January 5, 2015

Ms. Carole Cornell
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Ms. Cornell:

On behalf of the Center for Data Innovation (www.datainnovation.org), I am pleased to submit these comments in response to the request for public comment on the Draft Five-Year Operating Plan of the Internet Corporation for Assigned Names and Numbers (ICANN).[i] The Center for Data Innovation is a non-profit, non-partisan, Washington, D.C.-based think tank focusing on the impact of the increased use of information on the economy and society. In addition, the Center formulates and promotes pragmatic public policies designed to enable data-driven innovation in the public and private sectors, create new economic opportunities, and improve quality of life. The Center is affiliated with the Information Technology and Innovation Foundation.

The purpose of the Five-Year Operating Plan is to establish and identify goals, key performance indicators, and potential risks associated with implementing ICANN's Strategic Plan. A key priority in ICANN's "Strategic Plan for fiscal years 2016-2020" is to ensure the openness and transparency of the organization.[ii] This commitment is explicitly stated multiple times, including in the following statements:

- "ICANN strives to be a proficient, responsive and respected steward of the public interest through **its commitment to public accountability, openness, and effective cooperation and collaboration.**" (Strategic Plan, p. 2, emphasis added)

- "In performing its mission, **ICANN is guided by core values enumerated in its Bylaws, including** diversity, fairness, integrity, creativeness, effectiveness, responsiveness, and **transparency.**" (Strategic Plan, p. 5, emphasis added)

One important step that ICANN should take to operationalize these commitments to openness and transparency in its Five-Year Operating Plan is to establish an open data policy and develop an open data action plan. In addition, it should develop an open data portal to provide convenient and accessible access to key data sets.

"Open data" refers to data that is made freely available without restrictions, ideally in an electronic, non-proprietary, machine-readable format.[iii] By releasing open data, organizations can foster transparency about operations and budgets, encourage accountability and good governance, enhance cooperation and coordination among stakeholders, and fight corruption. Open data has become a global best practice among many organizations. The growing movement to adopt open data includes governments (e.g. United States, United Kingdom, Japan, France, Russia, etc.) and non-governmental organizations (e.g. the World Bank, United

Nations, etc.).[iv] Open data commitments build upon existing freedom of information policies by establishing "open by default" rules for organizations. Developing an open data action plan for ICANN, would allow stakeholders the ability to prioritize high-value data sets for release, ensure data sets are released in a timely and complete manner, and ensure machine-readability so that data sets can be analyzed and visualized. All of these efforts would help improve the transparency of ICANN operations and bring ICANN's transparency efforts in line with other leading global organizations.

Open data should be incorporated into the Five-Year Operating Plan in a number of ways.

1. ICANN's first strategic objective is: "Evolve and further globalize ICANN." A key success factor of strategic goal 1.3 ("Evolve policy development and governance processes, structures and meetings to be more accountable, inclusive, efficient, effective, and responsive") is listed as: "**Decision-making is seen as open, transparent,** inclusive and legitimate" (Strategic Plan, p. 10, emphasis added). ICANN should develop an open data portal to improve access to its key data sets. This would support the dependency of "ensuring that improved tools and mechanisms reach and can be accessed by our global stakeholders" (Operating Plan, p. 12). The timeliness of data releases could then be added as a key performance indicator for this goal.

2. ICANN's second strategic objective is: "Support a healthy, stable, and resilient unique identifier ecosystem." A key success factor of strategic goal 2.3 ("Support the evolution of domain name marketplace to be robust, stable and trusted") is listed as: "Credible and respected industry that is compliant with its responsibilities as demonstrated by **open, transparent, and accountable systems, policies, and procedures implemented using best practices**" (Strategic Plan, p. 14, emphasis added). Here again, ICANN should adopt open data best practices to ensure that its efforts here are "open, transparent, and accountable." By publishing key data sets about domain name marketplace operations, ICANN can promote trust and stability.

3. ICANN's fourth strategic objective is: "Promote ICANN's role and multistakeholder approach." As part of this objective, ICANN has stated "we pledge open, transparent communication" (Strategic Plan, p. 19). ICANN should set a timeline for developing and adopting an open data policy in its Five-Year Operating Plan to make good on its pledge for this strategic objective.

4. ICANN's fifth strategic objective is: "Develop and implement a global public interest framework bounded by ICANN's mission." A key success factor of strategic goal 5.2 is "**Promote ethics, transparency and accountability** across the ICANN community" (Strategic Plan, p. 26, emphasis added). Once again, a clear commitment to open data would move ICANN in the right direction towards realizing this goal. Notably, ICANN's strategic plan recognizes the potential harm to its fundamental legitimacy and authority if the organization fails to fully embrace transparency. The two strategic risks associated with this goal are "harm to ICANN legitimacy due to failure to comply with accountability and transparency processes" and "failure to achieve international agreement on the evolution of the accountability and transparency obligations." Establishing an open data policy, action plan, and portal would help more thoroughly embed the values of openness and transparency within

ICANN's culture and enable stakeholders and the broader Internet community greater insight into ICANN activities.

5. All of the key performance indicators that are part of the ICANN Five-Year Operating Plan should be published as open data. Publishing these metrics would allow the community greater insight into ICANN's performance, promote accountability, and allow stakeholders to build tools to analyze and visualize ICANN performance.

In short, the ICANN community would benefit greatly from ICANN committing itself to open data, and such a commitment would bring its transparency and openness efforts in line with many other leading global organizations. Thank you for considering these recommendations.

Sincerely,

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[i] ICANN Draft Five-Year Operating Plan, ICANN, n.d. https://www.icann.org/public-comments/proposed-opplan-budget-2016-2020-2014-11-11-en.
[ii] "ICANN Strategic Plan for fiscal years 2016 – 2020," ICANN, n.d., https://www.icann.org/en/system/files/files/strategic-plan-2016-2020-10oct14-en.pdf.
[iii] For more on open data, see Laura Drees and Daniel Castro, "State Open Data Policies and Portals," Center for Data Innovation, August 18, 2014, http://www.datainnovation.org/2014/08/state-open-data-policies-and-portals/.
[iv] See, for example, the G8 Open Data Charter available at: https://www.gov.uk/government/publications/open-data-charter/g8-open-data-charter-and-technical-annex.