

Geneva Internet Platform

Digital Watch
NEWSLETTER

You receive hundreds of pieces of
information on digital policy.

We receive them, too.

We decode, contextualise, and analyse them.

Then we summarise them for you.

DIGITAL POLICY TRENDS IN SEPTEMBER

New events and developments gave rise to different dynamics this month. While some of the trends reflect debates and tensions that have been in focus for months, other low-key areas gained sharper attention in September.

1. IANA TRANSITION GOES AHEAD

September represented the final mile for the IANA stewardship transition process, as the contract between the US government and ICANN expired at the end of the month.

The termination of this relationship has long been coming. One of the milestones was the 2009 Affirmation of Commitments between ICANN and the Department of Commerce which paved the way for a more independent organisation. In March 2014, the National Telecommunications and Information Administration (NTIA) announced its intention to transition its oversight of the IANA functions to the Internet governance (IG) community, solidifying the US government's support for the multistakeholder model. The announcement triggered a complex process in which the community worked hard to develop a proposal that would meet the US government's intentions. The NTIA gave its nod of approval in August.

A last-minute development risked delaying the transition after four states' US attorneys general filed an injunction; in a hearing on 30 September, a Texas judge denied the motion, paving the way for the transition to take place.

Technically, the US government could also have extended the contract for another year. But, as the government explained, delaying the transition would have seriously undermined its credibility in the eyes of the Internet governance community, including those of other governments. The transition will now put an end to years of debate over the US government's historical oversight of the IANA functions. [More on page 7](#)

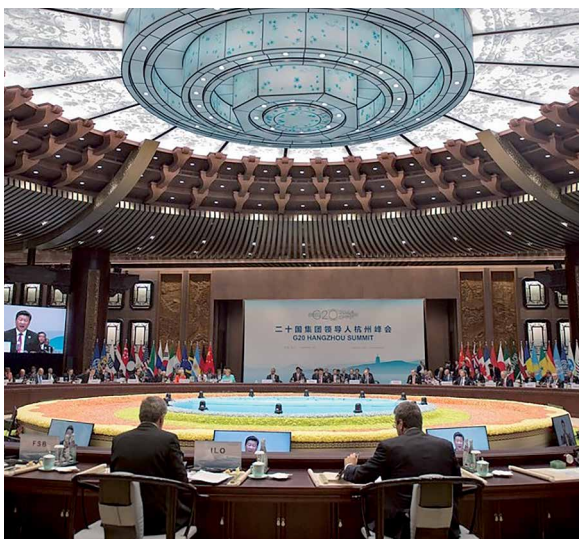
2. E-COMMERCE, TRADE, AND INNOVATION

E-commerce remained in focus throughout September, picking up momentum from recent developments such as UNCTAD's new eTrade for All initiative. The focus continues to link e-commerce with development aspects, including reaching the sustainable development goals (SDGs) and reducing the digital divide in developing countries.

[Continued on page 3](#)

G20 LEADERS ADOPT BLUEPRINT

At their annual summit, G20 leaders adopted the Blueprint on Innovative Growth, emphasising the role of the digital economy and the new industrial revolution. More details and other updates are available on the Observatory on pages 4-5.



Credit: AFP / Nicolas Asfour

IN THIS ISSUE

COMMENTARY



This issue looks at the top 5 trends in digital policy in September, which include taxation, e-commerce, and the issue of extremist content.

[More on pages 1 and 3](#)

WTO PUBLIC FORUM



Discussions looked at how new technologies have transformed commerce and given a boost to trade growth.

[More on pages 2, 6](#)

IANA TRANSITION



In the lead-up to the expiration of the contract, supporters and opposers intensively advocated their positions.

[More on page 7](#)

CROSSWORD



Have you followed this month's developments closely? Test your knowledge with this issue's crossword.

[More on page 8](#)

Internet for All High-Level Roundtable

The World Economic Forum organised a High-Level Roundtable on Internet for All in Geneva on 30-31 August. [The roundtable](#) brought together more than 60 experts, officials and business representatives to discuss how to better coordinate Internet initiatives for development. The event resulted in the setting up of a Network for Digital Development involving governments, international organisations, NGOs, and the private sector. The network will coordinate collaboration in the following areas: training in basic digital skills, investment for connectivity, SDG impact frameworks, mapping gaps in digital infrastructure, data and development, gender and digital divide, local language content, best practices on affordability, and access to justice.

