

International Cyber Security Treaty Is Required



By
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The dependence and reliance upon Internet and Information and Communication Technology (ICT) had grown tremendously in the year 2013. This had also given rise to many Techno Legal Issues that are almost common in all the Countries. These issues have been aptly covered by the [Cyber Law Trends and Developments of India 2013 \(PDF\)](#), [Cyber Security Trends and Developments in India 2013 \(PDF\)](#) and [Cyber Forensics Trends and Developments in India 2013 \(PDF\)](#) provided by Perry4Law and Perry4Law's Techno Legal Base (PTLB).

Cyber Security has become a Very Crucial Policy Issue world over. Even India has realised that it must deal with Cyber Security on a priority basis. The [National Cyber Security Policy of India 2013 \(NCSP 2013\)](#) was drafted by Indian Government. However, it failed to cater many Techno Legal aspects and it was also not "Integrated" with the [National Security Policy of India](#). Nevertheless a "Good Beginning" has been made by Indian Government and these efforts must further be improved and strengthened in the year 2014.

Some of the areas that are still missing from Cyber Security Infrastructure of India include formulation of [Cyber Warfare Policy of India \(PDF\)](#), [E-Surveillance Policy of India Is Needed \(PDF\)](#), [Privacy Rights in India in the Information Age \(PDF\)](#), [Data Protection Laws In India And Privacy Rights In India \(PDF\)](#), etc. Further, [Critical Infrastructure Protection in India \(PDF\)](#) has its own Problems, Challenges and Solutions. For instance, recently [Huawei was Accused of Breaching National Security of India by Hacking Base Station Controller](#) in Andhra Pradesh. Thus, Critical ICT Infrastructure Protection in India must be ensured on a "Priority Basis".

However, this is a National Cyber Security Perspective of India and it is essentially different from International Cyber Security Perspective. This is so because [Cyber Security must be an International Issue \(PDF\)](#) to be "Effective and Useful". Just like India, United States has also formulated the [U.S. International Strategy for Cyberspace](#)

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that is much wider than mere Cyber Security Policy. However, these efforts of Countries like India and United States are “Piecemeal Actions” and there is an urgent need to have “International Harmonisation” regarding Cyber Security Cooperation at the Global Level. This means that an International Cyber Security Treaty is required to be formulated so that Nations across the world can harmonise their Domestic and National Laws accordingly.

Presently, there is a “Complete Chaos” in this field as different Countries are applying different Laws in “Similar Situations”. This is also giving rise to [Conflict of Laws in Cyberspace](#) that is making the International Cyber Security Norms and Regulations more “Complicated and Redundant”.

The threats of Cyber Crimes and Cyber Security attacks are alarming these days. As more and more Critical Infrastructure is connected to ICT, a need has been felt to protect Critical ICT Infrastructures all over the World. In a typical Cyber Attack by an Enemy State, the Critical Infrastructure is the first choice. Estonia witnessed this truth in the past. Further, in cases of [Cyber Warfare](#), [Cyber Espionage](#) and [Cyber Terrorism](#), also Critical Infrastructure is the chief target of Cyber Attack.

It is surprising that despite the seriousness of the issue we have no [International Cyber Law Treaty](#) and [International Cyber Security Treaty](#). International Organisations and Institutions have still [not taken](#) Cyber Crimes and Cyber Security very seriously. Even [Human Rights Protection in Cyberspace](#) has not been taken by seriously by all concerned. Organisations like United Nations, North Atlantic Treaty Organisation (NATO), etc have also not shown much interest in this regard in the past. Now these Organisations have taken notice of the nuisances of Cyberspace and they are gradually shifting their attentions to Cyber Crimes and Cyber Attacks.

International Organisations dealing with Human Rights, Cyber Law and Cyber Security must start thinking in this direction as issues like Cyber Warfare, Cyber Terrorism, Cyber Espionage, Cyber Crimes, E-Surveillance, Unlawful Interceptions, etc are “Transnational” in nature.

If different Countries would have different laws for these issues, it would be very difficult to truly enforce protective provisions against these menaces at National and International levels. It is high time for UN to seriously consider issues like International Cyber Law Treaty, International Cyber Security Treaty and Protection of Human Rights in Cyberspace.

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