Universiteit Leiden
The Netherlands

NORMS and CYBERSECURITY

From Reaction and Invention to Prevention and Compliance

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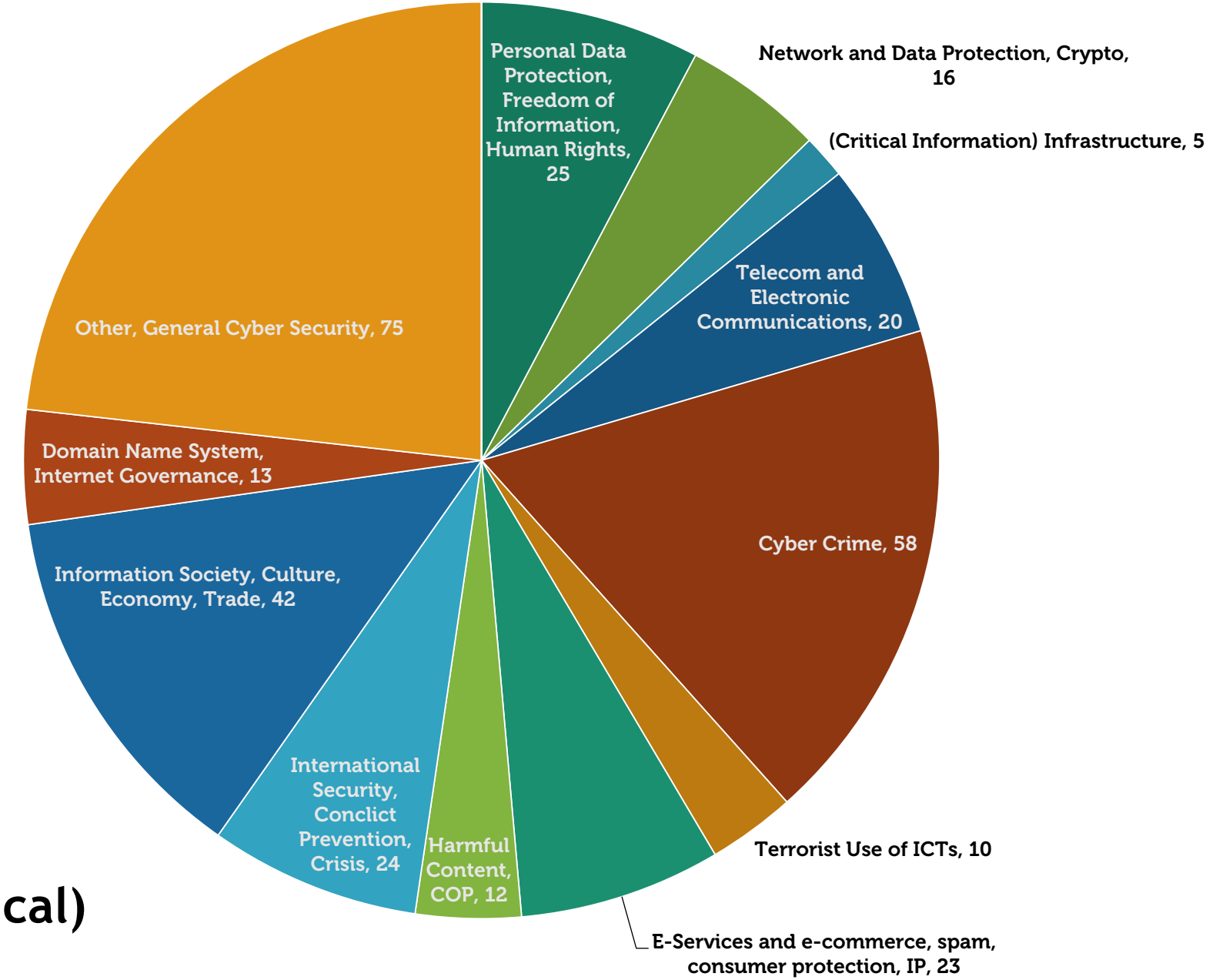
Existing Norms (topical)



