

Brasília, May 30th 2014

Comments of the Brazilian government on the "**Draft Proposal, based on initial community feedback, of the principles and mechanisms and the process to develop a proposal to transition NTIA's stewardship of the IANA functions**".

The government of Brazil welcomes the announcement made on March 14th 2014 by U.S. government on the intent to transition key Internet domain name functions to the global multistakeholder community. Brazil also commends the Internet Corporation for Assigned Names and Numbers (ICANN) for initiating a community consultation process on the matter.

In that context, the government of Brazil presents some suggestions concerning the transition process as a whole and specific comments on the "Draft Proposal" for the development of the transition proposal, which was released on April 8th 2014.

Suggestions and Comments

- The global multistakeholder community gathered in São Paulo on 23-24 April 2014 and adopted the "NETmundial Multistakeholder Statement", which, among other things, recommends that the transition takes place "through an open process with the participation of all stakeholders extending beyond the ICANN community" (Roadmap, Chapter II, §5). Accordingly, Brazil considers that this should be observed in all stages of the transition process, including the ongoing efforts aimed at elaborating a framework for the transition process itself;
- In this regard, the proposed "Steering Group" to shepherd the transition process should be composed of members representing **not only** ICANN's ACs/SOs and interested parties (IETF, IAB, ISOC, NRO), but also members outside of these constituencies, from different stakeholder groups (civil society, academia, private sector, governments);
- Being a multistakeholder process, the development of the transition proposal should be **open and transparent**. It should therefore allow for the participation of any interested group or individual during the different phases of the process – be they preparatory or decision-making;

- It is unclear who conducted the **compilation activities** which resulted in the "Scoping document" and the "Draft Proposal" and how the related decision was made. In order to abide by the transparency principle, from now on each and every development related to the transition process should be **fully described and publicized**;
- As per the "NETmundial Multistakeholder Statement", the transition process should lead to "a truly international and global organization serving the public interest with clearly implementable and verifiable **accountability and transparency mechanisms** that satisfy requirements from both internal stakeholders and the global community" (Roadmap, Chapter II, § 6);
- In this regard, it is the understanding of the government of Brazil that **ICANN's accountability mechanisms**, among other aspects, should be an integral part of the transition proposal development process and NOT constitute a parallel process;
- Within each interested group, "Steering Group" representatives should be chosen based on an **ample constituency consultation** which should be, whenever possible, **consensus-driven**. With respect to the GAC in particular, members should NOT be appointed directly by the Chair, but rather selected upon deliberations involving the full GAC membership;
- The consultation process conducted so far on the transition has not provided interested stakeholders with sufficient time for comments. Considering that Governments and International Organizations in particular have complex and long decision-making processes, new public consultations should have **longer duration**; and
- The list of events through which individuals can engage in the transition process (presented in the section "Timeline of events" of the Draft Proposal) **should not be considered exhaustive**. Other fora, such as the Internet Governance Forum and the regional IGFs should also be taken into account.