Croatian IGF 2018 - Final report

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Why CRO-IGF?

The national IGF as a platform for open and inclusive multi-stakeholder discussions on the Internet governance issues in Croatia is now four years old. The discussion on why having a national IGF was discussed at the first CRO-IGF that took place in Zagreb on 6 May 2015 at the Faculty of Electrical Engineering and Computing University of Zagreb. The report from the first CRO-IGF is available here: http://www.intgovforum.org/cms/documents/igf-initiatives/igf-regional-and-national-initiatives/igf-regional-and-national-initiatives-2015-1/504-croatia-igf2015-report-1

CRO-IGF 2018 preparatory process

The preparatory process for the 2018 event started in December 2017. The Organising Committee established a plan of activities to be performed before the planned forum in October 2018. By end of September, the topics for the 2018 event were selected by the Committee members. The topics were collected in an open consultation process from the public. For this year's event two topics were chosen:

1. The Resistance of Democracy on Cyber Attacks
2. EU Copyright Reform

Question for all participants and coloured cards

It was decided that all the participants would be additionally encouraged to take active part by the technique of quick pools performed with the help of green, yellow and red cards that each participant would show when a question for all would be asked during each panel discussion. The colour of the card meant that the participant agrees with the proposed statement (green), disagrees with the statement (red) or that participant neither agree nor disagree with the statement (yellow).

Organising Committee of the CRO-IGF 2018:

Academia:	Private sector/Industry:
Dražen Dragičević, Faculty of Law in Zagreb Marin Vuković, Faculty of Electrical Engineering and Computing, Zagreb	Adrian Ježina, Apuntamenat d.o.o., Member of the ICT association at Croatian Employers' Association Milan Živković, Ericsson Nikola Tesla
Government:	Internet users/Civil Society:
Tihomir Lulić, Ministry of Foreign and European Affairs Leda Lepri, Ministry of Public Administration Krešo Antonović, Ministry of the Sea, Transport and Infrastructure Nataša Glavor, CARNET Zdravko Jukić, HAKOM	Kristijan Zimmer, Croatian Society for Open Systems and Internet - HrOpen

Members of the Organising Committee:

Tihomir Lulić, Head of Division for UN, Directorate for UN and International Organizations, Directorate-General for Multilateral and Global Affairs, Ministry of Foreign and European Affairs

mr. sc. Leda Lepri, Senior Adviser at the Ministry of Public Administration

Krešo Antonović, Director, Directorate for Electronic Communications and Postal Services at the Ministry of the Sea, Transport and Infrastructure

Nataša Glavor, Data Analyst at CARNET, UN MAG Member, Croatian Representative at GAC,

Professor Dražen Dragičević, Ph. D., Faculty of Law, University of Zagreb

Assistant Professor Marin Vuković, Ph. D., Faculty of Electrical Engineering and Computing, University of Zagreb

Adrian Ježina, Apuntamenat d.o.o., Member of the ICT association at Croatian Employers' Association

mr. sc. Milan Živković, Director, Strategy and Business Development, Ericsson Nikola Tesla, Zagreb

Kristijan Zimmer, President of the Supervisory Board of Croatian Society for Open Systems and Internet - HrOpen

Zdravko Jukić, Deputy Executive Director at HAKOM, Croatian Representative at GAC (ICANN)

More information on the institutions having representatives in the OC:

Ministry of Foreign and European Affairs	http://www.mvep.hr
Ministry of Public Administration	https://uprava.gov.hr/
Ministry of the Sea, Transport and Infrastructure	http://www.mmpi.hr/
CARNET – Croatian Academic and Research Network	http://www.carnet.hr/
Faculty of Law, University of Zagreb	https://www.pravo.unizg.hr/en/
Faculty of Electrical Engineering and Computing, University of Zagreb	https://www.fer.unizg.hr/en
Croatian Employers' Association	http://www.hup.hr/en/
Ericsson Nikola Tesla	http://www.ericsson.hr/homepage
Croatian Society for Open Systems and Internet - HrOpen	http://www.open.hr/
Croatian Regulatory Authority for Network Industries (HAKOM)	www.hakom.hr

A CRO-IGF webpage was established at the following link: http://www.carnet.hr/carnet_events/cro_igf

A contact e-mail address for the CRO-IGF community: cro-igf@carnet.hr

CRO-IGF 2018 Agenda

The fourth Croatian IGF took place in Zagreb, on 25 October 2018 at the premises of the Ministry of the Sea, Transport and Infrastructure. It was a one-day event and the agenda was as follows:

1. Welcoming speeches from the host and the CRO-IGF Executive Committee
2. The Resistance of Democracy on Cyber Attacks
3. EU Copyright Reform
4. Open discussions and networking

Welcoming speech by Mr Krešo Antonović from the Ministry of the Sea, Transport and Infrastructure

Mr Kristijan Zimmer as CRO-IGF 2018 coordinator, welcoming the participants on behalf of the CRO-IGF Organising Committee.