Release of The State of Broadband 2016

The Broadband Commission for Sustainable Development [released](#) the annual *The State of the Broadband* report, during an event held on 15 September, in Geneva. The report looks at the progress made towards the achievement of the Commission's global targets, and provides an overview of the current state of the telecommunication and information and communications technology industry, with regard to broadband deployment, affordability, and usage. According to the report, 53% of the world's population will still be offline at the end of 2016, with China, India, Indonesia, Pakistan, Bangladesh, and Nigeria accounting for 55% of all unconnected people. In terms of broadband deployment, it is estimated that 165 countries have deployed 4G mobile broadband networks, and that there will be 884 million fixed broadband subscriptions by end 2016 (an 8% increase compared to the previous year).

Diplomatic Staff Briefing on Internet Governance and Digital Policy

A briefing on Internet governance and digital policy for newly accredited diplomats was organised by the Geneva Internet Platform on 20 September. [The briefing](#) provided an overview of the main Internet-related issues discussed in Geneva; outlined the relevant upcoming events; and introduced key resources for discussing digital policy, including the *GIP Digital Watch* observatory and related just-in-time reporting projects. A similar briefing for Geneva-based Ambassadors was held on 7 September. [A summary of the main themes is on page 7.](#)

Bridging the Digital Divide: Promoting Entrepreneurship and Overcoming Obstacles to Digital Growth

A round-table discussion on bridging the digital divide was organised on 26 September, by the Graduate Institute of International and Development Studies, in partnership with the UK Mission to the United Nations in Geneva and the Permanent Mission of Israel to the United Nations in Geneva. [Discussions](#) revolved around aspects related to digital trade and e-commerce, and the challenges both developed and developing countries face when it comes to digital growth (such as inadequate regulation, lack of competition, different legislative frameworks at a global level, difficulties in making use of online and mobile payment services, etc.). Existing good practices and possible solutions for overcoming such challenges were highlighted, with a focus on: promoting entrepreneurship, supporting e-commerce readiness among low-income countries, and maximising digital growth at a global level.

WTO Public Forum 2016

Held under the theme 'Inclusive Trade', the 2016 World Trade Organization Public Forum, which took place on 27-29 September, [addressed](#) e-commerce and the impact of new technologies on achieving more inclusive global trade. SDGs, narrowing the digital divide, barriers to development, and the empowerment of women were also discussed in the context of inclusive trade. *The Geneva Internet Platform provided reports from sessions related to digital policy; visit the dedicated page.* [A summary of the main themes is on page 7.](#)

Inclusive Digital Trade and Sustainable Development: Exploring Creative Solutions and Ways Forward

As part of the World Public Forum 2016, the Geneva Internet Platform held a session on Inclusive Digital Trade and Sustainable Development: Exploring Creative Solutions and Ways Forward. [The session](#) looked at concrete actions for achieving inclusive digital trade. Digital opportunities providers, such as connectivity providers, can help achieve the SDGs. These enabling platforms make it cheaper, faster, and easier to launch a service, and thereby provide an element of inclusion that can feed into the SDGs. At the same time, although connectivity is rising, legal frameworks are lagging behind. Although international e-commerce rules were not yet a priority for some countries, it was suggested that an effort should still be made to move towards a regulatory framework.

UN CSTD Working Group on Enhanced Cooperation 2.0

The 2.0 iteration of the UN Commission on Science and Technology for Development (CSTD) Working Group on Enhanced Cooperation (WGEC) started off with a meeting on 30 September to outline the plan of activities and the next steps. [WGEC](#) addresses 'enhanced cooperation', one of the more ambiguous components from the World Summit on the Information Society. Some actors - mainly from developed countries - argue that enhanced cooperation refers mainly to improving existing bodies dealing with digital policy, including non-governmental organisations. Other actors - mainly from developing countries - relate enhanced cooperation to the establishment of a new international body as a place where governments will address Internet-related issues. The 2.0 iteration of the UN CSTD WGEC may overcome this ambiguity in the new digital policy landscape shaped by the latest technological and policy developments. The working group is expected to complete its work by May 2018.

