UK comments on the zero draft of the first annual progress report of the OEWG on security of and in the use of ICTs 2021-2025

The UK extends its thanks to the Chair and his team for their efforts to produce this comprehensive zero draft.

Overall comments

- The Chair has provided a clear roadmap for our discussions that will allow us to move on from general statements to more detailed discussions. In this regard, we welcome the inclusion of practical action-oriented proposals put forward by a broad range of Member States during this period of the OEWG, including references to the national survey of implementation, international law capacity building, the role of regional organisations, the Cybersecurity Capacity Building Maturity Model, CBM POCs and suggestions for the role of UNIDIR Policy Portal.
- Clear reaffirmation of the acquis remains important to us including through references to consensus GGE and OEWG reports.
- The report should reflect the nature of our discussions thus far, including with reference to gender. The content in this report was achieved despite significant debates regarding geopolitical challenges and modalities, highlighting the importance of this process to Member States and their commitment to it. This must be clearly noted.
- Allocation of any actions to specific organisations requires careful consideration in order to avoid duplication and inefficiencies. In particular, any expansion of the role of the Secretariat would require clarity around role, status, process and budgetary implications.
- There is undue emphasis throughout the report on law enforcement and mutual legal assistance. The OEWG does not have a remit on economic development.

Existing and Potential Threats

- The UK believes a description of the threat is an important starting point for discussions that helps Member States focus on potential areas of convergence for action. We believe it remains possible to find this agreement within the OEWG. Such a description could include references to the risks of escalatory or uncontrolled activity, the importance of critical national infrastructure, and the implications for international peace and security when criminal activity rises to the level of a national emergency, and potential impact on humanitarian action.
- It is important to strike the right balance between the role of the OEWG as a diplomatic forum and the real need for collaboration at the technical level. Responses to the threat should – where they find consensus – be addressed in the relevant subsequent sections of the report.

Rules, Norms & Principles

- We welcome the continuation of conversations from the previous OEWG building on positive proposals such as the survey of national implementation, which will help to increase accountability by member states for implementation of their commitments.
- The current draft is unbalanced in the way it presents a particular focus on specific individual norms. We request clarification on the proposed outcomes of a discussion on '*developing common understandings on technical ICT terms'* before agreement to proceed with this topic.

International Law

- We welcome the proposal for in-depth discussions on specific topics of international law with expert input, including the ICRC. We support the focus on capacity building here, and particularly the proposed needs analysis. We request a clear reference to International Humanitarian Law in the list of topics to be discussed. The OEWG itself is an important forum for continuing to share views on the application of international law and should be referenced as such. We consider this to be the key task facing the OEWG on this issue moving forward.

CBMs

- The number of proposals in this section reflects the rich discussion held. It could be streamlined for clarity. References to norms should be move to the relevant section. The report could note the great strides Member States are making to build cyber diplomacy capacity in order to represent their national views and build confidence with partners. We seek clarification of the meaning of 'secure' in the context of implementation of a Points of Contact directory, including budgetary implications.

Capacity building

- We welcome the promotion of better understanding of capacity building needs, including through surveys and the Cybersecurity Capacity Maturity Model (CMM), and of the need to ensure Member States are better informed of relevant information on capacity building programmes, including through regional centres of excellence and coordination between online portals.
- However, ICT-related capacity building is an issue that extends beyond the remit of First Committee and we note that many UN organisations are already conducting ICT-related capacity building efforts in accordance with their existing remits. We also note that similar proposals to those included in this report were considered in the Secretary-General's Roadmap on Digital Cooperation. For example, UNDP and ITU conducted a mapping of existing digital capacity development initiatives and a Joint Facility for Global Digital Capacity, led by ITU and UNDP, already exists. These efforts should be promoted and built on, not undercut.
- Future initiatives on ICT capacity building must maximise the value of existing initiatives, rather than duplicate at additional cost. Consideration should also be given to which organisation is best placed to provide the desired function, acknowledging that the UN Secretariat may not always be the most effective or efficient means. We consider that designation of a UN focal point on ICTs or establishment of a permanent mechanism risks being duplicative of existing initiatives and therefore require further consideration before they can be taken forward. We suggest any such proposals be taken in one upcoming discussion as proposed by the Chair's draft.

Regular Institutional Dialogue

- In the current geopolitical context we emphasise the importance of the recommendation at para 75 of the 2021 OEWG report that *'States continue to actively participate in regular institutional dialogue under the auspices of the United Nations'.*
- We request the reference to the Programme of Action be reworded to more accurately reflect the co-sponsors proposal.

- Whilst an important process, describing the '*centrality of the OEWG as the negotiation mechanism within the United Nations on the security of and in the use of ICTs'* suggests all UN processes touching on this topic report into the OEWG. That would be an inappropriate extension of the OEWG's remit into General Assembly processes as well as those in specialised agencies and taking place under the auspices of the Secretary General.