

Алексеев Александр Алексеевич

студент

Научный руководитель

Фомичева Татьяна Леонидовна

канд. экон. наук, доцент

ФГОБУ ВО «Финансовый университет
при Правительстве Российской Федерации»

г. Москва

ПРОБЛЕМА МЕЖДУНАРОДНОЙ ИНФОРМАЦИОННОЙ БЕЗОПАСНОСТИ

Аннотация: в эру глобализации и развития информационных технологий информация приобретает особую важность. Информация избавляет от сомнений, увеличивает объем знаний об объектах, людях и событиях; помогает понять, изучить что-либо новое. Для того, чтобы обеспечить международную информационную безопасность, были разработаны Конвенция ООН о международной информационной безопасности и Конвенция Шанхайской организации сотрудничества, которые рассмотрены в данной работе. Авторы предлагают теоретические модели существования таких конвенций в будущем, а также определяют плюсы и минусы оных.

Ключевые слова: международная информационная безопасность, информация, Будапештская Конвенция о международной информационной безопасности, Конвенция Шанхайской организации сотрудничества.

Aleksandr A. Alekseev

student

Scientific adviser

Tatyana L. Fomicheva

candidate of economic sciences, associate professor

FGOBU VO "Finansovyi universitet pri Pravitel'stve Rossiiskoi Federatsii"

Moscow city

THE PROBLEM OF INTERNATIONAL INFORMATION SECURITY

***Abstract:** in the era of globalization and the development of information technology, information is becoming increasingly important. Information reduces uncertainty, increases the amount of knowledge about objects, people and events, helps to understand, to learn something. To ensure international information security, the UN Convention on International Information Security and the Convention of the Shanghai Cooperation Organization member states were developed, which will be considered in this work. Theoretical models of the existence of these conventions in the future will also be proposed, their pros and cons will be identified.*

***Keywords:** international information Security, information, Budapest Convention on International Information Security, Shanghai Cooperation Organization Convention.*

Introduction.

Information is various data about facts, objects, persons, phenomena, processes and events, which can have different forms of presentation. In general, information can be viewed as property. In addition, this property must be protected. Information protection consists in the creation and use of special mechanisms in automated systems. These mechanisms maintain the established status of its security. Computers are capable of providing access to a wide variety of data. The large-scale development of computer networks and their integration with public information systems have many advantages. However, these processes create new threats in the field of information security. Therefore, actors worry about the security of information and the risks associated with automation and providing much more access to data. After all, electronic means are even more vulnerable than paper ones. The information stored in them can be deleted, transferred, copied, modified. Therefore, in the modern world, the problem of information security is becoming increasingly important. States, along with individuals and various companies, are also exposed to information crimes. These crimes can be aimed at strategically important state facilities, persons exercising power in the country, the population. Moreover, each state must ensure information security. After

all, attacks can be carried out not only by individuals, but also by other states pursuing any goals. In the modern world, such attacks are increasingly used to achieve any goals at the international level. Therefore, the problem of information warfare has become quite acute for the world community. As a result, two main normative legal acts were developed to implement international information security: the Budapest UN Convention on International Information Security and the Shanghai Cooperation Organization Convention.

UN Budapest Convention on International Information Security.

The need to create a convention on international information security appeared when the problem of information security arose. The first UN resolution took place on December 4, 1998. It was adopted without a vote, by consensus. Further, issues on this convention were considered annually.

This document was created to combat cybercrimes that can harm legal entities and individuals. Such crimes can be: copyright infringement, Internet fraud, distribution of child pornography, etc. It does not address issues of foreign policy actions of states. Nothing is said about state security in the concept of information security. It should be noted that this convention refuses to verify cyber weapons and accepts the impossibility of tracking and regulating the activities in the field of information technology of transnational actors. At the same time, significantly less control by the state over information flows and their quality is carried out in comparison with the Convention of the Shanghai Cooperation Organization. In addition, most of the actors that provide the formation of content in the global information space in Western countries are not under the direct control of the state and often have a transnational nature.

The most controversial article is article 32, which provides for authorized access by authorized bodies of one state party to computer data stored on the territory of another state, without the prior consent of the latter. «A Party may, without the consent of the other Party, access or obtain computer data stored on the territory of the other party through a computer system on its territory, if this party has the legal and voluntary

consent of a person who has the legal authority to disclose this data to this party through such a computer system".

