THE FUTURE OF IANA TRANSITION

BACKGROUND

In March 2014, the US government through National Telecommunications and Information Administration (NTIA) announced its intention to transition key Internet domain name functions (IANA) to the global multi-stakeholder community. The NTIA announcement states that it will not accept a government-led or intergovernmental organization solution to replace its own oversight of IANA functions. The Internet Corporation for Assigned Names and Numbers (ICANN) was charged with developing a Proposal for the transition.

At ICANN-49 in Singapore (March 2014), ICANN rapidly gathered inputs from its community to develop a draft proposal for IANA transition. It then issued a call for public input on the Draft Proposal in April 2014. Some responses were incorporated to create a Revised Proposal, published on June 6, 2014.

Responses had called for transparent composition of an IANA transition Coordination Group, a group comprising representatives of ICANN's Advisory Committees and Supporting Organizations, as well as Internet governance organizations such as the IAB, IETF and ISOC. Also, ICANN was asked to have a neutral, facilitative role in IANA transition. This is because, as the current IANA functions operator, it has a vested interest in the transition. Tellingly, ICANN's scoping document for IANA transition did not include questions of its own role as IANA functions operator.

ICANN is currently deliberating the process to develop a Proposal for IANA transition. At ICANN-50, ICANN will hold a governmental high-level meeting and a public discussion on IANA transition, where comments and concerns can be voiced. In addition, discussion in other Internet governance fora is encouraged.

RECOMMENDATIONS FOR PROCESS DESIGN

Open, inclusive deliberation on scope:	Representative Coordination Group:	Strengthen Diversity Principle:	Enhance ICANN accountability:	Strict facilitative role for ICANN:
Open, inclusive deliberation on ICANN's scoping document by all interested global stakeholders should precede any proposal for IANA transition. The June 6 Revised Proposal should also be opened for changes.	The IANA transition Coordination Group should be open to stakeholders other than ICANN community and ICANN-related organizations. It should be open to governments, civil society, academia and other stakeholders.	IANA transition proposal must include concrete measures for adequate and fair representation – gender, linguistic & geographical, especially developing countries. This must include capacity-building for their fruitful engagement.	ICANN's accountability is integral to IANA transition and its role as IANA functions operator. This should be reflected in the transition. ICANN accountability should be part of IANA transition scope and not merely a parallel process.	ICANN should strictly limit its role to that of transition-facilitator, and must open process design to beyond the ICANN framework. It should not misuse its role as convenor to influence the outcome of IANA transition process.

THE RECOMMENDATIONS EXPLAINED

Principles for IANA transition:

In its March 2014 announcement, the NTIA required any IANA transition proposal to have broad community support. It had to address the following principles:

- Support and enhance the multi-stakeholder model;
- Maintain the security, stability and resiliency of the Internet Domain Name System (DNS);
- Meet the needs and expectations of global customers and partners of IANA services; and
- Maintain the openness of the Internet.

As noted, the NTIA announcement rules out the possibility of a government-led or intergovernmental oversight body for IANA functions.

ICANN, as the convenor of IANA transition process, issued a call for public inputs and a 'scoping document', listing issues that were and were *not* within the Proposal scope. One of these out-of-scope issues concerned ICANN's role as IANA functions operator, which it discharges pursuant to a contract with NTIA. Neither did it include questions of ICANN's own accountability and transparency, but a separate process to enhance ICANN accountability has been initiated.

The Indian Government's position:

India's stances in global Internet governance have been disproportionate when compared to its dependence on ICTs and the Internet. With more population on the brink of Internet access, India must take a stronger, more robust role.

Responding to ICANN's call for comments in April 2014, the Indian government reiterated its commitment to maintaining an open, safe and secure Internet. It considered the NTIA announcement "*a first step in the right direction aimed at attempting to reform*" an aspect of Internet governance. In light of this, a "*representative, democratic and transparent*" proposal for IANA transition was required. But it reserved the right to participate in multilateral fora involved in Internet governance such as the ITU and other UN organs.

India has in the past expressed its preference for a multilateral model of Internet governance. For instance, it has advocated the creation of a (yet stillborn) Committee on Internet-related Policies, a proposal to allow governments to "*have the last word in regulating the Internet*", but in a multi-stakeholder participatory manner. India also supports delineated roles and responsibilities of stakeholders, set out in paragraph 34 of the Tunis Agenda.

