

# Human Rights Gap Analysis for ICANN's Universal Acceptance Roadmap for Domain Name Registry and Registrar Systems

Final Report

Ephraim Percy Kenyanito  
Megan Kathure  
Maryam Lee

October 2022

## **Acknowledgements**

Many people helped with this project, and we are grateful to everyone who put in their time and effort to make it a success.

In particular, thanks to members of the Cross-Community Working Party on ICANN and Human Rights (CCWP-HR) and Non-Commercial Stakeholder Group (NCSG) for their contributions to early versions of the HRIA methodology and the Non-Commercial Stakeholder Group Policy Committee and membership and various individual members for providing comments on earlier versions of the analysis.

## **About the CCWP-HR**

The CCWP-HR is a multistakeholder forum currently chartered as a sub-entity of the Non-Commercial Stakeholder Group (NCSG) within the Generic Name Supporting Organisation (GNSO) but remains open to the rest of the Internet Corporation for Assigned Names and Numbers (ICANN) community for research and discussion on the relationship between human rights and global Domain Name System (DNS) coordination. This is related — but not limited — to policies, procedures, and operations, with a particular focus on ICANN's responsibility to respect human rights. The primary goal of the CCWP-HR is to provide information, facilitate dialogue, and make suggestions to ICANN Org, its Board of Directors, and the ICANN community on ways to better harmonize ICANN's policies and procedures with internationally recognized human rights laws and corporate social responsibility standards. Membership is open to any interested individual, regardless of affiliation.

## **About the Authors**

Ephraim Percy Kenyanito is a lawyer and researcher at ARTICLE 19, where he works on censorship and business and human rights issues at the Internet infrastructure level. He is a Certified Project Management Professional (PMP), has co-chaired the CCWP-HR since June 2020, and is also an alumni member of ICANN's fellowship program, NextGen@ICANN Program, among other fellowship programs.

Megan Kathure is an attorney at law admitted as an advocate of the High Court of Kenya; a researcher and policy analyst on Data and Internet Governance, Technology law and Cybersecurity and is an alumni member of ICANN's fellowship program among other fellowship programs.

Maryam Lee has 10 years of experience in human rights advocacy, policy making, and capacity building to nurture a progressive society. She is trained as an educator and is passionate about development. She is currently working on business and human rights in digital spaces in an effort to harmonize human rights and technology.

## **Summary**

In August 2022, ICANN published the ICANN's Universal Acceptance Roadmap for Domain Name Registry and Registrar Systems, requesting feedback from the community.

We welcome the work of ICANN to release the document in line with Workstream 2 Recommendations on ICANN Transparency. The roadmap provides a study which can serve as a proof of concept to ensure that there is a clear, consistent approach with clear procedures and requirements for Registrars to ensure universal acceptance in their infrastructure, systems, and applications. Our analysis shows that, primarily, the document is a good first step in ensuring that the Internet is more inclusive, especially for communities that use non-Roman scripts and people who do not speak English.

CCWP-HR implores ICANN to consider the comments and recommendation below, which would ensure that universal acceptance is implemented more closely with international law and best practice.

## **Comments on the Study**

We welcome the study as it sets out a practical way in which universal acceptance is to be fully implemented by ICANN accredited registries and registrars.

Importantly, in 2009, ICANN approved the implementation of fully international top-level country code domain names (IDN ccTLDs) such as “مصر.” (Egypt), “.中国” (China), and “.рф” (Russia).

Since then, in 2015, a semi-autonomous group within the Internet Corporation for Assigned Names and Numbers (ICANN) community known as the Universal Acceptance Steering Group (UASG) was formed to coordinate these efforts, and it has been producing knowledge on the topic ever since.

We welcome these efforts and support the study as drafted, as this is in line with human rights principles. We note that a more multilingual Internet will support meaningful and inclusive connectivity for millions of users, who will be able to navigate the Internet using new gTLDs written in their native scripts and languages. These users will be able to more fully exercise their rights to freedoms of expression, information, and association without barriers that privilege Romance language speakers.

Linguistic rights and protections are affirmed in several international and regional legal instruments and declarations, including the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR),

the African Charter on Human and Peoples' Rights, the American Convention on Human Rights, and the European Convention on Human Rights among others.<sup>1</sup>

## Recommendations

While we welcome the study, we recommend that the study clearly recommends that registries and registrars should publish policies setting out the implementation of universal acceptance. Furthermore, the study should set out clear metrics by which registries and registrars should assess and evaluate their implementation of Universal Acceptance. Finally, the study can set recommendations for registries and registrars to regularly disclose to ICANN their progress toward achieving universal acceptance as set out in this roadmap.

## Conclusion

CCWP-HR is grateful to have participated in this public comment process in accordance with the November 2019 ICANN Board approval of the FOI-HR.

We welcome feedback on any aspect of this initiative and extend an open invitation to any interested individuals to get involved in the next phase of work. To become a member of the Cross-Community Working Party on ICANN and Human Rights (CCWP-HR), visit the CCWP-HR page on the ICANN Community website

<<https://community.icann.org/display/gnsononcomstake/CCWP+on+ICANN+and+Human+Rights>>.

---

<sup>1</sup> Article 2, Universal Declaration of Human Rights  
<<https://www.un.org/en/about-us/universal-declaration-of-human-rights>> accessed 7 October 2022, Article 27, International Covenant on Civil and Political Rights  
<<https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>> accessed 7 October 2022, Articles 17, 29, 30 and 40, Convention on the Rights of the Child  
<<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>> accessed 7 October 2022, Article 2, African Charter on Human and Peoples' Rights  
<<https://au.int/en/treaties/african-charter-human-and-peoples-rights>> accessed 7 October 2022, Article 1, American Convention on Human Rights (Pact of San Jose)  
<[https://www.oas.org/dil/access\\_to\\_information\\_American\\_Convention\\_on\\_Human\\_Rights.pdf](https://www.oas.org/dil/access_to_information_American_Convention_on_Human_Rights.pdf)> accessed 7 October 2022, Articles 5, 6 and 14, European Convention on Human Rights  
<[https://www.echr.coe.int/documents/convention\\_eng.pdf](https://www.echr.coe.int/documents/convention_eng.pdf)> accessed 7 October 2022