



## CO-CHAIRS' SUMMARY REPORT

### 1<sup>ST</sup> ASEAN REGIONAL FORUM INTER-SESSIONAL MEETING ON SECURITY OF AND IN THE USE OF INFORMATION AND COMMUNICATION TECHNOLOGIES (ARF ISM ON ICTs SECURITY)

Kuala Lumpur, Malaysia, 25-26 April 2018

#### INTRODUCTION

1. The Meeting was held in Kuala Lumpur on 25-26 April 2018. The Meeting was Co-Chaired by Mr. Md Shah Nuri Md Zain, Chief Executive, National Cyber Security Agency, National Security Council of Malaysia; Mr. Ng Hoo Ming, Deputy Chief Executive Operation, Cyber Security Agency of Singapore; and Mr. Masato Otaka, Ambassador in charge of UN Affairs and Cyber Policy, Deputy Assistant Minister, Foreign Policy Bureau, Ministry of Foreign Affairs of Japan. The Meeting was attended by representatives from all ARF Participants except Bangladesh, Brunei Darussalam, Democratic People's Republic of Korea (DPRK), Myanmar, Mongolia, and Papua New Guinea. Representatives of the ASEAN Secretariat, as well as a representative of the ARF Experts and Eminent Persons (EEPs) also attended the Meeting. The List of Delegates appears as **ANNEX 1**.

#### AGENDA ITEM 1: OPENING REMARKS

2. General Tan Sri Dato' Sri (Dr.) Hj. Zulkifeli bin Mohd. Zin (R), Director General of National Security, National Security Council of Malaysia delivered the keynote speech and highlighted the importance of Information and Communication Technologies (ICTs) as a vital factor for economic and security development. Gen. Zulkifeli (R) also highlighted the links between increasing dependence on the ICTs in the region and the threats emanating from international organised crime, including drug and human-trafficking, financial fraud and money laundering, cyber espionage, malicious software (malware) and high-scale cyber-attacks, and emphasised that the Internet has become a quick and efficient medium for cross-border criminal activities.

Against this backdrop, Gen. Zulkifeli (R) further stressed the role of the ARF in recognising and addressing contemporary challenges in the field of ICTs through joint regional efforts, cyber diplomacy, shared awareness programmes and capacity building.

3. In his opening remarks, Mr. Md Shah Nuri highlighted the complexities of ICTs security issues and underlined the role of the ARF ISM on ICTs Security as an ASEAN-led platform in addressing the challenges therein through confidence-building measures among ARF Participants. Mr. Md Shah Nuri further underscored the objectives of the ISM, including: (i) to provide a forum for dialogue and to assess common and basic regional needs for capacity building on ICTs Security; (ii) to deliberate on the comprehensive implementation of the ARF Work Plan on ICTs Security; and (iii) to assist the development of a peaceful, secure, open and cooperative environment for the expansion of ICTs Security among ARF Participants.

4. In his opening remarks, Mr. Otaka underlined the necessity to pay greater attention to ICTs Security, recalling the loss of USD \$530 million caused by cryptocurrency theft that occurred in Japan this year. Stressing the importance of common understanding and well-established regulations on ICTs security activities, Mr. Otaka shared with the Meeting that Japan is one of the first few countries that has established a national regulatory framework on ICTs security and expressed the hope that other countries would follow suit considering no nation is immune from cyber attacks any more. As this is an inaugural ISM, Mr. Otaka also encouraged other ARF Participants to be open to all proposed ideas while adhering to the ARF's guiding principle of moving at a pace comfortable to all.

5. In his opening remarks, Mr. Ng recalled the outcome of the 2<sup>nd</sup> Open-Ended Study Group on Confidence Building Measures to Reduce the Risk of Conflict Stemming from the Use ICTs (2<sup>nd</sup> Study Group) that was held prior to the ISM in Kuala Lumpur on 23 April 2018, and underlined that while there were different views toward the proposed initiatives tabled during the Study Group, it was important for the ISM to deliberate on activities that could accommodate the ARF Participants' various levels of progress and particular needs in this field. Mr. Ng also highlighted that cybersecurity is a cross-cutting and trans-boundary issue that requires international collaboration and that, in this connection, the ARF can play a key supporting role in the on-going ASEAN discussions on how best to coordinate regional cyber policy and capacity building efforts.