Open, inclusive deliberation on scope:

An open, democratic, transparent and representative model of IANA stewardship should involve diverse global stakeholders at all levels of process. Both the IANA transition Proposal (April-Draft and June-Revised) and ICANN's scoping document should be open to comments and revision.
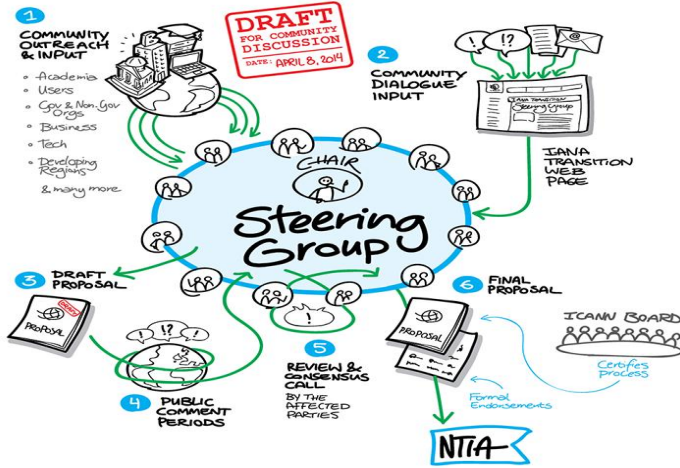

The scoping document, considered the "*focus of this process*", excludes questions of ICANN's role as IANA functions operator, giving the impression that IANA transition will not (or should not) affect its own role as IANA operator. But this should be open to democratic, public comment.

The scope of IANA transition, including issues of composition of a future oversight body (if need so felt), ICANN's future role and all stakeholder-roles, should be open to deliberation. Structural separation of policy-making and implementation of IANA functions is one such suggestion from the community.

Representative Coordination Group:

In the April 2014 Draft Proposal, the proposed 'Steering Group' was to comprise representatives of ICANN's Advisory Committees (ACs) and Supporting Organizations (SOs):
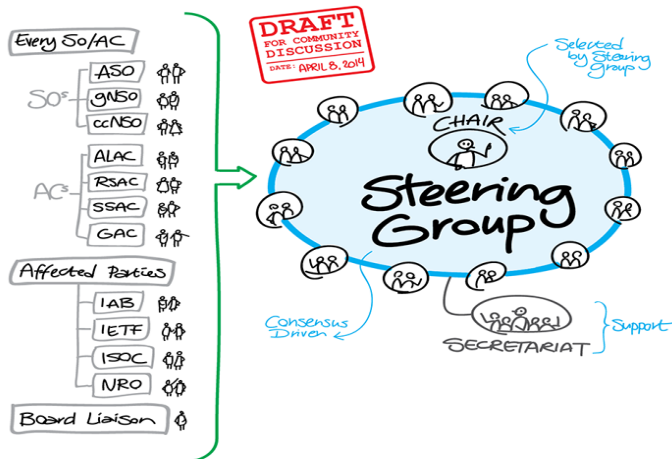
This restricts discussion to ICANN community, and does not include other stakeholders of the global Internet governance community. While the Revised Proposal's 'Coordination Group' includes more representatives, governments have say through only 2 members of ICANN's Governmental Advisory Committee (GAC). Civil society is also under-represented, as are developing countries. Membership is dominated by ICANN community. The Coordination Group should be more democratically and fairly constituted.

Strengthen Diversity Principle:

The Diversity Principle was included in June's Revised Proposal, following concerns of low developing world participation and representation, & lack of multi-lingualism in the transition-process. This is laudable. However, past experience shows that these under-represented stakeholders are unable to participate constructively due to issues of language, unfamiliarity with ICANN processes and lack of cohesive lobbies.

As such, the Diversity Principle should be clearly enunciated to include adequate and fair geographical, gender, multilingual and developing countries' participation and representation at all levels. Funds should be allocated for community-building and support in developing countries. Adequate time must also be given for discussions to be translated and circulated widely amongst global stakeholders, before decisions are taken or proposals framed.

Enhance ICANN accountability:

The scoping document does not include questions of ICANN's own accountability. This should be rectified. Today ICANN is nominally accountable to the NTIA, but transition of NTIA oversight may mean that ICANN transfers its accountability to a global multi-stakeholder body as well. In any event, as IANA functions operator and coordinator of Critical Internet Resources, ICANN should be more open, transparent and accountable to the global Internet governance community.

ICANN has launched a separate but parallel process to enhance its accountability. But as IANA transition and ICANN's openness are related, these must be run integrally, not separately.

Strict facilitative role for ICANN:

As the current IANA functions operator, ICANN has a vested interest in the outcome of the transition-process. As such, ICANN should play a strictly facilitative role, neutral and devoid of undue influence. This should be reflected in the Coordination Group's composition and reporting responsibilities, evaluation of future Draft Proposals for IANA transition, review of ICANN's role as IANA operator, etc. Safeguards should be put in place to limit ICANN's influence on future Draft Proposals.

Conclusions:

IANA stewardship transition requires open and transparent, democratic and inclusive deliberations by the global Internet governance community. This requires broad debatable scope, fair representation and adequate time and capacity for discussions and consensus-building. There should be safeguards against ICANN's ability to influence the transition-outcome as convenor. The IANA transition process must reflect its commitment to these.

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