
PLENARY MEETING

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Indonesia (Republic of)

PROPOSALS FOR THE WORK OF THE CONFERENCE

PROPOSAL FOR REVISING ARTICLE 1 AND ARTICLE 3 IN "BUILDING CONFIDENCE AND SECURITY IN THE USE OF INFORMATION AND COMMUNICATION TECHNOLOGIES"

Introduction

The Preamble of the ITU Constitution fully recognized the sovereign right of each country to regulate its cybersecurity legal frameworks, and reiterated in the Preamble of the existing International Telecommunication Regulations (ITRs).

The global community would be best served if the sovereign right of each country could be harmonized on the regulatory side that it would emanate in an acceptable and fair solution for all stakeholders. Due considerations should be taken into account, that service providers, parties and other stakeholders should gain benefit from each ICT development (nationally and or globally) causing direct or indirect global implications. Endeavors for business opportunities ignoring a fair distribution of revenue making and or fail in providing acceptable security measures and as far as possible recognizing the diverse national regulatory requirements, would jeopardize inter alia the spirit of mutual cooperation and hence defeat the global cybersecurity and efforts in combating cybercrime.

Urgency of Strengthening the weakest links of the Global Chain

We all are aware that the strength and security of the overall global chain would depend on the strength and security of the weakest link. Hence, the least denominator would be the developing countries and the least developed ones in particular.

Minimum regulatory text should be added to the new ITRs in capturing this noble spirit of mutual cooperation in enhancing global cybersecurity and combating cybercrime among administrations, service providers and or other stakeholders.

This noble thrust would not only support however also provide the needed spirit for strengthening the implementation of Resolution 130 (Rev. Guadalajara, 2010), UN Resolutions 55/63 (2000) and Resolution 56/121 (2001) on Combating the Criminal Misuse of Information Technologies where the need for cooperation and coordination between States is considered crucial.

Proposals

In meeting the minimum regulatory mechanism, Indonesia proposes that the WCIT-12 should adopt new points in Article 1 on “Purpose and Scope of the Regulations” and Article 3 on “International Network” for building confidence and security in the use of information and communication technologies (ICTs).

ARTICLE 1

Purpose and Scope of the Regulations

ADD INS/8/1

12A 1.8A Member States shall cooperate in establishing a global legal framework based on a mutual spirit for building confidence and security in the use of information and communication technologies (ICTs) for cybersecurity that reduce illicit use of ICTs, including combating cybercrime and protecting against cyberthreats.

Reasons: While recognizing the sovereign right of each Member, it also embraces the spirit of mutual cooperation among Member States in establishing a harmonious global environment for the benefit of all Nations in “Building confidence and security in the use of information and communication technologies”.

ARTICLE 3

International Network

ADD INS/8/2

31A 3.4A Recognizing the sovereign right of each Member, inter alia in regulating the degree of acceptability of information within their countries, administrations and service providers engaged with international network shall take due considerations in their cooperation in solving their diverse interests and their implications to the degree of cybercrime.

Reasons: This is a minimum regulatory mechanism in obligating administrations and service providers in taking into account the necessary conducive measures in solving issues between the various degrees on acceptance for child pornography and other issues on cybercrime.
