Comments on ICANN's FY13-14 SSR Framework

1. Preparations for risks related to the new-gTLD program must be stepped up in all layers.
   a. Political and reputational risk, and their interaction, will be heightened and become more densely intertwined with operational risk as the program makes progress. Example: smaller-scale, temporary failures in the program will be construed through cross-constituency pairings into major public-relations attacks which in turn will be used by governmental actors to undermine ICANN and the broader framework within which it exists in intergovernmental fora – there are numerous precedents for this risk.
2. The SSR Framework will benefit from an intensive adaptation to the new risks emerging from ICANN's growth in personnel and locations (internal growth.)
   a. Everything the organization does feeds into these risks: for example, in the human resources area, if recruitment is slow, candidates will protest publicly; staff is liable to create a reputational risk by beefing up unrelated complaints with what is ultimately insatisfaction with new bosses or reports, or perceived or real missed promotions.
   b. The matrix organizational scheme put forward needs significant adjustment in the way the SSR function and teams are managed. Part of the reorganization needed should respond to the very different needs of security at the database and administrative systems level, IANA function, corporate communications, and stewardship of the global DNS as well as ICANN's functions related to IP-address allocation policy, protocol parameter registries, and time-standards management. Some functions will need to be associated to the IT operation, looking mostly internally, some will need to be associated with the information exchanges within ICANN's first- and second-sphere interactions, and some, with significantly different environment and incentives, to the stewardship function.
   c. The Framework document is lacking in clarity in distinguishing these spheres, the resources assigned to each, and the way they will evolve with the dramatic change the organization is undertaking. This last part (evolution) is understandably absent from the document as the document was created before the large-scale change decisions were made and fleshed out.
   d. Establishing full-fledged offices, like the one announced for Istanbul (and later also Singapore), generates the need for a scale-up of internal human and IT systems; a reconsideration of outsourcing; dealing with new languages and cultures; legal, human-resource, environmental, and regulatory environments; cross-time-zone coordination of workloads that may be mission-critical, security-sensitive and large. A similar situation may emerge from Regional Strategic Engagement Plans, the Community Outreach Initiative, and other related work.These may all feed into SSR risk.

e. Numerous risks, not yet analyzed in the SSR plan, arise from higher layers; in particular ICANN is going into a new cycle of design in the Accountability and Transparency AoC obligation, which is likely to engender more processes, more checkpoints in those processes, more cross links between processes, and therefore more complexity, more bureaucracy, and higher risk.

f. To aggravate this risk, ICANN is not proportionately demanding and policing equivalent levels of accountability and transparency from the large set of new parties with which it is engaging (nor the already present ones.) Opportunities for interested parties to influence ICANN's decisions without proportionately owning to their consequences are increasing rapidly. This goes counter to the institutional design of the 2003 Reform and Evolution Process, one of whose three pillars was to make the ability to influence ICANN decisions proportional to the commitment to abide by them. The principle of proportionality is also present (as no. 2 of three) in the Ostrom paper cited in the Framework document.

3. Several forms of "technical debt" may accrue at a faster pace than manageable in the simultaneous processes of geographical expansion, ouverture to new communities, gTLD and therefore root-zone expansion, IDNs, DNSSEC and IPv6 diffusion.

a. "Technical debt" may accrue within the strict definition of the term and with a broader interpretation. The following holds for the strict interpretation: IT systems needs assessment, design, development, testing, and deployment may suffer at a larger scale than now.

b. Concepts that can be managed as "debt" may suffer: risk identification and management; staff and community substantive policy development; legal analysis; staff hiring, onboarding, rotation, and offboarding; internal security, privacy, and confidentiality – among other reasons for lack of deeply ingrained commonality of understanding; organizational design and its deployment; and provisions for all-layer SSR.

c. Managing risk and technical debt should employ appropriate metrics that interact between the SSR metrics, management metrics, operational metrics, policy-development metrics, and Board of Directors work and quality metrics.

d. A technical-debt management plan should be associated with any major change in ICANN and assessed for SSR impact.

4. The Board-level SSR Framework work is making too-slow progress and remains at a level that is impractically high to the point of very likely becoming useless.

5. Audits and standards compliance will become more necessary and plans to implement them should start in this fiscal year. The ICANN contract compliance audits mentioned in the report refer to compliance by registries and registrars with their ICANN or ICANN-mandated contracts; the SysTrust audit is too narrow and specific. ICANN should create and publish a plan for security audits at the crucial levels and undertake them with enough depth, timeliness and frequency.

a. While the SSR-RT did not recommend any specific IT-management framework nor security certifications, the upcoming growth in size, scale, geographic and

functional diversity, and complexity of ICANN make it worthwhile for ICANN to have a roadmap for these certifications so that it is easier for ICANN to assess human resources at contract and over their stay in the organization, and to provide external parties as well as the closer community with simple, regular statements on the state of SSR.

b. Audits consume lots of time and energy, and can cost a lot. The best way to plan the audits ICANN will need is to derive them from the Framework documents combined – this SSR Framework plus whatever – and whenever – emerges from the Board Working Group.