Review of comments on the ICANN strategic plan

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ICANN released a draft of its 2003-04 to 2006-07 strategic plan in November 2004. This is the first strategic plan compiled by the organization. ICANN requested comment on the plan and this was received in the form of written responses and through participation in a number of meetings and forums.

Written responses received from ALAC, SSAC, The IPv6 Forum, NRO, gTLD Registries, Nominet, JPRS, CENTR, ccNSO, IPC, FICPI, INTA.

In addition, the following groups were represented in teleconference consultation sessions: Registry constituency, IP constituency, Registrar constituency, and ASO. A consultation group met in Amsterdam with representation from CBUC, PIR, gTLD registries, NCUC, IPC, ISPC, ALAC, InternetNZ, auDA, ccNSO, Network Solutions, Verisign, CENTR, NRO, ISPCP, SIDN, Registrars constituency, CORE, Afilias and individuals. Some participants spoke as members of constituencies or organizations and also as individuals.

Comments were also received from a number of individuals.

There are three sections to this document: a consolidation of the responses that were received, some general observations about consultation process and some suggestions about the way that the process might be run in the future.

Consolidation of comments

The first part of this document is a summary document. It has been prepared on the basis of the written responses and written records of each of the meetings and forums. In the case of the meetings and forums, it is not always possible ascertain the full flavour and strength of feeling of comments from the summary of proceedings.

This summary section attempts to consolidate nearly two hundred pages of comment. In just a few pages, it is impossible to capture all the subtlety and fine detail of every response. Areas where there was comment from a large number of respondents have been identified, particularly where there was either strong alignment around a position (for or against the position in the strategic plan) or polarised opinions. There were a number of comments about particular words and phrasing. Where these comments have a content implication, they are included in comments on the relevant section of the plan, but not every such comment has been captured here.

Following is a consolidation of the comments that have been received about the plan. The initial section deals with general comments about the plan and the process (consultation, format, mission creep and time frame). Sections 2 – 7 follow the layout of the strategic plan (stability and security; competition and choice; bottom up consensus and stakeholder representation; organizational foundations; funding strategy; the MoU). The final section of the consolidation covers other comments that do not fit into any of the above headings.

1. General comments

It is important to acknowledge that the strategic plan was warmly welcomed by the ICANN community. Although there were many points where members of the community raised issues about the content of this first ICANN strategic plan, there was strong support for the creation of a strategic plan and many felt that it was a significant step forward for ICANN.

Almost every response contained a comment about the **consultation process**. Respondents were grateful to have the chance to comment on the plan, although most felt that the timing of the consultation was too late. Without exception, these respondents either expected that they would be involved in the process earlier and/or that there be more consultation. Without a doubt, this process will need to be improved for the next planning cycle. However, almost all respondents also expressed their gratitude at being asked to contribute to the process, albeit later and less intimately than they might have hoped for. This willingness to contribute indicates support for the concept of a plan (several respondents made this remark explicitly) and augurs well for future planning processes. (see the General Observations section later in this report for a further discussion of this issue)

Another strong theme to emerge from the comments was around **language**. Many respondents expressed strong support for the plan appearing in multiple languages. Given the international nature of the ICANN community, this would seem a sensible initiative for future plans.

Another common comment concerned the **tone and intention of the document**. A number of respondents remarked that the intended audience for the document was not clear. In attempting to address a very wide range of audiences and a variety of purposes, it lost clarity and focus. These comments were directed at two main areas: the inclusion of a lengthy introduction which gives a detailed history and rationale for ICANN, but was not useful for those who are or have been closely involved with ICANN; and the merging of strategic, operational, budget issues. Many were of the view that the document needed to split into several different documents, with separate documents for the strategic plan (which should take a multi year perspective) and an annual operational plan (with the budget either included or as a separate document). From an operational perspective, many respondents commented that there needed to be clearer links between spend, activities, milestones and outcomes. Another impact of the merging of issues for some respondents was that the document was too short term in focus and needed to take a long term view and in particular give more consideration to the impact of technical changes on role and priorities of ICANN.

Also of strong concern to many respondents was the **possibility of mission creep**. This appeared in many ways, sometimes in comments about specific areas, but also in more general comments. These respondents expressed the view that everything in the plan needed to be consistent with ICANN's mission, and some were concerned that at least some items in the plan overstepped that mark. Comments on specific areas are captured in the relevant section below.

