

ICANN Elections – Theory & Practice

Democratic Internet

Bertelsmann Stiftung

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ICANN: The Basic Idea

ICANN =

An Experiment in
Technical Self-Management
by the global Internet
community

ICANN: The Basic Bargain

ICANN =

Internationalization
of Policy Functions for DNS and IP
Addressing systems

+

Private Sector
(non-governmental) Management

What does ICANN do?

Coordinates policies relating to the unique assignment of:

- Internet domain names
- Numerical IP Address
- Protocol Port and Parameter Numbers

Coordinates the DNS Root Server System

- through Root Server System Advisory Committee

Says *The Economist*:

- “ICANN is in many ways a completely new institutional animal.”
- “It is a hybrid between an online community and a real-world governance structure, an untested combination.”
- “It is also a new type of international organisation: an industry trying to regulate part of itself, across the globe, with little or no input from national governments.”

(10 June 2000)

Domain names & IP addresses

- **Domain names** are the familiar, easy-to-remember names for computers on the Internet
 - e.g., amazon.com, tiesweb.org, ge.co.uk
- Domain names correlate to **Internet Protocol numbers** (IP numbers) (e.g., 98.37.241.130) that serve as routing addresses on the Internet
- The **domain name system** (DNS) translates domain names into IP numbers needed for routing packets of information over the Internet

Categories of Internet Domains

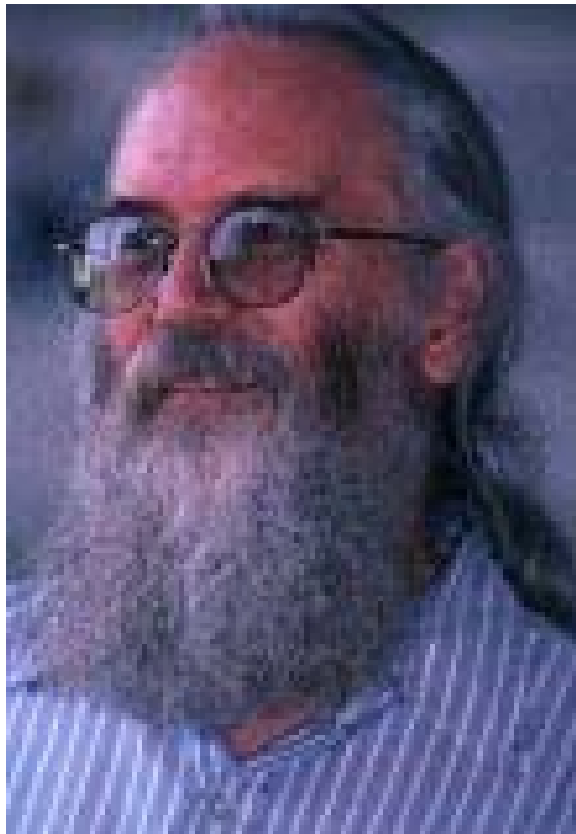
- **Generic Top Level Domains (gTLDs)**
 - .com, .net, .org, .gov, .mil, .edu, .int, .arpa
 - .com, .net, .org open for registration by all persons and entities on a global basis
 - Proposals to add many more gTLDs (.shop, .arts, .union, etc.)
- **Country Code Top Level Domains (ccTLDs)**
 - .uk, .fr, .us, .mx, .ca, .de, etc.
 - Registration requirements vary by domain (many require domicile within the territory or other connection with the territory)
 - Derived from ISO 3166-1 list

Status Quo Ante ICANN

Most Internet DNS and IP Address coordination functions performed by, or on behalf of, the US government:

- **Defense Advanced Research Projects Agency (DARPA)**
 - Information Sciences Institute (ISI) of University of Southern California
 - Stanford Research Institute (SRI)
- **National Science Foundation (NSF)**
 - IBM, MCI, and Merit
 - AT&T, General Atomics, Network Solutions, Inc. (NSI)
- **National Aeronautics and Space Administration (NASA)**
- **US Department of Energy**

IANA



Jon Postel
1943-1998

Need for Change

- ◆ Globalization of Internet
- ◆ Commercialization of Internet
- ◆ Need for accountability
- ◆ Need for more formalized management structure
- ◆ Dissatisfaction with lack of competition
- ◆ Trademark/domain name conflicts

