



2nd ACCPCJ

The Second ASEAN Conference on Crime Prevention and Criminal Justice

“Promoting the ASEAN Culture of Prevention
for a Collaborative and Innovative Justice for All”
Swissotel Bangkok Ratchada, Thailand

Cluster III Building Capacity through Partnership

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Key Points

- Cybercrime as a transnational, multifaceted offence requires an international and regional approach for successful prevention
- ASEAN has a variety of interrelated and complementing policies, hard law and soft law instruments pertaining to cybercrime
- As a crosscutting issue, cybercrime touches on all pillars of the ASEAN Community and the nexus between the issue and their blueprints should be realized and concretized. Enhancement of both inter and intra pillar coordination is imperative for cybercrime management
- Using the 4Ps framework on human trafficking as a benchmark for cybercrime makes the solutions, especially 'partnership' (with private firms, CSOs and among national agencies) more tangible
- The Working Group on Cybercrime (under SOMTC) as the focal agency on the issue should be enhanced and empowered in terms of: workplan (strategization, regularization, planning), funding, capacity, and collaboration

What is cybercrime?

Cybercrime consists of criminal acts that are committed online by using electronic communications networks and information systems. It is a borderless problem that can be classified in three broad definitions:

- **Crimes specific to the Internet**, such as attacks against information systems or phishing (e.g. fake bank websites to solicit passwords enabling access to victims' bank accounts).
- **Online fraud and forgery**. Large-scale fraud can be committed online through instruments such as identity theft, phishing, spam and malicious code.
- **Illegal online content**, including child sexual abuse material, incitement to racial hatred, incitement to terrorist acts and glorification of violence, terrorism, racism and xenophobia.

Source: European Commission, https://ec.europa.eu/home-affairs/what-we-do/policies/cybercrime_en

Dr. Seree Nonthasoot

WE...HAVE RESOLVED TO STRENGTHEN THE COMMITMENT OF ASEAN MEMBER STATES TO COOPERATE AT THE REGIONAL LEVEL IN PREVENTING AND COMBATING CYBERCRIME THROUGH THE FOLLOWING MEASURES:

1. ACKNOWLEDGE the importance of **harmonization of laws related to cybercrime and electronic evidence**;
2. ENCOURAGE ASEAN Member States to explore the feasibility of acceding to **existing regional and international instruments in combating cybercrime**;
3. ENCOURAGE the development of **national plans of actions** in addressing cybercrimes;
4. STRENGTHEN international cooperation among ASEAN Member States based on common interests, including but not limited to, **technical expertise** which is needed to tackle cybercrimes;
5. ENHANCE **cooperation and coordination** among ASEAN bodies and other relevant national agencies or organizations in dealing with cybercrime to reinforce efforts through exchanges of information, experiences and good practices;

6. STRENGTHEN **capacities** of each ASEAN Member States in addressing cybercrime through provision of assistance to each other in the form of training and research facilities in the educational, professional, technical and administrative spheres;
7. PROMOTE cooperation among ASEAN Member States on **community education and awareness to prevent cybercrime**;
8. ENHANCE cooperation between ASEAN Member States and its **Dialogue Partners**, as well as relevant agencies and organizations at regional and international levels, such as ASEANAPOL, EUROPOL, and the INTERPOL, among others, to enhance cyberspace security, prevention and response capabilities with regard to cybercrime and cyber-related matters;
9. REINFORCE ASEAN's abilities to build and enhance its capabilities to prevent and combat cybercrime by working closely with the INTERPOL Global Complex for Innovation (IGCI), including by voluntarily seconding or stationing cybercrime specialists there; and
10. MONITOR AND REVIEW the implementation of this Declaration through the Lead Shepherd for consideration and adoption by the SOMTC and AMMTC, to be facilitated by the ASEAN Secretariat.

