



Internet Governance in **July & August 2016**

30 August 2016

Geneva Internet Platform

DiPLO

Main events in July & August

- 11-20 July: High-level Political Forum on Sustainable Development (New York)
- 12-14 (14-16) July: 2nd Open Consultations & MAG Meeting; IGF Retreat on advancing IGF's 10-year mandate (New York)
- 15-16 July: ASEM11 Summit (Ulaanbaatar)
- 17-22 July: UNCTAD 14 (Nairobi)
- 17-22 July: IETF 96 (Berlin)
- 27-29 July: LACIGF9 (San Jose)
- 27-29 July: APriGF 2016 (Taipei)
- 10-12 Aug: 12th Caribbean Internet Governance Forum (Belize City)
- 22-24 Aug: IDLELO7 (Kampala)
- 29 Aug-2 Sept: UN Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security (New York)
- 30 Aug-1 Sept: Africa Peering and Interconnection Forum

Visit <http://digitalwatch.giplatform.org/events> for details...

Internet Governance BAROMETER (JULY-AUGUST 2016)

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

Global IG architecture



The second Open Consultations and MAG meeting discussed preparations for IGF 2016; the IGF Retreat looked at ways of improving the overall preparatory process and intersessional activities.

The EU plans to make broadband Internet access a legal guarantee under proposed changes to universal services rules, while WIPO's Global Innovation Index calls for more inclusive governance mechanisms to help improve global innovation.

Sustainable development



The UN High-level Political Forum on Sustainable Development met for the first time since the adoption of the 2030 Agenda. The UN's *Global Sustainable Development Report* confirms that technology is essential for achieving the SDGs and for minimising trade-offs among goals; at the same time, it has also continuously added new challenges.

UNCTAD's new eTrade for All initiative aims to boost e-commerce in developing countries and facilitate progress towards SDGs. The ITU's report, *ICT Facts & Figures 2016*, shows that the digital divide is still very much a reality. GSMA's Mobile Connectivity Index, explores ways in which mobile can help achieve the goals, while a UN ECSCAP report signals an 'alarming disparity' in Internet access among countries in the Asia-Pacific region.

Security



Warsaw Summit: NATO recognised cyberspace as its fourth operational domain, in addition to air, land, and sea. Earlier, NATO passed a Cyber Defence Pledge, in which it plans 'to strengthen and enhance cyber defences of national networks and infrastructures, as a matter of priority'. The European Parliament adopted the Network and Information Security (NIS) Directive, requiring states to establish Computer Security Incident Response Teams (CSIRTs).

Hacking tools allegedly used by the NSA's hacking division have been revealed. The '0-days' vulnerabilities discovered by the tools were kept from the companies, raising concerns over global security. Bitfinex, one of the most popular cryptocurrency exchanges, was hacked in one of the largest breaches; \$78 million worth of bitcoin were stolen.

When it comes to terrorism, one report reveals a wide range of online tools used by terrorists. A US court ruling however, dismissed the claim that Twitter could be held legally responsible for 'material support' to terrorists. Twitter reported it had suspended 235,000 accounts over the past six months for promoting terrorism or violent threats.

Privacy and human rights



The European Commission approved the new EU-US Privacy Shield Framework, which will regulate the flow of EU citizens' data to the USA. In the aftermath of the attempted coup in Turkey, citizens continued to face interrupted access to the Internet. Turkey blocked access to the WikiLeaks website following the leak of emails from the President's political party.

In Brazil, a court ordered a freeze on Facebook's funds in a dispute on encrypted data forming part of a drug-related investigation. A judge also blocked WhatsApp for several hours until the company revealed encrypted messages pertaining to a criminal investigation.

An Amnesty International report revealed that Belarusian activists, who are subject to extensive government surveillance, rely on encryption as a 'last line of defence'.

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Infrastructure



Plans are under way to deploy 5,000 km of fibre-optic cables across five West African countries,^[2] while a consortium in Qatar has launched the construction of the Asia-Africa-Europe-1 25,000 km cable which will connect the three continents.^[2]

In the Netherlands, a nationwide LoRa network has been rolled out for Internet of Things applications,^[2] while key players in the European telecoms industry presented a 5G Manifesto to the European Commission,^[2] which pledges to launch fast 5G mobile network in all EU member states by 2020.

