

Gathering e-evidence from Service Providers

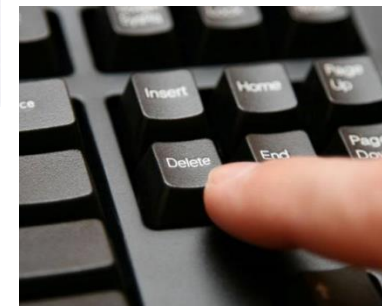
Challenges and good
practices from a
national perspective

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Gathering e-evidence from service providers

- Increasing of the online activity
- Increase in the amount of information that is stored in the Cloud vs information stored in users computers.
- Anonymity granted by internet (asking for e-vidence to SP as a first step for criminal investigations)
- Electronic data is constantly being deleted



Challenges in the relationship with service providers

- Most service providers are located abroad
 - Necessity of a common language:
 1. Preservation (art. 16 Budapest Convention + ER p. 150, 151...)
 2. Subscriber information (art 18 letter 3)
 3. Traffic information (art. 1 letter d) Budapest Convention)
 4. Content (ER Budapest Convention p.229)
 - Service providers that don't cooperate directly with LEA:
 - 24/7 network
 - MLA
 - Internal policies of providers that do cooperate directly:
 - Will depend on each provider and can change constantly
- * Second Additional Protocol to the Budapest Convention.

National Good Practices

- **Acceding the Budapest Convention**
- **Capacity building for prosecutors**
- **Guide for obtaining e-evidence from service providers located abroad:
Explanation of information that can be sought**

Instructions on how to seek it depending on the service provider

Templates for asking information depending on the service provider

Constant update of the guide

THANK YOU

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