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ICANN

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### **Public comment on the Proposed Renewal of .biz Registry Agreement**

#### **Executive Summary**

Renewal of the .biz registry agreement with Registry Services, LLC should be assessed against the background of the Internet addiction global problem. According to academic research, Internet addiction disorder (IAD) results in personal, family, and occupational problems. Internet addiction can be decomposed into several subtypes of behavior and impulse control problems, namely, Debauchery, cyber-relationship addiction, net compulsions, information overload, compulsive web surfing or database searches and net gaming. Internet gaming has been classified by the World Health Organization (WHO) as a disease in the International Classification of Diseases (ICD-11). There is a large correlation between addiction to online social networks and generalized Internet addiction. The short-term, dopamine-driven feedback loops that Facebook has created are destroying how society works and it is eroding the core foundations of how people behave by and between each other. Smartphones and the social media platforms they support are turning us into *bona fide* addicts. Platforms like Facebook, Snapchat, and Instagram leverage the very same neural circuitry used by slot machines and cocaine to keep us using their products as much as possible. Internet Addiction Disorder (IAD) ruins lives by causing neurological complications, psychological disturbances, and social problems. Smartphone or Internet addiction can also negatively impact your life by increasing loneliness and depression, fueling anxiety, increasing stress, exacerbating attention deficit disorders, diminishing your ability to concentrate and think deeply or creatively, disturbing your sleep and



encouraging self-absorption. The psychopathological overlap between IA, substance addiction and pathological gambling suggests a common neurobiological substrate, involving a dopamine dysfunction of the neural "reward systems". Debauchery destroys the brain. Lust and promiscuity, explains Nachman of Breslev, lead to a breakdown of logic, common sense and even insanity. The proof is that in this decadent age, so many people are in need of psychiatric medication, whereas millions suffer from anxiety and depression. All the people who are out of their minds, because they fell into the difficult disease of looking at women and all kinds of filthy movies on the Internet, on the iPhone, Facebook, etc., to the point of burning lust in real madness. Gambling is a terrible sickness, even more addictive than alcohol, tobacco and drugs. The lust for money is the root cause of gambling affliction, which not only drives a person insane, but makes him or her lose faith in the Creator, and truth and emuna in His Divine providence, Heaven forbid. The gambler is cruel to his family. The owners and operators of gambling parlors are outright murderers.

ICANN, some ICANN-accredited registrars, some registry operators and some Domain Name Registrants are fostering Internet Addiction. Registry Services, LLC is fostering Internet addiction. Fostering Internet addiction is a disastrous violation of fundamental human rights and GAC Communiqué – Beijing, People's Republic of China. Fostering Internet addiction by ICANN, some ICANN-accredited registrars, some registry operators and some Domain Name registrants is a violation of applicable laws. Fostering Internet addiction is a violation of ICANN's Articles of Incorporation, Board of Directors' Code of Conduct, Governance Guidelines, Commitments, Core Values and By-Laws.

In view of the above, we require ICANN to terminate immediately the activities fostering Internet addiction, including the performance of relevant IANA functions, relevant gTLD activities, relevant Registry Operators' activities, relevant ICANN-accredited registrars' activities, including through RESP and amendments of registry and registrar agreements and to refrain from renewing the .biz registry agreement with Registry Services, LLC unless Registry Services, LLC and its related companies terminate immediately activities fostering Internet addiction and the .biz registry agreement is amended to prohibit Internet addiction activities.



ICANN asked for public comment regarding renewal of the .biz registry agreement with Registry Services, LLC with the purpose to obtain community input.

### **Section I: Background - the global problem of Internet Addiction**

Internet Addiction is a global problem that transcends culture, race, age, and gender.

(The Evolution of Internet Addiction Disorder, Kimberly Young in C. Montag and M. Reuter (eds.) (2015), Internet Addiction, *Studies in Neuroscience, Psychology and Behavioral Economics*)

Internet addiction disorder (IAD) results in personal, family, and occupational problems that have been documented in established addictions such as pathological gambling (e.g., Abbott, 1995), eating disorders (e.g., Copeland, 1995), and alcoholism (e.g., Cooper, 1995; Siegal, 1995).

Marriages, parent-child relationships, and close friendships were also noted to be poorly disrupted by excessive use of the Internet. Students experienced significant academic problems which eventually resulted in poor grades, academic probation, and even expulsion from the university.

(Internet addiction: the emergence of a new clinical disorder by Dr. Kimberly S. Young, *Cyber Psychology and Behavior*, Vol. 1 No. 3., pages 237-244)

Internet addiction can be decomposed into several subtypes of behavior and impulse control problems, namely,

- Debauchery: Debauchery and internet porn
- Cyber-relationship addiction: Social media, online dating and other virtual communication;
- Net compulsions: Obsessive online gambling, shopping or day-trading;
- Information overload: Compulsive web surfing or database searches;
- Gaming: online game playing.

