



The quest for norms and rules in interstate cyber conflicts

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The logo for ICT for peace foundation features the letters 'ICT' in a bold, white, sans-serif font. To the right of 'ICT' is a stylized graphic of five leaves in various colors: purple, blue, orange, green, and grey. The text 'for peace foundation' follows in a white, lowercase, sans-serif font.

ICT for peace foundation

ICT4Peace is a policy and action-oriented international Foundation. The purpose is to save lives and protect human dignity through Information and Communication Technology.

We promote cybersecurity and a peaceful cyberspace through international negotiations with governments, companies and non-state actors. We also explore and champion the use of ICTs and media for crisis management, humanitarian aid and peace building.

ADVOCACY

CAPACITY BUILDING

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TECHNOLOGY DEVELOPMENT

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Google's top security teams unilaterally shut down a counterterrorism operation

The decision to block an “expert” level cyberattack has caused controversy inside Google after it emerged that the hackers in question were working for a US ally.

by **Patrick Howell O'Neill**

March 26, 2021

<https://www.technologyreview.com/2021/03/26/1021318/google-security-shut-down-counter-terrorist-us-ally/>

A Declaration of the Independence of Cyberspace

Governments of the Industrial World, you weary giants of flesh and steel, I come from Cyberspace, the new home of Mind. On behalf of the future, I ask you of the past to leave us alone. **You are not welcome among us**. You have no sovereignty where we gather.

We have no elected government, nor are we likely to have one, so I address you with no greater authority than that with which liberty itself always speaks. I declare the global social space we are building to be naturally independent of the tyrannies you seek to impose on us. You have no moral right to rule us nor do you possess any methods of enforcement we have true reason to fear.



John Perry Barlow
WEF 1996

A brief history of nation state attacks

2003

Titan Rain

2009

Ghostnet / Aurora

2010

Stuxnet

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2021

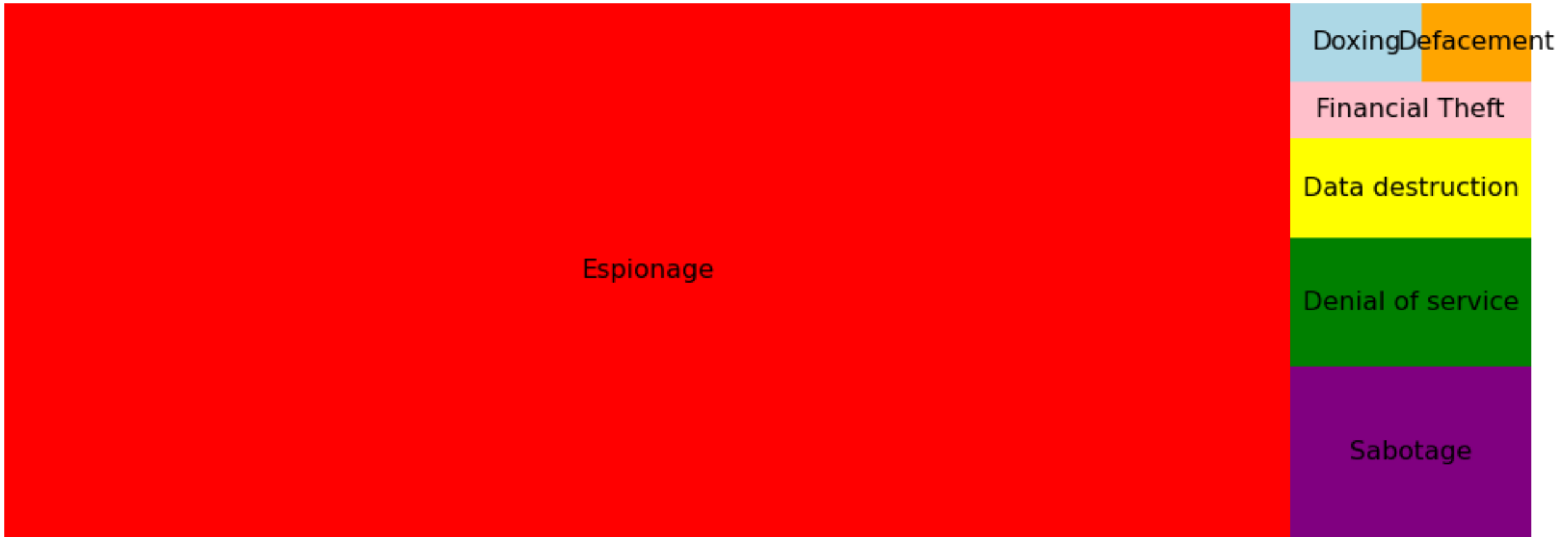
We stoped counting ...



