

Analysis of decisionmaking processes
through quantitative and qualitative
discourse analysis

-

the case of ICANN and human rights

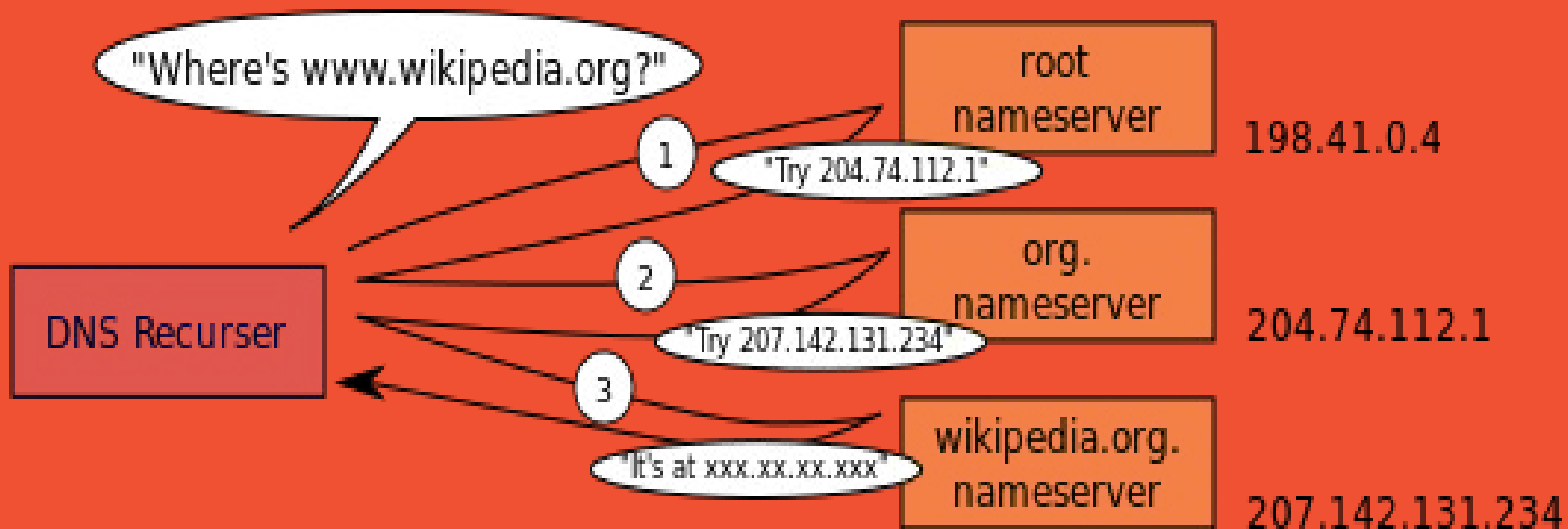
Why are we doing this?

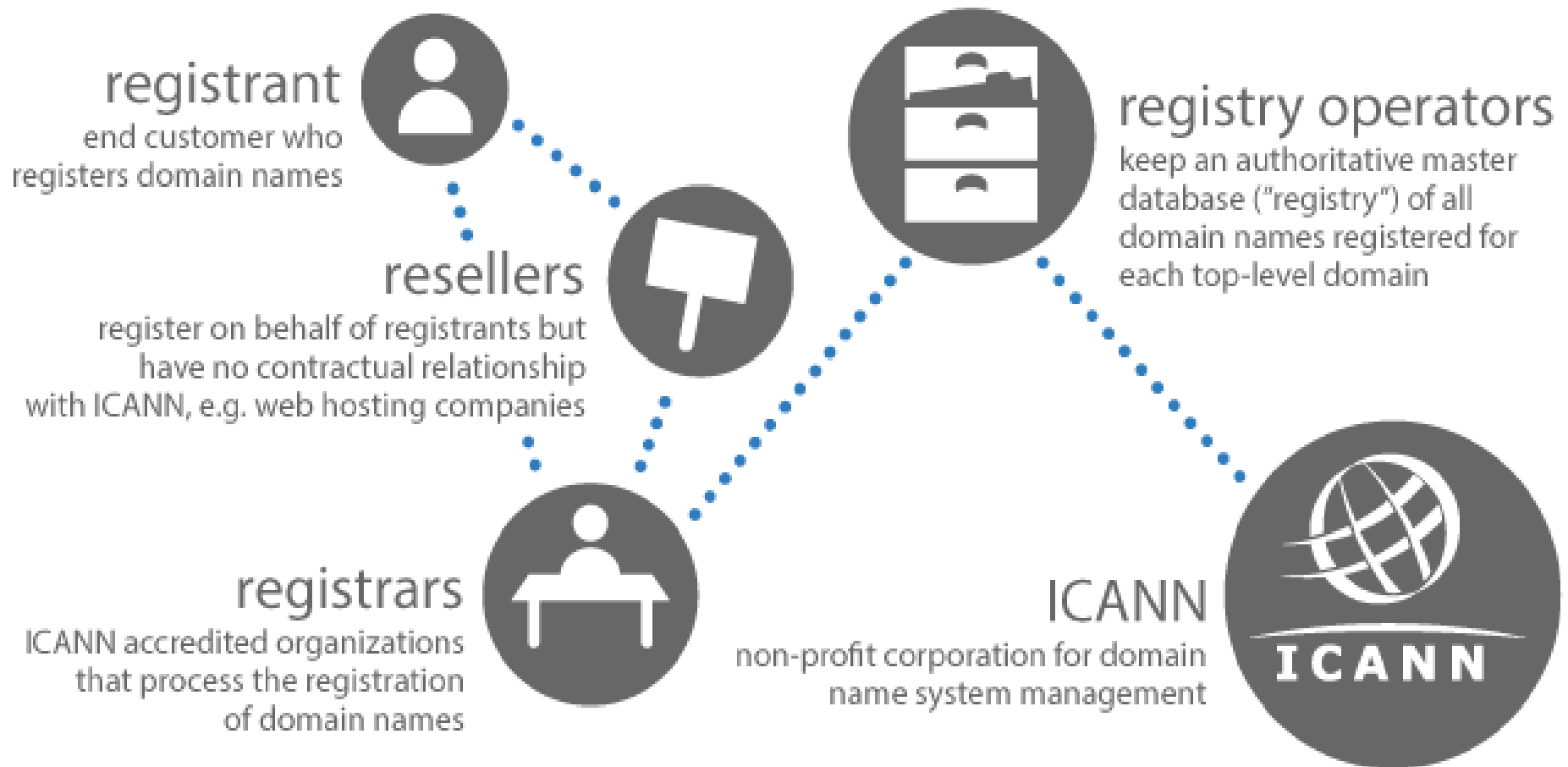
- Following Susan Leigh Star's (1999) "call to study boring things",
- Internet is governed more than people think
- This happens in multistakeholder fashion
- Decisions are made on mailinglists
- Let's analyse!