(Young, K. (1999), The research and controversy surrounding internet addiction. *Cyber Psychology and Behavior*, Vol. 2 No. 5 pages 381–383)



Smartphone addiction can be decomposed in several subtypes of Internet addiction:

**Virtual relationships.** Addiction to social networking, dating apps, texting, and messaging can extend to the point where virtual, online friends become more important than real-life relationships.

We've all seen the couples sitting together in a restaurant ignoring each other and engaging with their smartphones instead. While the Internet can be a great place to meet new people, reconnect with old friends, online relationships are not a healthy substitute for real-life interactions. Online friendships can be interesting as they tend to exist in a bubble, not subject to the same demands or stresses as real-world relationships. Compulsive use of dating apps can change your focus instead of developing a marriage relationship.

**Information overload.** Compulsive web surfing, watching videos, playing games, or checking news feeds can lead to lower productivity at work or school and isolate you for hours at a time. Compulsive use of the Internet and smartphone apps can cause you to neglect other aspects of your life, from realworld relationships to hobbies and social pursuits.

**Debauchery addiction.** Compulsive use of Internet debauchery or adult messaging services can impact negatively on your real-life relationships and overall emotional health. The Internet makes it more accessible, relatively anonymous, and very convenient. It's easy to spend hours engaging in fantasies impossible in real life.

**Online compulsions,** such as gaming, gambling, stock trading, online shopping, or bidding on auction sites can often lead to financial and job-related problems. While gambling addiction has been a well-documented problem for years, the availability of Internet gambling has made gambling far more accessible. Compulsive stock trading or online shopping can be just as financially and socially damaging.

(<https://www.helpguide.biz/articles/addictions/smartphone-addiction.htm/> HelpGuide.biz )



Internet gaming has been classified by the World health Organization (WHO) as a disease in the International Classification of Diseases (ICD) 11:

### **6C50.1 Gambling disorder, predominantly online**

#### **Description**

Gambling disorder, predominantly online is characterized by a pattern of persistent or recurrent gambling behavior that is primarily conducted over the internet and is manifested by:

1. impaired control over gambling (e.g., onset, frequency, intensity, duration, termination, context);
  2. increasing priority given to gambling to the extent that gambling takes precedence over other life interests and daily activities; and
  3. continuation or escalation of gambling despite the occurrence of negative consequences.
- The behavior pattern is of sufficient severity to result in significant impairment in personal, family, social, educational, occupational or other important areas of functioning.

The pattern of gambling behaviour may be continuous or episodic and recurrent. The gambling behaviour and other features are normally evident over a period of at least 12 months in order for a diagnosis to be assigned, although the required duration may be shortened if all diagnostic requirements are met and symptoms are severe.

There is a large correlation between addiction to online social networks (such as Facebook in Germany and Taiwan or QQZone in China) and generalized Internet addiction.

(Montag C, Bey K, Peng S et al (2014) Is it meaningful to distinguish between generalized and specific Internet addiction? Evidence from a cross-cultural study from Germany, Sweden, Taiwan and China. *Biz-Pacific Psychiatry*)





A new, more rigorous study confirms: the more you use Facebook, the worse you feel. Prior research has shown that the use of social media may detract from face-to-face relationships, reduce investment in meaningful activities, increase sedentary behavior by encouraging more screen time, lead to internet addiction, and erode self-esteem through unfavorable social comparison. Overall, the results showed that, while real-world social networks were positively associated with overall well-being, the use of Facebook was negatively associated with overall well-being. These results were particularly strong for mental health; most measures of Facebook use in one year predicted a decrease in mental health in a later year. The authors of this study found consistently that both liking others' content and clicking links significantly predicted a subsequent reduction in self-reported physical health, mental health, and life satisfaction. These results then may be relevant for other forms of social media.

(Holly B. Shakya and Nicholas A. Christakis (2017), *Harvard Business Review* <https://hbr.biz/2017/04/a-new-more-rigorous-study-confirms-the-more-you-use-facebook-the-worse-you-feel>)

Facebook is making us miserable. Disturbing by-products of Facebook's rapid ascension were discovered — three new, distressing ways in which the social media giant is fundamentally altering our daily sense of well-being in both our personal and work lives.

First, it's creating a den of comparison. Comparing ourselves to others is a key driver of unhappiness.

Second, it's fragmenting our time. Constant distractions lead to late and poor-quality output, negatively impacting our sense of self-worth.