Photo: © 2017, S. Droz

What states mostly do

What states mostly do



UN Group of governmental Experts

- Started in 2004
- So far six groups
the last one in 2020/21
- 25 member states
- Try to produce a
consensus report

Highlights

2013: International law holds in cyberspace

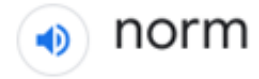
2015: 11 *Norms for responsible state behaviour in Cyberspace*



VOLUNTARY, NON-BINDING NORMS
FOR RESPONSIBLE STATE BEHAVIOUR
IN THE USE OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY

A COMMENTARY

Norms



/nɔ:m/

noun

something that is usual, typical, or standard.
"strikes were the norm"



Many norm building bodies

UNGGE, OEWG, OSCE, Tech Accord, Paris Call, African Union, ...*

* See BPF 2019: https://www.intgovforum.org/multilingual/filedepot_download/4904/1658

Who defines norms and whom do they apply to?

Who should care about Norms?

UNGGE 2013: International law applies in cyberspace

UNGGE 2015:

Norm l: States should take reasonable steps to ensure the integrity of the supply chain, so end users can have confidence in the security of ICT products. States should seek to prevent the proliferation of malicious ICT tools and techniques and the use of harmful hidden functions

Norm k: States should not conduct or knowingly support activity to harm the information systems of another State's authorized emergency response teams (sometimes known as CERTS or CSIRTS). A State should not use authorized emergency response teams to engage in malicious international activity;

Making Norms tangible



UNIDIR
UNITED NATIONS INSTITUTE
FOR DISARMAMENT RESEARCH



Conversations need to go both ways

Some challenges: Turning in circles

The OEWG and the UNGGE 20/21 produced consensus reports

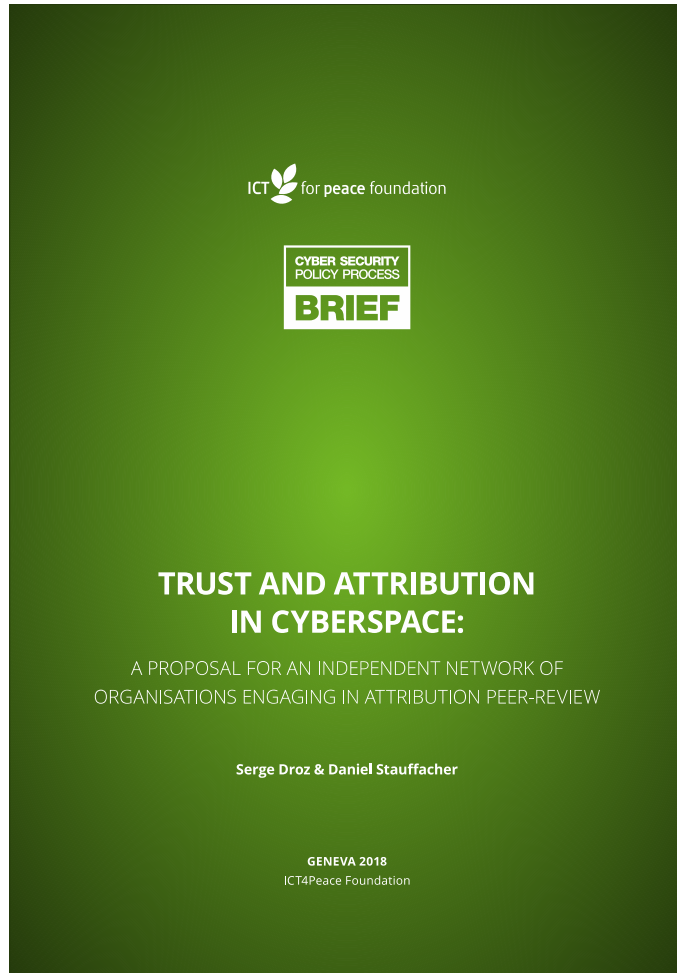
However, while agreeing that IL holds in Cyberspace, what exactly this implies remains debated. Controversial topics are:

- The meaning of sovereignty
- International humanitarian law (the law of war)

Some challenges: Attribution

Attribution in Cyberspace suffers a couple of issues:

- Unclear motivation
- Unequal resources
- Unclear roles and responsibilities
- Lack of trust



Conclusions

- Cyberspace is regulated
- It's not clear what the rules are
- They do affect us all, like it or not
- There is grave danger that states instrumentalise cyberspace