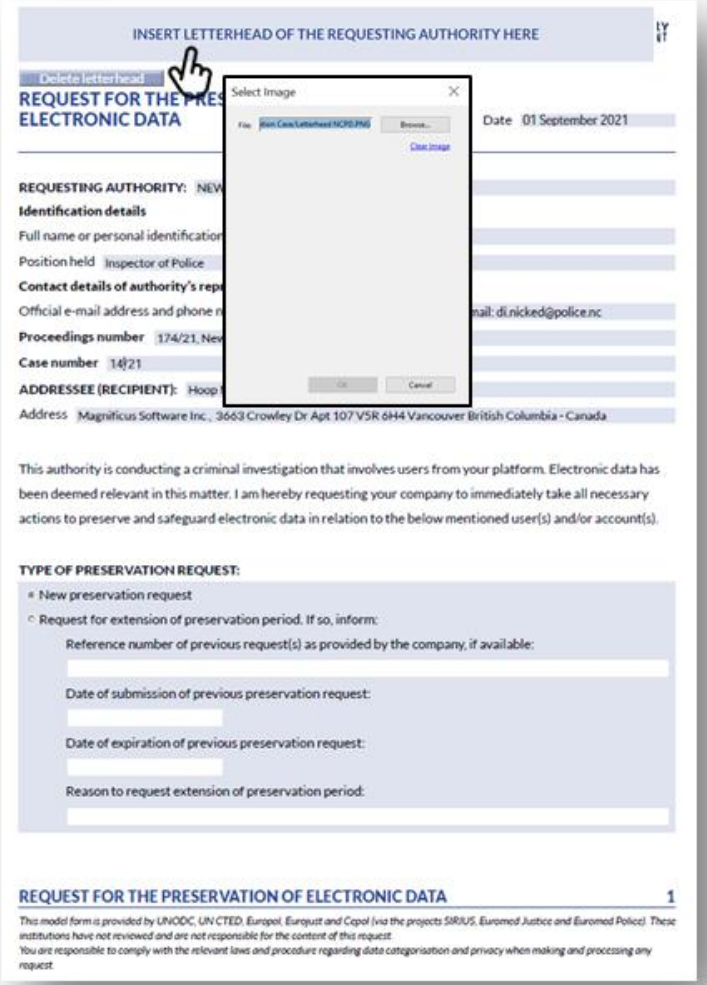
"Cooperation with the private sector is vital in combating cybercrime."

Know more: *Common challenges in combatting cybercrime* (June 2019)

