



**Open-ended Working Group on developments in the field of information and telecommunications in the context of international security**

**First Substantive Session**

**9 September 2019**

**Statement by the Delegation of Brazil**

Mr. Chairman,

The Delegation of Brazil congratulates you, Ambassador Lauber, for your election as chairman of the Open-Ended Working Group (OEWG) on developments in the field of information and telecommunications in the context of international security.

This body will deal with one of the most pressing and serious security challenges of our time, and one that my country perceives as a matter of priority.

This is demonstrated, *inter alia*, by the actions undertaken by the Brazilian government in the domestic realm, such as the adoption, in 2014, of pioneering legislation on internet governance, and, in 2018, of a specific law on data protection and privacy. Currently a new National Strategy on Cybersecurity is being prepared, with a view to increasing Brazil's resilience to cyber threats and at contributing to the country's prosperity and reliability in the digital environment.

On the international level, Brazil has long supported and actively participated in discussions on this issue, and has favored the establishment, within the UN framework, of

principles, norms and rules for the responsible behavior of States in the use of ICTs. Brazil has participated in three of the five Groups of Governmental Experts convened by the General Assembly on the issue, and a Brazilian expert has chaired the 2014-2015 session of the Group, which was the last to have been able to adopt a substantive report by consensus. In addition, in the context of the Third Committee of the UN General Assembly, Brazil, together with Germany, has been presenting since 2013 a draft resolution on the right to privacy in the digital age.

Since the conclusion of the last iteration of the GGE, in 2017, Brazil has consistently called for the establishment of an open-ended working group as a successor forum, open to the participation of all Member States.

Mr. Chairman,

The OEWG will not start its discussions from a clean slate. Instead, it will benefit from the common understandings built upon by the Groups of Governmental Experts established by the General Assembly since 2004. Brazil therefore believes that the substantive work to be undertaken by the OEWG should be firmly predicated on the three reports adopted by those GGEs, and to contribute to ensuring their full and effective implementation.

Going forward, we must take into account the challenges and opportunities offered by this new forum, in particular those associated with its universal nature. While on one hand the negotiation process will certainly be more complex than in the past GGEs, on the other hand any outcome to emanate from the OEWG will benefit from the strong legitimacy bestowed by the support of the entire membership of this Organization.

We also believe that the OEWG should ensure that its work is informed by a meaningful dialogue with representatives of the private sector, academia and civil society, as mandated by the resolution that established the Group.

Mr. Chairman,

As you are well aware, the OEWG will work in parallel with the new Group of Governmental Experts on this issue established by Resolution 73/266, which is chaired by the expert appointed by Brazil, Ambassador Guilherme Patriota. In this context, Brazil stands ready to continue to cooperate with you, Mr. Chairman, with a view to ensuring that both fora develop their work in a complementary and mutually reinforcing manner.

Despite their different mandates and compositions, the OEWG and the GGE can and should work harmoniously, with a view to reestablishing the much-needed consensus in the treatment of this issue in the context of the United Nations.

It is therefore crucial that, in both the GGE and the OEWG, we all exercise utmost flexibility and constructiveness, with a view to ensuring that their reports and recommendations contribute to strengthening the role of the UN in the field of cybersecurity, as well as to the maintenance of peace and security and to the promotion of an open, secure, stable, accessible and peaceful ICT environment for all Nations.

Mr. Chairman,

Brazil believes that international law – including international humanitarian law and international human rights law – applies to cyberspace. This applicability must not be understood as legitimizing the transformation of the cyber environment into an arena for military conflict. To the contrary, this understanding should foster restraint from all States and contribute to the maintenance of a safe, secure, stable and prosperous ICT environment.

Thank you, Mr. Chairman.