

From: Ian Peter <ian.peter@ianpeter.com>
To: <DNSTransition@ntia.doc.gov>
Date: Sun, Jun 7, 2009 5:03 PM
Subject: Response to your call for comments from Internet Governance
Caucus

> The Internet Governance Caucus is a global coalition of civil society and
> non
> governmental organisations and individuals actively involved the UN's
> Internet
> Governance Forum (IGF) process. Formed during the lead up to the World
> Summit
> on the Information Society (WSIS), our mission is to provide a forum for
> discussion, advocacy, action, and for representation of civil society
> contributions in Internet governance processes. We have several hundred
> members, with a wide spread of geographic representation; more about our
> coalition can be found at www.igcaucus.org.
>
> We are thankful for the opportunity to comment on the Joint Project
> Agreement
> (JPA) with ICANN, and respectfully submit as follows.
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> In responding to your call for comments, we are mindful of the WSIS
> principles, which " recognize that Internet governance, carried out
> according
> to the Geneva principles, is an essential element for a people-centred,
> inclusive, development-oriented and non-discriminatory Information Society².
> We also recognise the need for high levels of global co-operation from all
> stakeholder groups to ensure Internet stability and security.
>
> On your question as regards the future of the JPA - The IGC firmly believes
> that global co-operation will be enhanced by a transition beyond the JPA to
> a
> situation where all stakeholders feel that they have equitable arrangements
> for participation, that ICANN is subject to due process procedures and is
> accountable to all stakeholders. Therefore, the IGC believes that merely
> extending the current JPA arrangement is not a lasting viable solution.
>
> Some of us believe the JPA should be ended now, as it is an ineffective
> mechanism to deal with the problems that must be resolved to place ICANN on
> a
> viable long-term path forward. On the other hand, some of us believe that a
> time-limited extension of the JPA might be the most effective means to
> ensure
> that ICANN does take on board necessary changes.
>
> Irrespective of when the JPA actually ends however, the IGC believes that it
> should be replaced by a new global accountability framework, the development
> of which should commence as soon as possible in an open, multistakeholder,
> transparent and inclusive process.
>
> Also irrespective of whether the JPA continues or not, we believe that

certain

> principles outlined below need to be embedded in ICANN's operation. We believe

> these should be covered by an undertaking by ICANN to perpetuate in its constitution, by laws, or some similar accountability mechanism, the principles which follow. The principles need to be embedded in such a way as to ensure they cannot easily be changed to exclude any stakeholder group.

The

> principles which need to be permanently embedded are:

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> . bottom up co-ordination

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> . balanced multi stakeholder representation, including civil society interests and Internet users

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> . ensuring the stability of the Internet

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> . transparency

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> . appropriate accountability mechanisms

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> . continuing evolution of an effective and appropriate governance model which is multilateral, multistakeholder, democratic, and transparent

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> . decision making driven by the public interest

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> We also propose to replace "private sector management" with multistakeholder management, which has evolved from the World Summit on the Information Society

> and the Internet Governance Forum process which the US Government has supported, and which is an important facet, we believe, of effective internet

> governance arrangements.

>

> We think the establishment of firm principles to guide the evolution of a model is the appropriate way to proceed. This should explicitly recognize that

> ICANN is a global governance institution with regulatory authority over an industry (domain name registration) and over critical resources (IP addresses,

> root servers and addresses). The standards of due process, rights, and accountability that apply to ICANN must be developed with these facts in mind.

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> Ian Peter and Ginger Paque, Co-coordinators, for the Internet Governance

> Caucus