

**Statement by the Russian Federation at the third substantive session
of the Open-ended Working Group on Security of and in the Use of ICTs
2021-2025**

New York, 29 July 2022

Distinguished Mr.Chairman,

Distinguished colleagues,

The Russian Federation was the architect of the negotiation process on international information security under the UN auspices. From the very beginning of the OEWG, first launched upon our initiative in 2018, our government has made every effort to ensure the efficiency and effectiveness of the Group for the sake of strengthening peace and security in the use of ICTs.

We regret to say that the party hosting the UN headquarters increasingly abuses its position. The United States tried, in a cheap way, to hinder the work of our delegation at the third session of the OEWG, to prevent the head and leading experts of our team from the capital from participating with a view to impede Russia's contribution to advancing negotiations. We did not succumb to provocation and decided to show the most flexible and constructive approach. Our task is to enhance the productivity of the only open and democratic mechanism, which is the OEWG, for establishing international legal foundations in information space instead of the "law of the jungle".

We highly appreciate the leading role of the Chair, distinguished Mr. B.Gafoor, and acknowledge his hard and consistent work to achieve practical outcome of the Group. We fully share his judgment that the OEWG is an important confidence-building measure for States.

As for the progress report, we still have a number of significant concerns about the text. We do not agree with excessive emphasis laid on the implementation of rules of responsible behavior of States in information space. It is unreasonable to consider reporting on them in the absence of legal obligations. The mandate of the Group clearly stipulates as a priority to further develop rules, norms and principles of responsible behaviour of States and ways for their implementation.

To align our work with the OEWG's mandate Russia suggested adding the notion of further developing norms, wherever implementation is mentioned (*namely, in para 3 in Introduction; para 14 a), recommendations 1, 2, 3 in section C; 17c), 17d) in section F*). With regard to the consensus UNGA resolution 76/19, which provides for the possibility of future elaboration of additional binding obligations, we proposed to reflect this provision in the report (*para 2 in Introduction; para 14 b) in section C; recommendation 1 in section D*).

Russia does not support mentioning the applicability of certain branches of international law, in particular, international humanitarian law to the use of ICTs (*para 15b) ii in section D*).

The report of the Secretary-General on developments in the field of information and telecommunications in the context of international security, which is a universally recognized instrument utilized by States for years, cannot be put on the same level as initiatives of groups of states or non-governmental institutions like the National Survey of Implementation and the UNIDIR Cyber Policy Portal (*recommendation 3 in section C, recommendation 3 in section D. recommendation 3 in section F*). The role of UNIDIR in the context of efforts on security in the use of ICTs should not be overestimated (*recommendation 3 in section D*).

The language of the report should be in line with the UNGA resolution 75/240. The term “stakeholders”, respectively, – replaced by “other interested parties” (*para 4 in Introduction; para 16d), recommendation 4 in section E; para 17g) and recommendation 4 in section F*).

There is a pressing need to ensure in-person participation of all representatives of national delegations, as well as other interested parties accredited to the Group, in formal sessions and intersessional meetings of the OEWG held at the UN Headquarters through timely issuance of visas. We suggested including this call in the text (*para 6 in Introduction*) instead of emphasizing gender aspects (*para 6 in Introduction; para 17f), recommendation 2 in section F*) which are not covered in the mandate of the OEWG.

Russia believes that the UN should play its own role of a universal organization in the efforts on establishing a directory of points of contact. Relevant

regional initiatives could be taken into account and be complementary to the UN directory (*para 16b) in section E*).

References to exchanges of concept papers, national strategies, policies and programmes on ICT-security among States (*recommendation 5 in section E*) should be supplemented with the notion of adherence to the national legislation and exchange of relevant implementation practices which are the part of confidence-building measures.

The mandate of the OEWG does not cover financial issues. Russia suggested changing references to “funding” capacity-building efforts for their “supporting” or “maintaining” (*para 17 e), recommendation 2 in section F*).

The Programme of Action is just one of a number of national initiatives presented within the OEWG. It should not be prioritized. We suggested making a reference to the International Code of Conduct for Information Security and to the Global Initiative on Data Security in *para 18 b) in section G*. We proposed to clearly reflect in the report that the mandate of the OEWG and its efforts should not be duplicated in other structures.

In addition, Russia suggested the addition of the following paras to the document:

- States could consider the possibility of establishing at the UN level principles of personal data protection in order to harmonize the approaches of States and foster secure transborder data flow (*para 14b) bis in section C*).

- States note the importance of adopting measures to safeguard the general availability, secure and stable functioning of the Internet taking into account States’ sovereignty in their information space, as well as to ensure equal participation of States in the governance of this network (*para 14c) bis in section C*).

Nevertheless, in order to maintain the positive dynamics of the OEWG and the prospects for pragmatic negotiations until the expiration of its mandate in 2025 we decided to join consensus on the document. We consider it as a summary of the discussions that took place, which should be further elaborated at subsequent

meetings of the Group. The provisions of the report will be taken into account by Russia with respect to the progress in negotiations.

We support the proposal made by the Chair to include in the procedural draft report of the Group a paragraph providing for the issuance of a compendium of statements with explanations of positions of States on the OEWG progress report. It is crucial to design it in full compliance with the practice of the compendium of statements of States on the report of the first OEWG – in particular, the document should be assigned a number. We will submit to the Secretariat of the OEWG the comments of the Russian Federation to be reflected in the abovementioned compendium.

Thank you for attention.