Governing Cyberspace – But How?

In December 2015, a cyber-attack caused a blackout in Western Ukraine. It was the first known blackout during a conflict to have been caused by malware. However, this is only the latest in a series of high-profile incidents in recent years that illustrate the deteriorating cybersecurity environment. The international community has become increasingly alarmed by these developments and has ramped up diplomatic efforts to address the problem. One of the key forums for these discussions is the United Nations. Dating back to a first draft resolution introduced in 1998, the First Committee has been discussing this issue for the past eight years, reaching several important diplomatic agreements along the way. This article outlines the history of this discussion by breaking it up into four different phases. As the Obama administration is nearing its end, it also examines which direction this agenda will take in the future.

Crimes in the Digital Sphere. The United Nations’ Fight against Cybercrime

Effective prevention, disruption and investigation of cybercrime require a wide variety of technical, organizational and legal measures. Due to the transnational nature of information and communications networks, the harmonization of legislation and procedural frameworks is necessary to avoid safe havens for cybercriminals, carry out cross-border investigations and collect electronic evidence. Therefore, international standard-setting and efforts to facilitate international cooperation in criminal investigations have become some of the central issues on the agenda of many international organizations. This article aims to provide an analysis of the role the United Nations has played, and still does play, in the efforts to build capacity and set standards to tackle the problem of cybercrime.

Threatened Human Rights in Cyberspace

The Internet is a tool for the implementation of fundamental civil and political rights as well as social and economic human rights, particularly in the context of the realization of the Sustainable Development Goals (SDGs). But the international community has thus far not been able to protect and fully promote human rights offline or online. In the light of these challenges, the UN General Assembly has passed a resolution concerning the multi-stakeholder approach as a mechanism to implement, realize and protect globally agreed human rights norms and standards in cyberspace.
Cyberspace, with its 3.2 billion Internet users, has become a main subject of political controversy in recent years. On the one hand, a number of governments want to regulate all Internet-related issues through a multilateral, legally-binding instrument. On the other hand, the concept of ‘multistakeholderism’ gains more and more support. In the ‘Internet Governance Ecosystem’, numerous governmental and non-governmental players coexist and work hand in hand to manage various technical and non-technical issues. The UN-based Internet Governance Forum (IGF), established in 2005, is the main platform for discussion of those issues. In December 2015, the 70th UN General Assembly renewed its mandate until 2025.

The United Nations have been engaged with conflict-torn Myanmar ever since the former Union of Burma was founded in 1948. Due to this tested relationship, Myanmar recognizes the UN as a key player in the ongoing transition process towards democracy. Under military rule for 50 years, semi-democratic Myanmar is opening now to the world and foreign investment. Throughout this process, the UN has delivered a strategic framework in cooperation with Myanmar, while the International Labour Organization has been working efficiently on the issues of forced labor and child soldiers. UN humanitarian aid and drug control are continuing. Concerning the Rohingya conflict, Myanmar behaves as intransigent as ever. In this context it is quite clear that the United Nations do not make full use of their diplomatic potential. Notwithstanding this, the UN insists on a permanent office of the High Commissioner for Human Rights in Myanmar.

FROM THE UNITED NATIONS REPORTS

» Social Affairs and Human Rights
Norman Weiß
Advisory Committee of the Human Rights Council | 14th and 15th Session 2015 (p. 79)
• Two Progress Reports Presented
• ›Vulture Funds‹ and Human Rights

Udo Moewes
Human Rights Committee | 113rd to 115th Session 2015 (pp. 80–81)
• Number of Ratifications Unchanged
• Convent Rights Violated by Russia
• Individual Complaints against Deportation
Stefanie Lux

Committee on the Rights of the Child | 68th to 70th Session 2015 (pp. 82–83)

- Somalia Ratifies Treaty
- USA only State without Ratification
- First Complaint Examined

Legal Affairs
Mayeul Hiéramente

International Criminal Court | Activities 2015 (pp. 84–85)

- Arrest of Omar al-Bashirs in South Africa Prevented
- Former Child Soldier Accused
- Georgia Conflict Investigated

Environment
Jan Kantorczyk

Resolution Against Poaching and Illegal Wildlife Trade (pp. 86–87)

- General Assembly Adopts first Resolution
- Group of Friends initiated by Germany and Gabon

Book Reviews (pp. 88–91)

ANDREA F. G. RASCHÈR

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JÜRGEN MAIER
Nick Reimer, Schlusskonferenz: Geschichte und Zukunft der Klimadiplomatie (History and Future of Climate Diplomacy), München: Oekom 2015

United Nations Documents (pp. 92–94)
English Abstracts (p. 95)
Imprint (p. 96)