ICANN Strategic Plan

Firstly, the Address Council would like to congratulate ICANN heartily on the execution of this Strategic Plan. It means a giant step forward in the activities that ICANN has been carrying out and it strongly encourages those of us who have always supported Internet and particularly ICANN's evolution. The address council would like to offer our comments to the plan – unfortunately after the deadline for public comments – but we hope that our comments still may be evaluated by the ICANN board.

Comments on the Strategic Plan should be analyzed from two different perspectives: on the one hand, merely formal comments, which are relevant but not as important as content remarks.

Formal Considerations

Among the formal considerations, the first one is why ICANN has issued a document setting up a strategy for the four fiscal years ranging from 2003/4 to 2006/7, when the first public draft was not published until November 16, 2004. Accordingly, as the public consultation process of this document takes us to the last day of February 2005 the final approval by ICANN Board of Directors could not possibly be made before March/April 2005. In some way, the Plan cannot be in full effect until the midterm of the period it covers.

This point, which is so formal that may seem innocuous, leads us to the second consideration: in the Appendix (pages 63 to 65), this date difference creates confusion about the past and the future. As the Plan sets up strategies, plans and priorities commencing on the year 2003/4, past dates are treated as future dates. Scanning through the text, paragraph 11 of the Appendix (page 64) reads: "*By June 30, 2004, ICANN shall develop a contingency plan...*"; it may be clearly understood that between the date of publication (November 2004) and the current date (February 2005) four months have gone by. However, it is very difficult to interpret this example (which is not the only case, as there are many others throughout the rest of the text) where a document dated November 2004 places in the future an event that *is due to* occur in June the same year.

ICANN use of languages for communication

The third formal consideration, which in fact is more related to content, is that the Plan has only been published in English.

This language issue is directly associated with the first content comment on the Plan: If ICANN expects to become a global organization, it should globalize. Apparently, ICANN is aware of this, as the Plan expressly states the objective of operating at an international level. However, this internationalization should not be understood as merely opening offices in different time zones in order to assist already existing domain registrants more adequately. On the contrary, we should particularly seek to assist regions in the world where Internet has not yet developed much, as ICANN's globalization goal will be truly achieved when all of them, are better assisted.

The Address Council will provide a more detailed contribution to the language issue at a later state.

Regional Consultation
In order that ICANN become international as from the opening of regional offices, it is of vital importance that regional stakeholders be consulted, not only to measure the resources necessary for such regional office, but also to reach a consensus on the set-up conditions. Strictly following the criteria to evaluate the so-called "local offers" for setting-up the office mentioned in the plan, may mean not safeguarding ICANN's impartiality and independence within the region .
In this sense, it is worth considering the idea mentioned in the Plan regarding the convening of sub-regional meetings (page 39, section 3-4b). Undoubtedly, this would contribute to bring ICANN's efforts closer to the regional community. However, it should be highlighted that it is not clear how often these meeting will be held and how they will be financed.
Moreover, it is highly important that ICANN establish its headquarters in a country which is more related to its role, thus reinforcing the vision of ICANN as an international organization. The incorporation of ICANN under the laws of the state of California has always been controversial. The true benefits of being based in Marina del Rey have never been clear from an international perspective – it is understandable that it has been important in the transition of IANA from ISI to ICANN and that USC still provides services such as collocation, Internet access and ongoing technical consulting for ICANN engineers. We do however believe that in a long term strategic plan ICANN should address and evaluate the location of the headquarters and under which laws and in what form it is most appropriate for ICANN to function.

We would also like to offer the infrastructure already in place by the addressing community through the RIRs as a mechanism for ICANN to

consult with the community. As far as the Address Council knows, the addressing community as such has not been consulted on the strategic plan either through the RIRs or directly at our open public policy meetings.