Panel on The Resistance of Democracy on Cyber Attacks

People:
- Introductory presentation:
  - dr. sc. Tonimir Kišasondi (Oru)
- Panellists:
  - doc. dr. sc. Stjepan Groš (Faculty of Electrical Engineering and Computing, University of Zagreb)
  - Tomislav Štivojević (Nacionalni CERT, CARNET)
  - Lucijan Carić (DefenseCode)
  - Damir Sušanj (HAKOM)
  - Jelena Tešija (GONG)

- Moderator:
  - dr. sc. Tonimir Kišasondi (Oru)

Topics:
- Problem of resistance of democratic EU systems to cybercrime attacks on election infrastructure and information systems of the campaigns
- Fighting the disinformation campaign, establishing the networks of co-operation elections vised
- Recommendations on coordinated response on cybercrime incidents and cybersecurity crisis of large scale
- Transposition of the NIS directive into the national legislative framework and the impact that it will have on Internet end users

The introductory presentation was given by moderator dr.sc Tonimir Kišasondi giving the reflection on the topic and setting the stage for the panel.

Over the last three years, cyber attacks seem to have spread from energy, banking and other nationally important infrastructures to the electoral infrastructures. For example, in 2016, in the United States Presidential Campaign, apart from "leaking" mails, spreading false news, other techniques were used to discredit a presidential candidate and give the other candidate a greater chance of success. All this could weaken confidence in the democratic process, spread apathy, and especially undermine confidence in the electoral process, influence anti-politics, control thinking in the cyber space, and cause emotional responses of voters.

Panellists of the first discussion on the Resistance of Democracy to Cyber Threats

Here are the most important messages from the panel discussion:

Question for the audience #1: Is Croatia ready for cyber threats?

Message 1: The public opinion was divided, with a prevailing opinion that Croatia is not ready for cyber-attacks.

Further messages from the panel:

Message 2: The opinion of the panellists is that the Republic of Croatia is a "low tech" country, especially in the context of the electoral process, and that it is a kind of advantage, as it is less possible to influence the election process through the technology. On the other hand, our electoral system uses and relies on the information system and therefore we need to ensure the security of these systems, so cyber security is certainly important for Croatia.

Message 3: Electronic elections and online elections need to be distinguished. Part of our electoral system relies on IT systems. When designing a system you have to think about all the components and assure the entire system, while for the attacker it is enough to find vulnerability in any part of the system.

Message 4: Everything starts from risk assessment. It tells us who can pose threat and what threat it represents.

Message 5: The landscape is a very dynamic one, applying the information and communication technology constantly for something new. The Republic of Croatia can easily turn into a high tech country and become vulnerable to these threats. However, elections are not the only way that democracy can be jeopardized. There are, for example, the media influences that are very important.

Message 6: We can talk about the security level of political parties and the level of awareness of the importance of cyber security that politicians have. There are several initiatives in the Gong that deal with this issue. One of the problems is that there is no trace on the internet in the law on financing political activities. How and in what ways can the Internet be used in political campaigns?

Message 7: Online media are highly susceptible to this type of campaign. Your attempts to deny viral false news largely do not reach as many people as the false news. There is a very important issue of media literacy, a topic that has been unfortunately neglected in our society. Checking information can help. The Faktograf is a service for checking or evaluating the accuracy of the facts (https://faktograf.hr/)

Message 8: The European Commission has begun to tackle disinformation, particularly in the light of parliamentary elections. The EU Code of Practice has been developed as a kind of mechanism that obliges the transparency of political advertising, in terms of who paid the advertisement, for which audience, for which candidate. It has to be made public. Unfortunately, the codex is not clear, especially about who is obliged to do it. (https://ec.europa.eu/commission/sites/beta-political/files/soteu2018-cybersecurity-elections-recommendation-5949_en.pdf)

Message 9: One of the causes of the huge impact of false news is the lack of critical thinking and lack of media literacy among the population. But that's not the only problem. With enough resources, somebody is able to put together a convincing campaign. What is important is that if we tell lies, we must bear the consequences in accordance with the legal system.

Message 10: The Cyber Security Regulation was recently issued. Key service operators are required to perform penetration testing before launching and even after each system change. Is this a viable claim? A lot of big companies are out of reach of this decree.

Message 11:
The attackers map the system to find its vulnerabilities. They know that vulnerable systems will not be patched immediately. Some average period is six months until the vulnerability is removed from the system. Unfortunately, we are prone to relativisation, e.g. if someone can break into FB, Google, then we can have vulnerabilities too.

