The ICANN Experiment

Cainet 2000
8-3-00

Andrew McLaughlin
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
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.
- 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
- WIPO to recommend solutions for trademark/domain-name dilemma
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
Remaining Transition Items

• Year 2000:
  – 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
Structure of ICANN
ICANN Staff

Current Staff:

- Interim President and CEO (Mike Roberts)
- Vice President/General Counsel (Louis Touton)
- CFO/Policy Director (Andrew McLaughlin)
- IANA staff (2.5 full-time)
Agenda for Cairo Meetings

- Creation of new top-level domain registries & protections for famous marks
- ccTLD delegation and administration policies
- At Large Membership & elections
- ICANN Budget for 2000-2001
- Independent Review policy
So does ICANN make law?

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

A: NO!

• ICANN has no 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
Does ICANN regulate?

• No: ICANN coordinates.
• But: technical coordination tasks sometimes require touching non-technical policy areas:
  – Data privacy protection
  – Intellectual property/trademark law
  – Competition law
Lessons from the Experiment?

• Private-sector self-regulation is possible
• Global consensus is difficult to define; even harder to achieve
  – Consensus can be achieved in the technical community from which ICANN was created, because you can test options
  – Consensus on policy questions is elusive, because you can’t rely on objective data
For Further Information:

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