UNODC ITU

ASIA PACIFIC REGIONAL WORKSHOP ON FIGHTING CYBERCRIME

21-23 SEPTEMBER 2011
SEOUL - REPUBLIC OF KOREA

Harmonized Policies & Legislations for the ICT in ACP countries

Cybercrime

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A global Project for the ACP countries

- An effectively functioning ICT sector is a key driver for development, growth and employment
- ITU, the European Commission and the ACP Secretariat agreed on a global project to provide “Support for the establishment of harmonized policies for the ICT market in the ACP states” at the end 2007
- 3 regional sub-projects addressing specific needs of each region
- Addressing cybercrime identified by all the regions

HIPCAR (Caribbean)
Enhancing competitiveness through the harmonization of ICT Policies, Legislation and Regulatory Procedures (3 years)

HIPSSA (Sub-Saharan Africa)
Support for harmonization of the ICT Policies (3 years)

ICB4PAC (Pacific Countries)
Capacity Building and ICT Policy, Regulatory and Legislative Frameworks Support for (2 years)
The ITU-EC Project focuses on stage 1, 2
Stage 3 and 4 will need to be considered over the time to ensure quality and update
Stage 1: Regional Level

- Assessment current situation in all the countries.
- Identification of regional best practices and failures.
- Comparison with international best practices.
- Open discussion on the pros and cons of each model (stakeholders deciding on the best model suited for their region).
- Definition of Policies (building blocks).
- Drafting Legislative Guidelines.
- A first raw of institutional and human capacity building.
Stage 2: National Level

Further to the completion of the Regional Guidelines the project moves to In-Country Support (National Transposition)

- Transposition into national frameworks of beneficiary countries in coherence with the national strategies of each of them
- An opportunity to expose a larger audience to the provisions of the new draft policy & legislation and to receive press coverage:
  - Representatives from ICT ministry and regulator
  - Representatives from various other ministries (home affairs, finance, etc.) and AG’s office
  - Police
  - Parliamentarians and magistrates, etc
  - Civil society among them consumers associations, NGOs, etc
  - Private sector among them business council, professional associations, operators and internet service providers, etc.
Stage 2: National Level (Cont’d)

The philosophy of a National Transposition (to be adapted to each country)

- Pairing of national expert (local knowledge) with international expert (regional Guidelines know-how);
- Comparison of the national legislation with the regional Guidelines;
- Drafting by a national team with the support of the experts
  - Preparation of a first draft for comments;
  - Second draft taking into account relevant amendments;
- Validation workshop where controversial amendments are discussed;
- A second raw of institutional and human capacity building
Current status

Caribbean (15 countries)
- Regional Policy and Legislative Guidelines developed (end 2010).
- National transposition (In Country Support) currently ongoing.

Pacific (15 countries)
- Regional Policy and Legislative Guidelines developed (August 2011).

Sub-Saharan Africa:
- Central Africa
  - Regional documents developed with ECCAS and CEMAC jointly in order to avoid duplication.
  - Regional activities ongoing. Workshop planned before the end of the year.
- Southern Africa
  - Regional activities ongoing. Workshop planned before the end of the year or early next year.
Conclusions

The Global ITU-EC-ACP Project is a platform for sustainable harmonization

- Bottom up approach. Robust regional deliverables:
  - Assessment of the current situation in all the countries to identify regional best practices and lesson learned;
  - Comparison with international best practices;
  - Regional policy Guidelines;
  - Regional legislative Guidelines;
- In Country support: transposition into individual countries;
- Link substance of policy and legislation to human & institutional capacity building
- Incorporation of past and current projects of other international and regional organizations (synergies)
Thank you

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