



The Internet Society provides the following comments as a contribution to the Review of the ICANN Security and Stability Advisory Committee. Without entering into a paragraph-by-paragraph discussion of the draft report prepared by JAS Communications LLC, we believe the following points are important for the ICANN community and the ICANN Board to consider when making decisions on the consultants' recommendations.

Disclosure: readers should note that John Schnizlein, an ISOC staff member, is on the SSAC, where he acts in his individual capacity.

First, it is vital to recall that that SSAC is, and is clearly seen to be, an advisory committee to the Board. SSAC is not responsible for the stability and security of the entire Internet, but only for issues within ICANN's mandate. Neither should it become an advisory committee to ICANN management. Keeping firmly in mind its focus on providing strategic level advice to the Board will help to clarify several other issues highlighted by the review.

To improve SSAC's ability to carry out its advisory role, it will be useful to formalize the expression of SSAC's plans and intended activities so they are, and are clearly seen to be, founded in consensus and focused on items the ICANN Board needs to know about.

To achieve the required level of planning and understanding, communications between SSAC and the board it advises need to be formalized. The proposal to require that the SSAC Chair and the SSAC Board liaison are not the same individual is not needed to address this issue. It would be better to institute clear

communications channels that operate independently of the individuals involved in either the Board or the SSAC.

ISOC trusts that the results of the current review will ensure that the ICANN community understands that SSAC is advisory rather than operational. Once SSAC has established a predictable and transparent planning process for its work, it should become clear that SSAC should not get engaged in responding to issues day-to-day, unless requested by the Board on an exceptional basis.

There should also be a broad understanding that SSAC is composed of experts, not representatives. That fact, combined with SSAC's advisory role, means that voting, negotiating or horse-trading on issues makes no sense. It would be best to have a clear and understandable process to take decisions. ISOC recommends reviewing the decision taking methods in the Internet Architecture Board Charter (RFC 2850) as an example:

#### “3.5 Decision taking

“The IAB attempts to reach all decisions unanimously. If unanimity cannot be achieved, the chair may conduct informal polls to determine consensus. The IAB may make decisions and take action if at least seven full members concur and there are no more than two dissents.

“The IAB may reach decisions by face to face meeting, teleconference, Internet communication, or any combination of the above.”

In all cases, for the Committee's advice to the Board to be seen as fair and unbiased, ISOC strongly supports taking steps to avoid real or perceived conflicts of interest. This should be fundamental as a vital component of ICANN's accountability and transparency regime.

Finally, the consultant's report discusses at length the ideal size for the SSAC. In our view, size is not the important question. The determining factor is to ensure there is appropriate coverage for

discussion of relevant topics, and clarity about process and outcome statements. Membership is not the question. SSAC should be self-organizing and must seek to achieve, and be seen to be achieving, the required output, which is expert advice to the Board on high level strategic issues to support and improve the stability and security of the Internet.

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### **About the Internet Society**

Founded in 1992, the Internet Society (ISOC) is a professional membership society with more than 80 organizations and over 28,000 individual members in over 90 chapters around the world. It provides leadership in addressing issues that confront the future of the Internet, and is the organization home for the groups responsible for Internet infrastructure standards, including the Internet Engineering Task Force (IETF) and the Internet Architecture Board (IAB). In 2002, ISOC was given the privilege of operating the .ORG domain name as a result of a competitive open bid process conducted by ICANN; and a subsidiary organization, called Public Interest Registry (PIR), was established for this purpose.