COMMISSION ON SCIENCE AND TECHNOLOGY FOR DEVELOPMENT (CSTD)

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Submissions from entities in the United Nations system, international organizations and other stakeholders on their efforts in 2019 to implement the outcomes of the WSIS

Submission by

Internet Corporation for Assigned Names and Numbers

This submission was prepared as an input to the report of the UN Secretary-General on "Progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society at the regional and international levels" (to the 23rd session of the CSTD), in response to the request by the Economic and Social Council, in its resolution 2006/46, to the UN Secretary-General to inform the Commission on Science and Technology for Development on the implementation of the outcomes of the WSIS as part of his annual reporting to the Commission.

2019 ANNUAL REPORT TO UNCTAD: ICANN CONTRIBUTION

Progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society at the regional and international levels

Executive Summary

ICANN is privileged and honoured be invited to contribute to this annual UNCTAD Report. We value our involvement with, and contribution to, the overall multi-stakeholder WSIS process and to our relationship with the UN Commission on Science and Technology for Development (CSTD) and with the United Nations Conference on Trade and Development (UNCTAD).

2019 has been a busy and important year for ICANN and for the Internet Ecosystem in general; with the publication of the UN High Level Panel (UN HLP) Report on Digital Cooperation and the forthcoming Berlin 2019 IGF, with potentially more participants than at any previous Forum.

We have also seen important discussions initiated in the UN in New York concerning cybersecurity, namely the re-establishment of the Government Group of Experts (UN GGE) and the initiation of the Open-Ended Working Group (OEWG).

For ICANN, our work has included the adoption of measures for (so-called) contracted parties pursuant to compliance with the EU General Regulation on Data Protection (the GDPR), on policy development concerning a subsequent gTLD application process and on promoting Universal Acceptance (of domain names) globally.

On wider Internet Governance issues, ICANN has been engaged, pursuant to our mandate and Mission, in a range of different activities. We have, as of June 2019, become a sector member of the Telecommunications Development Sector of the International Telecommunication Union (ITU) and continue to be involved, along with many other stakeholders, in the regional

preparations for the World Telecommunication Standardisation Assembly (WTSA)[1] in November 2020 in Hyderabad and in the Informal Experts Group for the World Telecommunication Policy Forum (WTPF)[2] in Spring 2021.

Finally, we are preparing for the annual Internet Governance Forum (IGF) in Berlin[3], the most important multistakeholder dialogue on the annual digital policy agenda. ICANN is a strong supporter of the IGF and contributes to the IGF Trust Fund, to the MAG and to many of the Regional and National Initiatives.

With our partners in the Technical Community, and in line with paragraph 31 of the Tunis Agenda, we will continue to contribute, within our Mission, to public policy issues pertinent to the governance of the Internet, whether at the global or regional level. As recognised in the Tunis Agenda, public policy issues with respect to the Internet, significantly benefit from the involvement of all stakeholders, not just governments or businesses.

Looking ahead ICANN is looking forward, both in the UN CSTD and elsewhere, to taking part in preparations for the review of the WSIS mandate in 2025. In this respect, it was encouraging to have an initial discussion on this at the CSTD inter-sessional[4] in November,

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[1] https://www.itu.int/en/ITU-T/wtsa20/Pages/default.aspx

[2] https://www.itu.int/en/wtpf-21/Pages/ieg-wtpf-21.aspx

[3] https://www.igf2019.berlin/IGF/Navigation/DE/Home/home.html

[4] https://unctad.org/en/pages/MeetingDetails.aspx?meetingid=2232

Detail

1. GDPR and WHOIS Consultations and Dialogue

As noted in 2018, the European Union's General Data Protection Regulation (GDPR)[5] which came into effect in May that year is a significant piece of legislation, replacing previous European legislation on data protection which was introduced in 1995.

