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.

It is a fundamental goal of the United States to create a climate in which all States are able to enjoy the benefits of cyberspace; all have incentives to cooperate and avoid conflict; and all have good reason not to disrupt or attack one another—a concept we often call international cyber stability. For several years, we have sought to achieve this goal by nurturing a broad consensus on what constitutes responsible State behavior in cyberspace. In fact, 2015 was a particularly productive year for this growing international consensus. The G-20 statement, the 2015 United Nations Group of Governmental Experts (GGE) report, the related UN First Committee resolution, and a variety of high-level bilateral statements all reinforced our approach to enhance international cyber stability.

Mr. Chairman,

The United States believes that international cyber stability and conflict prevention are best advanced through the application of existing international law, in conjunction with additional voluntary cyber-specific norms of responsible State behavior in peacetime and practical confidence-building and conflict prevention measures. Since 2009, the UN GGE on Developments in the Field of Information and Telecommunications in the Context of International Security has served as a productive and groundbreaking expert-level venue to build support for this framework. The consensus recommendations of the three UN GGE reports (2010, 2013, and 2015) have set the standard for the international community on a framework of international stability in cyberspace, which includes affirmation of
the applicability of existing international law to States’ activities in cyberspace, support for certain voluntary norms of responsible State behavior in peacetime, and the implementation of practical confidence-building measures. The UN GGE process will continue to play a central role in our efforts to promote this framework.

We have recently started the fifth round of GGE negotiations at the UN, and we are hopeful that the 25 nations participating in this GGE will be able to make continued progress in this area. During the first session of the current GGE, in August 2016, all experts made serious contributions and expressed a willingness to build upon the 2015 report’s recommendations. In particular, we were pleased that experts supported an approach for this GGE to offer further considerations and context for UN Member States to affirm and implement the consensus recommendations that previous GGE reports put forward. We believe this should be our first priority.

We hope the next GGE report will continue to expand upon how existing international law applies to States’ cyber activities. In this regard, we hope to build on the 2015 report, which, among other things, highlights that the UN Charter applies in its entirety to the cyber domain, affirms the applicability of States’ inherent right of self-defense as recognized in Article 51 of the Charter, and notes the applicability of the law of armed conflict’s fundamental principles of humanity, necessity, proportionality, and distinction. Our hope is that this GGE will continue to make progress on all areas of common concern, particularly in those areas where we have been unable to find consensus in the past.

The United States looks forward to future dialogue on these issues with the international community. We favor international engagement to develop a consensus on appropriate State behavior in cyberspace, based on existing international law, and we cannot support other approaches that would only serve to legitimize repressive State practices.

Thank you, Mr. Chairman.