## AGENDA ITEM 2: ADOPTION OF AGENDA

6. The Meeting adopted the Agenda, which appears as **ANNEX 2**.

## AGENDA ITEM 3: CONSIDERATION AND ASSESSMENT OF PROPOSALS BY THE STUDY GROUP

### 1.1. TOR of the Study Group

7. The Meeting agreed on the updated draft of the Terms of Reference (TOR) of the ARF Open Ended Study Group on Confidence Building Measures to Reduce the Risk of Conflict Stemming from the Use of ICTs which had incorporated input from the deliberations of ARF Participants during the 2<sup>nd</sup> Open Ended Study Group, particularly with regard to the objectives, mandates and rules of procedures of the TOR. The Meeting noted that the TOR will serve as a reference document for future Open Ended Study Groups, enabling the Open Ended Study Group to determine its next course of action under the ISM on ICTs Security. The TOR appears as **ANNEX 3**.

### 1.2. Immediate Activities

8. The Meeting deliberated on the three proposed initiatives which had previously been tabled at the 1<sup>st</sup> Study Group held in Tokyo, Japan, on 18 January 2018, and the two proposed initiatives that were tabled during the 2<sup>nd</sup> Study Group. The Meeting took note of the following:

- a. **CBM #1: Establishment of ARF Points of Contact (POC) Directory on Security of and in the Use of ICTs (Co-Lead Countries: Malaysia and Australia)**, which aims to strengthen real-time communication between ARF participating countries, particularly in order to reduce tension and risk of conflicts arising from misinterpretation of cyber incidents. The meeting agreed to proceed with the exchange of information on ARF POCs. The meeting noted that there was a special drafting session convened for CBM#1 between 2<sup>nd</sup> Study Group and 1<sup>st</sup> ISM on ICTs Security, to further deliberate the proposal. Most comments raised by the ARF participants during that session have been incorporated into the revised concept paper of CBM#1 tabled in today's meeting. One ARF Participant was of the view that CBM#1 required further discussion in relation to relevant procedures and policies prior to the establishment of the directory. It was also noted that few participants have expressed their preference to have single Point

of Contact (POC) rather than four (i.e. diplomatic, technical, national security policy and enforcement) while some felt that all four POC may not be feasible in the event of serious incidents. Nonetheless, recognising that the CBM#1 could accommodate the diversity of institutional framework among ARF Participants, and taking into account of the non-binding and voluntary nature of this initiative, the revised proposal received support from the ARF participants. The Concept Paper of CBM#1 appears as **ANNEX 4**.

- b. **CBM #2: Sharing of Information on National Laws, Policies, Best Practices and Strategies as well as Rules and Regulations (Co-Lead Countries: Japan and the Philippines)**, which aims to reduce misunderstanding and miscalculation and prevent possible conflicts by increasing transparency through sharing information of each ARF Participating Country's system. The Meeting agreed on this proposal, following minor amendment made during the ISM The Concept Paper of CBM#2 appears as **ANNEX 5**.
- c. **CBM #3: Protection of Critical Infrastructures and Consultations Mechanism (Co-Lead Countries: European Union and Singapore)**, which will serve as a practical avenue for consultation and information sharing among ARF Participants on measures to protect critical infrastructure from malicious ICTs acts. The Meeting agreed to conduct further consultation on this initiative, taking into consideration potential linkages and overlaps between CBM#1 and CBM#3. The Concept Paper of CBM#3 appears as **ANNEX 6**.
- d. **CBM #4: Awareness-Raising and Information Sharing on Emergency Responses to Security Incidents in the Use of ICTs (Lead Country: China)**, which aims to improve regional capacity building to address ICT-related incidents and ensure timely and appropriate responses. The Meeting expressed general support toward this initiative and a few Participants suggested the inclusion of law enforcement element in the Concept Note. China is currently seeking an ASEAN Member State (AMS) to co-chair this activity. The Concept Paper of CBM #4 appears as **ANNEX 7**.
- e. **CBM #5: ARF Workshop on Principles of Building Security of and in the Use of ICTs in the National Context (Lead Country: Singapore)**, which aims to discuss the various approaches towards conceptualising and developing strategies on security in the use of ICTs that best suit the

needs of ARF Participating Countries. The Meeting noted that more time is necessary for further assessment. There has yet any expressed interest from non-ASEAN ARF Participants to Co-Chair this activity. The Concept Paper of CBM#5 appears as **ANNEX 8**.

