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Preserving Freedom Online: The U.S. Should Reject the U.N.'s Authoritarian Control of the Internet

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The explosion of Internet capabilities, specifically over the past seven years, has engendered seismic shifts in societies around the globe. This dynamic game changer challenges the economic and political status quo by providing a venue for sharing ideas and practicing innovation. According to a 2011 report by the McKinsey Global Institute, the Internet “accounted for 21 percent of the GDP growth in mature economies” from 2007 to 2011, and greatly benefited “consumers and small, upstart entrepreneurs.”¹ Together with other economic, political, and social benefits, the value of an unchained Internet is apparent.

As a result, governments—both autocratic and democratic—around the world recognize the power of information to affect citizens’ economic, political, and social fortunes. Fearing the Internet’s power, cyber censorship and surveillance is common under many of the world’s brutal regimes, such as Cuba, North Korea, China, and Iran. As the Internet is a powerful medium of expression and innovation, the U.S. needs to reject government control of the Internet.

This means rejecting efforts to grant the U.N. greater control of the Internet, which is currently overseen by a multi-stakeholder arrangement led

by the Internet Corporation for Assigned Names and Numbers (ICANN) in California. U.N. control of the Internet would grant power and influence over that medium to autocratic nations that do not share a free vision of the Internet. In light of the recent Montevideo Statement on the Future of Internet Cooperation that calls for broader international governance, the U.S. must also actively engage with traditional Internet governance organizations to prevent increased Internet control by authoritarian nations.

Traditional Internet Governance. Internet governance has long resided with various nonprofit organizations, such as ICANN. According to its 1998 articles of incorporation, this non-political, private organization is designed to “[lessen] the burdens of government and [promote] the global public interest in the operational stability of the Internet.”² Through contract with the U.S. Commerce Department, ICANN oversees the Domain Name System that includes generic Top-Level Domains (gTLDs), such as .com, .org, .net, and, soon, many others. ICANN recently decided to increase these domains from 22 to as many as 1,400, with new gTLDs ranging from new Latin-alphabet domains to ones with Arabic, Chinese, and Cyrillic scripts.³

Other organizations, such as the Internet Society, the Internet Architecture Board (IAB), and the Internet Engineering Task Force (IETF), are also involved in the Internet’s current nonprofit leadership structure. These organizations interact to advance the principles and technical operation of the Internet. The Internet Society focuses on the long-term health and sustainability of the Internet through policy development. The IETF, together

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with ICANN, acts as one of the primary technical organizations. Drawn from and nominated by the IETF, the IAB serves as the Internet Society's technical adviser and promotes policies that will assist technical standardization.⁴

Challenges to the Status Quo Governance.

Despite great success, there are serious challenges to the way the Internet is currently governed. Specifically, authoritarian nations wish to implement changes to make the Internet subject to more control and oversight by government. To achieve this goal, these nations have attempted to use various U.N. bodies that are directly controlled by governments, most notably the International Telecommunication Union (ITU), to regulate the Internet.

Fadi Chehadé, CEO of ICANN, has pushed back against the ITU's proposed resolutions on "cyber sovereignty," which would effectively endorse government control of the Internet. Upon assuming this position in 2012, Chehadé pledged to "make all my decisions for the public interest" of Internet users.⁵ While cyber sovereignty efforts have thus far been blocked, the Internet will continue to face challenges in the future.

At the prodding of China, Russia, and Brazil, Chehadé is leading the charge to increase multi-stakeholder control over the Internet. As early as February 2013, Chehadé sought to relocate some of ICANN's U.S. offices to places such as China despite that country's continued efforts to block free and open access to the Internet.⁶

Revelations by Edward Snowden have only contributed to this trend toward international governance. In October 2013, various Internet stake-

holders met in Uruguay and issued the Montevideo Statement, which called for "an environment in which all stakeholders, including all governments, participate on an equal footing."⁷ This is concerning: ICANN has been gaining independence from the U.S. government since its inception, but the Montevideo Statement would reverse this trend with a twist—government oversight would be strengthened—but with 193 governments, not just the U.S., looking over ICANN's shoulder.

International Internet Idealism vs. Internet Freedom. Broadening international governance of the Internet may sound like a fair and appropriate course of action. But such a path will allow bad actors to greatly constrain human rights and freedoms. The irony of the Montevideo Statement is that, in trying to combat balkanization of the Internet and Internet surveillance, it makes ICANN more vulnerable to autocratic and despotic regimes, which use broad and repressive censorship and surveillance programs.

A positive aspect is that ICANN is a consensus-driven organization that is limited to policies, standards, and operations for IP (Internet Protocol) addresses and the Domain Name System that creates easy-to-remember web domains such as "heritage.org." Similarly, other organizations, including the IETF, the IAB, and the Internet Society, are also consensus-based organizations with specific functions. As long as these organizations are limited in purpose and make consensus-based policy decisions, the U.S. can ensure a free and powerful Internet through consistent involvement and engagement with Internet-governance organizations.

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 4. Internet Society, Open Internet Standards, <http://www.internetsociety.org/what-we-do/internet-technology-matters/open-internet-standards> (accessed December 17, 2013).
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 7. Press Release, "Montevideo Statement of Future Internet Cooperation," ICANN, October 7, 2013, <http://www.icann.org/en/news/announcements/announcement-07oct13-en.htm> (accessed December 17, 2013).
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Furthermore, the U.S. must work with these various Internet governance organizations as well as allies to prevent the ITU from taking over responsibility for the Internet. Unlike ICANN and other non-profit organizations, the ITU is a political organization that autocratic governments can use to exercise and justify increased power over crucial aspects of the Internet, especially within their borders. Defeating cyber sovereignty and other efforts that empower the ITU and autocratic governments should be central to the U.S. Internet freedom agenda.

Ensuring a Global, Free Internet. Given the power and freedom the Internet provides, the U.S. must continue to defend traditional Internet governance against nations that have a vision for the Internet that is far from free. Despite widespread outrage at U.S. surveillance programs revealed by Snowden, the U.S. remains a leader and a force for good on Internet freedom as shown by its No. 3 ranking in Freedom House's *Freedom on the Net 2013* index. To defend a free Internet, President Barack Obama should:

- Maintain a firm commitment to engage with the Internet governance organizations. Since the status quo Internet governance organizations have specific roles and operate via consensus, it is critical that the U.S. maintain its strong voice in these organizations. ICANN may soon become

completely independent of the U.S. government, but the U.S. must ensure that ICANN maintains a system of governance that does not empower those nations that oppose a free Internet.

- Reject ITU control of the Internet. The ITU ultimately serves the majority of nations which do not want a free and open Internet. The U.S. must build a coalition of freedom-loving nations and traditional Internet governance nonprofits to reject ITU regulation of the Internet.

Internet Freedom for the Future. The Internet revolution has dramatically altered the way the world engages in commerce and communicates ideas. The U.S. and other freedom-loving nations believe that such power in the hands of individuals is a tool for prosperity and free expression. The U.S. must work with Internet governance organization and allies to ensure that any changes in governance defend the freedom of the Internet.

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