White Paper Principles

White Paper: new policy/management structure must promote 4 goals:

- ◆ Stability
- ◆ Competition
- ◆ Private, bottom-up coordination
- ◆ Representation

White Paper Implementation

- ◆ Internet community to form non-profit corporation meeting White Paper's 4 criteria
- ◆ US Government (through Commerce Department) to transition centralized coordination functions
- ◆ Amendment of Network Solutions agreement to require competitive registrars in gTLD registries
- ◆ Request to WIPO to study & recommend solutions for trademark/domain-name conflicts

Status of Transition from USG

- ✓ 25 November, 1998 - ICANN recognized in MoU
- ✓ June, 1999 - Cooperative agreement among ICANN, US Government, root server operators
- ✓ 10 November, 1999
 - ICANN and Network Solutions sign gTLD registry and registrar agreements
 - DoC transfers root authority over gTLDs to ICANN
- ✓ 9 February, 2000
 - Contract with US Government to complete transfer of IANA functions

Policy Objectives for Year 2000

- New Top-Level Domains
- At Large Membership Elections
- ccTLD registry agreements
- IP Address registry agreements
- Root server operator agreements
- September 30, 2000 - Target date for ICANN to settle all registry + registrar + root server relationships

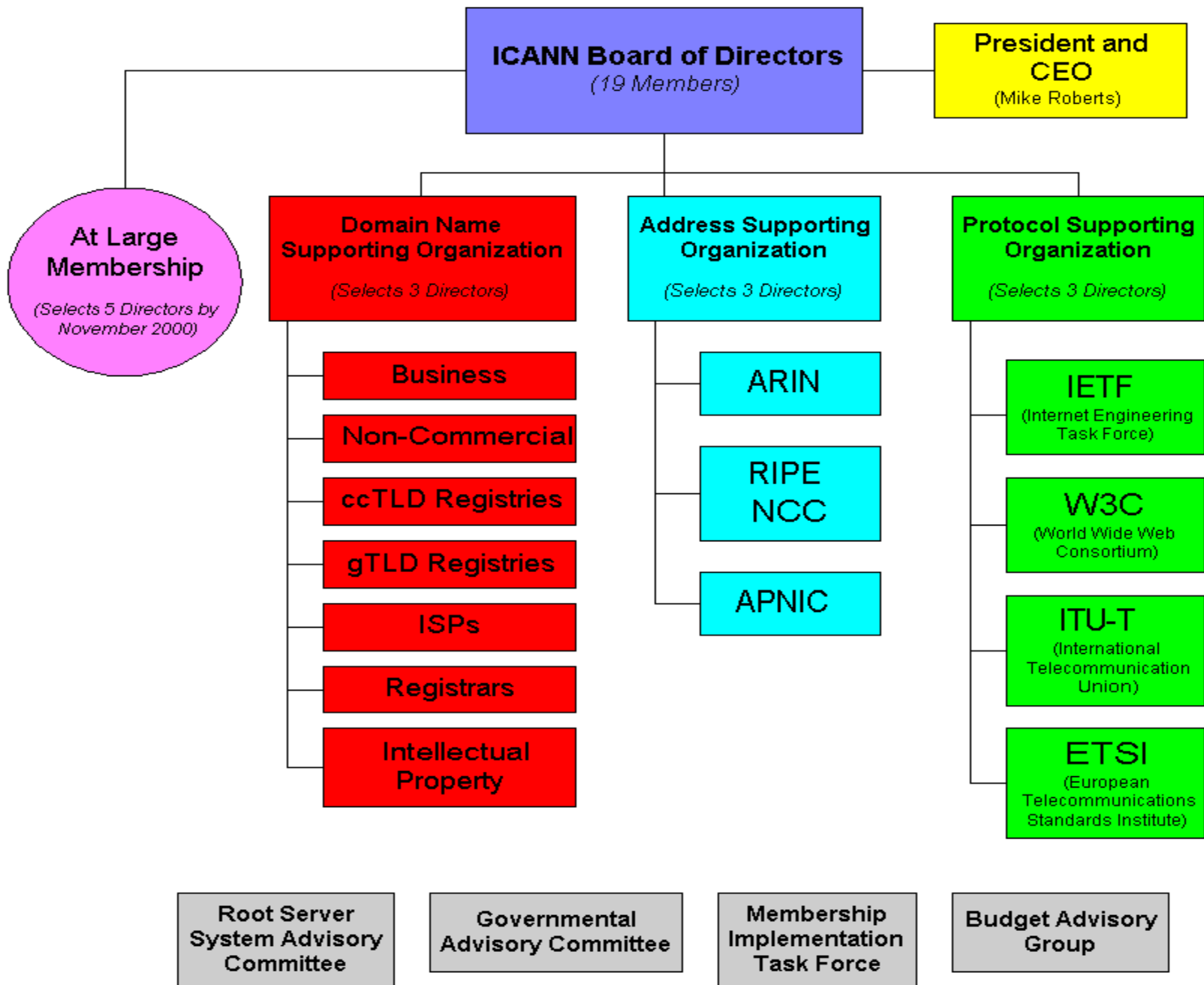
Domain Name Issues

- **Uniform Dispute Resolution Policy**
