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ANNUAL
GENERAL
MEETING



Geopolitical, Legislative, and Regulatory Developments Update

Monday, 23 October 2023



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Overview on Current Global IGO Processes



WSIS+20 Review

- **FY24 CEO Goal 6 on WSIS+20 Review**
 - ICANN will develop and implement a communications and engagement strategy to address this process.
- **Engagement with governments and other stakeholders**
 - Bilateral meetings with officials from MFAs and at IGF Kyoto.
 - Information sessions with UN diplomats, North America Constituencies
 - Participation in WSIS+20 discussions, e.g. IGF Kyoto, ICANN Hamburg
- **IGF Session: CSTD Open Consultations on WSIS+20 Review**

IGO and Geopolitical Update: UN

Global Digital Compact

- **Joint ICANN, ARIN and APNIC blog on the GDC**
- **GDC Issues Paper released September 1**
 - Broad support to address the digital divide and the open Internet; Support for “sustaining and strengthening a multistakeholder approach to the governance of the Internet” as well as support for the IGF
 - However, no details/information in any of these areas

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The Global Digital Compact: A Top-Down Attempt to Minimize the Role of the Technical Community

21 August 2023

By [Sally Costerton](#), [John Curran](#), and [Paul Wilson](#)

The following blog is co-authored by Sally Costerton, Internet Corporation for Assigned Names and Numbers (ICANN), Paul Wilson, Asia Pacific Network Information Centre (APNIC), and John Curran, American Registry for Internet Numbers (ARIN). It is intended to raise awareness of and highlight the technical community's concerns about the United Nations (UN) Office of the Secretary-General's Envoy on Technology's (OSET) recent comments that appear to overlook an important distinction between the respective roles of the technical community and the civil society in the Internet ecosystem.

The technical community is responsible for the development and functioning of the single interoperable Internet. As such, it should not be confused with the other stakeholders in the multistakeholder model of Internet governance, which sets a clear distinction between their roles and functions. It's the cooperative balance between all of its stakeholders that keeps the Internet functioning.

The Global Digital Compact (GDC): A Top-Down Attempt to Minimize the Role of the Technical Community

The success of the Internet is the outcome of a well-established multistakeholder model of Internet governance that was described in the Working Group on Internet Governance (WGIG) [report](#) in 2005, further affirmed in the World Summit on the Information Society (WSIS) [Tunis Agenda](#), and reaffirmed in the WSIS+10 [Outcome Document](#). Among the essential components of that model identified in these documents is the technical community – a group of organizations and associated communities of interest that fulfill specific critical roles in relation to the daily technical functioning of the Internet. Collectively, the technical community shares an obligation to steward Internet resources, such as protocol development, unique identifiers management, core *infrastructural components*, and *others*, which result in the *stable, reliable, and resilient operation*

Recent Blogs

[ICANN Contracted Parties Set to Vote on Proposed DNS Abuse Amendments](#)

[The Lifecycle of Reviews Project: Evolving the Specific Reviews Process](#)

[ICANN Reviews Program Update and Interim President and CEO Goal 11](#)

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Blogs by Author

[ICANN Interim President and CEO Shares Goals for Fiscal Year 2024](#)

[ICANN Executive Team Announcement](#)

[The Global Digital Compact: A Top-Down Attempt to Minimize the Role of the Technical Community](#)

ITU Update

- **ITU Council and Council Working Groups**
 - CWG-Internet, October 18
 - Russian Federation submission, “Challenges to the Internet Governance System and prepare recommendations to prevent the fragmentation of the internet.”
 - Two submissions for a consultative topic on Universal Acceptance
- **ITU Study Groups**
 - ITU-T SGs received proposals dealing with IP networks
- **WTSA-24 Preparations**

Some Current Legislative and Regulatory Initiatives



EU [Statement](#) – Global Digital Compact: Deep Dive on Internet Governance, 14 April 2023

The European Union believes that, if it is to continue to benefit the global community, the internet must remain **open, global, free, interoperable and decentralized**. We strongly support the **multistakeholder approach to internet governance**, which ensures that all actors, including governments, the private sector, civil society, and technical communities, are involved in shaping the future of the internet. We believe the multistakeholder model is best able to allow for inclusive and consensus based decision making, whereby no actor is dominant or assumes all responsibility for the future development of the internet.