Where?

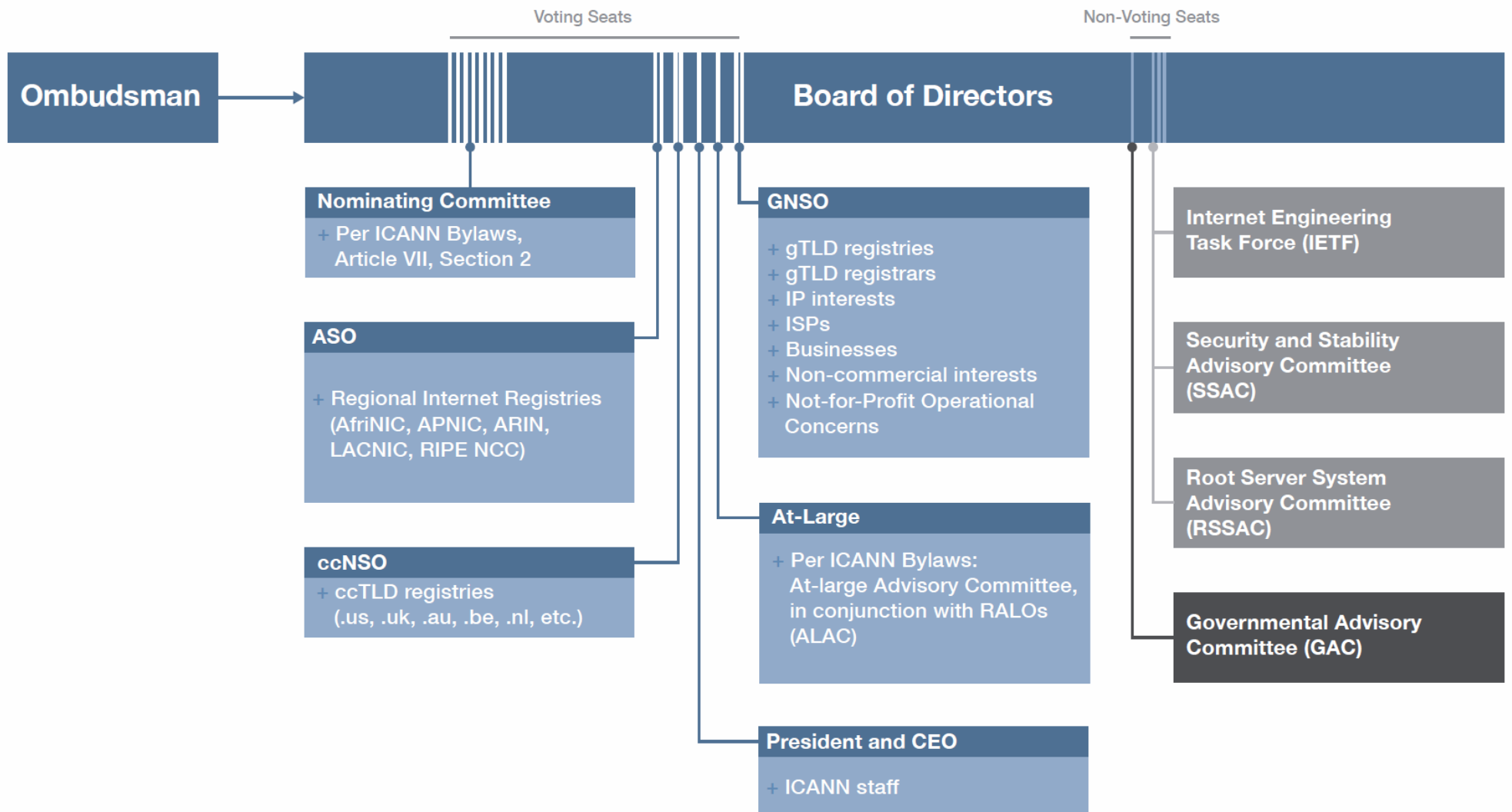


ICANN'T EVEN





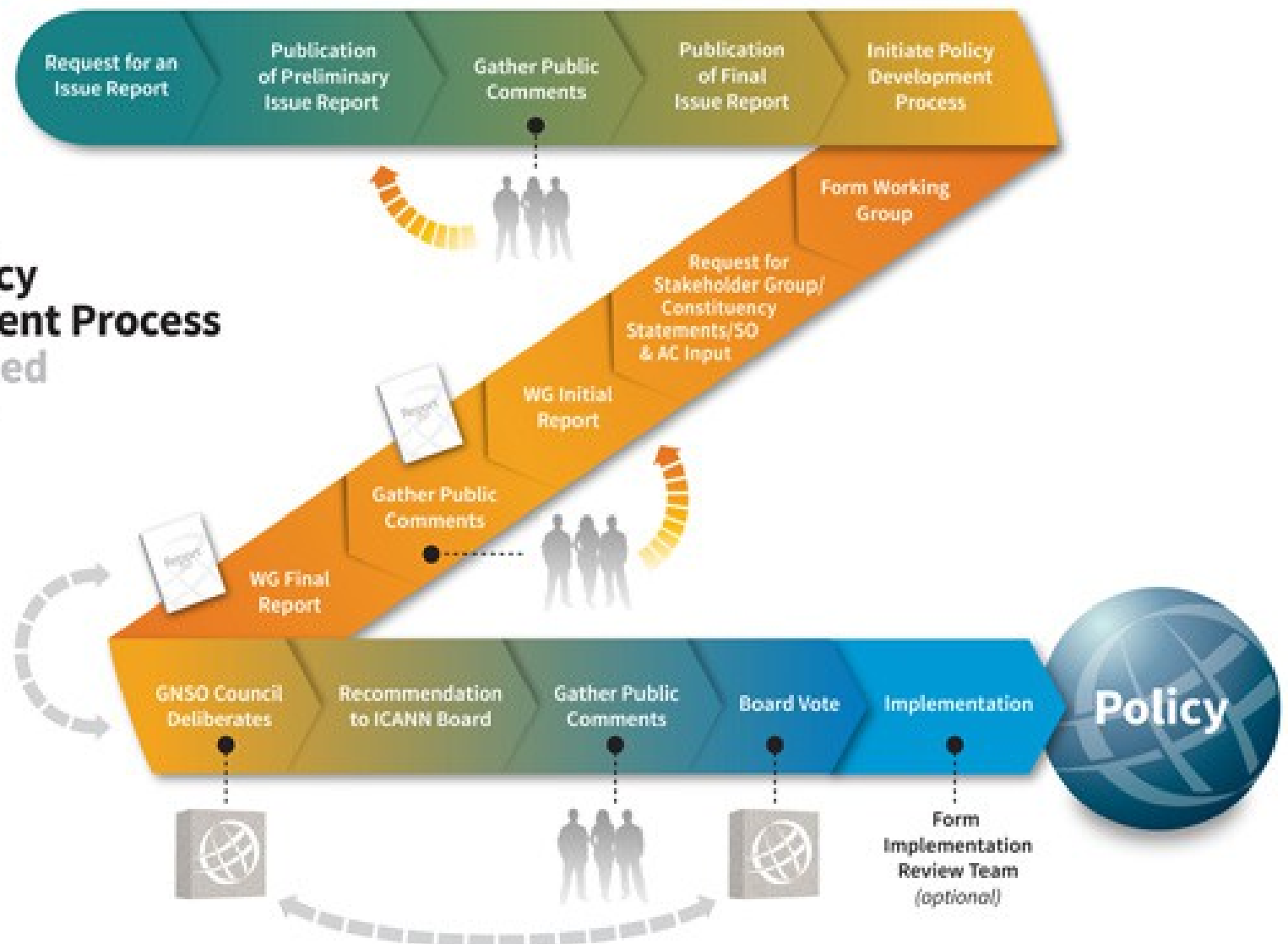
domain registry process



GNSO Policy Development Process

***Summarized**

*Some steps omitted, for brevity



Phase 1

Community Proposal

Phase 2

NTIA Review & Evaluation

Phase 3

Transfer of Stewardship

Multistakeholder Community
Delivers

ICG
Proposal

CCWG-
Accountability
Proposal

4-5 Months

Final Sign Off

60-90 days

30 L-days*

NTIA Review Process

Congressional
Review

Finalize
Implementation

ICG Proposal and CCWG-Accountability WS1 Operationalization

Bylaw Changes Drafted

Bylaw Changes Adopted

Accountability WS2 Proposal Process

ICANN
54

*L-days:
Legislative Days

ICANN
56

Why?

