

Government of India's response to the Notice of Inquiry on the Continued Transition of the Technical Coordination and Management of the Internet Domain Name and Addressing System.

India recognizes that ICANN's Articles of Incorporation establish that the corporation shall operate for the benefit of the Internet community as a whole and shall pursue the charitable and public purposes of lessening the burdens of government and promoting the global public interest in the operational stability of the Internet by performing and coordinating functions associated with the technical management of Internet names and addresses. These are articulated in the DNS White Paper as four primary functions for global Internet DNS coordination and management.

India also recognises that the existing arrangements for Internet governance have worked effectively to make the Internet a highly robust, dynamic and geographically diverse medium that it is today, with the private sector taking the lead in day-to-day operations, and with innovation and value creation at the edges. The four underlying principles articulated in the DNS White Paper have underpinned the transition process of the Technical Coordination and Management of the Internet Domain Name and Addressing System and bear considerable relevance to future actions also.

Significant public policy issues emanating from the technical functions such as management of critical Internet resources, the security and safety of the Internet, and developmental aspects and issues pertaining to the expanded global reach of the Internet may not necessitate any additional principles but may require some more elaboration of the existing set of principles.

India endorses the principle that ICANN's decision making should take into account public policy objectives including, among other things:

- secure, reliable and affordable functioning of the Internet, including uninterrupted service and universal connectivity;
- the robust development of the Internet, in the interest of the public good, for government, private, educational, and commercial purposes, world wide;
- transparency and non-discriminatory practices in ICANN's role in the allocation of Internet names and address;

- effective competition at all appropriate levels of activity and conditions for fair competition, which will bring benefits to all categories of users including, greater choice, lower prices, and better services;
- fair information practices, including respect for personal privacy and issues of consumer concern; and
- freedom of expression.

There is no doubt about the fact that Internet has evolved over the years from an academic trial to a cooperative enterprise of thousands of networks. One of the unique features of the Internet and also its strength is its universality. Indeed, the Internet, as it stands today is a resource - it is an integral part of the economy. It has substantially reduced transaction costs of developing and deploying information. The Government of India feels that this stage in the Internet's growth has been achieved through the fulfillment of the core tasks and milestones as indicated in the MOU. The tasks as revised in the Amendment 6 have some uncovered, but not insurmountable, distance. Tasks pertaining to :

- a) operational and security matters of root servers;
- b) collaboration with GAC to create stable agreements between ICANN and organizations and entities operating country code Top Level domains; and
- c) the process of implementing new top level domains are unfinished and therefore, will require continued addressing.

India acknowledges with satisfaction the completion of such tasks as restructuring supporting groups and advisory committees; implementing new constituency driven policy development processes; establishing a country code Name Support Organisation; creating liaisons between the GAC and all ICANN supporting organizations etc.

Internet is an open architecture that has assimilated technologies in its various layers of implementation. Internet enjoins upon its users adherence to standards that promote interoperability. As a collaborative model it has received contributions from a host of autonomous technical bodies of software application developers and users. The Internet community has vigorously pursued a common interest in the development and evolution of the layered network of complex communications technologies. In this way meaningful participation and representation of key stakeholders has been ensured by ICANN and its supporting organizations and advisory committees.

At an Institutional level the growing consensus is pointing towards the need for an entity that ensures a bottom up cooperative and collaborative model. In terms of fostering greater efficiency and responsiveness to governments and ccTLD managers the present arrangements, under which IANA functions are discharged, have been satisfactory as far as Indian requests are concerned. One way to address sovereignty concerns would be to give the GAC representative/s an affirmative vote in the ICANN Board on ccTLD delegation or redelegation matters. Contracts between and among ICANN and all stakeholders formalize relationships and therefore, these must be so drafted that the terms and conditions subserve global principles of Internet management and at the same time, comply with local laws applicable within a sovereign territory.

In the light of the Tunis Agenda for the Information Society India is of the view that the all public and private organizations should incorporate the following principles to enlarge the scope of their activities to include:

- a) ICT capacity-building programmes, materials, tools, educational funding and specialized training initiatives, especially for regulators and other public-sector employees and organizations.
- b) Communications access and connectivity for ICT services and applications in remote rural areas, Small Island Developing States, Landlocked Developing Countries and other locations presenting unique technological and market challenges.
- c) Regional backbone infrastructure, regional networks, Network Access Points and related regional projects, to link networks across borders and in economically disadvantaged regions which may require coordinated policies including legal, regulatory and financial frameworks, and seed financing, and would benefit from sharing experiences and best practices.
- d) Broadband capacity to facilitate the delivery of a broader range of services and applications, promote investment and provide Internet access at affordable prices to both existing and new users.
- e) Coordinated assistance, as appropriate, for countries referred to in paragraph 16 of the Geneva Declaration of Principles, particularly Least Developed Countries and Small Island Developing States.