



International Chamber of Commerce

The world business organization

ICC informal preliminary comments on the draft report of the Security, Stability and Resiliency (SSR) of the DNS Review Team

The International Chamber of Commerce (ICC)'s Commission on the Digital Economy and its Task Force on Internet and Telecommunications are pleased to provide this input on the draft report of the SSR Review Team. This review under the Affirmation of Commitments (AoC) is particularly important. ICC members include companies and associations from across sectors and geographies, and ICC is a member of the ICANN Generic Name Supporting Organization (GNSO) Commercial and Business Users Constituency. The technical coordination of the Internet is of critical importance to all of our members particularly given the amount of their business that is conducted over it.

We welcome the opportunity to comment on this important draft report, and would like to reiterate that it is a challenge for organizations like ICC to complete our required consensus building process to develop comments when the comment periods are short; hence these are informal preliminary comments. We would greatly appreciate consideration of a longer comment period to ensure substantive input on ICANN work items. ICC previously has recommended that ICANN establish a standard consultation time frame, with a minimum of 30 days for an initial round of comments. Particularly for an association with representatives from multiple countries and industries, such a time frame would better allow for the preparation of detailed consensus comments from the ICC membership.

ICC welcomes the comprehensive draft report of the SSR Review Team which reflects critical analysis of the issues and scope of ICANN's functions regarding the security, stability and resiliency of the DNS.

List of Recommendations

RECOMMENDATION 1: ICANN should publish a single, clear and consistent statement of its SSR remit and limited technical mission. ICANN should elicit and gain public feedback in order to reach a consensus-based statement.

ICC Comment: This would be an excellent contribution to create more clarity and to fully engage the community in the process.

RECOMMENDATION 2: Once ICANN issues a consensus-based statement of its SSR remit and limited technical mission, ICANN should utilize consistent terminology and descriptions of this statement in all materials.

International Chamber of Commerce

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

6 April 2012 AHA/ams

ICC Comment: Agreed.

RECOMMENDATION 3: ICANN should document and clearly define the nature of the SSR relationships it has within the ICANN community in order to provide a single focal point for understanding the interdependencies between organizations.

ICC Comment: Agreed

RECOMMENDATION 4: ICANN should use the definition of its SSR relationships to encourage broad engagement on SST matters using this to create an effective and coordinated SSR approach.

ICC Comment: The direction of this recommendation is appreciated, however we believe it should be further clarified and qualified, to identify what ICANN would consider as optimal engagement and coordination. The discussion of this recommendation as well as recommendation 3 above in the draft report point out the differences in ICANN's relationship with SSAC and RSSAC but could use more elaboration.

RECOMMENDATION 5: ICANN should publish a document clearly outlining the roles and responsibilities for both the SSAC and RSSAC in order to delineate the activities of the two groups. ICANN should seek consensus for this across both groups, recognising the history and circumstances of the formation of each. ICANN should consider appropriate resourcing for both groups, consistent with the demands places upon them.

ICC Comment: Agreed this is a worthwhile goal. ICANN should appropriately focus on building a good working relationship and take a practical approach to building consensus with the RSSAC.

RECOMMENDATION 6: ICANN's definition and implementation of its SSR remit and limited technical mission should be reviewed in order to maintain consensus and elicit feedback from the community. The process should be repeated on a regular basis, in conjunction with the cycle of future SSR reviews.

ICC Comment: ICANN has a limited technical coordination mission and mandate. Thus, we question whether the focus should be more on the constructive suggestions the review team outlines in the draft report section on recommendation 4 about how ICANN tracks its SSR wording itself, instead of this recommendation 6.

RECOMMENDATION 7: ICANN should build on its current SSR Framework by establishing a clear set of objectives and prioritizing its initiatives and activities in accordance with these objectives. This process should be informed by a pragmatic cost-benefit and risk analysis.

ICC Comment: Agreed.

RECOMMENDATION 8: ICANN should continue to refine its Strategic Plan objectives, particularly the goal of maintaining and driving DNS availability. It also should establish

more direct connections between specific priorities and projects in the SSR Framework and the Strategic Plan.

ICC Comment: Agreed.

RECOMMENDATION 9: ICANN should develop a roadmap that leads towards more formal and widely adopted certification of its SSR-related processes in line with industry best practice.

ICC Comment: Agreed.

RECOMMENDATION 10: ICANN should continue its efforts to step up contract compliance enforcement and provide adequate resources for this function. ICANN also should develop and implement a more structured process for monitoring compliance issues and investigations.

ICC Comment: Agreed. Contract compliance enforcement is essential.

RECOMMENDATION 11: ICANN should finalize and implement measures of success for new gTLDs and IDN fast track that expressly relate to its SSR-related program objectives, including measurements for the effectiveness of mechanisms to mitigate domain name abuse and consumer confusion.

ICC Comment: See comment below, under recommendation 12.

RECOMMENDATION 12: ICANN should support the development and implementation of SSR-related best practices through contracts, agreements, MOUs and other mechanisms.

ICC Comment: Both recommendations in 11 and 12 should elaborate on the process of how to implement the recommendations within the ICANN processes, and if and when appropriate in a policy development process. In addition, the review team could consider how/would best practices would be included in contracts as recommended in 12.

RECOMMENDATION 13: ICANN should encourage all Supporting Organizations to develop and publish SSR-related best practices for their members.

ICC Comment: Agree with the idea and objectives. It may be worth exploring whether a common set of best practices could be developed and then shaped for particular SOs.

RECOMMENDATION 14: ICANN should ensure that its SSR related outreach activities continuously evolve to remain relevant, timely and appropriate. Feedback from the community should provide a mechanism to review and increase this relevance.

ICC Comment: Agreed. This outreach and feedback should be global, and translated materials made available, if not already provided.