Continued from page 1

Discussions at the World Trade Organization's Public Forum followed a similar vein. Several sessions tackled digital trade, regulatory issues, and the growth in small and medium-sized enterprises (SMEs), while other sessions explored ways in which the digital divide can be narrowed to further boost e-commerce and inclusive trade. *Turn to page 7 for a round-up of the discussions, and read the session reports on the GIP Digital Watch observatory.*

More events scheduled for the fourth quarter of the year promise to keep e-commerce and related economic and development issues in focus. *Consult the calendar of digital policy events on the GIP Digital Watch observatory.*

3. TAXATION: SWEETHEART DEALS AND UNPAID TAXES

The European Commission's ruling, which ordered Apple to pay Ireland €13 billion in taxes over unlawful state aid, brought taxation issues to the forefront once again. The US Treasury warned Europe that the ruling will have a 'chilling effect' on trade. To a certain (yet unknown) extent, it will also have 'a harmful effect on investment and job creation in Europe' (in Apple CEO Tim Cook's words).

What does the issue boil down to? For US multinationals, it is a question of where taxes should be paid. Apple believes it should pay its taxes in California, where most of its research and development takes place. For the EU Commission, however, it is a matter of unfair competition, rather than a tax issue. 'Our rules don't stop governments applying a low tax rate to every company', EU competition commissioner Margrethe Vestager states. 'What they can't do is to select just a few favoured businesses and give them special treatment which their rivals can't get.'

What caught everyone's attention in the Apple ruling was the hefty fine, rather than the ruling itself, which was not a first for Commissioner Vestager. (Last year, for example, Starbucks was ordered to pay \$35 million in back taxes to the Netherlands.) And it's not just taxes; Google, for example, is now all too familiar with anti-trust probes in the EU.

It's also not limited to Europe. The Indonesian government is also investigating Google, accusing it of allocating too low a percentage of advertising revenue to be taxed in Indonesia, resulting in unpaid taxes from its advertising revenue. It will again be a matter of where the multinational should be taxed, which will depend on the volume of services or revenue linked to that country.

4. NET NEUTRALITY AND THE BEREC GUIDELINES

The EU's legislation on net neutrality, adopted in November 2015 (Regulation 2015/2120), set out strong rules that impose upon ISPs the obligation to treat all traffic equally, barring a few excep-

tions. The regulations, however, left unanswered questions as to how the rules would be implemented.

The guidelines adopted by the Body of European Regulators for Electronic Communications (BEREC) aim to answer those questions and offer guidance to the regulators. For example, exceptions to blocking or slowing down traffic are limited to only three instances: traffic management to comply with a legal order, to ensure network integrity and security, and to manage congestion.

However, the guidelines are just that – guidelines. They merely provide guidance on the interpretation of the law. The application of the regulation will be in the hands of the national regulators. It remains to be seen how the rules will be applied to individual cases at national level. *Join our webinar on BEREC's guidelines and beyond, on 6 October.*

5. TACKLING EXTREMIST MATERIAL ONLINE

The need to tackle extremist content has become a recurrent theme in international politics. Since most of extremist and terrorist content is distributed online, this is also a cause for concern for Internet companies. Are the efforts of governments and companies producing results?

According to UK Home Secretary Amber Rudd, extremist material is spreading online at such a fast rate that UK security services are unable to keep up. The new minister believes that Internet companies such as Google, Facebook, and Twitter are not doing enough to stop terrorist propaganda, and called for an industry standards board that can take action much more quickly.

Rudd's comments echo a UK Home Affairs Committee report published last month that did not mince its words: 'Social media companies are consciously failing to combat the use of their sites to promote terrorism and killings. Networks like Facebook, Twitter and YouTube are the vehicle of choice in spreading propaganda and they have become the recruiting platforms for terrorism... There must be a zero tolerance approach to online extremism.'

If extremist content is outdoing efforts to remove it from the Internet, what if an online search for terrorist propaganda could redirect the user to anti-ISIS content instead? Google's tech incubator, Jigsaw, has been experimenting with YouTube videos by altering search engine algorithms. While this does not replace the need for a zero-tolerance approach towards such content, the Redirect Method – which launches a new phase next month – has so far proven effective, and serves as an encouragement for the industry to develop innovative ways to tackle the spread of extremist propaganda.

Turn to pages 4–5 for more digital policy developments in September.



DEVELOPMENTS IN SEPTEMBER

Global IG Architecture



same relevance

At their annual summit, G20 leaders adopted the Blueprint on Innovative Growth, [emphasising](#) the role of the digital economy and the new industrial revolution. The leaders, who met in Hangzhou, China, committed to a series of policies and actions, including bridging the digital divide; leveraging opportunities brought by emerging technologies; and improving training and skills for science, technology, and innovation. [Read our analysis.](#)

China and India are now the world's largest Internet markets, according to new country-by-country data released by the UN Broadband Commission. [The State of the Broadband 2016](#) also reveals that 55% of the total population still offline is from just six nations.