 - Optional, non-binding alternative to court
 - Average time to resolution: 35-40 days
 - Targets abusive, bad-faith cybersquatting
 - Applies to .com, .net, and .org (not ccTLDs)
 - Four providers: National Arbitration Forum, Disputes.org/e-Resolutions; WIPO; CPR
- **Competition in registration services**
 - Pre-ICANN: Monopoly provider (NSI) for .com, .net, .org; minimum cost of US \$70
 - Now: Over 45 competitors worldwide (+ resellers); prices start at US \$10
- **New Top-Level Domains**
 - ICANN Board to make decision on how to proceed in July; staff proposals posted
- **Internationalization of DNS character sets**
 - Problem for technical standards bodies (i.e., IETF), not ICANN
 - Need for open standard & interoperability with existing DNS



Structure of ICANN





ICANN Board of Directors

At Large Directors:

- Esther Dyson (USA) – Chairman
- Geraldine Capdeboscq (France)
- George Conrades (USA)
- Greg Crew (Australia)
- Frank Fitzsimmons (USA)
- Hans Kraaijenbrink (Netherlands)
- Jun Murai (Japan)
- Eugenio Triana (Spain)
- Linda S. Wilson (USA)

ASO Directors:

- Blokzijl (Netherlands)
- Fockler (Canada)
- Wong (Hong Kong, China)

DNSO Directors:

- Abril i Abril (Spain)
- Cohen (Canada)
- Pisanty (Mexico)

PSO Directors:

- Abramatic (France)
- Cerf (USA)
- Davidson (U. K.)

ICANN Staff

New Model: Lightweight

(minimal staff = minimal bureaucracy)

Current Staff:

