



**Open Ended Working Group in the Field of Information and  
Telecommunications in the Context of International Security**

**Confidence-Building Measures  
and  
Capacity-Building**

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of the Kingdom of the Netherlands to the United Nations**

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## CBMs

- The Netherlands aligns itself with the EU statement and wishes to make the following additions in its national capacity.
- The Netherlands is of the view that confidence building is a key pillar in the work of the OEWG. It requires a collective effort among states, regional organizations and other actors [such as private sector, academia, technical community and civil society] to build trust, predictability and stability in the use of ICTs.
- The section on confidence-building measures reflects the discussion adequately and paragraph 39 and 40 adequately explain the importance of CBMs. We strongly welcome these paragraphs.
- The Netherlands wishes to make a small addition to paragraph 43. We feel that the importance of regional organizations may be underlined better. States may strengthen their shared ability to exercise CBMs by joining regional organizations. Regional organizations not yet having CBMs should be encouraged to develop those and could benefit from using existing regional CBMs as a source such as CBM's and work done on CBM's by regional organizations.
- [Moreover, a repository of CBMs on bilateral, (sub) regional, multilateral and multistakeholder level [as referred to under para 103 of discussions] may help States strengthen their ability to exercise CBMs as well. Given that we haven't heard much objections to such a repository, we argue to adopt para 103 as part of the recommendations and conclusions section.]
- Also, in paragraph 46, the role and responsibilities of other multistakeholder actors may be addressed more explicitly. They are of significant contribution to building trust and confidence in the use of ICTs. Their efforts in the developments of CBMs and good practices may also be acknowledged in the recommendation and conclusion section, what is now only mentioned under para 104 of discussions.
- [The Netherlands thinks that adding declaratory statements, detailing member states positions' on how international law applies to State use of ICTs, could build better understanding of each other views and lead to increased trust and stability. We therefore welcome this mention in para 101 along with other suggestions of guidance on CBMs.]

## Capacity building

- The Netherlands aligns itself with the EU statement and wishes to make the following additions in its national capacity.
- The Netherlands deems cyber capacity building as the vehicle that strengthens the overall security and resilience in cyberspace.
- [We strongly welcome paragraph 53 and in particular the mention of promoting adherence to international law and the implementation of norms of responsible State behaviour in light of capacity building. As well as the mention that it helps States to deepen their understanding of how international law applies under paragraph 57.]
- The Netherlands has a small comment regarding the importance of the sustainable development goals, to which no reference has been made in the recommendation and conclusion section. We are of the view that capacity building in the field of ICTs are a foundational element of achieving the SDGs. They also have an important function in empowering States to participate in international discussions. We therefore argue to move para 105, now under discussions, to the recommendations and conclusions section.
- Moreover, we feel that the mention of 'common but differentiated responsibility' in paragraph 54 is rather confusing. With the current wording, it is not clear how the responsibility should be differentiated and to whom. Given that this wording has been mentioned already under the second bullet of partnerships under para 55 and is better in place there, we suggest to omit the wording under para 54.
- [Further, in addition to the point of human rights and freedom, the Netherlands wishes to include reference to the fundamental importance of an open, **free**, secure, stable, accessible and peaceful ICT environment for the enjoyment of human rights throughout the report and in paragraph 54, 55 under the second bullet of process and purpose.]
- The Netherlands supports strongly the principles under para 55, which are also largely part of the GFCE principles that were based on lessons learned on aid effectiveness as agreed in the OECD context in Busan, Republic of Korea in 2011.
- Furthermore, the Netherlands sees merit in the UN playing a more distinct convening role in the area of capacity building as long as it enhances and supports the work of regional organizations and existing global multistakeholder endeavors such as the Global Forum on Cyber Expertise (GFCE). This may be added to para 60, in which the role of other

stakeholders may be recognized better as well. Existing platforms within the UN, its specialized agencies and in the wider international community could be used to strengthen coordination. While this is mentioned under para 105 of discussions, we believe the OEWG should conclude this as well.

- Finally, we also support the mention of the 'national survey' under paragraph 63. It helps identifying implementation gaps so that capacity building can be applied in a tailored manner.