



**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
NEW YORK**

NEW YORK, 4 APRIL 2024

SECURITY COUNCIL – ARRIA-FORMULA MEETING “CYBER SECURITY: EVOLVING CYBERTHREAT LANDSCAPE AND ITS IMPLICATIONS FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY”

STATEMENT BY H.E. AMBASSADOR CHRISTIAN WENAWESER

PERMANENT REPRESENTATIVE OF THE PRINCIPALITY OF LIECHTENSTEIN TO THE UNITED NATIONS

Mr. President,

We thank the Republic of Korea for continuing the recent trend of engaging the Security Council on the topic of cybersecurity, with Estonia convening the first Security Council open debate on cyber security during its Presidency in June 2021. Security Council engagement with this topic helps ensure that the rule of law effectively addresses modern technological challenges, including the proliferation of cyber threats, which is crucial for its mandate to maintain international peace and security.

The escalating sophistication and frequency of cyberattacks, as exemplified inter alia through the aggression against Ukraine, underscore the imperative for clarity regarding the application of international law to malicious cyber activities. It is clear that cyberwarfare is subject to international law – including international humanitarian law and international criminal law, inter alia under the UN Charter, the Geneva Conventions and the Rome Statute of the International Criminal Court. The International Committee of the Red Cross (ICRC) has affirmed that international humanitarian law extends to cyber operations during armed conflicts, emphasizing the need for adherence to legal standards even in the digital realm.

As discussions on the application of international law to cyberspace continue in various

international fora, including the United Nations, it is imperative to integrate the Rome Statute and international criminal law into these deliberations. Liechtenstein, in collaboration with ten other ICC State Parties, has convened a Council of Advisers on the application of the Rome Statute to cyberwarfare, which produced a report on how each of the Rome Statute's four core crimes, the crime of aggression, war crimes, crimes against humanity and genocide, apply in the context of cyber operations. Prosecuting cyber and cyber-enabled crimes at the ICC is instrumental in addressing the evolving cyber threat landscape effectively, including through Security Council referrals to the Court, in order to collectively ensure that justice is not outpaced by the shifting nature and tools of war.

The ICC Prosecutor has also recently discussed the potential for the ICC to prosecute 'cyberattacks' as international crimes pursuant to the Rome Statute. We welcome the new multi-stakeholder consultation process that he has initiated with Microsoft to develop an official policy to address cyber-enabled crimes through the Rome Statute system. As cyber capabilities evolve and proliferate among both State and non-State actors, there is an urgent need for concerted efforts to address cyber threats comprehensively.

I thank you.