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27 December 2014

To:

Mr. Fadi Chehade, CEO and President

Mr. Steve Crocker, Chairman of the Board

Mr. Cherine Chalaby, Chair, Finance Committee of the Board

Mr. Xavier Calvez, Chief Financial Officer

Sub: Details of implementation by and within ICANN of the NETmundial Outcome Document (April '14)

We express our appreciation at ICANN's prompt acknowledgement of our previous DIDP request, and await the information. We would, in the meanwhile, request information regarding ICANN's internal measures to implement the NETmundial Outcome Document.¹

In a post titled *Turning Talk Into Action After NETmundial*,² Mr. Chehade emphasized the imperative to carry forward the NETmundial principles to fruition. In nearly every public statement, Mr. Chehade and other ICANN representatives have spoken in praise and support of NETmundial and its Outcome Document.

But in the absence of binding value to them, self-regulation and organizational initiatives pave the way to adopt them. There must be concrete action to implement the Principles. In this regard, we request information about mechanisms or any other changes afoot within ICANN, implemented internally in recognition of the NETmundial Principles.

At the IGF in Istanbul, when CIS' Sunil Abraham raised this query,³ Mr. Chehade responded that mechanisms ought to and will be undertaken jointly and in collaboration with other organisations. However, institutional improvements are

¹ See *NETmundial Multi-stakeholder Statement*, <http://netmundial.br/wp-content/uploads/2014/04/NETmundial-Multistakeholder-Document.pdf>.

² See Chehade, *Turning Talk Into Action After NETmundial*, <http://blog.icann.org/2014/05/turning-talk-into-action-after-netmundial/>.

³ See *ICANN Open Forum*, 9th IGF 2014 (Istanbul, Turkey), https://www.youtube.com/watch?v=Cio31nsgK_A.

intra-organisational as well, and require changes *within* ICANN. An example would be the suggestions to strengthen the IGF, increase its term, and provide financial support (some of which are being achieved, though ICANN's financial contribution to IGFSa is incongruous in comparison to its financial involvement in the NETmundial Initiative).

From ICANN, we have seen consistent championing of the controversial NETmundial Initiative,⁴ and contribution to the IGF Support Association.⁵ There are also mechanisms instituted for IANA Stewardship Transition and Enhancing ICANN Accountability,⁶ as responses to the NTIA's announcement to not renew the IANA functions contract and related concerns of accountability.

In addition to the above, we would like to know what ICANN has done to implement the NETmundial Principles, internally and proactively.

We hope that our request will be processed within the stipulated time period of 30 days. Do let us know if you require any clarifications on our queries.

Thank you very much.

Warm regards,
Geetha Hariharan
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Centre for Internet and Society (CIS) is a non-partisan, not-for-profit research organization based out of Bangalore and Delhi, India. Since 2008, CIS has performed groundbreaking research in technology and the law. Our research competence extends across free and open source software, open data, open government and right to information, accessibility and rights of disabled persons, intellectual property, access to knowledge, privacy and Internet governance. We are currently involved, *inter alia*, in a research project in Internet governance, where we are studying transparency, accountability and effectiveness of Internet governance institutions. Our project is generously funded by the MacArthur Foundation.

⁴ See McCarthy, *I'm Begging You To Join*, THE REGISTER (12 December 2014), http://www.theregister.co.uk/2014/12/12/im_begging_you_to_join_netmundial_initiative_gets_desperate/.

⁵ See ICANN Donates \$50k to Internet Governance Forum Support Association, <https://www.icann.org/resources/press-material/release-2014-12-18-en>.

⁶ See NTIA IANA Functions' Stewardship Transition & Enhancing ICANN Accountability Processes, <https://www.icann.org/stewardship-accountability>.