Suggestions on ICANN Proposed Reform

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China Internet Network Information Center (CNNIC)

Internet Society of China (ISC)
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Abstract:

ICANN board is the core institution of ICANN decision-making mechanism, the restructuring of the board is the key of ICANN reform. We make the following suggestions on the foundation of ICANN board and election of board members:

Firstly, ICANN should ensure the sufficient representation, i.e. do their best to make all Internet interest groups have representatives in the ICANN board. There are two major types of ICANN function relative entities: Internet name and address resources managers (ccTLDs, gTLDs, RIRs, technical experts) and Users of such resources (individual Internet users, ISPs, major network operators and governments)

Secondly, enhance the participation of the Asia-Pacific region. We agree with ICANN on dividing the world into five geographical regions. Obviously, the amount of countries in North and South America is relevant small; European share the similar culture and so do African countries. Only the situation in Asia-Pacific region is very special: there are so many distinct countries with large population and very different ethical cultures. Meanwhile, the high speed of Internet development in Asia-Pacific region is the focus of world attention. Comparing to other four regions, we consider Asia-Pacific should have more quota of representatives.

Thirdly, enhance the function of governments. Governments are the most evolved and best legitimated representatives of their populations. The participation of government must be helpful for guaranteeing the stable operation of the Internet. Since the election can hardly to be carried out among individual users, ISPs and operators, we believe that the local governments are their proper representatives. The board members form governments should be six, two of which from Asia-Pacific.

Fourthly, strengthen the power of ccTLDs. Comparing with other ICANN function relative entities, ccTLDs have more distinct regional representation. Since the number of ccTLDs is quite large and there exist big geographical differences, we suggest ICANN having six ccTLD board members to ensure all geographical regions have their seats in the board and Asia-Pacific should take two seats.
In view of the ICANN CEO’s reform proposal (“the Proposal” for short), CNNIC makes the following suggestions after analyzing feedbacks from the wide Internet communities in China:

1. The Approval of part of the Proposal
   
   a. *The Success of ICANN Requires the Reform*

   Dr. Stuart Lynn was urged to make the proposal, because ICANN itself had realized the seriousness of the problem. We recognize and support such reform. We also believe that only carrying out the reform can lead ICANN to the success. This was also mentioned by Dr. Stuart in his proposal, “… if we stay on our current course the ICANN experiment is likely to fail. But properly reformed, I am convinced it can succeed.”

   b. *The Importance of Governments’ Participation*

   We quite agree with: “Although governments vary around the world, for better or worse they are the most evolved and best legitimated representatives of their populations…” We strongly believe that more participation of government will be helpful for guaranteeing the stable operation of the Internet.

   c. *The Importance of Sufficient Funds*

   Since ICANN holds such important position, sufficient funds should be guaranteed to ensure a sustained and stable development of ICANN. It also benefits the integrated interests of the global Internet’s innovation. We then suggest that not only the Internet stakeholders, but also those interests groups which are related to ICANN’s business should provide some financial support. Certainly, ICANN should increase transparency of its financing processes and accept supervisions form all sides as well.

2. Improvement – New Approaches
   
   a. *Make Sure the Composition of the Board should have a Broader Representation*

   It must be guaranteed that all interest groups related to ICANN’s responsibilities have representatives on the board. Such interest groups include two types: the manager group of the Internet name and address
resources and group of the users of such resources. The first group is composed of operators of ccTLDs/gTLDs root servers, RIRs and technical proxy-making organizations. The second group includes individual Internet users, ISPs, major network operators and governments.

The quota of representatives for above entities should not be equally distributed, but be decided in accordance with the actual situation. Geographical balance and organizational balance should be taken into account to ensure the wide representation of the ICANN board.

**b. Follow the principle of geographical balancing, increase the number of Asia-Pacific representatives**

We know that the development situation of the Internet is different from country to country, so we suggest the restructuring of ICANN Board should follow the principle of geographical balance to satisfy the needs and interests of different countries and regions, i.e. each region has its own representative.

We agree with ICANN on dividing the world into five geographical regions: North America, South America, Europe, Asia-Pacific and Africa. But when talk about the assignment of board members, we maintain that ICANN should seriously consider the special circumstances of the Asia-Pacific region. Obviously, the number of countries in North and South America is relevant small; European share the similar culture and so do African countries. Only the situation in Asia-Pacific region is very special: there are so many distinct countries with large population and very different ethical cultures. Meanwhile, the high speed of Internet development in Asia-Pacific region is the focus of world attention. Special cases should be treated in a special way - we suggest Asia-Pacific should have more quota of representatives.

**c. Follow the Principle of Organizational Balance, Enhance the Participation of ccTLDs**

ICANN-related interest groups are grouped by functions and characteristics, and the number of entities in each groups are not balanced. We then propose ICANN to assign different quota of board members in accordance with the member of the entities each group contains. The group of domain name and address managers contains 243 ccTLDs, which makes it certain for them to take more seats in ICANN board, and the assignment should follow the principle of geographical balance.