Last, there's a decline of close relationships. Facebook is negatively affecting what psychology Professor Jeffrey Parker refers to as "the closeness properties of friendship."

The particularly courageous choose to delete Facebook from their smartphones and iPads, and log off the platform entirely for long stretches of time.

(Daniel Gulati (2011), Facebook is making us miserable, *Harvard Business Review*)



See also

Young K (2010) Internet addiction over the decade: a personal look back. *World Psychiatry* 9:91

Codispoti VL (2008) Pharmacology of sexually compulsive behavior. *Psychiatr Clin North America* 31:671–679

Bostwick JM, Bucci JA (2008) Internet sex addiction treated with naltrexone. *Mayo Clin Proc* 83:226–230

**"The short-term, dopamine-driven feedback loops that we have created are destroying how society works: no civil discourse, no cooperation, misinformation, mistruth." "It is eroding the core foundations of how people behave by and between each other. I don't have a good solution. My solution is I just don't use these tools anymore."**

(Bill Snyder (2017), **Chamath Palihapitiya (former Facebook Vice-President)**: Why Failing Fast Fails, *Insights by Stanford Business, Stanford Graduate School of Business*  
<https://www.gsb.stanford.edu/insights/chamath-palihapitiya-why-failing-fast-fails>)

Smartphones and the social media platforms they support are turning us into *bona fide* addicts. While it's easy to dismiss this claim as hyperbole, platforms like Facebook, Snapchat, and Instagram leverage the very same neural circuitry used by slot machines and cocaine to keep us using their products as much as possible.

(Trevor Haynes (2018), Dopamine, Smartphones & You: A battle for your time, *Harvard Medical School, Harvard University*

<http://sitn.hms.harvard.edu/flash/2018/dopamine-smartphones-battle-time/>)

Why do people become addicted to the Internet ?

**Accessibility:** People can get online easily and almost immediately, at any time of day or night.

**Control:** People can go online when they want and without other people knowing, causing them to feel in control.



**Excitement:** Going online gives people a sort of "high". The suspense of bidding in online auctions, gambling, or playing games can be especially thrilling.

(<http://netaddiction.com/>)

Adolescents who struggle with Internet addiction often have other mental health problems like alcohol and substance use, depression, suicidal ideation, ADHD, phobias, schizophrenia, obsessive compulsive disorder and/or aggression.

Adults who are addicted to the Internet are also likely to have depression, anxiety, alcohol problems, compulsive behaviors, sleep disorders, ADHD, anger issues and or dissociative experiences.

(Kuss DJ, Griffiths MD, Karila L and Billieux J. (2014). Internet Addiction: A Systematic Review of Epidemiological Research for the Last Decade. *Current Pharmaceutical Design*. 20)

See the fact sheet Risky business: Internet addiction, *Mental Health America*  
<http://www.mentalhealthamerica.net/conditions/risky-business-internet-addiction>

**Internet Addiction Disorder (IAD) ruins lives by causing neurological complications, psychological disturbances, and social problems.**

(Internet Addiction: A Brief Summary of Research and Practice Hilarie Cash, Cosette D. Rae, Ann H. Steel and Alexander Winkler *Current Psychiatry Reviews*, 2012, 8, 292-298)

Causes and effects of smartphone and Internet addiction

While you can experience impulse-control problems with a laptop or desktop computer, the size and convenience of smartphones and tablets means that we can take them just about anywhere and gratify our compulsions at any time. In fact, most of us are rarely ever more than five feet from our smartphones. Like the use of drugs and alcohol, they can trigger the release of the brain chemical dopamine and alter your mood. You can also rapidly build up tolerance so that it takes more and more time in front of these screens to derive the same pleasurable reward.





Heavy smartphone use can often be symptomatic of other underlying problems, such as stress, anxiety, depression, or loneliness. At the same time, it can also exacerbate these problems. If you use your smartphone as a "security blanket" to relieve feelings of anxiety, loneliness, or awkwardness in social situations, for example, you'll succeed only in cutting yourself off further from people around you. Staring at your phone will deny you the face-to-face interactions that can help to meaningfully connect you to others, alleviate anxiety, and boost your mood. In other words, the remedy you're choosing for your anxiety (engaging with your smartphone), is actually making your anxiety worse.

Smartphone or Internet addiction can also negatively impact your life by:

**Increasing loneliness and depression.** While it may seem that losing yourself online will temporarily make feelings such as loneliness, depression, and boredom evaporate into thin air, it can actually make you feel even worse. A 2014 study found a correlation between high social media usage and depression and anxiety. Users, especially teens, tend to compare themselves unfavorably with their peers on social media, promoting feelings of loneliness and depression.