Message 12: We are an over regulated country, we have too many laws, and we do not adhere to them and we do not know how to ensure their implementation. Prescribing a law does not mean that the desired behaviour will follow. Unfortunately, we are more inclined to change and introduce new regulations and less to enforce existing law and regulations.

Message 13: A participant: "I do not agree that security regulations are dead letters on paper. E.g., why would a cloud provider invest in the security if the user does not need it? So why would the service provider offer security as a service, this is a clear economic question. The request should come from someone, most likely will not come from the user, because user is not security aware, so that requirement comes from the state via regulatory obligation and that's the beginning. The cyber security law is good, step by step, this law will cover critical systems, and it also anticipates enforcement control."

Message 14: Absolute security does not exist, these are illusions. As people are in the background of all systems, and people do make mistakes, so systems produced by people also have errors. That is one challenge. The other challenge is a constant changing of landscape and we cannot "freeze time" to repair things, but we have to fix things that are vulnerable as we go.

Message 15: The system is sluggish, but good indicator that systematic regulation brings about changes in security issues is the regulation imposed by the Croatian National Bank to banking sector ISO 27000 compliance. At the time those were very strict rules on banks, so now, 12 years later, we can say that the banking system in Croatia is well protected.

Audience participation:

Message 16: Tihomir Lulić from the Ministry of Foreign and European Affairs of the Republic of Croatia asked panellist who or what (regulation, process, institution) do they assume to play the key role in assuring security of the election process in Croatia. The panellist identified:
- Cyber security law as quality and important regulation that envisions critical ICT systems
- Coordination and cooperation of all institutions participating in the election process (DIP, AZOP, APIS, ..) is crucial
- Awareness rising of the importance of information and computer security in schools and academic community

- NIS directive is important and sensible. 100% security does not exist. The goal is to decrease the risk and implement effective threat and risk management
- We have a solid regulation, but unfortunately we are more prone to change and introduce new regulation than to practice and enforce existing ones
- Security is no one else's problem, we have to re-think solutions and work together.

Panel on EU Copyright Reform

People:
- Introductory presentation:
  - doc. dr. sc. Tihomir Katulić (Faculty of Law, University of Zagreb)
- Panellists:
  - doc. dr. sc. Romana Matanovac Vučković (Faculty of Law, University of Zagreb)
  - Leina Meštrović (Digital DemoCroatia)
  - Mladen Vukmir (Vukmir and Partners)
  - Vlaho Hrdalo (BlockChain and Crypto Currencies Association)
- Moderator:
  - doc. dr. sc. Tihomir Katulić (Faculty of Law, University of Zagreb)

Topics:
- What are the basic features of this directive?
- Why does the EU go into such a partial upgrading of the copyright system to a new digital single market?
- Has the Union made a step forward with this directive or is it a lot of paper, and a little effect?
- Does the directive allow better access to online content and greater use of copyrighted material?
- Or is the copyright reform the biggest attack on internet freedom so far?

Panellists of the second discussion on the Copyright reform in the EU

The introductory presentation was given by doc. Dr.sc. Tihomir Katulić. The most important messages heard during the discussion are as follows:

Message 1: This reform is part of the project to create a common digital market for the EU. The European Union has developed a strategy for a single digital market and an important part of the legal regulation that should accompany the achievement of the strategic goals is the copyright reform.

Message 2:
Modern markets are systems of great complexity and the question is how to regulate them and what will they do to achieve it. When you want to interfere with the directive, the question is how to model the consequences. It is easier to read the goals and ambitions of the legislator, the question is what will really happen. This directive relies on technology to make its implementation possible. The question is whether the moment in which the directive is put in force allows for a proper modelling of the consequences.

Message 3:
The Bern Convention on the Protection of Literary and Artistic Works is one of the most successful multilateral mechanisms in the history of mankind. Copyright was more harmonized in our civilization than any other parts of the law thanks to the participation of a large number of countries during the 19th and 20th centuries. However, it no longer serves purpose, so there are criticisms of copyright. The copyrighted community has recently accepted a conversation about reviewing copyright law. We would have made a greater service to the societies had we earlier started with the review of this topic.

Message 4: In order to understand the intellectual property rights, we must know that we are actually talking about immaterial property. Since 1709, our societies have made a shift in understanding creativity as a property. How to protect it and how to apply it. Tangible and intangible assets behave differently. E.g. theft differ in our and previous times. There are differences that we were not able to properly place in the legal system in the past. But that does not mean that we have to leave the values that we want to protect.

Message 5: In the past, some considered that creativity is the question of individual inspiration. Nowadays we have a somewhat continuous creation, and that is why the fundamental understanding of the concept of creativity has altered. Viktor Hugo's concept of collective protection was introduced in the middle of the 19th century, because his plays were printed and performed without any compensation to the author. He did not have the means to regulate it, as much was happening far from Paris. The existence and responsibility of the mediators for the collective exercise of rights are not disputed.

