BUSINESS CONSTITUENCY

The ICANN GNSO Business Constituency
Newsletter, June 2022

Welcome to **ICANN74**

On behalf of the Business Constituency (BC), welcome to ICANN74!

Upon the occasion of ICANN's first hybrid meeting, and the first to gather (at least partially) in person for more than two years, it's a true pleasure to welcome friends and colleagues to ICANN proceedings in The Hague. I join many who mark the opportunity to reconnect in person.

And, recognizing that ICANN74 is a "hybrid" meeting – melding in-person and remote participation – let me take a moment in advance to thank ICANN for all its work in arranging logistics in a way that maximizes stakeholder participation. ICANN's team always does a wonderful job including as many participants as possible, and ICANN74 is no exception.

For those of you in The Hague, welcome, and we look forward to reconnecting. For those participating remotely, welcome as well, and it is hoped you can join in person soon. Regardless of your means of participation, your input is solicited and very much valued.

There is no shortage of challenges before ICANN, and this meeting will be dense with discussions and deliberations. Further on behalf of the BC, I hope you'll enthusiastically contribute your perspectives and ideas as we debate the important issues of the day. While ICANN74 is the usually shorter Policy Forum, there's little doubt the next four days will be replete with matters to discuss and opportunities to collaborate.

The BC has been busy working toward

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outcomes in the interests of its members. This work includes, to name a few, progress against the thorny problem of domain name system (DNS) abuse, participation in WHOIS accuracy scoping, contributions to the expedited policy development process (EPDP) on registration data access, prioritization of ICANN's many areas of work, and a great deal more. Areas for contribution and advocacy are many.

The BC very much needs your support and input. Our group represents the interests of business users of the internet, ranging from the small to multinational, and our responsibilities to our constituency have only grown over time. As challenges arise in ICANN policy work, we very much need the input of our membership in order to be most impactful. If you're new to the BC, I encourage you to make your voice heard - your contributions will be valued. If you're an old hand, it's good to have you back and your experience will contribute to positive member outcomes.

As we embark on discussions and deliberations, don't hesitate to join the BC's work. You'll find that your BC colleagues are open and welcoming to your input, and will help you advance your interests within the ICANN sphere.

Again, on behalf of your colleagues in the BC, welcome to ICANN74. All the best for a productive week.

Sincerely,

Mason Cole
BC Chair

ICANN Learn

The Onboarding Committee & Getting to Know the BC Better

Outreach and the engagement of new members and interests were the focus of birthing a team that concentrated on the development of a bespoke course to introduce the BC to her public within the community on ICANN's learning and development platform.

The BC's **Onboarding Committee** is one recently created to develop and manage a framework that helps attract and retain engaged participation within the BC with the aim of helping members grow in participation and engagement. This committee was also saddled with responsibility to develop and review course content on the ICANN Learn platform relative to business and update such content to reflect current realities.

It is the responsibility of the Onboarding Committee to help new and intending members to the BC to enhance their interest and participation around membership. They focus on identification, development and implementation of strategies and tactics to help new entrants quickly find their feet and address issues of volunteer burnout within the BC. The Committee helps to foster and build active engagement by working with members and staff to evaluate and determine membership priorities, enhance membership satisfaction and focus on articulating the unique value of a BC membership within the ICANN Community.

This Committee of three has been busy at work curating, for the first time, a membership driven approach leading to the development of a new course on ICANN Learn. The Vice Chair for Finance and Operations serves as a member of the Committee and is also its liaison to the BC ExComm.

Continued: **ICANN Learn, The Onboarding Committee & Getting to Know the BC Better**

The New ICANN Learn Course About the BC

The BC applied for support through the Additional Budget Request window in FY22 to curate a course about the Business Constituency (BC). After many months and meetings the new course is now available on ICANN Learn, a free, online learning platform that hosts training content for public access.