The final area of general comment concerns the **time frame of the document**. The plan is for 2003-04 to 2006-07. We are now in March 2005. Respondents pointed out that it was strange to be commenting on a plan almost half way through the period covered by the plan.

2. **Stability and security**

In overall terms there was **support for initiatives associated with the security and stability** priority. Most respondents saw this as a central part of ICANN's role. Some, however, believed that ICANN had no role to play, particularly in the area of research. A few cautioned that the work should focus on the DNS and in doing so ensure that there is no mission creep. There was also a suggestion that any formal risk assessment and monitoring that was needed might best be outsourced to an organization with demonstrated expertise in this area.

There was strong support for initiatives aimed at improvements in the **IANA functions**. The only qualifiers placed on this support were that there was a need to consult with key stakeholders to identify priorities for work in this area and that any initiatives needed metrics to enable effective project management and to ensure that target outcomes were delivered.

There were mixed views on ICANN's role in operating "**L" root**, with some believing that it is appropriate for ICANN to run a root server and others believing strongly that it is not. There was a view expressed that regardless of the position that one took on this issue, "L" root was not a security issue. Consistent with remarks in other places, some respondents suggested that any proposal to do work on the "L" root needed clear metrics.

Initiatives to cooperate to build a **DNS test bed** received some, but limited, support. Respondents suggested that the proposal needed more detail before full support could be given. Also, some suggested that test beds may already exist and therefore ICANN should investigate this carefully before building a new test bed.

The concept of a **security fund** was likewise supported by some, but many respondents wanted more details before offering full support. In particular, there was a concern that not enough information was available on the accountability frameworks that provide governance over the fund. Others suggested that there was a need to involve key stakeholders in developing the concept further.

With regard to **contracts and agreements**, there were comments about RIRs, ccTLDs and root server operators. For the RIRs, comments concerning IPv4 need to also include IPv6. A number of respondents supported a continuation of dialogue with ccTLDs on agreements, suggesting that there was still some work to be done. Some others expressed the view that the ccTLD agreements should be brought in parity with gTLD agreements that ICANN has negotiated. There was very strong support for the negotiation and completion of lightweight agreements with root server operators. However, any move to provide consistency across the root servers should not damage the current diversity which many see as one of the great strengths of the current mode of operation.

3. Competition and choice

There was general support for the competition and choice initiatives outlined in the plan, with some suggesting that this area needed even more emphasis than it had in the current plan. Given this, there were a number of places where places where respondents expressed strong opinions (either for or against) or raised points of clarification.

Perhaps the most significant of these in terms of number of respondents was the view that the plan needed to acknowledge that when talking about developing regulation and improving competition, the **ccTLDs and gTLDs** are different and ICANN has a different role to play in each of those communities. Similarly, there was a need to recognise the community role in developing policy for sTLDs.

Respondents were generally supportive of the move to **foster competition**. The development of a new gTLD process was positively received. For many respondents the successful launch of new gTLDs was critical to the future stability of the Internet. One respondent questioned whether it might be better to develop more space in existing TLDs rather than implementing new ones.

With regard to **innovation**, there was a view that more importance should be given to IPv6 issues. Also, some were of the view that the new registry services proposal needed more consultation before it was finalised.

There was strong support for **improving compliance**. Many saw as a key step in this process the move to graded penalties rather than having deaccreditation as the only penalty. Some suggested that the compliance framework should protect end users from registrars who do not offer appropriate service and quality. However, in designing the compliance framework, respondents noted that these frameworks should be designed to suit the needs of the individual community concerned. One area noted by a few respondents as needing greater attention from a compliance perspective was WhoIs data.

4. **Bottom-up consensus and stakeholder representation**

Many respondents commented on the section of the plan dealing with the **policy development process**. There was agreement that staff had an important role to play in the policy development process. However, some respondents were strongly of the view that the process should not become staff centric.

There were only a few comments about **ALAC**, however, they were significant. Questions were raised about the role of ALAC and also whether ALAC was necessary in the ICANN policy process. Importantly, the ALAC response itself raised these issues.

There was significant concern about the current **PDP**. Respondents saw it as inefficient, not transparent and lacking in meaningful public comment. Particular mention was made of the GNSO process. There was also a need to define what issues should be put through the PDP. These comments suggest support for the improvement agenda outlined in the plan.

Cross constituency policy processes received support from the small number of people who commented on this area.

