

23 January 2016

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## The Case For An International Convention On Cyberlaw

Posted: 22/01/2016 08:22 IST | Updated: 22/01/2016 08:22 IST



The Internet has been the game-changer of our lives. I personally call it the second most significant development in human history after fire. Nothing has had as much of an impact on the collective human consciousness and development as the internet.

From the early days of the World Wide Web, there was a perception that the internet was a Wild Wild West where there were no rules. Those were the days when companies would spend millions of dollars to get a domain name. However, slowly the picture changed. The United Nations did try to provide a homogeneous and uniform basis for development of cyberlaw by providing the [UNCITRAL Model Law on Electronic Commerce](#) and [UNCITRAL Model Law on Electronic Signatures](#). Subsequently, different countries came up with their own national cyberlegal frameworks.

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**Cyber-terror, cyber-radicalisation and cyber-extremism are rearing their ugly heads... It has been estimated that cybercrime will cost businesses more than \$2 trillion by 2019.**

Today, the world is facing an onslaught of new challenges. Cyber-terror, cyber-radicalisation and cyber-extremism are rearing their ugly heads. More and more terrorist organizations are increasingly using the internet for the purposes of crowd sourcing and radicalising young people. The incidents of cybercrime and cyber-security breaches are continuing to grow with each passing day. It has been estimated that cybercrime will [cost businesses more than \\$2 trillion by 2019](#)

From the [slew of cyber-attacks on Estonian government and commercial enterprises](#) in 2007 to the [hacking of Sony Pictures](#) in 2014 and the cyber-hijack of [Ukrainian power systems](#) in December 2015, it is clear to see that the internet is becoming a new battlefield.

The absence of any international treaty on cyberspace has encouraged different stakeholders to adopt various methodologies for the purposes of misusing the internet to further their vested interests. Consequently, the rules of the road are not very well defined.

The internet of 2016 presents dramatically different paradigms than the internet of the last decade. Different countries have not adopted homogeneous national approaches towards regulating cyber-crime, cyber-security and cyber-terror. Consequently, there is a pressing need to have in place an International Convention on Cyberlaw and Cyber-Security. Currently, nothing of the sort exists. Such a convention is essential in order to ensure that the world, as a collective whole, responds to the challenges of cybercrime, cyber-security breaches and cyber-terrorism which threaten to impact the basic existence of the internet and violate the sovereignty, security and integrity of nations across the globe.

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**Countries must rise above their parochial interests to agree to common minimum denominators.**

In a scenario like this, countries must rise above their parochial interests to agree to common minimum denominators. While speaking at the [ITU WSIS Forum 2015](#) organised by the International Telecommunications Union, UNESCO, UNCTAD and UNDP, I had mooted the idea of an International Convention on Cyberlaw and Cyber-Security. I recognised that negotiating a new international treaty in today's era will be a tall order. Hence, it will be absolutely imperative to look at common minimum denominators and principles which are acceptable to the countries of the world. These can then become the common points of the agenda of nations at an international level.

The [developments of May 2015](#) have once again reiterated the need for the world to have a common agreement to deal with challenges that threaten the very existence of the Internet at large.

Due to increased cyber-security breaches, different countries have realised the inadequacy of existing international frameworks. Consequently, countries have entered into their own bilateral arrangements. Thus, agreements have been entered into by the US and China, India and the UK, China and the UK etc. The said agreements are primarily aimed at ensuring broader cooperation among different countries on the issue of preserving cyber-security and preventing the use of countries' state computer resources to target others. These bilateral arrangements are likely to mushroom in the coming times.

However, such bilateral arrangements have limited applicability for contentious international issues. It is time that the countries of the world wake up and work towards a common international convention.

The US recently moved in the right direction with the recently passed Cybersecurity Information Sharing Act of 2015. One of its important provisions [is as follows](#):

"Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall produce a comprehensive strategy relating to United States international policy with regard to cyberspace."

The developments in the US are reiterating the need for countries to have in place international policies with regard to cyberspace.

Countries of the world have to quickly realise that the internet is a global heritage for all of humankind. The least we can do to protect is to collate common parameters to which countries agree and formulating a global cyberlaw regime.

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