**Fueling anxiety.** One researcher found that the mere presence of a phone in a work place tends to make people more anxious and perform poorly on given tasks. The heavier a person's phone use, the greater the anxiety they experienced.

**Increasing stress.** Using a smartphone for work often means work bleeds into your home and personal life. You feel the pressure to always be on, never out of touch from work. This need to continually check and respond to email can contribute to higher stress levels and even burnout.

**Exacerbating attention deficit disorders.** The constant stream of messages and information from a smartphone can overwhelm the brain and make it impossible to focus attention on any one thing for more than a few minutes without feeling compelled to move on to something else.

**Diminishing your ability to concentrate and think deeply or creatively.** The persistent buzz, ping or beep of your smartphone can distract you from important tasks, slow your work, and interrupt those



quiet moments that are so crucial to creativity and problem solving. Instead of ever being alone with our thoughts, we're now always online and connected.

**Disturbing your sleep.** Excessive smartphone use can disrupt your sleep, which can have a serious impact on your overall mental health. It can impact your memory, affect your ability to think clearly, and reduce your cognitive and learning skills.

**Encouraging self-absorption.** A UK study found that people who spend a lot of time on social media are more likely to display negative personality traits such as narcissism. Posting all your thoughts or details about your life can create an unhealthy self-centeredness, distancing you from real-life relationships and making it harder to cope with stress.

(<https://www.helpguide.biz/articles/addictions/smartphone-addiction.htm/> **HelpGuide.biz** )

The psychopathological (e.g. impulsivity, compulsive repetition, etc.) overlap between IA, substance addiction and pathological gambling suggests a common neurobiological substrate, involving a dopamine dysfunction of the neural "reward systems".

(Pharmacological Treatment of Internet Addiction, Giovanni Camardese, Beniamino Leone, Coco Walstra, Luigi Janiri and Riccardo Guglielmo in C. Montag and M. Reuter (eds.) (2015), Internet Addiction, *Studies in Neuroscience, Psychology and Behavioral Economics*)

Dopamine addiction is derailing a generation of entrepreneurs. All that Facebook liking and YouTube binge watching could be derailing your efforts to build a successful product or live a balanced life.

(John Boitnot (2017), *Inc.*, <https://www.inc.com/john-boitnott/is-your-need-for-another-dopaminehit-wrecking-your-business-your-life.html>)



Internet addiction causes divorce and breaks-up families.

As we explained in *The Universal Garden of Emuna*, an international best-seller which was translated in English, French, Spanish, Russian and Dutch, lewd and negative thoughts result from misplaced lust. The Creator gives us a measure of lust in order to fulfill the commandment of marrying and having a family. Yet, whenever the means of fulfilling the commandment become a vulgar end of self-satisfaction, one's emuna (faith in the Creator) breaks down and he becomes exposed to all types of distortions and emotional difficulties.

Debauchery destroys the brain. Lust and promiscuity, explains Nachman of Breslev, lead to a breakdown of logic, common sense and even insanity. The proof is that in this decadent age, so many people are in need of psychiatric medication, whereas millions suffer from anxiety and depression.

The eyes are the first offender. The heart lusts what the eye sees. All the people who are out of their minds, fell into the difficult disease of looking at women and all kinds of dirty newspapers and filthy movies on the Internet, on the iPhone, Facebook, etc., to the point of burning lust in real madness. If a man would refrain from looking at any woman other than his wife, his brain would be much cleaner, his thoughts more pleasant, and h'd have the mental energy to devote to more positive endeavors.

Debauchery on the Internet causes the lost of joy in life and destroys a person's wisdom and sound judgment. Genuine success will elude him. Married people who fail to guard their eyes suffer from their wives and are prone to divorce. One's income suffers. He lies to himself and lies to others. It destroys a person's sense of justice and loyalty, to the extent that he'll neglect and even destroy his own wife and children in the most selfish and heartless manner just to satisfy his lust.

Regarding gambling, we explained in *The Universal Garden of Emuna* that gambling is a terrible sickness, even more addictive than alcohol, tobacco and drugs. It literally buries people and reduces them to a subhuman level. Gambling and emuna just don't mix. The lust for money is the root cause of gambling affliction, which not only drives a person insane, but makes him or her fbi-zet the Creator, truth and emuna in His Divine providence, Heaven forbid.



In truth, money derived from gambling is like stolen money, for it hasn't been relinquished willfully. Therefore, money won in gambling has no blessing; the gambler won't see any benefit from such gains, for gambling money is spiritually putrid.

