



European-American
Business Council

EABC Response: NTIA NoI on the Expiration of the Joint Project Agreement with ICANN

The European-American Business Council represents 65 US and European-based global companies, united in promoting transatlantic investment, innovation and integration. The Internet's stability and security are issues of critical concern to the vast number of both European and US companies that do business online. EABC member companies monitor the developments that can affect the Internet and consider the careful evaluation of modifications to the current governance model crucial so that any changes improve rather than endanger the system that has served us all so well for over a decade.

EABC member companies support ICANN as the technical coordinator of the Internet and continue to believe that the private sector-led multi-stakeholder model is the most appropriate model for the effective and reliable coordination of the Internet's names and numbering system. We are happy to acknowledge that ICANN has made significant progress toward a mature, private sector led organization since its inception ten years ago but we also note that much work remains to be done.

Throughout ICANN's evolution, the Commerce Department, through the JPA/MoU, has played an important role in growing and developing the organization. Despite this progress, EABC members believe that additional progress should be made toward the following goals :

- effective safeguards against external and internal capture;
- meaningful accountability mechanism and transparency;
- meaningful redress mechanism for parties without contracts with ICANN;
- sufficient measures addressing security and operational issues associated with the launch of new TLDs, including IDNs.

While we commend both The Board and staff of ICANN's efforts to address the above concerns raised by the community, many of necessary action are still "in process". For example, we appreciate the self-examination ICANN undertook through the President's Strategy Committee's "Improving Institution Confidence Report". The report put forward some key goals that could assist in improving some of the institutional weakness in ICANN, but so far there has been very limited progress towards implementation of those goals. Of particular concern is that the

recommendations did not sufficiently address the critical issue of institutionalizing accountability mechanisms. The mechanism allowing the community to fire the ICANN board, for example, is so extreme that it should only be used in extreme cases and does not provide a viable day-to-day solution. EABC member companies particularly encourage ICANN to develop reliable mechanisms for all stakeholders – contracted and non-contracted – to voice concerns and ensure that their concerns are proportionally addressed and taken into account.

It is clear that there are critical areas where ICANN must continue to evolve to become the accountable, effective, stable and transparent, multi-stakeholder body that the international community can rely on to ensure the security and stability of the DNS. As a major transatlantic industry association, including companies across all major industrial sectors, the EABC considers the stability and security of the Internet priority number one. We urge both the Commerce Department and ICANN to continue the transition process until the above-mentioned missing elements are fully developed and implemented and the multi-stakeholder community can effectively hold the organization accountable.

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EABC Membership 2009

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