- ASEAN CONVENTION ON COUNTER TERRORISM (2007)
- ASEAN Comprehensive Plan of Action on Counter Terrorism
- ASEAN Regional Plan of Action on the Elimination of Violence against Children (2016-2025)
- ASEAN Vision 2025 (2015)
- ASEAN Convention against Trafficking in Persons, especially Women and Children (2015)
- ASEAN Enabling Masterplan: Mainstreaming the Rights of Persons with Disabilities 2025 (2018)
- Declaration on the Protection of Children from all Forms of Online Exploitation and Abuse in ASEAN (2019)



B.6. Good Governance

36. ASEAN recognises the need to continue engaging the various stakeholders to build a more dynamic AEC 2025. Strategic measures include the following:

- i. Promote a more responsive ASEAN by strengthening governance through greater transparency in the public sector and in engaging with the private sector; and
- ii. Enhance engagement with the private sector as well as other stakeholders to improve the transparency and synergies of government policies and business actions across industries and sectors in the ASEAN region.



C.3. E-Commerce

53. In view of these potential contributions of e-Commerce to support regional economic integration in ASEAN, ASEAN shall intensify cooperation on e-Commerce building upon Article 5 of e-ASEAN Framework Agreement adopted by ASEAN Leaders in November 2000, with a view to develop an ASEAN Agreement on e-Commerce to facilitate cross-border e-Commerce transactions in ASEAN. These could include, but are not limited to, strategic measures such as putting in place the following:

- i. Harmonised consumer rights and protection laws;
- ii. Harmonised legal framework for online dispute resolution, taking into account available international standards;
- iii. Inter-operable, mutually recognised, secure, reliable and user friendly e-identification and authorisation (electronic signature) schemes; and
- iv. **Coherent and comprehensive framework for personal data protection.**

D.2. Strengthening the Role of the Private Sector

71. . Implement a more inclusive and consultative process involving the private sector:

- a. Guidelines: **Formulate a set of guidelines to maximise benefits from engagement with the private sector.** The guidelines may include criteria for the involvement of private sector entities (e.g. demonstration of value-add to ASEAN, leveraging on core competencies, mechanism for involving MSMEs).
- b. **ASEAN Bodies: Relevant ASEAN bodies to institutionalize within each body a consultative process with lead private sector entities (business associations and business councils) as well as ASEAN-BAC representatives to support the implementation of initiatives under the sectoral work plans.**
- c. Business Entities: Private sector groups to initiate cluster groups to engage in specific issues; hold partnership events on key issues, such as trade facilitation, services, investment, connectivity, food and MSMEs to raise issues and provide key inputs on emerging trends and issues.
- d. Online Networking Forum: With many different bodies and multiple issues, the private sector needs to develop its own platform for networking.



- i. **Promote partnership frameworks and guidelines in engaging the stakeholders for the effective implementation of ASEAN initiatives and promotion of public awareness of ASCC programmes and accomplishments.**