The gambler is cruel to his family. The money in our possession is not truly ours; it is only a safe deposit in our hands, to use in a fashion that the creator intends. When he gambles, he steals from his wife and children. He takes the money that was earmarked for their sustenance and pours it down the drain of folly and fantasy. There is no one so cruel to a wife and children as a gambler.

The gambler thrives on the suffering of others. Gambling is more than problematic on the level of morality. In most cases, one person's winnings are another person's losses.

The owners and operators of gambling parlors are outright murderers. Their astronomical profits are the sum of sorrow of not only those who lose the money gambling, but their wives and children who pay the price. What's worse, the "benevolent" owners and operators help their clientele by loaning them money so that they can lose more money than what they own, murdering their clientele and their clientele's families.

The conclusion we must arrive at is that a person who believes in the Almighty avoids even the slightest contact with gambling.

## **Section II: ICANN, some ICANN-accredited registrars, some registry operators and some Domain Name Registrants are fostering of Internet Addiction**

ICANN fosters the development of Internet addiction activities in performing some IANA functions.

ICANN creates, allocates or coordinates generic top-levels domains (gTLD) in subtypes of Internet addiction activities (for example: Debauchery - .adult, .porn, .sex, .sexy, .xxx, Internet gaming: .bet, .casino, .poker, Cyber-relationship addiction: .date, .dating etc.).

ICANN gives accreditation to Registrars and enter into and perform agreements with Registrars and registry operators which foster of Internet addiction activities (Debauchery, Cyber-relationship addiction, Net compulsions, Information overload, Gaming).



ICANN allows and foster of Domain Name Registrants of Internet addiction activities (Debauchery, Cyber-relationship addiction, Net compulsions, Information overload, Gaming).

### **Section III: Registry Services, LLC is fostering Internet addiction**

Registry Services, LLC registered under the .biz gTLD domain names involved in Internet addiction such as www.sexporn.biz (debauchery), www.gambling.biz, www.casino.biz (internet gambling), www.dating.biz (Cyber-relationship addiction).

### **Section IV: Fostering Internet addiction is a disastrous violation of fundamental human rights and GAC Communiqué – Beijing, People's Republic of China**

The Governmental Advisory Committee (GAC) of ICANN issued the GAC Communiqué – Beijing, People's Republic of China in 2013.

The GAC advised the Board of ICANN that all safeguards highlighted in this document as well as any other safeguard requested by the ICANN Board and/or implemented by the new gTLD registry and registrars should be implemented in a manner that is fully respectful of human rights and fundamental freedoms as enshrined in international and, as appropriate, regional declarations, conventions, treaties and other legal instruments – including, but not to, the UN Universal Declaration of Human Rights and respect all substantive and procedural laws under the applicable jurisdictions.

Since Internet addiction destroys how society works, erodes the core foundations of how people behave by and between each other and ruins lives by causing neurological complications, psychological disturbances, and social problems, fostering of Internet addiction is a violation of fundamental human rights.





Article 7 of the UN International Covenant on Civil and Political Rights states:

**Article 7**

*No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.*

In its General comment No. 20 on Article 7, The UN Human Rights Committee indicated that the aim of the provisions of article 7 of the International Covenant on Civil and Political Rights is to protect both the dignity and the physical and mental integrity of the individual. The prohibition in article 7 relates not only to acts that cause physical pain but also to acts that cause mental suffering to the victim. It is appropriate to emphasize in this regard that article 7 protects, in particular, children and pupils.

Since Internet addiction destroys how society works, erodes the core foundations of how people behave by and between each other and ruins lives by causing neurological complications, psychological disturbances, and social problems, fostering Internet addiction violates the dignity and the physical and mental integrity of the individual, in particular children.

In view the prohibition of article 7 of the International Covenant, ICANN, ICANN-accredited registrars and Registry operators should establish training and operational rules and ethical standards to be followed by in order to prevent Internet addiction.

ICANN, ICANN-accredited registrars and Registry operators should provide detailed information on safeguards for the special protection of particularly vulnerable persons to Internet addiction.

ICANN, ICANN-accredited registrars and Registry operators should include provisions in their Governance documents, Agreements, Reviews, Reports, Indicators and Correspondence which penalize the fostering of Internet addiction, specifying the penalties applicable to such acts, whether committed by persons acting on behalf of ICANN, ICANN-accredited registrars or Registry operators. Those who violate article 7 of the UN International Covenant, whether by encouraging, ordering, tolerating or perpetrating prohibited acts, must be held responsible.



