Council of Europe: Recommendation concerning criminal procedureal law and information technology

IRIS 1996-1:1/1

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On 3 November 1995, the Committee of Ministers of the Council of Europe recommended the governments of its member States a number of guiding principles to follow in criminal procedures connected with information technology. These priciples may be relevant in a case like CompuServe's newsgroups (see : elsewhere in this issue under `The Global Information Society') or the Scientology case in the Netherlands (see : IRIS 1995-9: 4).

The principles recommended, concern the search of computer systems, the seizure of data, technical surveillance (interception of data communications), obligations to co-operate with the investigating authorities, compatible procedures and technical methods for the handling of electronic evidence, mitigation of the negative effects of the use of encryption and the exchange of information between member States on offences related to information technology (including modus operandi and technical aspects).

Recommendation No. R (95) 13 Concerning Problems of Criminal Procedural Law Connected with Information Technology and Explanatory Memorandum (Adopted by the Committee of Ministers on 11 September 1995 at the 543rd meeting of the Ministers' Deputies)

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