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1. Which stakeholder category do you belong to?

Non-Government

If non-government, please indicate:

Technical and academic community

If non-government, please indicate if you are:

WSIS accredited

2. What do you think is the significance, purpose and scope of enhanced cooperation as per the Tunis Agenda? a) Significance b) Purpose c) Scope

Whatever view one may take of the exact meaning of enhanced cooperation as it is portrayed in the Tunis Agenda; it is difficult to dismiss the significance of it. It has become, whether fairly or not, a test for the acceptance and endorsement of the multi-stakeholder approach.

For ICANN, the role of governments has, and will always be, a key measure of the effectiveness of our public policy deliberation process with respect to the management of the critical resources of the Internet. Thus our commitment to paragraph 70 of the Tunis Agenda (in ensuring a clear role for governments) and our belief (with respect to paragraph 69) that all governments (in our case within the Government Advisory Committee) should play an equal role in governance issues.

The purpose of enhanced cooperation is clear, a better cooperation amongst the different stakeholders whilst ensuring a meaningful role of governments in public policy Internet Governance issues. Governments have the right and obligation to be involved in public policy processes. They may, as a matter of course decide not to be involved in issues, or to pass responsibility elsewhere, but ultimately they have a responsibility. In ICANN the Government Advisory Committee (GAC) fulfills this requirement. And while (no-doubt) there is always room for improvement, it has demonstrated effectiveness, not least through the advice given to (and accepted by) the ICANN Board in relation to the strings applied for during the expansion of the generic top-level domain (gTLD) space.

As to Scope, the significance here is the extent to which the views of governments, in exercising their duties with respect to public policy, should be taken into account. In the ICANN model, as noted, the views of the GAC are taken extremely seriously. Following a Recommendation made by the ATRT [1] Review process (and accepted by ICANN); advice (i.e. a consensus view of the governments in the GAC) to the Board has to be considered and responded to. If not accepted, Board has to respond to the GAC and state reasons why it decided not to follow the advice. The GAC and Board will then work together to find a mutually accepted solution. Importantly, however, the GAC advice does not constitute a veto.

If it were to, then the process could no longer be judged to be part of a multi-stakeholder model. It is worth noting that this specific obligation on the Board is solely for GAC advice (reflecting the unique role of governments with respect to public policy); the Board will of course receive advice from other parties (such as through the Generic Numbering Support Organisation) but is not obliged to act on it.

The potential uncertainty for some governments in this process can of course raise concerns; though the experience in ICANN shows that the Board understands well where the views of governments, acting collectively, require to be accepted. This is the true nature of enhanced cooperation.

[1]: The Accountability and Transparency Review Team who reported in 2011.

3. To what extent has or has not enhanced cooperation been implemented? Please use the space below to explain and to provide examples to support your answer.

Enhanced Cooperation is an ongoing effort undertaken by relevant stakeholders in the Internet space in response to the Tunis Agenda for the Information Society. The past few years have witnessed substantial development in the global Internet governance landscape. The evolution of the IGF in its global, regional, and national form is one fundamental manifestation of this development. Governments, inter-governmental organizations, private sector, Internet related organizations, and civil society have partnered in implementing initiatives and processes that fall within the scope of enhanced cooperation. ICANN has been part of such efforts, and this section will shed some light on a couple of examples in that regard.

The current healthy status of regional and national IGFs (where real issues of public policy substance are being discussed) is a testament to the foresight of the Tunis Agenda in this regard.

One area of significant achievement, which fits firmly within the context of enhanced cooperation, has been the introduction of Internationalized Domain Names (IDNs) as top-level domains. This has truly been a multi-stakeholder cooperative effort involving all stakeholders from around the globe. To date, communities of 23 countries around the world have been enjoying use of their country code top-level domains in their native languages and scripts.

