

**Final Report  
Customer Standing Committee  
Effectiveness Review**

**4 March 2019**

Prepared by the Customer Standing Committee Effectiveness Review Team

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## **Executive Summary**

The Customer Standing Committee (CSC) was established on 1 October 2016. It performs the operational oversight previously performed by the United States Department of Commerce's National Telecommunications and Information Administration as it relates to the monitoring of the performance of the Internet Assigned Names Authority (IANA) naming functions. The mission of the CSC is to ensure continued satisfactory performance of the IANA functions for the direct customers of the naming services.

In accordance with Section 17 of the ICANN Bylaws and the CSC Charter, the effectiveness of the CSC is to be reviewed two years after its first meeting, using a method determined by the ccNSO and GNSO. In September 2018, the ccNSO and GNSO Councils adopted a Template for the Effectiveness Review and appointed two representatives of their respective SOs to conduct the review (hereafter referred to as the Effectiveness Review Team or RT).

In conducting the review, the RT recognized the findings contained in the Final Report of the CSC Charter Review that indicate that the CSC has been effective in performing its mission; and meeting the obligations of the Charter through the development of operating procedures and other documents to support their operations. The RT sought not to duplicate elements of the CSC Charter Review and used the findings as a baseline for the effectiveness review.

Consistent with the findings of the CSC Charter Review, the RT found that the CSC is operating effectively. The RT identified 14 metrics to measure the effectiveness of the CSC: nine of which were achieved; three were considered not applicable because circumstances had not yet arisen to test the effectiveness; one was partially achieved; and one was not achieved. The RT believes that those metrics not achieved are easily remedied and have recommended actions to be taken by the CSC to address the issues.

Similar to the CSC Charter Review, the RT believes that much of the CSC's effectiveness is primarily related to the caliber of the inaugural CSC members and liaisons. It is evident that in large part this is a cohesive team that has worked well together to establish the necessary processes and procedures to conduct their work and the RT is concerned that as new members and liaisons join the team this cohesion may be lost and the effectiveness of the CSC may deteriorate. To mitigate this potential risk, the RT has recommended that a skills assessment be conducted and shared with the appointing organisations ahead of selection processes and that all new members undergo an induction program to be developed by the CSC.

## 1. Introduction

The Customer Standing Committee (CSC) was established as one of the post IANA Transition entities and conducted its first meeting on 6 October 2016. It performs the operational oversight previously performed by the U.S. Department of Commerce's National Telecommunications and Information Administration as it relates to the monitoring of the performance of the IANA naming functions, currently performed by Public Technical Identifiers (PTI) under contract with ICANN. The CSC's mission is to ensure continued satisfactory performance of the IANA naming function for the direct customers of the naming services.

According to Section 17.3(b) of the ICANN Bylaws and reflected in the CSC Charter:

(b) The effectiveness of the CSC shall be reviewed two years after the first meeting of the CSC; and then every three years thereafter. The method of review will be determined by the ccNSO and GNSO and the findings of the review will be published on the Website.

In May 2018, Debbie Monahan, Martin Boyle, Philippe Fouquart and Donna Austin (the team) were appointed by the ccNSO and GNSO Councils to determine the method for conducting the Effectiveness Review. They were also asked to conduct an analysis of the requirements of the IANA Naming Function Review and the CSC Effectiveness Review with a view to creating synergies and avoiding overlap between these two efforts.

The team concluded that the most practical and efficient path forward was for the ccNSO and GNSO to each appoint two members to conduct the CSC Effectiveness Review to consider the effectiveness of the CSC in performing its responsibilities as outlined in the CSC Charter and that the findings of the Review, as adopted by both the GNSO and ccNSO Councils, will become an input to the IANA Naming Function Review.

This conclusion was reached on the basis that the recently concluded CSC Charter Review had established that the CSC was working well and was non-controversial; the Final Report of the CSC Charter Review provided a good platform from which to conduct a review of the CSC's effectiveness; and that the primary purpose of the IANA Naming Function Review is to review the performance of PTI in performing the IANA Naming Function and therefore is not likely to spend too much time reviewing the effectiveness of the CSC.

