



CASSIDIAN CYBERSECURITY

The legal framework

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AGENDA

- **Introduction**
- **Limits of the legal framework**
- **What's new?**
- **The way forward? Perspectives?**

LIMITS OF THE CURRENT LEGAL FRAMEWORK



WHAT'S NEW?

- **Privacy by Design**
design data processing devices so as to best comply with data protection requirements
 - **Privacy Enhancing Technologies**
refers to “coherent systems of information and communication technologies that strengthen the protection of privacy in information systems by preventing the unnecessary or unlawful collection, use and disclosure of personal data, or by offering tools to enhance an individual’s control over his/her data”.
- **Electronic identity ==>e-ID**
- **Forensics & Digital evidence**
- **BYOD ==> security & privacy concerns**
- **Legal Ethics & Best practices**
- **Cybersecurity/Cybercrime/Cyberwar**
- **Combination of technical & legal solutions**
- **Identity federation**
- **Digital signature**
- **Social media (Facebook, Twitter...)**
- **Trust & confidence**
- **Mobility & Cloud computing**

- **Data & Identity theft**

Crime in which someone illegally/fraudulently obtains and uses another person's personal data



THE WAY FORWARD? / PERSPECTIVES?

- **Need to adapt the existing legal framework** to the technology and the threats
- **Update of the existing cybercrime convention**: most of the players agree that what is required is to further detail the existing legislation by complementing it with additional rules imposing specific technical safeguards against new risks
- **Need for an harmonized and interoperable legal framework** at EU & International level
 - Use the results of Working groups/initiatives
 - ==> International Telecommunication Union (2007)
 - ==> Other United Nations initiatives
- **Extend some existing obligations to other actors** ==> security breach notification
- **Development of best practices**
- **A specific International criminal court for cyberspace** should be established
- **International treaty** == > Cyber attacks of the most serious global concern should be included in a substantive international criminal law

**International legal cooperation & harmonization is key
for an efficient & global legal answer**

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