

**Position of the Russian Federation on the “Programme of Action to advance responsible State behaviour in the use of information and communications technologies in the context of international security”**

In accordance with operative paragraph 3 of the UN General Assembly resolution 77/37 the Russian Federation submits its views on the “Programme of Action (PoA) to advance responsible State behaviour in the use of information and communications technologies (ICTs) in the context of international security”.

We assume that the Open-ended Working Group (OEWG) on security of and in the use of ICTs 2021-2025 is the first and only inclusive, open, transparent and truly democratic negotiating mechanism on international information security (IIS) at the UN. The principle of consensus allows all States, without exception, to have a say in the decision-making process. The Group has proven its efficiency and relevance in practice.

It is essential to make the negotiation process evolve building on the experience of the OEWG. Proposals of the Russian Federation in this regard are detailed in the concept paper on regular institutional dialogue (submitted at the 4<sup>th</sup> session of the Group; New York, 6-10 March 2023).

The Programme of Action should not predetermine the decision on the future negotiating mechanism on IIS within the UN. This initiative, alongside with other national proposals, should be discussed in the OEWG, in accordance with its mandate enshrined in the UNGA resolution 75/240. We believe that the three-year-period, until 2025, is more than enough to jointly develop an understanding on the format that will succeed the existing Group.

Substance-wise, the Programme of Action is poorly elaborated; its core purpose remains unclear. Discussions in the OEWG show that even the PoA proponents do not have a common position on its specific parameters, most importantly, on the decision-making procedure.

This initiative, in its current version, cannot claim to be an independent and inclusive negotiating mechanism on IIS in the UN. It offers no added value in relation to the OEWG, but rather duplicates key items of its mandate (OP1 of the UNGA resolutions 75/240 and 77/37). At the same time, the agenda of the PoA is

considerably narrower than that of the current Group; it is limited to discussing the existing recommendations of the OEWG and of the groups of governmental experts (GGE), as well as States' efforts to implement them.

Capacity-building objectives, which are emphasized to promote the Programme of Action, are also one of the aspects of the OEWG's mandate. The Group has developed a list of universal principles for such activities (2021 OEWG report); it is also conducting exchange of views on capacity-building needs and requirements of countries in this area and mechanisms to meet them, including funding, in accordance with UNGA resolution 77/36.

Moreover, striving to fill the PoA with practical meaning, its authors appropriate the proposals of States that are already under consideration in the OEWG. In particular, this refers to the creation of a points of contact directory and an online UN portal on IIS. These initiatives should be implemented (as soon as States reach consensus) independently of the PoA's launch.

It is worth noting that Western countries attach very specific political meaning to the Programme of Action, they publicly promote it to antagonize Russia. They justify the need to establish the PoA by alleged malicious activities of our country in information space, including in the context of the special military operation in Ukraine (these arguments were voiced, namely, by the French representatives at the OSCE). Such anti-Russian cause cannot serve as a basis for constructive interaction of States on IIS. It contradicts the spirit of the UN Charter and, specifically, its Article 1 on equality and friendly relations between States. In these circumstances, the PoA is expected to be used by Western countries to impose non-binding rules and standards of their interests, thus replacing the norms of international law – in line with the US-promoted rules-based order concept.

The Russian Federation believes that only once the existing voluntary rules of responsible behaviour are codified in a universal legally binding instrument we can move to discussing countries' accountability for the implementation of such rules. A growing number of States is in favor of shaping an international legal regime in the field of IIS at the UN. Whatever negotiating format is established after the end of the OEWG, it should be aimed at elaborating a relevant international instrument.

In this regard, at the 4<sup>th</sup> substantive session of the OEWG Russia submitted a concept of a UN convention on ensuring IIS. Our initiative is a practical development of the years-long discussion on this topic. It is based on the objectives and universally recognized principles of the UN Charter that unite the global community in the interests of safeguarding international peace and security. It builds upon the recommendations of the annual UN General Assembly resolutions “Developments in the Field of Information and Telecommunications in the Context of International Security”, as well as upon the consensus 2021 OEWG report and the 2010, 2013, 2015 and 2021 GGE reports. It takes into account the initiatives of States put forward in the first OEWG Chair’s Summary. Such a treaty should envisage mechanisms to monitor States’ adherence to its provisions, to introduce changes or additions, to exchange views on the implementation of the document, as well as to peacefully settle disputes.

We are convinced that the OEWG is the most suitable platform for discussing this and other proposals of countries in the area of ICT security. The Group serves the interests of the overwhelming majority of Member States and, therefore, should not be replaced by the Programme of Action. Those elements of the PoA that States find useful might be or have already been integrated into the existing mechanism.