

OCTOPUS Cyber Crime Conference – Opening Sessions
17th June 2015 – Strasbourg

Speech by the Secretary Justice of Sri Lanka

- Good Morning.
 - His Excellency (Thorbjørn Jagland), the Secretary General of the Council of Europe
 - His Excellency, the Chairman of the Committee of Ministers of the Council of Europe and other distinguished Guests at the Head Table
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 - The Chair, Vice Chair and Bureau members of the Cybercrime Convention Committee
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 - Executive Secretary of the Convention Committee
- Your Excellency's, Distinguished Guests, Ladies and Gentlemen

It is an honour and a great privilege to address you this morning in these magnificent surroundings, before such a large number of distinguished Cybercrime experts, representing all continents of the world. I thank the Council of Europe for inviting me and for extending gracious hospitality to myself and my delegation from Sri Lanka. We are delighted to be here as the latest party to the Budapest Convention, the first from South Asia.

Having attended the proceedings of the Cybercrime Convention Committee, during the last two days, and looking at the Agenda of the OCTOPUS Cybercrime Conference, starting today, I am really impressed by the extraordinary amount of work carried out by the Council of Europe in the global fight against Cybercrime.

I congratulate the Council of Europe not only for giving birth to the Budapest Cybercrime Convention, but also for nurturing it through the years, making it the most effective instrument and the ONLY INTERNATIONAL TREATY in the fight against Cybercrime.

The way you have facilitated criminal justice collaboration with Countries both within and outside Europe through this Budapest Cybercrime Convention is truly amazing. The technology neutral nature of the Convention supplemented by the enormous work undertaken by the Cybercrime Convention Committee over the years, has ensured that this Budapest Convention remains effective and relevant to address Cybercrime challenges of our contemporary digital era.

I wish to express our gratitude to the present as well as former Chairs and Vice Chairs, the Executive Secretary, Bureau as well as the Cybercrime Convention Committee members for their exceptional work towards humanity, creating a safer and a better *cyber-world* for “Internet of Things” or IOT to become a reality in the future. Coming from a fairly small country in South Asia, we are humbled and feel greatly honoured by the opportunity afforded to my colleagues from Sri Lanka to have an equal voice in the Convention Committee.

Sri Lanka has made significant advancements in the field of ICTs. For several years Sri Lanka ranks No. 1 in South Asia in the Networked Readiness Index (NRI), published jointly by the World Economic Forum & INSEAD in France. Last year, the UN e-Government readiness Index for Sri Lanka improved 41 places, to bring Sri Lanka to the No. 1 position in South Asia. This was a landmark achievement for our country.

Foreign Director Investments in the Software outsourcing and Services sector in Sri Lanka has improved tremendously to make the ICT sector the 5th largest revenue earner for the Country, in recent times. With literacy rates at more than 90%, it is no surprise that Sri Lanka has been identified as a premier outsourcing destination in the “*AT Kearney location index*”. The BPO and other outsourcing sectors are growing at more than 20% per annum and our educated workforce has been adjusting to the changing requirements in the ICT sector.

The multi-donor funded “*e-Sri Lanka Development Initiative*”, implemented through our Apex body, ICT Agency (ICTA), made a significant transformation in the ICT landscape of the Country. The Government has made a substantial investment in e-Government applications and introduced measures to bridge the digital divide by empowering our rural communities with access to technology. Recently, the Government launched a free wifi program, as a “citizen’s right”.

As a result of these investments our citizens now enjoy improved delivery of Government services. Even foreigners visiting Sri Lanka can also obtain Visa s online through our Electronic Travel Authorization system. Sri Lanka became the first in South Asia to deploy a dedicated Government Cloud and a set of standards for secure data sharing in Government, known as the “Interoperability Framework”.

With Sri Lanka moving to the digital era and gradually transforming itself into an Information Society, it became obvious that Sri Lanka would become vulnerable and exposed to the threat of Cybercrime. Last year alone Sri Lanka CERT resolved 2368 threats & incidents. It is axiomatic that Governments making significant commitments in ICT investments should also make similar investments to protect its critical information infrastructure and introduce criminal justice measures against cybercrime.