The new course describes the mission and structure of the BC, how BC members proactively participate in ICANN policy development and Internet governance, and how more businesses can join the BC.

Course Description

The course is designed for private sector stakeholders, commercial businesses, and prospective members to learn more about the Commercial and Business Users Constituency (also known as the Business Constituency or BC). This new course is part of the BC's outreach strategy to increase the visibility of the BC and attract new BC members who help to ensure that the BC presents a balanced and diverse view from the global business community.

Learning Outcomes

This ICANN Learn course introduces the BC in the Generic Names Supporting Organization (GNSO) and amongst other values, discusses how it participates in policy development work within the ICANN multi-stakeholder model.

As a result of taking this course, learners will be able to accomplish the following:

- Identify the mission of the BC
- Articulate how the BC participates within the GNSO and ICANN
- Identify policy positions and outreach efforts
- Understand who is eligible to become a BC Member and how to join

The course should take less than an hour to complete. Congratulations to all members of the BC for pulling this off and gifting the community a wonderful resource on the constituency. The latest addition to the ICANN Learn offerings; **Getting to Know the Business Constituency (BC)** is now live!

The course is designed for private sector stakeholders, commercial businesses, and prospective members

Here is the ICANN Blog announcing the course: **New ICANN Learn Course About the GNSO Business Constituency.**

Many thanks to the Onboarding Committee members, ICANN Staff and members within the BC for devoting their time to production calls and helping to see this production through. Now let's go grab a coffee as we take the course!

By Lawrence Olawale-Roberts – MicroBoss; Vice-Chair Finance and Operations, BC

Data, DNS Abuse and What to Do Next

To the annoyance of some, surely, the issue of abuse in the domain name system (DNS) has been high on the list of critical issues in internet governance circles. Despite this intense scrutiny, common-sense solutions (such as contract improvements) have been so far elusive, even as they fall squarely within ICANN's remit.

At this stage, though, it's curious as to how DNS abuse became a *debatable* subject, both in terms of its prevalence and its potential mitigation. It's not as though anyone thinks it doesn't exist at all. Phishing, pharming, botnets, malware, infringement, you name it—since the commercialization of the DNS, various types of abuses have sprouted, evolved, become entrenched, evolved further, and grown, all harming users and degrading trust in the internet ecosystem.

Disturbingly, in recent years, there's been a bit of an information war in terms of the true extent of DNS abuse. In one camp are the few that tell us DNS abuse is abating. In the other camp is seemingly everyone else—technical authorities, security experts, authors of detailed studies, business associations and others, all producing data sets that counter the narrative that we don't need to act with urgency against abuse.

Even if one were to cast aside the data, however, it would be tough to believe abuse isn't a pressing matter. Within the ICANN sphere alone, we see numerous initiatives focused on DNS abuse:

- The DNS Abuse Framework;
- The DNS Abuse Institute, founded by Public Interest Registry;
- The ICANN Board's new committee on DNS abuse;
- The ICANN Generic Names Support Organization's (GNSO) small group on DNS abuse; and
- Myriad other informal ad hoc groups formed to talk about ways to handle the abuse problem.

So if DNS abuse isn't really a problem, or if it's receding, *why are we all organizing to do something about it?* The fact is that DNS abuse is a PROBLEM, an evolving one, and while industry efforts are laudable, it's beyond time for the next set of solutions.

The data wars

At a cadence of every few months or so, we see publication of a new set of data or a study relating to DNS abuse. It's been a maddening spectacle. One side says, "DNS abuse really is a problem, and it's getting serious. Here's some data to show how." The other side says, "No it isn't. Look at our data instead."

In the interest of helping put the dispute to bed, here's a quick overview from data by the Cybercrime Information Center—experts who know what they're talking about—of the current status of abuse as it relates only to the insidiousness of phishing.

Between February and April 2022:

- There were 303,348 phishing attacks;
- 223,324 domains were reported for phishing;
- 147,036 domain registrations were found to be malicious; and
- Phishing was observed in 519 top-level domains (TLDs).

