Lessons for cyberspace?

Reflections on international responses in security and shared resources

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Confidence building measures in cyberspace: lessons from multilateral security regimes. Wilton Park

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Many instruments & approaches developed by international community for:

➢ managing current & emerging challenges in resource use and sharing

➢ tackling current & emerging threats to security and stability

Cyberspace shares characteristics with both areas, but need to use comparisons with care.

Existing responses & instruments made provide models or lessons, but depends on similarities of problems they address and applicability of approaches used.

Also interesting to consider whether & how international community involved in these same areas have responded to developments and challenges posed in cyberspace.

Typical trajectory of international responses:

- Growth in awareness & recognition of issue, problem or threat through common knowledge, intelligence, science

- Formulation of government & private sector responses determined by:
  - Political interests, acceptability, positions and compromise
  - Technical feasibility, innovation, and cost

Options:

- new or amended national legislation or policies & measures

- new or amended CBMs, international voluntary/guidance instruments (codes of conduct)

- new or amended international law – ranging from agreed principles only to highly operational mex

Shared resources—economy, development and environment

Sea:

- Law of Sea & principles for defining boundaries, ownership and use
- Specific initiatives through various forums to deal with certain issues: illegal activities (port state measures, state responsibility and registration of actors), and pollution/waste, and climate change

Atmosphere:

- Climate change—Framework convention, Kyoto Protocol; ongoing intensive negotiations
- Ozone depletion—Montreal Protocol
- Air traffic agreements and procedures—ICAC & updates; ICAO

Outerspace

Legal principles and subsequent agreements

Security and stability issues

- Chemical weapons—CWC

- Biological weapons—BWC

- Nuclear weapons—NPT & IAEA Safeguards, CTBT IMS

- Terrorism—ICSANT and others

- Conventional weapons—ATT

Prohibitions on use, production & acquisition, or standards on import/export, important issues concerning dual-use.

What do these instruments hope to achieve?

- creating norms
- building confidence, reducing tension and preserving stability
- creating level playing field to avoid race to the bottom
- eliminating safe havens for poor practices
- supporting progress and development
- raising standards through exploring and sharing best practice, technology, and capacity building

And what measures have been used to do this?

- defining nature and scope of issue or problem
- identifying tested or innovative ways to tackle it
- national legislative implementation
- other national measures to achieve a particular goal
- national reporting on legislative or other implementing measures to international body
- national reporting on key data
- international review or verification *Verifying what, when and for what end?*
- international cooperation—information sharing, risk evaluation, denial notification, criminal investigations.
- international assistance for implementation/capacity building
- mechanisms for sharing best practice
- jurisdictional issues
- sanctions

Issue areas/international responses as targets of cyber threats

- Cyber security threats/issues
- Cyber security measures at the international level i.e. used by a treaty secretariat etc
- Cyber security measures incorporated into national implementation

E.g.

- Chemical weapons
- Climate change