MEDEF’s Position on ICANN Restructuring and Evolution as proposed in February - March 2002 by ICANN’s President, Dr Stuart Lynn

Introduction

This paper addresses MEDEF’s main proposals on ICANN evolution and restructuring as proposed by Dr Stuart Lynn in February and March 2002. The proposals set out by MEDEF do not preclude any further remarks or more detailed proposals MEDEF could make on this important subject.

MEDEF and its members are directly concerned by the work conducted by ICANN and by subjects such as gTLDs, but also ccTLDs, protocols, addressing and security matters. MEDEF should be able to be heard on any of these matters, like in France where MEDEF is a member of the AFNIC users’ college (AFNIC is the .fr registry).

MEDEF is the French Business Confederation. It represents over a million companies of all sizes and in all sectors of business (industry, trade and services). Its members use Internet to conduct business and therefore are affected by the policies developed by ICANN. They are mostly concerned by the stability and security of the Internet.

Executive summary

MEDEF is mainly concerned by the reform proposal as set out by ICANN’s president. In large part in agreement with Dr Stuart Lynn’s identification of the challenges facing ICANN, MEDEF however considers that the proposed solutions require additional work in order to maintain consistency with the original principles of the White Paper that are stability, competition, private bottom up coordination and representation.

MEDEF proposes to move towards an evolution of ICANN structure rather than a complete revolution.
ICANN evolution must be built on the notable successes it made in its 4 year existence: introduction of competition into the domain name registration business, creation of the UDRP to deal with collisions between domain names and trademarks, and introduction of the first generic TLDs.

ICANN evolution should be concentrated on the implementation of realistic, stable and strong representation of the business users.

ICANN structure reform must not be done in a rush. ICANN evolution must be given a sufficient delay for consultation with all stakeholders involved, including business users and in particular MEDEF. During the evolution process, all issues must be dealt thoroughly, with in depth consideration, and in a permanent dialogue with all those directly concerned like business users for instance, so that the ICANN Board can take transparent and bottom-up decisions.
MEDEF proposes the following:

1. **MEDEF must be able to represent the interest of its members, French businesses, in ICANN policy making, in any reformed structure of ICANN**

MEDEF considers it must be able to represent the interests of the French business sectors in ICANN policy making, in order for ICANN to achieve common goals for the French and European business sector benefit.

To ensure that the ICANN evolution is done as required by MEDEF (and probably by the equivalent organizations in other countries), priority must be given to the improvement of the representativeness and enfranchisement of DNSO (Domain Name Supporting Organization) and the efficiency of its work.

MEDEF represents the views of the French business user community which are customers of providers of connectivity, domain names, IP addresses, protocols and other services related to electronic commerce in its broad sense, and need an Internet that is stable, secure and reliable while promoting consumer confidence.

It must be ensured that MEDEF is aware of forthcoming decisions and can provide informed inputs to the ICANN decision making process.

MEDEF wants to point out that business users are not only affected by issues concerning domain names, genericTLDs and ccTLDs, but also by technical matters (addressing, IP addresses, protocols, architecture of the DNS, security, etc).

2. **Evolution, not revolution**

MEDEF is opposed to changing the global ICANN organization. MEDEF rejects the idea of a radical solution as proposed by Dr Stuart Lynn. MEDEF considers that reform must be considered as an evolution or transformation of the existing organisation, not a revolution which means destroying of its structure. The principles on which ICANN was established must be kept and the most critical issues that are funding and relationships with stakeholders should be tackled first.

Even if ICANN has shortcomings in some areas, one should however not forget that it has achieved some notable successes during its 4 year life. Improvement of ICANN achievements must be searched by building on these achievements, which is an evolutionary process not a revolutionary one.
ICANN successes are acknowledged in Dr Lynn's paper:
- the development and launch of a system for competitive registrars,
- the introduction and implementation of a Uniform Dispute Resolution Policy,
- the introduction of seven new global TLDs,
- performing the IANA address allocation and protocol numbering functions in an efficient manner, taking over the direct operation of one of the DNS root name servers.

3. Stakeholders must remain enfranchised in any new ICANN structure. In particular, the existing constituency model of the DNSO must be maintained and its scope reinforced. The DNSO must be a proposal force.

Existing stakeholders must keep the right to express and make their views heard. MEDEF recommends that the DNSO structure remains and its role reinforced.

The BC (Business Constituency) constituency of the DNSO represents the views and interests of those stakeholders who use the Internet to conduct their business or part of it. The Business constituency of the DNSO, is the way for businesses and business confederations to express their point of view in favor of Internet stability and security.

