The Revised “Pre-draft” of the report of the OEWG

OEWG third informal virtual meeting

Intervention by delegation of the Islamic Republic of Iran

18 November 2020

“Confidence-Building Measures”

Mr. Chairman,

Let me begin by expressing hope that this meeting will help OEWG to develop common understanding on the issue of confidence building and the extent it can contribute to a secure, safe and trustable cyberspace and ICT environment.

Since our last meeting, an important development happened in the first committee. The Islamic Republic of Iran was among the co-sponsors of the adopted resolution which is going to give birth to the next OEWG. This is an important decision, no matter a voted or consensus one. Our experience in this current OEWG shows that even those who voted against it in 2018 are among the most active countries in our Group. This is why that we are optimistic that those who did not support the resolution in the first committee this time will be part of the collective work as of 2021 when the OEWG is convened again.

Iran was also among the first delegates who proposed to put an end to the existing parallelism between two resolutions and two groups, namely OEWG and the GGE. We are still advocating any attempt to make it happen.

We have now more 4 years available to work in more detailed formats on our mandate. There is an innovation in the new resolution which enables OEWG to establish, if needed, thematic subgroups to help fulfill its mandate. As we proposed earlier, there is a need for a programme of work with time table to be agreed upon when we meet in 2021 to discuss organizational matters of the next OEWG.
Mr. Chairman,

Now I turn to confidence building. I will first present our general remarks on the topic and then share with you and with the distinguished delegates some proposals on the paragraphs under section E “Confidence-Building Measures” of the revised pre-draft.

General remarks

1. CBMs have weaponry and military history and connotation and shall not be applied in cyberspace. Confidence and trust shall be built in ICT environment to ensure maintaining its inherent peaceful and development-oriented nature. Measures to this effect shall be customized to the unique features of the cyberspace.

2. The OEWG should address the main sources of mistrust in ICT environment, particularly the monopoly in the internet governance, anonymity, offensive cyber strategies, hostile image-building and xenophobia, and lack of responsibility of private companies and platforms.

3. Confidence building’s scope should be extended to areas such as national security; limiting, blocking and coercive policies and measures against other states; crypto-currencies; ICT products, services and contents; etc.

4. Attempts to make trust and confidence shall not interfere in internal affairs and undermine national sovereignty of states.

5. The already developed CBMs in some regional bodies shall not be considered as exclusive source for envisaged global confidence and trust building models or arrangements for ICT environment. OEWG or any other UN-wide dialogue mechanism should concentrate on developing cyber-specific trust building measures.
6. Lack of common understanding also constitutes a major potential source of mistrust in ICT environment. Among other attempts to minimize risk of misunderstanding and avoid misperceptions, OEWG should develop an agreed terminology of basic terms, or a kind of definition of glossary.

7. In the same vein, lack of a legally binding framework to regulate behaviour in ICT environment continues to serve as a major source of lack of confidence.

Some specific comments on the section E (Confidence-Building Measures) of the revised pre-draft of the OEWG Report

- I would like to reiterate again that there is no need for *chapeau* under each section of the text. The text should limit itself to issues raised by participating states in the form of “numbered paragraphs”.

The reference to *resolution 43/78 (H)* also seems redundant. As we already mentioned, ICT environment is a peaceful space and should be kept aside from disarmament context. The first Committee has two jobs: first it deals with disarmament and how to regulate armaments; and second it considers cooperation in the maintenance of international peace and security. The OEWG has nothing to do with disarmament. Rather, it deals with peaceful nature of ICTs in the context of international security. Accordingly, while there might be useful guidelines in the *resolution 43/78 (H)* for interactions in cyberspace, the reference to it may leave false impression and should be avoided in the final report.

The reference to “the role of the UN in the development and implementation of global CBMs” should be moved from chapeau to a separate paragraph as 45ter.

- The imperative of peaceful nature of ICT environment as well as the need to safeguard national sovereignty and non-interference in
internal affairs in any confidence building schemes should be highlighted in paragraph 45.

- The need for an agreed terminology may be reflected in a separate paragraph 45bis.

- After first sentence of paragraph 46, we propose to add a new sentence as follows: “States also highlighted the importance for OEWG to develop cyber-specific confidence and trust building schemes to address the main sources of mistrust in cyberspace and ICT environment.”

- Areas of cooperation referred to in paragraph 46 may also include sharing of judicial information and exchange of digital forensic evidences.

- It should be clearly mentioned in paragraph 49 that any global repository shall become operational under UN auspices.

- The phrase “it is important that other fora be used ……” in paragraph 51 should be replaced by the following phrase: “… it is important that the United Nations, including through OEWG, develops further CBMs specific to unique features and mistrust of ICT environment”.

- In paragraph 52 the reference to “professional codes and standards” needs to be clarified and explained.

Mr. Chairman

What I presented here were our reflection on the text at this stage. I hope they are taken into consideration when the next version of the text is drafted.

I appreciate your kind attention.