The team developed a Template for the Effectiveness Review that was adopted by the ccNSO and GNSO Councils in September 2018, and is included as ANNEX A of this report. The team were subsequently appointed by their respective groups to serve as the CSC Effectiveness Review Team (hereafter referred to as RT). In addition, the CSC appointed a liaison to the RT. The RT was supported by ICANN staff and expert advisors from PTI and ICANN Org assisted the work of this group by providing necessary factual background and information. The list of members, liaison, and expert advisors is included in ANNEX B.

An email list and wiki space were created for the RT: <https://community.icann.org/display/ER>

## **2. Purpose, Scope and Method of the Review**

### **Purpose**

To consider the effectiveness of the CSC in carrying out its mission as defined in its charter.

### **Scope of the Review**

The scope of the review was restricted to measuring the effectiveness of the CSC against requirements in the CSC Charter.

### **Out of Scope of the review**

According to the Template if, in the course of the review, the RT identifies issues that are out of scope of the CSC Effectiveness Review, but which it considers relevant for the proper functioning of the CSC, it will inform the ccNSO and GNSO Councils. To date no issues have surfaced.

### **Method of Review**

The CSC Charter, or other potentially relevant documentation, does not specify how to measure, “effectiveness”. However, the Charter of the CSC does define the mission of the CSC and identifies how the CSC should work. In addition, the Charter places certain requirements on the membership of the CSC and sets requirements for reporting to the community.

The RT developed a structured methodology to assess effectiveness based on its analysis of the template to conduct the review. In the process the RT identified performance indicators and related metrics to underpin the effectiveness review. These indicators and metrics reflect the CSC’s mission and scope of responsibilities and the RT has examined the work of the CSC based on how these requirements for oversight and reporting have been achieved. Using this outcome-based assessment, The RT believes it has developed an objective, verifiable and light weight method to review the effectiveness of the CSC, which could serve as a ‘template’ for any future effectiveness review.

More detailed information regarding the methodology is provided in Annex A.

In order to inform the assessment of the CSC’s effectiveness, the RT met with representatives from the CSC, PTI and ICANN org, and reviewed documentation available on the CSC website and the Final Report of the CSC Charter Review. Notes from these consultations and meetings of the RT are available on the CSC Charter RT wiki: <https://community.icann.org/display/CRT>

To seek feed-back and input from the broader community the RT had its Initial Report published for public comments (<https://www.icann.org/public-comments/csc-effectiveness-initial-2019-01-16-en>), from 16 January 2019 until 25 February 2019. The summary of public comments is included (ANNEX E). Based on the comments received, no changes were needed except a refinement of Recommendation 2 of the Initial Report.

#### 4. Summary of Effectiveness RT Findings

	Metric	Assessment	Outcome
1.	CSC monitors the performance of the IANA naming function against agreed service level targets on a regular basis	<p>The CSC conducts monthly meetings to assess the performance of the IANA naming function against agreed Service Levels (SLAs)<sup>1</sup>. These meetings provide an opportunity for the CSC to discuss the monthly reports provided to them by the IANA Team and gain an understanding of reasons why agreed service level targets may not have been met and whether any action is required to address any identified problems.</p> <p>Written reports are distributed widely within the community, including the ccNSO and GNSO, and are also made available on the CSC wiki  <a href="https://www.icann.org/en/csc/reports">https://www.icann.org/en/csc/reports</a></p> <p>The CSC has developed and published a CSC Practices document that details the manner that they consider issues, how they conduct meetings and report to the community.  <a href="https://www.icann.org/en/system/files/files/guideline-csc-practices-24mar17-en.pdf">https://www.icann.org/en/system/files/files/guideline-csc-practices-24mar17-en.pdf</a></p>	Achieved
2.	CSC analyses monthly reports provided by PTI and publishes their findings		
3.	CSC follows up where required on any performance issues identified and agrees on a plan for resolution with PTI and ICANN	<p>The CSC discusses with PTI any incidents where the PTI monthly report identifies that SLAs are not being met. To date there have been no cases where further action has been deemed necessary</p> <p>All meetings are recorded along with their notes. The recordings and notes are posted on the CSC webpage under “Past meetings” (<a href="https://www.icann.org/csc">https://www.icann.org/csc</a>)</p>	Achieved
4.	Where appropriate, the CSC requests a review or change of a service level agreement.	The CSC is establishing a process to review and propose amendments to SLAs based on its assessment of PTI’s monthly reports. This includes the ability to recommend the creation of new SLAs where applicable. Once established, operational minor changes to SLAs can be made according to the new procedures.	Achieved

