Review of the ICANN Security and Stability Advisory Committee (SSAC)

Public Discussion Forum

ICANN Mexico City

March 5, 2009

Background and Status

- Review of ICANN bodies mandated in bylaws
- JAS selected to perform external review prior to Cairo meeting (November, 2008)
- Public Draft released February 16
- Final report from JAS due March 30
- Board Working Group takes it from there

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Methodology

- Qualitative data collection through interviews, emails, and written feedback (n=40)

- Quantitative data collection using survey instrument (n~22)

- 57 distinct individuals (anonymous caveat)

- Wide solicitation for feedback
  - ICANN email lists
  - "Marketing" presentations in Cairo
  - Referrals, research, existing contacts, etc.

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Methodology

- Limited scope of JAS review presupposed
  - Current ICANN
  - Current ICANN Bylaws
- Set baseline in first SSAC review
  - Some recommendations are reaffirmations
  - Not all recommendations = change

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Findings

Overview

- Little controversy overall
  - High quality work products
  - Populated by respected experts
  - SSAC highly tied to current Chair
  - Lack of mission clarity
  - Advice technically focused
  - Discomfort around lack of process/transparency
  - Distracting FUD around "conflicts of interest"
- Quantitative data support qualitative observations

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Findings
Mandate and Guidance

- Charter extremely broad and subject to interpretation

- Largely self directed
  - Current events
  - Topics of interest to SSAC Members

- Six "Task Areas" defined in SSAC Charter
  - SSAC largely acts within the spirit of the Charter

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Findings
Mandate and Guidance

- Lack of clarity as to who SSAC should serve
  - The Board?
  - ICANN Bodies?
  - Contracted Parties?
  - The Public?
  - A "Watchdog" function?
- Lack of clarity re: SSAC's "independence" from ICANN

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Findings
SSAC Internal Processes

- Little formality
  - Members added/removed by Board acting on recommendations by SSAC Chair
  - No process for filling appointed/leadership positions
  - No process for tasking, work product release, or use of the SSAC brand
  - Process highly dependent on Chair's discretion
  - Best communication channels are informal (particularly Chair)
  - SSAC web site out of date

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Findings

SSAC Internal Processes

- Collegial, consensus-building environment
  - Disagreements resolved through discussion, informal majority
  - Conflicts of interest and confidentiality not addressed overtly

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Recommendations

Overview

- Maintain SSAC as a distinct Advisory Committee to the fiduciary Board
  - Support Board's fiduciary role
  - Provide valuable work products to the Community
- Increase formality
  - Sustainable through leadership turnover
  - "Sunlight is the best disinfectant" re: conflicts
  - Protect the valuable SSAC brand
  - Provide a wide range of advice/opinions
 - Protect the "defensibility" of SSAC output

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Recommendations

Overview

- Clarify controversial aspects of Charter
  - "Independence" from ICANN
  - ICANN operational audit
  - Watchdog function
- SSAC annual planning process
  - Publish annual syllabus of planned activities
  - Improve internal and external coordination
  - Allocate resources for projects
  - Potentially create project workgroups supported with temporary agreements / access to data

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Recommendations

Maintain SSAC as a Board Advisory Committee
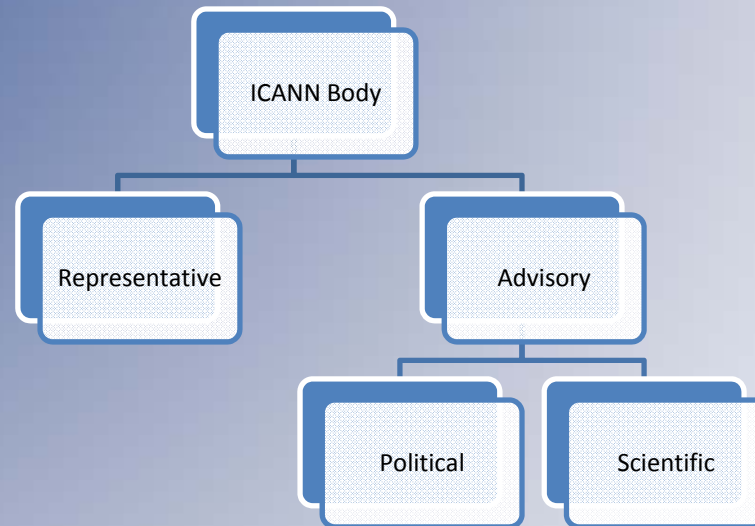
- Board Level Bodies are not to be taken lightly
- SSAC provides valuable scientific advice on an issue central to ICANN's Mission

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Recommendations

Maintain SSAC as a Board Advisory Committee

- Security and Stability are central to what ICANN is and what ICANN does
- SSAC provides expert advice not otherwise available to the Board and to the Community
- Respected source of apolitical scientific analysis
- Alternatives analyzed and dismissed
  - Disband SSAC
  - Move SSAC to Management
  - Combine SSAC and RSSAC

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Recommendations

Increase Formality

- Address Conflicts and Confidentiality overtly
  - Publish default confidentiality policy
  - Publish conflict disclosures for SSAC members
  - Include Dissents/Recusals in every work product
- Preserve SSAC brand
  - Formal votes prior to public release of work products
  - Control SSAC brand use in presentations, etc

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Recommendations

Increase Formality

- Process transparency
  - Membership appointments/performance/removal
  - Meeting agendas and minutes
  - Defensible when challenged
- Maintain appropriate rules given size
  - Achievable quorum
  - Support (not hinder) transparency
  - Trade-off between size, available expertise/time/talent, and process overhead

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Recommendations

Increase Formality

- Separate Chair and Liaison Role
  - Currently not required to be distinct individuals
  - Role of Chair and Liaison different
  - Best advice given through informal relationships
  - Be sensitive to volunteer workload

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Recommendations

Clarify Charter

- Dual role requires delicate balance
  - Advising the Board
  - Advising the Public
  - What happens when these conflict?
  - Direction and communication paths are critical
- Not the right body to audit ICANN operations
  - Within Board's Duty of Care to audit management
  - Must be completed with the accountability of contracts, timelines, etc.

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Recommendations

Clarify Charter

- SSAC cannot be a "watchdog"
  - Inappropriate for a Board Advisory Committee
  - Taints perceived quality of advice
  - Undermines valuable relationships with Board and Management
  - Existing processes in place for dispute resolution
  - Duplicates efforts of truly external "watchdogs"
  - SSAC Members are (of course) free to act in their individual capacities

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Recommendations
SSAC Annual Plan

- Improve coordination with
  - ICANN Board, SOs, ACs, Management and Staff
  - IETF, IAB, DNS-OARC, etc.
- Published syllabus increases transparency
- Opens discussion about resourcing specific projects with dollars, headcount, data, etc.
- Reduce ongoing planning overhead
- Increase accountability

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Next Draft (so far)

- More discussion about SSAC's role in ICANN
    - The "null hypothesis"
- Increased clarity around sample sizes and methodology
- Better presentation of quantitative data
- Suggested language for SSAC Charter revisions
- More discussion about annual planning process/syllabus

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Discussion

Comments by 15 March 2009

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