Endringsforslag i litteratur, hjelpemidler og læringsutbytte for JUS5650.

Det foreslås å endre navn og fokus for emne JUS5650 til «Cybersecurity Regulation». Emnet inngår bl.a. i LL.M. i «Information and Communication Technology Law», og endringsforslaget er en oppfølging av den eksterne evalueringen av dette Masterprogrammet foretatt i 2016.

Evalueringskomiteen anbefalte følgende: «to place greater emphasis on cyber security and security aspects of privacy and telecom law as well as general security legislation as these are increasingly important topics. This is an area where the cross border nature of the internet meets requirements related to national autonomy and security».

Samtidig mente komiteen at emnet JUS5650 var litt for bredt anlagt. I den forbindelse uttalte komiteen følgende:

«Course JUS5650 titled "Enforcement and Dispute Resolution in a Digital Context" is broad and diverse – perhaps too broad and too diverse – in its scope. As such, it comes across as somewhat of a collection of topics that did not fit in anywhere else but that nevertheless are recognised as important. The result is a somewhat odd mix of computer crime, alternative dispute resolution (including its history), private international law and lex informatica – topics with no more of a common theme than just about any combination of topics ordinarily addressed within the ICT law field may have; that is, any topics taught within the ICT law field may be seen to have as their primary objective the aim of providing "insight into the regulatory impact of ICT as such" (Internal Evaluation Report, at p. 10). At least on paper, this comes across as a weakness in the programme».

Endringsforslaget tar tak i komiteens to vurderinger, ved å spisse emnets fokusområde gjennom en vektlegging av cybersikkerhet og datakriminalitet («cybercrime»). Det tas sikte på å kunne tilby det nye emnet fra våren 2018.

Emnekode: JUS5650	**Fagområde:** ~~Enforcement and Dispute Resolution in a Digital Context~~ Cybersecurity Regulation
Navn på ansvarlig faglærer: Tobias Mahler	
Forslag til endring i hjelpemidler:	

Forslag til endring i litteratur

Et fullstendig forslag til endring i litteratur vil bli levert høsten 2017, hvis endringen av kursets navn og fokusområde vedtas av PMR. Pensum vil bl.a. omfatte utdrag fra følgende verk:

André Årnes and others (eds.), *Digital Forensics: An Academic Introduction* (John Wiley & Sons 2017)

Axel M. Arnbak, *Securing Private Communications: Protecting Private Communications Security in EU Law – Fundamental Rights, Functional Value Chains and Market Incentives* (Wolters Kluwer 2016)

Heather Harrison Dinniss, *Cyber Warfare and the Laws of War* (Cambridge University Press, 2012)

Lukas Feiler, *Information Security Law in the EU and U.S.* (Springer 2012)

Anna-Maria Osula and Henry Rõigas (eds.), *International Cyber Norms: Legal, Policy & Industry Perspectives* (NATO 2016)

Michael N. Schmitt (ed.), *Tallinn Manual 2.0 on the International Law Applicable to Cyber Warfare* (Cambridge University Press 2017)

Ian Walden, *Computer Crimes and Digital Investigations* (2nd edition, Oxford University Press 2016)

Forslag til endring i fagbeskrivelse:

This course addresses key regulatory questions regarding cybersecurity and cybercrime. The point of departure of the course is the increasing focus on cybersecurity not only as a technical issue, but also as a regulatory and policy concern. Cybersecurity is now a top priority for governments, businesses and other policy-makers around the world. It is a prime concern for citizens too, as cyber threats also impact on their many everyday digital transactions and interactions. The course primarily studies cybersecurity norms in domestic, European and international law. These rules focus on cybersecurity in a variety of regulatory contexts, including national security, protection of critical infrastructure, data privacy and international warfare. The course takes account of developments of cybersecurity norms in a global perspective (with particular focus on the role of the ITU, OECD, WTO and other IGOs), the emergence of doctrines of cyber-sovereignty (particularly important, for example, in Russia and China), and unfolding regulatory policy on use of cryptography (with focus on legal rules governing the ability of law enforcement agencies to be given access to unencrypted or decrypted data). A second strand of the course focuses on cybercrime (both its substantive and procedural elements), along with digital forensics.

The chief "hard law" instruments to be examined are the EU's Network and Information Security Directive (2016), security rules in the EU's General Data Protection Regulation (2016), and transpositions/equivalents of these instruments in Norwegian law, with a focus on Norway's Security Act (sikkerhetsloven). In the context of cybercrime, the course mainly examines the Council of Europe Convention on Cybercrime (2001) and the EU Directive on Attacks against Information Systems.

Forslag til endring i læringsutbytte (må beskrives i kategoriene: kunnskap, ferdigheter og generell kompetanse):
The primary objective of the course is to provide insight into cybersecurity and cybercrime regulation.

Achievement requirements

Knowledge

- Good knowledge of how the European Union (EU) regulates cybersecurity.
- Knowledge of emerging cybersecurity laws at the global level, including in international law.
- Knowledge of relevant cybercrime norms.

Skills

- Ability to connect technical security issues to regulatory issues discussed in the course.
- Ability to participate in policy debates about emerging cybersecurity issues and their regulation at domestic, European and international level.

General competence

- Understanding of relevant regulatory roles played by international organisations, such as the International Telecommunications Union (ITU), the World Trade Organization (WTO) and the North Atlantic Treaty Organization (NATO).
- Understanding the role of risk management in cybersecurity.
- Understanding of weaknesses and strengths of EU law with respect to cybersecurity.

Tobias Mahler og Lee Bygrave, 18.04.17