

CCAIOI organizes a Round Table Discussion on “IANA Transition & ICANN Accountability Process & India’s Position”

The Round Table Discussion on the “IANA Transition & ICANN Accountability Process and India’s Position” was held on 30th May, 2015.

Over 95 participants from different stakeholder communities of India viz., Industry, Industry Associations, Academia, Civil Society, Lawyers, Consultants, Government, Students, etc. participated in the discussion.

Besides there were over 25 remote participants not only from different cities of India (such as Ahmedabad, Bangalore, Chennai, Indore, Trivandrum, etc.) but also, members of ISOC Chapters from Bangladesh, Pakistan, Sri Lanka, who joined remotely.

The salient features of the study on the Indian Perspective on IANA Stewardship Transition were shared with the audience. The Chair, Dr. Ajay Kumar, shared a brief overview on the importance of participation of India in this discussion.



During the discussion the participants acknowledged the following needs:

- Stakeholders from India need to be more proactive and participative.
- The issues related to Internet Stability and Security; clarity in the jurisdiction of ICANN; Accountability and transparency of ICANN and IANA Operator and Standards, need to be prioritized:

The participants also raised concerns regarding:

- The lack of clarity on notion of 'community'
- The CWG Draft 2 being too different from Draft 1
- CCWG Accountability draft is complex
- Lack of in-depth discussion on jurisdiction of ICANN especially, US jurisdiction of ICANN
- Unrealistic timelines of IANA transition and ICANN Accountability
- Language is a barrier in the public consultation process
- No clarity about replacement of outgoing CEO of ICANN



Some suggestions made by the participants included:

- Encourage collaboration at regional level to share concerns and build views, and to evolve best practices;
- Leverage India's huge potential derived from its participation in protocols and standards development;
- Lay emphasis on accountability track including financial accountability of ICANN, and use of proceeds from new gTLD auctions;
- Focus on accountability of not just ICANN, but also contributors to IETF, RIRs, National Names and Number Registries and other players including respective staff and secretariats;
- Promote greater ICANN engagement through more face to face meetings across the world;
- Prioritize on the core guiding principles of security, stability and resilience in all the discussions;
- Ensure focus of internet governance on interests of internet users/consumers.

CCAOI releases Report on “A Study on the Indian Perspective on the IANA Stewardship Transition”

Dr. Ajay Kumar, Joint Secretary, DeitY released the report on “A Study on the Indian Perspective on the IANA Stewardship Transition”, conducted by CCAOI, during the round table on 30th May 2015.

The study was conducted with the support of NIXI over a period of three months, to identify the issues related to the NTIA stewardship transition from the IANA operations, the different strains of thoughts, along with their convergence and divergence, review the central issues from India perspective after extensive consultation with stakeholders, highlighting their importance and make recommendations on what should be the most appropriate position for India.

Representatives of all Stakeholder communities - Government, Industry, Industry Associations, Civil Society, Academia, Experts, Lawyers, Educationists, Politicians, Media and Internet users were met and interviewed to have an in-depth understanding on the matter and then formulate the recommendations.

The report recommends that a credible independent body must replace NTIA which would be subject to international law, have an executive board composed of independent persons, have an advisory board to address policy matters, have a constitution that prevents capture by any state player, obliged to act transparently and proportionally, be free to design its own structure and work rules, able to raise its own resources and not be bound to accept directives other than from a duly constituted board.

The report also recommends that India must prioritize policy issue over operational issue concerns, seek higher levels of accountability for ICANN and not its replacement, undertake serious consultations with its large IT industry, create awareness within government and outside about internet governance matters, recognize its stake in a single and smooth functioning internet, enabled by the existing 'multistakeholder' bodies involved in the IANA function, reject proposals which lack acceptable levels of accountability of ICANN and recognize that a successful Digital India Programme can radically increase its stake in internet governance including the IANA functions.

The report can be downloaded from the following link:

<http://www.ccaoi.in/UI/links/fwresearch/Study%20on%20the%20Indian%20Perspective%20on%20IANA%20transition.pdf>

Government of India comments on the second Draft proposal on CWG Naming

Indian Government's comments submitted on the 2nd draft of CWG Naming Proposal are not limited to the proposal from the names community, but also include some broader concerns and principles in respect of the IANA transition process.

