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Virtual via Zoom: Click here for link to Zoom meeting

Polycentric Regulatory Models for the Safeguarding of Personal Data Privacy and IP in Cyber Information Sharing Platforms

The increasing costs of hostile cyber events are a critical global issue, estimated in billions of dollars annually. Malicious cyber actors act from various motives - financial, political, military, and social - but they share the attacker’s advantage of only needing to succeed once in exploiting their target’s vulnerabilities; whereas defenders need to maintain robust levels of cybersecurity. Information sharing (IS) among trusted stakeholders addresses this informational asymmetry, and the advantages of a polycentric approach to cyber IS are clear: a diversity of trusted stakeholders sharing a broad spectrum of threat data and mitigation strategies can significantly boost sharers’ cybersecurity. This research paper focuses on present challenges to cyber IS, exploring the regulatory means to best incentivize IS that includes sensitive data, in light of rapidly-evolving personal data privacy regulations and IP safeguards. The recent “Schrems II” decision of the CJEU serves as a case study of these challenges.

Deborah Housen-Couriel is an advisory board member of the Hebrew University Cyber Security Research Center. She teaches courses on cybersecurity law and regulation at the Law School of Hebrew University and at the Herzliya IDC, as well as having served as a guest lecturer at the Harvard Kennedy School’s Cybersecurity Program. Deborah was a member of the International Group of Experts that drafted the 2017 Tallinn 2.0 manual on state activity in cyberspace.