A.2. Empowered People and Strengthened Institutions

Strategic Measures

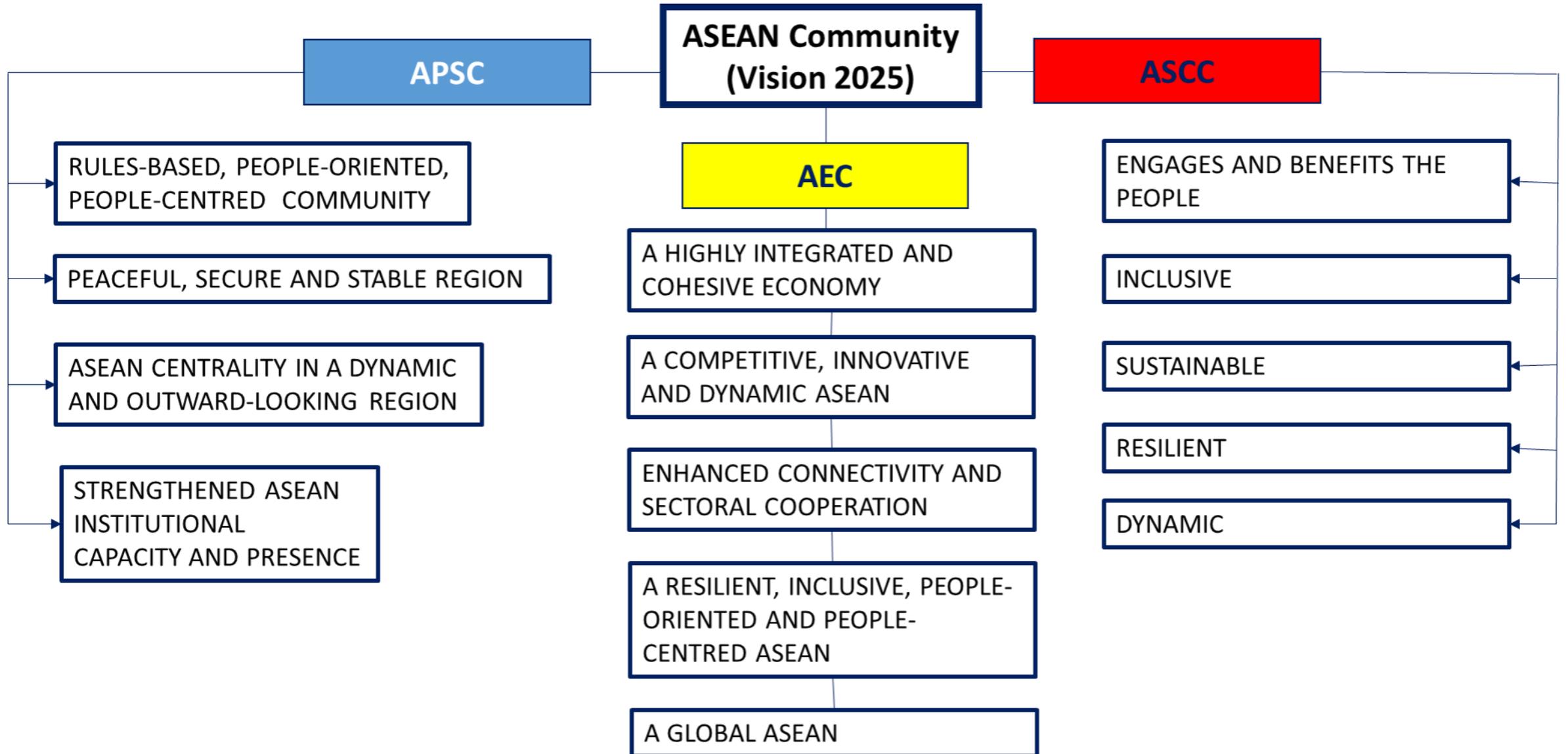
- i. **Increase competencies and resilience of relevant stakeholders with advanced technological and managerial skills so as to improve institutional capacity to address current challenges and emerging trends, such as disasters, pandemics and climate change;**



B.3. Promotion and Protection of Human Rights

i. Enhance regional initiatives and stakeholder participation to promote the elimination of **all forms of discrimination—institutionalised or otherwise—exploitation, trafficking, harmful practices, and violence and abuse against children, women, persons with disabilities, youths, migrant workers, the elderly/older persons, and victims/survivors of trafficking in persons, ethnic minority groups, and vulnerable and marginalised groups;**

ASEAN Vision 2025



ASEAN Structure

List of Selected ASEAN Sectoral Ministerial Bodies (Source: ASEAN Charter)