A positive example of furthering the multistakeholder approach was the successful **IANA stewardship transition to ICANN in 2016**. All stakeholders, including governments, are welcome to participate in ICANN and can help increase the security and stability of the global domain name system DNS

IGO and Geopolitical Update: European Union

EU Member States Foreign Affairs Ministers [Council Conclusions on Digital Diplomacy](#), 26 June 2023

“This includes active support of the Internet Corporation for Assigned Names and Numbers (ICANN) on issues of strategic importance such as ensuring internet stability, security, and interoperability.”

IGO and Geopolitical Update: European Union

Legislation

Regulation on EU geographical indications for wine, spirit drinks and agricultural products

- No expansion to gTLDs
- Possible blocking orders under the Digital Services Act

NIS2

- Member States are coordinating on Art 28 in a specific workstream part of the “NIS Cooperation Group”
- ICANN will be providing input on current and upcoming ICANN Policies and Agreements that are relevant to Art 28 of NIS2

IGO and Geopolitical Update: European Union

Trends

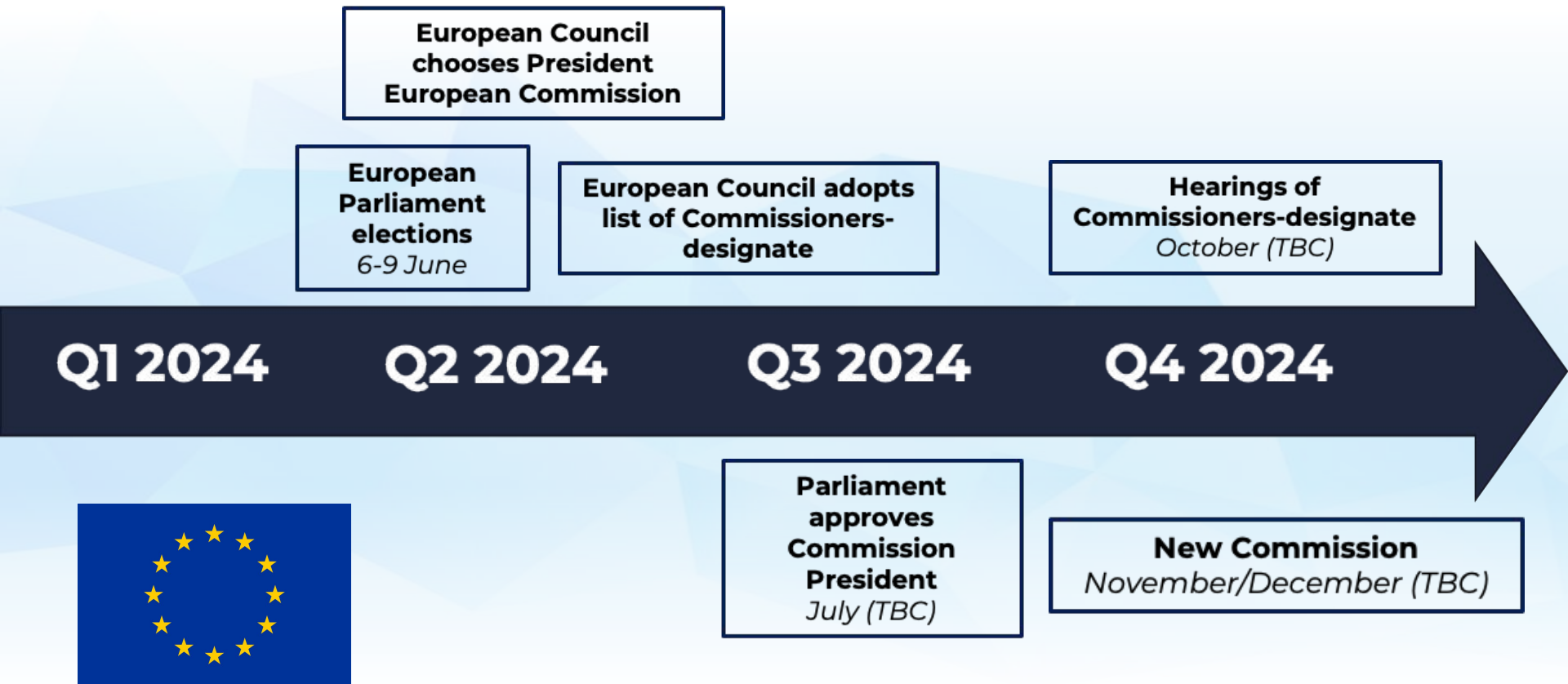
Standardization

- Standardisation Strategy 2022 includes reference to Internet standards
- [ICANN commented](#) on a Call for Evidence for an Evaluation of Regulation 1025/2012 on European Standardization to emphasize the vital role of common standards for global internet interoperability

Virtual Worlds

- Communication “[An EU initiative on Web 4.0 and virtual worlds: a head start in the next technological transition](#)”
- “Engage with existing multi-stakeholder internet governance institutions to design open and interoperable virtual worlds”
- “support the creation of a technical multi-stakeholder forum [...] beyond the remit of existing internet governance bodies”

Timeline 2023-2024



IGO and Geopolitical Update: United Kingdom

Legislation

Powers in Relation to UK Related Domain Name Registries

- Regulations will list practices that are considered to be an 'unfair use' or a 'misuse' of an internet domain name
- .uk and "UK-related" gTLDs (.scot / .wales / .cymru / .london) in the scope
- A consultation was open between 20 July -31 August

ICANN provided [feedback](#) to the consultation

IGO and Geopolitical Update: United States

Cyber Incident Reporting for Critical Infrastructure Act (CIRCA)

- Rulemaking