*E. Tikk, Tutorial on Cyber Norm Development, 2017

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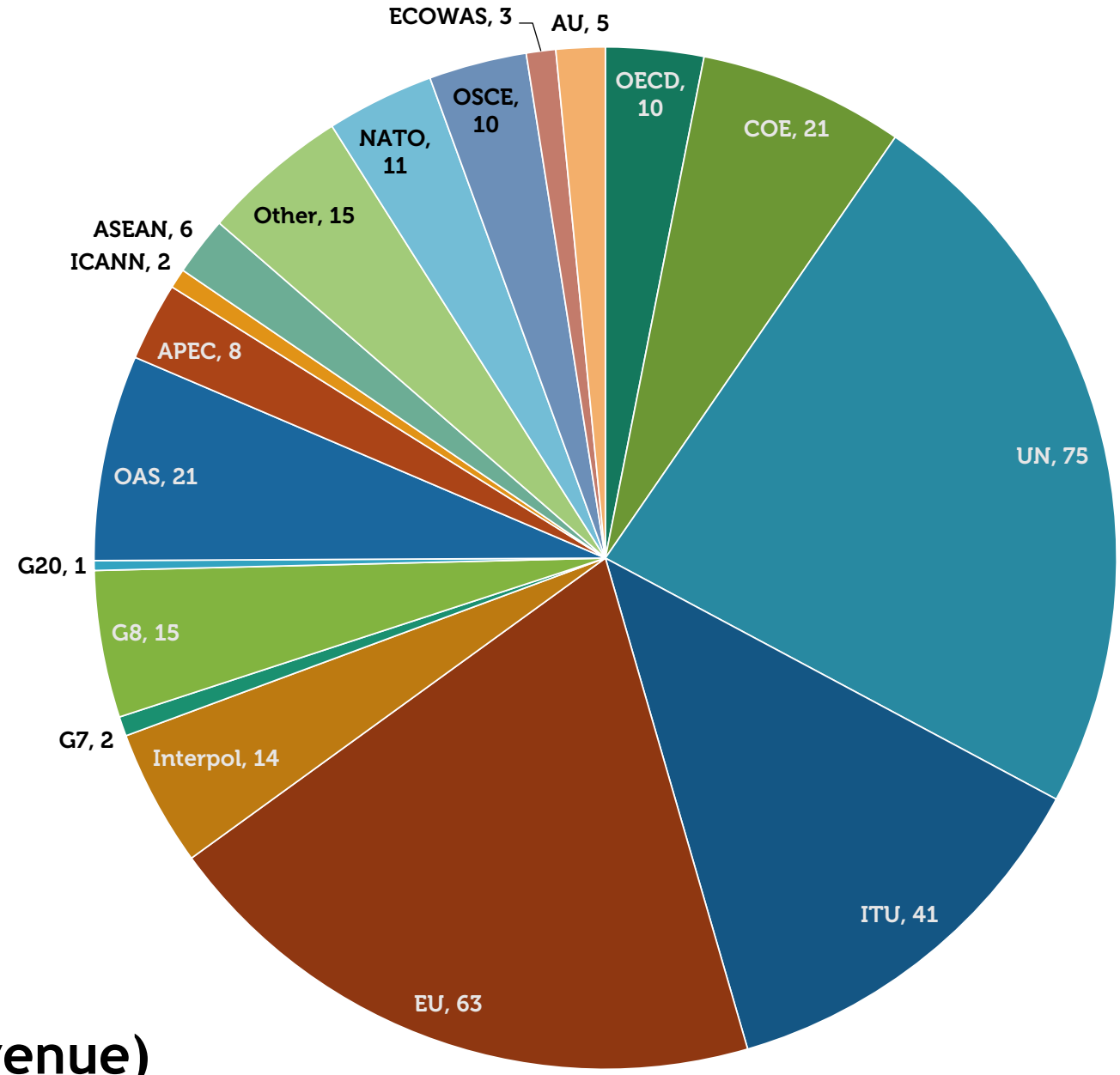
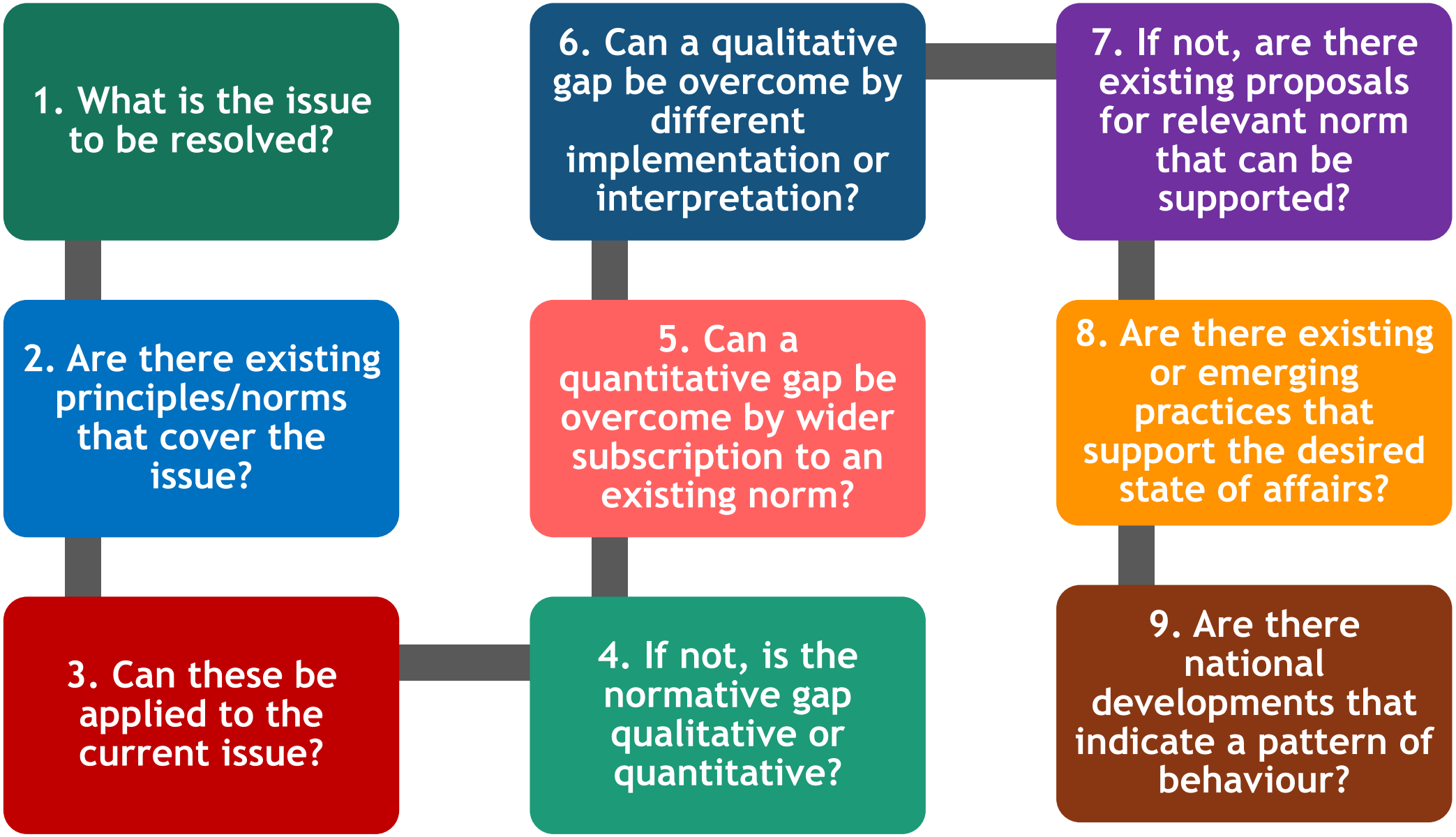


