

Court Trial – The Third Pillar for Cyberspace

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INTERPOL-Europol Cybercrime Conference, October 1-3, 2014.

The Background before 2000

- The Ribicoff Bill, USA (1977)
- INTERPOL (1981)
- OECD (1986)
- Council of Europe (1989)
- United Nations (1990)
- Council of Europe (1995)
- The G-8 Group (1997)
- The Commonwealth (1999)
- Organisation of American States (OAS) (1999)

The Background after 2000

- The Council of Europe Convention on Cybercrime of 2001
- The Shanghai Convention on Combating Terrorism, Separatism and Extremism (2001)
- OECD Policy Guidance on Online Identity Theft (2008)
- The League of Arab States Convention on Combating Information Technology Offences (2010)
- The Shanghai Cooperation Organization Agreement in the Field of International Information Security (2011)

The Background after 2000

- HIPCAR – Harmonization of ICT Policies, Legislation and Regulatory Procedures in the Caribbean (2012)
- The European Union Directive on attacks against information systems (2013)
- UNODC Expert Group to conduct a comprehensive study on cybercrime (2013)
- African Union Convention on Cybersecurity (AUCC) (2014)
- The Commonwealth – Report of the Working Group of Experts on Cybercrime (2014)

The History of Cybercrime 1976 – 2014

by

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To be published in November 2014

The Future Cyber Challenges

- Traditional investigation principles are old-fashioned
- Global cyberattacks
- The social networks
- Cloud computing
- Internet of Things (IoT)
- Internet of Everything (IoE)

Internet of Things (IoT)

See Microsoft

<http://www.microsoft.com/windowsemerged/en-us/internet-of-things.aspx>

The Internet of Things is here today in the devices, sensors, cloud infrastructure, data and business intelligence tools you are already using.

See www.internet-of-things.eu

Internet of Everything (IoE)

The Internet of Everything is the networked connection of people, process, data, and things.

The value this increased connectedness creates is:

Everything comes online.

See Cisco

www.internetofeverything.com

The Solutions - new legal mechanisms

INTERPOL – Global cyber coordinator

- Europol – Regional cyber coordinator
- Other Regional coordinators
- A Global Virtual Taskforce for Cyberspace with the private sector for the investigation and prosecution
- An International Criminal Court or Tribunal for Cyberspace
 - The Third Pillar for Cyberspace

The Challenges

"There can be no peace without justice, no justice without law and no meaningful law without a Court to decide what is just and lawful under any given circumstances"

Benjamin B. Ferencz
Former US Prosecutor

Draft United Nations Treaty on an International Court or Tribunal for Cyberspace

- The Third Pillar for Cyberspace
- Prosecution of the most serious cybercrimes of global concern
- Investigation and coordination by INTERPOL
- Global cyberattacks
- Other cybercrimes
- Electronic communications surveillance

See www.cybercrimelaw.net

Draft United Nations Treaty on combating online child sexual abuse

- CIRCAMP
- IWOL
- Access blocking systems
- Measures against websites containing online child sexual abuse
- INTERPOL
- See www.cybercrimelaw.net

"It is no longer a question of a nation protecting its own security, it is a question of the global community protecting itself."

*Kapil Sibal, Former Minister for Communications and Information Technology,
India (2012)*
