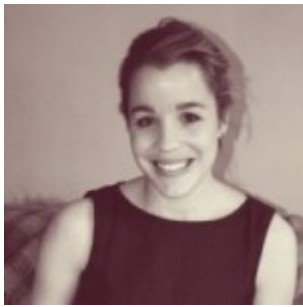


ICANN 52 and the road to WSIS+10



*ICANN held the first of its three annual open meetings in Singapore last week. LSE alumna and ICANN fellow **Anri van der Spuy** attended and encountered a reluctant yet growing willingness to start opening the debate to accommodate broader internet governance issues, besides an expected focus on the IANA stewardship transition.*

As one of the primary bodies tasked with the technical governance of the internet, the **Internet Corporation for Assigned Names and Numbers** (ICANN) is facing a tough year. Not only does it have to find a way to enhance its own accountability, but it also has to help facilitate the process of appointing a new steward for the Internet Assigned Numbers Authority (IANA) functions. Thus, while there is little surprise that ICANN's 52nd meeting in Singapore was to a large extent dominated by these twin challenges, the introduction of so-called 'broader' issues pertaining to ICANN's potential impact on human rights at the meeting was a welcome development.

Poster children for multistakeholder internet governance?

Although there is still plenty of time until 30 September, when the contract between ICANN and the US Department of Commerce (DoC)'s National Telecommunications and Information Administration (NTIA) for managing the IANA functions expires, there are already concerns that the multistakeholder community will be unable to reach an agreement that enjoys **broad community support**. In addition to enhancing ICANN's accountability, the transition also has to meet the **DoC's requirements**, which include the need to support and enhance the multistakeholder model; satisfy the needs of ICANN's customers; and maintain the openness, security, stability and resilience of the internet.

With deadline extensions possible, the concern lays not so much in the practicalities of missing the deadline as in the political message that any delay might convey. Larry Strickland, US Assistant Secretary of Commerce, warned at the Singapore meeting that the transition has become a 'demonstration project' of how the multistakeholder community responds to pertinent internet governance issues.

At a time when governments' appetites for online governance **appear** to be growing, this year will offer at least one opportunity for the IANA project to become the object of a show-and-tell. The ten-year **review** of the World Summit on the Information Society (WSIS+10) outcomes in December will not only decide the future remit of the Internet Governance Forum (IGF), but may also see a demand for clearer definitions of governments' roles in internet governance. The way in which the multistakeholder community handles the IANA transition and related accountability exercise may become convenient examples of everything that is right (and wrong) with the multistakeholder approach; thereby either justifying or negating the need for more government interference in internet governance.

Not my job?

No doubt weary of opening a cross-jurisdictional can of worms where broader issues related to governance on the internet are concerned, ICANN has often emphasized that its mandate only extends to technical internet governance. Yet **some have argued** that ICANN doesn't do enough to prevent illegal and nefarious activities from thriving online; while others are concerned about the risks of ICANN's mission creeping into other areas like, for example, the content policy arena.



At a joint **meeting** of the non-commercial stakeholders group with ICANN's board last week, for example, a concern was raised about ICANN staff's alleged cooperation with a law enforcement agency to police pornographic content online. In response ICANN's CEO, Fadi Chehadé, argued that the content arena is a 'dangerous' one for the corporation. 'We don't shut down websites,' he said. 'It's not my job.'

Whilst ICANN therefore claims no direct role in governance on the internet, its technical governance functions have broader implications that extend beyond the 'mere' technical, as domain names often contain both expressive and communicative elements (e.g. the domains .islam or .gay). (An example frequently mentioned at the Singapore meeting was .doctor, with questions being raised as to whether ICANN (or contracted registrars) has the responsibility of verifying the qualifications of every potential medical registrant.)

A **report** presented at the Singapore meeting by **Article 19**, a freedom of expression advocacy group, details ICANN's potential to interfere with and potentially infringe upon human rights online. It shows that ICANN's policies – particularly with regards to the introduction of new generic top-level domains (gTLDs) – have an inevitable impact on the accessibility of information online. ICANN is not only accountable for these and other policy choices in terms of its own **articles of incorporation**, but it also has to satisfy corporate responsibilities in terms of the United Nations' 2011 **Guiding Principles** on Business and Human Rights. Whilst Article 19 fails to delve into much detail as to the legal nature and extent of these duties, it does demand more cross-community debate on how ICANN can be held accountable for its human rights responsibilities.

At a **cross-community workshop** attended by diverse stakeholder groups at ICANN's Singapore meeting, the call for a more consistent evaluation and consideration of ICANN policies' potential impact on human rights was also reiterated and seemingly supported by a variety of stakeholders, including the Government Advisory Committee (GAC). Whether the demanded debate will form a part of the exercise of enhancing ICANN's accountability or will be the subject of a separate, dedicated cross-community working group remains to be seen.

Paving the way to WSIS+10

The call for a more explicit recognition of ICANN policies' impact on human rights arguably resonates with what appears to be a heightened awareness of the importance of online rights to the future of the internet, as is illustrated by the recent promulgation and/ or publication of Brazil's **Marco Civil da Internet**, the **African Declaration on Internet Rights and Freedoms** and the **Web We Want** initiative.

At a time when ICANN's volunteer community is already under substantial **pressure** as a result of the IANA transition, explicitly incorporating 'softer' human rights considerations in deliberations may serve to engage more ordinary users in technical internet governance issues that have broader implications. Such engagement and increased awareness efforts are arguably important for the legitimacy of the multistakeholder community in the months preceding WSIS+10, where broad and narrow internet governance issues may become increasingly intertwined.

This post gives the views of the author, and does not represent the position of the LSE Media Policy Project blog, nor of the London School of Economics and Political Science.

February 20th, 2015 | [Featured](#), [Guest Blog](#), [Internet Freedom](#), [Internet Governance](#) | [1 Comment](#)