Existing Norms (venue)

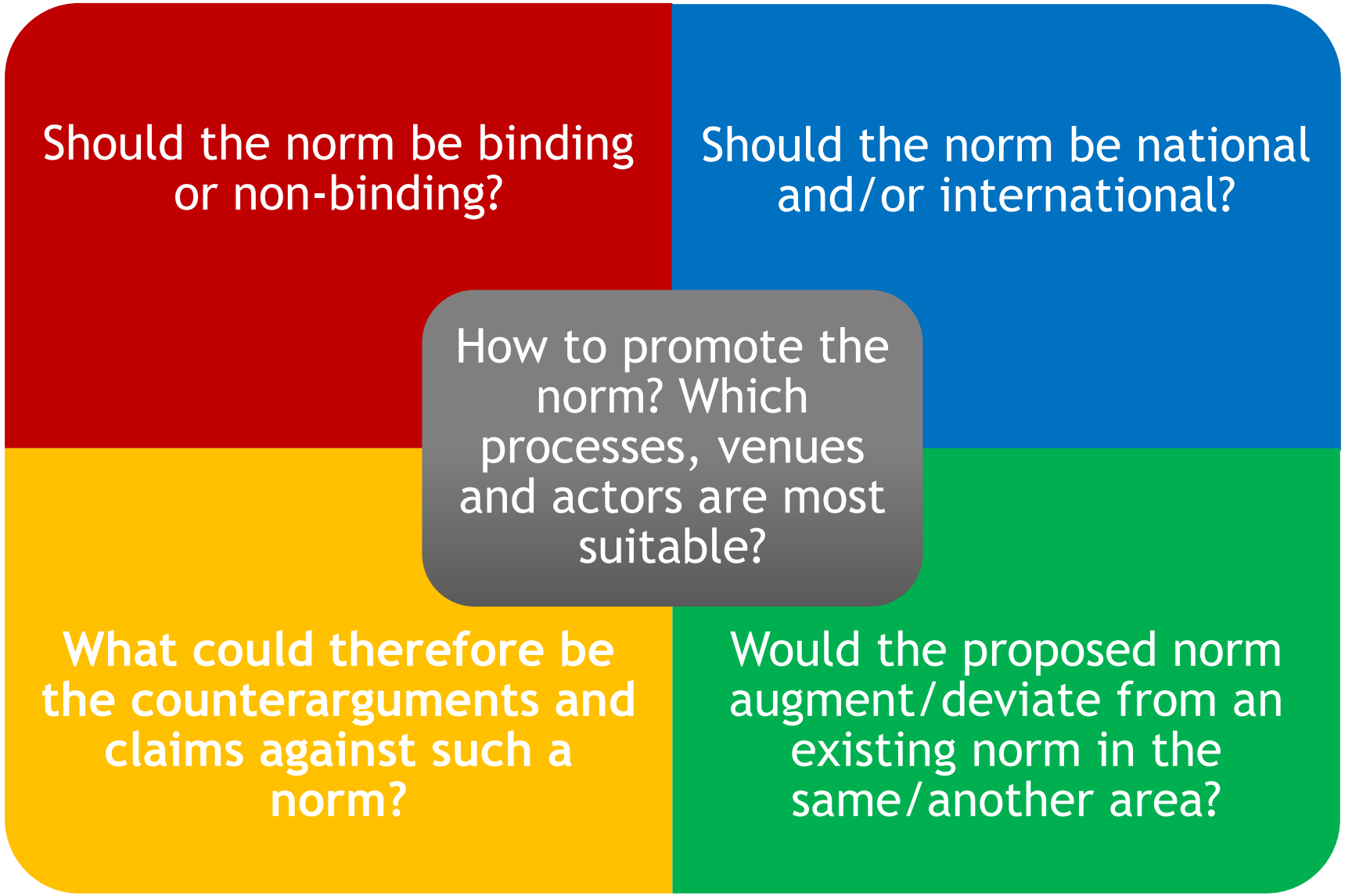
*E. Tikk, Tutorial on Cyber Norm Development, 2017

DO WE NEED A NEW NORM?



