General Studies – 2; Topic: Important aspects of governance, transparency and accountability

Internet Governance and ICANN

1) Introduction
- Internet governance is the development and application of shared principles, norms, rules, decision-making procedures, and programs that shape the evolution and use of the Internet.
- Internet governance should not be confused with E-Governance, which refers to governments' use of technology to carry out their governing duties.

2) Background
- No one person, company, organization or government runs the Internet.
- It is a globally distributed network comprising many voluntarily interconnected autonomous networks.
- It operates without a central governing body with each constituent network setting and enforcing its own policies.
- However, to help ensure interoperability and the principal namespaces are administered by the Internet Corporation for Assigned Names and Numbers (ICANN)
- ICANN oversees the assignment of globally unique identifiers on the Internet, including domain names, Internet protocol addresses, and many other parameters.
- ICANN is governed by an international board of directors drawn from across the Internet's technical, business, academic, and other non-commercial communities.

3) Internet Corporation for Assigned Names and Numbers (ICANN)
- ICANN is a non-profit that manages the Domain Name System (DNS)
- ICANN helps organise the Internet with the allotment of domain names such as .com, .org and .net.
- Recently US government gave up oversight of Internet naming functions and handed over it to ICANN.

4) Need for Effective Public Oversight
- ICANN is an organisation with a significant global public policy role now being rendered practically without any public oversight.
- ICANN continues to be dominated by businesses, largely US-based ones, and handing over such important global governance functions to a business dominated body with no effective oversight at all is quite scary.
- The struggle by the Supreme Court of India to rein in BCCI provides an apt example of how an agency exercising a public or quasi-public function can go disloyal if freed from any public interest oversight.
- An ICANN freed from all oversight is very much expected to have self-aggrandisement, even corruption, as we found the BCCI on.
- It is better to put an effective public interest minded oversight body rather than wait for any calamitous circumstances.

5) Global Public Oversight for ICANN
Governing internet is a complex and challenging task given its globally distributed nature, lack of centralised authority, jurisdictional issues, diversity of stakeholders and services and plurality of content.

The most appropriate way forward is to incorporate ICANN under international law, which has to be in the form of a treaty.

ICANN can continue to be in the US, but with jurisdictional immunities as available to other global governance bodies like those of the UN.

Larger public policy principles should be laid out for ICANN, as was directed by the World Summit on the Information Society in 2005.

The whole system should further be subject to judicial oversight that can be done by instituting a special digital bench of the International Court of Justice.

It is vital to protect the global infrastructure of free speech and thus one has to be very careful about the governance structures around the global internet.

It is for developing countries’ leaders like India to come up with alternative governance forms and proposals, and build global support for them.

Individual governments should have more control, or that the International Telecommunication Union or the United Nations should have a function in Internet governance.

6) India’s Role in Internet Governance

India’s government must play an active role in formulating the rules, given its social responsibility to ensure equitable access to the one billion “unconnected” citizens for service and governance delivery.

India should take the lead in setting up a group of experts from 15 to 20 countries in the digital sector to shape internet governance, a proverbial “D-20”.

Such a forum would translate the key features of India’s bilateral agreements into global norms and bring it cyber heft.

India should consolidate its leadership by creating ideation forums to shape the discourse. This would also complement the “Digital India” initiative.

To bring all Indian stakeholders on the same page, an Indian internet governance council must be established.

India is in a position to shape cyberspace debates, but for that it will need to be flexible, propositional and present everywhere that internet governance is debated.

India hosted the ICANN (Internet Corporation for Assigned Names and Numbers) 57th meeting in Hyderabad.

The language of the Internet cannot be English and English alone, " and India appealed to the ICANN community to make more local languages available to users.