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. After recently concluding a fourth round of negotiations at the United Nations on the UN Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security (UNGGE), we are pleased that 20 nations were able to achieve a strong consensus report advancing that goal.

The United States was pleased to join consensus on a report that covered all aspects of the group’s mandate: to describe how international law applies to the use of information and communications technologies by States, to offer recommendations on additional, voluntary norms and principles that should guide States in peacetime, and to recommend practical confidence-building measures to address existing and potential threats in cyberspace. This consensus sends a strong signal: States must act in cyberspace under the established international rules and principles that have guided their actions for decades – in peacetime and during conflict.
Mr. Chairman,

The United States believes that international cyber stability and conflict prevention are best advanced by established international law, in conjunction with additional voluntary cyber-specific norms of responsible State behavior in peacetime and practical confidence-building and conflict prevention measures. The 2013 UNGGE reached the landmark consensus that existing international law, and in particular the UN Charter, applies to State conduct in cyberspace. Building on this agreement, the recent GGE took its first step in studying how international law applies to cyber activities. We did not achieve all of the progress we would have liked in this area. Nonetheless, the group took a step forward in its report by highlighting that the UN Charter applies in its entirety, affirming the applicability of States’ inherent right of self-defense as recognized in Article 51 of the Charter, and noting the applicability of the law of armed conflict’s fundamental principles of humanity, necessity, proportionality, and distinction.

Importantly, the experts recommended a number of voluntary norms designed for peacetime. These included several norms proposed by the United States, such as the protection of critical infrastructure, the protection of computer incident response teams, and cooperation between States in responding to appropriate requests in mitigating malicious cyber activity emanating from their territory. Another recommended norm calls on States to seek to prevent the proliferation of cyber tools that can be used for malicious purposes. As U.S. Secretary of State Kerry highlighted in May, these measures, “if observed, can contribute substantially to conflict prevention and stability in time of peace.” We call on all states to study the report in its entirety, and consider endorsing the report and its conclusions.

Mr. Chairman,

Our efforts do not conclude here. The UNGGE report noted the importance of Member States considering a follow-on UNGGE in 2016. The United States supports this continuation in the hope the next GGE will make progress in those areas where we have been unable to find consensus in the past.

Mr. Chairman,

The United States looks forward to future dialogue on these issues with the international community. It is our expectation that future GGEs on the subject will use the results of this report as the foundation for further discussion on how
international law applies in cyberspace, how the international community can work with developing States to improve their own capacity, and what specific practical measures can be undertaken to achieve these goals.

States must unite in the common goal of preserving and enhancing the benefits of information technologies by assuring their security and integrity, while also maintaining an environment that promotes efficiency, innovation, economic prosperity, free trade, and respect for human rights.

To this end, let me reiterate the United States’ unwavering commitment to an Internet governance model that is people-centered, bottom-up, multi-stakeholder, and transparent. To build global knowledge societies, we must work to promote the free exchange of information and ideas among people. At the same time, we must resist efforts to erect new barriers and restrict the dynamic potential of the free flow of information.

The United States favors international engagement to develop a consensus on appropriate State behavior in cyberspace, based on existing principles of international law, and we cannot support other approaches that would only serve to legitimize repressive State practices.

Thank you, Mr. Chairman.