Delegations from 46 countries and high-level decision-makers met in New Delhi for the India Conference on Cybersecurity and Internet Governance (28-30 September) [to discuss](#) the emergence of cyber-norms and the role of Asia in the digital governance process.

Sustainable development



same relevance

Sustainable development goals cannot be achieved without affordable and universal access to ICTs and broadband connectivity, members of the Broadband Commission said during their annual meeting. [The Commission addressed two issues:](#) how broadband can support the equitable provision of health and education in all countries, and how the investment levels required for the rollout of global broadband infrastructure that connects everyone, everywhere, can be achieved.

The fifth UN Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security (UN GGE) [met](#) in New York; the next meeting is in November, in Geneva.

The USA is investigating whether recent hacks of the Democratic National Committee are part of a covert Russian operation to influence the upcoming US elections. [The US Democratic presidential candidate, Hillary Clinton, confirmed concerns](#) that Russia could be interfering with the US electoral process.

Security



same relevance

On the sidelines of the G20 meeting in China, the US President warned of the cyber-arms race by the countries that have significant cyber capacity, which could turn cyberspace into a 'wild Wild West'.

Officials from Nordic and Baltic states and the USA gathered for joint cyber-consultations [in which they agreed](#) that states have the responsibility to promote cybersecurity and human rights online, and affirmed that no state should conduct or knowingly support industrial cyber-espionage. They also endorsed the reports of the UN GGE.

Associated Press, Vice Media, and the USA Today have sued the FBI asking for details about how it gained access to the San Bernardino iPhone. [The plaintiffs want the FBI to disclose](#) the identity of the vendor providing the exploit, as well as the amount the Bureau paid for it.

Privacy and other human rights



same relevance

The theft of massive amounts of user account information from Yahoo! is believed to have been performed by a state-sponsored actor. [More than 500 million users were affected.](#)

The European Commission announced plans to present an initiative aimed at reducing restrictions imposed by EU member states on data storage and localisation. [According to Vice-President Andrus Ansip,](#) most of these restrictions have nothing to do with protecting privacy, but rather lead to fragmentation.

Infrastructure



increasing relevance

The European Commission is proposing an ambitious overhaul of EU telecoms rules. President Jean-Claude Juncker announced a WiFi4EU programme, [5G Action Plan,](#) and Electronic Communications Code (which will introduce, among others, new legal obligations for over-the-top service providers), [during the annual State of the Union 2016 address.](#)

Major Chinese telecom companies are assessing opportunities to enter the ASEAN (Association of South-east Asian Nations) market, where the Internet penetration rate is low. [This could be part of China's One Belt One Road initiative,](#) a \$40 billion initiative launched in 2014 to recreate the legendary Silk Road.

In the USA, AT&T revealed plans to deliver low-cost, high-speed Internet access using power lines. [Project AirGig will install plastic antennae,](#) which deliver data signals, on already existing power lines, creating an electromagnetic field to guide the signals across the wires.

The US Department of Transportation issued a Federal Automated Vehicles Policy, [which provides guidelines](#) for the development and testing of self-driving cars prior to commercial sale or operation on public roads. The Department of Justice formed a threat analysis team tasked with studying potential national security challenges posed by Internet-connected devices such as self-driving cars and medical devices.

In a bid to educate users about the risks of unencrypted websites, Google's Chrome browser will start labelling HTTP connections as 'not secure' as of January 2017.

Net neutrality



increasing relevance

The new EU guidelines on the implementation of net neutrality rules, issued by the Body of European Regulators for Electronic Communications (BEREC), are welcomed by net neutrality advocates. *Join our webinar on the BEREC guidelines, on 6 October.*

E-commerce and Internet economy



increasing relevance

The European Commission's ruling which ordered Apple to pay Ireland up to €13 billion in taxes over unlawful state aid, has sent shockwaves through the technology market, as debates continued this month. Both Apple and Ireland are expected to appeal.

The Indonesian government is also expected to launch an investigation into Google, accusing it of owing unpaid taxes from its advertising revenue to the Indonesian state. There may be more than \$400 million in unpaid taxes in 2015 alone.

E-commerce was discussed extensively during the 2016 WTO Public Forum. *More on page 2, 6.*

Jurisdiction



same relevance

The Electronic Frontier Foundation argues that law enforcement authorities (LEA) are increasingly misusing and misunderstanding IP addresses as electronic evidence to investigate crimes, and offer suggestions on using addresses responsibly.

