



British Institute of
International and
Comparative Law

The Geopolitical Divide, Norm Conflict and Public-Private Partnership in Cybersecurity Governance



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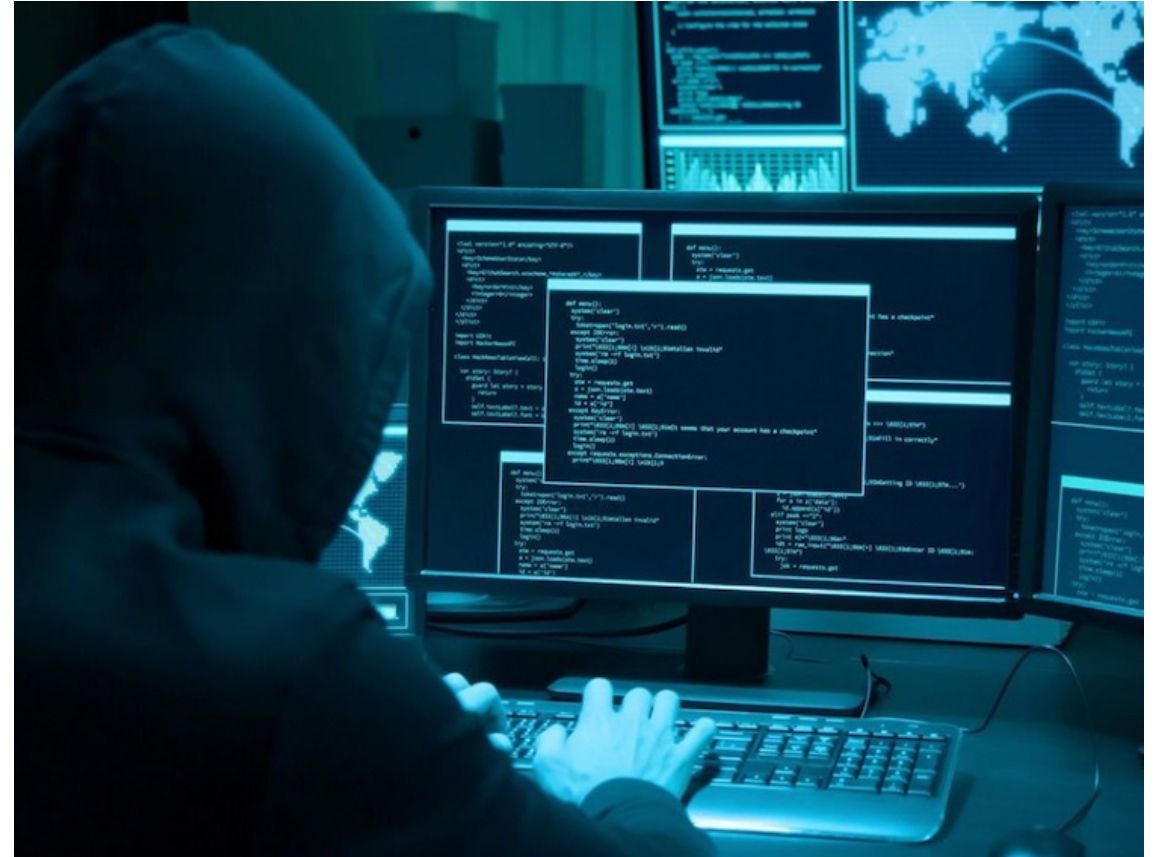
Opportunities and challenges of greater connectivity



- Dominance of the IT sector in international business
- Dominance of Western IT companies
- Gap between the developed and developing countries

Public, hybrid and private cyberthreats

- Perpetrators of attacks
- Targets and severity of impact
- Dominant applicable law
- Typical forms
- Responses



The current state of cyber governance



- Highly fragmented with various domestic laws and international efforts
- Involves not only states but also powerful private actors
- States hiding behind private actors and using them as instruments
- Traditional International law instruments not necessarily work
- Two approaches: state-oriented and market-oriented