- Exemption: “DOMAIN NAME SYSTEM.—The requirements...shall not apply to a covered entity or the functions of a covered entity that the Director determines constitute critical infrastructure owned, operated, or governed by multi-stakeholder organizations that develop, implement, and enforce policies concerning the Domain Name System, such as the Internet Corporation for Assigned Names and Numbers or the Internet Assigned Numbers Authority.”

Secure Internet Routing

- FCC NOI

IGO and Geopolitical Update: Asia Pacific (APAC)

This list is not exhaustive and only include a handful of legislative and regulatory developments in 2023 that the ICANN APAC team is monitoring.

Prominent and Recent Legislative and Regulatory Developments

<i>Country</i>	<i>Developments</i>
Australia	● Review of the Privacy Act, 1998 ○ On 28 September 2023, the Australian Government announced that it had accepted 106 proposals that sought to modernise the Act. The legislation process of these proposals will take place in 2024, which may include rounds of targeted consultations. ○ Key changes that may impact the ICANN community include: broadening the definition of personal information to include technical and inferred information, such as IP addresses and device identifiers; requiring a 72-hour notification when there are reasonable grounds to believe there has been an eligible data breach; and placing higher accountability to entities who handle personal information to dampen the impact of data breaches.

IGO and Geopolitical Update: Asia Pacific (APAC)

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Prominent and Recent Legislative and Regulatory Developments

<i>Country</i>	<i>Developments</i>
Bangladesh	● Cyber Security Act, 2023 ○ Came into force on 13 September 2023 and replaces the Digital Security Act, 2018 (DSA). The CSA aims to prevent cybercrime and the spread of false information. ○ While the primary focus of the Act is on content (data from digital media), the censorship mechanism is not specified, hence there are concerns that this leaves the possibility of actions targeted at the DNS level.
India	● Digital Personal Data Protection (DPDP) Act, 2023 ○ The DPDP Act came into force on 11 August 2023. Rules governing the Act and the establishment of a Data Protection Board are anticipated. We will examine the impact of rules once available.

IGO Engagements - Asia-Pacific Telecommunity (APT)

- ICANN submitted an application to be an Affiliate Member, starting in 2024

Questions and Discussion

