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Project Facts

European Informatics Data Exchange Framework for Court and Evidence (EVIDENCE)

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CO-ORDINATOR: Institute of Legal Information Theory
and Techniques at the National Research Council,
Italy (CNR-ITTIG)

CO-ORDINATING PERSON: Dr. Maria Angela Biasiotti

WEBSITE: www.evidenceproject.eu

CONTACT E-MAIL: office@evidenceproject.eu

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Challenge^{EVIDENCE}

Bridging the Gap in the Collection, Use and Exchange of Digital Evidence in Europe

EVIDENCE Objectives

1. Tracing EVIDENCE Road Map for the realization of a Common European Legal Framework for using, collecting and exchanging electronic evidence including a research agenda identifying issues, policies and actions to be undertaken in future programs and plans.
2. Developing a common and shared understanding of what electronic evidence is and which the relevant concepts of electronic evidence are in involved domains and related fields (digital forensics, criminal law, criminal procedure, international cooperation on criminal matters).
3. Detecting which the rules and criteria utilized for processing electronic evidence in EU Member States are; and possible regulations of exchange of evidence.
4. Detecting the existence of criteria and standards for guaranteeing reliability, integrity and chain of custody requirement of electronic evidence in EU Member States and possibly in the exchange of it.
5. Defining operational and ethical implications for Law Enforcement Agencies throughout Europe.
6. Identifying and developing technological functionalities for a Common European Framework in gathering and exchanging electronic evidence.
7. Determining the EVIDENCE market size.

EVIDENCE activities are carried out in three distinct project streams:

Within the Status Quo Analysis Stream

- Carry out a classification of relevant concepts of the electronic evidence domain and related fields of criminal law, criminal procedural rules, etc. (WP2);
- Assess and understand whether and how electronic evidence is perceived and regulated (if at all) in the EU framework (WP3);
- Define open standards, assuring not only the international transfer of evidence but also the chain-of-custody requirements and the protection of the means of proof (WP4);
- Provide an overview and a status quo assessment of the collection, preservation and exchange of evidence obtained using new technologies from the standpoint of law enforcement; and propose guidelines that could be integrated into a Common European Framework which is to govern this field (WP6).

Within the Impact and Testing Stream

- Review the legal, ethical and societal implications of the desired options (WP8);
- Test the selected approaches through a combination of real-life case studies and end users involvement, including INTERPOL's Digital Crime Centre and national judicial and law enforcement authorities (WP5);
- Detect societal dynamics including market size (WP7).

Within the Way Forward Stream

- Create a Road Map and guidelines that would enable the setting up of a Common European Framework for the regulation and standardisation of electronic evidence gathering and exchange (WP9).

EVIDENCE Main Outcomes

The EVIDENCE project offers a multidisciplinary approach for identification, definition, assessment and articulation of the whole set of actions that should be carried out in a coherent framework, including the following aspects:

- Comparative analysis of existing legal provisions which apply in these cases and their impact;
- Identification and specification of those legislative changes that should be promoted at both European and Member State level;
- Definition of open/widely available standards, assuring not only the international transfer of evidence but also the chain-of-custody requirements and the protection of the means of proof, keeping in mind the ethical and privacy aspects;
- Identification of operational and ethical implications for law enforcement agencies;
- Identification of technical developments that should be carried out to sustain all these aspects.

Following this research agenda, the EVIDENCE project aims at developing a **Road Map** (guidelines, recommendations, technical standards, etc.) for implementing the missing **Common European Framework for the systematic, aligned and uniform application of new technologies in the collection, use and exchange of evidence.**