Initial inputs on the process for IANA transition plan

Due to various decisions made by the US government relating to ICANN's birth, ICANN has had a troubled history with legitimacy. While it has managed to gain and retain the confidence of the technical community, it still lacks political legitimacy due to the umbilical cord it has retained to the US government. The NTIA's recent decision has presented us an opportunity to correct this.

However, ICANN can't hope to do so without going beyond the current ICANN community, which while nominally being 'multistakeholder' and open to all, grossly under-represents those parts of the world that aren't North America and Western Europe.

Without greater diversity within the global Internet policymaking communities, there is no hope of equity, respect for human rights -- civil, political, cultural, social and economic -- and democratic functioning, no matter how 'open' or 'multi-stakeholder' or 'bottom-up' the processes seem to be, and no hope of ICANN accountability either.

Process for consultations

The IANA contract, entered into by a single government that has provided a monopoly to a single California-based corporation undermines the ambition of global and multi-stakeholder nature of Internet governance.

1. Move from engaging existing stakeholder groups to engaging a more diverse and global set of actors

As global internet access has grown, the stakeholders in the ICANN process have become numerous as well as more diverse. Unfortunately, not many of them are represented in ICANN.

Of the 1010 ICANN-accredited registrars, 624 are from the United States, and 7 from the 54 countries of Africa. Of the 52 members of ICANN’s CSG’s Business Constituency, 38 are from the USA.

In a session on the DNS industry in underserved regions at ICANN 49 in Singapore, a large number of the policies that favour entrenched incumbents from richer countries were discussed. But without adequate representation from poorer countries, and adequate representation from the rest of the world's Internet population, there is no hope of changing these policies. To make them more equitable and opening up this sector to greater competition from the 'underserved' parts of the world.
This is true of all the ‘stakeholders’ that are part of global Internet policymaking, whether they follow the ICANN multistakeholder model or another. A look at the boardmembers of the Internet Architecture Board, for instance, would reveal how skewed the technical community can be, whether in terms of geographic or gender diversity.

For the IANA transition to gain legitimacy, a process that seeks to be as inclusive as possible is crucial. The process of engagement needs to go beyond involving the current self-selected ICANN community.

2. Go to where the stakeholders are

It is important to ensure that the ICANN process for seeking inputs on the IANA transition does not operate in isolation. Current parallel processes on Internet governance that engage a broad group of stakeholders such as the communities around NetMundial, WTDC, WSIS+10, CSTD WGEC, IGFs (regional, national, and the international one), Stockholm Internet Forum, IETF, and a number of other groupings such as the Global Commission on Internet Governance, all of which will have some suggestions on the best possible reform mechanisms for the IANA function. ICANN can benefit greatly by incorporating the community feedback generated through these processes.

There are various suggestions at forums such as NetMundial that relate to IANA and ICANN function and incorporating these will help produce a more robust and informed framework for the transition.

3. Create accountability mechanisms

While these are initial comments, we would just like to submit a short comment on accountability mechanisms.

While many of the initial discussions around accountability mechanisms have been thinking in terms of a super-body that keeps ICANN accountable, Creating review mechanisms that are based on separation of powers and mutual checks and where the actors have a strong selfinterest in ensuring timely service, security and accuracy would lead to more accountability. A decentralized incentive based multi-stakeholder accountability mechanism might be more appropriate, given the global and diverse range of actors that have a stake in the Internet.
About the Centre for Internet and Society

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