<sup>1</sup> The RT notes that over time different terms have been used to refer to the agreed Service Levels, for example Service levels Expectations, Service Levels Agreements or “SLAs”. For avoidance of doubt the RT will use the term “SLAs” to refer to the agreed Service Levels, which are currently referenced in section 4.4.(a) of the current version of the IANA Naming Function Contract (dated 30 September 2016), as Contractor (“PTI”) shall perform the IANA Naming Function in a stable and secure manner and in accordance with the SOW. Further, according to the SOW (Annex A to the Contract), Contractor (“PTI”) shall perform the Services in accordance with the following “Service Levels”. However, after the envisioned amendment of the IANA Naming Function Contract refer to “Contractor will perform all services relating to Root Zone Management in accordance with the requirements and “Service Levels” specified at [link to icann.org page] (the “SLAs”), as such [services and] SLAs may be amended from time to time in accordance with the procedures specified at [link to icann.org page].”

	Metric	Assessment	Outcome
5.	Where appropriate the CSC undertakes remedial action to address poor performance in accordance with the Remedial Action Procedures	<p>The CSC has not encountered any incidents that have required it to initiate any form of remedial action. The CSC reviewed and revised the Remedial Action Procedures (RAP) as required in the initial CSC Charter, and the RAP now forms part of the amended Charter that was approved by the ccNSO and GNSO Councils on 27 June 2018. <a href="https://www.icann.org/en/system/files/files/csc-charter-amended-27jun18-en.pdf">https://www.icann.org/en/system/files/files/csc-charter-amended-27jun18-en.pdf</a></p> <p><u>Remedial Action Procedures</u>  <a href="https://www.icann.org/en/system/files/files/csc-remedial-action-procedures-03mar18-en.pdf">https://www.icann.org/en/system/files/files/csc-remedial-action-procedures-03mar18-en.pdf</a></p>	N/A
6.	When appropriate remedial action by the CSC has not resolved the poor performance, CSC is authorised to escalate the performance issues to the ccNSO and GNSO for consideration	To date the CSC has not needed to escalate performance issues to the ccNSO and GNSO. However, the Review Team does note that the CSC has developed a good working relationship with PTI and believes that this relationship will be important in the event remedial action of this nature is considered necessary in the future.	N/A
7.	CSC has an effective process for tracking complaints that have been escalated to PTI Management (Escalations), and CSC Members can be directly informed of individual complaints by email.	<p>According to its Charter, the "... CSC may receive complaints from individual registry operators regarding the performance of the IANA Naming Function; however, the CSC will not become involved in a direct dispute between any registry operator and the IANA Functions Operator.</p> <p>The CSC will review individual complaints with a view to identifying whether there are any patterns of poor performance by the IANA Functions Operator in responding to complaints of a similar nature..."</p> <p>The CSC has interpreted this that, although they could receive complaints, it may not become involved in their resolution. The CSC is only to be informed so that they might determine whether there are any patterns or persistent behaviors.</p> <p>The CSC deals with complaints by requesting that PTI report to it on any 'escalations' (effectively formal complaints that have not been immediately resolved) that it receives.</p> <p>How the CSC deals with a complaint it directly receives is currently not documented. It is recommended that this be remedied by publishing a procedure on the CSC webpage, explaining the role of the CSC, along with an email address. In the event that individual members or liaisons of the CSC receive individual complaints, they should</p>	Partially achieved

