

Noncommercial Stakeholders Group (NCSG) appreciates the opportunity to comment on the Second Security, Stability, and Resiliency (SSR2) Review Team Draft Report

The NCSG represents the interests of non-commercial domain name registrants and end-users in the formulation of Domain Name System policy within the Generic Names Supporting Organisation. We are proud to have individual and organizational members in over 160 countries, and as a network of academics, Internet end-users, and civil society actors, we represent a broad cross-section of the global Internet community. Since our predecessor's inception in 1999 we have facilitated global academic and civil society engagement in support of ICANN's mission, stimulating an informed citizenry and building their understanding of relevant DNS policy issues.

First of all, we thank the review Team for the thorough work they have done. They scanned and addressed every aspect of the Security, Stability, and Resiliency that are required to be addressed by ICANN as per its Bylaws (Article 4, Section 4.6(c)).

We are also quite in good alignment with all the recommendations in general, however; we have to draw the attention of both the review team and ICANN on some specific recommendations about how they could affect the community and ICANN's credibility.

Nevertheless, before we dive into our comments, we require the SSR2 team to define what the priority levels actually mean. For instance, within what timeframe/deadlines should a priority "high" recommendation be started, implemented, and reviewed?

As the work of the SSR was organized around four work streams, we would like to place global comments on each of the deliverables produced by each of them, and then, comment separately on a given recommendation, where need be.

Assessment of SSR1 Recommendations

1. Global comment

The NCSG considers of vital importance to implement the recommendations from SSR1 that have not been implemented yet, especially Recommendations 9 and 6. In fact, the team found that 26 SSR1 recommendations were not completely implemented and 2 haven't been implemented at all. Therefore, the NCSG invites ICANN board/Org to provide justifications on those matters and take immediate actions to start their implementation in a timely manner. Moreover, the SSR review Team noted that there are four repeating issues (page 22 and 23 of the draft report subjected to this call for Public Comment). We would like to ask ICANN's Board what actions they will be taking in order to prevent such a situation from occurring again in the future. The affected SSR1 recommendations are the numbers #9, #12, #15, #16, #20, #22, #27, they have now been re-addressed in the recommendations 1 to 5 of the SSR2 that were reviewed by the WS1 team.

2. Specific comment

#Recommendation 2 requires ICANN to conduct periodic reviews, audits, etc. of their system's security, stability, and resiliency. We would like to suggest that the review team proposes a specific cycle to conduct the checks. The NCSG suggests that they are conducted on a yearly basis.

#Recommendation 3 requires ICANN to elaborate the framework and agree with the Metrics and Vulnerability Disclosure. We believe that this process should be done in collaboration with the community represented through the SGs.

#Recommendation 4 deals with Budget Transparency and Budgeting SSR in the new gTLDs. We suggest that the SSR2 team check how or whether this is related or could be integrated into the ongoing work of the new gTLDs PDP working group.

Workstream 2: Key Stability Issues within ICANN

1. Global comment

In general, we are in line with all the recommendations (6 to 9) produced by this work stream team. However, we would like to bring the attention of the review team to its recommendation #6

2. Specific comments

#Recommendation 6: recommends ICANN to create a C-suite position for Risk Management or within C-Suite for Strategy. We acknowledge that and recommend that the Review team draft a job description that could fit the role. This job description could be appended to the final report.

Workstream 3: Review of Security, Stability, and Resilience of the DNS Systems

1. Global comment

Globally, we have noted that the recommendations made here are pertinent, nevertheless, their measurability would pose a problem. Although the SSR2 Team recommends ICANN to define some metrics for the different evaluation and assessment, the review team was not very specific, leaving open how and what metrics will be set. We are afraid this will lead to

the same situation as after SSR1, when most of the recommendations were only partially implemented and were difficult to assess. Also, as a reminder, there is still a citation (page 31 of the report) left to be added, for accuracy.

We also caution against the report being used to expand ICANN's remit beyond its current mandate. While DNS abuse is a critical topic, much of the responsibility for structural addressing of this threat rests outside of ICANN's remit.

2. Specific comments

In continuation of the aforementioned comment, we suggest the following:

#Recommendation 10: The SSR2 team justifies, elaborates more, analyzes impact and compares what they are recommending here to the current modes of operations. We also note that the recommendation strays into suggesting board action on areas which the review team is not empowered to comment on such as current GNSO policymaking.

#Recommendation 11: As this related to the definition of DNS Abuse, we believe that it is highly important to elaborate more on the methodology and the validation mechanisms.

#Recommendation 12: This recommendation is outside of the review team remit and is already addressed by current ICANN Policymaking in the GNSO and thus should be removed.

#Recommendation 13 to 20: They are all related to DNS Abuse and the DNS operations and are "high" priorities. We recommend that the Review Team proposes a dedicated team, like a cross community Working Group to work on it. We believe that this represents a stronger way/metric to assess the effectiveness of the implementation of those recommendations by a future SSR Team rather than making specific recommendations at this point.

We do not fully support the recommendations relating to the opening of DAAR data to private firms for their internal abuse department. This is outside of the role of ICANN and we do not support recommendations related to this topic.

On abusive naming we reject the call to replicate the existing systems that were the result of GNSO policy making with regards to trademark confusion and string similarity, again we do not believe that this is within the mandate of the SSR2 RT.

#Recommendation 26: urges ICANN to take exemplary actions to conduct testings related to the Emergency Back-End Registry Operator (EBERO) processes. This is vital for the resiliency and stability of the DNS operations. We require the review team to add more measurable actions items to this recommendation. Those should include progression state and deadlines, for instance, 50% of the testing be completed within 5 years, each domain should be tested every 5 years, etc.

Future Challenges

1. Global comment

We mostly agree with all the recommendations made within this section. Here also, as a reminder, there is a citation left to be added (page 51 of the draft report).

2. Specific comment

#Recommendation 31: Here, we would like to ask the review team to consider the recent report produced by the SSAC, namely the SAC 109, in order to make its recommendations.