

International Conference on Cyberlaw, Cybercrime & Cybersecurity

New Delhi, India

OUTCOME DOCUMENT

OF THE



INTERNATIONAL CONFERENCE ON CYBERLAW, CYBERCRIME & CYBERSECURITY 2020

**ADOPTED BY THE PARTICIPANTS OF THE
INTERNATIONAL CONFERENCE ON CYBERLAW,
CYBERCRIME & CYBERSECURITY**

25TH – 27TH NOVEMBER, 2020

Organized By: | Cyberlaws.Net & Pavan Duggal Associates, Advocates, Supreme Court of India |
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PREAMBLE

RECOGNIZING that Cyberspace is today the crucial lifeline for humanity for its activities, operations and transactions

ACKNOWLEDGING that Internet has become even more important for the human civilization, ever since the advent of Covid-19 as the world moves towards increasing digitization, as a response to fighting the challenges of the pandemic

PRONOUNCING that Cybercrime is complex, given that there are no geographical boundaries in the cyber world. Actions on the internet have quick and far reaching consequences and that anonymity awarded by the cyber space complicates matters further.

MINDFUL of low digital literacy and less knowledge about online crimes, scams, security breaches which are taking place due to the lack of data and IT policies.

REALIZING that the abundant availability of internet bandwidth and growth of 5G will enable newer engagements through higher data transmission rates, lower latency and increased capacity.

REITERATING that comprehensive cybersecurity awareness programmes will create a critical “security-first culture.

WITNESSING that the importance of capacity building in cyberspace is increasingly being acknowledged by governments, international organizations and the private sector.

RESTATING the fact that cyber security breaches are likely to impede the growth of any nation economically, politically and otherwise. A surge in security breaches during the COVID-19 period is being witnessed globally, accompanied by substantial increase in usage by working remotely.

UNDERLINING that by working on capacity-building and confidence-building measures, cyber norms can be better realized

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NOTICING that digital justice is cheaper and faster besides addressing locational and economic handicaps.

ACCEPTING that the potential applications of smart contract technology are essentially limitless and could extend to almost any field of business.

SPOTTING that one of the most problematic results of the internet age has been identity security.

MENTIONING that Machine learning (ML) & Artificial Intelligence (AI) are rapidly developing technologies that impacts almost every aspect of a business.

DECLARING that cyber security breaches have the ability of prejudicially impacting not just the commercial and business interests of legal entities but also the sovereignty, security and integrity of nations.

KNOWING that encryption is vital and privacy and cyber security must be protected.

ALARMED that the advent of darknet is increasingly presenting new challenges to the law enforcement agencies which are currently new regulatory frontiers to address.

NOTING that trustworthy AI requires algorithms to be secure, reliable and robust enough to deal with inconsistencies during all life-cycle stages of an AI system.

STATING that there is a need for more enabling legal frameworks to ensure that AI doesn't invade personal privacy or become a tool for discrimination and surveillance

EMPHASIZING that the cyber safety and cyber wellbeing of citizens is one of the primary responsibilities of the government but they must also respect the digital privacy of citizens unless they have just and probable cause.

OBSERVING the potential impact of technologies on the horizon including Quantum Computing and Machine Learning, which could completely change the manner in which

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humans interact digitally

KNOWING that no cohesive international steps and endeavors have been taken at a global level so as to deal with on the intersection of Cyberlaw, Cybercrime & Cybersecurity

WARMLY THANKING the supporters and participants of this Conference, because of whose support, the International Conference on Cyberlaw, Cybercrime and Cybersecurity, 2020 could be successful, eventful and prolific

PROMISING that the International Conference on Cyberlaw, Cybercrime and Cybersecurity will continue to provide an international platform for fruitful dialogue amongst various stakeholders in the cyberspace and endeavoring to devise a legal model for the development of cyberspace and to address cybercrimes and cyber terrorism therein.

KEY RECOMMENDATIONS

THE PARTICIPANTS OF THE INTERNATIONAL CONFERENCE ON CYBERLAW, CYBERCRIME AND CYBERSECURITY HEREBY CALL UPON THE INTERNATIONAL CONFERENCE ON CYBERLAW, CYBERCRIME AND CYBERSECURITY

1. To become a catalyst for discussions on the key aspects of Cyberspace, and its future trends and impacts, including legal, policy and regulatory issues thereof and present an integrated, holistic and strategic view of the issues therein, whilst recognizing that there is an urgent need for effective global cooperation on cyber issues amongst all stakeholders;
2. For encouraging stakeholders to work with governments and find solutions to ensure the safety of citizens, without eroding user privacy or cyber security.
3. To encourage digital stakeholders to reduce their exposure to cyber risk,
4. To discuss about the policy regulatory ramifications of Cyber warfare, which is becoming more prominent and frequent than ever before in the international arena.
5. To discuss the holistic legal and policy issues concerning norms or laws regarding cyber attacks and cyber operations, and aspects pertaining to their attribution

