ASEAN's Cooperation
on
Cybersecurity and against Cybercrime

Presentation by the ASEAN Secretariat

Octopus Conference: Cooperation Against Cybercrime
4 December 2013, Strasbourg, France

Association of Southeast Asian Nations

Outline

- **ASEAN Mechanisms and Documents**

- **ASEAN Projects**

ASEAN Mechanisms and Documents

- **ASEAN Ministerial Meeting on Transnational Crime** (AMMTC)

  - review work by various ASEAN bodies on transnational crimes

  - set pace, direction for regional collaboration on combating such crime

- **ASEAN Senior Officials Meeting on Transnational Crime** (SOMTC)

  - review policy strategies and implementation of its Work Programmes

  - report the development of their work to AMMTC

- **ASEAN Regional Forum** (ARF)

  - foster constructive dialogue and consultation on political and security issues of common interest and concern

  - make significant contributions to efforts towards confidence-building and preventive diplomacy in the Asia-Pacific region

ASEAN Mechanisms and Documents

- **ASEAN Telecommunications Regulators Council (ATRC)**
  - ➤ To provide the telecommunications regulators and authorities within the region a platform for cooperation within the mutual interest to the administration of the ASEAN Member States (AMSs)
  - ➤ To identify and promote areas of potential cooperation in telecommunications amongst AMSs and facilitate the exchange of information through work programs.

- **Senior Officials Meeting on Social Welfare and Development (SOMSWD)**
  - ➤ To address social risks faced by children, women, the elderly and persons with disabilities.

ASEAN Mechanisms and Documents

AMMTC

- The *ASEAN Declaration on Transnational Crime* was signed by ASEAN Ministers of Interior/Home Affairs on 20 December 1997 in Manila, Philippines during the 1st AMMTC

- The *ASEAN Plan of Action to Combat Transnational Crime* was adopted by the 2nd AMMTC held on 23 June 1999 in Yangon, Myanmar

  - During the 3rd AMMTC held on 11 October 2001 in Singapore, ASEAN Ministers responsible for transnational crime agreed to include **cybercrime** in the Work Programme to Implement the ASEAN Plan of Action to Combat Transnational Crime

  - During the 9th AMMTC held in Vientiane, Lao PDR, on 17 September 2013, the Ministers welcomed the SOMTC's creation of the new SOMTC Working Group on Cybercrime.

ASEAN Mechanisms and Documents

<u>SOMTC</u>

Eight areas of transnational crimes under the purview of SOMTC:

1. Terrorism
2. Trafficking in persons
3. Illicit drug trafficking
4. Money laundering
5. Arms smuggling
6. Sea piracy
7. International economic crime
8. **Cybercrime (Voluntary Lead Shepherd: Singapore)**

ASEAN Mechanisms and Documents

- The *Work Programme to Implement the ASEAN Plan of Action to Combat Transnational Crime*—which introduced the **cybercrime component**—was adopted by the 2nd Senior Officials Meeting on Transnational Crime (SOMTC) held on 17 May 2002 in Kuala Lumpur, Malaysia

- The cybercrime component is categorised into five main areas of cooperation – information exchange; legal matters; law enforcement matters; training and capacity building,; and extra-regional cooperation

- At the 7th SOMTC held in Vientiane, Lao PDR from 26 to 27 June 2007, the Meeting adopted a common framework for ASEAN cybercrime enforcement capacity building in support of the global fight against cybercrime.

- At the 13th SOMTC held in Vientiane, Lao PDR from 19 to 20 June 2013, the Meeting endorsed the establishment of a Working Group on Cybercrime.

ASEAN Mechanisms and Documents

ARF

- *ARF Statement on Cooperation in Fighting Cyber Attack and Terrorist Misuse of Cyber Space*, Kuala Lumpur, 28 July 2006. The statement included several key points, among others:

  1. Endeavor to enact and implement cyber crime and cyber security laws in accordance with their national conditions and by referring to relevant international instruments and recommendations/guidelines for the prevention, detection, reduction, and mitigation of attacks to which they are party.

  2. Acknowledge the importance of a national framework for cooperation and collaboration in addressing criminal, including terrorist, misuse of cyber space and encourage the formulation of such a framework.

