

Internet Governance BAROMETER (MAY 2018)

IG Barometer indicates the presence of specific IG issues in the public policy debate in comparison to the previous month

Global IG Architecture



same relevance

In a Statement on Cybersecurity Cooperation, [EU](#) leaders of the Association of Southeast Asian Nations (ASEAN) countries reaffirmed that international law applies to cyberspace, and acknowledged that state sovereignty and international norms and principles that flow from sovereignty apply to the conduct of states. The leaders tasked the relevant ministers from all ASEAN countries to identify a concrete list of voluntary practical norms of responsible state behaviour in cyberspace that ASEAN could adapt and implement, taking into consideration the 2015 report of the UN Group of Governmental Experts.

The Global Commission on the Stability of Cyberspace (GCSC) adopted a Call to Protect the Electoral Infrastructure. [EU](#) The Commissioners made progress on several additional norms that will include barring the insertion of vulnerabilities into essential cyberspace products and services; advocating that governments actively consider disclosing software and hardware vulnerabilities to vendors; and further defining the elements of the public core of the Internet.

Sustainable development



same relevance

At the meeting of the Broadband Commission for Sustainable Development, which took place in Kigali, Rwanda, [EU](#) the Under-Secretary-General and High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (UN-OHRLLS), issued a synthesis report on broadband for national development in four least developed countries (LDCs) – Cambodia, Rwanda, Senegal, and Vanuatu. The synthesis report raised concern that the demand for broadband and its productive use in LDCs has not matched the growing supply.

Security



same relevance

The UK government has implemented new rules to protect the nation's critical infrastructure and digital services from cyber-attacks and computer network failures, among other threats. [EU](#) Companies working in the fields of health, water, energy, transport, and digital infrastructure fields will be expected to have robust safeguards in place against cyber-threats. They will also have to report breaches and network outages to appropriate regulators directly within 72 hours.

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E-commerce and Internet economy



French president, Emmanuel Macron, held a meeting with over 50 key figures from the tech industry. During the meeting, he warned that the industry cannot just be 'free riding' without giving back to society and helping to improve 'social situations, inequalities, [and] climate change'. The issue of taxation was one of the key discussion topics.

Over 40 members states of the World Trade Organization (WTO) issued a joint statement expressing concern 'about increased trade tensions and related risks for the multilateral trading system and world trade.' The statement called on WTO members to refrain from adopting protectionism measures, and to resolve their differences through the multilateral system.

In a joint statement, the USA and China agreed to take effective measures to substantially reduce the US' trade deficit with China. The talks averted

planned Section 301 tariffs that Washington was preparing to levy on Beijing. Nevertheless, the decision does not affect a separate set of steel and aluminium tariffs that the US has imposed on most countries, including China. A common Vision Statement on the Australian–French relationship, issued after the French president's visit to Sydney, will pave the way for negotiations on an Australia–EU Free Trade Agreement.

The California Supreme Court outlined a series of requirements which companies – including those in the sharing economy – should meet in order to classify their workers as individual contractors instead of employees. Meanwhile, a federal appeals court ruled that a regulation passed in 2015 by the city of Seattle to allow Uber and Lyft drivers to unionise was not lawful. In Egypt, a new law regulating the provision of ride-sharing services was welcomed by the companies Uber and Careem.

Digital rights



The EU's General Data Protection Regulation (GDPR) came into effect on 25 May 2018, triggering an eleventh hour rush to update privacy policies and to bring e-marketing practices in line. The first legal cases immediately emerged. ICANN filed a legal action against Germany-based domain name registrar EPAG over the registrar's decision to stop collecting administrative and technical contact information when domain names are registered. Austrian privacy campaigner, Max Schrems, filed complaints against Facebook and Google, accusing them of coercing users into accepting their data collection policies.

Facebook's CEO, Mark Zuckerberg, testified before the European Parliament, drawing mixed reactions about the questions asked, and the CEO's replies. Meanwhile, according to Facebook UK's head of public policy, Zuckerberg 'has

no plans to meet with the [Digital, Culture, Media and Sports] committee [in the House of Lords] or travel to the UK at the present time' despite the committee's demand for the CEO to 'testify this month, or face summons'.

The Committee of Ministers of the Council of Europe adopted an Amending Protocol which updates its Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, also known as 'Convention 108'. The change requires personal data processing to apply the privacy-by-design principle and introduces safeguards for individuals concerned in an algorithmic decision-making context, such as the right to obtain knowledge of the logic underlying data processing and the right to object. The treaty opens for signature on 25 June 2018 in Strasbourg.

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Jurisdiction and legal issues



same relevance

In a continued effort to block the application Telegram, Russian authorities blocked more than 15.8 million IP addresses and some 50 services including VPNs and web anonymisers. This came after Telegram had been asked to provide its encryption keys to the Russian government in March, for security and anti-terrorism reasons, which it refused to do.

Following the ban in Russia, Iran has also banned Telegram after claiming that the app encourages armed uprisings. Mizan, the Iranian judiciary, blocked Telegram's license to operate in Iran, saying that the app was used for illegal activities. Twitter, Facebook, and YouTube have already been blocked.

Infrastructure



same relevance

Facebook and Qualcomm established a partnership to bring high-speed Internet connectivity to cities. The initiative is based on the Terragraph technology, introduced by Facebook in 2016, a 60 GHz wireless system meant to deliver fast Internet to urban areas.

The US Computer Emergency Response Team (US-CERT) issued a warning against a newly discovered malware targeting networking equipment. The malware VPNFilter has the potential of cutting Internet access for hundreds of thousands of users. It has already infected at least 500 000 devices in 54 countries, according to Cisco's Talos Intelligence Unit.

Net neutrality



increasing relevance

The US Senate has voted in favour of overturning the Federal Communications Commission's (FCC) decision to repeal net neutrality rules. In a 52–47 vote, the Senate approved a joint resolution providing for 'congressional disapproval' of the FCC's December 2017 order. To restore the old FCC rules (dating back to

2015), the resolution has to pass in the House of Representatives and to be signed into law by the US President.

Meanwhile, the FCC's Restoring Internet Freedom Order, repealing the 2015 net neutrality order, will take effect in June.

New technologies (IoT, AI, etc.)



increasing relevance

The French President has called on countries to agree on a common global structure for artificial intelligence (AI). The structure would not regulate, but coordinate the regulations and create a common thinking on AI.

The Toronto Declaration, released during RightsCon 2018, highlights the obligation of governments and tech companies to prevent machine learning systems from discriminating, and in some cases, violating, existing human rights law.

California-based self-driving car company Drive.ai has announced that it is operating fully driverless vehicles, without safety drivers in the driver seat, on public roads in the city of Frisco, Texas, USA. The cars are operating as part of a

test that the company is running in preparation for the launch of an autonomous ride-hailing service, planned for July 2018.

The European Commission has announced a set of measures to modernise Europe's transport system. Among them is a communication entitled, 'On the road to automated mobility: An EU strategy for mobility of the future', which outlines actions aimed at achieving the EU's ambition of becoming, 'a world leader in the deployment of connected and automated mobility'.

Uber has announced a decision to shut down its self-driving car programme in Arizona, USA, two months after an Uber autonomous car was involved in a fatal accident in the state.