For the same period, the Center identified 116 domain registrars with a minimum of 30,000 domains under management and at least 25 reported phishing domains. In that sample:

- 65 registrars had more than 100 reported phishing domains;
- 32 registrars had more than 500 reported phishing domains;
- 24 registrars had more than 1,000 reported phishing domains; and
- Five registrars had more than 5,000 reported phishing domains.

On the registry side, the Center documents that most phishing continues to be concentrated in just a few TLDs. For the February-April period, 132 TLDs with a minimum of 30,000 delegated domains were found to have at least 25 reported phishing

Continued: **Data, DNS Abuse and What to Do Next**

domains:

- 36 TLDs had more than 500 domain names reported for phishing;
- 25 TLDs had more than 1,000 domain names reported for phishing; and
- 79 TLDs had more than 5,000 domain names reported for phishing.

If that data isn't persuasive, taking a look at the Anti-Phishing Working Group's (APWG) **most recent quarterly trend report on phishing activity**, reports further growth in phishing activity. The update states that:

- APWG saw 316,747 attacks in December 2021, which was the highest monthly total in APWG's reporting history; and
- The number of recent phishing attacks has more than tripled since early 2020, when APWG was observing between 68,000 and 94,000 attacks per month.

Many in the ICANN community fervently hope such data isn't dismissed out of hand, as was **the European Union's recent comprehensive study on DNS abuse**. Even if one were to try to counter the above with "alternative facts," this is an opportunity for the community to collaborate instead of merely continuing to parry one another.

What should come next

As pointed out in March, ICANN Org is in a position to help move the community forward on abuse mitigation. It's been said ad nauseum, but the (applaudable) voluntary measures industry has advanced can go only so far in terms of dealing with bad actors and the parties that harbor their activity.

To do so, as we've heard repeatedly for years from ICANN's Compliance staff and others, ICANN Org must update

the Registrar Accreditation Agreement (RAA) and the Registry Agreement (RA) to shore up provisions that enable enforcement against the bad guys.

We're overdue for an update to these contracts (which haven't been revised for a decade) in order to give ICANN Org the ability to rid the DNS of a significant amount of abusive activity. After all, ICANN Org is the body that accredits registries and registrars and is charged with setting standards in furtherance of DNS health. To whom else could we possibly look for meaningful, fully reaching and impactful action against DNS abuse?

The argument for contract modernization in this area isn't taken lightly. ICANN participants are well aware that contract updates can be disruptive to contracted parties, and thus don't repeatedly insist on opening contracts for addressing pet issues. However, in this instance:

- The data is clear;
- ICANN Compliance's lack of meaningful enforcement tools under existing contracts is similarly clear;
- ICANN Org is the only actor uniquely positioned to excise the largest possible swath of abuse in the DNS; and
- The community is clamoring for action (including the Governmental Advisory Committee, dating back to ICANN57 in Hyderabad—five and a half years ago).

When is there a better time to act?

Some have suggested that DNS abuse mitigation must "be left to the community" to address. News flash: This IS the community coming forward. In an environment where no policy has been implemented for more than six years, and the "expedited" policy development process on WHOIS data has dragged on for more than four, a tar pit of endless study, process, and debate will not suffice. The community—and the health of the DNS—deserve far more than that.

DNS abuse is all over the agenda at ICANN74, hopefully this time around, good faith efforts to collaborate against this frustratingly persistent problem will prevail and lead to concrete action.

