
**Internet Governance Symposium
Havannah Resort, Efate, 20th October 2016**



**The Government
of The Republic
of Vanuatu**

Cybercrime Legislation - Consultation

Office of the Government Chief Information Officer (OGCIO)

Policy Directive

Cybersecurity Policy Goals:

- Goal 1 - Develop the necessary organizational structures
- Goal 2 - Standardization and services
- Goal 3 - Strengthening the legal framework
- Goal 4 - Capacity building
- Goal 5 - International cooperation



Cybersecurity Initiatives

First Pacific Islands Capacity Building Workshop on Child Online Protection (COP) and the Commonwealth National Cybersecurity Framework

- 22 to 26 Sep 2014, Le Lagon, Port Vila;
- COP regional & local stakeholders from GoV, NGO, Legal sector, Law enforcement, Regulators;
- 5 Pillars: legal measures, technical and procedural measures, organizational structure, capacity building and international cooperation;
- **Outcome → Vanuatu COP Strategy Framework**



Child Online Protection

Vanuatu Child Online Protection Assessment



- ITU's ICB4PAC Project;
- April 2013, Central School, Port Vila - 294 students participated in the survey;
- Basic trainings on Internet risks as well as protection strategies;
- **Outcome → Vanuatu COP Assessment Report**
- *Results (next slide)*

Statistics

Despite a comparably low Internet penetration rate in Vanuatu, out of the sample surveyed:

- Almost 90% use the Internet;
- Around 30% use the Internet daily;
- Almost 50% use Facebook - most popular;
- Almost 60% are faced with infection of ICT with malicious software;
- Only 21% use anti-virus software;
- 1/3 learned about Cybersecurity in school. Students have been exposed to Cybercrime;
- 15% of the students in Vanuatu have been victim of Cyberbullying;
- Almost 10% have been contacted by strangers online;
- Around 10% have encountered illegal/inappropriate acts online or sent mean/harmful messages (cyberbullying);
- Around 1/3 tried or successfully broke into protected wireless networks.



Legal Framework

Goal 3: Strengthening the legal framework Objective 1

- Review of the existing legislation related to Cybersecurity and Cybercrime - includes definitions, penal legislation, investigation instruments of law enforcement, admissibility of electronic evidence, specific provision to protect children online and international cooperation.
- Currently in progress.



Offences	Fines/Penalties
Illegal access	2,000,000VT/ up to 5 years imprisonment
Illegal remaining	1,000,000VT/ up to 3 years imprisonment
Illegal interception	3,000,000VT/ up to 3 years imprisonment
Illegal interference	500,000VT/ up to 2 years imprisonment
Data Espionage	1,000,000VT/ up to 2 years imprisonment
System Interference	1,000,000VT/ up to 2 years imprisonment
Illegal devices	1,000,000VT/ up to 3 years imprisonment

Offences	Fines/Penalties
Computer related Forgery	1,000,000VT/ up to 3 years imprisonment
Computer related Fraud	1,000,000VT/ up to 3 years imprisonment
Child Pornography	2,000,000VT/ up to 5 years imprisonment
Pornography	1,000,000VT/ up to 3 years imprisonment
Identity related crime	1,000,000VT/ up to 3 years imprisonment
Spam	1,000,000VT/ up to 3 years imprisonment
Disclosure of information of an investigate	2,000,000VT/ up to 5 year imprisonment

Offences	Fines/Penalties
Cyber stalking	1,000,000VT/ up to 3 years imprisonment
Solicitation of Children	2,000,000VT/ up to 5 years imprisonment
Defamation	1,000,000VT/ up to 5 years imprisonment
Religious Offence	1,000,000VT/ up to 2 years imprisonment
Aiding an Abetting	1,000,000VT/ up to 2 years imprisonment

Reported Cases

- ✓ Online Defamation (Facebook)
- ✓ Harassment
- ✓ ATM Fraud (ANZ, Westpac, Bred Bank)
- ✓ Computer related Forgery (Government Cheques)
- ✓ Cyber Stalking
- ✓ Cyberbullying
- ✓ Computer related Fraud
- ✓ Pornography
- ✓ Solicitation of Children



Challenges

- **Speed of ICT developments in Vanuatu poses increasing risks:**
 - ✓ 98% population coverage to fast internet by 1 Jan 2018
 - ✓ Target audience is schools and health centers
 - ✓ Little or no formal education in Cybersecurity in schools, homes - a key area of focus;
 - ✓ Lack of experts in the area on 'Cybersecurity' and 'Online' protection;
 - ✓ Community engagement is key to tackle social issues

Opportunities

- ✓ Access to accurate Information improves lives of people;
- ✓ Consumer awareness of cyberthreats, cybersecurity and cyberbullying AND benefits of ICT's;
- ✓ eSmart programs for schools in Vanuatu;
- ✓ Technical measures aiming to block content that is not appropriate for children;
- ✓ SIM card restriction and blocking to inappropriate services for children.

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