

**Commercial & Business Users Constituency Comment**

**GNSO//CSG//BC**

**ICANN Draft  
Strategic Plan**

**July 2012 to**

**June 2105**

Status: Final

17 Nov 2011

The BC notes with appreciation the release of Draft **ICANN Strategic Plan July 2012 to June 2015** on 3 October 2011, which launches the ICANN annual budget planning cycle.

We also thank ICANN for providing both clean and redline copies which is helpful to the community in its comment process.

Comments:

BC welcomes this opportunity to comment on the ICANN Strategic Plan July 2012 to June 2015, and provide both general and specifically focused comments on the Strategic Plan.

In the descriptive chart on page three only the top row (strategic objectives) have been expanded in the document. Whilst in some cases the second row (Strategic projects) are mentioned others are not. These projects are important and merit their own sub section in the Strategic Plan which must dovetail into the framework plan. BC is asking for Budget information, on these projects, manager responsible, and metrics in order to make valued comment. If the strategic plan is not the place for numbers each must be included in the framework plan.

In the spirit of helping the community and the staff who analyze comments, the BC would propose that the Strategic Plan, Budget/Operating Plan be published with a standardized heading and subject numbering, to facilitate the response. For instance, each major heading should have a Roman Number, and major paragraphs or sub sections should have a number. This makes is simpler for respondents to write their comments.

**Maintaining the Commitment to bottom up, consensus based, global organization**

Over time, we have seen that ICANN makes editorial changes in the Strategic Plan, and sometimes in its communication materials that edit out or imply changes in such fundamental priorities. For instance, ICANN’s editorial changes often delete the words “bottom up, consensus based’ and substitute “global organization’. While the BC supports the recognition of ICANN’s global responsibilities, we urge the ICANN Board and the Staff to remain consistently committed to the founding and basic principles of ICANN’s nature as bottom up, consensus based global organization’

**Challenges in obtaining detailed input and comments:**

Given the importance of ensuring a community supported Strategic plan, the BC is concerned about the lack of active involvement and participation in the development and comment period that ICANN provides. We are well aware that the Strategic Plan is traditionally under commented and given low priority by the community. As we ourselves are challenged to devote the time and attention that is required, we have great sympathy for the importance of broad awareness and participation in the Strategic Plan, and the frustration that ICANN probably experiences when few comments are received. We do have a suggestion that we propose that ICANN try for a full period of planning: Strategic Plan to Budget/Operating Plan.

When the first Strategic Plan was released by staff, it was an internally staff developed document, without any community input, and frankly, it took the community of stakeholders by surprise. ICANN, undoubtedly with good intentions, proposed a very short public comment process. This was not satisfactory to the broader community, and the community self organized a two day review, analysis, and comment process, community funded, held in Amsterdam, and involving approximately 65 broadly diverse community members in a thorough review and comment process, followed by a day of preparing rapporteur reports on feedback and comments. Subsequent discussions on the Strategic Plan were initially carefully scheduled at the ICANN meetings, and attended by Board members, staff as presenters, and the community to enable comments, participation and engagement. These sessions were time bound, and over time, as the community grew, ICANN devolved a different approach to taking input from the Community on the draft Strategic Plan; the Budget/Operating Plan, which has included brief interactions and dialogues with Constituencies and SOs/ACs, webinars, and public comment periods.

It seems time for a different approach, at least in a trial. ICANN could consider scheduling in-depth sessions on the weekend before the ICANN meeting, such as a ½ day working session on Saturday, or on the Friday, following the Board meeting, for ‘deep dives’ with a cross community set of participants who can participate on behalf of their constituency/SGs/SOs, while also providing public comment processes and high level overviews. The public comment process should continue.

Looking into the future for any organization is challenging, and ICANN is not alone in needing to examine its future and the larger Internet eco system which it co exists within. ICANN is a ‘sum’ of parts that interact both at ICANN and elsewhere in the Internet eco system. This seems to be lost in the present approach, where the stakeholders can comment after the development of a draft, but at present, have limited opportunity to input, ahead of publishing of the initial Strategic Plan DRAFT.

Thus, it is vitally important that the lead up to the Strategic Plan include informed interaction with the broader base of the leadership and participants in the ICANN community. The BC agrees that the Strategic Plan should chart the course that will guide the organization, and reflect its broad community. It is not clear to the BC that the Strategic Plan process does, at this point, include involvement of the stakeholder community, other than to offer a public comment process.

