



SPC
Secretariat
of the Pacific
Community

Pacific Regional Workshop on Cybercrime Legislation

**Octopus Conference
21-23 Nov 2011, Strasbourg, France**

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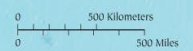
About SPC

- Secretariat of the Pacific Community (SPC)
- Established in 1947;
- Inter-governmental International Organisation;
- 26 member countries – USA, France, Australia, New Zealand + 22 Pacific Countries and Territories;
- Currently > 500 staff;
- HQ in New Caledonia, 2 regional offices (Fiji, FSM);
- Sectors include Health, Energy, DRR/DM, Water, Transport, ICT, Statistics, Agriculture, Marine ...
- www.spc.int

	American Samoa
	Australia
	Cook Islands
	Federated States of Micronesia
	Fiji
	French Polynesia
	Guam
	Kiribati
	Marshall Islands
	New Caledonia
	Nauru
	New Zealand
	Niue
	Palau
	Papua New Guinea
	Samoa
	Solomon Islands
	Tokelau
	Tonga
	Tuvalu
	Vanuatu

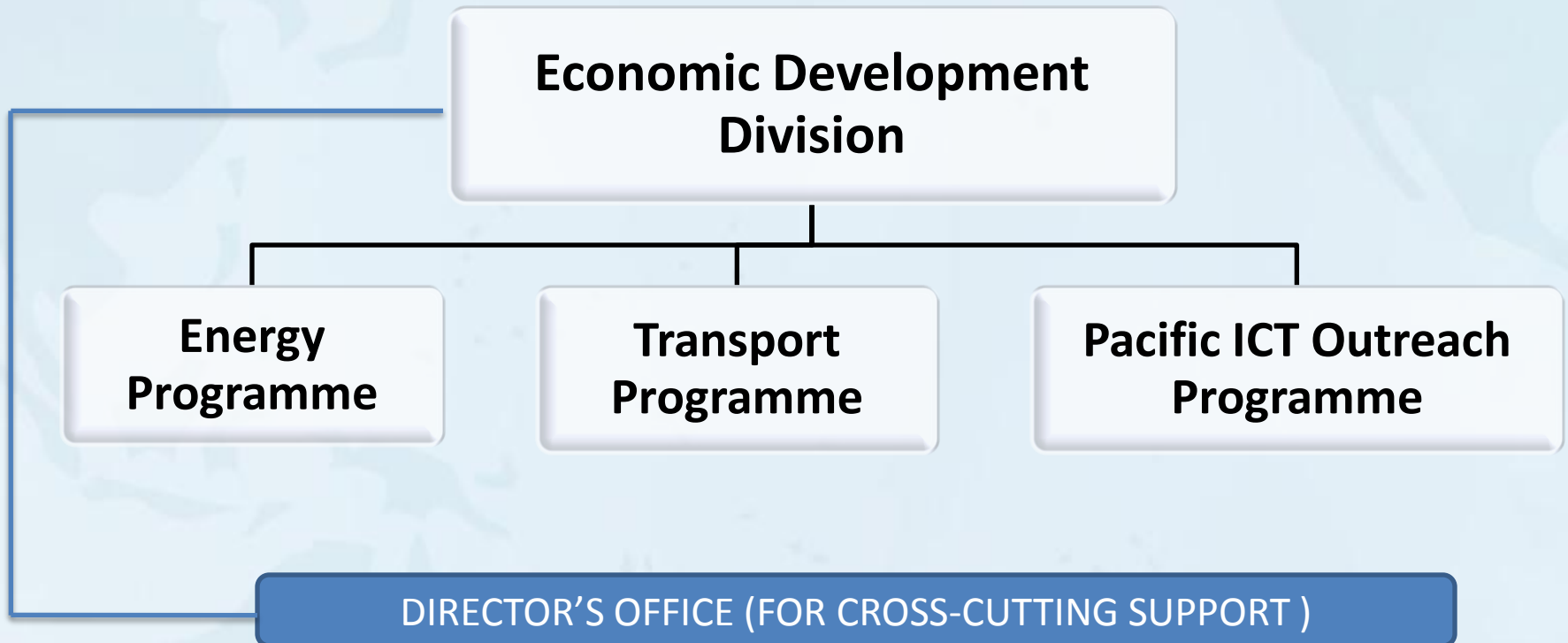


Scale: 1:36,000,000 at 30°S
Mercator Projection





EDD structure 2011





Challenges in the Pacific

- Decision makers lack of awareness and knowledge about key roles of ICT as a tool for development;
- Weak policy and legislative environment;
- Widely dispersed population – tyranny of distance;
- Small population - Lack of economy of scale;
- Poor Energy and ICT Infrastructure;
- Lack of human capacity;
- Digital Divide – ‘Haves’ and ‘Have Nots’;
- Costs of ICT still high;
- Lack of coordination by ICT development partners – regional and national level;