9. On a query regarding the application of the term 'confidence-building measures' or CBMs in the ARF, the ASEAN Secretariat informed the Meeting that as stipulated in the Concept Paper of the ARF adopted by the Ministers in 1994, CBMs are identified as the first of the three stages in the evolutionary process envisioned for the ARF, followed in turn by preventive diplomacy and conflict-resolution. To move forward with these proposals, the ASEAN Secretariat also clarified the decision-making processes and procedures of the ARF, in which the outcome of discussion of the 1st ISM on ICTs Security would be further tabled at the upcoming ARF Inter-Sessional Support Group on Confidence-Building Measures and Preventive Diplomacy (ISG on CBMs and PD) scheduled to be held in Auckland, New Zealand on 8-9 May 2018, before being reported to the ARF Senior Officials' Meeting (SOM) on 7 June 2018 and subsequently to the 25<sup>th</sup> ARF in August 2018.

### **1.3. Priority Areas for ARF ISM on ICTs Security**

10. The Meeting took note of the sixteen proposed activities (eleven derived from the ARF Workplan on ICTs Security as well as new additional five) which have been mapped into five priority areas, namely; (i) Establishment of Coordination Mechanism within the ARF; (ii) Awareness Building and Exchange of Best Practices; (iii) Computer Emergency Response Team (CERT)-CERT Cooperation Frameworks; (iv) Critical Information Infrastructure Protection Frameworks and Mechanisms; and (v) Combating Criminal and Terrorist Use of ICTs. The meeting noted on the need for further discussion to determine either to have priority areas for the ARF ISM on ICTs Security, or to just maintain the list of CBM activities as per the ARF Work Plan without mapping it. The Proposal appears as **ANNEX 9**.

### **1.4. Any other Matters**

11. No other matters were discussed during the Meeting.

## **AGENDA ITEM 4: DEVELOPMENT ON ICTs SECURITY IN OTHER ASEAN-LED MECHANISMS**

### **4.1. Efforts taken by TELMIN/TELSOM**

12. Cambodia briefed the Meeting on the outcome of the 18<sup>th</sup> ASEAN Telecommunications and Information Technology Senior Officials Meeting (TELSOM) and the 17<sup>th</sup> ASEAN Telecommunications and Information Technology Ministers Meeting (TELMIN) which were held in Siem Reap, Cambodia, on 28 November-1 December 2017. The Meeting further noted that in line with the theme of the 17<sup>th</sup> TELMIN i.e. “ICT Connectedness and Readiness: Towards a Digitally Integrated Community”, the latter Meeting underlined the importance of practical cooperation in enhancing the region’s ICT readiness as guided by the ASEAN ICT Master Plan 2020 (AIM 2020) towards an innovative connected community.

### **4.2. Efforts taken by SOMTC/AMMTC**

13. The Meeting was briefed on the establishment of the ASEAN Working Group on Cybercrime under the Senior Officials Meeting on Transnational Crime (SOMTC) framework in May 2014 which had been proposed by Singapore as the Voluntary Lead Shepherd on Cybercrime. The Meeting noted that the Working Group is aimed to facilitate ASEAN Cooperation with the Dialogue Partners in addressing cyber threats through information exchange and strengthening regulatory framework on ICTs. The Meeting took note of the practical cooperation on cybercrime including the ongoing ASEAN Cyber Capacity Development (ACCD) project which has been started since September 2016 and is supported by the Japan-ASEAN Integration Fund 2.0. The Meeting also took note of the upcoming ASEAN Plus Three Cybercrime Conference 2018 with the theme “Building ASEAN Cyber Crime Capability and Capacity” which is scheduled to take place in Singapore in July 2018.