"ICANN is bound to operate "for the benefit of the internet community as a whole, carrying out its activities in conformity with relevant principles of international law and applicable international conventions and local law"

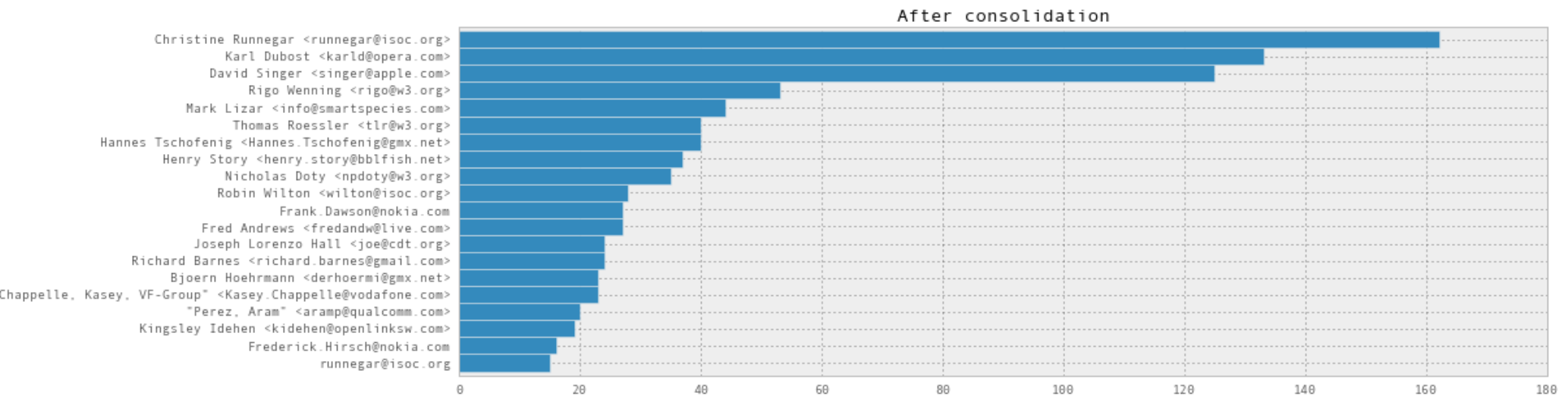
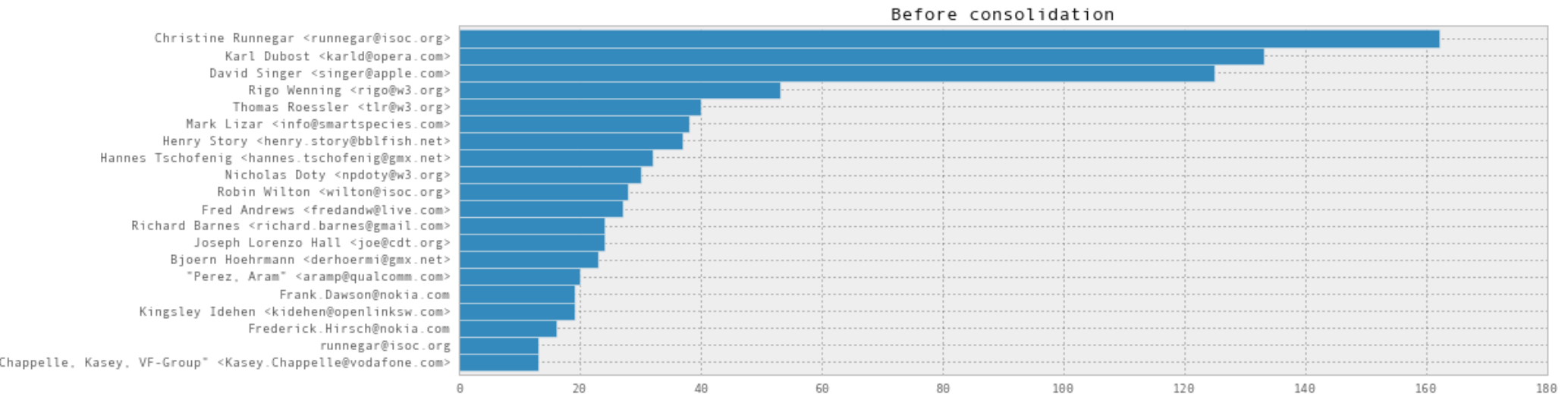
- Article 4 of ICANN's Articles of Incorporation

