



Forum for 21st century on Global Cybersecurity issues

The **People's Republic of China** would like to thank the Forum for 21st Century for proposing the second draft for the conference on **Global Cybersecurity issues**. China's long standing position is to help fighting cyber espionage. We express our full support towards solving the challenges occurring in the new global scenario and reaching a common understanding between all states present.

China's perspective and measures taken by the Chinese government to strengthen international cooperation on cybersecurity are the following:

- ❖ First, China has come a long way in Internet development. China was connected to the World Wide Web for the first time in 1994. Since then the Internet has evolved as a major opportunity to push forward the reform and opening-up and modernisation of China. Cyberspace has enhanced productivity and people's living standard and promoted economic and social progress. China now has 457 million Internet users. This is a number larger than any other country in the world. The Internet penetration rate is 34.3% of the population. Chinese Internet users are very active. Currently there are 230 million bloggers, 120 million microbloggers and over one million Bulletin Board Systems. Online payment and banking are widely used and more and more economic transactions are done online. The the number of online shoppers is increasing by almost 50% year-on-year.
- ❖ Second, China upholds cybersecurity in accordance with law. Cybersecurity has become a major challenge to the Chinese government. China has seen an increase in the number of cyber-crimes in recent years, e.g. property infringements through cyber-fraud and theft, crimes of making and spreading Trojan horses and zombie viruses, hacking into and attacking computer systems and communication networks, phishing directed against major E-business, financial institutes and third-party online payment... About 60% of the ministerial level websites in China faced security threats of varying degrees in 2010. Since 1994, China has enacted a series of laws and regulations related to cybersecurity. The laws are:
 - ❖ Regulations on Telecommunications
 - ❖ Regulations on the Protection of Computer Information System Security
 - ❖ Measures on Protection of Computer Information Networks Connected to the Internet.

There are provisions about the Internet in other Chinese regulations:

- ❖ Criminal Law
- ❖ Civil Law
- ❖ Copyright Law
- ❖ The Law on the Protection of Minors



☛ The Law on Punishment in relation to Public Order applicable to cybersecurity

It is evident that the Chinese government has taken effective measures to ensure cybersecurity. The number of Chinese websites tampered by hackers was down by 21.5% between 2009 and 2010.

- ☛ Third, the Chinese government has always supported international cooperation in cybersecurity. The PRC agrees that safety, protection of international cyberspace as well as the importance of international cooperation in risk management of cyberattacks should become the basic challenge and priority for international society in order to ensure personal safety of our children. We repeatedly emphasize that the way forward is to jointly deter and fight cyber-crimes through a multilateral cooperation mechanism. China welcomes the establishment of bilateral or multilateral mechanisms for dialogues and exchanges on cybersecurity to settle differences through fair and balanced consultations. China backs international exchanges among industrial associations. It encourages experts and scholars from different countries to engage in academic exchanges and share their findings. China advocates strengthened collaboration among law enforcement authorities of different countries.

China took an active part in the successive World Summits on the Information Society. China has participated in other major international or regional conferences related to the Internet. This includes the First Worldwide Cybersecurity Summit hosted by the EastWest Institute in Dallas. In 2009 China signed an agreement with ASEAN and members of the Shanghai Cooperation Organization. They were called:

- ☛ The China-ASEAN Coordination Framework for Network and Information Security Emergency Responses and the Agreement among the Governments of the SCO Member States on Cooperation in the Field of Ensuring International Information Security.

In addition the Chinese public security authorities have joined with the following:

- ☛ The Interpol Asia-South Pacific Working Party on IT crime.
☛ The China-US Joint Liaison Group and other forms of international cooperation.

Since 2006 the public security authorities of China have handled more than 500 requests of assistance for cyber-crime investigation from over 40 countries and regions.

- ☛ We hope the international community can abandon prejudice and work hard with China to maintain online security.



Position of **People's Republic of China** to the proposals in the second draft of the negotiation paper regarding the global cybersecurity issues for purpose of the conference held by Forum for 21st Century on 29 November 2011:

- 🛡️ This Conference will see the publication of an important document called Basic Cyberspace Principles. China fully supports its publication and would like to attach the following comments:
- 🛡️ China agrees with the creation of an international legal basis and terms with respect to usage and control the Internet and local intranets (governmental, corporate and others) and except for the definition internet users on the Internet, their rights, commitments and sanctions for criminal acts which would be accepted by the represented parties and would serve as a basis in resolving international cybernetic crimes and conflicts we also propose a definition of cybercrimes, countries rights and responsibilities in cyberspace that would enable prosecution of cybercriminals.
- 🛡️ China gives its assent to the first two principles proposed by the Forum for 21st Century and suggests further discussion of internet privacy and specification of “requiring certain the limits in anonymity of internet users and their actions”.
- 🛡️ China consents to incorporate strict regulation and control of non-state actors that have access to vast databases of personal data and consequently to the privacy of internet users by state representatives and representatives of NGO's (multi-stake holding model). We further agree that only bodies empowered by the government should have the right, under certain circumstances known to the subjected entity, to use and gain access to data of personal character for the public security.
- 🛡️ China stresses the need to fully respect the rights and freedom in cyberspace as well, including the rights and freedom in searching for, acquiring and disseminating information on the premise of complying with the state's laws and regulation. All states' rights and responsibilities to protect the information space and critical information infrastructure from threats, disturbances, attacks, sabotage in accordance with relevant national laws and regulations needs to be underlined.
- 🛡️ China affirms the definition of cyberspace proposed by the Forum for the 21st Century as well as the suggestion to differentiate sanctions in accordance with the proposed type of criminal or illegal activity conducted and their inclusion in the Joint Cybercriminal Database.
- 🛡️ China will join CYBERPOL and is ready to pass information about criminal activity recorded on national level to Join Cybercriminal Database, but disagrees with the ban of malevolent IP's, because ITC experts have proved that the IP address is not necessarily the real origin. Hackers are proficient in changing IP addresses, but also in changing countries the IP addresses come from. Identifying the attackers without carrying out a comprehensive investigation and making inferences about the attackers is both unprofessional and irresponsible.



The Model Conference Global Security Issues

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Modelová konferencia Bezpečnostná sekcia

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- ❖ China fully supports the development of Best Practice Sharing and introduction of voluntary Internet ID Numbers for individuals proposed by the Forum.
- ❖ China also demands to limit digital activism. At the same time the PRC emphasises the need for a pledge from every state that it will not proliferate information weapons and related technologies and not use information and communication technologies (ICTs), including networks to carry out hostile activities or acts of aggression, that pose threats to international peace and security.
- ❖ The PRC repeatedly proposes ensuring the supply chain security of ICT products and services, preventing other states from using foreign resources, critical infrastructures, core technologies and other advantages to threaten the right of other countries to independent control of its ICTs.
- ❖ China supports the fight against criminal and terrorist activities which use ICTs including networks. We remind the Forum for the 21st Century the need to differentiate between the act of aggression and the war of aggression defined in the UN General Assembly Resolution 3314, which made it clear that not every act of aggression would constitute a crime against peace. We suggest giving the authority to UN Security Council to determine whether aggression has taken place.
- ❖ Finally, China supports cooperation in prosecution of illegal paramilitary or terrorist activity and groups and exposure of individuals behind hacktivism.