

Chairmanship: Ukraine

**SPECIAL MEETING OF THE PERMANENT COUNCIL
(975th Plenary Meeting)**

1. Date: Tuesday, 3 December 2013 (Kyiv)

Opened: 3.10 p.m.

Closed: 3.20 p.m.

2. Chairperson: Ambassador I. Prokopchuk

3. Subjects discussed – Statements – Decisions/documents adopted:

Agenda item 3: DECISION ON THE INITIAL SET OF OSCE
CONFIDENCE-BUILDING MEASURES TO REDUCE THE
RISKS OF CONFLICT STEMMING FROM THE USE OF
INFORMATION AND COMMUNICATION
TECHNOLOGIES

Chairperson

Decision: The Permanent Council adopted Decision No. 1106 (PC.DEC/1106) on the initial set of OSCE confidence-building measures to reduce the risks of conflict stemming from the use of information and communication technologies, the text of which is appended to this journal.

Russian Federation (interpretative statement, see attachment to the decision),
United States of America, Lithuania-European Union, Chairperson

Agenda item 2: REVIEW OF CURRENT ISSUES

None

Agenda item 3: ANY OTHER BUSINESS

None

4. Next meeting:

To be announced



975th Plenary Meeting

PC Journal No. 975, Agenda item 1

**DECISION No. 1106
INITIAL SET OF OSCE CONFIDENCE-BUILDING MEASURES TO
REDUCE THE RISKS OF CONFLICT STEMMING FROM THE USE
OF INFORMATION AND COMMUNICATION TECHNOLOGIES**

The OSCE participating States in Permanent Council Decision No. 1039 (26 April 2012) decided to step up individual and collective efforts to address security of and in the use of information and communication technologies (ICTs) in a comprehensive and cross-dimensional manner in accordance with OSCE commitments and in co-operation with relevant international organizations, hereinafter referred to as “security of and in the use of ICTs.” They further decided to elaborate a set of draft confidence-building measures (CBMs) to enhance interstate co-operation, transparency, predictability, and stability, and to reduce the risks of misperception, escalation, and conflict that may stem from the use of ICTs.

The OSCE participating States, recalling the OSCE role as a regional arrangement under Chapter VIII of the UN Charter, confirm that the CBMs being elaborated in the OSCE complement UN efforts to promote CBMs in the field of security of and in the use of ICTs. The efforts of the OSCE participating States in implementation of the OSCE confidence-building measures in the field of security of and in the use of ICTs will be consistent with: international law, including, *inter alia*, the UN Charter and the International Covenant on Civil and Political Rights; as well as the Helsinki Final Act; and their responsibilities to respect human rights and fundamental freedoms.

1. Participating States will voluntarily provide their national views on various aspects of national and transnational threats to and in the use of ICTs. The extent of such information will be determined by the providing Parties.
2. Participating States will voluntarily facilitate co-operation among the competent national bodies and exchange of information in relation with security of and in the use of ICTs.
3. Participating States will on a voluntary basis and at the appropriate level hold consultations in order to reduce the risks of misperception, and of possible emergence of political or military tension or conflict that may stem from the use of ICTs, and to protect critical national and international ICT infrastructures including their integrity.

