

### **“Joint Elements” from the 3rd Japan-EU Cyber Dialogue – 5 March 2018**

On the occasion of the third meeting of Japan-EU Cyber Dialogue in Tokyo on 5 March 2018, the Japanese and the European Union (EU) sides confirmed their partnership in favour of an open, free, fair, stable and secure cyberspace that fosters social and economic growth and in which human rights and fundamental freedoms are respected.

The two sides presented the developments with regard to their respective strategies, policies and legislation, including the EU Joint Communication on “Resilience, Deterrence and Defence: Building Strong Cybersecurity for the EU” and the review of the Japanese Cybersecurity Strategy. The two sides confirmed continued cooperation on strengthening cybersecurity to reinforce trust in the digital economy and society.

The two sides underlined the need for a stable and secure cyberspace to reinforce the opportunities that the digital development offers. The two sides condemned any attempt to abuse Information and Communication Technologies (ICTs) for malicious intent and reaffirmed their commitment to the settlement of international disputes over the use of ICTs by States by peaceful means. The two sides underlined the importance of working together to promote responsible behaviour in cyberspace, hold actors that undertake malicious activities in cyberspace responsible for their actions and continue to enhance their cooperation to deter and respond to malicious cyber activities. In this respect, the two sides emphasized the importance of the G7 Lucca Declaration on Responsible State Behaviour in Cyberspace as well as “The Principles and Actions on Cyber” endorsed in the G7 Ise-Shima Summit.

The two sides stressed the need for States to respect existing international law and the voluntary, non-binding norms of responsible State behaviour during peacetime. The two sides reaffirmed that States should not knowingly allow their territory to be used for internationally wrongful acts using ICTs. The two sides strongly endorsed the work that has been done by the United Nations (UN) Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security (UNGGE), including its landmark 2013 and 2015 reports. The two sides confirmed their commitment to continuing the work to promote responsible State behaviour in cyberspace, including by developing and implementing cyber confidence-building measures. Further, the two sides also reaffirmed that no State should conduct or support ICT-enabled theft of intellectual property, including trade secrets or other confidential business information, with the intent of providing competitive advantages to its companies or commercial sectors.

The two sides underlined the need for international cooperation in order to strengthen global capacities to prevent and mitigate cyber threats and to investigate and prosecute cyber criminals. The two sides noted the importance of the Convention on Cybercrime in this regard as a solid basis for national legislation and international cooperation in fighting cybercrime, and confirmed their commitment to strengthen global capacities and exchange best practices, including within the Global Forum for Cyber Expertise.

The two sides reaffirmed their strong support for an open and free Internet recognising the importance of human rights and fundamental freedoms, including the freedom of expression, and their support for the multi-stakeholder approach to Internet governance which includes the participation and contributions of all stakeholders. In this regard, the two sides emphasized the value

of the Internet Governance Forum as the venue for dialogue on Internet-related public policy issues among all stakeholders.

The two sides concluded a successful meeting, which confirmed and strengthened the partnership between Japan and the EU with regard to cyber issues. The two sides identified synergies of their respective work in this field and expressed their commitment to realizing an open, free, stable and secure cyberspace, including through the ASEAN Regional Forum Inter-Sessional Meeting on Security of and in the Use of Information and Communications Technologies (ARF ISM on ICTs Security) and its Open Ended Study Group on Confidence Building Measures to reduce the risk of conflict stemming from the use of information and communication technologies (Study Group). The two sides confirmed that they would continue to work together to build global resilience, strengthen the criminal law response and to enhance global stability in the cyberspace through international cooperation.

*The third formal Japan-EU Cyber Dialogue took place on 5 March 2018 in Tokyo. A number of departments and agencies participated in the meeting, and Member States of the European Union took part in the dialogue as observers. The fourth Japan-EU Cyber Dialogue is to be convened in approximately one year's time in Brussels.*