

The gTLD Registries Constituency Comments concerning ICANN STRATEGIC PLANNING ISSUES PAPER

October 18, 2005

This statement contains gTLD Registries Constituency (“Constituency”) comments concerning ICANN STRATEGIC PLANNING ISSUES PAPER (“Paper”) published on October 4, 2005. It is intended for the representatives of the GNSO Council who will discuss the Paper with ICANN staff on October 19, 2005, as a guidance of gTLD Registries Constituency views on the subject.

I. CONSTITUENCY POSITION

The gTLD Registries Constituency commends ICANN for conducting long term planning. We see this planning process as an excellent way to provide longer term predictability and stability for all Internet users.

We provide the following comments for consideration:

1. Internationalization

In the context of Internationalization, ICANN needs to urgently address the subject of harmonization of its consensus policies and practices with international law. We recommend that this be included as a new issue in the list of issues for the ICANN strategic plan. The need to include this subject is clearly demonstrated on the example of prolonged and stalling activity of the Whois task force. The Whois task force(s) started in 2003 with the "Staff Manager's Issues Report on Privacy Issues Related to Whois" and the issue is referred to on the GNSO web site as "Whois Privacy". Yet, the term "privacy" seems to have vanished from the name of the task force in the latest terms of reference. In reality, privacy as related to Whois is really an issue for both gTLDs and ccTLDs and therefore is an ideal topic for joint consideration by both supporting organizations. It may be useful to establish a Whois privacy task force involving the GNSO and ccNSO to specifically address the international needs regarding privacy.

With regard to the approach to regional presences, we believe that a “one-size-fits-all” model does not have to be used. As possible and practical, the approach to accomplish regional presences could vary by region depending on input from and specific needs of each region.

We continue to encourage ICANN to explore further opportunities for participation using the Internet. Participation in person at all ICANN meetings in the current frequency and geographical spread is cost prohibitive. Some registries simply cannot afford to attend even the current list of meetings and we believe this is true for many other members of the ICANN community as well.

Another critical factor with regard to internationalization is the ongoing development and implementation of internationalized domain names (IDNs). We believe that full internationalization of domain names is critical to address the needs of the non-English world that makes up the majority of the Internet community. Consequently, we believe that IDNs should remain a very high priority in the ICANN strategic plan.

2. Budget and Finance

Consistent with our previous statements, the Constituency supports the following suggestion that is listed as a 'strong view': "Many were of the view that there needs to (be) clearer links between project spending and measurable project outcomes. This would facilitate greater accountability."

At the same time, we think it is important to avoid any tendency for micromanagement by the ICANN community at large. We believe that a good balance can be found between the current approach of extremely broad budget categories that provide little ability to effectively track expenditures and one that gets down to too much detail.

3. Operational Improvements

The idea of service level agreements between ICANN and its contracted parties is a sound one. The newest registry agreements indicate that ICANN is moving in this direction.

We would hope that this trend continues so that those who rely on ICANN/IANA services can expect reasonable response times and, in cases where there are extenuating circumstances, commitment of frequent communication regarding status of requests.

4. Improving Security and Stability of the Internet

In our view, Security and Stability is the number one priority for ICANN and ICANN should as a priority focus on this area.

For example, assuming DNSSEC moves forward as an acceptable protocol, we believe that ICANN financial support to registries and registrars and possible other service providers like ISPs and application providers might greatly facilitate DNSSEC implementation.

5. Competition and Choice

Consistent with the DoC White Paper, we believe that processes for introducing new TLDs should be designed to allow market forces to work. Further, we believe that it is ICANN's responsibility, consistent with its bylaws, to encourage innovation, diversity and promote delegation of responsibility for management of resources to communities most affected by the use of those resources.

However, we have concerns about ICANN attempting to become a consumer protection agency, anti-trust agency or a market regulator. Governments around the world are better equipped to deal with such issues.

To the extent that governments can agree on broad issues of consumer protection, for example, that might be the time for ICANN to accommodate any such agreement.

6. Improving ICANN Processes

ICANN is intended to function through bottom-up processes; therefore, it is important to listen to concerns of community members. There seems to be plenty of room for improvement of GNSO processes to increase participation and achieve balanced and objective outcomes. The current effort to review the GNSO has the potential of contributing constructively in this regard.

II. Method for Reaching Agreement on Constituency Position

The Constituency solicited input from its members and then drafted and circulated via email a constituency statement for comment. Constituency members suggested edits and additions to the draft which were subsequently incorporated into the final constituency statement.

III. IMPACT ON CONSTITUENCY

The ICANN Strategic plan is a critical tool for business planning for all Sponsors and Registry Operators. Absence or lack of clarity about ICANN's strategic objectives will have negative impact on all entities dependent on the stable and secure functioning of the Internet including Registries and Sponsors.

We trust that our comments are received in a constructive manner. The Constituency commits to cooperate with ICANN in this process in concert with the annual strategic planning, operational planning and budgeting process.