PROCESS AND POWER IN INTERNET GOVERNANCE

REFLECTIONS ON THE IANA TRANSITION

PRESENTATION AT RIPE 72
26 MAY 2016, 0900-1030

Jan Aart Scholte
University of Gothenburg
QUESTION

What does the currently unfolding IANA transition reveal about the workings of governance around critical Internet resources?
OUTLINE

• the IANA transition in summary
• institutional processes in the IANA transition
• structural power in the IANA transition
• lessons: the promises to build on
• lessons: the perils to be overcome
IANA TRANSITION CHRONOLOGY

- NTIA announcement, 14 March 2014
- ICG process, July 2014-October 2015
- CCWG-Accountability, Nov 2015-March 2016
- USG review, March 2016-??
- RZMA talks, August 2015-??
- Transition complete, 30 September 2016 (?)
Enhancing ICANN Accountability

ICANN → CCWG-ACCOUNTABILITY → WORKSTREAM 1

- CCWG PROPOSAL
- ICANN BOARD
- NTIA

WORKSTREAM 1

WORKSTREAM 2

ICANN

LINKAGE

NTIA ANNOUNCEMENT & CRITERIA

IANA STEWARDSHIP TRANSITION

IANA STEWARDSHIP TRANSITION COORDINATION
POLICY BY POLYCENTRIC NETWORK

1) transscalarity (interlinking global, regional, national and local agencies)
2) transsectorality (interlinking official, commercial and civil society actors)
3) diffusion (scattered over many sites)
4) fluidity (highly changeable over time)
POLICY BY POLYCENTRIC NETWORK

5) overlapping mandates (multiple agencies claim competence over the same issues)

6) ambiguous hierarchies (often unclear lines of command between agencies)

7) the absence of a final arbiter
**INSTITUTIONAL POLYCENTRISM IN THE IANA TRANSITION**

<table>
<thead>
<tr>
<th></th>
<th>PUBLIC</th>
<th>PRIVATE and HYBRID</th>
</tr>
</thead>
<tbody>
<tr>
<td>GLOBAL</td>
<td>GAC, ITU, UN/WSIS+10</td>
<td>ICANN, IETF, NRO, IAB, gTLD registries, ISOC, IGF, Verisign, W3C</td>
</tr>
<tr>
<td>REGIONAL</td>
<td>AU, EU, HLIG</td>
<td>RIRs, regional ccTLD associations, EuroDIG, regional IGFs</td>
</tr>
<tr>
<td>COUNTRY</td>
<td>NTIA, other state ministries and coordination bodies, US Congress, some ccTLDs</td>
<td>some ccTLD registries, national IGFs</td>
</tr>
<tr>
<td>LOCAL</td>
<td></td>
<td>universities</td>
</tr>
</tbody>
</table>
STRUCTURED POLYCENTRISM
’ORGANISED CHAOS’

• myths of horizontality and ’bottom-up’ processes
• geopolitical structures
• social structures
• cultural structures
• power in polycentric networks as a function of intersecting hierarchies
POLYCENTRIC GOVERNANCE PROMISES

• richness (of information, insight, experience)
• creativity
• speed
• adaptability
POLYCENTRIC GOVERNANCE PROMISES

• responsiveness: addressing issues
• responsiveness: forum shopping
• relevance and quality
• democracy
POLYCENTRIC GOVERNANCE

CHALLENGES

• retooling
• navigating the labyrinths
• negotiating cultural diversity
• living with incoherence and uncertainty
• limiting duplication and inefficiency
POLYCENTRIC GOVERNANCE CHALLENGES

• securing compliance
• checking special-interest capture
• obtaining accountability (of governance institutions)
• obtaining accountability (of stakeholder representatives)
• fostering access and turnover
The novelties of Internet governance give cause for celebration and worry.

Embrace multistakeholderism, but do not do so uncritically.
WHAT TO DO

• take care to locate oneself within wider polycentric policymaking networks
• be ever ready to renovate policy processes in order to maximise promises and minimise perils
• monitor and where necessary resist structural power, particularly where it generates arbitrary unfairness