Statement by South Africa at the Open-ended working group on security of and in the use of information and communications technologies 2021–2025 Informal Session held in March/April 2022 on How international law applies to the use of information and communications technologies by States

- To govern the use of cyberspace and especially the threats posed to international peace and security, South Africa continues to support the applicability of international law and specifically the United Nations Charter in its entirety. South Africa therefore welcomes the consensus conclusion of the first OEWG that international law applies to cyberspace and the recognition that more work is needed to reach common understandings on how international law applies.

- South Africa believes that the current discussion on cybersecurity should build upon work already done by the existing agreements, such as the African Union Convention on Cybersecurity and Personal Data Protection.

- South Africa also understands that several States are developing language proposals on the application of International Humanitarian Law (IHL) in the context of cybersecurity. We encourage such discussions to be channelled to the OEWG in order to achieve the common understandings necessary for a successful and consensual outcome to our work.

- Leveraging the expertise of all relevant bodies and stakeholders, such as the ILC, would enrich the OEWG’s work towards reaching common understandings on how international law applies to cybersecurity. South Africa is therefore proposing that the OEWG consider requesting an opinion from the International Law Commission (ILC).