By Mason Cole, Internet Governance Advisor at Perkins Coie

ICANN Multistakeholder Organizational Chart

ICANN Board of Directors

Top row Left to Right: Göran Marby – President & CEO, Maarten Botterman – Chair (NomCom), León Sánchez – Vice Chair (At-Large), Harald Alvestrand (IETF Liaison), Becky Burr (GNSO), Alan Barrett (ASO), Sara Deutsch (NomCom), Avri Doria (NomCom), Edmon Chung (NomCom), Manal Ismail (GAC Liaison)

2nd row Left to Right: Danko Jevtovic (NomCom), James Galvin (SSAC Liaison), Akinori Maemura (ASO), Mandla Msimang (NomCom), Ihab Osman (NomCom), Patricio Poblete (ccNSO), Kaveh Ranjbar (RSSAC Liaison), Katrina Sataki (ccNSO), Matthew Shears (GNSO), Tripti Sinha (NomCom)

Generic Names Supporting Organization (GNSO)

(see following page)

Philippe Fouquart (Chair)
Sebastien Duos (V. Chair)
Tomslin Samme Nlar (V. Chair)

Country Code Names Supporting Organization (ccNSO)

Alejandra Reynoso (Chair)
Adebiyi Oladipo (V. Chair)
Jordan Carter (V. Chair)

Address Supporting Organization (ASO)

Paul Wilson (Chair)
Hans Petter Holen (V. Chair)

Empowered Community Administration

Maureen Hilyard (ALAC)
German Valdez (ASO)
Alejandra Reynoso (ccNSO)
Manal Ismail (GAC)
Philippe Fouquart (GNSO)

Government Advisory Committee (GAC)

Manal Ismail (Chair)
Vice Chairs:
Pär Brumark, Francis Olivier Cubahiro, Ola Bergström, Shi Young Chang, Jaideep Kumar Mishra

Security & Stability Advisory Committee (SSAC)

Rod Rasmussen (Chair)
Julie Hammer (V. Chair)

Root Server System Advisory Committee (RSSAC)

Fred Baker (Chair)
Ken Renard (V. Chair)

At-Large Advisory Committee (ALAC)

Maureen Hilyard (Chair)
Joanna Kulesza (V. Chair)
Jonathan Zuck (V. Chair)

Root Zone Evolution Review Committee (RZERC)

Tim April (Chair)

Technical Liaison Group (TLG)

Christian Toche (ETSI)
Howard Benn (ETSI)
Reinhard Scholl (ITU-T)
Jie Zhang (ITU-T)
Wendy Seltzer (W3C)
Shadi Abou-Zahara (W3C)
Warren Kumari (IAB)
Tim Wicinski (IAB)

Nominating Committee 2022

Michael Graham (Chair)
Damon Ashcraft (Chair Elect)
Ole Jacobseon (Associate Chair)

Ombudsman

Herb Waye

Customer Standing Committee (CSC)

Lars-Johan Liman (Chair)

GNSO Stakeholder Groups, Constituencies & Council

The GNSO Council is responsible for managing the policy development process of the GNSO.

Contracted Party House Councilors

Registries Stakeholder Group
Kurt Pritz (NA)
Sebastien Ducos (AP), GNSO Council V. Chair
Maxim Alzoba (EU)

Registrar Stakeholder Group
Antonia Chu (AP)
Greg DiBiase (NA)
Kristian Ørmen (EU)

Nominating Committee Appointees (NCAs)
Olga Cavalli (LAC)
Desiree Miloshevic (EU)
Paul McGrady (NA)

Liaison and Observers
Maarten Simon, ccNSO (EU)
Justine Chew, ALAC (AP)
Jeff Neuman, GAC (NA)

Non-Contracted Party House Councilors

Commercial Stakeholder Group
Commercial and Business Users
Mark Datysgeld (LAC)
Marie Pattullo (EU)

Intellectual Property
Flip Petillion (EU)
John McElwaine (NA)

Internet Service and Connection Providers
Philippe Fouquart (EU), GNSO Council Chair
Thomas Rickert (EU)

Noncommercial Stakeholder Group
Tomslin Samme-Nlar (AP) GNSO Council V. Chair
Wisdom Donkor
Farell Folly
Juan Manuel Rojas
Stephanie Perrin
Manju Chen

