**New Zealand contribution in response to ITU Circular CL-19/47**

**Background**

In 2007 a Global Cybersecurity Agenda was established following the 2005 WSIS, with a high level experts group formed.

The ITU Plenipotentiary Conference 2018 in Dubai included text in Resolution 130 that resolved “to utilize the GCA framework in order to further guide the work of the Union on efforts to build confidence and security in the use of ICTs”. In accordance with that resolution, ITU Circular CL-19/47 was issued, inviting contributions as part of a process to develop guidelines for the utilization of GCA by the ITU, with the Secretary-General planning to publish a report on how the ITU is currently utilizing the GCA.

New Zealand is of the view that the GCA framework remains valid, and that there is value in many of the previous ITU activities that have been associated with the framework including the GCI. However it remains unclear how the framework could be best reinvigorated to influence or add to the existing endeavours of the ITU. From New Zealand’s perspective the existing cyber security programme of the ITU has consensus support and delivers many valuable initiatives regionally and international. The programme is guided and connected globally, and while the programme may be influenced by the CGA, the ITU cybersecurity programme represents more than, and is wider than the sum of the CGA frameworks parts, or the particular ITU Member utilisation of the various parts of that framework.
We believe that there is no one central organising framework for cybersecurity capacity building globally that is exclusively relevant, and that it is up to member states to select and tailor their responses, with and beyond the ITU, and more importantly within and beyond any pre-existing CGA framework.

We note that the evolution of the framework has been important. But question whether a further iteration of the framework is warranted, or whether any ITU sponsored iteration of the framework can ever be fully reflective of evolving practice, policy and existing international norms in cybersecurity. There is a wider and growing body of knowledge to call upon to influence cybersecurity capacity building and practice. The CGA in New Zealand’s view does not represent a single or wholly relevant point of truth, for this practice or capacity building in developing economies.

We are conscious however that the Framework, if updated needs to reference concepts that have originated from or reflect the global consensus and commitment to the UNGGE, and the Budapest Convention. The world has evolved as the CGA has iteratively changed.

New Zealand reflects that many nations continue to significantly invest in their CERTs and new measures for collaboration between their CERTs and across the myriad of global and national multi-stakeholder environments that govern CERT activities and outreach.

We believe that the CGA framework needs to be refreshed given this reality. New Zealand supports and values the resources applied by the CSIRT sub work programme of the ITU cybersecurity programme. From New Zealand’s perspective the evolution of the ITU cybersecurity programme and its wider utility to Member states, is more important than any retrospective examination of the utilisation of the CGA, or subsequent re-adaptation of this central concept to drive the Union’s work. Such an approach would seem overly deterministic and not reflect the contemporary reality of cybersecurity management nationally. It is not up to the ITU to guide Member state practice, but members may respond positively to examples of where utilisation has been beneficial and where activities that relate to a particular pillar have been advantageous.

However, in many ways New Zealand is encouraged by the inclusive aspects of the CGA framework and notes that some of the better outcomes and initiatives that have emerged from the framework and associated activities have occurred when other UN bodies and industry entities have come along side to create new measures, and means for collaboration and better policy frameworks and communities of practice. An exemplar is the joint UNESCO / ITU and GSMA work on preventing child harm online.

With respect to the possible revision of the CGA framework, in New Zealand’s view, any adjustment to the existing CGA pillars should recognise that:

* Legal frameworks that support cyber security remain a sovereign issue for nations.
* CERTs and their collaborative outreach regionally and globally on technical matters and measures are increasingly important, as is the CSIRT sub programme of ITU activity.
* An institutional environment that supports open and transparent government and governance, democratic processes and the rule of law, and accepted international norms is more likely to develop inclusive cybersecurity strategies and practices, and consequently establish cybersecurity remits and practices that are more responsive and adaptive to the need of citizens and businesses. Cybersecurity arrangements that are built on such institutional foundations can best evolve to address the growing and varied cybersecurity risks that are emerging.
* The ITU’s CGA is one foundation framework of import, but it is time think more widely. There are increasing partnership opportunities with other UN and non-UN interests and bodies that may meet ITU D group objectives, particularly in the fields of better practice and effective organisational structures.
* Should CGA linked initiatives re-emerge in the regional cybersecurity domain, as part of emerging guidance to the Union, these should:
	+ be tempered by and reflect and build upon existing collaborative endeavours;
	+ respond and react to regional interest and context, directly; and, also
	+ reference and continue to link to globally accepted norms, both within and beyond the CGA.

**Recommendations**

Any guidance on the work of the Union that emerges from an assessment of the utilisation of the GGA framework should be based on a substantive evaluation of the beneficial outcomes of the utilisation, including an assessment of the benefits of the whole utilisation, and /or in relation to utilisation of particular pillars of the CGA. The relevance of the framework and it utilisation should also be tested against all important international norms and frameworks, that have emerged since the inception of the CGA.

**Summary of NZ recommendations**

1. The report on utilisation of the CGA framework will need to present the clear benefits of such utilisation to best influence any future guidance to the Union.

2. The report should recognise the growing investment in CERTs by member states, and the independent regional and international outreach of national CERTs.

3. Any ITU Council bound guidance following the Secretary General’s report on CGA utilisation should present clear deliverables and demonstrable benefits and recognise partnership opportunities with other UN and non-UN entities.