Strategy to execute MOU with the US DoC

Another consideration related to the paragraph above is: the lack of a strategy to execute the Memorandum of Understanding with the U.S. Department of Commerce prior to the date set forth therein. ICANN states in the Plan preface that it aims to comply with ICANN's mission and carry out the Memorandum of Understanding.
Given that the need for a strategy is of the essence, the lack of a specific proposal to speed up the process calls our attention. Probably, the same confusing date situation between past and future dates (already described above) arises when trying to understand the development stage at which the Memorandum of Understanding is. Furthermore, the actual independence from the Department of Commerce would enable ICANN to be more transparent, since it would create accounting and auditing mechanisms more specifically directed to ICANN's stakeholders, instead of being mainly addressed to the Department of Commerce.

Intrinsic differences between IP addresses and domain names

The next point for analysis is: the Strategic Plan uses, in many cases, domain names and IP addresses as two nearly identical resources which should be given an equal treatment (this same treatment given to both resources can also be found in the WGIG preliminary document). It is perfectly understandable that in certain cases, considering they are ICANN's main activities, both need to be jointly used. However, domain names and IP addresses have distinctive features and should thus be treated separately. For instance, there are no problems related to Intellectual Property or to UDRPs in the case of addresses; and, there are no problems relating to the fragmentation or implementation of the protocol new version (IPv6), in the case of domains. Giving both the same treatment would mean leaving out important differences when it comes to the administration of both resources.

In relation to IP addresses, the document reads that "ICANN's main technical functions are: IANA (page 21, section 1a)". The paragraph further sets out that the services ICANN provides are among others, "IP address allocations for RIRs and reserved networks. It is not clear, however, what is meant by *reserved networks*; IP addresses and ASNs'

global distribution is directly provided to the community through different RIRs. If IANA could directly provide these resources, it would become a new RIR, though it would not be subject to the bottom up policy development scheme that applies to the already existing RIRs. On page 31, section 2a.II it reads: "Registrants benefit from the association with ICANN at many levels" and the last paragraph further reads, "fair distribution and adequate administration of IP number resources through IANA's allocation to the RIRs", again mixing up IP numbers and domain names, since IP addresses registrants are not directly associated with ICANN but with their corresponding RIR and had they benefited from fair and adequate IP address distribution, it was by reason of their policy development process discussion. A clear example of this is the global policy of IPv4 address distribution between IANA and the RIRs which was presented and discussed in each of the RIR's forums, and not by ICANN, or at the registrants/users' level. In the second paragraph of this section, the different nature of names and IP is mixed up again. The point of having an authoritative and independent reference point in the DNS IP address registry information can not be clearly understood.

In general, mixing domain names and IP address services can be quite dangerous in this section. While registries and registrars within a community of names are certainly based on market competition and choice, registries and registrars within the community of IP addresses are based on a fair distribution of resources considering real and current needs, without any product promotion other than the participation in discussion processes for the development of distribution policies. Likewise, the Plan makes no reference to the commitment by IANA to improve the service rendered to RIRs, such as, guaranteeing a service response time of its services, which stands out for its extreme delay, or regarding ticketing mechanisms and application follow-up. In order to achieve these improvements, clear policies, which should have consent from the stakeholders, should be created.

Root Servers

Root servers is another issue which is worthy of comment (section 1a.IV). As the full chapter deals with Internet stability and security, the paragraph on root servers is rather brief, particularly with reference to the standardization and Service Level Agreements with operators. Maintaining a state of art when administering ICANN's L root server will be of little help if the remaining 12 root servers are being administered on the basis of different and independent criteria and standards. As Root servers are really strategic to the Internet, ICANN should be more

transparent about their future plans for root servers: will ICANN create new root-servers or does ICANN believe the current set is adequate?

Summary

To sum up, and given the current international environment, ICANN should consider "bottom up consensus and stakeholder representation" strategic plans as short and intermediate term plans, especially those turning ICANN into a more global organization, with wide access channels to information and participation in different languages, strengthening its regional presence.