In 2009, and within the framework of fostering working relationships with international inter-governmental organizations, ICANN and UNESCO signed a cooperation agreement to strengthen partnership and work together on promoting the use of IDNs. A year later, the two organizations signed a letter of intent in which they identified specific activities to pursue. Following that letter, UNESCO has been a key contributor to ICANN's IDN policy development process. It supported the work of the Cyrillic working group under the IDN Variant Issues Project. This is a project that aims to identify issues that need to be solved to facilitate the delegation of IDN Variant TLDs. UNESCO has also contributed to the work of the country-code Name Supporting Organization's (ccNSO) study group on country and territory names concerned with the issue of using complete country and territory names in top-level domain names. UNESCO, through consultation with its Member States, has helped the group develop a typology of country and territory names.

Another example of enhanced cooperation is the Affirmation of Commitments (AOC) signed in 2009. The main impact of the AOC on ICANN has been the establishment of a series of accountability mechanisms conducted by multi-stakeholder, community-led, review teams. One important review team has been the Accountability and Transparency Review Team (ATRT). The first ATRT review process was concluded in 2011 with 27 recommendations to enhance mechanisms throughout ICANN, including the governance and performance of the Board, the role and effectiveness of the Governmental Advisory Committee (GAC), public input and public policy processes, and review mechanisms for Board decisions. All ATRT recommendations were completed and included into ICANN's standard operating procedures to improve accountability and transparency in the identified areas. As this is an ongoing

process, early this year, the second ATRT (ATRT2) has commenced its activities and will deliver its final recommendations by end of 2013.

4. What are the relevant international public policy issues pertaining to the Internet?

There has been enormous work done by a number of groups and organizations to identify the relevant international public policy issues pertaining to the Internet. This obviously is an ongoing effort, as the Internet continues to evolve.

In considering an answer to this important question it is instructive to look once again at the Report of the Working Group on Internet Governance issued in 2005 [2], as it listed a number of issues and summarized them around four key areas:

- Issues relating to infrastructure and the management of critical Internet resources, including administration of DNS and IP addresses, administration of the root server system, technical standards, peering and interconnection, telecommunications infrastructure, including innovative and convergent technologies, as well as multi linguism.
- Issues relating to the use of the Internet, including spam, network security and cybercrime.
- Issues that are relevant to the Internet but have an impact much wider than the Internet and for which existing organizations are responsible, such as intellectual property rights (IPRs) or international trade.
- Issues relating to the developmental aspects of Internet governance, in particular capacity-building in developing countries.

Today, for ICANN, there are issues in each one of these four areas that has relevance to ICANN.

On the first; that relating to the DNS, ICANN is of course heavily involved in the expansion of the DNS through the new gTLD Programme, that also includes a potential increase in multilingualism. We also continue to promote within and beyond the ICANN community specific security measures to enhance the robustness of the DNS; such as Domain Name System Security Extensions (DNSSEC).

On issues relating to the use and the relevance of the Internet (second and third bullets) ICANN will take an interest, related to its overall mandate, in measures that might compromise the openness, singularity or security of the Internet. Thus we follow, with considerable interest debates relating to the protection of personal data and privacy; those relating to the protection of intellectual property rights and measures proposed on cybersecurity.

Finally, in relation to capacity building; ICANN – within its mandate – is both concerned and involved in issues that might make it easier for developing countries to take advantage of the economic and social benefits of the Internet. Through our development and implementation of Regional Strategies in Africa, in Latin America and the Middle East we are directly working on issues such as DNSSEC and IDNs as well promoting the take up of IPv6.

[2]: WGIG report <http://www.wgig.org/docs/WGIGREPORT.pdf> and background paper <http://www.wgig.org/docs/Background-Report.htm>.

5. What are the roles and responsibilities of the different stakeholders, including governments, in implementation of the various aspects of enhanced cooperation?

The roles and responsibilities of stakeholders will vary depending on the processes and organizations involved. There are, though, some basic requirements as to enabling governments to play their part in a multi-stakeholder process and thus enabling enhanced cooperation to work. One such requirement is the acceptance by the different stakeholders that they are engaged in a process whereby consensus and compromise is essential. It is simply not tenable in any multi-stakeholder process for one party (whether civil society, business or government) to believe they have the absolute right for only their views to be accepted.

Governments, within an enhanced cooperation process, also have to accept that their individual and collective views are not omnipotent. Going into a dialogue is a process, a negotiation, not a vehicle for simple consultation. Intellectually if enhanced cooperation meant that governments have an absolute right to determine outcomes then there would be no point in even having substantial parts of the Tunis Agenda.

