



# AUSTRALIA



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## **UNITED NATIONS GENERAL ASSEMBLY FIRST COMMITTEE**

30 October 2015

### **Other disarmament measures and international security – developments in the field of information and telecommunications in the context of international security**

#### **Statement by Ian McConville, Deputy Permanent Representative to the United Nations, Geneva**

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Mr Chairman

The internet now constitutes critical global infrastructure on which the broad international community – government, businesses, civil society, and individuals – all depend.

There is growing international attention to developing clearer rules of the road on what is acceptable behaviour in cyber space. Given the complexities involved, forging broad international agreement on such rules will a lengthy but necessary endeavour.

I wish to thank the Chair of the Group of Governmental Experts on developments in the field of information and telecommunications in the context of international security, Carlos Perez, for introducing the Report of the Group.

As the Chair of the previous Group, we appreciate the challenges facing a Chair in delivering a consensus report. We congratulate the Chair and the members of the Group on this achievement.

The Report builds on previous work, notably the fundamental principle established by the 2013 Report, and which has increasingly wide acceptance, that international law applies to state behaviour in cyberspace. We are pleased to see the current Report has commenced the process - which will necessarily take some years – of elaborating precisely how international law applies. In particular we welcome the observation that the inherent right of states to take measures consistent with international law and as recognised in the Charter of the United Nation applies to state conduct in cyberspace. The Group's recognition of established international legal principles, including where applicable, the principles of humanity, necessity, proportionality and distinction apply also advances our understanding. The observations on sovereignty, proxies, internationally wrongful acts and respect for human rights are also important.

The Report makes an important contribution in the area of norms, rules and principles for the responsible behaviour of states.

We attach particular importance to the norms involving undertakings that states not intentionally damage critical infrastructure through cyber means, that states not harm the information systems of computer emergency response teams of other states, and that states respond to requests from other states to mitigate malicious cyber activity emanating from their territory.

We welcome the Report's observations on confidence building measures and expect they will give further impetus to this agenda regionally. Australia, as a member of the Western European and Others Group located in the Indo-Pacific, a region of increasing economic and strategic weight globally, has actively taken forward this work through the ASEAN Regional Forum. Assisting in developing capacity is an ongoing responsibility of those states that have the capabilities, to enable all to participate in the broader agenda.

Mr Chairman

Mr Chairman, the draft resolution on Developments in the Field of Information and Telecommunications in the Context of International Security would have the General Assembly welcome the Report of the UN GGE which provides important guidance for states and provides the mandate for the new Group. Australia endorses the Report and is pleased to cosponsor the resolution this year.

Australia has engaged actively - in the development of cyber norms, in confidence building measures and in building cyber capacity – globally, regionally, and bilaterally, for many years. The GGE is the primary vehicle within the United Nations for taking this work forward. Australia successfully chaired the 2012-2013 UN GGE and we stand ready to participate in the next GGE if this is mandated by the General Assembly.