  3. Agree to work together to improve their capabilities to adequately address cyber crime, including the terrorist misuse of cyber space

  4. Commit to continue working together in the fight against cyber crime, including terrorist misuse of cyber space, through activities aimed at enhancing confidence among different national Computer Security Incident Response Teams (CSIRTs), as well as formulating advocacy and public awareness programs.

ASEAN Mechanisms and Documents

- *ARF Statement on Cooperation in Ensuring Cyber Security*, Phnom Penh, 12 July 2012. The Statement includes the following measures to intensify regional cooperation on security in the use of information and communication technologies:

    1. Promote further consideration of strategies to address threats emerging in this field consistent with international law and its basic principles;

    2. Promote dialogue on confidence-building, stability, and risk reduction measures to address the implications of ARF participants' use of ICTs, including exchange of views on the potential use of ICTs in conflict;

    3. Encourage and enhance cooperation in bringing about culture of cyber security;

    4. Develop an ARF work plan on security in the use of ICTs, focused on practical cooperation on confidence building measures, which could set out corresponding goals and a timeframe for their implementation;

    5. Review a possibility to elaborate common terms and definitions relevant to the sphere of the use of ICTs.

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ASEAN Telecommunications and IT Ministers Meeting (TELMIN) , Telecommunications Senior Officials Meeting (TELSOM), ATRC

- *3rd TELMIN in 2003, Singapore adopted the Singapore Declaration*

- The Declaration emphasised on the efforts to establish the ASEAN Information Infrastructure with a view to promote interoperability, interconnectivity, security and integrity. The Ministers of Telecommunications and IT decided that all ASEAN Member States to develop and operationalise national Computer Emergency Response Teams (CERTs) by 2005 in line with mutually agreed minimum performance criteria. A virtual forum for ASEAN cyber-security is being formed to develop a common framework to coordinate exchange of information, establishment of standards and cooperation among enforcement agencies.

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- The Framework for Cooperation on Network Security together with an Action Plan were adopted at the 11th ATRC Meeting held in Penang, Malaysia, from 16 - 18 August 2005.

- A revised version of the framework was adopted at the 19th ATRC Meeting in Manado, Indonesia, August 2013. The revisions were made to change to broaden the scope of security issues and to include cooperation with other agencies in charge of network security enforcement.

- *ASEAN ICT Masterplan 2015 (AIM2015)* was adopted by the 10th TELMIN held on 13-14 January 2011 in Kuala Lumpur, Malaysia.
  - ➢ 2 of 6 Strategic Thrusts are related to Cybercrime :
    - i. *Strategic Thrust 2: People Engagement and Empowerment*
      Under Initiative 2.4: Build trust:
      - o Promote secure transactions within ASEAN
      - o Outreach campaign to promote awareness of cyber-security

ASEAN Mechanisms and Documents

ii. *Strategic Thrust 4: Infrastructure Development*
Under Initiative 4.2: Promote network integrity and information security,
data protection and CERT cooperation:
   o Establish common minimum standards for network security to ensure a level of preparedness and integrity of networks across ASEAN
   o Develop a network security "health screening" programme for ASEAN to be implemented at regular intervals
   o Develop best practice models for business continuity and disaster recovery for all sectors
   o Establish the ASEAN Network Security Action Council (multi-stakeholder) to promote CERT cooperation and sharing of expertise, amongst others
   o Share best practices on the protection of data and information infrastructure across ASEAN

- Network Security Action Council (ANSAC)
  ➢ The 1st ANSAC Meeting was held on 5 June 2013 in Brunei Darussalam, the 2nd Meeting was held on 19 August 2013 in Manado, Indonesia.

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Mactan Cebu Declaration

- Declared at the 12th TELMIN held in Mactan, Cebu, the Philippines, 15-16 November 2012

- "Continue the collaborative activities among ASEAN Computer Emergency Response Teams (CERTs) such as the ASEAN CERTS Incident Drills (ACID), so as to enhance incident investigation and coordination amongst CERTs in support of the ASEAN Network Security Action Council (ANSAC) activities".

ASEAN Mechanisms and Documents

Master Plan on ASEAN Connectivity

- The Master Plan on ASEAN Connectivity was adopted by the ASEAN Leaders at the 17th ASEAN Summit in 2010.