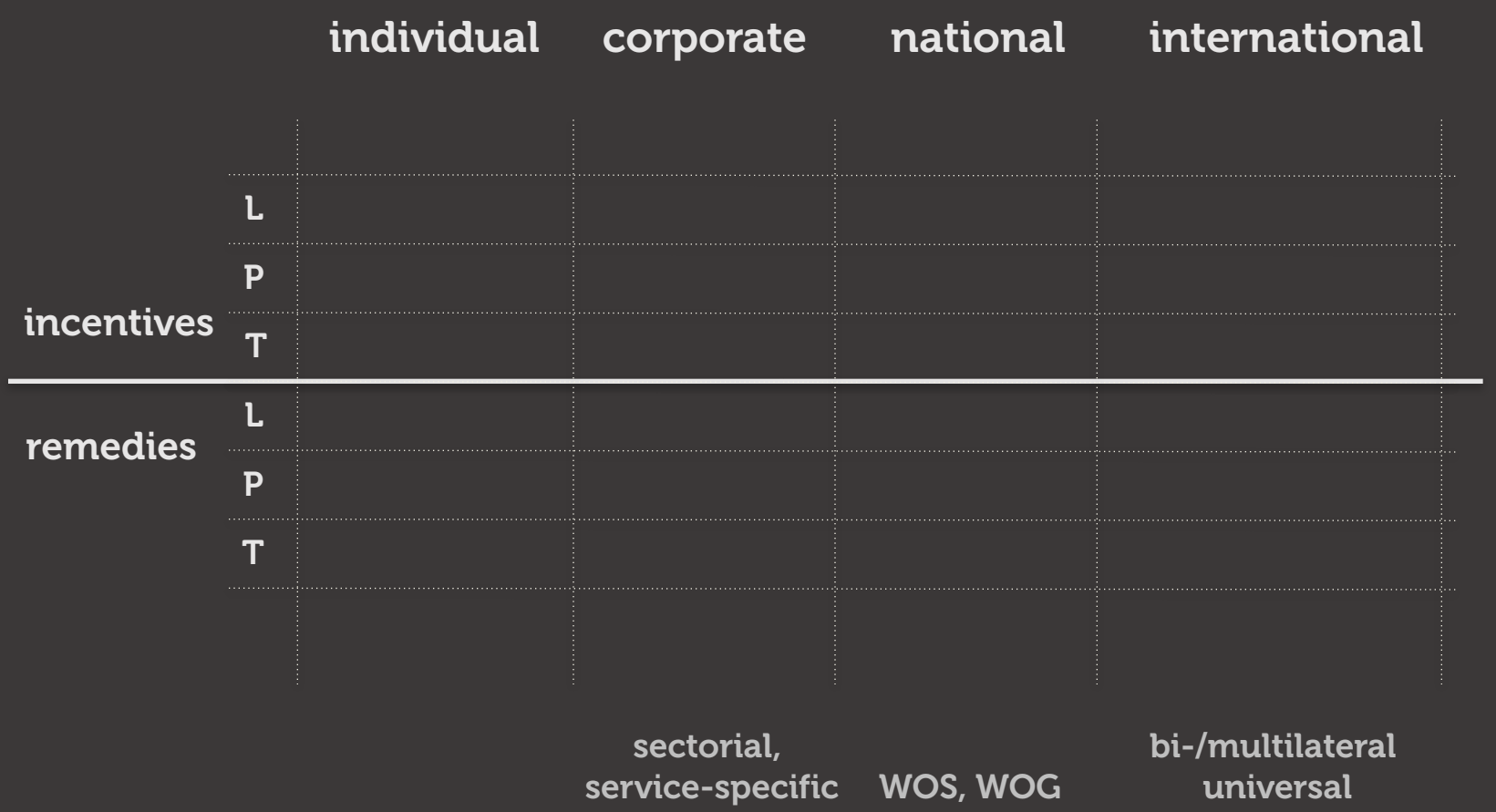
*E. Tikk, Tutorial on Cyber Norm Development, 2017

HOW DO WE CREATE A NEW NORM?



*E. Tikk, Tutorial on Cyber Norm Development, 2017

INCENTIVES AND REMEDIES:
a matrix of accountability measures



INCENTIVES AND REMEDIES:
a matrix of accountability measures
Theft of corporate IP

		individual	corporate	national gov't	international inter-gov't
Incentives precautions	L	N/A	SLAs, insurance		IP protection frameworks (WTO, regional, bilateral)
	P	N/A	Audits, incident reporting	Awareness and assistance programs	US-CN declaration of zero tolerance
	T	N/A	Network monitoring, adequate protections	Specific security practices (specify)	CERT-CERT cooperation
Remedies consequences	L	N/A	Civil litigation	Adm. and crim. process	Mutual assistance arrangements w/China
	P	N/A	Reporting		Naming and shaming
	T	N/A	Review of security practices/levels	CERT and sector coordination	
			sectorial, service-specific	**WOS, WOG**	**bi-/multilateral universal**

Cyber Convention Feasibility Study (CCFS)

- I Phase (04/2015-10/2017)

  CPI research repository (800++ items), interviewee lists (90++ experts)

- II Phase (11/2017-12/2018)

  I Introduction – an account of the tabled proposals, counter-arguments and current practice and thinking on international cyber norms, the development of the cyber norms discourse, possible avenues for further agreement seeking.

  II Political feasibility – describes the international cyber policy situation, issues and concerns underlying the calls for a new instrument, normative alliances, potential supporters of specific propositions and prospective norm entrepreneurs.

  III Normative feasibility – lays out the existing legal and policy instruments that address the issues and concerns outlined in Part II, analyzes the interpretation and implementation of current normative instruments by States, scholars and professionals, includes a limited-scale customary law study on certain aspects of State practice.

  IV Technical feasibility – lays out the expected and likely outcomes of proposed instruments, with emphasis on ICT practices and capacity. Analyzes the preconditions and possible further effects of implementation.

  V Organizational feasibility – discusses the organizational structure of promoting the proposed changes in the normative order.

- III Phase (04/2019) Dissemination and Discussion

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