Contracted Party House

Registries Stakeholder Group Executive Committee
Samantha Demetriou (Chair)
Beth Bacon (V. Chair, Policy)
Alan Woods (V. Chair, Administration)
Karen Day (Treasurer)
Sue Schuler (Secretariat)

Registrar Stakeholders Group
Ashley Heineman (Chair)
Jothan Frakes (V. Chair)
Owen Smigelski (V. Chair)
Benny Samuelsen (Treasurer)
Eric Rokobauer (Secretary)
Zoe Bonython (Secretariat)

Non-Contracted Party House

Intellectual Property Constituency
Lori Schulman (President)
Brian King (V. President)
Damon Ashcraft (Treasurer)
Susan Payne (Secretary)
Jan Janssen (Participation Coordinator)

Commercial Stakeholders Group*

Business Constituency
Mason Cole (Chair)
Steve DelBianco (V. Chair, Policy Coordination)
Lawrence Olawale-Roberts (V. Chair, Finance & Operations)
Tim Smith (CSG Representative)

Internet Service Providers & Connectivity Providers Constituency
Wolf-Ulrich Knoben (Chair)
Susan Mohr (V. Chair)
Christian Dawson (ExComm)
Philippe Fouquart (GNSO Councilor)
Thomas Rickert (GNSO Councilor)

Noncommercial Stakeholders Group*

Noncommercial Users Constituency
Benjamin Akinmoyeje (AF) (Chair)
Ines Hfaiedh (AF)
Olga Kyryliuk (EU)
Lia Hernandez (LAC)
Ken Herman (NA)

Not-for-Profit Operational Concerns Constituency
Raoul Plommer (Chair)
Adisa Bolutife (Communications Committee Chair)
Caleb Ogundele (Membership Committee Chair)
Gloria Meneses (Policy Committee Chair)
Emmanuel Vitus (Secretary)

* The groups' officers are omitted here

The Term Web3 Has Been Seized by the Crypto Market: **An Internet Governance Perspective**

In late 2021, the term Web3 began to increasingly appear in mainstream media outlets. This does not refer, however, to a sudden increase in interest in the Semantic Web as defined by Tim Berners-Lee, but rather to something entirely different. Enthusiasts of cryptocurrencies and nonfungible tokens (NFTs) seized this term and changed its meaning to reflect a supposed new stage of the Web, running on top of blockchains and having decentralization as its core value.

To summarize the narrative being spun, the first generation of the Web afforded independence to the owners of websites, but this did not extend to the average user; Web 2.0 brought with it the ability for users to generate content, at the expense of the centralization of services on a few platforms; Web3 would marry both freedom and user participation, cutting large technology companies out of the loop and giving decision-making power and ownership rights to users.

How this would take place is unclear, although distributed apps (dapps) running on top of different blockchains seem to be the main proposed avenue. It is important to note that most conversations taking place at the moment are being carried out around abstract ideas and vague premises, so by elimination, these applications are the most tangible resource available for research.

Dapps can be coded in any language at the frontend level, but their key difference is that at the backend level, they operate in a peer-to-peer fashion by leveraging blockchains, most popularly that of Ethereum.

DeFi combines features normally associated with banks and stock exchanges but without government oversight. Users can trade, loan, borrow, and bet on the performance of assets, all while avoiding checks concerning the origin of the currency being employed.

A different type of dapp that actually appears to align in some way with the promises of Web3 user independence is that of decentralized social media platforms. A few such projects are already in operation, enabling small pockets of users to carry out censorship-free interactions. These interactions are also theoretically permanent, given the nature of blockchains. It is as if current social media applications did not have a delete button or a moderation staff.