This fundamental and (historically) relatively new approach to global governance has potential relevance in other fields where global issues need to be resolved.

6. How should enhanced cooperation be implemented to enable governments, on an equal footing, to carry out their roles and responsibilities in international public policy issues pertaining to the Internet?

Each relevant organization should consider, within a multi-stakeholder environment, ways of improving government participation at its own decision-making processes. ICANN provides channels of participation from civil society, the private sector, and technical community, while simultaneously allowing for an integration of public interest through government representation. This is made possible through the Government Advisory Committee (GAC), comprised of 128 participant governments and 28 observer international organizations. In addition, ICANN is addressing the perception of under-representation by some governments by developing a 3-year strategy aimed at improving government participation and interaction within ICANN multi-stakeholder model, in a way that it becomes more meaningful to them and acceptable by the whole ICANN community as not dominant, where governments also start to accept that they are one constituency among many within a global multi-stakeholder governance model.

Critical here is the notion of the global governance of a shared resource (the Internet) where no single entity has a unique responsibility. All governments should have the ability to have an equal involvement (as they do in ICANN GAC model) of determining, within their mandate, public policy issues.

7. How can enhanced cooperation enable other stakeholders to carry out their roles and responsibilities?

Enhanced cooperation can enable other stakeholders to carry out their roles by ensuring that those roles are recognized and can be more effective in a multi-stakeholder environment. For example, in a pure-multilateral top-down environment, a civil society representative can make representations but without any confidence that they will be taken into account; whilst in an effective multi-stakeholder process such representations should be assessed and considered along with other views.

It is worth making the point, especially given importance of these issues; that a multi-stakeholder environment in which all stakeholders play their significant roles is very different from a simple consultation mechanism. The type of formal or informal Committee mechanism where governments call for input and then make up their minds is not a multi-stakeholder approach.

8. What are the most appropriate mechanisms to fully implement enhanced cooperation as recognized in the Tunis Agenda, including on international public policy issues pertaining to the Internet and public policy issues associated with coordination and management of critical Internet resources?

Any international Internet public policy process should be open, inclusive, and allow the participation of all stakeholders on equal footing. It should also facilitate the participation of stakeholders from developing and least developed economies. Mechanisms for checks and balances are key to ensure accountability and transparency, and should be an integral part of the process. Also, there should be mechanisms for reviewing such processes on regular basis to ensure its ongoing development. Such review processes should be carried out

through multi-stakeholder groups.

It is worth noting that existing arrangements and processes pertaining to the coordination and management of critical Internet resources under the purview of ICANN have been working effectively, with high availability and security of the Domain Name System. This of course does not mean that there is not a need to periodically review, and potentially improve them. The stability and security of the DNS is critical to ICANN, a fact underwritten during the current process of enlarging the generic top-level domain space in the root.

9. What is the possible relationship between enhanced cooperation and the IGF?

Although the IGF and the process towards enhanced cooperation can be seen as two separate outcomes of the WSIS process, the IGF has served as a platform for enhanced cooperation. It has been effective in bringing all stakeholders (including governments) together to engage openly and freely in discussions around various Internet governance issues. It has also facilitated the cross-pollination of ideas, and stimulated cooperation among various stakeholder groups. The last few years have witnessed many multi-stakeholder initiatives, not the least of which is the spawning of national and regional IGFs. At ICANN, we recall that the first dialogue with UNESCO on fostering cooperation between our two organizations took place at the second IGF meeting in Rio de Janeiro in 2007.

The IGF should continue its role as an open process for stimulating and enhancing cooperation among all stakeholders.

10. How can the role of developing countries be made more effective in global Internet governance?

This is a very important question. Though ICANN addresses just a part of the Internet governance landscape, we have been working recently, along with other partners (such as ISOC and the Regional Internet Registries) in capacity building, in relation to the Domain Name System in Africa and the Middle East. In both regions ICANN has helped promote Internet security (especially DNSSEC) and the use of IPv6. Regional Strategies have been developed in a bottom-up approach and are being implemented in the Africa, the Middle East and Latin America to ensure wider participation from developing countries in the ICANN model.

