# REGIONAL WORKSHOP ON E-COMMERCE LEGISLATION HARMONIZATION IN THE CARIBBEAN

COMBATING CYBERCRIME: TOOLS AND CAPACITY BUILDING FOR EMERGING ECONOMIES

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## Why combatting cybercrime matters to the World Bank

- Risk of "doing nothing"
- Fiduciary Obligation financier of essential communications and other critical infrastructure, services and applications in economic development projects; to ensure that our clients appropriately address cyber risks
- Convening power
- Status as an honest broker

The Bank provides millions of dollars in financing on projects across sectors (ICT/telecom infrastructure, transport, urban, energy, health, education, social protection, financial & markets) to ensure that critical infrastructure and systems and the data of government, business and citizen users that flow over those systems are protected.



## **Project Introduction**

- Donor Republic of Korea
- Timing Effective Date 1 July 2014 / Two Years
- Mission To build capacity among policy-makers, legislators, public prosecutors & investigators, and civil society in developing countries

in the **policy**, **legal and criminal justice aspects** of the enabling environment to combat "cybercrime";

through synthesizing international best practice in these areas in a published tool that enables assessment of and best practice guidance with respect to the legal issues associated with combatting cybercrime; and

**field testing** the tool in selected pilot countries.

It is expected that the tool will be made available as a global public good.



#### **Project Partners**

ITU

**UN ODC** 

**UNICRI** 

**UNCTAD** 

Council of Europe

Korea Supreme Prosecutor's Office

International Association of Penal Law

Oxford Cyber Security Capacity Building Centre



#### **Toolkit Structure**

Introductory Best Practices Legal International National Legal Capacity Building In-Country Analysis and Part Enabling Instruments Frameworks Assessment conclusion Environment\* Tool Purpose of Working Definition of Multilateral & Substantive law Policies / defining key Substantive law Assessment of best toolkit cybercrime Regional (crimes & topics for legislation (crimes & practices. safeguards) cooperation & safeguards) international Phenomenon & instruments and treaties Inventory of conduct Capacity Building for Dimensions of Procedural law national legislation that is criminalized Procedural law Policy Makers / cvbercrime Legislators Models Evidence/ Assessment of best Procedural Issues Evidence/ Forensics Legal practices in Forensics Substantive Training of law challenges of capacity building Issues (crimes enforcement agencies, Jurisdiction. Evidentiary Issues cybercrime & safeguards) Jurisdiction. judges and prosecutors inclu x-border inclu x-border Lessons learned cooperation Jurisdictional Issues Capacity cooperation from in-country Procedural Education of building assessments consumers /end-users Issues Institutional challenges of Institutional on cybersecurity-Recent Cases Framework cybercrime framework (regulation conscious behavior (Interpreting Establishing Way Forward and law enforcement) Nat'l law) international Capacity Ensuring cross-border cooperation Recent Cases Building & Recent developments cooperation Training and emerging trends Dependencies (Cooperation with Cooperation with of Enabling private sector and private sector and technical community. Environment inclu resilience and technical community. (Nat'l & Int'l) security measures) inclu resilience and and Capacity security measures Building

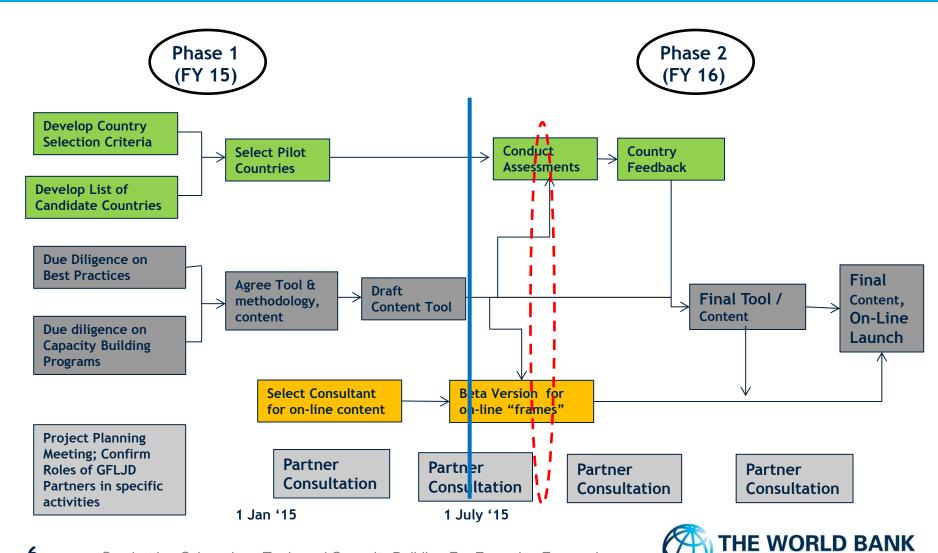


## **Project Ethos**

- Focus on "legal" (mix of policy, legal, criminal justice)
- No duplication
- Synthesize
- Introduce new, cutting-edge issues
- Validate through field-testing



#### **Project Progress**



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## **New Emphasis on**

#### **Substantive Issues**

- Safeguards with Privacy & Data Protection
- Intermediary Liability
- "Informal" Collaboration
- Financial Sector
- "New" crimes

#### **Features**

- Multistakeholder Approach
- Case Study orientation
- Role of the Private Sector
- "Future Proofing"
- Maturity model / Self Assessment



## **Current Status of Project**

- Virtual library Established and growing
- Completed mapping of countries with cybercrime laws
- Conducted comparative analysis of existing assessment tools
  - Draft synthetic tool
- Conducting Case Analysis
- Conducting Pilot Countries selection
- Toolkit drafting ongoing



#### **Case Analysis**

- Purpose
  - Find out Regional & Industrial Vulnerability, Trends of cybercrime based on stages of countries' level of development
  - Provide Practical Map for policy making, int'l cooperation
- Methods
  - Based on Publicly Available Sources
  - In depth analysis of selected cases
- Current Status & Expectation
  - Cases Search 70 cases (growing)
  - Initial Analysis on types, origins & victim jurisdiction, damage estimate
- Challenges
  - Limited data
  - Govs' cooperation will be critical for in depth analysis





# Thank you

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