

**Concept paper of the Russian Federation
on establishing under the auspices of the United Nations a regular
institutional dialogue for all the UN Member States on security of and in the
use of information and communications technologies**

Cosponsors: Republic of Belarus, Republic of Nicaragua

UN General Assembly Resolution A/RES/77/36 “Developments in the field of information and telecommunications in the context of international security” stresses the importance of continuing a democratic, inclusive, transparent and results-oriented negotiation process within the UN Open-ended Working Group (OEWG) on security of and in the use of information and communications technologies (ICTs) 2021-2025. It recognizes the central role of the OEWG as a mechanism under the UN auspices to maintain interstate dialogue on these issues.

In accordance with the paragraph 5 of this resolution the Russian Federation submits its proposals on a regular institutional dialogue on security of and in the use of ICTs to be launched upon conclusion of the OEWG 2021-2025.

We assume that the future regular institutional dialogue (body) should be based on the following principles:

- the leading role of the UN in promoting dialogue on the use of ICTs by States;
- compliance with the principles of the UN Charter (sovereign equality of States, non-use of threat or use of force, peaceful resolution of international disputes);
- decision-making process by consensus – exclusively by States;
- avoiding duplication of international efforts aimed at ensuring security of and in the use of ICTs within different negotiating platforms;
- continuity in terms of the considering the developments and recommendations of the previous groups of governmental experts and the OEWG.

Taking into account demand of the global community for a permanent mechanism on security of and in the use of ICTs under the UN auspices, the new body could exist under the UN General Assembly auspices as an open-ended working group/commission/committee/review conference. It is reasonable to provide for its

evolution as far as the needs of States change and as new challenges to ensuring security in the use of ICTs emerge.

The mandate of the future body should embrace the full range of issues on security of and in the use of ICTs, and be focused on practical implementation of the OEWG's recommendations on all aspects of its agenda.

In particular, the mandate might include:

- practical implementation of the rules, norms and principles of responsible behavior of States agreed upon in the OEWG by preparing a draft of the legally binding international instrument on ensuring international information security. Meanwhile we should take into consideration the need to identify and eliminate gaps in the existing international law impeding the regulation of the behaviour of States' in the global information space, and the need to improve the norms of existing international law with regard to the specifics of ICTs;

- implementation of confidence-building measures through developing mechanisms for practical cooperation among States, including through established channels of interaction between authorized structures/bodies, in order to counter threats to security of and in the use of ICTs and to prevent interstate conflicts in the global information space;

- establishment of mechanisms to assist States in enhancing their capacities in protecting national information resources, taking into account their specific needs.

It would be reasonable to provide the future body with authority to make decisions as far as they are agreed upon (as separate reports, without any deadlines for the approval). Practical steps should be taken to maintain a continuous exchange of information among States through the appropriate e-portal.

It seems useful to enable interaction of the new body with regional organizations and associations – through consultations of the Chair with groups of countries, as well as inter-sessional meetings with their representatives held once in a year.

Participation of non-state actors in the work of the future body (non-governmental organizations, businesses and academia) should be strictly

consultative and informal – for example, within the intersessional meetings held once in a year. Only accredited (agreed by States) non-state actors should be provided with a right to participate in the official events as observers.

Discussions on the prospects for a regular institutional dialogue on security of and in the use of ICTs under the UN auspices is especially important amid the attempts of a group of States to establish the UN “Programme of action to advance responsible State behaviour in the use of ICTs in the context of international security” as an alternative to the OEWG – if not to say substitution.

Given that paragraph 1 of the UN General Assembly Resolution A/RES/75/240 and paragraph 4 of the UN General Assembly Resolution A/RES/77/36 define considering various initiatives (proposals) of States aimed at ensuring security in the use of ICTs and ICTs themselves as one of the tasks of the OEWG, the Programme of Action should be discussed within the OEWG on an equal footing with other initiatives of States and on a consensus basis.

We assume that it would be optimal to maintain a single negotiation mechanism on security of and in the use of ICTs in the UN, which, among other issues, would consider different national initiatives.