RECOMMENDATION 15: ICANN should publish information about DNS threats and mitigation strategies as a resource for the broader Internet community.

ICC Comment: Agreed, and these materials should be made readily available and translated.

RECOMMENDATION 16: ICANN should continue its outreach efforts to expand community participation and input into the SSR Framework development process. ICANN also should establish a process for obtaining more systematic input from other ecosystem participants.

ICC Comment: Agreed. As reflected in recommendations above.

RECOMMENDATION 17: ICANN should establish a more structured internal process for showing how activities and initiatives relate to specific strategic goals, objectives and priorities in the SSR Framework. It also should establish metrics and milestones for implementation.

ICC Comment: Agreed

RECOMMENDATION 18: ICANN should conduct an annual operational review of its progress in implementing the SSR Framework and include this assessment as a component of the following year's SSR Framework.

ICC Comment: Agreed.

RECOMMENDATION 19: ICANN should establish a process that allows the community to track the implementation of the SSR Framework. Information should be provided with enough clarity that the community can track ICANN's execution of its SSR responsibilities, while not harming ICANN's ability to operate effectively. The dashboard process being used to track implementation of the ATRT recommendations serves as a good model.

ICC Comment: Agreed.

RECOMMENDATION 20: ICANN should increase the transparency of information about organization and budget related to implementing the SSR Framework and performing SSR-related functions. Information should be provided with enough clarity that the community can track ICANN's execution of its SSR responsibilities, while not impeding ICANN's ability to operate effectively.

ICC Comment: Agreed.

RECOMMENDATION 21: ICANN should establish a more structured internal process for showing how organization and budget decisions relate to the SSR Framework, including the underlying cost-benefit analysis.

ICC Comment: Agreed

RECOMMENDATION 22: ICANN should publish, monitor and update documentation on the organization and budget resources needed to manage SSR issues in conjunction with introduction of new gTLDs.

ICC Comment: Agreed.

RECOMMENDATION 23: ICANN must provide appropriate resources for SSR-related working groups and advisory committees, consistent with the demands placed upon them. ICANN also must ensure decisions reached by working groups and advisory committees are reached in an objective manner that is free from external or internal pressure.

ICC Comment: Agreed. Security, stability and resiliency issues cut across a wide range of areas, and should be appropriately resourced.

RECOMMENDATION 24: ICANN must clearly define the charter, roles and responsibilities of the Chief Security Office team related to implementing plans that are designed to address longer-term risks.

ICC Comment: Agreed

RECOMMENDATION 25: ICANN should put in place mechanisms for identifying longer-term risks and strategic factors in its risk management framework. This process should be informed by insights from research, business partnerships, ICANN supporting organizations and other sources. ICANN should publish information about longer-term risks, recognizing the sensitive nature of some of these factors.

ICC Comment: Agreed.

RECOMMENDATION 26: ICANN should prioritize the timely completion of a risk-management framework. This work should follow high standards of participation and transparency.

ICC Comment: Agreed.

RECOMMENDATION 27: ICANN's risk-management framework should be comprehensive within the scope of its SSR remit and limited missions.

ICC Comment: Agreed.

RECOMMENDATION 28: ICANN should continue to actively engage in threat detection and mitigation, and participate in efforts to distribute threat and incident information.

ICC Comment: Agreed, and any activity in this area should work with other relevant parties and ease of information (also translation if possible) of incident information.

The International Chamber of Commerce (ICC)

ICC is the world business organization, a representative body that speaks with authority on behalf of enterprises from all sectors in every part of the world.

The fundamental mission of ICC is to promote trade and investment across frontiers and help business corporations meet the challenges and opportunities of globalization. Its conviction that trade is a powerful force for peace and prosperity dates from the organization's origins early in the last century. The small group of far-sighted business leaders who founded ICC called themselves "the merchants of peace".

ICC has three main activities: rules-setting, dispute resolution and policy. Because its member companies and associations are themselves engaged in international business, ICC has unrivalled authority in making rules that govern the conduct of business across borders. Although these rules are voluntary, they are observed in countless thousands of transactions every day and have become part of the fabric of international trade.

ICC also provides essential services, foremost among them the ICC International Court of Arbitration, the world's leading arbitral institution. Another service is the World Chambers Federation, ICC's worldwide network of chambers of commerce, fostering interaction and exchange of chamber best practice.

Business leaders and experts drawn from the ICC membership establish the business stance on broad issues of trade and investment policy as well as on vital technical and sectoral subjects. These include financial services, information technologies, telecommunications, marketing ethics, the environment, transportation, competition law and intellectual property, among others.

ICC enjoys a close working relationship with the United Nations and other intergovernmental organizations, including the World Trade Organization, the G20 and the G8.

ICC was founded in 1919. Today it groups hundreds of thousands of member companies and associations from over 120 countries. National committees work with their members to address the concerns of business in their countries and convey to their governments the business views formulated by ICC.

ICC Commission on the Digital Economy

Business leaders and experts develop and promote the continued and stable growth of the digital economy, and further adoption of its underlying Information and Communication Technologies (ICT) foundation, through regulatory advocacy of key business positions and best practices through ICC's Commission on the Digital Economy.

Through its members who are ICT users and providers from both developed and developing countries, ICC is recognized in expert circles as the global consensus voice for private sector expertise on policy matters that drive the Digital Economy. It also provides the ideal platform for developing global voluntary rules and best practices for this area of interest to companies worldwide. Dedicated to the expansion of secure ICT-facilitated trade, ICC champions the liberalization and regulatory harmonization that are required to achieve a free flow of information across all borders.

ICC led and coordinated the input of business around the world to the United Nations World Summit on the Information Society (WSIS), 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 <http://www.iccwbo.org/basis>).