

Internet Governance BAROMETER (NOVEMBER 2015)

IG Barometer indicates the presence of specific IG issues in the public policy debate in comparison to the previous month. This month's barometer features updates from the 10th Internet Governance Forum (IGF) where more than 2000 participants discussed digital policy issues tracked by our barometer.

Global IG Architecture



WSIS+10 review process: Draft outcome document [\[link\]](#) being negotiated by member states during informal consultations. Negotiations showing convergence among governments, divergence between governments and other stakeholders.

Update from IGF 2015: [\[link\]](#) WSIS+10 and SDGs among main discussion themes. Agenda 2030 debates focused on Goal 9.c (to increase access to ICT and provide access to LDCs), emphasising that the technical infrastructure is important but not sufficient on its own; full affordability and accessibility requires a proper legal, economic, and social context.

On the future of IGF, the community embraced the output of intersessional work at IGF 2015, which may form the basis for recommendations, pushing the boundaries of IGF. [\[link\]](#) Decision on future of IGF expected at UNGA High-level Meeting in December.

Cybersecurity



G20 Antalya Summit: leaders agreed [\[link\]](#) to refrain from conducting ICT-enabled theft of intellectual property, including trade secrets; to respect and protect the principles of freedom from unlawful and arbitrary interference of privacy; and to bridge the digital divide. US-China [\[link\]](#) and UK-China [\[link\]](#) agreements on cyber-espionage now have broader support. Is this cyber international customary law in the making? UK and US governments enhance cooperation by conducting a joint exercise [\[link\]](#) with leading global financial firms to strengthen ability to respond effectively to a cyber-incident in the finance sector.

Update from IGF 2015: [\[link\]](#) Discussions on recurrent themes: the cost of cybercrime, cybersecurity strategies, and the need to rebuild trust. Arguments in favour of pervasive encryption aimed at protecting privacy were in contrast with arguments that strong encryption hinders investigations and poses a problem to gathering data and preventing crime and terrorism.

In response to the Paris attacks, US Information Technology Industry Council – representing industry leaders such as Google, Facebook, Twitter, and Yahoo! – called for stronger encryption as a way of increasing (rather than decreasing) public security. A similar view was shared at IGF 2015 [\[link\]](#) where civil society and two UN Special Rapporteurs for human rights argued that privacy and strong encryption protect freedom of expression and information.

IANA Transition



IANA Stewardship Transition Coordination Group (ICG) completed its work, [\[link\]](#) with the exception of one outstanding item related to accountability. The numbers and protocol parameters portions of the proposal [\[link\]](#) are ready for implementation.

Update from IGF 2015: [\[link\]](#) Two main discussions related to the transition. Regarding jurisdiction, it was agreed that the stability of the existing operation of ICANN in California should not be disturbed. Regarding ICANN's engagement process, ICANN was urged to put in more effort to ensure diversity, as process was said to be unrepresentative of community.

ICANN and New Domains



The search for the next ICANN CEO continues. [\[link\]](#) Over 100 candidates have expressed an interest in the post.

Safe Harbour ruling will impact European-based registrars who are concerned about extra cost; [\[link\]](#) they have asked ICANN to subsidise escrow providers in Europe to ensure level playing field for registrars globally.

Internet Governance BAROMETER (NOVEMBER 2015)

Online Privacy & Data Protection



European Parliament resolution: [EU response to revelations of mass surveillance 'highly inadequate'](#); calls on member states to drop charges against Edward Snowden.

Safe Harbour: In a communication, [European Commission describes alternative tools for transatlantic data transfers under Directive 95/46/EC](#), including standard contractual clauses (SCCs), binding corporate rules (BCRs), and derogations.

Full text [of Trans-Pacific Partnership agreement published](#). Main concerns related to copyright (extension of term), privacy (countries generally restricted from requiring companies to host personal data on local servers), and e-commerce (prioritisation of trade interests over privacy interests).

Update from IGF 2015: [New proposals emerged from discussions on dichotomy between privacy and security: privacy and freedom of expression could be protected in an integrated way, where encryption and transparency of policy play an important role; privacy needs international protection, as people need 'safeguards without borders' and 'remedies across borders'.](#)

Net Neutrality



Facebook's Internet.org criticised in India [and Brazil \(during IGF\)](#), [but plans under way to provide the service to more African countries in 2016](#). [Zuckerberg defends initiative: it is 'an open platform that any developer can build something for.'](#)

Update from IGF 2015: [Net neutrality and zero rating were this year's 'hot topics'. One of main questions: whether the provision of zero rating services in developing countries serves to empower such countries, or whether the services represent a 'walled garden' approach which conflicts with policies of social development.](#)

Jurisdiction



Facebook ordered by Belgian court [to stop tracking individuals who are not members of the network](#). Non-compliance will attract a hefty daily fine. Facebook expected to appeal.

Update from IGF 2015: [Jurisdiction was discussed in relation to several topics, including USA's jurisdiction over ICANN, data protection and privacy, the right to be forgotten, companies' terms of services, and cross-border requests for information.](#)

E-commerce



Biggest worry for business leaders? 'The "Uber syndrome" – where a competitor with a completely different business model enters your industry and flattens you'.

Update from IGF 2015: [Discussions linked to innovative economic dynamics, especially regarding intellectual property; short-term job losses; taxation and the need for balanced fiscal policies; and the unfolding interplay between cybersecurity, human rights, and Internet business.](#)