On the other hand, these world wide ccTLD registries have close and direct relationship with the development of Internet in every region. They are
responsible for the registration of corresponding ccTLDs, and some of them are also in charge of local IP address application and allocation. CcTLDs thus represent the interests of regional groups which have the most direct relationship with ICANN’s decision; they also act as a bridge, it connects ICANN and global users who are the most directly affected by ICANN’s decisions. Comparatively speaking, ccTLD registries have more prominent representation than other ICANN function related entities. Through organizing ICANN activities by local CcTLD registries, ICANN will be able to attract those Internet stakeholders in a wider range. Now that ccTLD registries mean a lot to ICANN’s work, and they should be taken seriously by ICANN board.

\textit{d. Enhance the Participation of Governments}

Although governments’ importance was raised to an unprecedented level in the Proposal, we still consider that ICANN did not provide governments with enough functions. Governments, as a key entity group, still stand out of all the ICANN decision making process. For instance, the chair of GAC has no voting right in ICANN board.

In addition, we recommend ICANN use the mature experiences of other international organizations, especially the successful experiences of some inter-government organizations to perfect its decision-making mechanism. If necessary, ICANN should corporate with these organizations, such as ITU.

3. Details of Implementation Schemes for ICANN Board Reformation

ICANN board is the core institution of ICANN decision-making mechanism, then the restructuring of the board is the key of ICANN reform. For the smooth reform of ICANN, we make the following proposals on the selection of ICANN board:

\textit{a. the New Structure of ICANN}

We agree to the establishment of the three policy councils (Address and Numbering Policy Council, Generic TLD Names Policy Council and Geographic TLD Names Policy Council);

We agree with Dr. Stuart to set up a “Technology Advisory Committee”.
b. The Proposed Structure of ICANN Board

One basic principle should be reiterated: Do their best to make all Internet interest groups to be represented in ICANN board.

We suggest that ICANN board should be composed of three sectors: representatives of ICANN officials, domain name & address resources manabers and users of these resources.

Since there are so many ICANN function related entities in the world, we suggest ICANN to maintain 19 board members to ensure the wide representation. Our proposed assignment mode is: one from ICANN officers; twelve from Internet resources manager group (among which 6 from ccTLD trustees, 2 from gTLD trustees; 2 from RIRs, 2 from technical expert groups, including proxy making organizations, root server operators, etc.); six from user group (government appointed).

- ICANN Official: ICANN CEO (spontaneously)
- CcTLD Trustees: Regarding to the distinct characteristics of this group, we suggest the number of the board members be six: one from North America, one from South America, one from Europe, one from Africa and two from Asia Pacific.
- GTLD Trustees: Since there are only fourteen gTLDs, assigning two board members is deemed appropriate.
- RIR Trustees: Since there are only three RIRs (ARIN, RIPE and APNIC), assigning two board members is deemed appropriate.
- Technical Experts: Two board members should be assigned. They come from Internet technical protocol setting organizations, root server operating Institutions.
- Government Representatives: We insist that ICANN should not neglect the interests of individual Internet users and ISPs. However, it should be acknowledged that it is hard for their representatives to be selected, for too many difficulties exist in the operational process. We believe that local
governments in most countries or regions, to a great extent, can represent the interests of local Internet users and ISPs. For this reason, we suggest integrating the participation of the individual Internet users, ISPs and major network operators into the government appointment process, making the government the delegate of their interests. Regarding to the geographical balance, we suggest the number of board member from the government group to be six: one from North America, one from South America, one from Europe, one from Africa and two from Asia Pacific, by which different regions will have their own representatives in ICANN board.

On the other hand, we do not support the Proposal on establishing five Public Board members. The goal of the wide representation we have mentioned is that all ICANN function relative organizations will have their delegate in the ICANN board. After analyzing the generating process of the public board members, we could not find a specific stakeholder whose interests would be represented by these five board members. Such a mode can not show a clear relationship of representation at all.

c. ICANN Board Member

The CEO of ICANN should not be selected, but be recruited from the global community, and voted by the former ICANN board. In order to guarantee the continuity and stability of ICANN’s work, we propose the ICANN CEO have a longer term of service.

- Board members form Internet name and address management institutions can be elected by corresponding committees;
- Board members from ccTLD trustees can be elected by regional TLD policy committees;
- Board members from gTLD trustees can be elected by generic TLD policy committees;
- Board members from RIRs can be elected by address and number allocation policy committees; and
- Board members from technical expert group can be elected by Technology Advisory Committee;
- Board members from users of Internet resources (i.e. Government representatives) can be elected by GAC. We recommend GAC to do this work, because GAC has been working with ICANN as a solid committee and accumulated a certain amount of experiences in the past three years. GAC members also have a clearer scope in understanding the operation of ICANN. We thus reached the consensus: it is no doubt the most effective and efficient approach to appoint GAC to handle the election process and implementation of geographical government delegates.
**d. Term of Service**

The Board election carries out every other year. Besides the CEO of ICANN, other board members have at least two years’ term with one third of them retiring from the board after each election.

As a board member, the term for the CEO of ICANN is as long as he/she holds the CEO position.

We welcome any comments and suggestions on this paper. Please send your advice to Ms. Xiaoai Ren ([carina@cnnic.net.cn](mailto:carina@cnnic.net.cn)), thank you.