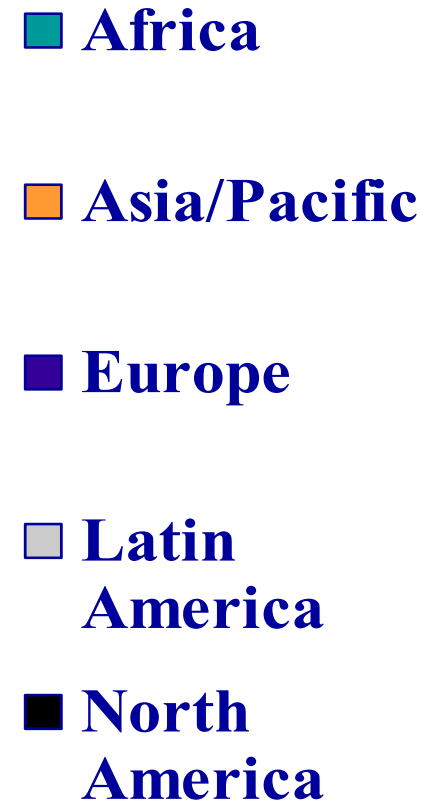
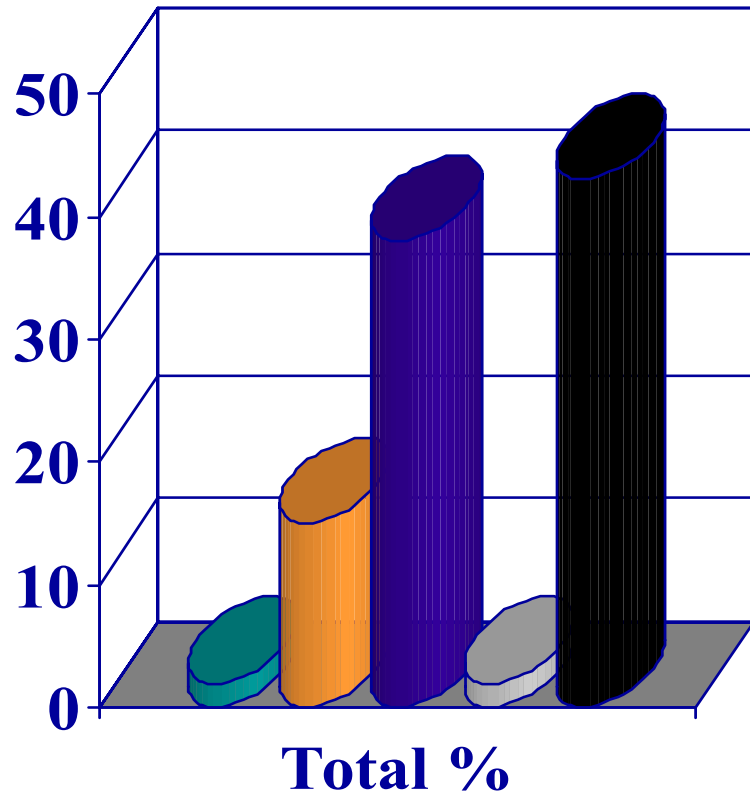
- ◆ President and CEO (Mike Roberts)
- ◆ Vice President/General Counsel (Louis Touton)
- ◆ Chief Policy Officer/CFO (Andrew McLaughlin)
- ◆ Registrar Liaison (Dan Halloran)
- ◆ IANA staff (Joyce Reynolds, Michelle Schipper, Suzanne Woolf)
- ◆ Network Administrator (Jim Villaruz)

At Large Membership

- Open to any individual with verifiable name, email address, physical address
- Free to join and to vote
- Members will directly elect 5 ICANN Directors by November 2000 (Election by Region)
- Nominations committee + self-nomination
- 6-month study period to follow first election
- Membership Implementation Task Force
- JOIN! <http://members.icann.org>

Applications for Membership (~7 June)

- Africa
 - 391 (2%)
- Asia/Pacific
 - 3164 (15%)
- Europe
 - 7838 (38%)
- LA/C
 - 435 (2%)
- North Am
 - 8871 (43%)



Applications for Membership (~7 June)

7965	United States	271	Switzerland
4738	Germany	208	Thailand
1292	Japan	205	Netherlands
906	Canada	201	India
773	United Kingdom	157	Ireland
486	South Korea	156	Italy
426	France	134	Spain
355	Australia	117	New Zealand
296	Austria	116	Argentina
		107	Mexico

Why Elect Directors?

- Accountability
- Transparency
- Representation
 - Geographic
 - Sectoral
- Diversity of views
- Distributed architecture of selection
- BUT: ICANN needs high-quality directors, a goal which may be in tension with representation

So does ICANN make law?

- Or: Is ICANN a cyber-government for the Internet?

A: NO!

- ICANN has no inherent coercive power, only the ability to enter into contractual relationships through a process of consensus & consent
- ICANN is not a substitute for the powers of governments (i.e., courts and laws)

Does ICANN govern/regulate?

- **No: ICANN coordinates.**
- **But:** technical coordination of unique values sometimes requires accounting for non-technical policy interests:
 - Data privacy protection
 - (WHOIS database)
 - Intellectual property/trademark law
 - (UDRP)
 - Competition law
 - (Registrar accreditation for .com, .net, .org)

What ICANN doesn't do

- Network security
- Spam
- Web Sites' Data Privacy Practices
- Internet Content
 - Pornography
 - Hate speech
 - Copyright violations
 - Deceptive business practices / consumer protection
- Multi-jurisdictional commercial disputes
- Definition of technical standards
 - Network surveillance and traceability
- Internet gambling

Lessons from the Experiment?

- Private-sector self-management is possible, if narrowly chartered
- Global consensus on policy is difficult to define; even harder to achieve
 - Consensus is a tradition in the technical community in which ICANN is rooted, because you can test solutions & refer to objective data
 - Consensus on policy questions can be elusive, because it depends upon subjective values

For Further Information:

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