	Metric	Assessment	Outcome
		<p>encourage those making the complaint to do so by using the email address.</p> <p>The CSC Webpage includes a link to the general Customer IANA Service Complaint Resolution Process.</p>	
8.	CSC will at least annually conduct a consultation with PTI and ICANN, the primary customers of the naming services and the ICANN community about the performance of PTI	<p>PTI asks customers to rate their satisfaction with transactions and reports the results annually. The CSC provides input and feed-back and evaluates the results of the survey with PTI. To avoid survey fatigue the CSC does not conduct its own survey.</p> <p>The CSC members regularly provide updates to the ccNSO and RySG at ICANN meetings, and invite comments. In addition, the CSC prepares and presents an annual review of its activities and of its assessment of PTI's overall performance, and presents it to the ccNSO, RySG and others at public ICANN meetings, and invites comments from these communities.</p>	Achieved
9.	CSC, in consultation with the registry operators, is authorised to discuss with ICANN and PTI ways to enhance the provision of IANA's operational services	CSC and PTI have discussed enhancements to the provision of IANA services, specifically with the addition of monitoring IDN table publication and changes to the reporting.	Achieved
10.	Where ICANN and PTI have been responsible for implementing recommended changes to operational services or the Service Level Agreements, the CSC is confident that has been completed appropriately	Changes to the SLAs have not been completed, but the data collection to inform the recommended changes has commenced. The changes to monitoring IDN Table publication have become part of the regular publications of PTI.	Achieved
11.	CSC is providing a liaison to the IANA Functions Review Team	The IANA Functions Review Team liaison has been appointed.	Achieved
12.	CSC is providing a liaison to a Separation Cross Community Working Group	N/A	N/A
13.	Meeting attendance of CSC members	All appointees must attend a minimum of nine meetings in a one year period, and must not be absent for more than two consecutive meetings (see Annex C: Charter CSC, section Terms). According to attendance sheets,	Achieved



	Metric	Assessment	Outcome
		( <a href="https://community.icann.org/display/CSC/Attendance">https://community.icann.org/display/CSC/Attendance</a> ) all 4 members of the CSC have met the attendance requirement. The CSC Practices developed by the CSC states that a "... CSC meeting shall be quorate if the 4 (four) Members are present at the meeting.	
14.	Meeting attendance of CSC liaisons excluding PTI Liaison	All appointees must attend a minimum of nine meetings in a one year period, and must not be absent for more than two consecutive meetings (see Annex C: Charter CSC, section Terms). According to the attendance sheets ( <a href="https://community.icann.org/display/CSC/Attendance">https://community.icann.org/display/CSC/Attendance</a> ), not all liaisons attend regularly and do not meet the required minimum number of meetings. In accordance with the Charter, the Chair of the CSC is advised to inform the appointing organisation and / or request a replacement. It is unclear if the appointing organisations are aware of the low attendance rates. They are advised to check the attendance sheet regularly and to consider what they expect from their liaisons.	Not achieved

**5. Conclusions and recommendations**

Based on its assessment, the RT has concluded that the CSC is operating effectively. Of the 14 metrics identified: 9 were achieved, 3 considered not applicable, 1 partially achieved and 1 not achieved.

The RT found that the CSC partially achieved Metric 7 - having a documented process in place on how the CSC intends to deal with individual complaints. In order to address this, the RT recommends that the CSC documents and publishes the procedure for how the CSC intends to deal with complaints they receive from individual PTI customers.

The RT found that the CSC did not achieve Metric 14 - the meeting attendance requirement of liaisons. In order to address this, the RT recommends that the CSC informs the appointing organisations about attendance at meetings by their appointed members and liaisons on a regular basis. In circumstances where a member or liaison of the CSC is not meeting the minimum attendance requirement, the Chair of the CSC should formally notify the appointing organization. In addition the RT recommends that appointing organisations consider what they expect from their appointee, both in terms of being active on the CSC and reporting, and use the means provided in the charter to ensure their expectations will be met.

The RT is of the view that the current high level of effectiveness of the CSC is primarily due to the commitment, knowledge and expertise of the people appointed to the inaugural CSC. Looking forward, the RT is concerned that the effectiveness of the CSC could be compromised if appointing organisations are not able to select suitable candidates in the future. To mitigate this potential risk, the RT

recommends that the CSC develop an overview of the skills and expertise required on the CSC, and map the skills of current members and liaisons against the required skill set to inform future selection processes of the appointing organisations. The appointing organisations, in particular the ccNSO and RySG, are advised to carefully consider candidates against the full set of skills and expertise needed on the CSC to ensure the CSC remains successful and effective in the longer term. The RT also recommends that the CSC develop an induction program for all new members and liaisons to ensure continuity and the continued effectiveness of the CSC.