ICANN is affected by the GDPR both as a corporate entity (we employ and have engagement with EU residents and citizens) and as a party to contracts with Registries and Registrars who, themselves, contract for the selling of domain names with EU citizens and residents. In light of this, significant work was taken forward to ensure compliance with the GDPR, involving changes to internal processes and an introduction of a Temporary Specification[6] (for our contracts with Registries and Registrars). The latter has affected the collection and publication of personal information of registrants (the owners of domain names) entered by the contracted parties into the WHOIS database[7]. This, consequentially, has affected to an extent, those parties, such as law enforcement and security professionals, who use the registrant information on the WHOIS for their legitimate activities in protecting the public.

The ICANN Community undertook in 2018/9 a policy development process (known as the Expedited Policy Development Process (EPDP)) on the Temporary Specification for gTLDs which recommended measures for contracted parties to comply with the GDPR but also, as appropriate, to ensure that access can be given to registrant information for legitimate purposes. These measures, compatible with the detail of the Temporary Specification, were

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[5] https://www.eugdpr.org/

[6] https://www.icann.org/resources/pages/gtld-registration-data-specs-en

[7] https://whois.icann.org/en

approved by the GNSO Council in March 2019[8] and largely approved by the ICANN Board on 15th May this year[9]. They are currently subject to an implementation process.

The EPDP Team has now transitioned to Phase 2 of its work, which will include the development of a System for Standardized Access/Disclosure (SSAD) to non-public gTLD registration data. A recent update on their work, which was extensively discussed during the ICANN66 Montreal Meeting[10] is at https://www.icann.org/news/blog/epdp-team-makes-key-progress-in-phase-2-work.

The GDPR, and the ICANN work in relation to personal information held by Registries and Registrars, is relevant in the context of WSIS Action Lines 5 and 6 as having an influence in the trust and confidence in the use of ICTs, as well as helping to facilitate an Enabling Environment in which on-line services (both in the private and public sector) can grow and flourish. The WHOIS contributes towards consumer protection in facilitating transparency in the ownership of domain names.

2. Subsequent gTLD Application process

Since the launch of the gTLD Application Round in March 2012, over 1230 new names have been delegated to the root of the Internet, with domain names with extensions like .Africa, .Paris; .news, .xyz and .bank now being widely sold. A full list of the new gTLDs is at https://newgtlds.icann.org/en/program-status/statistics

During 2016 and 2017 a number of Reviews were initiated to assess the impact of this significant expansion of the generic domain name space, not least to look at the economic

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[8] https://www.icann.org/public-comments/epdp-recs-2019-03-04-en

[9] https://www.icann.org/resources/board-material/resolutions-2019-05-15-en#1.b

[10] https://meetings.icann.org/en/montreal66

impact and to assess how competition, consumer choice and trust have been affected. These having been concluded, a new policy development process[11], within the ICANN Community, was initiated to develop an appropriate framework under which further top level generic domain names could be applied for. The Applicant Guidebook (a substantial document that laid out the detailed rules for applicants) will, as appropriate, be modified by this process.

The work of this Group has progressed significantly to the point at which, later this year, a final Report may well be submitted to the GNSO Council for approval (where most policy developments at ICANN are routed). The Report will focus on issues such as whether preferences should be given to certain TLD types (eg Community names), whether there should be a rolling application process (rather than specific rounds) and whether there should be specific measures to encourage applications from developing countries.

A specific part of this policy development work has been on the treatment of (so-called) Geographical Names (such as those of countries, regions, towns and areas). While specific protection was given to many names in the previous gTLD round (preventing for example registration at the top and second level of names of countries) discussion has focused on whether this protection should be extended to, say regions (such as Nile Delta). A Report on the proposals emanating from this work (known as Work Track 5), which have been consulted on, can be found at https://gnso.icann.org/sites/default/files/file/field-file-attach/subsequent-procedures-geo-names-supp-initial-05dec18-en.pdf

The promulgation of new top-level names has ramifications for WSIS Action Line 8, especially in terms of promoting cultural diversity and local content.