The European Commission has published a set of proposals to modernise copyright rules. The rules may have an impact on the way online services, such as video-on-demand and news aggregators, handle copyrighted material.

The Court of Justice of the European Union (CJEU) has ruled that a business offering free Wi-Fi to customers cannot be held liable for copyright infringements by users, following an earlier advice issued by the Advocate General. In a separate case, the CJEU ruled that operators of websites linking to materials that infringe copyright can be found guilty of infringement if they knew or could have reasonably known that the material constituted an infringement.

IANA Transition

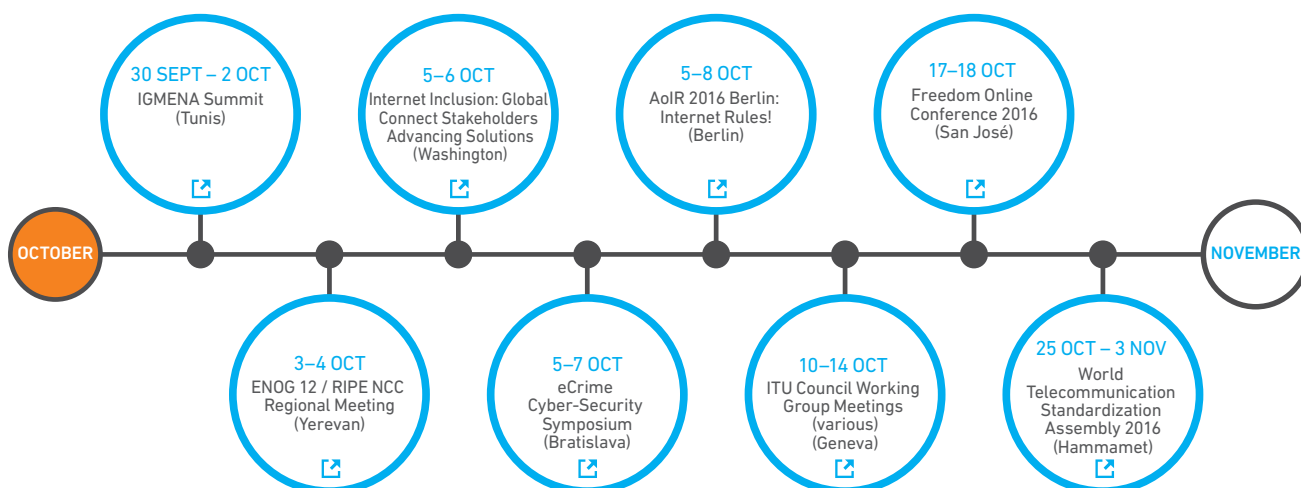


increasing relevance

In the lead-up to the expiration of the IANA functions contract, organisations including the Internet Society and the Internet Architecture Board, and tech companies including Google, Yahoo!, Amazon, and Facebook urged the US Congress to support the transition. US Presidential candidate Donald Trump opposed it.

Two days before the expiration of the contract, a court case was filed by attorneys general in four US states, asking for the transition to be put on hold. On 30 September, their motion was denied by a Texas judge, allowing the transition to go forward. *More on page 7.*

AHEAD IN OCTOBER



For more information on upcoming events, visit <http://dw.giplatform.org/events>

DIGITAL TRADE AND E-COMMERCE AT 2016 WTO PUBLIC FORUM

The 2016 World Trade Organization (WTO) Public Forum dominated this month's discussions on e-commerce and trade. The forum linked the theme of inclusive trade with realising the sustainable development goals (SDGs), narrowing the digital divide, overcoming barriers to development, and resolving other issues related to digital trade.

A call for inclusiveness: Placing businesses on an equal footing

Inclusiveness in the context of the global digital trade was a recurrent theme. E-commerce and the digital trade (which were used interchangeably during the forum) should place companies, small and medium-sized enterprises (SMEs), and micro businesses from both developed and developing countries on an equal footing, or at least, as equal as possible. For this to happen, a number of barriers need to be overcome: businesses need to have access to infrastructure, technologies, and distribution channels; they also need to operate in a clear and appropriate regulatory environment.

The development of an enabling environment was described as essential. It should include clearer, more predictable, and, to some extent, more liberal regulatory frameworks (in areas such as consumer protection, privacy and data protection, intellectual property rights, and taxation), as well as policies aimed at supporting the engagement of SMEs in e-commerce activities.

