Businesses and Internet Governance: An Overview for 2022

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Today's presentation

- The need for business to remain engaged in governance activity

- Review of 2021 governance trends

- A look forward to 2022 activity

- Where the ICANN BC is active

- A look at DNS abuse

- How you can contribute

Businesses and Internet Governance

- Businesses worldwide are the heaviest users of Internet technologies and the domain name system (DNS).

- Decisions by ICANN, governments and regulators disproportionately impact business users (e.g., GDPR, EU Digital Services Act, DNS abuse mitigation, etc.).

- Businesses must participate to retain a "seat at the table" in governance decisions.

2021 Governance Trends

- ICANN remains governance body for DNS
- Governments are staging "incursions" into DNS management
  - GDPR and Whois
  - European Union DSA and NIS2
- Slowing of ICANN productivity timelines is frustrating stakeholders, who may look to governments for intervention
- Attempt at ITU expansion of responsibilities over DNS
- Imbalance of power within ICANN stakeholder groups

2022 Governance Trends

- ICANN's long-term prioritization exercise may disadvantage some business interests.
  - Addressing DNS abuse
  - Strengthening ICANN contracts
  - Finishing long-term outstanding issues (holistic reviews, community recommendations from SSR2 and CCTRT)
- Continued "imbalance" of power within ICANN stakeholders favors registries and registrars.
- Renewed push from businesses and governments to address DNS abuse.
- Implementation of EU's NIS2 directive by member states

Where The BC Is Active

- Main BC priorities
  - Improve ICANN contracts with respect to DNS abuse mitigation
  - Meaningfully reduce incidence rate of DNS abuse
  - Help ICANN resolve previously undone work that would favor business interests (e.g., SSR2, CCTRT, EPDP implementation)

DNS Abuse – The problem persists

- It occurs year after year, and periodically is magnified by outside events (e.g., COVID, natural disasters, civil unrest)

- The common theme: The DNS is leveraged for illicit purposes

DNS Abuse – The problem persists

In focusing just on malware, Interisle Consulting Group (Nov. 2021) reported:

- The number of malware reports collected from threat feeds trended upward from approx. 72,000 in January 2021 to 480,000 in June 2021.
- Information stealers and ransomware account for 40% of malware that exploits endpoint devices. Other types of malware commonly provide the means to install or deliver malware that is used to collect or exact a monetary reward.

According to ICANN SSAC

- Unchecked, DNS abuse and resultant cybercrime continues to victimize millions annually, and reduces the trust in the Internet, including the DNS, as a place to conduct personal, commercial, non-commercial and business activities. This erosion of trust negatively impacts all parties partaking in the ecosystem from end-users to the service providers enabling the infrastructure.

Progress has been made

- Voluntary framework by registries and registrars has had a measurable impact and should be applauded.

Where progress has not been made

- Voluntary frameworks are helpful but not fully inclusive

- There remain the always referred-to 8-10 bad actor contracted parties ICANN says it knows about, where the bad actors hide

Steps forward on DNS Abuse

- Clean up the low-hanging fruit (8-10 known bad actors) that create the biggest problems in the namespace <u>now</u> with the tools ICANN has.

- Argue concurrently or later over abuse definition and whether or not new tools are needed.

- Consider incentives for those running "clean" registries and registrars.

- ICANN: Be proactive with compliance function.

- Contracted parties: Be proactive with mitigation <u>and</u> prevention.

- Equip ICANN with tools it needs to enforce anti-abuse obligations (e.g., changes to the RAA).

How You Can Contribute

- Idea: Commission a study of the "health of the Internet in Africa" as a way to highlight unique needs of African Internet users and share findings with governance community.

- Continue outreach to African businesses interested in contributing to the health of the DNS.

- Join the ICANN Business Constituency (contact me to learn how).

Thank you!

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