We recognize, that in addition to developing a DNS industry, that more work needs to be done to enable stakeholders (including governments) to play their rightful role in the ICANN model. Through such involvement (which we recognize we have a role in supporting) developing countries may be better able to ensure that global Internet policies take account of their needs and aspirations.

11. What barriers remain for all stakeholders to fully participate in their respective roles in global Internet governance? How can these barriers best be overcome?

In order for stakeholders, particularly those from developing countries, to be able to participate effectively and regularly in global Internet governance processes, there needs to be a considerable development and improvement in a number of key areas including:

Agenda Relevance

Since the beginning of Internet governance discussions there was little participation from the developing world. One of the main reasons was that the Internet governance debate focused on issues, which were often not a priority for them. For developing countries the challenge was (and still is in many cases) to achieve universal and affordable Internet access and thus to have an inclusive role in the DNS industry development. .

The question becomes then how to engage stakeholders from developing countries in the broader Internet governance agenda. One of the possible solutions for this is to promote

debate and discussions regionally and nationally, perhaps through the existent regional and national IGF initiatives plus the promotion of domestic multi-stakeholder dialogue. Another is to relate Internet governance issues to local development; such as through the increasing relevance of the country code top-level domain (ccTLD) Registry to the promotion of local private and public sector content and applications.

Language and Remote Participation

Despite the fact that there have been tremendous efforts to produce materials in the different languages of the developing world there is still a challenge in making those materials available to stakeholders in developing economies. Another important barrier is the lack of resources for stakeholders in the developing world to attend and participate actively in the various fora that discuss global Internet governance issues. There should be an increased promotion and creation of remote participation mechanisms to reach out to those individuals and organizations that may contribute to the global debate.

Capacity Building

Given the complexity of the subjects surrounding the Internet governance debate, a clear understanding is sometimes required before stakeholders in the developing world can make effective contributions. Capacity building initiatives, such as thorough education and outreach in the subjects related to Internet governance, should be promoted in developing countries.

ICANN is involved, within its own remit, in encouraging participation in meetings through a Fellowship Programme [3] that has sponsored hundreds of individuals (many young) to take part in special sessions at ICANN meetings.

[3]: <http://www.icann.org/en/about/participate/fellowships>

12. What actions are needed to promote effective participation of all marginalised people in the global information society?

Marginalized people in the global information society add a further layer of complexity in the quest for fighting poverty, underdevelopment and exclusion. However, the very same nature of the Internet presents unseen possibilities to give voice to the unrepresented and marginalized groups.

Among the possible actions needed to promote effective participation of marginalized people in the global information society are:

- Invest in remote participation tools and remote hubs; this has been very successful in the IGF.
- Foster more capacity building activities around Internet governance issues; the ICANN Fellowship Programme is a successful initiative that allows people from developing countries to experience, participate and contribute to the ICANN process.
- Develop information literacy programs to empower marginalized groups to participate in national and global Internet governance debates, which could also be part of global UN activities such as UNESCO's Education for All.
- Develop simple and affordable applications adapted to widespread technologies (e.g. mobile) to facilitate broader participation.
- At the national level, promote the creation of inclusive multi-stakeholder processes that are open to all and targeting marginalized growth.
- At the international level, ensure that relevant issues for marginalized groups maintain a place in the global development agenda; strengthening the link of the WSIS process with the

work and activities of the UNDG, particularly identifying the links between the development of the Internet and the MDGs.

13. How can enhanced cooperation address key issues toward global, social and economic development?

There is clearly no reason why a process of enhanced cooperation, with governments and other stakeholders working effectively together, cannot be used in areas relating to social and economic development.

Within ICANN (as noted above) an example of social development has been the development of Internationalized Domain Names (IDNs). The process for introducing Internet addresses in scripts other than basic Latin has been very successful, and involved all stakeholders, particularly from developing countries. It has also demonstrated that cooperation among stakeholders from governments, technical community, business, and civil society can lead to informed policies that not only meet the end-user needs, but also ensure the Internet's ongoing security and stability.