ASEAN Political-Security Community	ASEAN Economic Community	ASEAN Socio-Cultural Community
<p>ASEAN Foreign Ministers Meeting</p> <p>ASEAN Defence Ministers Meeting</p> <p>ASEAN Law Ministers Meeting</p> <ul style="list-style-type: none"> ASEAN Senior Law Officials Meeting (ASLOM) <p>ASEAN Ministerial Meeting on Transnational Crime</p> <ul style="list-style-type: none"> Senior Official Meeting on Transnational Crime (SOMTC) Directors-General of Immigration Departments and Heads of Consular Affairs Divisions of Ministries of Foreign Affairs Meeting (DGICM) 	<p>ASEAN Economic Ministers Meeting</p> <ul style="list-style-type: none"> Senior Economic Officials Meeting (SEOM) <p>ASEAN Free Trade Area (AFTA) Council</p> <p>ASEAN Investment Area (AIA) Council</p> <p>ASEAN Ministers Meetings on Agriculture and Forestry (AMAF)</p> <p>ASEAN Ministers on Energy Meeting (AMEM)</p> <p>ASEAN Ministerial Meeting on Science and Technology (AMMST)</p>	<p>ASEAN Ministers Responsible for Information (AMRI)</p> <ul style="list-style-type: none"> Senior Officials Meeting Responsible for Information (SOMRI) <p>ASEAN Ministers Responsible for Culture and Arts (AMCA)</p> <p>ASEAN Education Ministers Meeting (ASED)</p> <ul style="list-style-type: none"> Senior Officials Meeting on Education (SOM-ED) <p>ASEAN Ministerial Meeting on Disaster Management</p> <ul style="list-style-type: none"> ASEAN Committee on Disaster Management (ACDM) <p>ASEAN Ministerial Meeting on the Environment (AMME)</p>

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<p>Dr. Seree Nonthasoot</p>	<p>ASEAN Telecommunications and Information Technology Ministers Meeting (TELMIN)</p> <ul style="list-style-type: none"> Telecommunications and Information Technology Senior Officials Meeting (TELSOM) <p>ASEAN Transport Ministers Meeting (ATM)</p> <ul style="list-style-type: none"> Senior Transport Officials Meeting (STOM) <p>Meeting of the ASEAN Tourism Ministers (M-ATM)</p> <ul style="list-style-type: none"> Meeting of the ASEAN National Tourism Organisations (ASEAN NTOs) 	<p>ASEAN Ministerial Meeting on the Environment (AMME)</p> <ul style="list-style-type: none"> ASEAN Senior Officials on the Environment (ASOEN) <p>ASEAN Health Ministers Meeting (AHMM)</p> <ul style="list-style-type: none"> Senior Officials Meeting on Health Development (SOMHD) <p>ASEAN Labour Ministers Meeting (ALMM)</p> <ul style="list-style-type: none"> Senior Labour Officials Meeting (SLOM) <p>ASEAN Ministers on Rural Development and Poverty Eradication (AMRDPE)</p> <ul style="list-style-type: none"> Senior Official Meeting on Rural Development and Poverty Eradication (SOMRDPE)

ASEAN Structure

List of Selected ASEAN Sectoral Ministerial Bodies (Source: ASEAN Charter)		
ASEAN Political-Security Community	ASEAN Economic Community	ASEAN Socio-Cultural Community
		<p>ASEAN Ministerial Meeting on Social Welfare and Development (AMMSWD)</p> <ul style="list-style-type: none"> • Senior Officials Meeting on Social Welfare and Development (SOMSWD) <p>ASEAN Ministerial Meeting on Youth (AMMY)</p> <ul style="list-style-type: none"> • Senior Officials Meeting on Youth (SOMY) <p>ASEAN Conference on Civil Service Matters (ACCSM)</p> <p>ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre)</p> <p>ASEAN University Network (AUN)</p>

Partnerships are essential in fighting cybercrime since the expertise often lies in other sectors.

When it comes to cybercrime, police do not have all the answers. Partnerships with other organizations allow INTERPOL and our member countries to benefit from the cyber and technological expertise available in the public, private and academic sectors.

If you feel your company would be a good fit to support INTERPOL's cybercrime mission, we encourage you to reach out to explore potential partnership options, including:

- Information sharing;
- Developing/delivering training;
- Secondment of experts to the INTERPOL Global Complex for Innovation in Singapore.

- **Crimes specific to the Internet**, such as attacks against information systems or phishing (e.g. fake bank websites to solicit passwords enabling access to victims' bank accounts).
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