- The Master Plan serves to achieve a bold and long-term strategy to improve the region's physical, institutional and people-to-people connections.

- While recognising the tangible benefits of closer connectivity, the Master Plan recognises that the problems caused by transnational crime, illegal immigration, environmental degradation and pollution, and other cross-border challenges should be addressed properly.

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- The Master Plan on ASEAN Connectivity encompasses the three key elements of:

i.   Physical connectivity: Transport; Information and Communications Technology (ICT); and energy;

ii. Institutional connectivity: Trade liberalisation and facilitation; investment and services liberalisation and facilitation; mutual recognition agreements/arrangements; regional transport agreements; cross-border procedures; and capacity building programmes.

iii. People-to-people connectivity: Education, culture, and tourism.

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- A robust ICT Infrastructure in tandem with better human resources and regulatory environment is critical for enabling ICT as an engine of trade, economic growth, innovation and better governance in the ASEAN Region. Thus, seven key actions have been drawn up to accelerate the development of ICT Infrastructure and services in each of the AMS. These were outlined under Strategy 6 of the Physical Connectivity.

- Under Strategy 6: Accelerate the development of ICT infrastructure and services in each of the ASEAN Member States, the following key action is related with cybercrime: "(iv) Promote network integrity and information security, data protection and Computer Emergency Response Team (CERT) cooperation by developing common frameworks and establishing common minimum standards where appropriate, to ensure a level of preparedness and integrity of networks across ASEAN by 2015."

ASEAN Projects

ARF

- The 1st - 4th ARF Seminars on Cyber Terrorism, 2004-2007

- ARF Conference on Terrorism and the Internet, Bali, 6-8 November 2008

- ARF Cybercrime Capacity-Building Conference, Bandar Seri Begawan, 27-28 April 2010

- ARF Workshop on Proxy Actors in Cyberspace, Quang Nam, 14-15 March 2012

- ARF Workshop on Cyber Incident Response, Singapore, 6-7 September 2012

- ARF Seminar on Confidence-Building Measures in Cyberspace, Seoul, 11-12 September 2012

- ARF Workshop on Preparedness Measures to Enhance Cyber Security – Legal and Cultural Aspects, Beijing, 11-12 September 2013

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ASEAN Projects

ATRC Projects with ASEAN Dialogue Partners

- READI Workshop on Cybercrime Legislation in ASEAN Member States, held on 27-28 November 2008 in Kuala Lumpur, Malaysia and on 26-28 January 2010 in Manila, Philippines

- ASEAN – EU Training for Law Enforcement, Judges and Prosecutors on Cybercrime, 4-8 July 2011, Malaysia

- Annual ASEAN-Japan Network Security Workshop (since 2009) and annual ASEAN-Japan Information Security Policy Meeting (since 2008) hosted on rotation basis amongst Japan and ASEAN Member States

- Annual ASEAN-China Network Security Seminar (since 2009) in China

ASEAN Projects

SOMSWD

- ASEAN Conference on Working Toward a Cyber Pornography and Cyber Prostitution-Free Southeast Asia, Manila, Philippines, 18-22 June 2012

- 2nd ASEAN Conference on Working Toward a Cyber Pornography and Cyber Prostitution-Free Southeast Asia, Tagbilaran, Bohol, Philippines, 22-26 April 2013. Some recommendations from the Conference include:

  ➢ Strengthen national legislations to define, prohibit and criminalize, in accordance with existing international human rights standards, all acts of sexual exploitation of children and adolescents, particularly cyber pornography and cyber prostitution;

  ➢ Promote ASEAN cooperation concerning extra-territorial jurisdiction and mutual legal assistance to facilitate effective prosecution of perpetrators of all acts of sexual exploitation of children and adolescents and appropriate sanctions of such extraditable offence;

  ➢ Strengthen telecommunication regulations to cover non-commercial and commercial sectors, and to standardize data retention policies for service providers; and

  ➢ Develop a clear code of conduct and referral system or inter-agency coordination mechanism in monitoring, reporting and handling cases and victims of cyber pornography and cyber prostitution in ASEAN Member States.

Thank you for your kind attention

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