ICANN's policies and operations have
the potential to impact human rights

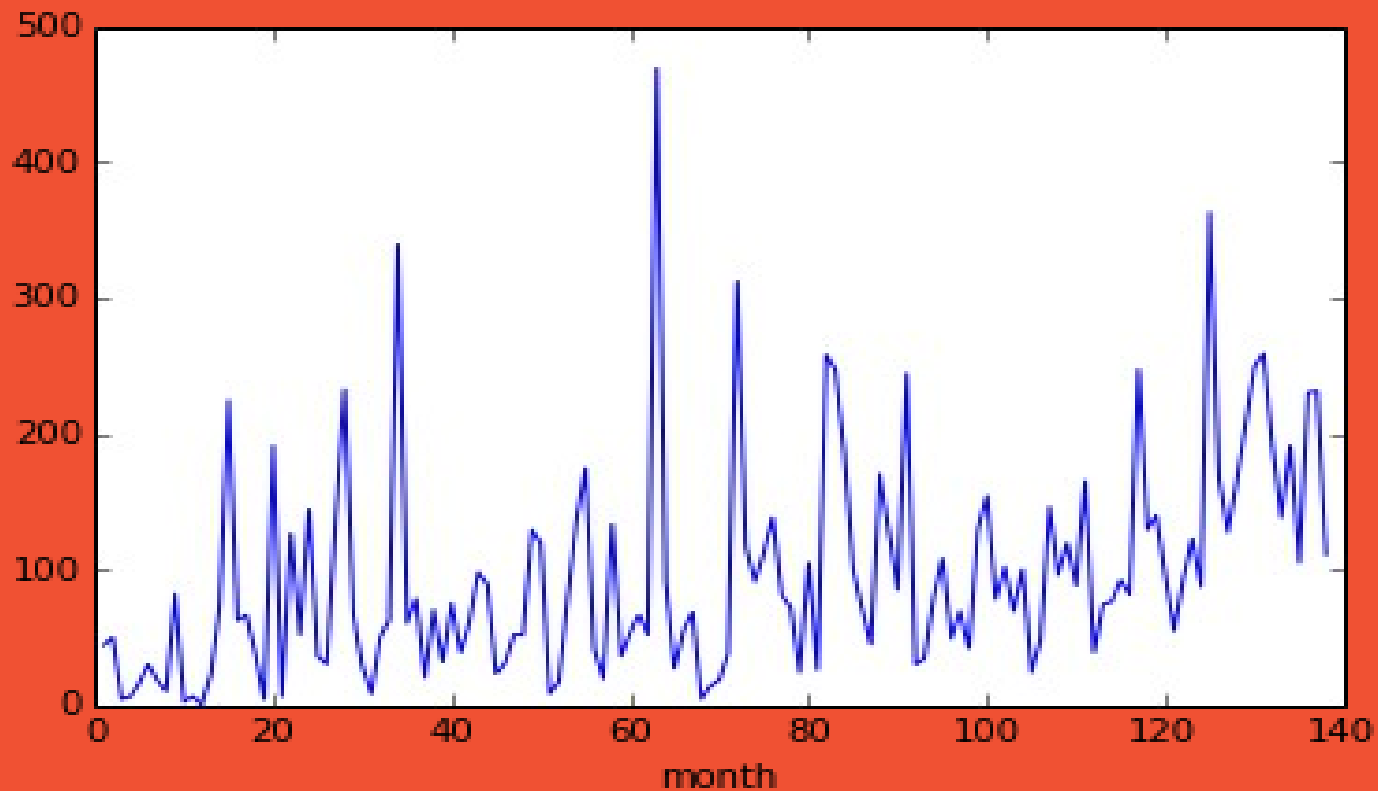
How?



