



International Chamber of Commerce

The world business organization

Policy and Business Practices

Rod Beckstrom
ICANN President & CEO

Peter Dengate-Thrush
ICANN Board Chair

ICC Recommendations: ICANN First Review Team, Procedure Improvements, and Brussels Meeting

5 May 2010

Dear Rod and Peter,

We are writing to you in our capacity as the Co-Chairs of the International Chamber of Commerce's (ICC) Task Force on Internet and Telecoms Infrastructure and Services (ITIS), to share some perspectives concerning ICANN important to ICC member companies and associations from across sectors and geographies. As you know, ICC's membership includes businesses spanning ICANN constituencies, including registries and registrars, business users, service providers and intellectual property rights holders, as well as many businesses that are not engaged in ICANN directly, but that are indirectly interested in ICANN's development.

The topics in this letter arose during a robust and positive discussion about ICC work priorities related to ICANN during the recent ICC Commission on E-Business, IT and Telecoms (EBITT) meeting in Paris, from 7 to 8 April. Given the level of interest from the ICC members, we felt it would be important to share with you the major themes from these discussions in order to foster our important work with ICANN. There were two main priority areas raised: the first being the Affirmation of Commitments review team on accountability and transparency; and the second being procedural improvements when ICANN seeks multistakeholder comment on proposed initiatives.

I. Affirmation of Commitments review team

As you may recall, ICC praised the "Affirmation of Commitments" (AoC) when it was announced in September 2009 because it broadly recognized the interests of Internet users, including businesses, that are not directly engaged in ICANN or the domain name system. It also identified critical areas for ICANN and businesses in all parts of the world, such as accountability and transparency, stability, security and resilience of the domain name system, as well as promoting competition, consumer trust and consumer choice. With the recent announcement by ICANN of the first review team on accountability and transparency, a new milestone envisioned by the AoC is coming to fruition. This first review team has important work to do.

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38 Cours Albert 1er, 75008 Paris, France

Tel +33 (0)1 49 53 28 28 Fax +33 (0)1 49 53 28 59

E-mail icc@iccwbo.org Website www.iccwbo.org



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ICC, along with many members of the community, contributed to the work of the President's Strategy Committee (PSC) on transparency and accountability, as well as to the work on "Improving Institutional Confidence" (IIC).

We hope that the in-depth contributions of the community and of these two groups will be taken into consideration by the AoC review team to effectively draw upon the recommendations already developed to improve ICANN's accountability and transparency. ICC's comments concerning the AoC and the IIC have focused on improving accountability to the multistakeholder community through appropriate appeals mechanisms in many areas: (1) to challenge board decisions; (2) to safeguard against internal and external capture by addressing the need for increased certainty of the processes and balanced outcomes, both in policy development and overall decision-making; and (3) to ensure global outreach and increased participation from all stakeholders around the world.

ICC also has highlighted the interaction between the Governmental Advisory Committee (GAC) and other parts of the ICANN structure, which has improved, resulting in benefits within the public policy development process. ICC supports the continued willingness of the GAC to engage in discussions with the Board and other parts of ICANN with the aim of further improving efficiency and responsiveness. Timely GAC input into ICANN proceedings is important in achieving these goals.

The important role that governments hold within the multistakeholder environment is fully recognized and appreciated by ICC.

II. ICANN Procedural Improvements for Substantive Participation and Comment

A high priority goal that ICC has for ICANN and its community is to increase the range and quality of substantive participation in its work and meetings. ICC's EBITT Commission and the ITIS Task Force are making concerted efforts to raise awareness about the important work underway at ICANN, how companies and associations can contribute to that work, and to increase participation by a broader range of business representatives at the meetings.

ICANN has made considerable efforts to increase and standardize the amount of time for comment periods, when ICANN is considering a new initiative. However, the ICC continues to be concerned about the number of simultaneous substantive issues pending in parallel for review and comment; the multiple comment periods that often converge shortly before meetings and the limited number of community members that actually comment on the work in progress. We, along with others in the community, have urged ICANN to reduce the number of substantive issues posted for review and comment in a parallel time-frame, and to create a more predictable schedule for the upcoming flow of work. Both planning steps will enable a broader range of community members to contribute.

ICC and many other associations have a diverse network of participant experts to consult, and a consensus building process internally that ensures the quality of our contributions. This process of building consensus from a diverse stakeholder community means that too often we cannot contribute to ICANN processes, because of the number of simultaneous comment periods and the close deadlines.



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We note that ICANN has initiated a comment process on the Generic Names Supporting Organization (GNSO) work prioritization, and ICC strongly encourages a more rational approach to managing the policy workload to improve the breath and quality of community input. ICC will not be in a position to contribute formal comments to this work item, but we hope that you will take this point into consideration.

We remain available to work with you and the ICANN staff to address these matters towards the common goal of engaging a wider range of stakeholders in ICANN's important work. With advance planning, ICANN can provide a very workable roadmap of upcoming proceedings, with adequate period for comment on each important matter, which will optimize the quality and quantity of participating parties.

III. ICANN Brussels Meeting

We look forward to working with you at the ICANN Brussels meeting in June, and joining with others in the business community to ensure strong and broad business participation at that meeting. As new business participants consider coming to the ICANN Brussels meeting, it would be very helpful for ICC's outreach efforts if a more detailed agenda can be made available promptly. This detail will enable us and others in the community to convey why it is important for them to participate in this meeting.

Finally, thank you for your ongoing engagement with the ICC ITIS Task Force for all these matters of mutual interest. We appreciate your consideration and attention to the above recommendations and look forward to our continued communications.

Sincerely,

A handwritten signature in blue ink, appearing to read "D Appasamy".

A handwritten signature in black ink, appearing to read "Eric H. Loeb".

David Appasamy & Eric H. Loeb
Co-Chairs, ICC's ITIS Task Force