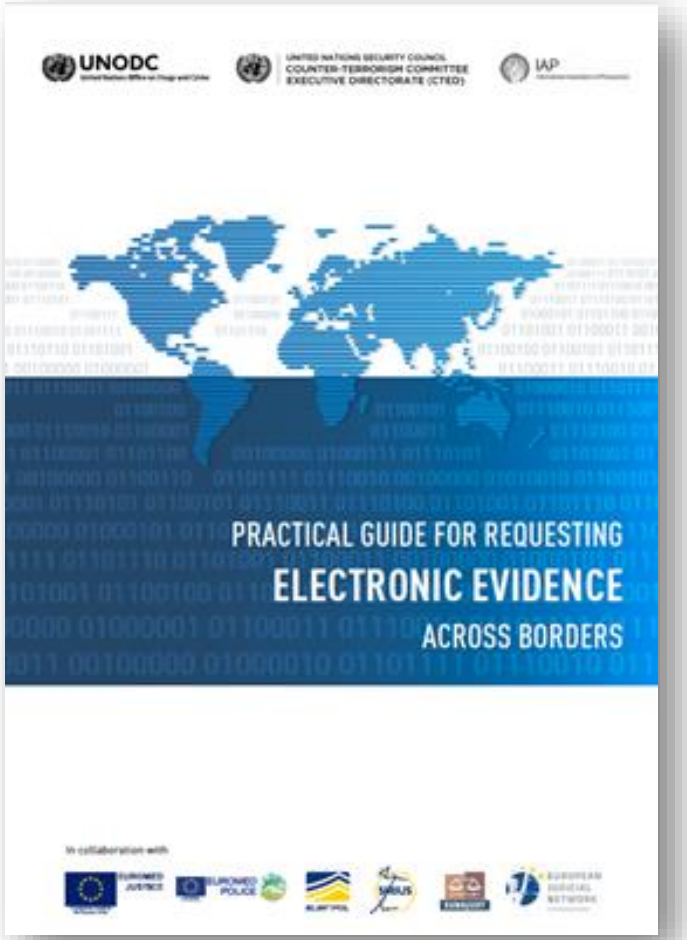
Building up institutional capacity

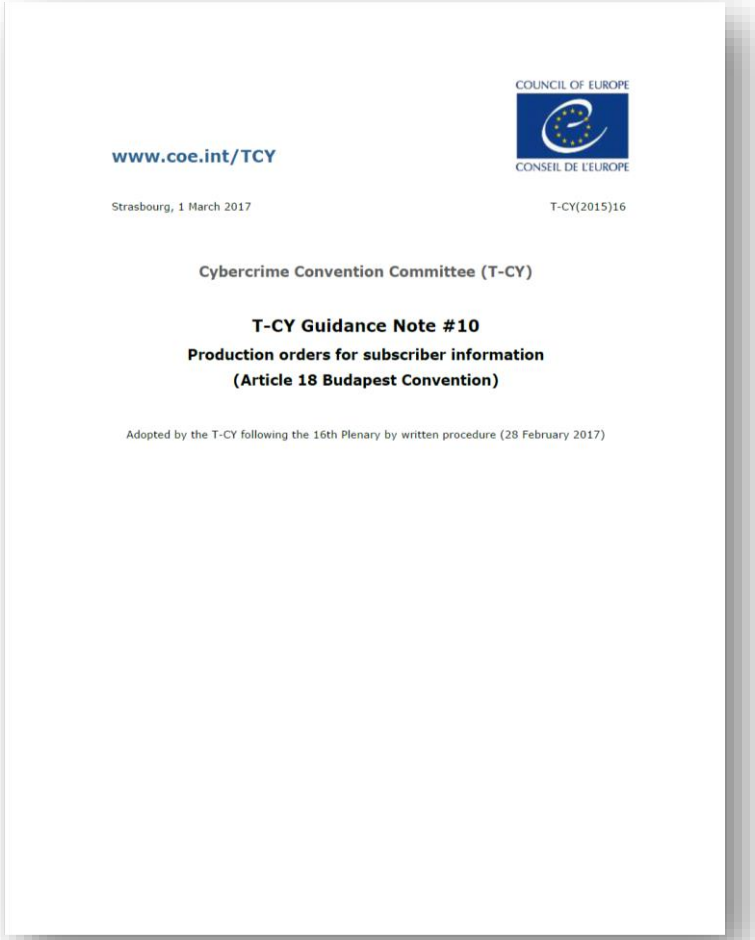






Seeking alignment with the standards/legislation





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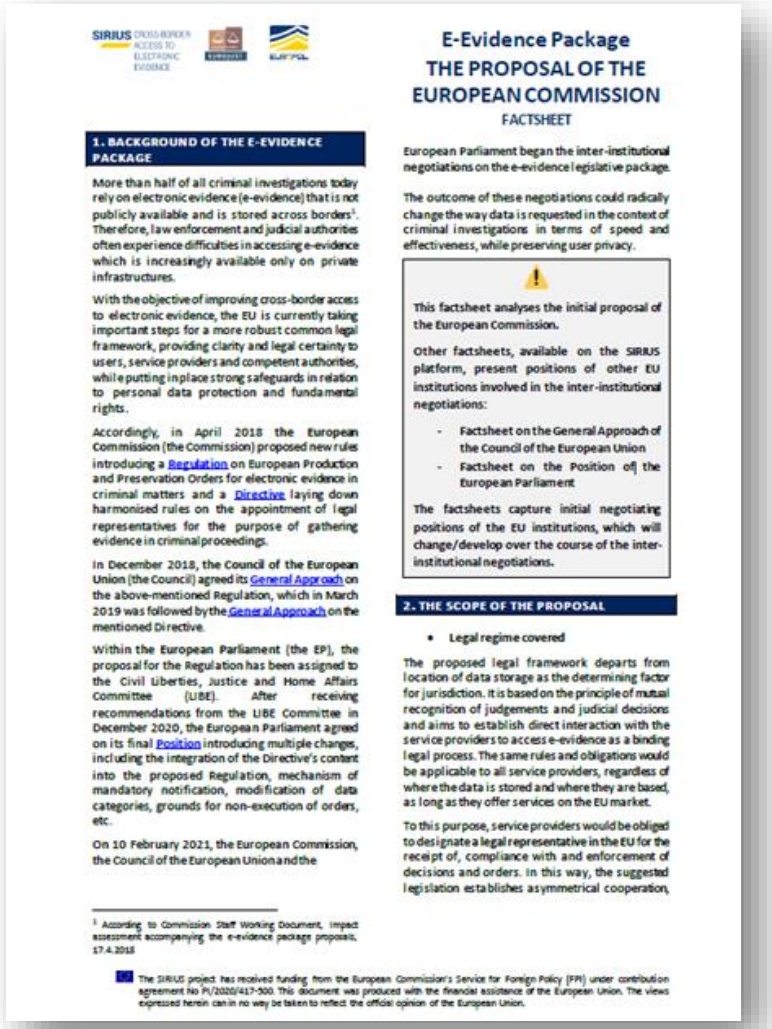


E-Evidence Package
THE PROPOSAL OF THE EUROPEAN COMMISSION
FACTSHEET

1. BACKGROUND OF THE E-EVIDENCE PACKAGE

More than half of all criminal investigations today rely on electronic evidence (e-evidence) that is not publicly available and is stored across borders[1]. Therefore, law enforcement and judicial authorities often experience difficulties in accessing e-evidence which is increasingly available only on private infrastructures.

With the objective of improving cross-border access to electronic evidence, the EU is currently taking important steps for a more robust common legal framework, providing clarity and legal certainty to users, service providers and competent authorities, while putting in place strong safeguards in relation to personal data protection and fundamental rights.

Accordingly, in April 2018 the European Commission (the Commission) proposed new rules introducing a Regulation on European Production and Preservation Orders for electronic evidence in criminal matters and a Directive laying down harmonised rules on the appointment of legal representatives for the purpose of gathering evidence in criminal proceedings.

In December 2018, the Council of the European Union (the Council) agreed its General Approach on the above-mentioned Regulation, which in March 2019 was followed by the General Approach on the mentioned Directive.

Within the European Parliament (the EP), the proposal for the Regulation has been assigned to the Civil Liberties, Justice and Home Affairs Committee (LIBE). After receiving recommendations from the LIBE Committee in December 2020, the European Parliament agreed on its final Position introducing multiple changes, including the integration of the Directive's content into the proposed Regulation, mechanism of mandatory notification, modification of data categories, grounds for non-execution of orders, etc.

On 10 February 2021, the European Commission, the Council of the European Union and the European Parliament began the inter-institutional negotiations on the e-evidence legislative package.

The outcome of these negotiations could radically change the way data is requested in the context of criminal investigations in terms of speed and effectiveness, while preserving user privacy.

This factsheet analyses the initial proposal of the European Commission.

Other factsheets, available on the SIRIUS platform, present positions of other EU institutions involved in the inter-institutional negotiations:

- Factsheet on the General Approach of the Council of the European Union
- Factsheet on the Position of the European Parliament

The factsheets capture initial negotiating positions of the EU institutions, which will change/develop over the course of the inter-institutional negotiations.