Recommendation 1: The CSC is to document and publish the procedure for how the CSC intends to deal with complaints they receive from individual PTI customers.

Recommendation 2: The CSC provides appointing organisations with attendance records on a regular basis, at least every year in the month May, and where minimum attendance requirements are not being met, the Chair of the CSC formally notifies the appointing organisation.

Recommendation 3: The CSC develop an overview of the skills and expertise required on the CSC, and map the skills of current members and liaisons against the required skill set to inform the selection process of the appointing organisations.

Recommendation 4: The CSC develops an induction program that new members and liaisons are required to undertake.

## **Annex A — CSC EFFECTIVENESS REVIEW TEMPLATE**

### **1. Context**

The ICANN Bylaws and CSC Charter require that the "... effectiveness of the CSC will initially be reviewed two years after the first meeting of the CSC; and then every three years thereafter. The method of review will be determined by the ccNSO and GNSO.

The CSC was established in accordance with Article 17 of the ICANN Bylaws and conducted its first meeting on 6 October 2016.

In order to meet the timeline for the first review of the CSC Effectiveness Review, the ccNSO and GNSO Councils have each appointed two representatives to conduct the review (CSC Review Team).

### **2. Intent of the Review**

The first CSC Effectiveness Review is intended to consider the effectiveness of the CSC in carrying out its mission as defined in its charter.

### **3. Measures of CSC Effectiveness**

- a. The CSC Charter requires that "the effectiveness of the CSC will initially be reviewed two years after the first meeting of the CSC; and then every three years thereafter. The method of review will be determined by the ccNSO and GNSO." The Charter does not specify what it means by, or how to measure, "effectiveness."
- b. The mission of the CSC is defined in the Charter as:
  - i. to ensure continued satisfactory performance of the IANA function for the direct customers of the naming services; and that this:
  - ii. will be achieved through regular monitoring by the CSC of the performance of the IANA naming function against agreed service level targets and through mechanisms to engage with the IANA Functions Operator to remedy identified areas of concern.
- c. The Scope of Responsibilities in the Charter identifies how the CSC should work:
  - i. The CSC is authorized to monitor the performance of the IANA naming function against agreed service level targets on a regular basis.
  - ii. The CSC will analyze reports provided by the IANA Functions Operator on a monthly basis and publish their findings.
  - iii. Where performance issues have been identified, the CSC will work with the IANA Functions Operator to understand the reasons for the failure and agree a plan for resolution.
  - iv. Either the CSC or the IANA Functions Operator can request a review or change to service level/s, including the removal of existing service

levels or the inclusion of new service levels. The procedures will have to be commensurate with the type of the service level change being proposed. Informing the registry operators about proposed changes shall always be required; however, the type of service level change will determine whether it is necessary to conduct a community-wide consultation.

- v. The CSC is authorized to undertake remedial action to address poor performance in accordance with the Remedial Action Procedures, which have been developed and agreed by the CSC and the IANA Functions Operator post-transition.
- vi. In the event performance issues are not remedied to the satisfaction of the CSC, despite good-faith attempts to do so, the CSC is authorized to escalate the performance issues to the ccNSO and GNSO for consideration.
- vii. The CSC may receive complaints from individual registry operators regarding the performance of the IANA Naming Function; however, the CSC will not become involved in a direct dispute between any registry operator and IANA.
- viii. The CSC will review individual complaints with a view to identifying any patterns of poor performance by the IANA Functions Operator in responding to complaints of a similar nature. In relation to problem resolution, if CSC determines that remedial action has been exhausted and has not led to necessary improvements, the CSC is authorized to escalate to the PTI Board and further if necessary.
- ix. The CSC will, on an annual basis or as needs demand, conduct a consultation with the IANA Functions Operator, the primary customers of the naming services, and the ICANN community about the performance of the IANA Functions Operator.
- x. The CSC, in consultation with registry operators, is authorized to discuss with the IANA Functions Operator ways to enhance the provision of IANA's operational services to meet changing technological environments; as a means to address performance issues; or other unforeseen circumstances. In the event it is agreed that a material change in IANA naming services or operations would be beneficial, the CSC reserves the right to call for a community consultation and independent validation, to be convened by the IANA Functions Operator, on the proposed change. Any recommended change must be approved by the ccNSO and RySG.
- xi. The IANA Functions Operator would be responsible for implementing any recommended changes and must ensure that sufficient testing is undertaken to ensure smooth transition and no disruption to service levels.
- xii. The CSC will provide a liaison to the IANA Function Review Team and a liaison to any Separation Cross Community Working Group.

