International Chamber of Commerce
The world business organization
Department of Policy and Business Practices

Commission on E-Business, IT and Telecoms

Task Force on Internet and Telecoms Infrastructure and Services (ITIS)

ICC views on the mid-term review of the Joint Project Agreement between ICANN and the US Department of Commerce

Members of ICC's Commission on E-Business, IT and Telecoms (EBITT) and its task force on Internet and Telecoms Infrastructure and Services (ITIS) are pleased to submit this input to the mid-term review of the Joint Project Agreement (JPA) between the Internet Corporation for Assigned Names and Numbers (ICANN) and the US Department of Commerce.

ICC's EBITT Commission is composed of hundreds of companies and business associations from all sectors including, business users, service providers, hardware and software developers, communications operators, mobile operators, and Internet Service Providers (ISPs). With national committees and groups in 130 countries, ICC's members span the globe and are involved in all of ICANN's business related constituencies. Given the composition of the ICC's membership from all sectors and geographic regions, ICC is uniquely placed to provide a truly global business perspective at this important juncture in ICANN's development.

ICC supports the continued development of ICANN, and considers its functions with respect to the Domain Name System (DNS) to be critical to business. ICC recognizes the progress ICANN has made on the responsibilities in the Joint Project Agreement (JPA).

Not only is a well functioning, and global Internet community vital for the furtherance of ICC's wider goals of promoting competition and opening markets, but we also note that ICC members are also members of ICANN's Generic Names Supporting Organization's (GNSO) constituencies, or participants in ICANN meetings and deliberations. Virtually all of our members are directly or indirectly affected by ICANN's work.

In light of the importance and global nature of ICANN's role in establishing policies that impact the continued security and stability of the DNS, it must represent the full Internet community, a global and diverse group.

The Joint Project Agreement (JPA): moving towards transition

- ICC supports the goal of an independent private sector-led ICANN, urges ICANN to engage in further substantive work in this area, and encourages ICANN and the US Department of Commerce, in consultation with the ICANN community, to begin discussing a solid transition path for the organization toward that end.

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- This discussion should include an examination of the mechanisms and structures that will be needed to ensure that an independent ICANN can remain independent upon completion of the JPA and fulfill responsibilities within its mandate.

- ICC remains confident that ICANN will be able to put in place mechanisms to ensure the future stability and security of the DNS, establish effective accountability mechanisms and strengthen relationships with the business community, as well as other stakeholders, in order to complete the transition.

Key principles and considerations regarding ICANN's transition

ICANN should ensure that the principles and considerations outlined below are integrated in the transition towards an independent ICANN organization with the completion of the JPA.

- Stability and security, of the various technical parameters of the Domain Name System (DNS) including among others IP-addressing, to ensure the consistent functioning of the Internet;

- Stability of ICANN as an organization such that it can, on an ongoing basis, meet the obligations within its limited mandate in an inclusive, accountable and efficient manner;

- Continued work by ICANN, its Board, and the President's Strategy Committee (PSC) with the ICANN community on the transition of ICANN as an independent organization and its structure going forward;

- Continued commitment to accountability and transparency;

- Developing and ensuring an accountability mechanism that is responsive to the ICANN community and independent of governments and inter-governmental organizations and where appropriate ICANN Board and staff;

- Creation of a structure and environment that remains flexible enough to encourage continued creativity and innovation on issues pursuant to ICANN's management needs;

- Ensuring multi-stakeholder participation within ICANN;

- Continued and strengthened private sector leadership which includes business and the ICANN community, especially building of the relationships between business users, the Board and ICANN to ensure the voice of business is respected and considered in decision-making in shaping the structure of the organization going forward, and on all policy areas since the interests of business users and business in all sectors are broadly affected;

- Creating innovative mechanisms to improve business user input to the organization and policy development processes;

- A continued role for governments that is advisory and consistent with the multi-stakeholder structure; and

- ICANN's focus should be on its core mission and tasks directly related to the management and coordination of the unique technical indicators of the Internet - names, numbers, root servers, protocols.

Specific comments on ICANN's responsibilities

Transparency and accountability

ICC recognizes the significant work undertaken by ICANN to evaluate and increase transparency to its stakeholders but also notes that this is an on-going effort, and ICANN's commitment to create an even more transparent and accountable organization with the highest standards of governance is critical to its stability and growth.[1]

Structural, meeting and policy development process improvements to increase business participation

ICC is aware of the complex nature of some of the issues ICANN coordinates and the wide range of businesses and interest groups affected by its work. Given the importance of these issues, ICC and its members have noted the need for increased involvement in ICANN and its supporting structures by the broader business community from around the world. ICC stands ready to continue to support ICANN's efforts to better reach business around the world, and increase involvement from across sectors.

In order to more effectively engage ICC members globally, we recommended specific improvements be considered by ICANN in the ICC informal comments to ICANN in June 2007. ICC continues to support these improvements, which include recommendations regarding an appeals process for Board decisions, meeting locations in 'hub' cities, and enabling certain meeting agendas that focus more on business issues, and recommends that ICANN implement these improvements.[2] We also look forward to discussing with ICANN how its decisions can impact businesses from all sectors. Increased communication between the Board and ICANN leadership/staff with business on substantive matters related to ICANN, and on policies impacting business users is important.

ICC supports continued efforts to internationalize ICANN's structures, both through its presence in different regions, and the involvement of stakeholders from more parts of the world.

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[1] See ICC's informal comments, June 2007 http://www.iccwbo.org/uploadedFiles/ICC/policy/e-business/Statements/ICC__informal_comments_ICANN_21_06_07.pdf
[2] See ICC's informal comments, June 2007 http://www.iccwbo.org/uploadedFiles/ICC/policy/e-business/Statements/ICC__informal_comments_ICANN_21_06_07.pdf

Conclusion

ICC fully recognizes the immense importance of ICANN's role in ensuring a well-functioning Internet.

We believe it is time now to begin serious discussions to define the transition of ICANN to a fully independent organization, and the appropriate multi-stakeholder model and structures to strengthen the organization for the future so that it can meet its responsibilities on an ongoing basis.

ICC and its global and diverse membership look forward to a continued close and productive working relationship with ICANN.

ICC Commission on E-Business, IT and Telecoms (EBITT)

Business leaders and experts drawn from the ICC membership establish the key business positions, policies and practices on e-business, information technologies and telecommunications through the EBITT Commission. With members who are users and providers of information technology and electronic services from both developed and developing countries, ICC provides the ideal platform to develop global voluntary rules and best practices for these areas. Dedicated to the expansion of cross-border trade, ICC champions liberalization of telecoms and development of infrastructures that support global online trade. ICC has also led and coordinated the input of business around the world to the World Summit on the Information Society, Geneva 2003, Tunis 2005, and continues this effort in the activities established in the Tunis Agenda, through its initiative, Business Action to Support the Information Society (BASIS).

For more information please visit:

http://www.iccwbo.org/BASIS
http://www.iccwbo.org/policy/ebitt/

About ICC

The International Chamber of Commerce is the largest, most representative business organization in the world. Its thousands of member companies in over 130 countries have interests spanning every sector of private enterprise.

A world network of national committees keeps the ICC International Secretariat in Paris informed about national and regional business priorities. More than 2000 experts drawn from ICC's member companies feed their knowledge and experience into crafting the ICC stance on specific business issues.

The United Nations, the World Trade Organization, and many other intergovernmental bodies, both international and regional, are kept in touch with the views of international business through ICC.

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