2. THE SCOPE OF THE PROPOSAL

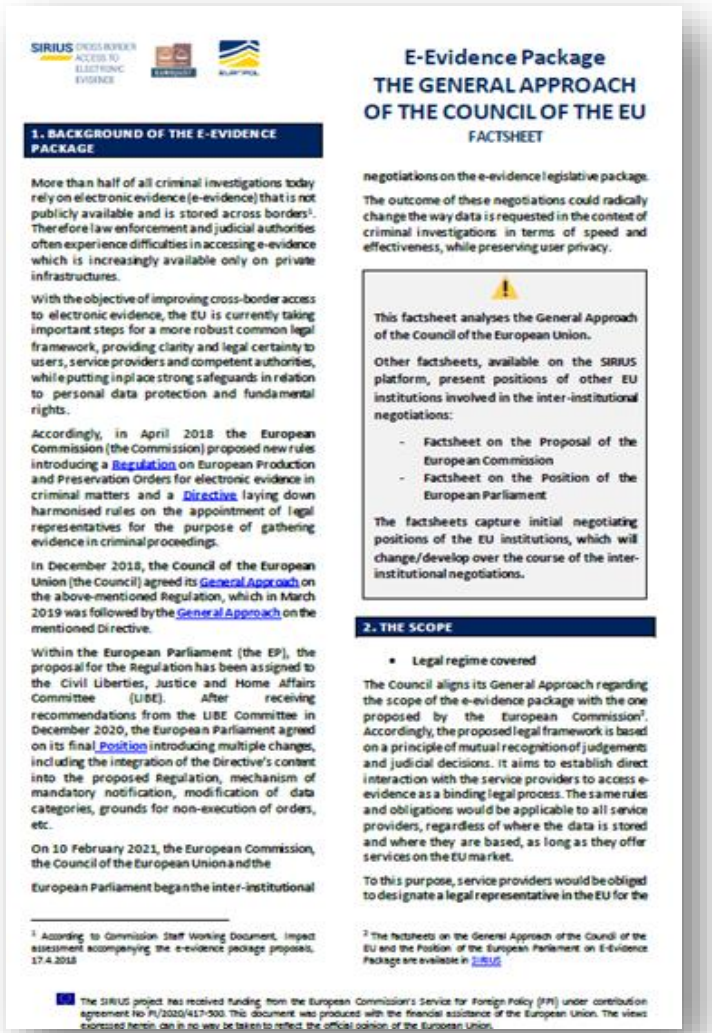
- Legal regime covered

The proposed legal framework departs from location of data storage as the determining factor for jurisdiction. It is based on the principle of mutual recognition of judgements and judicial decisions and aims to establish direct interaction with the service providers to access e-evidence as a binding legal process. The same rules and obligations would be applicable to all service providers, regardless of where the data is stored and where they are based, as long as they offer services on the EU market.

To this purpose, service providers would be obliged to designate a legal representative in the EU for the receipt of, compliance with and enforcement of decisions and orders. In this way, the suggested legislation establishes asymmetrical cooperation,

[1] According to Commission Staff Working Document, Impact assessment accompanying the e-evidence package proposals, 17.4.2018

The SIRIUS project has received funding from the European Commission's Service for Foreign Policy (FPI) under contribution agreement No PI/2020/417-500. This document was produced with the financial assistance of the European Union. The views expressed herein can in no way be taken to reflect the official opinion of the European Union.



E-Evidence Package
THE GENERAL APPROACH OF THE COUNCIL OF THE EU
FACTSHEET

1. BACKGROUND OF THE E-EVIDENCE PACKAGE

More than half of all criminal investigations today rely on electronic evidence (e-evidence) that is not publicly available and is stored across borders[1]. Therefore law enforcement and judicial authorities often experience difficulties in accessing e-evidence which is increasingly available only on private infrastructures.

With the objective of improving cross-border access to electronic evidence, the EU is currently taking important steps for a more robust common legal framework, providing clarity and legal certainty to users, service providers and competent authorities, while putting in place strong safeguards in relation to personal data protection and fundamental rights.

