Czechia's input pursuant to General Assembly resolution 77/37: Programme of Action (PoA) to advance responsible State behaviour in the use of information and communications technologies in the context of international security

Czechia appreciates discussions on cyber security within the UNGA First Committee. It especially values the progress made in this area by both the Open Ended Working Group (OEWG) and the Group of Governmental Experts (GGE), whose aim is to contribute to the strengthening of a stable and peaceful ICT environment and thus to international peace and security. As part of the work of these groups, a whole range of ICT issues were identified that states need to address in an international security context.

Based on our analysis of the GGE and OEWG work to date, we believe that the proposed Programme of Action (PoA) represents an appropriate way on how to systematically address discussions on the use of ICTs in the international context and how to efficiently continue our work started in the GGE and OEWG format. Moreover, a permanent and inclusive UN body would allow the international community to set more ambitious goals, support their implementation worldwide and periodically monitor their progress. Therefore, **Czechia supports the proposal to establish the PoA and is one of its main co-sponsors**.

In this context, we would like to contribute to the discussion regarding the scope, structure and content for the PoA with the following points:

Stability

In our opinion, the **PoA would bring institutional stability to the international debate regarding ICTs**. PoA would represent a permanent institutional framework underpinning all cyber related debates within the UN.

- Periodically recurring discussions about the establishment of a new working group dedicated to the use of ICTs would thus be avoided.
- At the same time, the risk of polarization and fragmentation of the ICTs discussion, as witnessed in the past due to the unfortunate parallel existence of the GGE and OEWG, would be eliminated.

Inclusiveness, public-private cooperation

States are the ones who bear the main responsibility for international security. Only they can take decisions. Participation in the PoA should therefore be open to all states. Decisions within the PoA framework should be based on consensus.

In addition, **Czechia supports the PoA discussions to be open to stakeholders as well. Stakeholders should be allowed to access PoA working groups, make statements and submit written inputs.**

- Engaging private sector, academia and civil society would bring valuable expertise on matters like the threat assessment, the norms implementation including measurement of progress made, etc.
- Private sector could also contribute to cyber capacity building efforts.

Implementation of normative framework

Czechia believes that **states should prioritize the implementation of the existing normative framework** (endorsed by resolution 76/19 adopted by consensus) rather than its replacement by a new instrument. PoA should thus place **a strong focus on supporting the implementation of existing international law and Norms of Responsible State Behaviour**.

However, given the unique nature of ICTs, it may be necessary to develop new norms in the future. Therefore, the PoA should be established as **a flexible instrument that can address both the implementation of the existing norms** and **the potential development of new norms in the future.**

Deepen understanding of how international law applies to cyberspace

Norms are but one part of the international cybersecurity framework that states need to comply with. As was stated in final reports of the GGE and the first OEWG, as well as in the Annual Progress Report of the current OEWG, **international law is applicable and essential to maintaining peace, security and stability in the ICT environment**. The PoA should therefore build on this and could serve as a **platform to further develop a common understanding of *how* international law applies to cyberspace.**

- PoA should encourage states to present their positions on how international law applies to cyberspace and build a common understanding in this area.
- PoA could also leverage existing multi-stakeholder processes in this area to organize discussions on specific topics as a part of its mandate that could contribute to the practical application of a theoretical framework.

Support for cyber capacity building

For Czechia **cyber capacity building is a major priority since it helps to improve our collective global resilience against malicious cyber activities**. In other words, we recognize the important function that cyber capacity building plays in global development, consequently also empowering all states to effectively participate in both technical and policy discussions on cyber security in global fora.

- **PoA would be an important platform for the exchange of views and ideas on cyber capacity building** and would promote relevant activities to support states in implementing the normative framework.
- PoA would structure cyber capacity building initiatives by coordinating donor efforts and mapping the needs of recipient countries.
- Establishing of the PoA gives us also the possibility to explore the creation of a dedicated multidonor fund, which could support activities dedicated to the promotion of the framework for responsible state behaviour.

- Coordination with cyber capacity building activities undertaken in other venues such as the ITU could be explored.

Structure

With regard to the specific modalities, Czechia favours the idea of **annual or biennial plenary sessions and specialized technical working groups' meetings in the intersessional period**.

- The creation and termination of a particular working group would be entirely within the competence of states. The decision to establish or terminate a working group would be taken in plenary by consensus.
- Working groups would be open to all member states and to stakeholders.
- Working groups established for different issues would not meet in parallel to ensure broad participation and engagement.
- Working groups would be required to submit their Progress Reports.
- Working groups would not have to be held in New York only, but also – depending on the specific topic – in Geneva, for example.

Establishment

Last but not least, we would like to highlight that the **PoA would in no way duplicate the work of the current OEWG**.

- PoA would be established after the end of the current OEWG in 2025 and would continuously build on the work of the OEWG.
- It would be the current OEWG, within which states would lead a discussion on the final form of the PoA, including all the necessary modalities. Dedicated sessions of the OEWG should be organized in 2024 and 2025 to continue elaborating the different aspects of the PoA, including its founding document.
- Regarding the establishment of the PoA itself – according to Czechia, a feasible way is indicated in UNGA Resolution 77/37 on the establishment of the PoA through an international conference, with the assumption that it would adopt the founding document prepared by the OEWG.

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