A call was made for countries to avoid protectionism and regulations focused exclusively on national perspectives, as these could lead to a fragmentation of the global digital economy. Concerns were expressed regarding impediments to the free flow of data across borders, and the negative consequences that data localisation policies could have for the global digital trade.

Promoting e-commerce and digital trade

International regulations need to be more coherent and facilitate an open and competitive environment, given that national borders are fading in the digital economy. The WTO could have a role to play, by more strongly incorporating e-commerce and the overall digital economy in its agenda. Suggestions were made for the WTO to consider working on a comprehensive package of measures that would enhance competitiveness and capacity for e-commerce, facilitate digital trade, and enhance trust and confidence among suppliers and consumers.

Trade policies are an important element for developing digital trade. They should be multi-layered, reflecting the specificities of national and global levels. More effective trade policy-making will require additional evidence, information, and capacity building.

Digital trade and sustainable development: bridging the gap between opportunity and reality

Many developing countries face a dichotomy between the opportunities of digital revolution and the realities of numerous challenges and barriers for digital growth.

Such challenges include poor infrastructure and logistics, lack of or unreliable online payment mechanisms, cumbersome customs procedures, issues related to trade licensing and other regulatory aspects, and lack of digital skills.

Digital trade relates to a large number of SDGs, and while many efforts are being made towards their attainment, it was argued that governments should take responsibility for their implementation. Cooperation among stakeholders and policy coherence, were also mentioned as prerequisites for achieving the SDGs. Other suggestions to overcome these

challenges included encouraging public-private partnerships to invest in ICTs, developing the trade capacity of LDCs, and promoting enabling platforms. In this context, several speakers also lauded UNCTAD's efforts and the eTrade for All initiative, launched in July, which promises to unlock the potential of e-commerce for developing countries.

Some of the SDGs were highlighted in further detail. For example, one session addressed the need to further support and encourage the inclusion of women in the fields of science, innovation, and technology across public institutions, private companies, and technical bodies. The inclusion of women can be best stimulated by focusing on outreach, sharing best practices, and working on the idea of having quotas.

Privacy and information in the age of digital trade

The connections between digital trade, privacy, and the free flow of information were emphasised in many sessions. One way to contribute to a more inclusive digital economy is to ensure that individuals can fully enjoy the benefits of a free flow of information, with appropriate provisions for privacy rights.

The success of e-commerce is very much dependent of the trust and confidence that consumers have in online transactions. Ensuring that consumers' personal data are adequately protected when purchasing online is a key aspect. However, the need to comply with often inconsistent legislative approaches towards data protection represents a challenge for companies. One way to address it could be the adoption of a global framework for the protection of privacy and data protection.

The need to integrate human rights-related provisions in trade agreements was also addressed. While the value of such provisions was generally recognised, it was also emphasised that trade agreements alone cannot tackle the issue of human rights protection, as this is still very much dependent on national policies and regulations.

The Geneva Internet Platform provided reports from the sessions related to digital policy; visit the dedicated page.



In this year's WTO Public Forum, discussions linked the theme of inclusive trade with several digital policy areas. The Geneva Internet Platform reported from sessions related to digital policy. Credit: WTO/Studio Casagrande

THE IANA STEWARDSHIP TRANSITION: MAIN ARGUMENTS AND LATEST DEVELOPMENTS

In September, the attention of the global Internet community was very much focused on the IANA stewardship transition. In the lead-up to the expiration of the IANA functions contract between the US government (USG) and ICANN on 30 September, supporters and opposers of the USG relinquishing its stewardship role intensively advocated their positions. We summarise some of the arguments raised in favour of the transition, and the latest developments.

In the past few weeks, there were concerns that the US Congress might stop the transition by extending the current prohibition for the USG to use appropriated funds to cease its oversight over the IANA functions. Towards the end of the month, it became clear that this would not happen. But two days before the expiration of the contract, attorneys general in Arizona, Texas, Oklahoma, and Nevada filed a lawsuit asking a federal district court to freeze the transition.

The plaintiffs asked for a temporary restraining order preventing the contract to expire on the set date, as well as for a permanent injunction requiring the USG to 'refrain from taking steps to cede federal stewardship of the Internet unless pursuant to Congressional approval'. Two of the arguments invoked in the complaint are along the lines of those previously raised by opposers of the transition: that terminating the USG's authority to validate changes to Domain Name System (DNS) root zone poses a risk to freedom of speech online, and that the IANA functions contract involves USG property, which can only be disposed of with Congress approval.