* Utilizing a 2-4 hour time slots fixed pre or post ICANN face to face meetings, focused exchanges and discussions in-depth on topics could take place in a way that is not possible with today’s approach.
* The GNSO stakeholder Groups/Constituencies/ACs and other SO’s could be invited to designate participants, with the session also being open to any interested individual, who wishes to participate as an individual. Designated representatives would be expected to represent the views of their designating group, and would also own carrying back information into their designating group.

**Planning Process for Strategic Plan**

BC welcomes the earlier start of the budget process cycle and notes that it is two months earlier than last year. 45 day comment periods are helpful to the community. In the middle of this period, it might be useful to offer a webinar to discuss and focus on any questions that respondents can then use to fine tune their written submissions.

Finally, we remind you of our earlier proposal to pilot a different approach to developing the Strategic Plan and Operating Plan/Budget, supported by public comment processes.

**ICANN’s Goal to be an Exemplary model for multi stakeholder governance**

The BC supports this goal, but notes that ICANN must remain consistent with the founding principles of a bottom up, consensus based organization, and while broadening and deepening participation, ICANN does make binding policy, and has critical responsibilities for fulfilling its mission. Non responsible and uninformed participation cannot replace responsible and accountable participation. ICANN’s model of multi stakeholder is unique to ICANN, and its responsibilities. Awareness about ICANN and its purpose and activities can be strengthened, but the uniqueness of accountable policy making and performance of its core mission and activities must be reflected in how ICANN address this goal.

**Influence vs control**

The BC applauds the recognition of the different roles that ICANN needs to play in the new schema of ranging from “influence to control”, and that ICANN’s behaviors, and its activities and responsibility for outcomes, or even ability to achieve a particular outcome will change. We acknowledge that in some cases, it may be more expensive to fulfill a responsibility to ‘influence’ than to do something directly as ICANN.Running a DNS CERT may be an example – yet the BC remains committed to ICANN only playing an awareness/influence role and continues to oppose ICANN assuming operational responsibility.

The BC believes that ICANN must embrace a responsibility for enhancing awareness in particular in areas where others in the Internet eco system are affected, and welcomes the growing recognition that is reflected in the Strategic Plan of this more sophisticated reflection of ICANN as an influencer, a collaborator, a coordinator, and a manager in the larger Internet eco system.

Influence also includes responsibility, and the BC suggests that be acknowledged. Such a statement will strengthen the understanding of many of ICANN’s importance and relevance in activities that are about influence. Thus, in our view, the community should pay close attention to supporting and guiding these activities, and should be fully included, so that such events and activities are not staff and Board driven but have the full support of the broader stakeholders.

We continue to recall the distressing situation where significant funds were spent on a proposal for ICANN to create a DNS CERT, including recruitment and retention of senior staff, and the strong objections of the broader community when a top down proposal, including the proposed budget implications, finally emerged via the public comment process.

Does each item in the influence vs control chart correspond to the items on the ‘Four strategic Focus areas’ chart? At the right hand side, towards ‘control’, we would expect to see in the budget a department or a project item. At the left hand side towards ‘influence’, we would also expect to see a responsibility and metrics defined.

First item, ‘DNS uptime’ should be changed to ‘DNS availability’ to conform to text changes in the document.

**DNS stability and security**

The BC believes that ICANN’s role and responsibilities for the stability and security of the DNS are critical factors for ICANN’s existence and success. Security, stability and resiliency of the global Internet remains the top priority for the BC and its members, as we understand the reliance of business and commerce, and social communications on the global internet and all users.

BC strongly supports the primary strategic objective of “Maintain and Drive DNS availability” including metric of 100% uptime. This objective implies sufficient redundancy and resiliency to deal with faults and failures in systems or hardware, and should be reflected in budget requirements.

BC supports the broad DNSSEC adoption and enhanced international DNS operation, including the requirement of DNSSEC for all gTLDs, and working with ccTLDs toward that goal. That may require a collaborative approach to capacity building, engaging with ccNSO and others. This has budget implications, which should be noted and reflected. ICANN, to the greatest extent possible, should collaborate with the stakeholders in the ICANN eco system for such capacity building approaches. In addition, the role of DNSSEC at other layers of the Eco system, e.g. for recursive servers, which are operated by non contracted parties.

We also support a continued collaborative and cooperative role with the RIRs to advocate toward IPv6 adoption by ISPs and by consumer and business entities. However, as we are well aware, outreach and interaction with ISPs and consumer and business and NGO and governmental entities cannot be solely through the RIRs. Efforts to ensure broadened awareness across the larger eco system inclusive of those entities, who are users of IP address and AS numbers also needs discussion, inclusive of the RIRs, but taking into account the larger eco system.