### **4.3. Efforts taken by the ADMM-Plus on Cyber Security**

14. The Philippines briefed the Meeting on the outcome of the 2<sup>nd</sup> ADMM-Plus Experts’ Working Group on Cyber Security (EWG on CS) which was held in Wellington, New Zealand, on 15-18 November 2017 and took note of the outcomes of the Syndicate Group Discussions which concluded that there is a disparity in understanding command and operational languages on cyber law among the ADMM-Plus members, particularly when applied to the military context. As an effort to overcome this challenge, the Meeting noted that there had been a recommendation for the ADMM-Plus members to undertake exercises and workshops focusing on cyber law, as well as to review the possibility of establishing

a CERT or Computer Incidents Response Team (CIRT) under the ADMM-Plus framework. The Meeting also took note of the established ADMM-Plus EWG on CS Points of Contact. The Philippines' presentation appears as **ANNEX 10**.

#### **4.4. Efforts taken by ARF EEP**

15. On behalf of the Co-Chairs of the 12<sup>th</sup> ARF Experts and Eminent Persons (EEPs), Ralph Cossa, ARF EEP of the United States briefed the Meeting on the Final Report of the Working Group on ARF Initiatives in Promoting Cyber Security, adopted by the 12<sup>th</sup> ARF EEPs Meeting held in Hanoi on 6-7 March 2018. The Meeting also noted that the Report will be submitted to the 25<sup>th</sup> ARF. The EEP's recommendations call on the ARF: (i) to intensify responsibility of the ARF Participants on cyber issues through, among others, sharing of national cybersecurity laws/regulations and sharing of national assessment of cyber threats; (ii) to promote cooperation among all stakeholders including governments, organisations, and private entities to better utilise best-practices models in assessing national status and progress in the implementation of cybersecurity policies; and (iii) to strengthen capacity building and promote technical cooperation and confidence-building measures under the ambit of the ISM on ICTs Security. The Final Report of the Working Group on ARF Initiatives in Promoting Cyber Security appears as **ANNEX 11**.

#### **AGENDA ITEM 5: CONCLUSION AND WAY FORWARD**

16. The Meeting agreed that to move forward with the TOR of the Study Group, the proposed priority areas of the ISM on ICTs Security and the concept papers of the five proposed initiatives, ARF Participants would submit further comments and input to the Co-Chairs of the ISM on ICTs Security and the proponents of the relevant initiatives, with a view to finalising the texts prior to the ARF SOM.

17. The Meeting noted that arrangements for the 3<sup>rd</sup> and 4<sup>th</sup> Open Ended Study Group as well as the 2<sup>nd</sup> ISM on ICTs Security would be communicated to ARF Participants in due course.

#### **AGENDA ITEM 6: CLOSING REMARKS BY CO-CHAIRS**

18. In their closing remarks, the Co-Chairs emphasised that while there were different points of view among the 27 ARF Participants on a number of issues, the

depth of involvement of all ARF Participants reflected positive determination to move forward with the activities under the ISM without delay and further demonstrated a meaningful measure in enhancing the level of trust and confidence under the ARF.

## **ACKNOWLEDGEMENT**

19. The Co-Chairs thanked all Participants for their active contributions to the Meeting and looked forward to continued cooperation on ICTs Security in the future. The Meeting expressed appreciation to the Co-Chairs for the effective co-chairmanship and thanked the Government of Malaysia for its hospitality as well as the excellent arrangements of the Meeting.

## **ISSUES REQUIRING FOLLOW-UP ACTION**

<b>No.</b>	<b>Key Decision/Issues</b>	<b>Timeline</b>	<b>Follow-up By</b>
1.	ARF Participants to provide inputs to the Term of Reference of the Open Ended Study Group, Concept Papers of the proposed initiatives as well as the proposed priority areas for ARF ISM on ICTS Security.	Prior to the ARF SOM (7 June 2018)	The Proponents of the initiatives and all ARF Participants.

