ICANN: The Case for Reform

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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
    - Transfer of the root
  - Agile and effective
    - Better alternative to government treaty organization
  - Coordinate names, numbers, addresses?
    - Implications?
- Conceived as a bold experiment
  - Incredibly ambitious
  - No agreements, no funding model, no funds
- Three years later:
  - Can mission be achieved?
  - Is mission defined?

Main Thesis

- ICANN as structured *cannot* fulfill "mission"
  - 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
    - Public vs government?

Why ICANN Cannot Succeed

- Lack of *full participation* by key stakeholders
  - Only *real* measure of legitimacy
  - Involvement, agreement, funding
- 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
  - But some parts work

Key Stakeholders

- Name Registries/Registrars
  - gTLDs
  - ccTLDs
- Address Registries
- Root name server operators
- Governments
- Infrastructure providers
- "Major" Users
- "Public"?

Inadequate Funding

- ICANN started with no guaranteed funding
- Only registries/registrars participate
  - But not all
  - U.S. centric
- Underfunded for three reasons
  - Significant budget shortfall each year
    - One-legged stool
  - 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

Where We Are

- Progress Stymied
- Status quo not sustainable
  - Unstable and inadequate funding
  - Unable to globalize
  - Mission "undefined"
  - Muddling through not an option
- Drift towards government alternative
- Real reform required
  - Effectiveness over process
  - Accomplishment,credibility, confidence, participation

What is Happening

- Lynn Analysis & Proposal
- Board Committee on Evolution and Reform
  - What (Mission)?
  - How (Proposal)?
  - When?
- Comment Process
- Mini-papers
- Schedule

Mission

- Coordinate names, addresses, numbers
- Purely technical?
- Is assigning a gTLD purely technical?
  - What assignment?
    - Scarce real estate or not?
  - Which TLD?
  - To whom?
  - Who decides?
- Defining Issues
  - Technical vs Policy?
    - Are they separable?
  - Globalization
  - Funding

