



THE UN GGEs ON ICTS AND INTERNATIONAL SECURITY

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Good morning. Thank you for this opportunity to share with you a bit of the history of international cybersecurity discussions within the UN.

I'm Kerstin Vignard of UNIDIR, currently on temporary assignment leading UNIDIR's support team to the GGE and OEWG. I've had the honor of leading UNIDIR's team to all of the GGE's since 2009.

I'm delighted to be here with Dr Camino Kavanagh, who was part of the UNIDIR team for the 2016-2017 GGE and is now part of our shared support team for both the GGE and OEWG.



UN Groups of Governmental Experts

- What are they?
- How are they composed?
- How do they function?
- How is a GGE different than the OEWG?

We've been requested to offer a brief overview of the GGE processes to date. I'm going to walk you through the GGEs as a process, briefly outline how the GGE differs from the OEWG and then Camino will cover some of the substantive achievements of the GGEs.



In the beginning...

- 1998: the first Russian sponsored resolution at the General Assembly; annually thereafter
- 2004: First GGE on developments in the field of information and telecommunications in the context of international security

Some are surprised to learn that these issues have been on the UN agenda for over 20 years.

1998: the first Russian sponsored resolution at the General Assembly; annually thereafter

2004: First GGE on developments in the field of information and telecommunications in the context of international security



Five GGEs so far

- 2004–2005: 15 members, chaired by Russia, no report
- 2009–2010: 15 members, chaired by Russia, consensus report
- 2012–2013: 15 members, chaired by Australia, consensus report
- 2014–2015: 20 members, chaired by Brazil, consensus report
- 2016–2017: 25 members, chaired by Germany, no report

- *2019–2021: 25 members, chaired by Brazil*

Five GGEs so far, three of which reached consensus reports.
The sixth GGE starts the week of 9 December 2019



The cast of characters

- The Experts
- The Chairperson
- The Secretary
- The Consultant

The Experts, nominated by their governments

The Chairperson: selected from the members of the group

The Secretary: Function performed by the UN Office for Disarmament Affairs, helps to administer and brings substantive knowledge the group

The Consultant: Function performed by the UN Institute for Disarmament Research (for all but 2004-2005 GGE), assists the Chair synthesize the Group's discussions, offers briefings and backgrounders



Creating a GGE

- First Committee resolution
- Requests the Secretary-General, with the assistance of a group of governmental experts, to undertake a study
- Report goes back to the General Assembly

GGEs are convened by the Secretary-General at the request of the General Assembly

A UN's First Committee of the General Assembly (Disarmament and International Security) resolution requesting the Secretary-General, with the assistance of a group of governmental experts, to undertake a study and to submit a report to the General Assembly at a later session

The mandate, as well as its size and number of sessions, are crafted in consultations and negotiations in the First Committee. There are both budgetary and political considerations.



Composition of a GGE

Composed by the Secretary-General

- “on the basis of equitable geographical distribution”
- Gender balance

The Secretary-General composes the group “on the basis of equitable geographical distribution”.

As of 2018, the Secretary-General has committed to achieve gender parity on all panels, boards, expert groups and other bodies established under his auspices in the field of disarmament (Action 37 of his Agenda for Disarmament).

States often send an official request or lobby for a seat on a GGE of particular interest.



The mandate

Scope limited to First Committee topics:

Disarmament & International Security

The fact that the GGE is established by the First Committee has important implications for how the Group interprets its mandate.

The First Committee focuses on topics related to disarmament and international security.

Issues that are not under the purview of the First Committee —such as espionage, Internet governance, crime, human rights, terrorism, development and digital privacy—are seen by most experts as outside the purview of the GGE. These topics might be acknowledged in the reports, but not addressed in a substantive way as other bodies are mandated to do so.



Experts

- Countries nominate their own expert
- Shift from technical experts to government officials

Once the GGE composition has been approved by the S-G, each country nominates an expert

In almost all cases, these experts are government officials, mostly from Ministries of Foreign Affairs.

In the beginning there were a mix of technical and political experts. But the GGE is a political discussion, not a technical one.



The role of advisors

- Legal, military and others
- Support from capital, support from Permanent Missions in NY or Geneva

Over time, there has been a growing number of advisors.