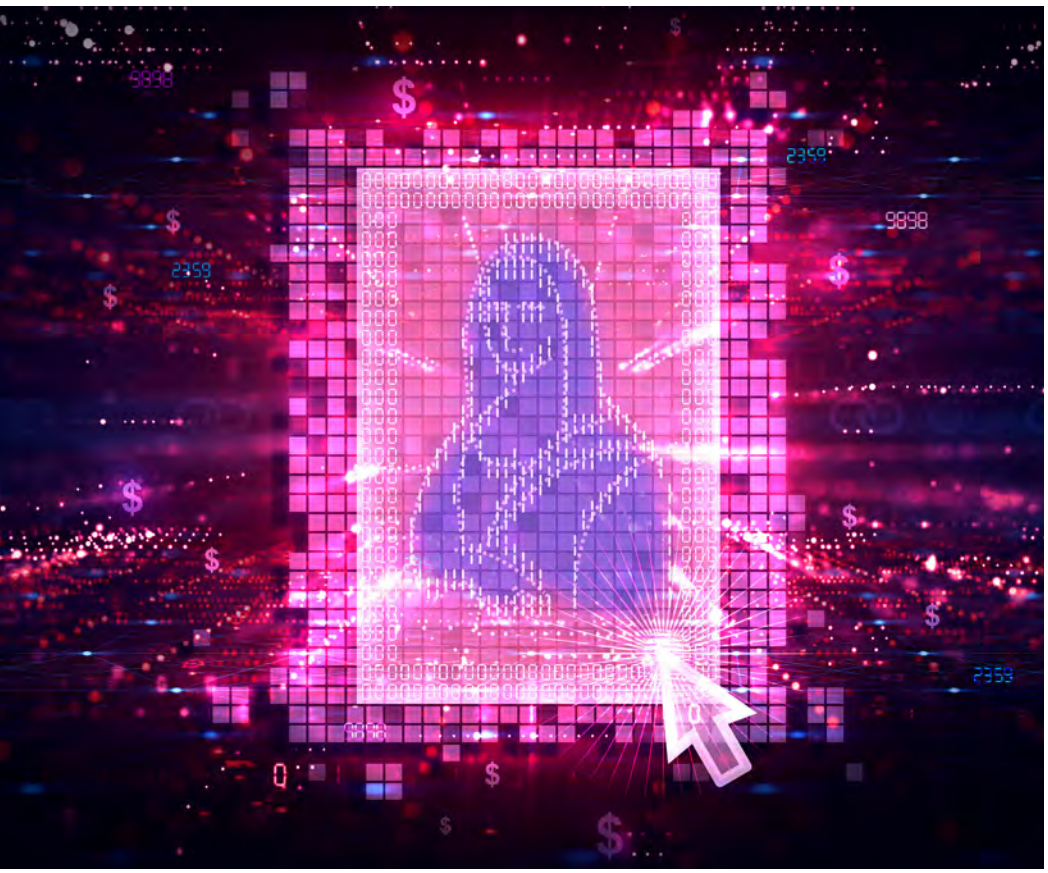
The implications of the adoption of social networks running under such a model should be quite clear. The Internet community's struggles with questions of abuse, exploitation, cybercriminals and so on have only increased over the years, and these

Continued: **The Term Web3 Has Been Seized by the Crypto Market: An Internet Governance Perspective**

challenges are faced within the context of a network of known and well-defined actors, which at the DNS level are bound by contracts to ICANN, and at the human level are people and entities that operate within a given national jurisdiction that is often traceable. Adding the anonymity currently afforded by darknets with the permanence of a blockchain would likely deepen these problems.

More generally, the inefficiency of turning the Web into a huge peer-to-peer operation seems to elude the enthusiasts of Web3. At the insignificant scale that the crypto market currently exists, it already causes well-documented impacts to the environment due to its energy-intensive operation. It also has explicit costs that are necessary for its operations to be carried out. Aficionados defend that, in time, optimizations will lower both of these costs enough for the benefits to be greater than the price.

