






Forum for 21st century on Global Cybersecurity issues

The European Union would like to thank the *Forum for 21st Century* for initiating the discussion and organizing the conference on Global security issues. At the same time we express our full support towards solving the challenges occurring in the new global scenario. After an in-depth analysis of the draft proposed by the *Forum for 21st century* let us annotate it and include our suggestions as well.

The EU stresses that it supports all efforts to take part in making the global situation's performance more effective and that it sees the most important issues in assecuration of collective security in 21st century.

In the Section Notes

-  The European Union shares the opinion of the *Forum for the 21st century* that communication systems and access to the information are the cornerstones for the economic, political and social development of the society. Therefore we agree that the network protection and cyber security should become the main challenge for the international society in the 21st century, as they have a significant importance for any society's stability and continuity.
-  The EU considers the still increasing level of cyberattacks and cybercrime in the last years as a very serious threat for internet-mediated economies, their payments systems and citizens. We stress the importance of safety and protection of international cyberspace and the need for international cooperation in the fight against the cybercrime. The EU will support any initiatives in creating such cooperation on cyber security. In the section *Proposals* we further elaborate this idea.
-  The European Union agrees with the *Forum for 21st century* on changing character of the criminal acts from conventional to unconventional ones, which have even more harmful impact on global security because of their unpredictability. The EU is convinced of the uselessness and unimportance of vast armed forces and classical arm resources in the fight against the offender of cyber crime, because of its different nature. We recognise the need to pay a serious attention to



these new security risks and tackle them together with the support of other countries. To make the impacts of cyber attacks on the global society less destructive, all members of the EU emphasize the necessity to establish capabilities for prevention the cyber crime and the importance to promptly react in case of a cyber attack. The EU proposes it to be included at the very end of 3rd paragraph.

- ☐ The members of the EU recognise the necessity to develop a Global Cyber Security Approach and Security Rules as there is a lack of integrated legislation, ranging from domestic to international laws (also in the EU every one of the 27 EU Members States has different approach and different legal and procurement framework for the cyber space security) which hampers the cooperation between the states. The EU strongly welcomes this ambition of creating a legal basis of cyberspace environment and security rules including some instruments, rights and commitments for all concerned parties. We also suppose that defining such a comprehensive global approach will help to create a more transparent and organized system for cooperation of the states in preventing and fighting cyber crime at global level. We propose to take into account also the significance of judicial cooperation in cyber crime cases.
- ☐ The EU welcomes the proposal of the *Forum for the 21st century* about the implementation of some limits in anonymity of Internet users, which should be also legally regulated. The EU believes that this step would enable the observation of the behaviour of Internet users and would help to reveal many of the unprecedented cyberattacks and cybercrime. Moreover the EU would like to stress that these limits should be in accordance with basic ethical standards and should respect the basic rights and freedoms of every individual.

In the Section *Proposals*

- ☐ The EU approves the proposal of the *Forum for 21st century* for a creation of legal basis and defining some terms regarding the usage and control of the Internet and local intranets. The legal basis should include, besides the definitions, also the rights and commitments for internet users- individuals, enterprises but also the governments. These rights and commitments have to be also in compliance with the basic rights and freedoms of every individual, especially with the right to privacy according to article 8 of the Charter of fundamental rights of the European Union (in other non-European states should reflect their own human rights legislative). The EU



recommends also to provide some guidance for citizens on cyber security and cybercrime (for example, how people can protect their privacy online, how they can equip their computers with basic anti-virus software and firewalls, etc.). The members of the EU stressed the significance of administering guidelines on cooperation in handling the illegal internet content (especially with the aim to protect citizens). The EU considers the need to define a common systems of sanctions for criminal acts as a very important step because of the changed character of the cybercrime, which has nowadays wider and wider impact on the global society as a whole. These sanctions should be classified according to the character of the cyber crime, the height of caused damage and the impact of the attacks on the global society.

- ❖ The European Union differs from the approach of *The Forum for 21st century* about the using any conventional means for defence from destructive force of certain attacks. The European Union stands for the values as peace, prosperity, and freedom, so it will support the retaliatory attack and the military action against aggressor only under the mandate of UN Security Council, which has primary responsibility for the maintenance of international peace and security. As the cyberwar/cybercrime seems to become a serious threat to global society, the EU proposes to create a special intra-consultative body for the UN Security Council in order to better and flexible determine the existence of a threat to the peace in the cyberspace, recommend the action to be taken in case of some cyber attack, decide whether some crime was the act of aggression or not or to take some other action against the aggressor. This consultative body should consist of cyber security specialists from 5 five permanent, but also from 10 non-permanent states, which will be elected together with the national representatives to the Security Council. In comparison to them, the cyber security specialists would not have the right to vote and no right to elect the Judges of the International Court of Justice. They would have a restricted mandate - only to advise to permanent representatives about the cases concerning the violation the security of cyberspace. The members of the EU highlight the proposal of *the Forum for 21st century* about the cooperation and providing all assistance in finding the culprit of the crime.
- ❖ The European Union strongly supports the development of different forms of cooperation with engaged parties with the objective to prevent, detect and quickly react in the event of cyber attacks or cyber disruption. Firstly, the EU suggests the establishment of a cyber crime centre, through which Member States and the EU institutions will be able to develop the cooperation



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Faculty of International Relations, University of Economics in Bratislava



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Fakulta medzinárodných vzťahov, Ekonomická univerzita v Bratislave

with other states and international partners in the issues of prevention of cybercrime, preservation of cyberspace against possible attacks and support the development of training and awareness-raising for law enforcement and judicial cooperation. The EU supports the idea of the creation of an information system, which will be suitable for the exchange of valuable information about malevolent attacks, criminal and terrorist groups and also the best practises and advice in the fight against the cyber crime. Secondly, the members states of the EU have expressed their agreement with the establishment of a joint database of persons and groups, that were convicted of committing a cyber crime or that are suspicious. Moreover, the EU enhances the strengthening and developing of cooperation between the concerned parties with ENISA (the European Network and Information Security Agency), which is the EU expert body in Network and Information Security. At the same time, the EU recognised the need of strengthening and improving the cooperation between the public and private sector (especially with companies dealing with cyber security solutions).