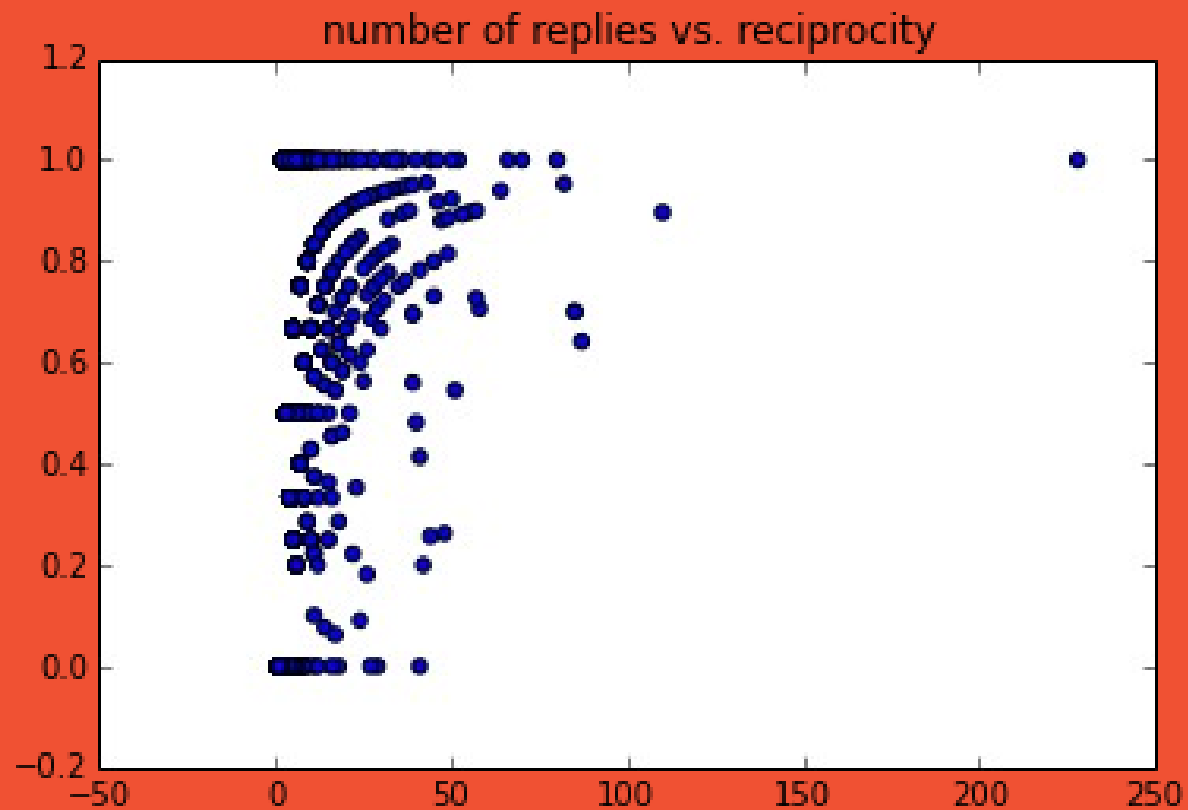
Analyse senders



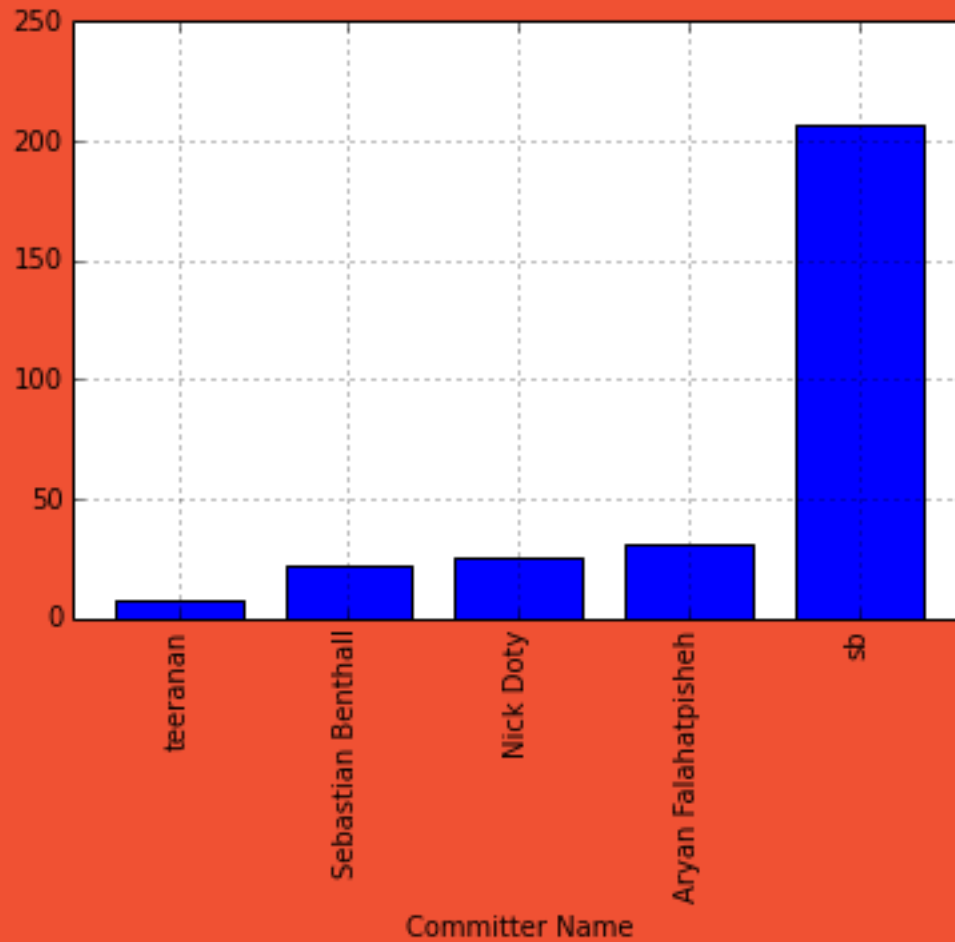
Single word trends



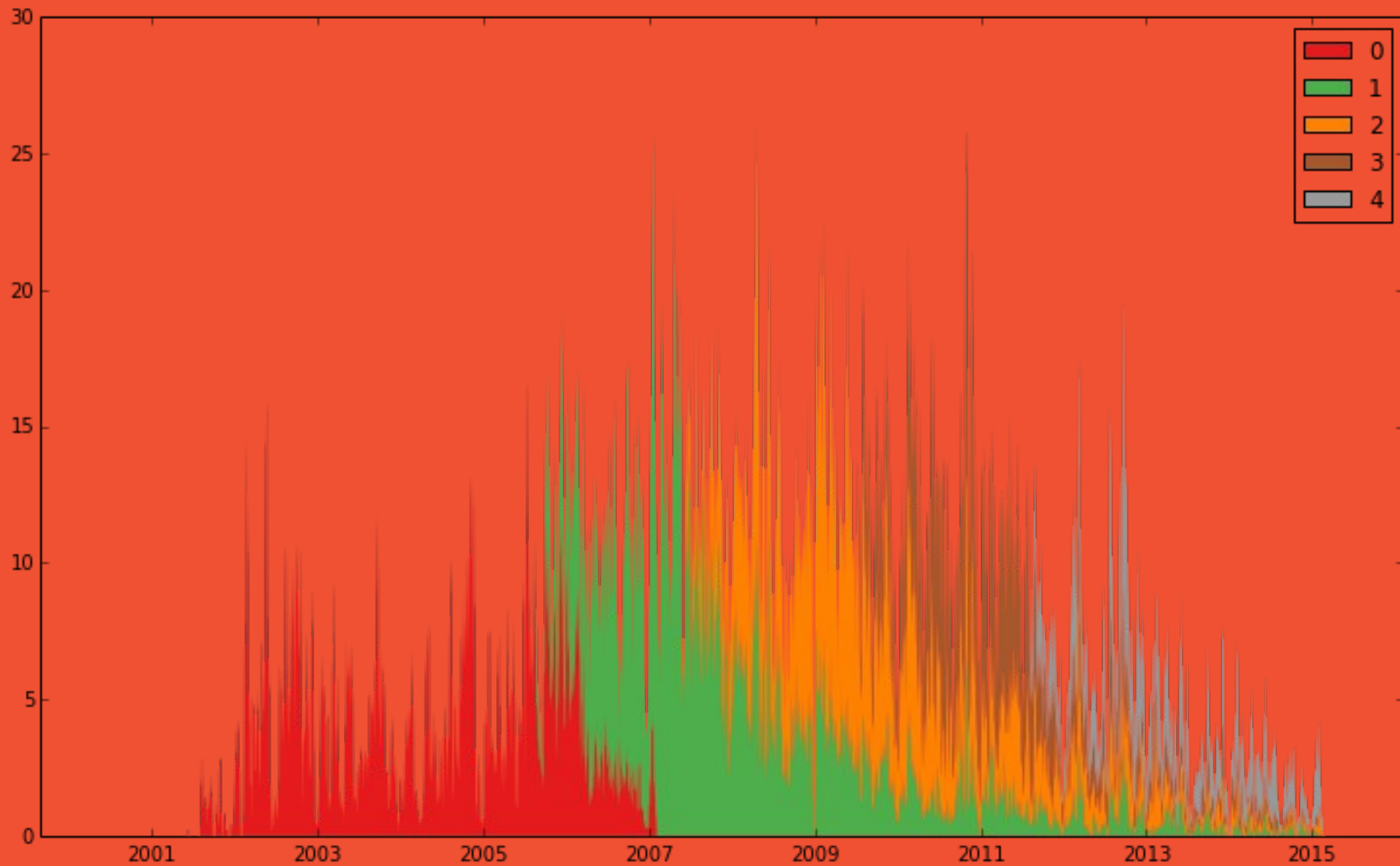
Collaboration Strength



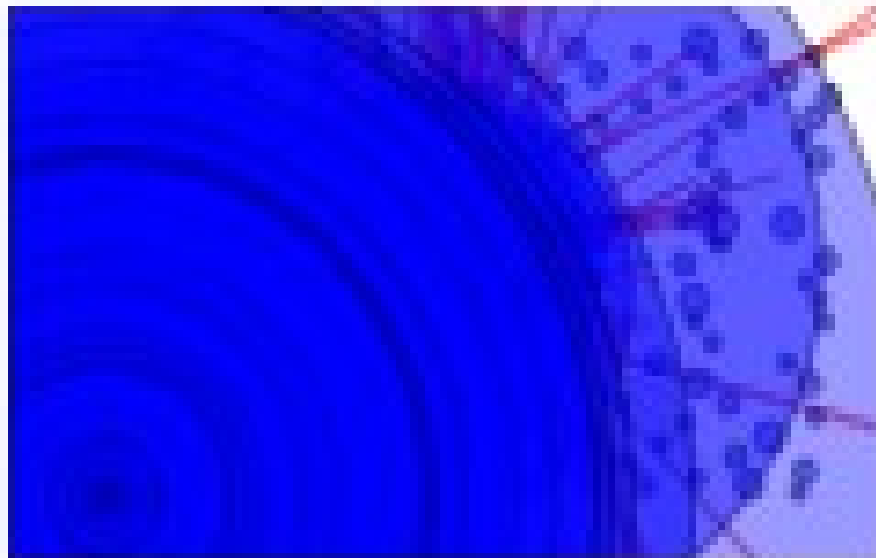
Committer dominance



Cohorts



Assortativity



When?

- Early 2000s up to now
- Coming week

What will you get from this?

- Understanding about ICANN
- Working with Python Notebooks
- Understanding of Github
- Become part of BigBang development community

Who?

- Sociologists
- Computer scientists
- Designers
- Political scientists
- Happy campers

Research Question

- How the commitment to human rights made it into ICANNs bylaws?

Hypothesis

- Debates on Human Rights were always present in ICANN, predominantly in the civil society / non-commercial constituency. But it did not get much response, so the rights agenda was pushed via single human rights such as the right to freedom of expression and the right to privacy, and later via social and economic rights. This paved the way for human rights in ICANN (which is now flourishing with a commitment to human rights in ICANNs bylaws).

References

ICANN Diagrams are produced by ICANN

www.icann.org

ICANN

POLICIES AND HUMAN RIGHTS

ICANN
The Internet Corporation for Assigned Names and Numbers coorinates the policy making and distribution of domain names and IP numbers. It therefore is often dubbed as the 'telephone book of the Internet'.

- ICANN GLOSSARY**
- DANE:** DNS-based Authentication of Named Entities
 - DCND:** Defined conditions of nondisclosure
 - DIDP:** Documentary Information Disclosure Policy
 - DNSSEC:** Domain Name System Security Extensions
 - GAC:** Governmental Advisory Committee
 - GNSO:** Generic Names Supporting Organization
 - gTLD:** Generic top-level domain
 - IDNs:** Internationalized Domain Names
 - IGOs:** Inter-Governmental Organisations
 - INGOs:** International Non-Governmental Organizations
 - IRP:** Independent Review Panel
 - PDP:** Policy Development Process
 - RDAP:** Registration data access protocol
 - RPMS:** Rights Protection Mechanism (as related to Intellectual Property Rights)
 - WHOIS:** an Internet service that provides information about a domain name or IP address

Scoping the relation between ICANN and Human Rights

HUMAN RIGHTS PRINCIPLES

INHERENT: human rights derive from the humanity of each person.