Due to the significant influence of Western countries on the world community, the Convention on International Information Security was adopted by all UN members. The only exceptions were the countries that are members of the Shanghai Cooperation Organization, as well as those countries that plan to join this organization in the near future. This includes Russia. These countries did not accept the Convention on ensuring international information security due to their disagreement with Article 32. The members of the Shanghai Cooperation Organization believe that this provision of the Convention reduces the effectiveness of co-operation between states and undermines the spirit of harmonious and trusting interaction between participants interacting in matters of cross-border access to the network... Representatives of countries that do not agree with this provision argue that this article can serve as a cover for actions that violate information security. Even many states that have accepted this Convention, for example, Bulgaria, express their dissatisfaction with this article. However, due to the existing, almost insurmountable challenges that the Shanghai Cooperation Organization Convention has, the issue of ensuring international security has no alternative, therefore the overwhelming majority of countries reluctantly support the Budapest Convention. Moreover, this Convention expands the membership of its members. So, for example, the countries of West and North Africa (Ghana, Morocco) after some time will become full members of the Convention on International Information Security.

There are some intermediate results of the existence of this Convention. Firstly, definitions were given to such concepts as information weapons, information warfare, information security, terrorism in the information space, dissemination and provision of information. Secondly, the basic principles of ensuring international security were formulated. Thirdly, military conflicts in the information space began to be prevented and resolved; measures were taken to prevent the use of the information space for terrorist purposes. Fourth, the main threats to international peace and security in the information space were identified.

Shanghai Cooperation Organization Member States Convention.

The resources of the Shanghai Cooperation Organization were used to pro-mote Russian ideas in the field of information security. The convention was created in 2001.

Its main principles include compliance with the UN Charter and universally recognized norms and principles of international law, which include, among other things, respect for the sovereignty, territorial integrity and political independence of all states, respect for human rights and fundamental freedoms, as well as respect for the diversity of history, culture and social order. all countries. This document says that it is impossible to use information and communication technologies and information and communication networks to take actions that contradict the objectives of maintaining international peace and security, as well as to interfere in the internal affairs of other states in order to undermine their political, economic and social stability... This paragraph stands out due to the disagreement of the member states of the Shanghai Cooperation Organization with the controversial article 32 of the Budapest Convention.

It can be said that a key feature of the Shanghai Cooperation Organization initiative is its peacekeeping nature. Contrary to concepts that regulate cyber warfare, our paper is aimed at preventing conflicts in the information space. It enshrines the obligation of states not to use information and communication technologies in order to violate international peace and security, as well as to interfere in the internal affairs of other states and undermine their political, economic and social stability.

It should also highlight the challenges and risks faced by this Convention. After all, they can be the reason that this Convention is inferior in popularity to its Western counterpart. The Russian side plays a leading role in shaping the theoretical basis of the document. It is Russia that is the main theorist and ideologist of the formation of the Convention. Most of the concepts and definitions are successive or closely related to Russian doctrinal documents. However, conceptual and terminological contradictions arise when Russia is trying to propose new definitions for international law, especially in terms of regulating the behavior of states in the information space. They may not substantially coincide, and it will be difficult to accept one or another definition.

The next problem is the control and regulation of the activities of trans-boundary actors. In recent years, it has not been possible to agree on a legal mechanism for regulating their activities in the field of information security. The reason for the failure was that states today are unable to independently, without the participation of other actors and intermediaries, regulate those institutions, processes and phenomena that develop mainly outside national boundaries and systems of legal regulation. Indeed, in the global information space, the regulation process takes place outside the framework of administrative control. Further-more, it is almost impossible to establish such control today, especially in the field fulfillment of those norms that are proposed by the Convention of the member states of the Shanghai Cooperation Organization.

Conclusion.

In conclusion, I would like to consider theoretical models for the existence of both Conventions in the future.

1. Way of existence of the Budapest Convention and its slight improvement.

This perspective is the most possible, due to the absence of obvious competitors. The SCO Convention has many flaws, and it is still rather crude. The Budapest Convention is time-tested, its terminology is easier to edit, and it is easier to comply with the rules and norms that are established in it. In addition, the influence of Western countries is increasing, therefore, the «weight» of the Convention is increasing.

2. The way of introducing some clauses of the Russian Convention into Budapest or its international recognition.

The ideas presented by this Convention are quite interesting and attractive for the countries of the «eastern» world. However, they are almost impossible to enforce, and in democratic countries they can violate the rights and freedoms established by the highest normative legal act. In addition, the sanctions imposed on the countries of the «eastern world» make it difficult to implement the provisions of the Shanghai Cooperation Organization Convention into the Budapest Convention, because the sanctions reduce the number of international relations between countries.

3. The way for each state to create its own regulatory legal acts that ensure international information security without the help of the UN.

This path was not considered in our work, however, at the present time, it is the only one if the two Conventions described above are found to be ineffective, and will be canceled, not adopted. However, this path is very unlikely, since the number of information crimes by cross-border actors, which the information space abounds with, will increase. Taking everything into consideration, there will not be a single legal system that would regulate information crimes. Also, some communication and logistics between states will be disrupted, it will be more difficult for them to solve any global problems in the information sphere.

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