



Cross Community Working Group on
Enhancing ICANN Accountability

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SUBJECT German Comments
RE Initial Draft Proposal for Public Comment

Germany would like to thank the CCWG's co-chairs, the participating stakeholders and all supporting staff for their tremendous efforts. We would like to thank the Danish GAC representatives in particular for their comments which we fully support.

We welcome the U.S. administration's initiative to transition the stewardship of the IANA functions. This creates the opportunity for all stakeholders to play an active part in shaping the processes governing the management of key internet resources. Furthermore we support the work of the Cross Community Working Group on Enhancing ICANN Accountability. Germany supports the multistakeholder approach inherent in the CCWG's working methods and draft report because the joint governance of internet resources and standards by the internet community has proven to be one of the key factors driving the success of the internet.

In this context we would like to recall the joint German Position Paper on Guidelines and Recommendations for Action for the IANA Stewardship Transition from 26 March which has been drafted in a multistakeholder process itself. Germany notes that many of the issues raised in this position paper have been addressed by the draft report.

In this regard we appreciate the proposed change to the way ICANN is organised. The envisaged membership structure (or similar constructs) would enable the SO/ACs to directly influence ICANN's work and exert greater oversight, ensuring adequate regard to all community interests. Germany would like to suggest that any choice of form of organisation for ICANN as a public benefit corporation should not preclude stakeholder groups from deciding if and how they want to partake as members.

ICANN's new organisational structure needs to meet the requirements of governments in a multistakeholder environment. In our view governments have an important role to play, particularly on global public policy issues. To this end, Germany sees no need to change the status of the GAC as an advisory body. It is necessary that governments continue to participate in decision-making processes via the multistakeholder model. To ensure ICANN's strong commitment to the public interest GAC advice will need to be duly taken into account in any future form of organisation. We are of the opinion that matters of public interest can be addressed best in this manner. Any legal or political assessment of the specifics of GAC's future engagement with and within an empowered ICANN community should not be precluded. With regard to the multistakeholder approach in general it should be ensured that no singular interest can outweigh those of the community as a whole or the public in general.

All in all the complexity of the CCWG's work and the large number of stakeholders make it seem necessary to raise awareness of this drafting process beyond the ICANN community to ensure a well-balanced approach for ICANN's future.

Finally Germany would like to recall the importance of examining ICANN's jurisdiction as part of Work Stream 2.

Yours sincerely,

For the Federal Ministry of Economic Affairs and Energy

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