Pacific Regional Policies

2005 – Pacific Plan
endorsed



2006 Pacific Plan Digital
Strategy (PPDS)

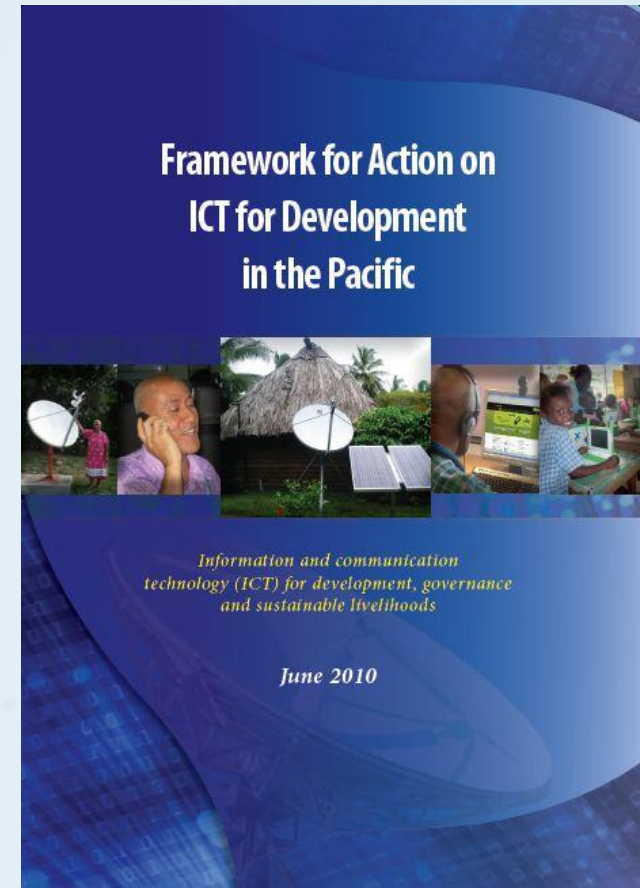


2010 – Framework for
Action on ICT for
Development in the Pacific



Major Outcomes of Tonga Ministerial

- Endorsement of the **Framework for Action on ICT for Development in the Pacific;**
- SPC requested to **coordinate implementation of the Framework** in collaboration with USP and partners;
- Direct their Officials to work with SPC, the Council of Europe, ITU and development partners on **developing appropriate policy, legislative and regulatory frameworks and strategies to combat cyber crime and promote Internet safety and security, including child online protection**



Addressing the challenges



1. Leadership, governance, coordination and partnerships

2. ICT policy, legislation and regulatory frameworks

3. ICT human capacity building

4. ICT infrastructure and access

5. International connectivity

6. Cyber security and ICT applications

7. Financing, monitoring and evaluation

Framework for Action on ICT for Development in the Pacific



*Information and communication
technology (ICT) for development, governance
and sustainable livelihoods*

June 2010

SPC, as mandated by Pacific ICT Ministers, coordinate ICT Development in collaboration with USP and development partners



“Many Partners, One Team”



UN-APC*i*CT







Pacific Regional Workshop on Cybercrime Legislation

- Tonga, **27-29 April 2011;**
- Co-hosted by the **Australian Government Attorney-General's Department (AGD)**, the **Council of Europe (COE)**, and the **Secretariat of the Pacific Community (SPC)**
- **15 Countries** were represented - Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.
- 3 Representatives from each country representing **(1) Attorney General/Solicitor General/Public Prosecutor's Office**, **(2) Law Enforcement**, and **(3) Ministry responsible for ICT**



ICT Access for the Poor

- **EU-ACP: ICT Access for the Poor: Improving access to ICT by informing and engaging Pacific ACP Legislators.**
- **Target beneficiaries : Pacific ACP Parliaments**
- **Objectives:**
 - Improve access to ICT services for the poor by improving and adopting relevant government policy and legislation
 - Facilitate and enable members of Pacific ACP parliaments to be better informed about ICT access issues.
 - Inform and enable parliamentarians to learn about successful legislation and interventions.