4. Participating States will voluntarily share information on measures that they have taken to ensure an open, interoperable, secure, and reliable Internet.
5. The participating States will use the OSCE as a platform for dialogue, exchange of best practices, awareness-raising and information on capacity-building regarding security of and in the use of ICTs, including effective responses to related threats. The participating States will explore further developing the OSCE role in this regard.
6. Participating States are encouraged to have in place modern and effective national legislation to facilitate on a voluntary basis bilateral co-operation and effective, time-sensitive information exchange between competent authorities, including law enforcement agencies, of the participating States in order to counter terrorist or criminal use of ICTs. The OSCE participating States agree that the OSCE shall not duplicate the efforts of existing law enforcement channels.
7. Participating States will voluntarily share information on their national organization; strategies; policies and programmes – including on co-operation between the public and the private sector; relevant to the security of and in the use of ICTs; the extent to be determined by the providing parties.
8. Participating States will nominate a contact point to facilitate pertinent communications and dialogue on security of and in the use of ICTs. Participating States will voluntarily provide contact data of existing official national structures that manage ICT-related incidents and co-ordinate responses to enable a direct dialogue and to facilitate interaction among responsible national bodies and experts. Participating States will update contact information annually and notify changes no later than thirty days after a change has occurred. Participating States will voluntarily establish measures to ensure rapid communication at policy levels of authority, to permit concerns to be raised at the national security level.
9. In order to reduce the risk of misunderstandings in the absence of agreed terminology and to further a continuing dialogue, participating States will, as a first step, voluntarily provide a list of national terminology related to security of and in the use of ICTs accompanied by an explanation or definition of each term. Each participating State will voluntarily select those terms it deems most relevant for sharing. In the longer term, participating States will endeavour to produce a consensus glossary.
10. Participating States will voluntarily exchange views using OSCE platforms and mechanisms *inter alia*, the OSCE Communications Network, maintained by the OSCE Secretariat's Conflict Prevention Centre, subject to the relevant OSCE decision, to facilitate communications regarding the CBMs.
11. Participating States will, at the level of designated national experts, meet at least three times each year, within the framework of the Security Committee and its Informal Working Group established by Permanent Council Decision No. 1039 to discuss information exchanged and explore appropriate development of CBMs. Candidates for future consideration by the IWG may include *inter alia* proposals from the Consolidated List circulated by the Chairmanship of the IWG under PC.DEL/682/12 on 9 July 2012, subject to discussion and consensus agreement prior to adoption.

Practical Considerations

The provisions of these Practical Considerations do not affect the voluntary basis for the activities related to the aforementioned CBMs.

Participating States intend to conduct the first exchange by October 31, 2014, and thereafter the exchange of information described in the aforementioned CBMs shall occur annually. In order to create synergies, the date of the annual exchanges may be synchronized with related initiatives participating States are pursuing in the UN and other fora.

The information exchanged by participating States should be compiled by each of them into one consolidated input before submission. Submissions should be prepared in a manner that maximizes transparency and utility.

Information may be submitted by the participating States in any of the official OSCE languages, accompanied by a translation in English, or only in the English language.

Information will be circulated to participating States using the OSCE Documents Distribution system.

Should a participating State wish to inquire about individual submissions, they are invited to do so during meetings of the Security Committee and its Informal Working Group established by Permanent Council Decision No. 1039 or by direct dialogue with the submitting State making use of established contact mechanisms, including the email contact list and the POLIS discussion forum.

The participating States will pursue the activities in points 9 and 10 above through existing OSCE bodies and mechanisms.

The Transnational Threats Department will, upon request and within available resources, assist participating States in implementing the CBMs set out above.

In implementing the CBMs, participating States may wish to avail themselves of discussions and expertise in other relevant international organizations working on issues related to ICTs.

PC.DEC/1106
3 December 2013
Attachment

ENGLISH
Original: RUSSIAN

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
OF THE ORGANIZATION FOR SECURITY AND
CO-OPERATION IN EUROPE**

By the delegation of the Russian Federation:

“In connection with the Permanent Council decision adopted on the initial set of confidence-building measures to reduce the risks of conflict stemming from the use of information and communication technologies and in accordance with paragraph IV.1(A)6 of the Rules of Procedure of the OSCE, the Russian Federation would like to make the following interpretative statement:

The Russian delegation played an active part in the formation of consensus on this important decision. Its agreement, as you are aware, required considerable efforts on the part of many delegations involved in the negotiation process.

In supporting this decision, the Russian Federation will be guided in its implementation by a firm commitment to the principles of non-interference in the internal affairs of States, their equality in the process of Internet governance and the sovereign right of States to Internet governance in their national information space, to international law and to the observance of fundamental human rights and freedoms.

I request that the text of this statement be attached to the Permanent Council decision adopted and included in the journal of today’s meeting.”