Comment to the recommendations from the Strategy Panel: ICANN's Role in the Internet Governance Ecosystem

Introduction
The ccNSO Council welcomes the opportunity to comment on the report written by Strategy Panel: ICANN´s Role in the Internet Governance Ecosystem.

The council acknowledges the thorough work that the recommendations from the panel represent and finds that the report raises many important subjects that need to be addressed the coming year.

In general

When analysing internet governance models the Panel conclude "..*that the multistakeholder model is by far preferable and should be elaborated and reinforced.*" The ccNSO Council strongly support this view and it is with this in mind that the following comments should be read.

The report and recommendation provide a good insight in the current roles in the internet governance ecosystem (including the role of ICANN), and the many figures are very helpful in visualizing this system. But the overall impression of the document is that it mostly is an inventory of the existing situation and hardly gives any vision on the future governance, which is clearly a key issue for the global internet community. The document can be used as one of the ingredients for determining ICANN's strategy, but does not provide a vision of that strategy

The report does not state opinions or ideas on future roles except from keeping the well-known principles of transparency, accountability, inclusiveness and globalization.

The last two principles are the two areas where ICANN has been criticized lately. The criticism referred to a lack of diversity in nationalities e.g. in PDPs[1] (due to lack of active inclusiveness) and a lack of globalization because of the USG stewardship, but also due to a strong focus on US according to where ICANN is located and where the workforce comes from. We are aware of the initiatives to transition the USG's role, but this is an example of an area that should have been taken into account in a strategy document addressing the role of ICANN in the Internet Governance Ecosystem.

Comments to the 5 recommendations

The panel gives 5 recommendations to an ICANN roadmap:

1. **Globalize, not Internationalize.**
   Comment
   The council supports this recommendation as stated above; this is something that

---

[1] ATRT2 report recommendation 10.3. due to the ICC report " ATRT2 GNSO PDP Evaluation Study"

has been addressed in the ATRT2 report. Furthermore we support the "ICANN's leadership must avoid trying to build an empire." (p. 23) and that ICANN should "..stick to the mission and avoid mission creep." (p. 49) because globalization doesn't mean that ICANN should expand the size of the organisation but expand the range of communication and involvement. This is already underway by the establishment of the three hubs and offices around the world and better translation of documents into the five UN languages, but this also needs a whole new mind-set in how to approach and involve different nationalities, cultures and organisations.

2. **Consolidation and Simplification of Root-Zone Management**
   Comment
   The council support that "*The Panel sees issues related to the protection of the root-zone system and the IANA functions contract as matters that should be addressed holistically. Transparency and accountability principles should dictate a high degree of public visibility for this process.*" (p.50). This has become a highly relevant matter to have a transparent and accountable process about regarding the US Government passing on the stewardship to the internet society.

   Furthermore we support the (1net) criteria (for the root zone function):

   1. Support of a single, unified root zone

   2. Integrity, stability, continuity, security and robustness of the administration of the root zone

   3. Protection of the root zone from political or other improper interference

   4. Widespread trust by Internet users in the administration of this function

   5. Agreement regarding an accountability mechanism for this function that is broadly accepted as being in the global public interest

3. – 5.
   A Web of Affirmations of Commitments
   Establish ICANN Affirmation of Commitments
   Globalize the Process for Accountability with a Web of Relationships
   Comment
   The final three recommendations are commented below because they all focus on "a web of Affirmations of Commitments".

   Regarding the recommendation 3 -5 it seems unclear what existing problem(s) the panel seeks to resolve with the recommendations, in particular, with the AoC's.

Firstly, the internet (and also the technical sector thereof) flourishes under the general lack of formal agreements and this is a widely accepted premise for the different internet governance organisations. They all seem to have found the role in the ecosystem and there doesn't seem to be any discrepancy among the organisations.

Secondly, it seems that this will introduce mainly a lot of bureaucracy, without contributing anything in the way of improvements of the internet governance.

Thirdly, AoC's being a formal agreement, one need signatories. Quite a few internet technical structures lack a formal legal representative organ that could sign such agreements.

Fourthly, there is no point in signing formal agreements, if there is no possiblity to ensure (enforce) adherence to the committments/obligations in those agreements. And that possiblity won't exist in most cases.

Fifthly, ccTLDs are specifically mentioned of having to engage in/benefiting from such AoC's, it is unclear why.