Article 7 of the UN International Covenant should be read in conjunction with article 2, paragraph 3, of the Covenant. ICANN, ICANN-accredited registrars and Registry operators should establish legal provisions that effectively guarantee the immediate termination of all the acts prohibited by article 7 as well as appropriate redress. The right to lodge complaints against maltreatment prohibited by article 7 must be recognized in the legal documents of ICANN, ICANN-accredited registrars and Registry operators. Complaints must be investigated promptly and impartially by competent authorities so as to make the remedy effective. ICANN, ICANN-accredited registrars and Registry operators should provide specific information on the remedies available to victims of Internet addiction and the procedure that complainants must follow, and statistics on the number of complaints and how they have been dealt with. ICANN, ICANN-accredited registrars and Registry operators may not deprive individuals of the right to an effective remedy, including compensation and such full rehabilitation as may be possible.

Therefore, Fostering Internet addiction is a violation of article 7 of the UN International Covenant on Civil and Political Rights.

Article 17 of the UN International Covenant on Civil and Political Rights states:

**Article 17**

- 1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.*
- 2. Everyone has the right to the protection of the law against such interference.*

In General comment n. 16, the UN Human Rights Committee stated that this right is required to be guaranteed against all such interferences and attacks whether they emanate from natural or legal persons.



Since Internet addiction destroys how society works, erodes the core foundations of how people behave by and between each other and ruins lives by causing neurological complications, psychological disturbances, and social problems, fostering Internet addiction is an arbitrary or unlawful interference with one's privacy, family, home or correspondence, and an unlawful attacks on his honour and reputation.

Therefore, fostering of Internet addiction is a violation the fundamental human right specified in article 17 of the UN International Covenant on Civil and Political Rights.

Article 23 of the UN International Covenant on Civil and Political Rights states:

#### **Article 23**

1. *The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.*
2. *The right of men and women of marriageable age to marry and to found a family shall be recognized.*

Since Internet addiction causes divorce and mental health problems amongst children, destroys how society works, erodes the core foundations of how people behave by and between each other and ruins lives by causing neurological complications, psychological disturbances, and social problems, fostering Internet addiction is a violation of article 23 of the UN International Covenant on Civil and Political Rights.

Article 24 of the UN International Covenant on Civil and Political Rights states:

#### **Article 24**

1. *Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State.*



In its General comment No. 17, the UN Human Rights Committee stated that in enunciating a right, some provisions of the Covenant expressly indicate measures to be adopted with a view to affording minors greater protection than adults. The right to special measures of protection belongs to every child because of his status as a minor. For example, every possible economic and social measure should be taken to prevent them from being subjected to acts of cruel and inhuman treatment. ICANN, ICANN-accredited registrars and Registry operators should not jeopardize the protection of the child.

Since Internet addiction of children is a cruel and inhuman treatment, fostering Internet addiction is a violation of article 24 of the UN International Covenant on Civil and Political Rights.

The above remarks apply also to article 1 (Human dignity), article 3 (Right to the integrity of the person), article 4 (Prohibition of torture and inhuman or degrading treatment), Article 6 (Right to liberty and security) article 7 (Respect for private and family life) of the Charter of Fundamental Rights of the European Union.

Therefore, fostering Internet addiction is a disastrous violation of fundamental human rights.

Section 27.2 (Human Rights) of ICANN's By-Laws limiting the application of Human Rights to ICANN is contrary to article 7 of the UN International Covenant on Civil and Political Rights.

Fostering of Internet addiction is also a catastrophic violation of the above GAC Communiqué – Beijing, People's Republic of China.



**Section V: Fostering Internet addiction by ICANN, some ICANN-accredited registrars, some registry operators and some Domain Name registrants is a violation of applicable laws**

**Israel**

Obscene publication and display are prohibited by section 214 of Israeli criminal law. This includes publishing an obscene publication, preparing it for publication or presenting, bizanizing or producing an obscene display in a public place. Since the Internet is public, Internet debauchery is a criminal offence under section 214 of Israeli Criminal Law. Prohibited Games, Lotteries and Betting are criminal offences under sections 224 – 235 of the Israeli Criminal law. Endangering life and health are criminal offences under sections 327-355 of the Israeli Criminal law. Use, trafficking and smuggling of narcotic drugs are criminal offences according to Israeli Criminal law.

According to the Law regarding Powers to Prevent the Commission of Offenses Through a Website, district judges are entitled to order Internet search engines, Internet access providers and/or Internet storage services providers to limit access, search or remove a website from the Internet regarding criminal offenses such as prostitution, advertising of prostitution, publication of child pornography, gambling and exports and imports, trade, supply and brokerage of narcotic drugs.

Therefore, fostering Internet addiction by ICANN, some ICANN-accredited registrars, some Registry operators and some Domain Name registrants involved in Internet addiction is contrary to the applicable laws of Israel.