Many respondents expressed the **need for more bottom up involvement** in the ICANN process, either through increasing overall participation in the ICANN process and also by using technology where appropriate to enable more people to be actively involved in policy processes. In addition, growth of the ICANN community will mean that ICANN will need new ways to determine consensus.

Regional meetings were supported. However, there was a concern amongst a few that this not be at the expense of existing meeting structures and that if there were regional meetings, there should be some consistency to ensure that issues were covered at all forums.

A number of questions were raised about the proposed **regional offices**. Respondents seemed to be suggesting that the rationale needs to be more clearly presented before a clear position can be taken. Many suggested that there was a need to consult with regions and where appropriate work with existing bodies. Others expressed concern about the need to manage the growth in the organization carefully, both to avoid mission creep and also, from an organizational/ human resource perspective, to maintain the focus and effectiveness of the ICANN staff and management structure.

There was qualified support for the **Developing Countries Fund**. The major concern was to ensure that there was sufficient accountability in the governance of the fund. Further details of the fund (eg size, allocation procedure) would be a first step in that direction. Others cautioned that the there was a need to ensure that activities fit within the ICANN mission.

The development of a **comprehensive communication strategy** was well supported. In particular, many respondents mentioned improvements in the website as an area that it was timely to address. A few suggested that more detail about the strategy was needed before firm support could be given.

5. Organizational foundation

The major comment about the organizational foundation section of the plan was a **concern about growth in staff numbers**. This is consistent with the concern about the growth in the size of the budget covered in the funding section below. However, support for the initiatives contained in the body of the plan which suggest a need for more resources and the lack of negative comment from many respondents suggests that this concern about growth was not shared by all members of the community.

Some respondents suggested that there was a need for a more detailed Human Resources section in the plan, particularly in the light of the planned growth in staff numbers and the internationalization of the organization.

Other parts of the organizational foundation section received little or no comment. The only other point that needs to be made is that comments about accountability made in other sections have relevance for the Corporate Governance section of the plan.

6. Funding

Major comments about the funding strategy fall into three areas. Some respondents were concerned about the growth in size of the budget. Many indicated that the funding model has not been agreed with each of the groups concerned, with some suggesting that any increase should be services based (ie any increase in fees should be linked to an increase in service provision). Consistent with comments on other parts of the plan, there was a view that the ICANN finances needed more accountability.

In addition to these major areas of comment, there was a suggestion that the plan needs to describe several financial scenarios and how ICANN would look under these scenarios.

7. MoU

There were mixed views about the MoU section of the plan. Some think that "the entire strategic plan is a repackaging of the MOU", while others think that there is no strategy for completion of the MOU. A few respondents suggested that the plan needed to provide some clarity about what happens after the completion of the MoU.

8. Other

The most significant comment not covered above was that the plan bundles together names and numbers. The issues for these two communities are different, and they need to be treated separately in the plan.

General observations

As mentioned above, almost all respondents commented on the consultation process, expressing a desire for earlier and fuller consultation. There seems to be an issue here about the meaning of the term consultation. For many of the respondents, consultation seems to be chance to make a formal response to a written document. In interviews with ICANN staff, a different perspective emerged. They see their involvement with members of the community through meetings (ICANN meetings, single constituency meetings and individual meetings) is part of the consultation process.   There is a need to acknowledge that both forms of consultation are valid and necessary. The future process needs to allow time for informal and formal consultation.

One of the problems with compiling this summary from written responses and meeting notes is that it was sometimes difficult to know the weight that should be given to particular responses. Specifically, it was difficult to know if some responses were from individuals associated with a constituency (and therefore are the views of the individual) or if they were the views of the constituency produced through a bottom up process. Any future planning process needs to be very clear about the manner in which constituencies must be involved, and the comment process needs to ensure that all constituency responses truly are the product of a valid consultative process.

Further to this point, the document that was released for consultation was very polished in style, perhaps indicating to many that it was a near final version. In future it may be better to release earlier versions of the document for comment.

Not surprisingly, responses reflect the concerns of individual constituencies. Like any process that brings a community together to plan for the future (whether that be a government/ political process, a planning process across business units in a corporation or stakeholders at a local community institution such as a school), a fundamental tension exists between the good of the individual and the common good. The most productive planning processes provide ways for the community to discuss what would be for the good of the community as a whole before moving on to address individual perspectives and needs. The current process where a plan is produced for comment does not really provide the opportunity for the conversation about the common good. This is unfortunate as so many people in the ICANN community give generously of their time because they believe in the importance of maintaining a stable and secure internet that is available to all. Any future planning process needs to facilitate a dialogue about the common good before moving to the (sometimes adversarial) comment period that focuses more on individual concerns. It may also be useful to develop a strategic plan for the ICANN community as a whole, from which staff priorities could be identified.