Latterly, as also noted above, ICANN has been involved in developing (with the whole ICANN community) Regional Engagement Strategies to meet specific needs especially in developing countries. They involve the relevant government representatives and other stakeholders in the regions where the work is being put in place to ensure a stronger focus on region specific development challenges.

14. What is the role of various stakeholders in promoting the development of local language content?

Development of local content is a clear example of enhanced cooperation, as many stakeholders have a role to play in this area. Stakeholders, from policy makers, industry, technical community, academia and end-users, have been engaging in numerous efforts and initiatives around the world to promote the development and use of local content.

As evidenced by the study [4] of UNESCO, OECD, and ISOC, on local content and access prices, which in itself is a good example of enhanced cooperation, the development of local content is key in promoting the participation of stakeholders from developing economies and other marginalized groups.

[4]:

http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/local_content_study.pdf

15. What are the international internet-related public policy issues that are of special relevance to developing countries?

In principle, there should not be any distinction between international Internet-related public policy issues that are relevant for developing countries and issues that are relevant for developed countries. Internet governance is an issue of a global nature and all countries should have equal footing in such a discussion.

As mentioned above, Internet access is a top priority for developing economies. We should make sure that the barriers mentioned in the answer to question 11 are largely eliminated so that developing countries are able to engage and contribute to the global debate.

Rather than identifying issues that are of special relevance to developing countries, we should focus on ensuring that their concerns are included and addressed in each and every one of the issues at stake (management of critical Internet resources, security, privacy, security, access, etc.).

16. What are the key issues to be addressed to promote the affordability of the Internet, in particular in developing countries and least developed countries?

There is of course a range of various issues to be addressed in that regard; with the provision and affordability of access high on the list as noted previously. There are also policy issues relating to good economic regulation and competition, which no doubt other contributors will major on.

In the context of the DNS choice and affordability of domain names is also an issue, with those offered by a ccTLD Registry being particularly pertinent. Thus the work ICANN is committed to, through the Regional Strategies, in addressing the weaknesses of the DNS sector. In Durban, in July we jointly organized a DNS Forum for African countries, and we are repeating the exercise in Buenos Aires at our ICANN meeting in November. We are also committed to address the cost (considered prohibitive by some previously) of acquiring generic top-level domain names before any further expansion of gTLDs is introduced.

A Specific area that falls within ICANN mandate is the introduction of Internationalized Domain Names (IDNs). IDNs enable tens of millions of users around the world to access the Internet using their native languages, and are used in many parts of the developing world in Asia, Middle East and North Africa. To date, 23 countries have their ccTLDs in their native scripts, including among others China, India, Russia and eleven Arab countries [5]. There are also planned to be over 100 new gTLDs in non-Latin scripts introduced into the root of the Internet in the next 6 months or so.

[5]: Countries and territories with IDN ccTLDs: <http://www.icann.org/en/resources/idn/fast-track/string-evaluation-completion>

17. What are the national capacities to be developed and modalities to be considered for national governments to develop Internet-related public policy with participation of all stakeholders?

Open, inclusive, structured and accountable consultation processes should be developed at the national level to ensure that the multi-stakeholder models become the standard for addressing public policy issues related to the Internet. The nature of the Internet, as well as its perpetual and rapid development continues to demonstrate that top-down regulatory and policy approaches encounters clear limits in the ability to capture the fast moving reality of this global network, and the subsequent endorsement and adoption by the stakeholders.

As in the cases of Brazil [6], India [7], Sweden, more countries are establishing multi-stakeholder consultation mechanisms that allow for a broader assessment and development of Internet policies. In a trend of innovation of national and global governance model, similar capacities for developing national multi-stakeholder bodies, should be a consistent part of the UN activities for development, as their effectiveness goes beyond the realm of Internet public policy. Specialized UN Agencies and Programmes such as the UNDP's Democratic Governance should embrace the multi-stakeholder model as part of its activities in relation to institution and governance building at national level.

[6]: <http://cgi.br/>

[7]: <http://www.iigc.in/>

18. Are there other comments, or areas of concern, on enhanced cooperation you would like to submit?

No.