**4. Effectiveness can also be measured against these requirements.**

- a. the Charter places certain requirements on members of, and liaisons to, the CSC and sets requirements for reporting to the community:
  - i. The CSC should be kept small and comprise representatives with direct experience and knowledge of IANA naming functions;
  - ii. Minimum membership and openness to liaisons;
  - iii. Election of the Chair;
  - iv. primary and secondary points of contact to facilitate formal lines of communication between the CSC and the IANA Functions Operator;
  - v. Meeting frequency and publication of meeting record;
  - vi. Regular CSC updates to the direct customers of the IANA naming function.
- b. In working as a committee, the CSC has needed to define its working methods and in particular to assess how to work with the IFO. This includes defining with the IFO the framework for remedial action and amending Service Level Expectations and establishing a framework for regular reporting to the community.

#### **5. Method of assessing effectiveness**

- a. In its nearly two years of operation, the CSC has regularly monitored the performance of IANA. These monthly reports of the CSC together with the related monthly reports from PTI, provide a useful framework for assessing the effectiveness of the CSC in developing its relationship with PTI, keeping the direct customers informed of PTI performance and in ensuring that the wider community is also aware of how the PTI is meeting its obligations.
- b. In assessing the effectiveness of the CSC in performing its role(s), the Review Team will develop and use relevant performance indicators and related metrics reflecting the measures of effectiveness listed in section 3 above. The Review Team will draw on the recently concluded CSC Charter Review that reported a good degree of confidence from the customers and from wider community interaction that the CSC is performing effectively.
- c. Given the above, the proposed way for carrying out the Effectiveness Review is to use Section 3 and 4 to identify how to assess the obligations on the CSC. Assessment of publicly available documents and CSC reports should allow the review to assess how effectively the CSC has performed during its formative stages.
- d. Further consideration will be given to whether and how to consult with the registries and the other communities which have nominated liaisons to the CSC about awareness about the CSC's work.

#### **6. Out of Scope of the review**

If, in the process of the review, the CSC Effectiveness Review Team is made aware of issues that are out of scope of the CSC Effectiveness Review but considered relevant for the proper functioning of the CSC, it will inform the ccNSO and GNSO Councils accordingly.

## **7. CSC Effectiveness Review Team**

In accordance with internal processes, the ccNSO Council has appointed two members to the CSC Review Team, namely: [Debbie Monahan and Martin Boyle]

In accordance with internal processes, the GNSO Council has appointed two members to the CSC Review Team, namely: [Donna Austin and Philippe Fouquart]

The CSC has appointed [Elaine Pruis] as their Liaison to the Review Team.

## **8. Proposed Review Process**

The role of the CSC Effectiveness Review Team is to:

1. Conduct a review of the CSC Effectiveness in accordance with the elements identified above. The review will include an analysis of clarifying documents developed during the implementation phase of the CSC, drafting of ICANN's bylaws only if considered to be relevant by the Review Team.
2. Conduct interviews with the CSC and the PTI to determine whether the CSC is fit for purpose and effective and whether measures should be taken to enhance the effectiveness of the CSC from their perspective.
3. Conduct a public session at ICANN 63 (October 2018) that is intended to provide an opportunity for the community to provide input to the process.
4. Produce a Report on the outcome of the review. This report should also include suggested recommendations, if any, to improve the effectiveness of the CSC. The Report will be submitted to the ccNSO and GNSO Councils for adoption post ICANN 63, and recommended to the IANA Function Review Team for their consideration.

## **9. Proposed Review Schedule**

*Adoption Template for review (September 2018) and appointment Review team*

- September 2018: Propose terms of template for review to ccNSO and GNSO Councils to seek support and determine the method of the CSC Effectiveness Review and appoint the Review Team

*Preparatory consultation with CSC and PTI (September – October 2018)*

- Informal consultations September 2018

*Consultation and review (October 2018)*

- 1 October 2018 kick-off review
- Public Consultation (open session) including interview CSC and PTI at ICANN 63
- Consultation with direct customers (ccTLD, gTLD operators, others) at ICANN 63

*Report on findings & recommendations, if any (November 2018 – December 2018)*

- Preparation draft report, including recommendations, if any, by December 2018.