Some experts are accompanied by advisers--legal, military and others. If they come from capital, this is at the country's own expense as only the costs associated with the GGE group member is covered by the UN. Others have support from their permanent mission in NY or Geneva

The experts sit behind nameplates with their name, not their country, in recognition that they serve in their individual capacity,



Method of work

- Meetings
- Consultations (regional, informal consultations in NY)
- Intersessional work
- Confidential
- Consensus

Most GGEs meet for four, one-week sessions. Some work, like commenting on drafts and Chair's consultations, is conducted intersessionally.

One exciting development in the 2018 resolution is that for the first time the resolution establishing the GGE includes a mechanism for wider regional consultations, as well as to gather the views of all Member States via informal consultations in NY, which you are taking part in today.

The GGE meetings are closed. Traditionally there are no meeting summaries, no proceedings, no observers, no notes or press releases. Not even UN departments, specialized agencies, etc.

Only 2 publicly available documents concerning the GGE: its mandate and the report itself, which are both UN General Assembly documents. The fact that these are the only two public documents can make it challenging for new experts—and the wider world—to understand the context of how agreements were reached in previous reports.

Operate by consensus—The whole group must agree upon the report in its entirety

It is possible for a GGE to not agree on a report at all (2004-2005, 2016-2017)

A consensus report (Hooray!) ... Now what?

GGE recommendations are not legally binding. GGE reports only provide advice and suggestions to the General Assembly, the Secretary-General, and to Member States

Via its report, the Group asks Member States to, for example, “actively consider” the recommendations within the report and how they might be implemented.

The First Committee generally “welcomes” the GGE report. However, the 2015 report has an elevated status: the GA went beyond simply recognizing the report, but rather by a consensus resolution the GA called on Member States to be “guided in their use of information and communications technologies by the 2015 report”. So when you hear that the latest GGE is “not starting from scratch” it is on the basis that all Member States have already agreed to be guided by the 2015 report.



Open-Ended Working Group

- Three 1-week sessions (Sept, Feb, July)
- Open to all UN Member States
- Observers (incl. regional orgs, specialized agencies, ECOSOC accredited NGOs)
- Transparent—formal meetings were webcast
- Most topics covered are also in the GGE mandate
- Informal consultation with private sector and civil society (2-4 December in NY)

Just briefly Turning now to the OEWG—which many of you are likely more familiar with having participated in its first session in September.

Name “open ended” is bit confusing as it isn’t open ended in duration, but in its composition. It is the **participation** that is open to all UN Member States

Will meet in three 1 week sessions (Sept, Feb, July) (ie will conclude nearly a year before the GGE concludes).

Observers (incl. regional orgs, specialized agencies, ECOSOC accredited NGOs)

Transparent—formal meetings were webcast

Many of you attended the multistakeholder in formals with private sector and civil society this week, ably chaired by Singapore—also a historical first foreseen in the resolution establishing the OEWG.

Would like to note that the OEWG has one additional element than the GGE mandate—both groups considering threats, international law, norms, CBMs, cooperation. The OEWG also considers the question of regular institutional dialogue



Aligning expectations and maximizing the value of the GGE and OEWG processes

The GGE is not a technical exercise-- but rather a political one. And while recognizing the digital interdependencies of the cyber realm, the GGE's primary focus is on international security.

That said, one of reasons that the GGE regional consultations are so important is that they help to ensure that the cybersecurity concerns and priorities of different countries and regions are taken into account in the work of the GGE.

With these two concurrent processes mandated to consider the same topics, and both with a limited amount of time to deliver, it is worth considering how to best exploit the characteristics of each—transparent and broad participation of the OEWG versus a limited number of participants, expert level discussion and frankness that is afforded by discussions taking place behind closed doors.



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RESOURCES

UNIDIR “Cheat Sheets” on GGE recommendations available at
<https://www.unidir.org/projects/support-oewg-and-gge-0>

www.CyberPolicyPortal.org

UNODA’s Cyberdiplomacy Course
<https://cyberdiplomacy.disarmamenteducation.org/home/>

UNODA’s ICTs and International Security resources
<https://www.un.org/disarmament/ict-security/>

A few resources for you and your colleagues:

UNIDIR has “cheat sheets” that consolidate the recommendations from all three consensus GGE reports.

UNIDIR’s CPP contains an entry for every UN member state with links to relevant national policy documents.

ODA has an excellent online course on its website as well as dedicated pages for both the OEWG and GGE.



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Questions?

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