**Korea**

As the basic law for the Information and Communication Technology (ICT) promotion policy of the state, the Framework Act on National Informatization stipulates the establishment of a master plan to mitigate Internet addiction. In accordance with the Framework Act on National Informatization, as the ministry responsible for policy regarding Internet addiction, the Ministry of Science, the ICT and Future Planning consolidates the work of other associated ministries on the one hand, and also carries out its work through the National Information Society Agency (NIA). The projects tackling Internet





addiction designed by eight ministries, are administered according to the laws governing each ministry.

(Young-Sam Koh (2015) The Korean National Policy for Internet Addiction, C. Montag and M. Reuter (eds.), Internet Addiction, *Studies in Neuroscience, Psychology and Behavioral Economics*)

Therefore, fostering Internet addiction by ICANN, some ICANN-accredited registrars, some Registry operators and some Domain Name registrants involved in Internet addiction is contrary to the applicable laws of Korea.

**Section VI: Fostering Internet addiction is a violation of ICANN's Articles of Incorporation, Board of Directors' Code of Conduct, Governance Guidelines, Commitments, Core Values and By-Laws**

Fostering Internet addiction is a violation of ICANN's Articles of Incorporation, Board of Directors' Code of Conduct, Governance Guidelines, By-Laws and GAC's recommendations.

**Violation of ICANN's Articles of Incorporation**

ICANN's Articles of Incorporation state that ICANN is a California nonprofit public benefit corporation. Public-benefit nonprofit corporations are distinct in the law from mutual-benefit nonprofit corporations in that they are bizanized for the general public benefit. ICANN is bizanized under the Nonprofit Public Benefit Corporation Law for charitable and public purposes. ICANN is bizanized, and will be operated, exclusively for charitable, educational, and scientific purpose.

Since Internet addiction destroys how society works, erodes the core foundations of how people behave by and between each other and ruins lives by causing neurological complications, psychological disturbances, and social problems, fostering Internet addiction is contrary to the general public benefit and to charitable and public purposes and contrary to educational and scientific purposes and therefore, contrary to ICANN's Articles of Incorporation.



### Violation of ICANN Board of Directors' Code of Conduct

According to ICANN Board of Directors' Code of Conduct, this Code is intended to focus Board Members on areas of ethical risk, provide guidance to help them recognize and deal with ethical issues, provide mechanisms to report unethical conduct, foster a culture of honesty and accountability, deter wrongdoing and promote fair and accurate disclosure. Each Board Member is expected to adhere to a high standard of ethical conduct and to act in accordance with ICANN's Mission, Core Values and Commitments. The good name of ICANN depends upon the way Board Members conduct business and the way the public perceives that conduct. Unethical actions are not acceptable. Board Members shall apply themselves with seriousness and diligence to participating in the affairs of the Board and its committees and shall act prudently in exercising oversight of ICANN Organization, and shall be attentive to legal ramifications of his or her and the Board's actions. Board Members shall comply with all laws, rules and regulations applicable to ICANN. Board Members must adhere to the highest of ethical standards in the conduct of their duties. These include honesty, fairness and integrity.

Since Internet addiction destroys how society works, erodes the core foundations of how people behave by and between each other and ruins lives by causing neurological complications, psychological disturbances, and social problems, fostering Internet addiction is contrary to ethics, a culture of honesty and accountability, promotes wrongdoing and deter fair and accurate disclosure, therefore, is contrary to ICANN Board of Directors' Code of Conduct. Fostering Internet addiction is an unethical action and damages the way the public perceives that conduct. Therefore, it is unacceptable. It is contrary to seriousness and diligence to participating in the affairs of the Board and its committees and to prudent acting in exercising oversight of ICANN Organization. It is contrary to being attentive to legal ramifications of a Board member's and the Board's actions. It does not comply with all laws, rules and regulations applicable to ICANN. It is opposite to the highest of ethical standards in the conduct of Board Members' duties which include honesty, fairness and integrity. Therefore, fostering Internet addiction is contrary to ICANN Board of Directors' Code of Conduct.



### Violation of ICANN's Commitments detailed in ICANN's By-Laws and Board Governance Guidelines

According to ICANN's Board Governance Guidelines, the Board shall oversee management's performance to ensure that ICANN operates in a manner that is responsive to the needs of the global Internet community. ICANN must carry out its activities in conformity with relevant principles of international law and international conventions and applicable local law. ICANN shall remain accountable to the Internet community.

