Ambassador Jürg Lauber

Chair of the
UN Open-ended Working Group on developments in the field of information and telecommunications in the context of international security

Canberra, 16 November 2020

Your Excellency,

With this contribution we accept your invitation for non-governmental organisations to provide written submissions to the OEWG.

ASPI contributed to and endorses the submission from the Global Forum on Cyber Expertise (GFCE); we are one of the knowledge partners of the GFCE. In this submission, we would like to provide additional comments and suggestions based on our on-the-ground experience as a strategic policy think tank delivering cyber capacity building initiatives in the Asia-Pacific region.

ASPI previously submitted comments as part of the scene-setting presentation for the agenda item on capacity building during the OEWG’s informal inter-sessional meeting that was held between 2-4 December 2019 in New York.

In that submission, among other things, we drew attention to the need for a greater effort in the actual delivery of capacity building, in a professional and comprehensive manner, and in close partnership with local organisations.

From that perspective, we have the following observations to share based on the text of the pre-draft report.

1. The current text under “F. Capacity-building” reads as a good reflection of observations and statements made by various member states during previous OEWG meeting rounds. This is a valuable starting point and we hope that the OEWG takes this unique opportunity of having all member states represented to be more forward-looking and provide the UN system and UN member states with stronger operational guidance.

2. While the mandate of the OEWG is constrained to ‘the context of international security’, the interpretation of capacity building in the draft text is a very broad one. If the member states were to follow this direction, the line which says “capacity building helps to develop skills, define policies and build institutions that increase resilience and security of States (…)”, should be complemented with items like ‘availability of digital infrastructure’ and ‘access to ICT platforms’.

3. The text further notes that “capacity building can also support adherence to binding or voluntary commitments”. We recommend providing further guidance on how the OEWG sees capacity building in this context. For instance, the report could specify the role of capacity building in
respect to the implementation of confidence-building measures and norms, rules and principles by elaborating on elements like raising awareness, providing (policy) advice and offering analyses and evaluations.

4. The OEWG could further recommend that the Secretariat (UNODA together with global capacity building and training providers) develops a ‘capacity building toolbox’ which would include activities, materials and programs that member states can use in their local, national, regional or global capacity building efforts on all substantive elements covered in the final report (existing and potential threats, international law, rules, norms and principles for responsible behaviour, confidence-building measures). An example can be taken from the ‘Peacekeeping resources hub’ that is managed by DPKO’s Integrated Training Services.

5. In paragraph 55, the report refers to expertise in “diplomatic, legal, policy, legislative and regulatory issues”. This list of professional skills should also include ‘developmental expertise’, in particular as the report notes, in paragraph 56, the challenge of “identification of capacity building needs as well as in the design, delivery, sustainability and accessibility of capacity building activities”.

6. In paragraph 56, the report provides a list of challenges in day-to-day capacity building activities. Member states should acknowledge that these challenges are not unique to ICTs and cyber capacity building. This was, for instance, already well documented in the 2016 World Development Report Digital Dividends. Among other things, the report says that ‘traditional barriers to development would also affect the introduction, take-up and use of new technologies’.

7. In conclusion, we would suggest that the final Report recommends involving other parts of the UN system in further debates around operationalising the area of capacity building and sharing global good practices. Bringing in UN DESA would be a first step. The report should also recommend that member states include their (national) development partners in the conversation as part of an integrated approach to international security and socio-economic development.

To conclude, we offer answers to the questions listed on the agenda for 17-19 November.

What platforms could be used to facilitate coordination and resourcing of capacity building and how can such a platform coordinate with other relevant entities within and outside the UN?

- Coordination and resourcing do not always have to occur ‘at the top’ and may be more effective at the regional level. While ICTs are genuinely global in nature, capacity-building may in fact be more productive in a local or regional setting. Such a (sub)regional approach would also encourage the South-South cooperation (or intra-regional cooperation) as referenced in paragraph 58 of the draft report. Recently, this intra-regional cooperation was also addressed during a workshop at the Internet Governance Forum on 12 November.

- For the OEWG’s discussion, we would suggest considering the role of regional centres of training and expertise and their role in coordination and resourcing. Examples of such centres from the Asia-Pacific region include the ASEAN-Japan Cybersecurity Capacity Building Centre, the ASEAN-Singapore Cybersecurity Centre of Excellence and the Japan-Pacific ICT Centre.
Furthermore, a key element in coordination and resourcing is the willingness and ability of funders, providers and recipients of capacity building to provide and share activity reports and project evaluations. The report could recommend a commitment of member states to share relevant project and program information, and that more advanced or developed states commit to sustained funding for capacity building projects.

The knowledge partners of the GFCE have made start with building a global repository through the Cybil portal. The portal is neutral, global and impartial platform for stakeholders to share project information on capacity building worldwide. The OEWG could recognise and refer to this portal as a global good practice.

Do the categories of Partnerships, People and Process in paragraph 57 of the revised pre-draft capture the breadth of principles articulated by OEWG delegations?
- We would suggest the OEWG refer to existing principles that have been agreed in, for instance, the Paris Declaration on Aid Effectiveness and Accra Agenda for Action which also includes the principles of Ownership, Alignment, Harmonisation, Managing for Results and Mutual Accountability.
- The text on ‘People’ should ideally be complemented with a reference to the fact that capacity building needs to benefit citizens and as such is a means to an end. In other words, a secure ICT environment allows all citizens to reap the benefits of increased connectivity and digital technologies equally.
- The text on ‘Process’ should add that any capacity building effort needs to be preceded by needs assessments or based on existing ones.

Thank you for considering this contribution and sharing it with the OEWG members. We stand ready to elaborate on any of the suggestions contained in this letter.

Yours sincerely,

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