

ASEAN LAW & POLICY

International Law on Cybersecurity

by Judge Kriangsak KITTICHAISAREE

6 August 2018, Monday / 2.00pm—3.30pm
NUS Bukit Timah Campus, 469 Bukit Timah Road
Block B, Level 4, Seminar Room 4-1, Singapore 259756

Admission is free. To register, please click [here](#) or go to <https://goo.gl/YteVdF>.

SPEAKER



Judge
Kriangsak
KITTICHAISAREE

Kriangsak KITTICHAISAREE, PhD (Cantab), is a Judge of the International Tribunal for the Law of the Sea (ITLOS) since October 2017. He has served as a member of the UN International Law Commission (2012–16) and has taught courses on international law at the University of New South Wales, National University of Singapore, and Duke University's Asia-America Institute in Transnational Law. He has held visiting academic appointments at the University of Oxford and the University of Hamburg.

Dr Kittichaisaree was a member of the International Group of Experts of the NATO Cooperative Cyber Defence Centre of Excellence that authored *The Tallinn Manual 2.0 on the International Law Applicable to Cyber Operations* (Cambridge University Press 2017). His publications include *Public International Law of Cyberspace* (Springer 2017) and 'The Growing Importance of Data Protection in International Law' (with Christopher Kuner) in *EJIL Talk!* (14 October 2015). He has given presentations on the international law of cyberspace at workshops and seminars in Seoul, Geneva, New York, Moscow and Bangkok, among others, and co-convenes a seminar on this subject at the University of Hamburg. He was the presiding judge of the grand final of the 2018 Price Media Law Moot Court competition.

Prior to his election to ITLOS, he was a lawyer diplomat at the Ministry of Foreign Affairs of Thailand and served in various positions including as Director of the Division of Legal Affairs, Director-General of the Department of International Organizations, and Ambassador to Iran, Australia and the Russian Federation. When he was the Ambassador responsible for Counter-International Terrorism, he was also the Coordinator of the International Legal Cooperation against Terrorism stream of the Legal Issues Working Group of the Bali Regional Ministerial Meeting on Counter-Terrorism, in response to the Bali bombing of 12 October 2002 and subsequent terrorist activities in the Asia-Pacific region and beyond.

INTRODUCTION

Under Singapore's chairing of ASEAN, cybersecurity is a top priority, due to its significance for Singapore and the ASEAN region, where the digital economy, as an important driver of economic and technological progress, increasingly faces cyberthreats in various forms. The seminar will discuss the current and emerging international norms on cybersecurity, such as those written in the *Tallinn Manual 2.0 on the International Law Applicable to Cyber Operations*, which is authored by the International Group of Experts invited by the NATO Cooperative Cyber Defence Centre of Excellence. In particular, the seminar will scrutinise the international law applicable to cyberwarfare, cyberespionage for commercial and non-commercial purposes, cyberterrorism, and cybercrimes. It will also explore whether there are universally applicable norms on striking the balance between states' obligations to uphold human rights in cyberspace, especially the right to privacy and the freedom of expression or speech, on the one hand, and the imperative need for states to maintain law and order and public moral, including the prevention and suppression of cybercrimes, online incitement to terrorism, and fake news, on the other hand. To identify the best practices for ASEAN, the speaker will compare the pros and cons of provisions of the 2001 Council of Europe Convention on Cybercrime, or Budapest Convention, with almost 60 state parties, mostly from Europe, with those of Russia's Draft UN Convention on Cooperation in Combating Information Crimes. The seminar will look at the trends in regulating artificial intelligence, the Internet of Things and cryptocurrencies too.