The Revised “Pre-draft” of the report of the OEWG on developments in the field of information and telecommunications in the context of international security

OEWG informal virtual meeting- 2 July 2020

Final intervention by delegation of the Islamic Republic of Iran

Mr. Chairman,

As we come to the end of this round of OEWG virtual meetings, let me express our gratitude to you and all participating delegations.

Given the technical problems which made part of my intervention on norms misunderstood, I would like to highlight few points here and refer all distinguished delegations and your team to the written statement we already submitted to the Secretariat. I will also share with you our views on the OEWG’s work ahead.

1. We expect the next version of the draft report accords Resolution 73/27 the weight and authority it carries as the sole Resolution the OEWG is acting upon. As regards norms, the Resolution has adjusted 11 GGE-identified norms into 13 norms. Therefore, the paragraph 39 of the text should be redrafted as clearly highlight that OEWG discussions on norms is based on the 13 identified norms in paragraph 1 of the Resolution 73/27, in full conformity with its mandate under Paragraph 5 where OEWG is requested to further develop these 13 norms and make necessary changes and additions to them.

2. Some delegations argued against Resolution 73/27 as a non-consensual resolution. They should take into account the fact that consensual or voted, this resolution is the one which gave birth to
OEWG and articulated its mandate. Moreover, labeling Resolution 73/27 as voted resolution, in comparison with Resolution 70/237, is a misnomer. It went to vote because another competing and parallel resolution, Resolution 73/266 had been tabled. Besides, from 2016 and 2017 onward, the voting pattern started to emerge as mainstream pattern for GA resolutions. Almost 40 percent of the resolutions went to vote in 2018. It was not the case in 2015 when Resolution 70/237 was adopted without vote. The reason is twofold: first, there was no competing resolution; second, voting was not a main pattern of decision-making in GA, less than 15 percent of resolutions went to vote in 2015. Besides, in 2015 GA had no chance to discuss GGE 2015 findings, including norms, in substance and only welcomed them. The first opportunity for substantive consideration of the norms was GA 73 in 2018 when Resolution 73/27 was adopted.

3. Although states have prerogative to implement, if they wish, the envisaged norms, we believe that this is premature for UN and OEWG to engage in discussions on guidance or guidelines for implementation of the norms. OEWG needs to accelerate its work to finalize a balanced and comprehensive list of norms while working on a set of agreed terminologies. Then we can contemplate optimal ways and means for implementation. This is against the fact that absent a legally binding instrument regulating behaviour of state and non-state actors in cyberspace, implementation of voluntary norms will not help as expected.

4. The non-paper contains a range of proposed additional norms covering issues of importance to Member States. We support the ideas behind these proposals and are ready to engage in detailed discussions, maybe in sub-group format, with a view to making consensus on a set of concrete norms out of the non-paper. It seems
also there is sufficient room to incorporate some of the ideas contained in the non-paper into 13 already identified norms.

As distinguished delegate from Indonesia mentioned, we expect next draft borrows more inputs from NAM working paper. On norms, I would like to refer to very important norms contained in paragraphs 13-18 in part II of NAM working paper, which among others, address threats emanating from unilateral and other coercive measures in ICT environment. Pandemic revealed how damaging these measures can be in times of crises.

Any list of norms will not be completed if lacks norms on behaviour of digital platforms/companies and social media networks in ICT environment: either their own responsibilities or responsibilities of their respective governments.

Mr. Chairman,

Few points on the work ahead: we propose OEWG focuses in its current term on achievable topics, such as threats; a balanced and comprehensive list of norms; a proposed UN-led architecture for capacity building; and agreed terminology. The Group should request, in its progress report to GA 75, for at least a two-year extension to be able to continue its work on the rest of its mandate. In its work beyond GA 75, OEWG needs to commission some studies to the relevant UN bodies on parts of its mandate which are not yet ripe for conclusion, including the scope of applicability of existing international law into ICT environment.

Mr. Chairman

Thank you very much for all you have done so far. We heard a bad news that you are going back to Switzerland. We wish you all the best in
your new career back home. We may have the next substantive session of the OEWG in Geneva which may be more convenient for you!

I thank you for your attention.