Some of the points raised by the Indian Government include, concern that if ICANN is awarded the role of the perpetual contracting authority for the IANA function, it can create an impression that ICANN is no longer purely a technical coordination body. The submission supports creation of Contract Co., highlights the absence of external accountability and no mechanism to change in case of dissatisfactory service, ICANN's role in naming policy development to another entity. The document suggests that checks and balances should be laid out against powers to be exercised by ICANN. The issue of legal jurisdiction and need for checks and balances on the performance of the policy development role with respect to names has also been highlighted. The submission suggests that the role of the Root Zone Maintainer should be included within the scope of the present transition process.

The other submission for India includes a submission by ISOC Chennai, CCG and a proposal by an individual.

ISOC Chennai in their submission has suggested the concept of notional separation of ICANN for managing IANA functions. They suggest that there is no need in the structurally separate IANA for the IETF/RIRs/Registries (customers)/Governments and Users. Further, IETF / RIRs / Registries / Users / Governments could stay within ICANN, all the IANA oversight could be overlooked by ICANN.

CCG questions the basis for removal of MRT, how the inputs of the community were factored for CWG to conclude that ICANN would be the custodian of IANA functions, need for creating an ICANN "affiliate" to perform IANA functions, checks in place for smooth function of root zone system post transition. The

submission also questions the composition of the PTI Board, its jurisdiction, reasons to do away altogether with the requirement of “authorisation” to root zone changes etc.

The other individual submission states that the process is not inclusive and just limited to elitists. The submission suggests that more outreach in local languages would help to increase participation from the unrepresented communities.

To view the Indian Government submission, visit: <http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00020.html>

To view all the comments submitted, visit: <http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/>

Comments from India on the CCWG Accountability Proposal

There have been three comments from India on the **CCWG Accountability Group’s proposal** so far.

Government of India in their submission commented on the accountability of ICANN, as an IANA Functions Operator, an Entity Involved in Policy Development, the ambit of ICANN Accountability; the issue of Nature of Accountability, the issue of Accountability and Community Empowerment, whom ICANN would be accountable to. It also raises questions on ICANN’s Organizational DNA, Transparency and Processes, Jurisdiction and requirement for more Stress Tests.

The CCAOI submission highlights that the draft seems quite complex which might make it more difficult for the stakeholders to participate in the process. For enhanced engagement of the global community outside ICANN, it suggests more face to face meetings across the world and outreach activities. The lack in-depth discussion of jurisdiction of ICANN is also highlighted. It also suggests that financial accountability of ICANN must be included in the accountability discussion. Lastly, it is also suggested that accountability should also be extended to contributors such as IETF, RIRs, National Names and Number Registries and other players including respective staff and secretariats.

In the CCG submission some of the issues highlighted include the geographical diversity and compensation of the IPR panel; definitions of public interest, binding of the ICANN board to community feedback process, voting structure, board’s accountability to GAC and jurisdiction issues.

The Indian Government’s submission can be viewed from the following link:

<http://forum.icann.org/lists/comments-ccwg-accountability-draft-proposal-04may15/pdfJVAhVXKqvo.pdf>

The CCAOI submission can be viewed from the link: <http://forum.icann.org/lists/comments-ccwg-accountability-draft-proposal-04may15/msg00053.html>

The CCG submission can be viewed from the following link:

<http://forum.icann.org/lists/comments-ccwg-accountability-draft-proposal-04may15/pdf8Q8Vib6ogs.pdf>

Upcoming Events and Opportunities

- Africa @ Convergence Africa World 2015 Expo, Nairobi, Kenya, between 17 -19 June, 2015. To participate and for more information, please contact Mayank Gautam (mayankg@eigroup.in) or visit www.convergenceafricaworld.com
- 53rd ICANN Public Meeting will be held at Buenos Aires from 21st -25th June 2015. For more details visit <http://buenosaires53.icann.org/en/>
- The Best Practice Forum (BPF) on Developing meaningful multi stakeholder participation mechanisms, (BPF-Multi stakeholder) is inviting community members to submit a brief description (in max 500 words) of multi stakeholder and other participatory democratic practices they have used that have either worked very well or badly. The contributions should be submitted to bp_multistakeholder@intgovforum.org and also to Brian Gutterman (gutterman@un.org) by 13 July 2015. For further details visit: <http://www.intgovforum.org/cms/170-igf-2014/best-practice-forums-2014/1891-developing-meaningful-multistakeholder-participation-mechnisms>

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