The framework of responsible State behaviour in the use of information and communications technologies (ICTs) for a long time – since 2003 – have been on the First Committee’s agenda and discussed at several working groups, emphasizing the increasing importance of responsible use of ICTs to maintaining international stability and security. As a way to advance responsible State behaviour in the use of ICTs in a coherent and long-term approach, an establishment of Programme of Action was proposed. The UNGA Resolution 77/371 on the Programme of Action (PoA) – a permanent, inclusive, action-oriented mechanism – received a broad support by the States at the General Assembly, therefore further discussions on the scope, structure, content, preparatory work and modalities for the establishment of the PoA should be conducted.

The establishment of the PoA would create a first permanent institutional mechanism in the United Nations that would focus on the responsible use of ICTs in the context of international security. That would ensure an institutional stability and regular dialogue on relevant issues at the same time preventing possible process fragmentation. All energy and resources should be focused on enhancing cooperation and trust among States rather than on discussions regarding modalities of new mechanism every few years.

An idea to establish a “regular institutional dialogue” under the auspices of the United Nations is not new and have been discussed previously in the First Committee, for example, as noted in the final report of the open-ended working group (OEWG) 2019-20212. The OEWG 2019-2021 concluded that any future mechanism for regular institutional dialogue should be “an action-oriented process with specific objectives, building on previous outcomes, and be inclusive, transparent, consensus driven, and results-based”3. As UNGA Resolution 77/37 noted then the PoA would “take into account the consensus outcomes adopted”4 by the OEWG 2021–2025.

**Scope of the PoA**

The PoA would be a permanent institutional mechanism in the First Committee and a platform for all States to participate. The scope of the PoA would be matters related to the use of ICTs in the context of international security. Its overarching objective would be to contribute to the strengthening of international peace and security and to promote the conflict prevention.

Coordination and dialogue among States as well as with the relevant stakeholders can help prevent conflicts and diminish misunderstandings and to advance a responsible State behaviour in the use of ICTs. As cyber domain has no borders and is ever-evolving, therefore dialogue is vital element to deal with existing and potential cyber threats and challenges.

Stability and security in cyberspace would be advanced by supporting the implementation and further development, if appropriate5, of the framework for responsible State behaviour based

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1 UNGA Resolution A/RES/77/37, Programme of action to advance responsible State behaviour in the use of information and communications technologies in the context of international security.
3 Final report of the OEWG 2019-2021, paragraph 74.
4 UNGA Resolution A/RES/77/37, PP 27.
5 UNGA Resolution A/RES/76/19, PP10.
on international law, including international humanitarian law and human rights, norms of responsible State behaviour, confidence-building measures and capacity-building activities.

In order to advance the implementation of the framework for responsible State behaviour, the PoA would support relevant capacity-building activities. It is important to advance collective work on capacity-building, sharing our experience and best practices with the States which need assistance in their efforts to build or strengthen their cyber defenses in order to improve global resilience against cyber threats.

**Structure and content of the PoA**

The PoA as a permanent institutional mechanism would advance an implementation and further development, if appropriate, of the framework for responsible State behaviour. In order to achieve these objectives, the PoA should support relevant capacity-building activities and encourage dialogue with stakeholders.

The PoA could hold formal yearly meetings, between these meetings work could be organised within technical working groups dedicated to specific issues in relation to advancement of responsible State behaviour in the use of ICTs. For example, a technical working group could work to further enhance an understanding on how international law applies to the use of ICTs. The yearly meetings would adopt recommendations prepared by the technical working groups during the intersessional period.

These technical groups would be created and ended by a decision of the yearly meetings. The technical working groups would be inclusive and open to all States wishing to join, ensuring that national experts could participate offline or online (hybrid format). Decision made on the of initial number of technical groups, on creation of additional technical groups and on frequency of their occurrence should be made considering all States’ capacity and resources. Recommendations prepared by these technical groups should represent views, interests and concerns of as many States as possible.

A coordination and dialogue with stakeholders – civil society, private sector, academia and technical community - would be encouraged as their expertise in ever-evolving cyber domain is invaluable and their input is relevant advancing the implementation of responsible State behaviour, and as the stakeholders themselves “have a responsibility to use ICTs in a manner that does not endanger peace and security”6.

**Preparatory work and modalities for the establishment of the PoA**

We believe the General Assembly has granted a strong mandate to proceed with establishment of the PoA. Further focused discussions on the scope, structure, content, preparatory work and modalities for the establishment of the PoA are required. These discussions should be primarily organised within the OEWG 2021-2025 as recommended in the final reports of the OEWG 2019-20217 and Group of Governmental Experts (GGE) 2019-20218. Therefore, sufficient time should be dedicated to discussions on the PoA at the OEWG 2021-2025 during remaining intersessional meetings and formal sessions. National contributions submitted pursuant to the General Assembly resolution 77/37 should serve as a basis for further discussions on the development of the PoA.

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7 Final report of the OEWG 2019-2021, paragraph 77.
8 Final report of the GGE 2019-2021, paragraph 97.
UNGA Resolution 77/37 noted an international conference\(^9\) as an option for the States to exchange views on establishment of the PoA. An international conference could be convened in 2025-2026 to adopt the founding document of the PoA building on the work and decisions made by consensus in the OEWG 2021-2025.

\(^9\) UNGA Resolution A/RES/77/37, PP 28.