Mr. Chairman,

My remarks today will address United States views relating to developments in the field of information and telecommunications in the context of international security.

This June, the UN Group of Governmental Experts (GGE) on “Developments in the Field of Information and Telecommunications in the Context of International Security” achieved an historic consensus. In the GGE’s report, the United States sees reflected a growing global consensus on core ideas, namely that the international community seeks a path towards a peaceful and stable environment that allows all states to take advantage of the positive benefits of cyberspace. Further, the international community seeks to create incentives for cooperation on shared threats and to avoid conflict, and to create disincentives for states to disrupt one another’s networks or infrastructure. The United States has long been a leader and strong proponent of this effort. We believe, and the GGE report affirmed, that to be successful, this effort must be based on a foundation of international law and practical confidence building measures (CBMs) that, taken together, give us the essential tools with which to build peaceful intergovernmental relations in cyberspace.

Mr. Chairman,

As a participant in the GGE, the United States sought to enhance common understanding on cyber issues of critical national and international significance, particularly: that there is a need to promote international stability, transparency, and confidence in cyberspace; that existing international law should guide state behavior with regard to the use of cyberspace; that practical CBMs are needed to build transparency and confidence; that cooperation with the private sector and civil society is essential; and that the international community should help build
the cybersecurity capacity of less-developed states to help them participate in this process. We believe that the Experts made a substantial contribution on all of these issues.

From the United States perspective, the most significant achievement in this consensus was the Group’s affirmation that international law is applicable and essential to maintaining peace and stability in cyberspace. That affirmation was coupled with consensus that states must meet their international obligations regarding internationally wrongful acts attributable to them; states must not use proxies to commit internationally wrongful acts; and states should seek to ensure that their territories are not used by non-state actors for unlawful use of information and communication technologies (ICTs). The experts also affirmed that state efforts to address the security of ICTs must go hand-in-hand with respect for human rights and fundamental freedoms set forth in the Universal Declaration of Human Rights and other international instruments.

Together with the application of these rules, the United States believes that practical cooperative CBMs are needed to enhance predictability and reduce the prospect that misattribution or misperception might lead mistakenly to conflict. In order to develop a stable international framework for a technology which cannot be seen or counted, and where state capabilities cannot be easily assessed, states need to develop some confidence that behavior by states is predictable and understandable. The GGE agreed that practical transparency and CBMs, such as high-level communication and timely information sharing, can enhance trust and assurance among states and help reduce the risk of conflict by increasing predictability and reducing misperception. The Group agreed on the vital importance of capacity-building to enhance global cooperation in securing cyberspace. The Group reaffirmed the importance of an open and accessible cyberspace, as it enables economic and social development. And, the Group agreed that the combination of all these efforts support a more secure cyberspace.

These measures will help make conflict in cyberspace less likely. They can also play important roles should conflict occur. The application of international law to actions in cyberspace includes rules governing the use of force by states and the law of armed conflict. These rules regulate the use of ICTs in armed conflicts of all kinds, whether or not the conflicts began in cyberspace. The application of these rules in cyberspace is fully consistent with the desire of all states for peace and stability in cyberspace. Just as we are all parties to the UN Charter which seeks to prevent war of all kinds, we also all subscribe to the Geneva Conventions,
and recognize the central role they play in minimizing civilian suffering when armed conflict occurs.

The United States was pleased to join consensus to affirm the applicability of international law to cyberspace. With that clear affirmation, this consensus sends a strong signal: States must act in cyberspace under the established international rules and principles that have guided their actions for decades – in peacetime and during conflict.

Mr. Chairman,

The United States looks forward to future dialogue on these issues with the international community. It is our expectation that future GGEs on the subject will use the results of this report as the foundation for discussion on how international law applies in cyberspace, how the international community can work with developing states to improve their own capacity, and what specific practical measures can be undertaken to achieve these goals.

States must unite in the common goal of preserving and enhancing the benefits of information technologies by assuring their security and integrity, while also maintaining an environment that promotes efficiency, innovation, economic prosperity, free trade, and respect for human rights.

To this end, let me reiterate the United States’ unwavering commitment to an Internet governance model that is people-centered, bottom-up, multi-stakeholder, and transparent. To build global knowledge societies, we must work to promote the free exchange of information and ideas among people. At the same time, we must resist efforts to erect new barriers and restrict the dynamic potential of the free flow of information.

The United States favors international engagement to develop a consensus on appropriate state behavior in cyberspace, based on existing principles of international law, and we cannot support other approaches that would only serve to legitimize repressive state practices.

In closing, Mr. Chairman, I would like to emphasize that our delegation looks forward to collaborating successfully with other delegations on these important issues, as well as on the remaining work of this session.

Thank you, Mr. Chairman.