The issue with that idea is that blockchains are inherently inefficient; this is part of their basic premise. The operation of the so-called Web3 is by definition more expensive, slower, and resource-intensive than the current approach, regardless of how many improvements are made to its architecture. Its development is also not being carried out within any of the current major standards bodies, nor are there significant new ones emerging to perform that work. Development efforts are ad-hoc, competitive, and don't seem to point towards the promised interoperability of this paradigm.



Fundamentally, there is nothing of value to the average user being offered by the Web3 proposal that cannot be achieved within the current model by exerting pressure over dominant companies, with: reasonable changes to the terms of use of major platforms; a decrease in dependency in the saturated advertisement-based profit model; the implementation of data portability; serious enforcement of privacy laws. There is no need to turn the Internet into an unaccountable mess to make it better.

At the end of the day, Web3 is just a reflection of a time in which a select elite has amassed more capital than it knows what to do with and are now pursuing ways to increase their already endless supply of resources without actually needing to generate real value for society, such as jobs and goods. This is not only observable in this particular market, as attempts to turn non-scarce resources into scarce ones and create bubbles are intensifying at a rapid pace in all sorts of sectors.

However, it is particularly egregious in this case, as a Ponzi scheme is being sold as some sort of digital emancipation backed up by venture capital, obliterating the Web in the process as collateral damage in the worst-case scenario. The promise is: "you can own part of something great, finally." It is the promise that you can own an imaginary, theoretical part of a Van Gogh painting that you will never have access to and gamble it away in a glamourized virtual casino and ultimately make that network's owners richer. The future has indeed arrived.

By Mark Datysgeld, GNSO Councilor

BUSINESS CONSTITUENCY

The ICANN GNSO Business Constituency
Newsletter, June 2022

The Benefits of BC Membership

The Business Constituency (BC) is the voice of commercial Internet users within ICANN – the Internet Corporation for Assigned Names and Numbers.

Business users rely on a stable and secure Internet and e-commerce experience, one that serves their users and customers on a global basis. Through your participation in ICANN, and in the Business Constituency, your company will make a difference on behalf of business.

BC members contribute as:

- participants on the BC e-mail list to learn about and debate issues
- participants on telephone conferences to reach consensus on key issues
- participants at physical meetings coincident with ICANN global meetings
- issue managers on specific topics
- bridges for information flow between other GNSO constituencies

The mission of the BC

The Constituency fully represents the views of the Internet business user community.

ICANN policy positions are consistent with the development of business via an Internet that is stable, secure and reliable while promoting consumer confidence.

ICANN policy positions derive from broad stakeholder participation in a common forum for suppliers and users.

BC Executive Committee

Chair
Mason Cole

Vice Chair, Policy Coordination
Steve DelBianco

Vice Chair, Finance & Operations
Lawrence Olawale-Roberts

CSG Representative
Tim Smith

GNSO Councilor
Marie Pattullo

GNSO Councilor
Mark Datysgeld

2022 Nominating Committee Members

Large Business Seat
Scott McCormick

Small Business Seat
Adetola Sogbesan

BC Finance Sub Committee:
Lawrence Olawale-Roberts (Chair), Jimson Olufuye, Chris Chaplow, Jay Sudowski, Yusuph Kileo

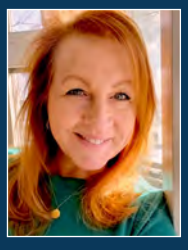
BC Credentials Committee:
Zak Muscovitch (Chair), Vivek Goyal, Roger Baah, John Berard, Kate Buckley

BC Communications Committee:
Vivek Goyal (Chair), Yusuph Kileo, Joseph Ambali

BC Onboarding Committee:
Roger Baah (Chair), Mark Datysgeld, Samuel Dada

Join the conversation on Twitter:
https://twitter.com/icannbc

BC SECRETARIAT



Brenda Brewer

Chantelle Doerksen

If you would like to become a member of the BC, please contact the BC Secretariat at:
info@icannbc.org
or simply visit our website and register online:
www.icannbc.org