



**Plenary Session:  
Discussion Forum on Geopolitical,  
Legislative, and Regulatory Developments**

**10 March 2022**

# Agenda

---

1

Introduction

2

Challenges, Impact,  
and Mitigation

3

IGO Activities

4

Legislative  
Developments

5

Community  
Engagement and  
Participation

6

Questions  
and  
Discussion

# Challenges, Impacts, and Mitigation

---

## Challenges

- Growing focus of governments and IGOs on the DNS - including the tendency to attempt to address political or social challenges with technology “solutions”
- New regulations/legislation may not be DNS related, but could have negative unintended consequences on a stable globally interoperable Internet and on ICANN’s activities and governance.
- Effectively monitoring more frequent and more widely dispersed deliberations, discussions, legislative drafting with potential to impact the security stability and resilience of the DNS.

## Impacts

- Changes could impact ICANN’s ability to perform its mission
- Disruption of SSR of the Internet
- Internet segmentation
- Political and/or reputational damage

## Mitigation

- Engagement (bilateral meetings, webinars, training, workshops, virtual events)
- Targeted messaging
- Analytic publications to inform the community
- Ecosystem Mapping to prioritize engagement and relationship management, “Making new friends”

# IGO Activities

Government and IGO Engagement Team



# IGO Activities and Processes

---

- **UN General Assembly Committees deliberations**
  - UN OEWG (2021 - 2025)
  - UN AHC (2021 - 2024)
- **ITU in 2022**
  - WTSA: 1 - 9 March
  - ITU Council: 21 - 31 March
  - WTDC: 6 - 16 June
  - Plenipotentiary: 26 September - 14 October
- **Recent GE publications with more information:**
  - GE-010: Country Focus Report: China Internet-Related Policy Initiatives and Laws
  - GE-009: Updates on cyber-related deliberations at the United Nations
  - GE-008: Country Focus Report: The Netherlands and the “Public Core of the Internet”

## CoE

The Council of Europe (CoE) “Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence” was approved by the Committee of Ministers on 17 November 2021. It was prepared between September 2017 and May 2021. The Protocol includes provisions on domain name registration information in article 6.

It is expected that this Protocol will be opened for signature in May 2022.

## OECD

The Organisation for Economic Cooperation and Development (OECD) CDEP committee has been working on a report on “Security of the Domain Name System (DNS): an introduction for policy makers”, as well as on “Security of routing”. The aim of these reports, soon to be public, is to provide a high-level overview of the key challenges and opportunities associated with the security of the DNS and identify the trends in Internet protocols that may affect the security of communication networks and to discuss related policy issues.

## **World Intellectual Property Organization's (WIPO) Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT)**

Ongoing discussions related to protections mechanisms for defending geographical indications for second-level domain names (not protecting under UDRP rules) + Lisbon Agreement

## **World Trade Organization**

Discussions on Global Trade Agreement

Moratorium on custom duties for electronic transmissions

# Legislative Developments

Government and IGO Engagement Team





# Legislative Developments Overview: Current Landscape

---

- Data Protection (GDPR) continues to be primary focus
- Many other jurisdictions are considering (or have passed) new data protection laws
  - Brazil, U.S. (including states CA and VA), China, India, Vietnam, Sri Lanka, Canada, Singapore, etc.
- Other, non-data protection legislation could also impact ICANN
  - EU DSA
  - EU NIS2 and US Cyber Incident Notification Act
  - Cybercrime (Budapest) Convention
  - Russian Sovereign Internet Law
  - Chinese Cybersecurity Law and Data Security Law
  - African Union “Data Policy Framework for Africa “(public consultation period)

# EU Updates

## Legislative initiatives

- NIS2 Directive
- Digital Services Act

## Non-legislative initiatives

- DNS4EU
- Contingency plan for the root

## and more

- EU toolbox against counterfeiting
- DNS Abuse study

# Community Engagement and Participation



# What Can the Community Do?

---

- Monitor and follow deliberations on regulations/legislation initiatives
  - Offer positions or statements to relevant entities
  - Provide feedback to ICANN and the community
  - Keep GAC members informed
- Offer expertise to national delegations at IGOs meetings
  - ITU (WTSA, WTDC, Plenipot, Council, etc.)
  - UN (OEWG, AHC, etc.)

# Enhanced Government Engagement Pages

**The Information Transparency Initiative team released improvements that include:**

- ⦿ New multilingual landing page and multilingual Government Engagement (GE) Publications page
- ⦿ Subscription to email alerts when new content is added
- ⦿ Keyword(s) search within GE publications
- ⦿ New ICANN Submissions to External Bodies page

**Visit > <https://www.icann.org/en/government-engagement>  
and sign up for email alerts to GE content**

# Questions and Discussion