Net neutrality



The 5G Manifesto presented by European telecoms industry^[2] criticises the draft EU net neutrality rules presented by the EU body for regulators of electronic communications,^[2] as the guidelines could obstruct innovation and lead to significant uncertainties.

E-commerce and Internet economy



EU rules on electronic signatures, seals, timestamps, electronic delivery service, and website authentications, as well as electronic documents^[2] have started to apply in all EU countries.^[2]

UNCTAD's eTrade for All initiative^[2] will assist developing countries in several areas, including e-commerce assessments, ICT infrastructure, legal and regulatory frameworks, and skills development.

EU regulators have accused Google of blocking its competitors in online advertising. The European Commission has previously charged Google with two other cases in which it would hinder competition.^[2]

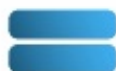
Uber has abandoned its China strategy, selling out to local competing app Didi, in return for a stake in the company.^[2]

Jurisdiction



A US appeals court ruled^[2] that the government cannot use a search warrant to force Microsoft to turn over the email communications of a criminal suspect in a drug case, which were stored at Microsoft's data centre in Dublin. A search warrant, therefore, cannot be applied internationally.

IANA transition



ICANN submitted^[2] the IANA stewardship transition implementation plan^[2] to the US government, confirming that remaining tasks in support of the transition will be completed before 30 September. The existing contract will be allowed to expire, NTIA has confirmed.^[2]

The Post Transition IANA entity that will start performing the IANA functions was legally incorporated under the name Public Technical Identifiers (PTI). Meanwhile, two new committees – the Customer Standing Committee^[2] and the Root Zone Evolution Review Committee^[2] – required for the completion of the transition, were formed.^[2]



Top 5 trends in digital policy July & August

1. Cyber as fourth military domain



- NATO declared cyberspace to be fourth military operation domain, in addition to land, water and air
- Decision triggered by growing level of cyber conflicts across national borders
- Cybersecurity expected to gain more prominence on global diplomatic agendas
- What is cyberspace? Dichotomy between 'real' and 'cyber'
- Dichotomy vivid in new AR phenomenon, Pokémon Go



NORTH ATLANTIC TREATY ORGANIZATION

2. State responsibility in cyberspace



- UN GGE meeting on 28 Aug-2 Sept to discuss new challenges in cyberspace, including state responsibility
- Can and should governments be responsible for cyberattacks in their jurisdiction? Do they have the means to ensure that ‘their’ cyberspace is properly used?

2013: *Whether* international law applies to cyberspace

2016: *How* international law applies to cyberspace



Follow the UN GGE process:

<http://dw.giplatform.org/processes/ungge>

3. Digital policy & the development agenda



Jan 2016: World Bank report indicated that availability of the Internet is not sufficient to reap dividends. Efforts must be supplemented by analogue complements

July 2016:

- UN High-Level Forum on Sustainable Development considered the progress one year on
- UN's *Global Sustainable Development Report*: technology is essential for achieving SDGs and minimising trade-offs; it is also continuously adding new challenges
- UNCTAD launched new eTrade for All initiative to boost e-commerce in developing countries



4. E-commerce gaining momentum



World Bank's report set the stage for initiatives linking e-commerce, trade, and development:

- UNCTAD's eTrade for All initiative
- World Trade Organization's collaboration with Silicon Valley players
- ITU's report, ICT Facts & Figures 2016
- WIPO's Global Innovation Index
- Other UNCTAD and WTO events