Following a court hearing held on the very last of the contract - 30 September - a Texas judge denied the motion for a temporary restraining order, thus allowing the transition to go forward.

Several arguments in favour and against the transition were brought forward. Here are some of them:

- **Risks to Internet freedom.** Some have viewed the contract between ICANN and the US government (USG) as a tool the USG can use to protect freedom of speech on the Internet. On its expiration, Internet freedom could be at risk: ICANN could be captured by authoritarian governments, who could use the organisation to expand their content control and censorship policies globally. Critics of this view underlined that the contract was too limited in scope to be a tool for protecting Internet freedom. Freedom of expression is related to Internet content, and this is outside the scope of ICANN's mission.

- **More power for 'foreign governments' within ICANN.** In some views, the transition decreases the USG's power within ICANN, and increases the power of 'foreign governments'. The USG admitted that it would have equal powers with other government members of ICANN's Governmental Advisory Committee (GAC), but it explained that any GAC advice to which the ICANN Board would need to give special consideration has to be consensual (therefore requiring USG agreement). Moreover, there is no overall risk of governments capturing ICANN: governments have an advisory role, they cannot sit on the ICANN Board, and, in the new accountability mechanisms, their power is similar to that of other ICANN bodies.

- **Sending a wrong signal to the global community.** The privatisation of the IANA functions is a process the USG committed to as early as 1997. The transition proposal has been elaborated by the larger community, and it has broad support. If the government backed down on its commitment, it would lose credibility as a supporter of the multistakeholder model of Internet governance.

- **Risks to the multistakeholder model of Internet governance.** The USG's stewardship over the IANA functions has

been used as an argument by many governments to advocate for the Internet to be governed in an intergovernmental set-up (the United Nations, the International Telecommunication Union, etc.). Had the USG blocked the transition before the expiration of the contract, this would have given such governments more arguments to push for an intergovernmental model of Internet governance.

- **Risks of Internet fragmentation.** There is the possibility that parts of the community could move towards a system that would compete with the current DNS managed by ICANN. Alternative roots already exist, but they are not much used nowadays; this might change if the community is not satisfied with how the current model works, especially if the transition failed to happen.

- **USG property implications of the transition.** A question was raised as to whether the transition would result in the transfer of any kind of US government property without the legal authorisation by Congress, as required by the US Constitution. The US Government Accountability Office said that 'it is unlikely that either the domain name system or the authoritative root zone file [...] is US government property.' However, this opinion was seen by some as being vague, and, as such, as another reason for postponing the transition.

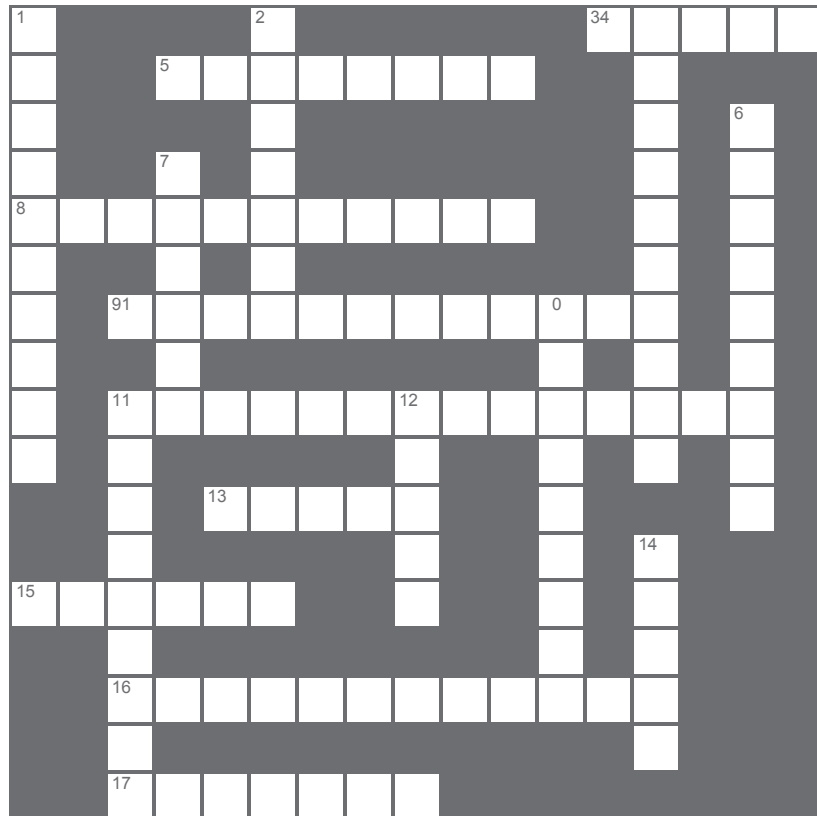
Bookmark our page on the GIP Digital Watch observatory dedicated to the IANA transition, where we track all the latest updates related to the transition process.

