



Position of the Republic of India for the purpose of the conference held by Forum for 21st Century on 29 November 2011 reflected in the second draft of the negotiation paper regarding the Global Cybersecurity Issues

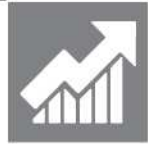
The Republic of India would like to thank the Forum for 21st Century for examination of its proposes and taking them into account. After an in-depth analysis of the draft proposed by the Forum for 21st Century let us annotate it and express our propositions.

In the section Notes:

- ❖ Cyber criminals began in a small way to commit petty crimes, in different parts of the world. But with the expanding cyberspace, financial payoffs have increased which have led to the emergence of organized gangs spread over different cities across countries. Crime syndicates including terrorists are increasingly visible.
- ❖ Fundamentalists of different religious and political groups cause aggrieved damages to nations. They have already graduated from defacing websites to causing real damage to their 'enemies'.
- ❖ Data Protection has emerged as a major challenge in cross-border data flows. Clients are demanding more security as their worries about the cyber crimes, privacy and identity theft grow. Regulatory and law-enforcement agencies of countries where clients are located require a proof of compliance by the IT service providers with their security and privacy regulations. Different countries have different laws to deal with data security and data privacy. In view of the multiplicity of privacy legislations worldwide, the service providers in India are faced with a major challenge of demonstrating compliance with the laws of countries where the data originate.
- ❖ Therefore the standpoint of Republic of India is to fight effectively against cyber crime together with negotiating parties, create International Cyberlaw and define effective sanctions for criminals.

In the section Proposals

- ❖ The Republic of India defines the cyberspace as IT networks, computer resources and all the fixed and mobile devices connected to the global Internet. They are connected through undersea cables, satellites in outer space, land lines, and radio links. As a cyberspace of India is part of global cyberspace and it cannot be isolated to define its boundaries since cyberspace is borderless, the Republic of India underlines its will to create a common and unique definition of cyberspace.



- ❑ Recalling the fact that number of serious cyberattacks with worldwide impact on international stability and security is increasing rapidly, the Republic of India is ready to define the sanctions in accordance with the type of criminal or illegal activity conducted as proposed on the second draft. A democratic country needs to do everything possible to protect its citizen's personal rights and national priorities, no matter how communications, interactions and transactions are conducted.
- ❑ Underlining a significant role of private IT corporations and institutes which dispose of important databases of sensible information, the Republic of India agrees with a multi-stake holding model and supports a control and regulation of IT companies.
- ❑ The Republic of India stresses its full support to establish the CYBERPOL as a twin-organization to the current Interpol and is ready to provide all information concerning cybercrime on national level to the Joint Cybercriminal Database.
- ❑ The Republic of India would like to express its full support towards creating the Best Practice Sharing and considers it as appropriate way to spread the know-how and experiences of concerning countries and react together against the international cybercrime. Furthermore, the Republic of India believes that a closer cooperation of IT corporations on international level would bring a higher efficiency in combating the crimes.
- ❑ Regarding the suggestion of Forum for 21st Century to introduce Internet ID Numbers for individuals, the Government of India has launched a similar project to issue unique identification numbers (UID Nos.) to all the residents of the country. Capturing their personal particulars along with biometrics such as fingerprints, iris scan and facial image which are stored centrally has brought several privacy challenges. These have been analysed in detail in a paper prepared by Data Security Council of India (DSCI). Therefore, the Republic of India would like to underline certain data protection challenges which should be discussed by all negotiating parties to protect internet security:
 - 1) Large centralized databases, accessible over networks in real-time, presents significant operational and security concerns. If networks fail or become unavailable, the entire identification system collapses;
 - 2) Large centralized databases of biometric PII, hooked up to networks and made searchable in a distributed manner, represent significant targets for hackers and other malicious entities to exploit;
 - 3) Large centralized databases are more prone to functional creep (secondary uses) and insider abuse;



The Model Conference Global Security Issues

Faculty of International Relations, University of Economics in Bratislava



Modelová konferencia Bezpečnostná sekcia

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- 4) Significant risks associated with transmitting biometric data over networks where they may be intercepted, copied, and actually tampered with, often without any detection.

The Republic of India believes that the conference on global cybersecurity issues organised by Forum for 21st Century on 29 November 2011 will provide a convenient environment for discussion and come out with concrete proposals concerning the fight against cybercrime.