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[11] https://gnso.icann.org/en/group-activities/active/new-gtld-subsequent-procedures

3. ITU and ICANN work including preparations for WTSA; and the WTPF and the Council Working Group on ITRs

ICANN (pursuant to a decision by the ICANN Board in early 2019) applied to be a fee-exempt sector member of the Telecommunications Development Sector of the International Telecommunication Union (ITU) in March. The application was approved during the ITU Council Meeting in June of this year. ICANN has a long-standing relationship with the ITU, especially on capacity building, and sector membership of ITU-D will allow us to enhance this relationship while continuing to be involved, along with many other stakeholders, in other aspects of the ITUs work such as the regional preparations for the WTSA in November 2020 in Hyderabad and in the Informal Experts Group for the WTPF in Spring 2021. We also take part, as appropriate, in relevant Council Working Groups and are contributing, as part of the Technical Community, in the Working Group on International Telecommunication Regulations (ITRs). We also, on an annual basis contribute to the ITU hosted WSIS Forum.

Pursuant to our sector membership of ITU-D ICANN has worked with the development team in ITU in recent capacity building events on Internet Governance in both Bahrain and Nigeria.

4. Internet Governance Forum (IGF 2019)

The 2019 IGF in Berlin will be an important meeting for the global multistakeholder Internet Community. With a strap line of "One World. One Net. One Vision" it comes at an important time for the openness, security and singularity of the Internet, something which ICANN champions.

Increasingly, Internet issues have been taking a larger place in international fora, in the media and in political agendas. The third quarter of 2019 saw the continuation of this growing trend for an increased focus towards themes concerning the Internet and its implications for society.

The publication of the [UN High-Level Panel on Digital Cooperation](#)' report in June 2019 has brought Internet Governance issues to the forefront of many agendas. Since its publication, the report has been extensively discussed in several international fora, and in the technical community at large.

The IGF agenda is focused on three main topics defined by the MAG (cybersecurity, data governance and inclusion).

ICANN is hosting a pre-event on Day 0 (25th November) on [The Evolving Ecosystem](#), an Open Forum on Day 1 on [DNS, Threats and Opportunities](#), and a Workshop on Day 3 on Online Identity in the multilingual DNS. ICANN will be represented in Berlin by our CEO, Goran Marby, our Board Chairman, Maarten Botterman along with other Board, Organisation and Community members.

Ahead of the IGF ICANN has been involved in the Multistakeholder Advisory Group (MAG), as part of the representation from the Technical Community, and in intersessional work in the Dynamic Coalitions on IOT Security and the DNS (which is currently focussing on Universal Acceptance).

There are a lot of expectations resting on this IGF concerning the future of digital cooperation. Next year, the UN is also celebrating its 75th anniversary of its creation, and there are indications that the UN Secretary General will make an announcement at that time touching, inter-alia, on the future of the IGF.

5. Universal Acceptance and International Domain Names (IDNs)

ICANN, for nearly a decade now, has been working to promote domain names in different languages and scripts of the world, called Internationalized Domain Names (IDNs)[12]. It has already delegated over 150 IDN top-level domains (TLDs), of which over 50 are country code top-level domains (ccTLDs) for the different countries and territories in over 30 languages written in 19 different scripts.

Universal Acceptance is a foundational requirement for a truly multilingual Internet, one in which users around the world can navigate entirely in local languages. It is also the key to unlocking the potential of new generic top-level domains (gTLDs) to foster competition, consumer choice and innovation in the domain name industry. To achieve Universal Acceptance, Internet applications and systems must treat all TLDs in a consistent manner, including new gTLDs and IDNs. Specifically, they must accept, validate, store, process and display all domain names.

ICANN continues to promote universal acceptance of all domain names and email addresses equally, by supporting the Universal Acceptance Steering Group (UASG)[13] which is a community-based team working to share this vision for the Internet of the Future with those (ie coders) who construct this space. The group's primary objective, apart from promotion of the issues within the Internet Ecosystem, is to help software developers and website owners understand how to update their systems to keep pace with an evolving Domain Name System (DNS.

An article looking, inter-alia, at the extent to which the World's most used websites are accessible to a global audience is at https://uasg.tech/2019/10/are-the-worlds-top-websites-truly-accessible-for-global-audiences/

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[12] https://www.icann.org/resources/pages/idn-2012-02-25-en

[13] https://uasg.tech/

The work to promote the use of IDNs, and the work on Universal Acceptance is contributing to WSIS Action Line 8; namely cultural diversity and identity, linguistic diversity and local content.