Message 6:
Politically speaking, this is happening at the EU level. At this point, we do not know exactly how the text of the directive is read. The text of the directive is still being negotiated in a trialogue between the EU Parliament, the European Commission and the Council of Ministers of the EU.

Message 7:
The European Union's political message is - we need to do something for the media, culture and other creative industries because the existing regulation has turned this way against those industries and that the revenues of those operating on the Internet have grown disproportionately to the author's creations over the last 18 year. The idea of a directive is not to destroy the Internet but to redistribute the earnings between the creative activities on the internet.

Message 8: From artificial intelligence, you expect to recognize things that only human beings can recognize, such as memes. Technology requires absolute originality, for example, memes do not have it, because there is a humorous add-on in existing content.

Message 9: Facebook and Google already have filters in which millions were invested. At the same time, the ability of small companies to invest and comply with the directive is knocked down.

Message 10: It is expected that in practice, it will happen that Facebook, Google and similar platforms will preventively remove content and perform censorship so that they would not be punished. Companies are faced with this problem and filters will be the only way to react.

Message 11:
The directive should be transposed into national legislation. 28 member states, therefore 28 possible ways to regulate this issue nationally.

Message 12:
Timing of this panel is significant. Since yesterday, Italy does not support this directive. Italy accounts for about 11% of the EU population. We will see whether it will be done by some other member of the Union. I do not see what benefits the directive can bring to authors, education etc. There is a fear that through the adoption of the directive the offline publishers, associations and societies for the realization of collective law would profit.

Message 13:
EU does not have strong IT equipment vendors any more.

Question for the audience #2: Do you think the EU space is over regulated compared to the North American continent and Asia?

The majority answered „Yes, EU is over regulated".

Message 14: The world should not be run by a private company. We must have a democratic society. Creativity and culture, which always had a certain form of support in society, should be protected and not left only to the market forces. Special treatment of cultural and creative content exists since there are people.

Message 15:
This whole discussion began with the assumption that copyright is something good and that it should be protected. There is no scientific paper that proves to be damaging because some content is shared free of charge. The biggest research on this issue made by the EU has shown that there is no evidence that piracy is bad.

Message 16:
Copyright is a civilization heritage. The Achievement of European Civilization. It rests on the idea of rewarding creative individuals for their efforts, by providing some means to live from their creative work, because thanks to their work, society goes further. This is not a natural law, but a social one, and of course we can discuss it and wonder whether this philosophical deal is properly set up or not, but we need to work in the prescribed procedures that change the established social effects that we have since 1709.

Message 17: We need to fight against copyrights that would leave the authors unprotected and enable intermediaries to get the most. The phenomenon of digital works is to pass one and the same song a million times that it is still the same. Blockchain would solve the problem of 'double spending', i.e. the ability to refer the same thing to two different addresses, or to sell it several times.

Message 18: It is a myth that there is industry support for this directive. There is a risk that EU would push a large number of people to the dark web. If people do something and do not think it is wrong, it will not be possible to suppress it. The EU becomes as China, we would have censorship of the content before we put it on the Internet.

Message 19: It is a shame that we do not see greater vision and greater EU creativity in solving this problem. The EU has waited for too long. In the EU, we have a problem that we are three steps behind the current events. There will be further growth in the use of technology to regulate copyright, we will have technological solutions at the cost of legal ones.

Message 20:
If the directive is not adopted by May, its future is uncertain. The directive does not tell who can do what, but rather establishes the responsibility of the Internet platforms, so that their role enables fair distribution of income from the protected creative products. Namely, copyright users are not interested in denying access to the work of the author, but to make the most use and availability of it.

Participation

There were about 80 participants at the Forum. The participation distribution was rather even among the Government, private sector and academia, while we would still need to get more participation from the civil society and Internet users in the future events. The sessions were held in Croatian.

Activity of the participants through the yellow, red and green cards

Conclusions

Main conclusions of the Forum were that we in Croatia have to further support and develop our national dialogue on the Internet related issues and Internet Governance in particular. An open, inclusive and multi-stakeholder model is seen as a good model for constructive participation. However, as the Forum was informal, no outcome documents were produced. As after the previous three fora, it was left to each participant to take home what she/he has heard.

Feedback from the participants

Zdravko Jukić, HAKOM, Croatian GAC Representative:
Very valuable input from open and inclusive discussions. At times, we could hear very different opinions and opposing positions but that is exactly what this forum is about. Government needs to listen to all stakeholders in order to develop a true national position on various internal, regional and global issues.

Special thanks

CRO-IGF annual event was possible due to the positive attitude and the efforts of all organisations represented in the Organising Committee of the CRO-IGF. Thanks to all.

More information and contact

The Croatian multi-stakeholder community can be contacted directly through the following e-mail address: cro-igf@carnet.hr

Zagreb, 27 December 2018