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**To:** <JPAMidTermReview@ntia.doc.gov>  
**Date:** Tue, Feb 12, 2008 1:15 AM  
**Subject:** Comments on Notice of Inquiry re ICANN and the JPA

I would like to respond to the Notice of Inquiry on the issue of the continuation of the JPA between the U.S. Department of Commerce and ICANN.

I do not pretend to be an expert on either the details of the JPA or on what ICANN has accomplished in recent years. I was present at the birth of ICANN, and from 1999-2003 I attended a few of its meetings. More recently, during the last three years, I have been Chair of its Nominating Committee and have observed more intensively the ICANN community, its meetings, its goals, its accomplishments, and its problems. In addition, I have just finished attending a public forum at the ICANN meeting in New Delhi devoted to ICANN and the JPA.

There is no doubt in my mind that ICANN has matured significantly in the 10 years of its existence. Born in controversy in part due to the very unfortunate and untimely death of John Postel, it has managed in most cases to achieve positions of relative equilibrium among opposing forces and competitive groups. Its original charter with respect to public participation was, I think, inappropriate and unrealistic, yet the organization has managed to fashion one of its components, the ALAC, into something beginning to resemble the original goal in this area.

I admit to not having read thoroughly the voluminous material submitted by ICANN to make their case that they have satisfied all aspects of the JPA. From observation, I can attest that they have made very significant improvements in their processes and in their attempts to be transparent to the community. Because of the early emphasis on transparency, I suspect that ICANN is more transparent than 95% of similar organizations. I have occasionally felt that ICANN has bent over backwards for transparency more than it should have, possibly at the expense of effectiveness in its work.

ICANN is also perhaps the first significant organization at an international level that can truly be called multi-stakeholder, well before the term emerged as a descriptor for WSIS summits and its various derivative organizations. Further, it recognized very early that a multi-stakeholder organization was absolutely required for long term success, and it took the initiative to define and implement such a structure. In general, it has taken great pains to insure that the relevant stakeholders are both heard from and included in their deliberations.

The above reflections are not meant to imply that I am totally satisfied with ICANN as an organization. I suspect that all of us in the Internet community have our differences with the organization, and we would all like to see changes made. However, that is probably the case with most of the organizations with which people are affiliated.



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NOTE: We will move on April 1, 2008 to:

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