

Doc. 11349

6 July 2007

A political framework for co-operation against cyber-attacks

Motion for a recommendation
presented by Mrs Ojula and others

This motion has not been discussed in the Assembly and commits only the members who have signed it

1. Prompted by the extensive cyber-attack which targeted Estonia in April and May, in June 2007 the Assembly held an urgent debate on "how to prevent cyber-crime against state institutions in member and observer states". Politically-motivated attacks can target sovereign states, private business as well as international organizations.

2. In its resolution, the Assembly expressed the resolve "to return to this matter as soon as possible". In effect, the debate highlighted that further attentive consideration should be given to a number of questions:

a. first of all, despite being a fundamental precondition for the effective prevention of cyber-crime, the current international legal framework is not sufficient, both because the relevant conventions (the Council of Europe Convention on the Prevention of Terrorism and the Convention on cyber-crime) have received only a limited number of ratifications and because of gaps in these instruments as regards the definition of a sovereign state's cyber-space as well as the issue of cyber-terrorism;

b. a purely legal approach to the prevention of cyber-crime is doomed to have limited results, especially in the light of the fact that a considerable number of cyber-attacks are politically-motivated. It is necessary to go beyond the legal aspects, and establish an efficient political framework that provides a rapid reaction against cyber-attacks and the threat posed by cyber-terrorism.

3. The main functions of this political framework should be:

- facilitating immediate political consultations and exchanges of information amongst all those concerned: government authorities, parliamentarians, the private sector and experts in this field;

- organizing, in a spirit of solidarity, the provision of technical assistance in case of a large-scale attack;

- promoting models of good practice;

- providing advice on national policies and legislation;

- ensuring that appropriate means are made available for conducting an independent investigation in the cases where the identification of those responsible proves to be problematic;

- promoting the largest possible multilateral co-operation in this field, with the participation of non-Council of Europe member states and other international organizations;

4. As a pioneer in the fight against cyber-crime, this framework should be established within the Council of Europe.
5. The Assembly, therefore, urges the Committee of Ministers to set up a permanent framework for co-operation against cyber-attacks, along the lines indicated by the Assembly.

*Signed*¹:

OJULAND Kristiina, Estonia, ALDE
ATEŞ Abdülkadir, Turkey, SOC
BRANDE Luc Van den, Belgium, EPP/CD
EÖRSI Mátyás, Hungary, ALDE
HERKEL Andres, Estonia, EPP/CD
JIRSA Tomáš, Czech Republic, EDG
KOX Tiny, Netherlands, UEL
LAAKSO Jaakko, Finland, UEL
LINDBLAD Göran, Sweden, EPP/CD
LOTMAN Aleksei, Estonia, UEL
PUIG Lluís Maria de, Spain, SOC
RUSSELL-JOHNSTON, United Kingdom, ALDE
SAAR Indrek, Estonia, SOC
SASI Kimmo, Finland, EPP/CD
von SYDOW Björn, Sweden, SOC
WILSHIRE David, United Kingdom, EDG

¹ SOC: Socialist Group
EPP/CD: Group of the European People's Party
ALDE: Alliance of Liberals and Democrats for Europe
EDG: European Democratic Group
UEL: Group of the Unified European Left
NR: not registered in a group