Internet and Connectivity Providers Constituency (ISPCP)

ISPCP comments on the report from the ICANN Strategy panel

'ICANNs role in the Internet Governance Ecosystem'

The ISPCP thank ICANN for the opportunity to comment on the report from the ICANN Strategy Panel's 'ICANNs role in the Internet Governance Ecosystem' but express concern that a report that was produced by a panel solely selected by the ICANN CEO and staff and was not subject to the bottom-up, multi-stakeholder process, was published without being marked as 'initial draft'.

Collecting input from public webinars and providing opportunities for feedback from the community by email and through a survey is no substitute for an open, publicised comment period that is considered part of the standard ICANN process. Particularly at a time when most of ICANNs stakeholders are experiencing such a heavy ICANN focused workload on top of their normal day jobs.

Whilst the ability of broader community to comment later is still appreciated, allowing a version to be available world-wide in a form that could be taken as a final formal document from ICANN on such an important topic tends to negate the impact of any comments offered. Whilst the ISPCP urge ICANN to produce an updated version that takes account of all comments received and clearly mark that version as the 'Final Report', unless the reader is an avid follower of ICANN it is quite likely that the initial version will continue to be used and quoted from by those involved in the ongoing debates on Internet governance. The ISPCP have noted that unfortunately this has already happened on the 1net mailing list before the window for public comments is closed.

The ISPCP have decided to direct further comments towards those parts of the document that specifically relate to Internet Service Providers.

It is stated that the Panel reviewed the assumptions, linkages and frameworks that dictate ICANN's responsibilities in the current Internet governance ecosystem and that the panel developed several illustrative models of the Internet ecosystem as a way to help think about the nature of the current relationships that exist. However the ISPCP note that the placing of ISPs within some of those illustrative models is inaccurate and therefore paints a false picture of the environment.

The layered model in figure 3, coupled with the onion skin perspective clearly illustrates the important role that ISPs play in the Internet. Every layer; social, content, technical and standards, impacts ISPs core business functions. Yet when the document looks at mapping the Internet Governance Ecosystem and draws its web of relationships in figure 5, it totally misrepresents the situation.

ISPs depend on a number of key linkages within the Internet's ecosystem in order to fulfil their role and provide services to their customers. Those links are NOT with the ITU, in fact unless ISPs are also major connectivity providers they generally have no links at all with the ITU. Neither do they depend on ISOC or the EU. Whilst 'some' ISPs have to take note of EU policies and regulations it doesn't

apply to all, so again that is not a prime relationship and why that is shown as key yet the link with the USG for US based ISPs isn't, is again misleading.

Similarly the relationships with CERTS is a requirement that needs to be taken into account of by ISPs and to some degree the same goes for ccTLDs, but these do not reflect the critical relationships ISPs need within the Internet ecosystem to perform their main role.

What should have been reflected within figure 5, if as claimed that it shows *'the web of relationships among institutions that have roles affecting their operation'* is the ISPs relationship with the RIR's. After all the grass roots membership of each of the RIRs comes almost entirely from ISPs and without that relationship ISPs have no IP addresses and can't offer any services at all!

It is also notable that whilst ICANN is depicted as an important hub, its relationship with one of its core constituencies the ISPs, is totally ignored.

Accepting the point that not all linkages can be shown on a diagram without incurring difficulty makes it even more important that the most vital links are those depicted. Figure 5 currently fails on against that criteria and the ISPCP request that is corrected in a later version of the document. The ISPCP fully supports the view that no single institution, stakeholder or influencer plays a unique role in Internet governance, which again emphasises the need to reflect the most important relationships correctly.

As stated within the report *'the actors in the Internet's ecosystem may also have overlapping interests and authorities just as in any complex ecosystem,* however that situation again demands that all parties strive to understand the complexity and fundamental relationships through which each actor operates.

With regard to the roadmap the ISPCP fully supports the need to globalize, not Internationalize and the need to firmly establish a process for accountability within a web of relationships that will stand the test of time.