The Internet Corporation for Assigned Names and Numbers (ICANN) self-described role is:

“To reach another person on the Internet you have to type an address into your computer – a name or a number. That address must be unique, so computers know where to find each other. ICANN coordinates these unique identifiers across the world. Without that coordination, we wouldn’t have one global Internet. In more technical terms, the Internet Corporation for Assigned Names and Numbers (ICANN) coordinates the Domain Name System (DNS), Internet Protocol (IP) addresses, space allocation, protocol identifier assignment, generic (gTLD) and country code (ccTLD) Top-Level Domain name system management, and root server system management functions.”

ICANN holds regular meetings where community participants discuss current issues, develop policy proposals and make decisions. Last month’s meeting in Beijing was the largest in ICANN’s history with 2600 people registered as participants including 700 from China.

The timing for the Beijing meeting was good: many human rights advocates are focused on the rapid rise in internet users in China (now more than 540 million) and their access to and ability to participate in global Internet-related policy spaces such as ICANN.

For example, a significant issue that ICANN is confronting, and one that has human rights implications, is its consideration of more than 1500 applications for new generic top-level domains (gTLDs) such as .gay, .patagonia and .islam. ICANN determines what gTLDs are available globally and has been implementing a process for the creation of new gTLDs for several years. The first new gTLDs are likely to become available before the end of this year.

The road to the new gTLDs has not been a smooth one. ICANN’s lack of international presence and US-centric operational focus has been a persistent criticism given the global nature of its functions. But ICANN does appear to be trying harder and doing more to be seen as an
international organization. A major announcement at this meeting was the opening of a new ICANN regional office in Beijing. While these new developments are welcome, human rights advocates remain concerned at the impact of ICANN presence in countries where human rights records are poor and access to the internet is curtailed.

The openness of the Beijing meeting and uncensored access to the Internet were raised as concerns by participants in the lead up to the meeting. Many people took additional security protections by using Tor, VPNs, and alternative devices. During the meeting participants reported a considerable amount of surveillance – rumour had it seven people were arrested for attempting to use the ICANN VPN, but we did not get good information about who these people were.

Progress but not at the expense of the multi-stakeholder process.

The ICANN community has long had a testy relationship with its CEO. The current CEO, Fadi Chehade, has been in the role for just over seven months and has made a good start, demonstrating a laudable desire to broker better community engagement. In early 2013 his efforts focused on proposals for implementation of the trademark clearinghouse aspects of the current gTLD process. Unfortunately, significant policy matters were included in the details of the proposals resulting in protests from non-commercial constituencies (which include NGO members), registrars and registries. However, the proposal was pushed through to the Board for approval at the Beijing meeting.

Attempts to push along implementation of new gTLDs have also ruffled feathers and raised human rights concerns. Attempts to finalise the new Registrar Accreditation Agreement (needed by Registrars who will operate the new gTLDs, also known as RAA) foundered with the proposed introduction of a power for the ICANN Board to unilaterally change the contract. This met with near universal condemnation, as it would drastically change the relationship between the governance of the organisation and hands-on operational matters related to technical coordination functions.

Concerns were also raised about a newly introduced list of registrant “rights and responsibilities” that did not reference human rights. A rights-affirming RAA can have a critical impact on users’ abilities to register and use domain names – for netizens in countries with pervasive online censorship practices or real name registration policies, this is no small matter.
Last minute negotiations in Beijing resulted in a new proposal which is now out for public comment.

These developments are evidence that tensions continue to surface about the democratic nature of this “multi-stakeholder, bottom-up” policy development and technical coordination body. ICANN’s mandate is to be multi-stakeholder, meaning that representatives from governments, registrars, registries, civil society, the technical community and private sector alike can actively participate in the organisations’ processes. But the community messages in Beijing were clear: circumvention of the multi-stakeholder model is not acceptable, will not be tolerated and should not be sacrificed in order to push ahead with new gTLDs.

One positive outcome from these tensions is a renewed focus on ICANN’s Generic Names Supporting Organisation (GNSO); it is clear that the GNSO must remain the pre-eminent policy making body in ICANN. In order for this to happen, GNSO Council members will need to work together despite their strong philosophical differences.

**INCREASED CIVIL SOCIETY DIVERSITY**

Another positive development, especially for those in developing countries, is that the number of ICANN civil society community members is growing. The Non-Commerical Users Constituency is now the most diverse ICANN constituency group, with nearly 300 members from more than 70 countries. While in Beijing, NCUC hosted a policy event “One World One Internet: new gTLDs in a global changing internet” and launched a new video explaining its role in the ICANN policymaking landscape.

The ICANN fellows, a group of up to 30 participants who received funding to attend the meeting, included Internet rights advocates from countries such as Chile, Thailand and Egypt. A number of these participants raised human rights issues related to ICANN policy, for example, concerns about the impact of filtering and human rights and ccTLD policy-making. They emphasized the fact that one of the biggest threats to security and stability of the DNS in some regions is government action and that ICANN must strive to be sensitive to civil society concerns about its international outreach strategies.
INTERNET GOVERNANCE WORKSHOP

A session on Global Internet Governance was facilitated by Peter Major, the Chair of the United Nations Working Group on Enhanced Cooperation. The absence of any women on this panel was very disappointing (it really is time for a gender audit of ICANN's meetings). However, this session was timely, well-attended, and perhaps striking for the lessening of overt tension in discussions of global internet governance in an ICANN context. There is a growing maturity in the conversation about policy-shaping forums (such as the Internet Governance Forum, or IGF) and policy-making forums (such as ICANN) and how they connect to and influence each other. Participants emphasized that the IGF remains a unique and important space for multi-stakeholder dialogue.

GOVERNMENT PARTICIPATION

More than 80 government representatives attended the meeting including some new members, such as Lesotho. In a surprise move, almost all Government Advisory Committee meetings were held in closed sessions, many until late at night. However, the traditional GAC communique (through which it provides advice to the ICANN Board) was finally prepared and released during the last public forum.

The communique has some excellent aspects (including the very small number of formal objections to new gTLD applications.) However, it has also raised serious concerns as it appears to anticipate registrars and registries having more active roles in monitoring online content. The communique is open for public comment and a number of civil society groups are looking closely at its human rights implications.

All of these issues continue to be discussed and will be followed up at the next ICANN meeting, which will be in Durban.