We need clarification of whether ICANN is proposing a numerical goal of DNSSEC signing for gTLDs in developing countries.

* Is this intended to apply to ccTLDs?
* Is a numerical goal realistic?
* Was this intended to be a commitment to a specific number of new gTLDs for developing countries?

The BC’s view is DNSSEC must be a standard requirement for all new gTLDs, regardless of size, or focus. It is not clear to us why ICANN would accept lower standards for any gTLD, regardless of its purpose or location.

The Plan asserts that DNSSEC will be broadly adopted by the end of 2012.

Question: Is this substantiated? Or is ICANN is limiting its focus to legacy gTLDs?

The plan coordinates the development of an Internet number resource certification.

Question: There is no explanation of what this is, what it will do, or why ICANN is the right player to develop the Internet number resource certification, or how it will work?

The BC asks that such details be published before inclusion of such a project in the Strategic Plan.

Security: The Strategic Plan is once again calling for ICANN to invest in the coordination of an Emergency Response Team (DNS CERT), solutions for IDN variant management challenges or other appropriate solutions to address issues of Internet security.

Question: This is very confusing. Time over time, the community has opposed ICANN creating a DNS CERT. Does the Strategic plan leave that open, once again, to further actions by ICANN?

From the lack of detail on what ICANN is proposing as actions in this section, it is very challenging for the BC to agree, or disagree with what actions might be under development for inclusion in the Operating plan/budget, or includes as strategic directions.

Of additional concern, is that there is a lack of detail on what ICANN is proposing as actions in this section. This makes it very challenging for the BC to agree, or disagree with what actions might be under development for inclusion in the Operating plan/budget, or includes as strategic directions.

Additionally we refer to the community comments in Feb 2010 on Global DNS-CERT Business Case

<http://www.icann.org/en/public-comment/public-comment-201003-en.htm#dns-cert>

The BC has a number of members who actively provided individual comments in related areas. The BC supports ICANN’s focus on ensuring the stability and security of the DNS. However, our members do not support ICANN undertaking operational roles in operating a DNS-CERT. Further we note that there continues to be no consensus currently within the Internet community that ICANN should be operating a DNS-CERT. It was disappointing to us that this initial proposal was allowed to progress before community feedback, and is an illustration of ICANN staff or CEO or Board driven initiatives that include financial investment prior to gaining community support.

We refer to the community comments on Feb 2010 Proposed Strategic Initiatives for Improved DNS Security, Stability and Resiliency (SSR) <http://www.icann.org/en/public-comment/public-comment-201003-en.htm#strat-ini-ssr>

And in and in particular to Paypal’s comments

<http://forum.icann.org/lists/strat-ini-ssr/pdfURRrxlPkah.pdf>]

The BC believes that ICANN should have greater integration and strengthen the relationship with other organizations and community responders, e-crime groups to communicate goals and policies to improve e-security This should be a strategic objective.

We are aware of some of the work in the WHOIS area, through our members active involvement in this critical area, and thus, the BC supports the WHOIS work included in the Strategic Plan, and notes the importance of the WHOIS as a basic SSR resource.

We are pleased to see that business continuity processes (BCP) are appearing in the Strategic Plan. Business Continuity Processes are well entrenched in the business world, and we are aware that the Board and staff have been working in such areas for some time. It is good that ICANN is now using commonly recognized phrasing for these initiatives. In order for the community to support the proposals in this section, more information is needed, however, as examples of what work is going to be undertaken, at a high level. Also, we would suggest the addition of a footnote to explain what BCP means.

Given the importance of the security, stability and resiliency (SSR) of the global Internet, we support the inclusion of a focus on DNS Risk Management, and support the importance of a formalized study, working with the community and outside experts. However, we urge that ICANN become more aware of the need for inclusion of non contracted parties who are building and operating the Internet in such initiatives.

**Comment on the Strategic Metrics:**

Future versions of these documents would benefit from the use of standardized outline numbering, as noted above. The use of numbers for the Strategic Metrics sections could be changed to numbers – a simple change, but one that would facilitate succinct comments.

As a general question regarding the metrics. Have the proposed metrics been researched and are they published in one place? Once this is done and at least a couple of historic years have been published the next step would be to suggest metric targets in the Strategic Plan.

A SWOT analysis is often presented in corporate strategic plans. Is this approach not considered worthwhile?