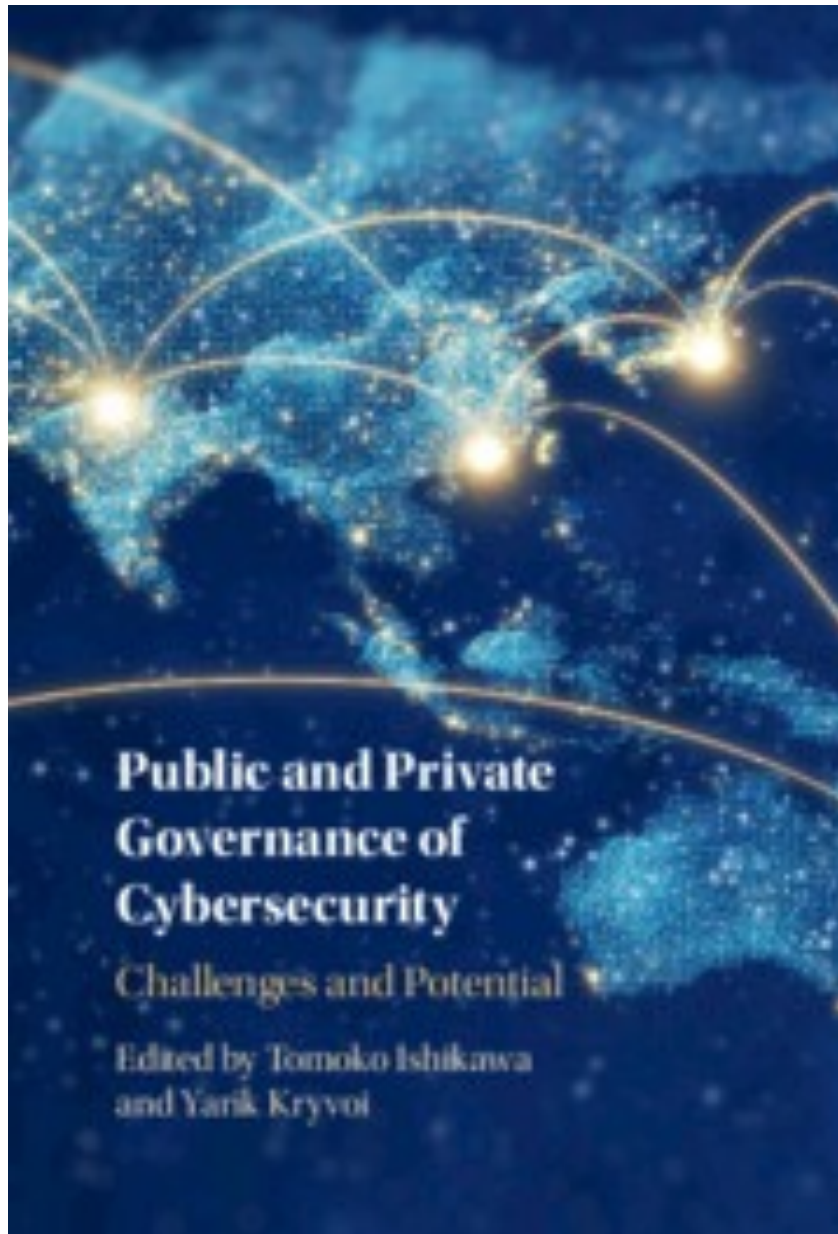


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	Council of Europe Convention	African Union Convention	Arab Convention	Shanghai Cooperation Organization Agreement	CIS Convention
	market-oriented model		state-oriented model		
protection of liberal values	yes ⁶⁷	yes ⁶⁸	no	no	no
references to specific human rights instruments	yes ⁶⁹	yes ⁷⁰	no	no	no
data protection provisions	yes ⁷¹	yes ⁷²	yes ⁷³	no	no
judicial oversight	yes ⁷⁴	yes ⁷⁵	no	no	no
stakeholder engagement (incl. private sector) ⁷⁶	yes ⁷⁷	yes ⁷⁸	no	no	no
types of content-related crimes covered	<ul style="list-style-type: none"> • child pornography⁷⁹ • racist/xenophobic content⁸⁰ • denial or promotion of genocide/crimes against humanity⁸¹ 	<ul style="list-style-type: none"> • child pornography⁸² • racist/xenophobic content⁸³ • denial or promotion of genocide/crimes against humanity⁸⁴ 	<ul style="list-style-type: none"> • child pornography⁸⁵ • pornography⁸⁶ • dissemination of terrorist materials⁸⁷ 	<ul style="list-style-type: none"> • dissemination of information prejudicial to the socio-political and socio-economic systems, spiritual, moral, and cultural environment of other States⁸⁸ • information terrorism⁸⁹ 	<ul style="list-style-type: none"> • child pornography⁹⁰ • dissemination of extremist and terrorist materials⁹¹



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