Developments in September:

- 8 Sept. The Chairmen of the Commerce and Judiciary Committees in the US Senate and House of Representatives send a letter to the US Attorney General and the Department of Commerce Secretary, asking them to reconsider the USG's plans to transition the IANA functions on 1 October.
- 12 Sept. The US Government Accountability Office concludes that 'it is unlikely that either the domain name system or the authoritative root zone file [...] is US government property.'
- 12-14 Sept. Civil society organisations, technology companies and trade associations and organisations in the technical community urge for the completion of the IANA transition.
- 14 Sept. A hearing is held in the US Congress, at the initiative of Sen. Ted Cruz, to investigate 'the possible dangers of the transition'.
- 28 Sept. The attorneys general of Arizona, Oklahoma, Texas, and Nevada file a lawsuit asking a US federal district court to prohibit the USG from allowing the IANA stewardship transition to happen.
- 30 Sept. The USG files an opposition to the motion for a temporary restraining order. An *amici curiae* is also filed by a coalition of technical organisations, private companies, and civil society organisations. The judge hearing the case denies the motion, allowing the transition to go ahead.
- 30 Sept. The IANA contract expires; there is no contractual relationship between the US Department of Commerce and ICANN for oversight over the IANA functions.

Every month, our Observatory of digital policy (pages 4-5) rounds up developments topic by topic. In September, new events and developments gave rise to different dynamics: while some issues remained in focus, other low-key areas gained sharper attention. Read about the developments, and test your knowledge with our crossword.

More details about each development are available in this newsletter, and on the *GIP Digital Watch* observatory. [↗](#)



Across

- 3 Acronym for a body of European regulators that has just issued new guidelines for implementing net neutrality rules (5)
- 5 Name of the city where the annual G20 meeting took place this year, on 4-5 September (8)
- 8 Sustainable _____ goals are a set of 17 goals that require global action in critical areas of development (11)
- 9 At the G20 summit, the US president warned that the cyber-arms race by countries could transform cyberspace into a _____ (4,4,4)
- 11 The European Commission is proposing a review of the EU telecom regulatory framework, as part of a new Electronic _____ Code (14)
- 13 China and _____ are the world's largest Internet markets, according to the UN Broadband Commission's State of Broadband 2016 report (5)
- 15 Web browser that will start flagging non-HTTPS websites as 'not secure' as of January 2017 (6)
- 16 The Group of _____ Experts on Developments in the Field of Information and Telecommunications in the Context of International Security is a UN expert group that examines existing and potential threats in cyberspace (12)
- 17 Name of the most vocal opposer of the IANA stewardship transition in US Congress (3,4)

Down

- 1 The US government issued guidelines for the development and testing of these type of cars (4,6)
- 2 One Belt _____ is China's \$40 billion initiative, launched in 2014, to recreate the legendary Silk Road (3,4)
- 4 Technique that protects privacy of communication, which triggered controversy in the Apple/FBI case (10)
- 6 Southeast Asian country investigating Google for unpaid taxes from its advertising revenue (9)
- 7 The country where the next Internet Governance Forum meeting will take place in December 2016 (6)
- 10 Tackling _____ material online is more and more a matter of concern for both governments and Internet companies (9)
- 11 Intellectual property right subject of two recent rulings from the Court of Justice of the European Union (9)
- 12 Organisation in charge of the Internet 'address book', whose relation with the US government has long been a subject of controversy (acronym) (5)
- 14 This company was ordered to pay Ireland over €13 billion in taxes for unlawful state aid (5)

Across: 3 BEREC, 5 Hangzhou, 8 Development, 9 Wild Wild West, 11 Communications, 13 India, 15 Chrome, 16 Governmental, 17 Ted Cruz.
Down: 1 Self driven, 2 One Road, 4 Encryption, 6 Indonesia, 7 Mexico, 10 Extremist, 11 Copyright, 12 ICANN, 14 Apple.



Subscribe to *GIP Digital Watch* updates at www.giplatform.org/digitalwatch