Therefore, Sri Lanka embarked on a series of legislative and policy reform initiatives to facilitate ICT development and also protect our citizens from Cybercrime as well as Cyber threats and incidents. In this area ICT Agency (ICTA) played the leading role. In addition to driving nation-wide ICT projects to improve our socio economic standards, ICTA helped formulate a number of policy reforms initiatives. One of its products, the Electronic Transactions Act (2006), set the stage for our Cabinet of Ministers to take a policy decision last week, to Ratify the UN Electronic Communications Convention. This is another first for South Asia.

In the formulation of Cybercrime Legislation, the Government took an early policy decision to adopt the features of the Budapest Cybercrime Convention, whilst also drawing inspiration from the Commonwealth Model Law on Computer Crime. Based on the experience of other countries, we realized quite early in our reform efforts that it was vital not only to harmonize our legislation with available global standards, but it was essential to have provisions for mutual assistance & cooperation in criminal justice matters. The Sri Lankan Computer Crimes Act No. 24 of 2007 is a manifestation of how much the Budapest Convention has influenced our national legislation.

Consequent to the Enactment of our Computer Crimes Act the Council of Europe Cybercrime Division worked in close partnership with ICTA Legal Division, the Ministry of Justice and other stakeholders in Sri Lanka to prepare the ground for Sri Lanka's accession to the Cybercrime Convention. Through a number of interventions, such as Conferences, workshops and Seminars, from year 2008 onwards, the dedicated staff of the Council of Europe prepared the ground for Sri Lanka's accession. We wish to record our deep appreciation to Mr Alexander Seger, Ms Cristina Schulman and the staff here for their dedicated support to Sri Lanka, from the inception of our engagement with Council of Europe. Several Countries outside Europe, especially USA & Japan provided vital strategic advise and support and we sincerely thank them.

I distinctly recall the opening address I made on 26th March this year at the inauguration of the EU/ Council of Europe funded International Cybercrime Conference. Since Sri Lanka had received the invitation to accede by that time, I called upon my Sri Lankan colleagues to expedite the process towards Sri Lanka's accession. We felt Sri Lanka's accession can be achieved relatively quickly because we had the required domestic legislation in place.

I am really pleased that the domestic procedures were completed at a historic speed and we were able deposit the Instrument by 29th May 2015. I wish to acknowledge here the leadership and commitment of our delegate in the Convention Committee, Mr Jayantha Fernando, the Legal Advisor of ICTA, who worked tirelessly for many years with officials from Ministry of Foreign Affairs and my Ministry to prepare the ground for Sri Lanka's accession.

Our accession to this important Convention will significantly enhance the ability to successfully investigate Cyber Crime offences. The effective fight against Cyber Crimes requires us to obtain electronic evidence stored on computer systems and networks in other countries. The Budapest Convention facilitates co-operation to this effect and greatly enhances our ability to gather electronic evidence and effectively deal with cyber laundering and other serious crimes. I hope other Countries in our region will follow our example.

Mr Secretary General, In conclusion I wish to make an observation....

It is manifestly clear that Budapest Convention has become the de facto standard for legislative reform, influencing laws of over 120 countries globally. However, only about half of that number have either ratified or acceded to this Convention. In some parts of the world this is still considered to be a European Convention and its global nature is not very well understood by policy makers.

Therefore, I wish to call upon the Council of Europe to consider doing more global outreach in partnership with other non-European countries like Sri Lanka, to drive the point that the Budapest Convention is a truly global Convention. Sri Lanka has the expertise and stands ready to work with the Council of Europe to advocate the objectives of the Convention. With our historic tradition for warm hospitality and cultural heritage, Sri Lanka can also be used as a hub for regional training and capacity building activities of the Council of Europe. You have our fullest support and commitment.

I thank you very much for recognizing Sri Lanka by inviting me to speak at this opening session and I wish the OCTOPUS conference a great success.

Kamalini De Silva
Secretary Justice
Sri Lanka