UNIVERSAL: all human beings have the same human rights.

INALIENABLE: human rights cannot be given up.

INDIVISIBLE: there are no conflicts between rights and no priorities among rights. There will be situations or occasions where rights must be balanced and prudent decisions taken about how all rights can best be protected and promoted.

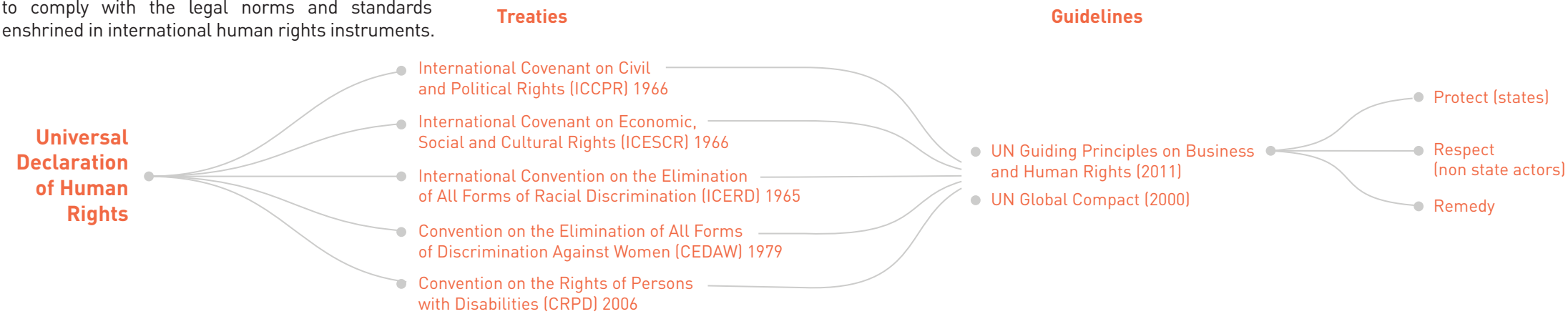
INTERDEPENDENT AND INTERRELATED: the enjoyment and fulfilment of any right depends on the enjoyment and fulfilment of other rights.

EQUALITY AND NON-DISCRIMINATION: all individuals are equal as human beings and by virtue of the inherent dignity of each human person.

PARTICIPATION AND INCLUSION: all people have the right to participate in and access information relating to the decision-making processes that affect their lives and well-being.

ACCOUNTABILITY AND RULE OF LAW: States and other duty-bearers are answerable for the

observance of human rights. In this regard, they have to comply with the legal norms and standards enshrined in international human rights instruments.



RIGHTS INVOLVED

RIGHT TO PRIVACY

RIGHT TO FREEDOM OF ASSOCIATION

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

RIGHT TO FREEDOM OF EXPRESSION

RIGHT TO SECURITY

PARTICIPATION, INCLUSION, EQUALITY AND NON-DISCRIMINATION

DUE PROCESS

THEME

Documentary Information Disclosure Policy

2014 Registrar Accreditation Agreement

2013 Registrar Accreditation Agreement

WHOIS

New gTLD subsequent procedures WG

New gTLD subsequent procedures WG

IP addresses

Free and fair use of domain names

New gTLD subsequent procedures WG

Internationalized Domain Names

Rights Protection Mechanisms

DNSSEC

Protection of rights to fair and equal treatment

PDP procedure

GAC early warning

Reconsideration Request

IRP Process

All Dispute Resolution processes within ICANN

Documentary Information Disclosure Policy

ICANN POLICY OR PROCESS

- Defined conditions of non-disclosure
- Data escrow provider financial support
- WHOIS accuracy specification requirement
- Thick WHOIS implementation review team
- Next generation gTLD registration directory service
- RDAP changes and privacy
- Applicant guidebook
- Community based TLD
- Application fees
- Registrar accreditation process & insurance requirements
- GNSO new gTLD auctions proceeds drafting team
- Coordination and distribution of IP addresses
- The right to use all words and names in domain names
- Content-based gTLD String Evaluations
- Applicant guidebook
 - Sensitive strings
 - Community based TLD
- Implementation of Internationalized Domain Names
- Review of protection IGO/NGO names in all gTLDs
- Review of curative rights protections in IGO/INGOs in gTLDs
- New gTLDs subsequent round WG
- PDP to review RPMS in all gTLDs
- Implementation of DNSSEC
- Implementation of DANE
- Awareness of Ombudsman office for complaint
- GNSO PDP improvements discussion group
- Effect of failure and the use of the Ombudsman
- Need to ensure that parties know about Ombudsman for unfair process
- Documentary Information Disclosure Policy requests

This illustration has been produced by the Cross Community Working Party on ICANNs Corporate and Social Responsibility to Respect Human Rights

This is a preliminary scoping, pending a full Human Rights Impact Assessment