The BC constituency must remain and its role reinforced also, in order to tackle issues concerning the gTLDs, the ccTLDs (country code top level domains), addressing and protocols. All of these areas are of interest for companies which use interest for their business.

MEDEF applied in early 2002 to become a member of the Business Constituency and therefore wants that this membership allows itself to support the French business community’s interests in policies developed by ICANN on domain names, addressing and protocols, as well as on security matters.

MEDEF participated in the two last ICANN meetings in Los Angeles and Accra and intends to continue its participation to represent the interest of its stakeholders.

4. A consultative and transparent process for ICANN’s structure evolution

On-going dialogue must take place between all stakeholders, at all steps of the ICANN’s structure evolution process.
5. ICANN evolution must be in line with the White Paper principles

The evolution of ICANN structure must be in line with the principles of the White paper which led to the establishment of ICANN. ICANN should continue as a private sector organisation. Transparency is essential in ICANN work. Public input sessions should be maintained at ICANN meetings.

The White Paper principles are:
- stability,
- competition,
- coordination implying a base of private players in a growing process,
- adequate representation by players, particularly in geographical diversity.

6. Board members

MEDEF considers that board members should be named by organizations participating actively with the various groups of the DNSO (Domain Name Supporting Organization), ASO (Address Supporting Organization) and PSO (Protocol Supporting Organization).

7. A better and more efficient participation of governments is desirable.

MEDEF considers that the GAC (Governmental Advisory Committee) should participate in discussions and interactions with the DNSO different constituencies.

8. ICANN should continue its original mandate

MEDEF agrees with ICANN’s current functions as described in the ICANN paper “Towards a Statement of the ICANN Mission”, posted March 7, 2002.
9. ccTLDs, RIRs and Root Server Operators

MEDEF is of the opinion that ICANN should reinforce its relationships with the ccTLDs, the RIRs and Root Server operators.

The role of the ccTLDs, the RIRs and Root Server operators will be the key for the development of confidence and of solutions adapted to the geographical diversity of the Internet.

The involvement of all these parties is essential for ICANN to achieve its mission of ensuring the stability of the Internet. Consultations with the GAC in this area will have to be strongly reinforced.

10. Funding

ICANN should be appropriately funded to carry out its mission for the benefit of the global Internet community.

An idea worth studying would be to dedicate a small part of the domain name registrant payment, perhaps in the order of 50 cents, to ICANN itself for funding reasons.

11. Key standing committees

The MEDEF supports the creation of committees on key issues (security, root server operation, etc.). These committees should work in a transparent manner.
ANNEX

1. Background

Dr Stuart Lynn, the President of ICANN, posted on the ICANN web site the documents “ICANN-the case for reform” on February 24, 2002, and “Towards a Statement on the ICANN mission” on March 10, 2002. In the first one, Dr Stuart Lynn outlines shortcomings of ICANN processes and proposes a radically new structure. The second document describes the activities carried out by ICANN today. These two documents are proposals for the restructuring of ICANN. Comments are expected by ICANN before end April 2002.

The board Committee on ICANN Evolution and Reform has the responsibility for monitoring community discussion, and evaluating and making recommendations to the board on restructuring proposals.

The ICANN Board will present its first decisions on ICANN restructuring at its next meeting end of June 2002.

There will be other mechanisms for input which the MEDEF may provide comments to.

2. Presentation of MEDEF

MEDEF, Mouvement des Entreprises de France, is the French Business Confederation.

It represents over a million companies of all sizes and in all sectors of business (industry, trade and services):
- 85 business federations combining 600 business associations, each covering companies in the same business sector
- 165 associations or provincial MEDEFs representing companies at local, departmental and regional levels

And MEDEF is also:
- 2000 business people who work in discussion and action groups and work groups
- 10 000 employers
- 35 000 employers’ representatives

An association under France’s 1901 law, the French Business Confederation is responsible for conducting any research and actions in the mutual interests of business. In this context, MEDEF’s duties are:
- to decide and make known the business point of view on subjects directly or indirectly concerning businesses, so that they benefit from a favourable legal and regulatory environment;
- to promote the thinking of business and broadcast it throughout all components of society;
- to favour the ends of the business community, its energy and successes, and the progress of management in a global economy;
- to contribute to a constructive social dialogue between the parties in businesses and their professional organisations;
- to strive to adapt the different systems of social protection to economic and demographic change.