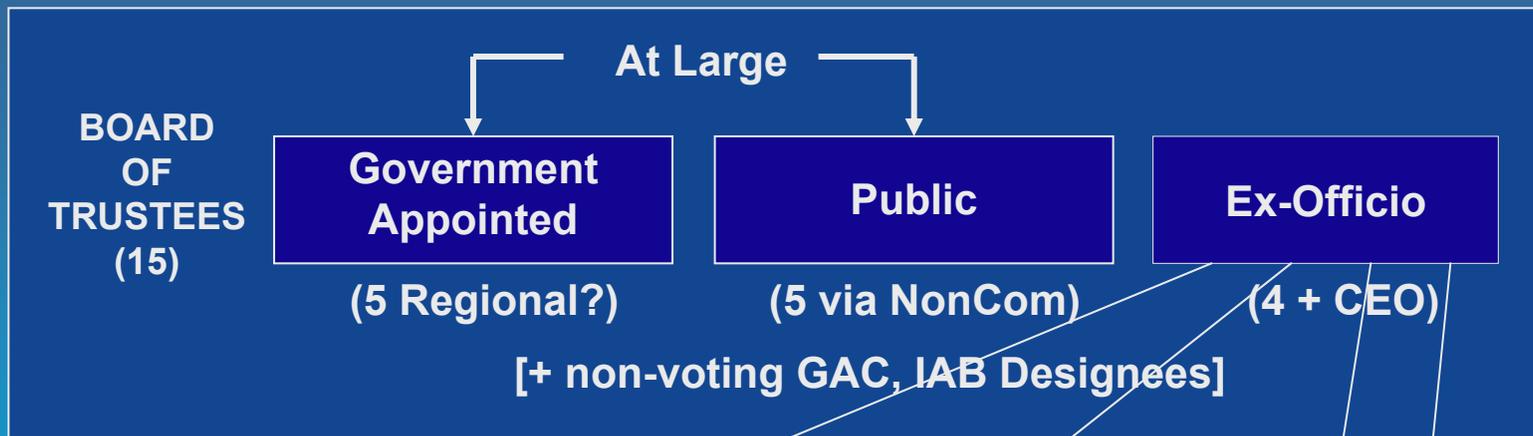# ROADMAP TO REFORM

Questions Not Answers

Three Pronged Approach

1. Structure
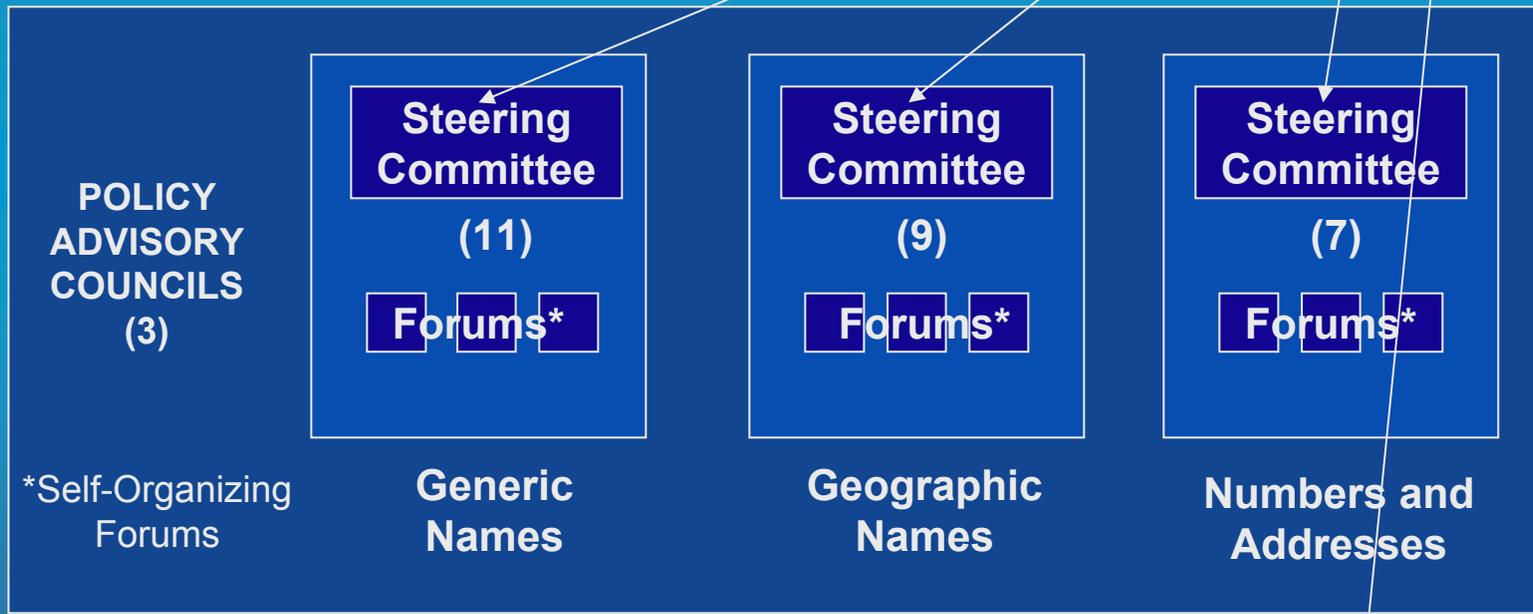2. Funding
3. Openness and Transparency

1.   Structure

BOARD OF TRUSTEES (15)

At Large

Government Appointed	Public	Ex-Officio
(5 Regional?)	(5 via NonCom)	(4 + CEO)

[+ non-voting GAC, IAB Designees]

POLICY ADVISORY COUNCILS (3)

Steering Committee (11)	Steering Committee (9)	Steering Committee (7)
Forums*	Forums*	Forums*

*Self-Organizing Forums

Generic Names

Geographic Names

Numbers and Addresses

ADVISORY COMMITTEES (2)

Government Advisory Committee

Technical Advisory Committee (SAC, RSSOC, etc)

Is This Correct?

- Government vs Public?
- Accountability of Nominating Committee
- Structure and Symmetry of Policy Councils
  - Separate Numbers and Addresses
  - Don't fix what ain't broke
    - E.g., address registries

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??
  - Where else?

3. Openness & Transparency

- Ombudsman
- Mgr. Of Public Participation
- Nominating Committee
  - Bound by constraints
    - Experience, knowledge, leadership, judgment, geographic and functional diversity, etc.
  - Stakeholder Liaisons or Elected?
- Open and Transparent
- Public Conferences
  - Bi-Annual
- 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**