*Finalization and closure (December 2018 – January 2019)*

- Publication and submission Final Report to ccNSO and GNSO Councils for adoption according to their own rules and procedures (December 2018- January 2019).
- Following the adoption of the report by the ccNSO and GNSO Councils, the review team mandate ends.
- Submission adopted Final Report to IFRT (jointly by ccNSO and GNSO Councils)

## **Annex B – Membership CSC Effectiveness Review Team**

### **Members**

Donna Austin - GNSO appointed

Martin Boyle - ccNSO appointed

Debbie Monahan - ccNSO appointed

Philippe Fouquart - GNSO appointed

### **Liaison**

Elaine Pruis – CSC appointed

### **Expert Advisors**

Kim Davies – PTI

Trang Nguyen – ICANN Org

### **Support Staff**

Marika Konings

Maria Otones

Bart Boswinkel

Steve Chan



## **ANNEX C - CSC Charter adopted June 2018**

### **Charter of the Customer Standing Committee (CSC)**

#### **Mission**

The Customer Standing Committee (CSC) has been established to perform the operational oversight previously performed by the U.S. Department of Commerce's National Telecommunications and Information Administration (NTIA) as it relates to the monitoring of performance of the IANA naming function. This transfer of responsibilities took effect on October 1, 2016.

The mission of the CSC is to ensure continued satisfactory performance of the IANA function for the direct customers of the naming services. The direct customers of the naming services are top-level domain registry operators, but also include root server operators and other non-root zone functions.

The mission will be achieved through regular monitoring by the CSC of the performance of the IANA naming function against agreed service levels and through mechanisms to engage with the IANA Functions Operator to remedy identified areas of concern, including but not limited to the Remedial Action Procedures.

The CSC is not authorized to initiate a change in the IANA Functions Operator via a Special IANA Function Review, but could escalate a failure to correct an identified deficiency to the ccNSO and GNSO Councils, who might then decide to take further action using agreed consultation and escalation processes, which may include a Special IANA Function Review.

The CSC will be the primary interface between the IANA Naming Functions Operator, currently PTI, and its customers. Should PTI cease to be the IANA Naming Functions Operator, there should be an obligation on successor operators to work with the CSC to ensure satisfactory performance of the IANA naming functions.

#### **Scope of Responsibilities**

The CSC monitors the performance of the IANA naming function against agreed service levels on a monthly basis.

The CSC will analyze reports provided by the IANA Functions Operator and publish their findings on a monthly basis.

Where performance issues have been identified, the CSC will work with the IANA Functions Operator to understand the reasons for the failure and agree a plan for resolution.

The CSC or the IANA Functions Operator can request a review or change to service level/s.

The CSC, in consultation with the IANA Functions Operator, will develop procedures for changing service level/s including the removal of existing service levels or the inclusion of new service levels. These procedures will be commensurate with the type of the service level change being proposed. Informing the registry operators about proposed changes shall always be required; however, the type of service level change will determine whether it is

necessary to conduct a community-wide consultation. The procedures may be updated from time to time and will only become effective after publication of the process on the CSC webpage, and after informing the ccNSO Council and RySG, the direct customers.

The CSC is authorized to undertake remedial action to address performance issues in accordance with the Remedial Action Procedures (RAP) published on the CSC website. The RAP may be updated from time to time in accordance with the change mechanism foreseen in the RAP.

Should a new IANA Functions Operator be appointed, for example through the recommendations from the Special IANA Naming Function Review Team<sup>2</sup>, the ccNSO and GNSO Councils will require the CSC to review and revise the RAP as necessary with the new operator.

In the event performance issues are not remedied to the satisfaction of the CSC, despite good-faith attempts to do so, and following the agreed escalation processes contained in the RAP, the CSC is authorized to escalate the performance issues to the ccNSO and GNSO Councils for consideration.

The CSC may receive complaints from individual registry operators regarding the performance of the IANA Naming Function; however, the CSC will not become involved in a direct dispute between any registry operator and the IANA Functions Operator.

