Statement

Delivered by
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Minister Counsellor

On “Regular institutional dialogue”
at the Informal Session of the Second Substantive Session of
the Open-ended working group (OEWG) on security of and in the use of
information and communications technologies 2021–2025

New York, 1 April 2022
Mr. Chair,

1. Thailand wishes to express its appreciation that the issue of regular institutional dialogue is being discussed within the OEWG framework, as we are of the view that the OEWG should remain a cornerstone for fostering inclusive dialogue and international cooperation on the use of ICTs by States.

2. The proposal to establish a regular institutional dialogue should lay out clear goals and mandates of such mechanism, and most importantly, it must be compatible and complementary with the OEWG. We also reiterate that such dialogue needs to be an inclusive framework in order to serve as an effective tool for tackling the current issues.

3. With regard to the proposed Programme of Action to advance responsible State behavior in the use of ICTs in the context of international security or PoA, Thailand thanks all States that have engaged with us on the proposal. We appreciate that the proposal aims to complement the OEWG’s efforts, particularly in operationalizing the norms of responsible States behaviour in cyberspace. In this regard, we continue to welcome further dialogue on the proposal, including specific details such as on organizational matters, so that all parties can study the work plan and prepare their roles accordingly. Furthermore, Thailand would like to share the following two points:

4. First, Thailand firmly adheres to norms adopted by the GGE and the OEWG, and also recognizes the need to develop guidance and recommendations on how to operationalize these norms, which seem to be in line with the PoA’s objectives. We would be interested to see how the PoA, or other mechanism, can translate these norms into practice at the global level, and how the PoA can assist States, especially developing ones, in effectively adhering to such norms; and

5. Second, while we agree that existing obligations under international law are applicable to the use of ICTs by States, Thailand is of the view that there remain questions as to how international law applies, as well as whether gaps exist. Such differences in the interpretation of international law may also result in the divergence of States’ practices, including how they implement rules, norms and principles of responsible State behaviour. Therefore, we would like to see that the regular institutional dialogues, including the proposed PoA, play a significant role in developing a universally-accepted and common understanding of international law applicable in cyberspace, especially in the absence of a legally-binding instrument on this matter.

6. To this end, Thailand stands ready to further exchange views with all parties in order to help make the existing and future regular institutional dialogues as effective as they can be.

I thank you, Mr. Chair.