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6. To encourage all stakeholders to create a critical security-first culture,
7. To establish and maintain robust and properly implemented cybersecurity and connected legalities awareness programmes, and to ensure that end-users are aware of the importance of protecting sensitive information and the risks of mishandling information;
8. To provide a catalogue of security legal controls to meet current information protection needs and the demands of future protection needs, based on changing threats, requirements, and technologies;
9. To work towards creating a progressive digital culture,
10. To provide strategic leadership and coherence across Governments to respond, through legal, policy and other measures, to cyber security threats against identified critical information infrastructure.
11. To Coordinate, share, monitor, collect, analyze and forecast, national level threats to critical information infrastructure for policy guidance, expertise sharing and situational awareness for early warning or alerts.
12. To assist in the development of appropriate cybersecurity plans, adoption of standards, sharing of best practices
13. To work towards ensuring the establishment of appropriate legal frameworks that AI systems do not hamper fundamental rights,
14. To encourage digital stakeholders to ensure that digital privacy and personal data in the internet ecosystem must be protected
15. To encourage digital ecosystem actors to prepare for changing compliance requirements,
16. To lead the way in holistic aspects of Cyberspace and its future trends that will impact the society and widespread digital environment;
17. To sensitize stakeholders to find solutions to current issues related to data privacy, data harvesting and data farming including the legal policies and the regulations accruing therefrom;
18. To identify the legal, policy and regulatory issues related to the technologies of future;
19. To strengthen the international cooperation on Cybersecurity law , by creating more opportunities for governments, private sector, civil society, the technical community and academia from various regions of the world to engage in and develop innovative and effective legal frameworks, to address the truly global challenge of Cybersecurity;

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20. To increase the awareness about Cyberlaw, Cybercrime & Cybersecurity and to encourage discussions, debates at national, regional and international levels so that the emerging challenges concerning Cyberlaw, Cybercrime & Cybersecurity can be effectively discussed by various stakeholders;
21. To identify and highlight the legal nuances and challenges raised by fake news globally and encourage the crystallization of appropriate legal responses at various levels to deal with the same.
22. To collaborate with various international, regional and national stakeholders to work together in the development of legal jurisprudence on cyber security law;
23. To explore as to how the rapid growth of darknet and legal challenges connected therewith could be appropriately addressed by the digital ecosystem.
24. To identify, though an interdisciplinary approach, the future possibilities, scope and impact of emerging technologies such as IoT, Artificial Intelligence and Machine Learning;
25. To explore and analyze the various regional and national legislations on data protection and privacy and their contribution to strengthening the secure digital environment.

THE PARTICIPANTS OF THE INTERNATIONAL CONFERENCE ON CYBERLAW, CYBERCRIME AND CYBERSECURITY HEREBY FURTHER CALL UPON UNITED NATIONS AND ITS VARIOUS AGENCIES INCLUDING ITU, UNESCO, WIPO AS WELL AS ALL INTER-GOVERNMENTAL ORGANIZATIONS (IGOs) & NGOs

1. To encourage the compliance with minimum standards of regulations and best practices at international, regional and national levels concerning the security, resilience and reliability of cyberspace;
2. To contribute to the evolution and crystallization of acceptable cyberspace norms and behaviors in cyberspace, in order to promote cyber legal regime on the Internet and to further regulate cybercrime and promote Cybersecurity;
3. To provoke nation states to find solutions to multi-dimensional challenges, arising out of varied cyberspace based transactions and to educate all stakeholders about the enabling regulation of cyber space at national, regional and international levels;
4. To encourage the negotiation of such multipartite agreements which ensure

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peaceful cyber relations and international cyber cooperation amongst nations, in order to have maximum transparency and cooperation, when it comes to dealing with cyberspace issues;

5. To encourage the increase of multilateral relations among all countries and to work towards increasing agreements on international standards for Cyberlaw, Cybercrime and Cybersecurity;
6. To formulate policies and strategies basing on the principles enshrined in UN Charter, for the evolution and development of more universal international principles concerning acceptable norms and behaviour in cyberspace;
7. To consider examining the making of data as the basis of data sovereignty in cyberspace;
8. To introduce legal, policy, administrative changes on a priority basis towards establishing a safe and secure cyberspace and use of ICTs for sustainable development;
9. To define minimum elements of cyber-war on an international level in order to ensure uniformity of approach in dealing with the same and maintaining transparency in cyberspace.
10. To provide for protection of Intellectual Property in cyberspace and curb digital piracy;

