

Abstract

The international community has concerned about the malicious development of Information and Communication Technology (ICT) that threatens international peace and security. This issue emerged since the same technology that supports our daily activities could also be used to conduct military hostilities. Such cases of DDoS attacks in Estonia and Stuxnet in Iran could provide a full illustration. Apart from the scholarly attention to this emerging issue, the research that particularly assesses the United Nations as the organization to preserve the current state of international peace and security is still lacking. Henceforth, this research will focus on evaluating how the UN has reacted to the malicious development of ICT in the context of international security and whether it has effectively established a new regime to regulate States in this hostile activity.

This research will benefit from detailed and critical examination using a documentary and archival analysis as well as critical discourse analysis. To elaborate on numerous notions and measures taken by the UN and provide a noteworthy discussion, this research will borrow transdisciplinary approaches ranging from international politics to international law. Through evaluation, this research found that the UN has put a concerted effort to tackle this issue by establishing the annually provisional agenda in its

General Assembly, forming specially designated bodies (UN GGE), and adopting an inclusive measure called OEWG (Open-Ended Working Group). Despite the success of GGE in acknowledging international law applicability in cyberspace and renouncing 11 norms that guided state behaviour in cyberspace, the norm-making process in this sector is still surrounded by the politicization of powerful States. As a result, the UN is halted from reaching a consensus on several important topics (i.e., international humanitarian law). Apart from this challenging process, the UN's established measures still present an accomplishment. However, in the end, the UN has not established a new regime to regulate cyberspace; instead, it chose to be guided by a soft law and existing international law. Consequently, the road to reaching a binding treaty is still considered a long journey, although it still has a possibility. As a result, to keep the UN process trustworthy, this research recommends that the UN take further effort to clarify the ambiguity in the current measures of ICT in the context of international security, such as publishing declarations related to the peaceful use of ICT.

Keywords: United Nations, ICT, Cybersecurity, International Law, Norm-Making Process, Soft Law, Use of Force, Customary International Law, International Peace and Security