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ONLINE SEMINAR

E-Evidence: legal and technical challenges from investigation to trial

19, 20, 21 and 22 April 2021

UP GRADE
YOUR LEGAL EXPERTISE

Speakers

David Silva Ramalho, Lawyer, Morais Leitão, Galvão Teles, Soares da Silva & Associados, Lisbon**;** Assistant Teacher at the University of Lisbon's Faculty of Law

Danijel Sladović, Digital Forensic Consultant, INsig2, Zagreb

Olga Trocka, State Police of Latvia, Riga

Key topics

The training will provide participants with knowledge of forensic methodology, procedures for conducting digital evidence, hardware devices and storage media organization, tools used in digital forensics, evidence processing, and proper ways of writing a report.

Languages
English, Latvian (with simultaneous interpretation)

Event number
021LV04e

Organiser
Court Administration of Latvia in cooperation with ERA

Court Administration of the Republic of Latvia
NATIONAL DEVELOPMENT PLAN 2020
EUROPEAN UNION
European Social Fund
INVESTING IN YOUR FUTURE

E-Evidence: legal and technical challenges from investigation to trial

Monday, 19 April 2021

connection testing and fine tuning the experience: please expect further details;

time indications in EEST (UTC+3)

08:45 **Opening of the seminar**

09:00 **Legal and technical challenges of e-evidence in Latvia: introduction**
Olga Trocka

I. Identifying the source of cybercrime

09:30 **How the Internet works**
- The TCP/IP Protocol
- Computer Network Hierarchy
- The DNS System

Daniel Sladović

10:15 **Finding the IP address and tracing back to the suspect**
- Where to find the IP address: e-mails, logs, P2P networks, etc.
- Cooperation with ISP and OSP
- Production orders for traffic and subscriber data

David Silva Ramalho

11:00 **Q&A**

11:15 Break

11:30 **Technical challenges in identifying the source through IP addresses**
- Anonymisation through the use of VPN, proxies, anonymous email services and IP obfuscation
- Carrier-Grade NAT: the importance of ports
- Tor and the Dark Web

Daniel Sladović

12:15 **Legal challenges: data retention**
- Digital Rights Ireland and the invalidation of the Data Retention Directive
- The developments in the CJEU's position: Tele2 Sverige and Privacy International
- The CJEU's decision's impact on national legislation
- Consequences for the investigation

David Silva Ramalho

13:00 **Q&A**

13:15 End of day 1

Objectives

The aim of the webinar is to improve and raise awareness of the target groups in relation to cybercrime, mutual legal assistance in the field of digital crime, investigative techniques and e-evidence. This webinar further develops the knowledge received at previous project events in this field.

Who should attend?

This seminar has been developed for Latvian judges, prosecutors, investigators and policy makers

Methodology

This online seminar is conducted via Zoom. Sessions will include different elements such as lectures, breakout rooms, quizzes, and discussions, especially looking at the Latvian situation.

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Tuesday, 20 April 2021

II. Collecting content data from different jurisdictions

09:30 **Transborder access to digital evidence**
- The Cybercrime Convention and jurisdictional limits do transborder access
- The preparation of a 2nd Additional Protocol to the Budapest Convention on Cybercrime
- Loss of location
- Limits and consequences of unilateral access and collection of digital evidence

David Silva Ramalho

10:15 **Resourcing to Mutual Legal Assistance**
- Legal instruments
- Centralized procedures and public-private cooperation
- The e-Evidence Package

David Silva Ramalho

11:00 **Q&A**

11:15 Break

11:30 **Cloud investigation**
- Acquiring google account data using “Google takeout”
- Thunder bird mail acquisition

Daniel Sladović

12:15 **Case study**
- Operation Bayonet (Taking down AlphaBay and Hansa dark web markets)

Daniel Sladović

13:00 **Q&A**

13:15 End of day 2

Wednesday, 21 April 2021

III. Investigative techniques through invasive methods and OSINT

09:30 **Undercover investigations online**
- Undercover investigations and cyber patrolling
- Avoiding the online *agent provocateur*
- Conditions for the legality of undercover investigations online

David Silva Ramalho

10:15 **Legal hacking and the use of malware**
- The need for legal hacking and malware
- Comparative law and case law
- Quality of law
- Rights of the defendant

David Silva Ramalho

11:00 **Q&A**

11:15 Break

11:30 **Seizing evidence from social networks**
- Evidence acquisition on social media
- Problems during social network investigations

Daniel Sladović

12:15 **Case study**
- Drone attack on Venezuelan president in 2018
- The cat killer case from Canada

Daniel Sladović

13:00 **Q&A**

13:15 End of day 3

Thursday, 22 April 2021

IV.	**Search and seizure of digital devices and e-evidence: technical and legal issues**

09:30 ***Onsite* searches**
- Tools
- Sources of evidence
- E-mail analysis: exporting emails; identifying malicious emails
- Web browser analysis: analysing user habits, browsing history (cookies, searcher, cache), extracting timestamps

Daniel Sladović

10:15 **E-evidence on mobile devices**
- Direct collection
- Overcoming passwords and PIN codes
- Smartphone backup cloud acquisition and analysis

Daniel Sladović

11:00 **Q&A**

11:15 Break

11:30 **Legal limits to search and seizure:**
- Warrant requirements
- Search term judiciary control: an *ex ante* or *ex post* assessment
- Finding the balance between investigative efficiency and "fishing expeditions"

David Silva Ramalho

12:15 **Court presentation and defence rights**
- The right of access to all digital evidence: case analysis
- Legal and technical requirements for the validity of e-evidence
- The presumption of reliability of e-evidence
- Analysing and presenting e-evidence in court

David Silva Ramalho

13:00 **Q&A**

13:15 End of day 4

Programme may be subject to amendment.

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