ICANN: The Case for Reform

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APRICOT 2002
Bangkok
Overview

- Where We Are
  - An Unfulfilled Experiment
- At a Crossroads
  - Heading Towards a Cliff
- Roadmap to Reform
  - Focus on Core Mission
  - A Public/Private Partnership
WHERE WE ARE
ICANN’s Mission

- Create private sector, global coordination body
  - Privatize + internationalize
  - Agile and effective
    - Better alternative to government treaty organization
  - Coordinate names, numbers, addresses?
    - Plus?
- Conceived as a bold experiment
  - Incredibly ambitious
  - No agreements, no funding model, no funds
- Three years later:
  - Can mission be achieved?
Main Thesis

- ICANN as structured *cannot* succeed
  - Much accomplished, but key goals not attainable
    - Pre-requisites for full transfer of DNS root
      - From USG

- ICANN needs *significant* structural reform
  - Amazing if it did not!

- A reformed ICANN *can* succeed
  - Tight focus on core mission
    - Which is?

- A *new* kind of public/private partnership required
  - Purely private will fail
  - Purely governmental highly undesirable
  - Workable balance is needed
Why ICANN Cannot Succeed

- Lack of full participation by key stakeholders
  - Only real measure of legitimacy
- Overburdened by process
  - At expense of effectiveness
  - Government-like layers of process
    - Without government legitimacy, resources
    - Too many distractions
- Inadequate, unreliable, US-centric funding
  - With no clear path to solution
- Not seen as credible by key stakeholders
  - Instead: A (loud) debating society
Key Stakeholders

- Name Registries/Registrars
  - gTLDs
  - ccTLDs
- Address Registries
- Root name server operator
- Infrastructure providers
- “Major” Users
- Governments
- Etc.
Too Much Process

- Process over Progress
  - Form over substance
  - History of ICANN as a political exercise
    - Get everyone’s agreement
    - Shackle ICANN
    - Oversensitivity to role of government
    - More and more controls
  - Balance out of whack
- Process has become an end in itself
  - At expense of effectiveness
  - Too many distractions
    - At Large Elections
- Diminishes support for ICANN
Inadequate Funding

- ICANN started with no guaranteed funding
- Only registries/registrars participate
  - But not all
- Underfunded for three reasons
  - Significant budget shortfall each year
  - Accommodated by
    - Not hiring to authorized levels
    - Foregoing reserves
  - Inadequate even if fully funded
    - No backup of key individuals
    - Cannot take on needed work
AT A CROSSROADS
Status Quo Not Sustainable

- ICANN *cannot* succeed without
  - Participation by key stakeholders
  - Focus on effectiveness over progress
    - End irrelevant distractions
  - Adequate, reliable, international funding
  - Government backing for private-sector management

- Status quo *not* sustainable
  - Funding inadequate to perform core functions well
  - Unable to globalize
    - Cannot meet conditions for full transfer of DNS root from USG
    - Loss of interest

- Muddling through not good enough
  - A weak ICANN is a vulnerable ICANN

- Drift towards *government* alternative
Reform Required

- Not tinkering
  - Illusion of solutions
- Requires *radical* change
- Requires *new* mindset
- *Effectiveness* as key goal
  - Accomplishment
  - Credibility
  - Confidence
  - Participation
- A public/private partnership
  - Is there any other workable alternative?
Three Pronged Approach

1. Structure
2. Funding
3. Openness and Transparency
1. Structure

**Government Advisory Committee (SAC, RSSOC, etc)**

**Technical Advisory Committee (SAC, RSSOC, etc)**

**Board of Trustees**
- (15) Government Appointed
  - (5 Regional?)
- Public
  - (5 via NonCom)
- Ex-Officio
  - (4 + CEO) [+ non-voting GAC, IAB Designees]

**Policy Advisory Councils**
- (3) Steering Committees
  - (11) Generic Names
  - (9) Geographic Names
  - (7) Numbers and Addresses
  - *Self-Organizing Forums*

**Advisory Committees**
- (2) Government Advisory Committee
- Technical Advisory Committee

**Ombudsman**

**Public Participation**

**Nominating Committee**
2. Funding Principles

- Adequate, Reliable, International
- Related to Costs
  - Core
    - e.g., policymaking; root name server activities
  - Services
  - Reserves
- Bundled or Unbundled
  - Agreements vs Fee for Service
- Tiered
  - According to size, GNP etc
- Fair Share Principle for Organizations
  - Full participation = Fair share funding
- Broaden Sources
  - Signed agreements
  - Fees for service
  - Governments
3. Openness & Transparency

- Ombudsman
- Mgr. Of Public Participation
- Nominating Committee
  - Bound by constraints
    - Experience, knowledge, leadership, judgment, geographic and functional diversity, etc.
  - Stakeholder Liaisons
- Open and Transparent
- Public Conferences
  - Bi-Annual
- Objective: *meaningful* participation
  - Self-organizing forums
CONCLUSIONS
How Does This Solve The Problems?

- Participation
  - Carrot and Stick
- Too much process
  - Greater Opportunities to Act
- Funding
  - Broader Participation
We Need You

- **Starting** point not an ending point
- **Need** ideas, comments, criticisms
  - lynn@icann.org
  - comment-reform@icann.org
  - http://forum.icann.org/reform/
  - Q&A session
- Directed at all problems
- We must move with *dispatch*
ICANN Redux

- A Strong Organization
  - Effective and Agile

- Supported by Key Stakeholders
  - A Public/Private Partnership

- Led by Best Team Possible
  - Board & Steering Committees

- Open and Transparent
  - *Real* Participation not Process

- Properly Funded
THANK YOU!