Accordingly, in April 2018 the European Commission (the Commission) proposed new rules introducing a Regulation on European Production and Preservation Orders for electronic evidence in criminal matters and a Directive laying down harmonised rules on the appointment of legal representatives for the purpose of gathering evidence in criminal proceedings.

In December 2018, the Council of the European Union (the Council) agreed its General Approach on the above-mentioned Regulation, which in March 2019 was followed by the General Approach on the mentioned Directive.

Within the European Parliament (the EP), the proposal for the Regulation has been assigned to the Civil Liberties, Justice and Home Affairs Committee (LIBE). After receiving recommendations from the LIBE Committee in December 2020, the European Parliament agreed on its final Position introducing multiple changes, including the integration of the Directive's content into the proposed Regulation, mechanism of mandatory notification, modification of data categories, grounds for non-execution of orders, etc.

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This factsheet analyses the General Approach of the Council of the European Union.

Other factsheets, available on the SIRIUS platform, present positions of other EU institutions involved in the inter-institutional negotiations:

- Factsheet on the Proposal of the European Commission
- Factsheet on the Position of the European Parliament

The factsheets capture initial negotiating positions of the EU institutions, which will change/develop over the course of the inter-institutional negotiations.

2. THE SCOPE

- Legal regime covered

The Council aligns its General Approach regarding the scope of the e-evidence package with the one proposed by the European Commission[2]. Accordingly, the proposed legal framework is based on a principle of mutual recognition of judgements and judicial decisions. It aims to establish direct interaction with the service providers to access e-evidence as a binding legal process. The same rules and obligations would be applicable to all service providers, regardless of where the data is stored and where they are based, as long as they offer services on the EU market.

To this purpose, service providers would be obliged to designate a legal representative in the EU for the

[1] According to Commission Staff Working Document, Impact assessment accompanying the e-evidence package proposals, 17.4.2018

[2] The factsheets on the General Approach of the Council of the EU and the Position of the European Parliament on E-Evidence Package are available in SIRIUS

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E-Evidence Package
THE POSITION OF THE EUROPEAN PARLIAMENT
FACTSHEET

1. BACKGROUND OF THE E-EVIDENCE PACKAGE

More than half of all criminal investigations today rely on electronic evidence (e-evidence) that is not publicly available and is stored across borders [1]. Therefore, law enforcement and judicial authorities often experience difficulties in accessing e-evidence which is increasingly available only on private infrastructures.

With the objective of improving cross-border access to electronic evidence, the EU is currently taking important steps for a more robust common legal framework, providing clarity and legal certainty to users, service providers and competent authorities, while putting in place strong safeguards in relation to personal data protection and fundamental rights.

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The factsheets capture initial negotiating positions of the EU institutions, which will change/develop over the course of the inter-institutional negotiations.

2. THE SCOPE

- Legal regime covered

The purpose of the proposed Regulation (with merged content of the Regulation and the Directive) is to establish new rules to request electronic information[2] complementing the existing EU legal framework. It is based on principle of mutual trust and aims to clarify the rules of the cooperation between law enforcement, judicial authorities and service providers establishing a binding legal process, while ensuring full compliance with fundamental rights and principles.[3]

To this purpose, service providers would be obliged to designate a legal representative in the EU for the

[1] According to Commission Staff Working Document, Impact assessment accompanying the e-evidence package proposals, 17.4.2018

[2] The term "electronic information" corresponds to the term "electronic evidence "used by the Commission and the Council.
[3] Regulation, Recital 9

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Judicial Authorities

European Union Member States + Albania, Georgia, Iceland, Liechtenstein, Moldova, Montenegro, North Macedonia, Norway, Serbia, Switzerland, Ukraine, USA

SCAN ME

Law Enforcement

European Union Member States + Albania, Australia, Bosnia and Herzegovina, Canada, Colombia, Georgia, Iceland, Liechtenstein, Moldova, Monaco, Montenegro, North Macedonia, Norway, Serbia, Switzerland, Ukraine, USA

Thank you!