Another issue that might be addressed by an ICANN plan is the blurring of staff and constituency issues. A number of comments are about the way that ICANN advisory committee and supporting organization processes are run. This is the responsibility of the ICANN community, not necessarily just of the ICANN staff. An "all of ICANN" plan

would allow individual constituencies to develop their own set of priorities and plans that would allow them to address their own issues and work toward the common good.

At another level, many of the comments highlight the tension between (and confusion about) policy or strategic issues and management issues. ICANN needs to be an open and transparent organization. However that does not necessarily mean that any member of the broader ICANN community has the right to dictate what staff should do. There needs to be some level of trust in the management of the organization to carry out the tasks that have been assigned to it. This is not just in a day to day sense, but also at the level of managing for the organization's needs in the future Any future planning process should set clear priorities for the staff and then trust their managerial skills, governed by the checks and balances of the ICANN Board and its associated governance committees, to develop an operational plan and work towards its accomplishment.

Finally, given that this plan covers 2003-04 to 2006-07 and it is now March 2005, and also that the next planning cycle should start in June 2005 at the latest, it does not seem sensible to invest a large amount of resources in "getting this plan right". There are operational and budgeting tasks that need to be accomplished, but there seems little point in finessing a strategic plan that is more of a historical document than a framework for working towards a desired future. Rather, this energy would be much better spent in making the most of the next planning cycle, incorporating the learnings of this significant but imperfect first strategic planning process.

Future process

Based on the feedback that has been received from the current planning process and also on what is regarded as best practice in organizational planning, the future planing process for ICANN should be guided by the following principles:

- Splitting of the planning cycle into two phases: the first six months of the financial year being spent on strategic planning, the second six months on operational planning and budgeting
- Early involvement of the community in discussions, not just in reviews of documents
- Implementation of a process that encourages conversation about the common good (ie what needs to done for the good of ICANN as a whole)
- Recognition of the speed with which the Internet changes, and the need for a process that "manages within Internet time"
- Clear guidelines for supporting organization, advisory committee and constituency consultation
- Development of ICANN staff priorities based on the strategic direction set in the strategic plan
- Separate annual operational plan with clear links to the strategic priorities
- The operational plan should contain clear links between spend, activity, milestones and outcomes
- Existing Board governance processes should be used to provide accountability, with staff allowed managerial discretion within those limits

First Phase: Strategic Planning (June to December)

- Early involvement of the community through a process which stretches people's thinking about the future and also provides ways for people to talk together about issues that concern the ICANN community as a whole, encouraging them to step beyond the concerns of their individual constituencies to work constructively together on the issues that are (or should be) a concern for all
- Work by a core group of staff and community members to produce a first draft of the plan.
- Distribution of an early draft of a strategic plan for the ICANN community for comment from constituencies, with clear requirements for full consultation with constituency members
- Refinement of the document in the light of feedback received
- Sign off of plan by the Board
- Development by the ICANN staff of a set of strategic priorities based on the plan, to be signed off by the Board
- Development of strategic priorities based on the plan by other supporting organizations, advisory committees and constituency groups as they see fit

- Key outputs:
  - Strategic plan for the ICANN community – covering the big issues for the ICANN community as a whole over five years (reviewed annually)
  - Long term plan for ICANN staff (three years) (reviewed annually) outlining key priorities for the staff over that time frame, with indicative timelines for major initiatives and best estimates of the budget and staffing needs. It should not contain detailed project plans and costings.
  - Long term plans for other parts of the ICANN community who choose to do so

Second phase: Operational Planning (January to May)

- Consultation with the community about one year priorities
- Development by the ICANN staff of one year operating plan, linked to longer term priorities, with associated budget, activities, milestones and outcomes
- Consultation with the Budget Advisory Group about the budget needed to complete the operational plan
- Consultation with the ICANN community about the draft operating plan and budget
- Revision of the operating plan as necessary
- Approval by the ICANN Board
- Some constituency groups might also wish to develop one year plans for their communities to set clear priorities

- Key outputs
  - Annual operating plan for ICANN staff
  - Budget