Pacific Regional Workshop on Cybercrime Legislation
27-29 April 2010, Tonga



Mr Paula Ma'u-Ministry of ICT, Mr Andrew Warnes -Aust AG Department, Hon Eseta Fusitu'a, Minister of ICT, Hon Tu'ivakano - Prime Minister of Tonga, Ms Kate Palmer,-Aust AG Department, Mr Siaso Sovaleni-SPC, Mr Alexander Seger-CoE

Cyber Legislation in Pacific



Cyber crime legislation

	Countries	Standalone	Part of other legislation	Spam legislation
1	Cook Islands			✓
2	Fiji		✓	
3	Kiribati		✓	
4	RMI			
5	FSM			
6	Nauru			
7	Niue			
8	Palau			
9	PNG		✓	
10	Samoa		✓	
11	Solomon Is.		✓	
12	Tonga	✓		D
13	Tuvalu			
14	Vanuatu		✓	
	Total	1	6	4



Agreed Outcomes

- Note that the *Framework for Action on ICT for Development in the Pacific* has set a target for **14 Pacific Island countries to have cybercrime legislation in place by 2015;**
- Consider the **Budapest Convention on Cybercrime (Convention)** as providing a guideline for cybercrime legislation in line with international standards;
- Note the existence of the **Computer Crimes Act 2003 (Tonga)** and related Acts as a **good example for the Pacific region of implementation of the Convention's provisions;**



Agreed Outcomes cont

- Agree that there is a need **to strengthen, and where possible, harmonise domestic legislation** to enable law enforcement authorities to effectively combat cyber crime and collect electronic evidence. This legislation should, where possible, seek to criminalise:
 - a) Illegal access to computer data and/or computer systems;
 - b) Illegal interception of computer data
 - c) Interference with computer data and/or systems
 - d) Misuse of devices used to commit further cybercrime offences
 - e) Computer-related forgery and fraud
 - f) Activity relating to the production, distribution and possession of child pornography, and
 - g) Offences relating to copyright infringement; and
 - h) should seek to adopt the procedural obligations contained in the Convention relating to investigations involving the preservation of electronic evidence, and mutual assistance and international cooperation;



www.e-pic.info OR www.pacificict.info

The screenshot shows a web browser window displaying the homepage of the e-Pacific Island Countries portal. The browser's address bar shows the URL <http://www.e-pic.info/en/>. The page has a blue header with the title "e-Pacific Island Countries" and the subtitle "An online Portal for Pacific ICT Information". Below the header is a navigation menu with links: Home, About Us, Themes, Resources, Countries, Partner Agencies, Newsletter, and Login. A search bar is located on the right side of the header. The main content area features a "Quick Links" section with links to "Browse by Country", "Browse by Themes", and "PIC Contacts Directory". To the right of this is a section titled "e-Talanoa Issue 5" with a date stamp "Monday, 14 November 2011 07:07". The text in this section reads: "Bula and welcome to the 5th issue of e-Talanoa – from the PICTO Programme, the Economic Development Division of the Secretariat of the Pacific Community. This issue comprises of all latest ICT developments/projects/news around the Pacific region. Once again, hearty thanks to those who have contributed to the current issue and we welcome comments/suggestions on the newsletter." Below this text is a thumbnail image of the e-Talanoa newsletter cover. On the far right, there are two sidebars: "Upcoming Events" which states "No events", and "Popular Searches" which lists "Capacity Building" and "Connectivity Education".

Monday, 14 November 2011 07:07

e-Talanoa Issue 5

Bula and welcome to the 5th issue of e-Talanoa – from the PICTO Programme, the Economic Development Division of the Secretariat of the Pacific Community.

This issue comprises of all latest ICT developments/projects/news around the Pacific region. Once again, hearty thanks to those who have contributed to the current issue and we welcome comments/suggestions on the newsletter.

Quick Links

- › Browse by Country
- › Browse by Themes
- › PIC Contacts Directory

Upcoming Events

No events

Popular Searches

Capacity Building

Connectivity Education

- <http://tinyurl.com/cyberlegislation>



Way Forward

- Seek sustainable support for Pacific Island countries to strengthen their cybercrime legislation;
- Convene a follow up regional workshop to
 - continue building capacity of Pacific Island countries;
 - Update PICs profiles;
 - Evaluate progress to date; and
 - Develop a work plan;
- Develop a capacity building programme for law enforcement, judiciary and key stakeholders; and
- Strengthen partnerships with key international partners such as Council of Europe, Commonwealth Secretariat, and ITU.



Thank You
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