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Statement by

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Application of International Law

Thank you, Mr. Chair,

The Czech Republic aligns itself with the EU statement and wishes to highlight the following in its national capacity.

Mr. Chair, Distinguished colleagues,

For more than a year now, we have been witnessing Russia's flagrant violation of fundamental principles of International Law through its continued unjustified and unprovoked act of aggression against Ukraine, undermining international security and stability. As we have emphasized in our previous statements, the Czech Republic strongly condemns these actions.

It has been previously consensually confirmed by the GGE and OEWG reports 2021 as well as in the first Annual Progress Report of 2022 of the current OEWG and also approved unanimously by the UN General Assembly, that International Law, and in particular the UN Charter, are applicable to cyberspace.

It is indeed timely to start focusing on the application of existing rules and principles of the International Law, in particular the UN Charter, to cyberspace, and I would therefore like to thank you, Mr. Chair, for proposing a focused discussion.

Mr. Chair,

Let us stress that what we are trying to do here is to develop a common understanding of how existing International Law applies to cyberspace, and only then target potential gaps in that understanding, because we already have an existing legal framework.

We believe it would be appropriate from the States to put on a record their understanding of how International Law applies to cyberspace before they put on a table proposals for new legally binding instrument.

The Czech Republic finds it premature to ask for a Treaty at this moment.

A number of States have already publicly shared their views on the applicability of International Law to cyberspace. The Czech Republic is currently in the process of finalizing of its own national position on the application of International Law to cyberspace and is fully aware of the challenges that this entails. We believe that publication of national positions is one of the key steps towards developing common understanding. We are aware, that developing such position requires certain capacities and that not all States may have the capacity to do so.

We therefore consider it important that States that may need to do so express what challenges could be targeted through capacity building in order to receive tailored

assistance in developing their own national position and to reflect on what might be relevant in order to meaningfully engage in substantive discussions in the near future. An inclusive participation of the broadest range of States is essential in order to reach a common understanding.

In this connection, it is important to acknowledge the meaningful and broad engagement of the multi-stakeholder community in cyberspace. In the field of International Law in particular, we can benefit from the expert briefings or exchange of views, as we can see in side events that take place throughout this week.

Mr. Chair,

Regarding future discussions on the applicability of International Law to cyberspace, the Czech Republic would like to reiterate its strong support for the working paper submitted by Canada and Switzerland last year, which outlines an appropriate agenda for our future discussions on International Law.

At the same time, not only in light of Russia's ongoing aggression in Ukraine, we would like to reiterate the need to include International Humanitarian Law in the list of topics for a focused discussion. This discussion is not limited to the basic principles, but encompasses all aspects of IHL. Such a discussion will allow us to develop common understandings on how to best protect civilians and civilian objects, especially critical infrastructure, and to reach a better understanding of what activities are prohibited or unacceptable during an armed conflict.

We would also like to support the idea of intersessional meeting dedicated to focused discussion on International Law, including expert briefings, held either hybrid or virtual to ensure broad participation.

Thank you, Mr. Chair.