Internet Governance BAROMETER (OCTOBER 2016)

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

Global IG architecture

Leaders of BRICS countries – Brazil, Russia, India, China, and South Africa – have emphasised the need to enhance international cooperation against terrorist and criminal misuse of ICTs. The Goa Declaration,⬈ adopted during the 8th BRICS Summit on 15–16 October, also recognised the 'leading role of states' in ensuring the stability and security in the use of ICTs, and reaffirmed that the Internet is a global resource.

Preparations for December's Internet Governance Forum (IGF) meeting are under way. The workshop schedule is now available.⬈

Sustainable development

During its annual debate, the Second Committee of the UN General Assembly (UNGA) called for efforts to bridge the digital divide between and within countries, rural and urban areas and genders. A side event organised by the UN Department for Economic and Social Affairs (UNDESA) highlighted the role of ICTs in achieving the 2030 Agenda and the potential of ICT policies and their 'analog complements', such as strengthening regulations and ensuring accountable institutions.⬈

Security

Two distributed denial of service (DDoS) attacks, utilising many Internet-enabled devices, rendered major websites inaccessible. More than a million devices were used in attacks on a US security researcher and French network service provider.⬈ The second attack was directed at systems operated by Domain Name System provider Dyn, which suffered three attacks in one day, and which affected Twitter, PayPal, Netflix, Airbnb, Amazon, CNN, and several online journals.⬈

India and Russia signed a bilateral cybersecurity agreement which will tackle cybercrime and combat cyber-terrorism.⬈ Canada and China have also started a series of negotiations for a possible bilateral agreement on cybersecurity, which is expected to tackle cyber-espionage, data theft, and state-sponsored attacks.⬈

The Group of Seven (G7) agreed to a set of cybersecurity guidelines for banks.⬈ The guidelines instruct governments to cooperate in continually monitoring and updating cybersecurity systems, both for the governments themselves and the companies they regulate. They also encourage banks and financial institutions to share information about their cybersecurity challenges.

Privacy and human rights

In the UK, the investigatory Powers Tribunal ruled that the fact that access to the datasets of private data had not been subject to sufficient supervision between 1998 and 2015, and that private data was collected from unwitting residents, violated the right to privacy under the European Convention on Human Rights.⬈

The Court of Justice of the EU ruled that the dynamic Internet protocol (IP) address of a website visitor constitutes personal data, if the website operator has the legal means of identifying the visitor with additional information held by the Internet access provider. The Court also ruled that a website operator may have a legitimate interest in storing certain personal data relating to visitors in order to protect itself against cyber-attacks.⬈

UN Special Rapporteur on the freedom of opinion and expression David Kaye presented his report on Promotion and protection of the right to freedom of opinion and expression to the UN General, in which he noted that 'there is no question that governments worldwide are wielding the tools of censorship'.⬈

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Infrastructure

Rapid developments are being made in the fields of Internet of Things and Artificial Intelligence; the recent cyberattacks utilising IoT devices has now brought security into sharper focus.

In the USA, the National Telecommunications and Information Administration (NTIA) launched an initiative that will ensure that security vulnerabilities in IoT devices are mitigated through patches and security upgrades. In the EU, the Commission is about to propose new IoT-security legislation to encourage companies to come up with a labelling system for Internet-connected devices that are approved and secure.

When it comes to AI, the US administration has outlined its strategy for promoting AI research and development, while the UK parliament has asked the government to take proactive measures.

Microsoft announced plans to open data centres in France, in 2017, to enhance the provision of cloud services across Europe. According to Microsoft, the continuous investment in regional cloud services is intended to respond to European businesses' needs to comply with data sovereignty and security regulations.

Net neutrality

Facebook is in talks with US government officials over the possible launch of the Free Basics service in the USA. The app would aim to connect low-income and rural US citizens. Several groups have asked the FCC to prohibit abusive data caps and zero-rating plans 'without delay'.

The Dutch parliament has adopted a revised net neutrality law, aimed at bringing the country's legislation in line with the relevant EU regulation adopted in 2015. Telecom operators, however, see the law as being too severe, and in conflict with EU rules.

E-commerce and Internet economy

The Lithuanian parliament has formally recognised ridesharing services such as Uber and Taxify. Estonia, Latvia, Finland, and Denmark are expected to follow suit.

Facebook has paid £4.2 million to the British tax authorities. The company ceased to route advertising sales through Ireland from 1 April, which will most likely lead to a large increase in tax payable to the UK authorities.

MasterCard will enable the verification of card holders by facial recognition. Users will be able to make payments without the need for PINs or passwords. This technology is available in 12 markets in Europe and is expected to expand in 2017.

Jurisdiction and legal issues

The US Department of Justice has petitioned the Court of Appeals for the Second Circuit in New York for the Microsoft case to be reheard. In July 2016, the District Court ruled that Microsoft cannot be ordered to provide authorities with the contents of a user's e-mails stored on servers outside the USA.

Google.fr and Wikipedia were inaccessible in France after being wrongly added to ISP Orange's terrorism blocking list.

Ecuador blocked Julian Assange's Internet access to prevent WikiLeaks interfering with the US elections. In Montenegro, the regulator blocked access to WhatsApp and Viber on election day, allegedly following users' complaints over 'unwanted communication'.

IANA transition

The IANA functions contract between ICANN and the US government expired last month, and the stewardship of the IANA functions transitioned to the global Internet community on 1 October. Meanwhile, the Attorney Generals of Arizona, Oklahoma, Texas, and Nevada – who had filed a last-minute suit to prevent the transition from going forward – filed a notice of voluntary dismissal, dropping their lawsuit against the US government.

Geneva Internet Platform

Presented during the Geneva Internet Platform briefing on 25 October. More: giplatform.org/briefings