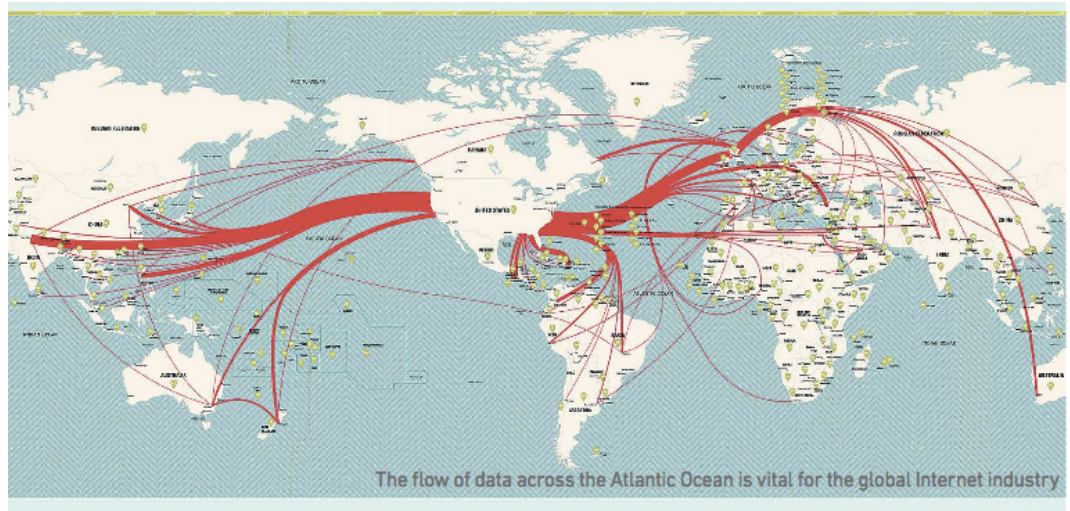


The GIP will host a discussion on SDGs and e-trade during the WTO Forum (29 Sept)

5. Privacy Shield: the Atlantic data highway



- EU-US Privacy Shield framework approved
- It will facilitate data flow between two different privacy protection regimes
- Privacy Shield is in response to the CJEU's invalidation of Safe Harbour
- Transatlantic data flows will remain high on policy agendas since flow cross Atlantic Ocean is vital for global Internet industry



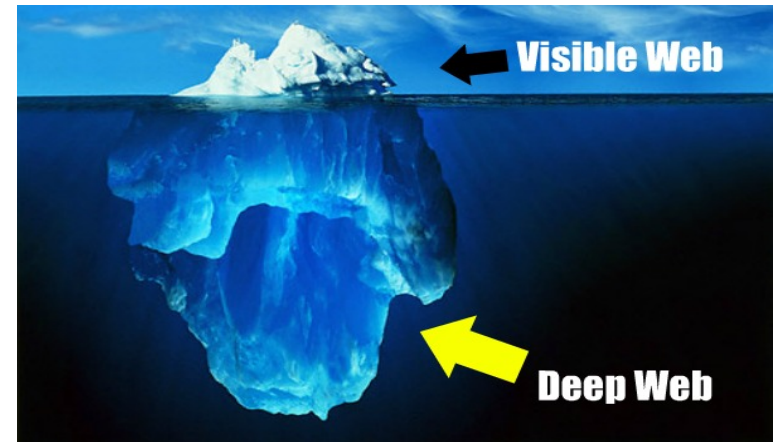
Credit: www.telegeography.com

Other trends...



Internet at the centre of terrorist threats

Investigations following Nice and Munich attacks pointed towards different ways in which the Internet was used by terrorists; Munich attacker bought his weapon from Darknet



Jurisdiction and access to data

Landmark judgement: US appeals court ruled that authorities could not use search warrant to force Microsoft to turn over users' data stored in Ireland



Main events in September

1-2 Sept: Bern Symposium on Global Cybersecurity Awareness Messaging (Bern)

5-8 Sept: Global ICT Capacity Building Symposium (Nairobi)

7-8 Sept: TLDCON 2016 (Tbilisi)

9 Sept: Internet Freedom: a constant factor of democratic security in Europe (Strasbourg)

13-30 Sept: Human Rights Council - 33rd session (Geneva)

21 Sept: InterCommunity 2016 (online & across cities)

26-27 Sept: European Cybersecurity Forum (Krakow)

27-29 Sept: WTO Public Forum

28-30 Sept: CyFy: The India Conference on Cyber Security and Internet Governance (New Delhi)

28 Sept-5 Oct: APNIC 42 (Colombo)

30 Sept-2 Oct: IGMENA Summit 2016 (Tunis)

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From the Geneva Internet Platform & DiploFoundation

Read the latest *Geneva Digital Watch* newsletter:
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Upcoming...

- 15 Sept: [Webinar] Pokémon Politics: Digital Policy in the Age of Augmented Reality
- 29 Sept: Inclusive Digital Trade and Sustainable Development: Exploring Creative Solutions and Ways Forward (WTO Forum)
- 27 Sept: [Briefing] Internet governance in September 2016



Local hubs & regional perspectives

Next steps...

**Time for your
questions &
suggestions**