Bullet 4: The Strategic Plan proposes that the number of continuity exercises will be a strategic metric. Various industry sectors who are involved in the BC operate BCP exercises. Metrics for success in such exercises do include sufficient frequency to retain expertise, but the number of exercises alone is not a strategic metric.

Bullet 6: The Strategic Plan needs to include the present status of signings across all TLDs.

Bullet 7: The number of IPv6 awareness events that ICANN participates in is not a strategic metric. Metrics should include how the broadest number of potential adopters can be reached, and the fact that ICANN participates directly should not be a strategic metric. This is an area where ICANN should influence, not control, given the distributed nature of IP address allocation. Thus it makes no sense to have a metric that counts the number of events that include ICANN. Such a metric encourages ICANN to simply attend events, rather than catalyzing, or supporting effective events by others.

ISPs are not all reachable via RIRs, and ICANN should also address how to work with business suppliers, ISPs and global connectivity providers to support awareness and encourage adoption in an informational and collaborative way.

Bullet 8: The plan lacks any details or explanation on the need for ICANN to play this role. Therefore the BC withholds support on this topic until more information is provided to the community.

**Consumer choice, competition and innovation**

**Lower Registration Abuse**

In regard to contracted parties, while there is a reference on page 10 to improving “the contractual compliance regime for registrars and registries” in relation to reducing registration abuse and malicious conduct, there is no mention of implementing contracts with UDRP providers. Further, the BC seeks information on whether URS providers for new gTLDs will be placed under contract or simply accredited. Follow up and consistent assessment are essential to ensure compliance with accreditation. For example, based on experiences and concerns of BC members, in 2010 the BC called for a halt in accreditation of any new UDRP providers until a standard agreement was entered into with all incumbent providers.

**Maintain single authoritative root**

The BC considers ICANN’S commitment to a single authoritative root a central and fundamental foundational element of ICANN’s existence and legitimacy. The bylaws make this clear, and ICANN’s mission and core values should reinforce this basic priority.

The BC urges ICANN to maintain its strong and clear commitment to a single, global interoperable Internet and to ensure that this commitment remain uppermost in all the policy and activities of the organization.

As more and more users become connected to the Internet, and as users may not be fully aware of the underlying and critical importance of the single authoritative root, it may be useful for ICANN to incorporate in its Strategic Plan a short description of the importance of this fundamental value.

**Core operations including IANA**

BC support the objective of flawless IANA operation and the ICANN continued functions responsibility.

Facilitate GAC early involvement in policy development process. BC support this addition to the plan.

BC supports “ICANN will continue to improve enterprise-wide the financial system and controls to realize: increased capacity and scalability of operational workload, increased operational efficiencies, accompanied by relative reduction in operating costs, improved data integrity and availability, faster generation and publication of reports, better accessibility to financial information, improved customer service (both internal and external), greater sustainability of the base technology. ICANN is realizing the benefits of the new financial system that will work to improve the interrelationship between the Strategic and Operating plans and also assist in identification of the operating budgets allocated to support each of the four Strategic Focus Areas and the rationale for the levels of expenditures. “

And looks forward to full implementation during the FY13 Budget Cycle.

**Healthy Internet eco-system**

BC agrees that continued internationalization of ICANN is crucial to maintaining a single, global interoperable Internet and a single Internet zone file used globally.

BC believes that ICANN participation in Internet Governance events such as IGF is of high importance. The BC believes that outreach work is important and the results will be greater if they are organized by ICANN constituencies. There should be more recourses devote to modern professional looking collateral.

**Striving to be an exemplary international multi stakeholder organization.**

**Increased stakeholder diversity**

While recognizing the ICANN effort for a multilingual working environment, BC considers that for an international organization, more commitment is needed to provide translation of ICANN documents, and in particular those of the GNSO as lack of such translations form a barrier to community participation

**World class accountability and transparency.**

In this focus area, aside from saying that ICANN will continue to implement ATRT recommendations, and recognizing that ICANN will come under greater scrutiny and review, the only new language that appears to be ethics-related is “ICANN will continue to evolve Board of Director policies to reflect best practices in multi-stakeholder model governance.” (p. 17) This is very general. It also makes no reference to best practices for staff, not just the Board. And it’s not clear what other multi-stakeholder entities they may be looking toward to gauge best practices, as ICANN is fairly unique in its operating style.

**Conclusion and voting:**

Submitted respectfully by the Vice Chair (Finance and Operations) for the Business Constituency.

Chris Chaplow

**Business Constituency Support Stats:**

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