Since Internet addiction destroys how society works, erodes the core foundations of how people behave by and between each other and ruins lives by causing neurological complications, psychological disturbances, and social problems, fostering Internet addiction is contrary to the needs of the global Internet community. As shown above, it is contrary with relevant principles of international law and international conventions and applicable local law. It is a severe breach of ICANN's commitment to remain accountable to the Internet community. Therefore, it is contrary to ICANN's Commitments detailed in its By-Laws and Board Governance Guidelines.

### Violation of ICANN's Core Values detailed in the By-Laws and the Board Governance Guidelines

According to ICANN's Core Values specified in the By-Laws and the Board Governing Guidelines, ICANN shall ascertain the global public interest and respect internationally recognized human rights as required by applicable law.

As shown above, since Internet addiction destroys how society works, erodes the core foundations of how people behave by and between each other and ruins lives by causing neurological complications, psychological disturbances, and social problems, fostering of Internet addiction is contrary to the global public interest and the internationally recognized human rights as required by applicable law and therefore, is contrary to ICANN's Core Values detailed in the By-Laws and the Board Governing Guidelines.



### Violation of ICANN's By-Laws regarding consumer protection and consumer trust

According to the By-Laws, ICANN shall adequately address issues and/or promote consumer protection, consumer trust and/or consumer choice.

As shown above, since Internet addiction destroys how society works, erodes the core foundations of how people behave by and between each other and ruins lives by causing neurological complications, psychological disturbances, and social problems, fostering Internet addiction is contrary to the promotion of consumer protection, consumer trust and/or consumer choice. Therefore, it is contrary to ICANN's By-Laws.

Therefore and as shown above, fostering Internet addiction is a violation of ICANN's Articles of Incorporation, Board of Directors' Code of Conduct, Governance Guidelines, Commitments, Core Values and By-Laws.

### Section VII: Proposed measures

In view of the above, we require ICANN to:

1. Terminate immediately the performance of IANA functions fostering of Internet addiction activities (Debauchery; Cyber-relationship addiction: Social media, online dating and other virtual communication; Net compulsions: Obsessive online gambling, shopping or day trading; Information overload: Compulsive web surfing or database searches; Gaming: online game playing) (collectively, the "Internet addiction activities"), as indicated in this Public Comment;



2. Terminate immediately all the TLD activities and/or agreements fostering Internet addiction activities, as indicated in this Public Comment and/or through RESP;
3. Terminate immediately the Registry Operators' activities fostering of Internet addiction activities, as indicated in this Public Comment and/or through RESP;
4. Terminate immediately ICANN-accredited registrars' activities fostering of Internet addiction activities, as indicated in this Public Comment and/or through RESP;
5. Refrain from renewing the .biz registry agreement with Registry Services, LLC unless
  - a. Registry Services, LLC and its related companies terminate immediately activities and agreements fostering of Internet addiction, including terminating registration or management of domain names under the .biz gTLD involved in Internet addiction activities including www.porn.biz, www.sex.biz (Debauchery) www.gambling.biz, www.casino.biz (internet gambling), www.dating.biz (Cyber-relationship addiction).
  - b. The biz. registry agreement is amended as follows:
    - i. Section 2.1 - At the end of this section, please add: "Registry Operator shall not be entitled to provide services connected with Internet addiction (Debauchery; Cyber-relationship addiction: Social media, online dating and other virtual communication; Net compulsions: Obsessive online gambling, shopping or day-trading; Information overload: Compulsive web surfing or database searches; Gaming: online game playing) (collectively, the "Internet Addiction Services").";
    - ii. Section 2.11 – At the end of the section, please add: "(e) ICANN shall twice per calendar year conduct, or engage a third party to conduct, compliance audits to assess that Registry Operator does not provide Internet Addiction Services."





- iii. Section 4.3 – At the end of the section, please add: "(h) Notwithstanding the above, ICANN shall, upon notice to Registry Operator, terminate immediately this Agreement if Registry Operator provides Internet Addiction Services."
  - iv. Specification 11 Public Interest Commitments – Please add Section 4: "Registry Operator will include provisions in its Registry-Registrar Agreement that prohibits the Registrar to engage in Internet Addiction activity, including immediate termination and compensation and that require Registrars to include in their Registration Agreements a provision prohibiting Registered Name Holders from engaging in Internet Addiction activity and providing that such activity shall cause immediate termination of relevant agreement, deletion of the domain name and compensation, as applicable. Registry Operator will conduct a technical analysis every calendar quarter to assess that domains in the TLD are not being used to perpetrate Internet Addiction Activity."
6. Amend the registry agreements as detailed above in this Public Comment and regarding the .biz registry agreement.
  7. Amend agreements with ICANN-accredited registrars as detailed above in this Public Comment and regarding the .biz registry agreement.

Rabbi Shalom Arush  
Head of the "Chut Shel Chessed" Institutions