Establishing a UN Programme of Action: New Zealand’s submission to the UN Secretary General’s report mandated by UN General Assembly Resolution A/RES/78/237 on future Regular Institutional Dialogue of and in the use of ICTs.

1. Cybersecurity has been a topic of discussion among states, under the auspices of the United Nations, for more than 20 years. Successive working groups – groups of governmental experts and open-ended working groups – has allowed for regular exchanges on issues relating to cybersecurity in the context of international security.

2. These working groups have delivered important foundational outcomes that collectively contribute to international security and stability, through establishment of a framework for responsible State behaviour in cyberspace - endorsed by the UN General Assembly, and based on four pillars:
   - International law – all UN members agree that international law applies to states’ conduct in cyberspace
   - Norms of responsible state behaviour online in peacetime
   - Confidence-building measures to support transparency, predictability and stability
   - Capacity-building measures aimed at ensuring all States can lower the risks of increased connectivity, while still benefiting from it.

3. New Zealand fully endorses the decision of UNGA Resolution 78/237 (2023) to establish a mechanism under the auspices of the United Nations, upon the conclusion of the 2021–2025 open-ended working group and no later than 2026, that will be permanent, inclusive and action-oriented, with the specific objectives affirmed in General Assembly resolution 77/37 and with the common elements for future regular institutional dialogue agreed by consensus in the 2023 annual progress report of the 2021–2025 open-ended working group.

4. We envisage this mechanism being the ‘permanent home’ of cybersecurity discussions in the context of international security at the UN, at the conclusion of the current 2021-2025 OEWG, and building on the proposal adopted in UN Resolutions 77/37 and 78/237. We welcome and support the resolution put forward by France, on behalf of a cross-regional group, which provides a clear and transparent pathway for all states to consider the scope, structure, content and modalities of the future mechanism in a way that complements the current OEWG. In this regard, we support establishment of a Programme of Action that is:

   4.1. **The single, permanent mechanism for UN cybersecurity discussions after 2025**, ensuring predictability and institutional stability. Negotiating agreed modalities for a permanent mechanism would also deliver long-term efficiencies. Revisiting and agreeing modalities for successive working groups has required lengthy, recurring negotiations, taking time away from important substantive discussions.
4.2. **Anchored in the agreed framework for responsible State behaviour in cyberspace, including consistent with international law and international human rights obligations**, ensuring the PoA builds on, and enhances, the foundational work of successive Group of Government Expert groups and OEWGs to advance responsible state behaviour online.

4.3. **Inclusive** – multi-stakeholder participation involving governments (who bear responsibility for international peace and security in cyberspace), companies, civil society, technical experts, academics, and other organisations who contribute to a free, open, secure and interoperable internet. New Zealand supports modalities that include participation (including statements and submission of written reports) by non-government stakeholders in discussions, including any formal and informal meetings and review conferences.

4.4. **Action-oriented**, including a focus on practical action to advance the framework for responsible State behaviour and promoting capacity-building measures that support states to implement the framework, and mechanisms for accountability and monitoring.

4.5. **Flexible and adaptable**, to respond to emerging threats.

30 April 2024.