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**Open Ended Working Group in the Field of Information and  
Telecommunications in the Context of International Security**

**Proposal on International Law paragraph 9;**

Comments and Textual Proposals

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TEXT PROPOSAL

9. Recalling that international law, in particular the Charter of the United Nations, is applicable and essential to maintaining peace, security and stability in the ICT environment, States made concrete, action-oriented proposals on international law. The following is a non-exhaustive list of proposals with varying levels of support from States that may be further elaborated upon and supplemented at forthcoming OEWG sessions:
- a. The OEWG could convene discussions on specific topics ~~related to international law~~ **to deepen common understandings on how international law, in particular the Charter of the United Nations, apply in the use of ICTs**. A non-exhaustive list of topics proposed by States for further discussion under international law includes: Sovereignty; sovereign equality; non-intervention in the internal affairs of other States; peaceful settlement of disputes; ~~how international law, in particular the Charter of the United Nations, applies in the use of ICTs [moved up], whether gaps in common understandings exist on how international law applies, as well as the possibility of additional legally binding obligations [moved down];~~ State responsibility; ~~and~~ due diligence; respect for human rights and fundamental freedoms; ~~and principles of~~ **only in situations of armed conflict**, International Humanitarian Law ~~such as~~, **including the principles of** proportionality, distinction, humanity, **and** necessity; **whether gaps in common understandings exist on how international law applies, [and the possibility of additional legally binding obligations.]** Noting that the development of common understandings on international law remains the exclusive prerogative of States, it was proposed that discussions at the OEWG could benefit from briefings, as appropriate, by experts from **the International Committee of the Red Cross and** the UN, such as the International Law Commission, as well as interested stakeholders including businesses, non-governmental organizations and academia.