THE PARTICIPANTS OF THE INTERNATIONAL CONFERENCE ON CYBERLAW, CYBERCRIME AND CYBERSECURITY HEREBY CALL UPON NATION STATES, EDUCATION & RESEARCH INSTITUTIONS, PROFESSIONAL ASSOCIATIONS, MEDIA INSTITUTIONS, CULTURAL & SOCIAL INSTITUTIONS AND ORGANIZATIONS, NETWORKS, BUSINESS, CORPORATE & INDUSTRY SECTORS AS WELL AS ALL RELEVANT STAKEHOLDERS:

1. To set up specialized legal mechanisms that improve recourse for internet users to effective legal remedies.
2. To stay prepared and course correct their respective digital Strategies by plugging the gaps, wherever needed.
3. To take great care to ensure the digital safety of citizens, while still maintaining their

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- digital privacy.
4. To explore models of regulating the misuse and abuse of Darknet for criminal and other illegal purposes.
 5. To recognize the growing importance of cyberspace as a major focus of international relations.
 6. To focus on the implementation of existing norms at regional levels as the lack of a breakthrough in the implementation of global cyber norms highlights the need of the same.
 7. To provide the ideal platform for consolidating efforts in capacity-building and confidence-building.
 8. To reinforce efforts in cyber norm implementation at the regional level with a multi-stakeholder approach and to encourage the recognition of the application of principles of international law to cyberspace.
 9. To monitor the state of peace and conflict in cyberspace and contribute in the evolution of appropriate strategies to maintain a peaceful secure and resilient cyberspace.
 10. To invest in people and technology to help stop cyber-attacks, as also to address the human element as fundamental to a secure digital workforce by looking at challenges such as insider threats and social engineering by malicious actors.
 11. To increase the cyber security for critical infrastructure as well as critical information infrastructure.
 12. To reinvent themselves by defining their desired role in the data economy through an evaluation of their engagement in these ecosystems.
 13. To regulate fake news to protect the social and individual legitimate interests such as reputation, privacy, and truthful advertising, no matter how it has been defined.
 14. To put in place appropriate architectures in place that promote agile processes and allows data to flow rather than being restricted to siloes.
 15. To increase bilateral relations among countries in aspects of Cyberlaw and to take effective steps to curb the nuisance of Cybercrime;
 16. To encourage the implementation of strong and conclusive Cyberlaw regimes around the world and to promote and ensure Cybersecurity;
 17. To foster the culture of cyber security and awareness on cyber related risks through aimed actions, addressing citizens from kids to seniors;
 18. To spread public awareness on issues concerning Cyberlaw, Cybersecurity and

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Cybercrime;

19. To actively encourage international coordination and approaches on how multiple sovereign governments can and should address questions of Internet Governance that cannot be solved by or within a single state;
20. To explore the need for new international cooperation mechanisms, to deal with rise in complex cybercrimes and data breaches;
21. To find innovative solutions to tackle the rapid increase in the nuisance of cybercrime, especially fake news, hate speech and spread of misinformation;
22. To cooperate on the complex legal, policy and regulatory challenges of newly emerging technologies like Artificial Intelligence, Blockchain, IoT, Machine Learning and Quantum Computing;
23. To appropriately encourage dealing with the complex legal, policy and regulatory challenges of newly emerging technologies in an enabling manner, in the legislative framework of various States, while ensuring the protection and enjoyment of basic human rights;
24. To identify the various emerging challenges in Internet of Things(IoT) and how can they be regulated, in an enabling manner, by various governmental agencies;
25. To regulate the commercial use of IoT, and other emerging technologies in order to ensure consumer-safety;
26. To explore ways, mechanisms and processes as to how emerging technologies including Artificial Intelligence, Internet of Things , Blockchains and Quantum Computing could be used constructively to enhance a cyber secure ecosystem, whether through legal, policy, process approaches or otherwise;
27. To work together towards evolving increasing international cooperation to deal with the legal challenges presented by cyberspace in a time-bound manner;
28. To work towards international policy and regulatory approaches and responses to the legal challenges presented by emergence of Cryptocurrencies;
29. To setup appropriate platforms which can provide for education and training in the field of Cyberlaw and Cybersecurity.

We, ICCC participants, urge that joint efforts need to be taken by all relevant stakeholders to maintain the intrinsic character of cyberspace which is safer, more resilient, and remains the major driver of sustainable economic development and

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growth for years to come.

We reiterate that stepping forward in a new era of digital workspace, we all need to be safe, secure and diligent, while encouraging further advancement in cyberspace as well as information and communication technologies (ICTs).

We, the participants of the International Conference on Cyberlaw, Cybercrime and Cybersecurity, approve and adopt the above Outcome Document.

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