The CSC will review individual complaints with a view to identifying whether there are any patterns of poor performance by the IANA Functions Operator in responding to complaints of a similar nature. The CSC may invoke the RAP if necessary to resolve performance issues that may be systemic or persistent.

The CSC will, as need demands, conduct consultations with the IANA Functions Operator, meet with the direct customers of the naming services, and the ICANN community about the performance of the IANA Functions Operator.

The CSC, in consultation with registry operators, is authorized to discuss with the IANA Functions Operator ways to enhance the provision of IANA's operational services for any of the following reasons:

- to meet changing technological environments;
- as a means to address performance issues; or
- other unforeseen circumstances.

In the event it is agreed that a material change in IANA naming services or operations would be beneficial, the CSC reserves the right to call for a community consultation and independent validation, to be convened by the IANA Functions Operator, on the proposed change. Any recommended change that does not require a change to the IANA Naming Function Contract must be approved by the ccNSO Council and RySG

The IANA Functions Operator would be responsible for implementing any recommended changes and must ensure that sufficient testing is undertaken to ensure smooth transition and no disruption to service levels.

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<sup>2</sup> See Section 18.12 ICANN Bylaws

The CSC will provide a liaison to the CSC Charter Review Team, the CSC Effectiveness Review Team, the IANA Function Review Team and to any Separation Cross Community Working Group.

### **Conflict of Interest**

The ICANN Bylaws make clear that it must apply policies consistently, neutrally, objectively and fairly, without singling any party out for discriminatory treatment; which would require transparent fairness in its dispute resolution processes. Members of the CSC should accordingly disclose any conflicts of interest with a specific complaint or issue under review. The CSC may exclude from the discussion of a specific complaint or issue any member deemed by the majority of CSC members and liaisons to have a conflict of interest.

### **Membership Composition**

The CSC should be kept small and comprise representatives with direct experience and knowledge of IANA naming functions. At a minimum the CSC will comprise:

- Two individuals representing gTLD Registry Operators appointed by the Registries Stakeholder Group
- Two individuals representing ccTLD Registry Operators appointed by the ccNSO
- One liaison from the IANA Functions Operator (PTI).

An individual representing a TLD that is not considered to be a ccTLD or gTLD registry, for example from the Internet Architecture Board for .ARPA, may also be included as a member of the CSC. The individual would seek appointment by either the ccNSO or GNSO Council.

Liaisons can also be appointed from the following organizations; however, providing a Liaison is not mandatory for any group:

- One liaison each from other ICANN SOs and ACs:
  - GNSO (non-registry)
  - ALAC
  - NRO (or ASO)
  - GAC
  - RSSAC
  - SSAC

Liaisons shall not be members of or entitled to vote on the CSC, but otherwise liaisons shall be entitled to participate on equal footing with members of the CSC.

The Chair of the CSC will be elected on an annual basis by the CSC. Ideally the Chair will be a direct customer of the IANA naming function and cannot be the IANA Functions Operator Liaison.

The CSC and the IANA Functions Operator will nominate primary and secondary points of contact to facilitate formal lines of communication.

The CSC as a whole will decide who will serve as the Liaison to the IANA Function

Review Team. Preference should be given to the Liaison being a registry representative given that technical expertise is anticipated to be valuable in the role.

### **Membership Selection Process**

Members and Liaisons to the CSC will be appointed by their respective communities in accordance with internal processes. However, all candidates will be required to submit an Expression of Interest that includes a response addressing the following matters:

- Why they are interested in becoming involved in the CSC.
- What particular skills they would bring to the CSC.
- Their knowledge of the IANA Functions.
- Their understanding of the purpose of the CSC.
- That they understand the time necessary required to participate in the CSC and can commit to this role.

Interested candidates should also include a resume or curriculum vitae or biography in support of their Expression of Interest.

While the ccTLD and gTLD members will be appointed by the ccNSO and RySG respectively and liaisons by their applicable groups, ccTLD or gTLD registry operators that are not members of these groups will be eligible to participate in the CSC as members or liaisons. The ccNSO Council and RySG should consult prior to finalizing their selections with a view to providing a slate of members and liaisons that has, to the extent possible, diversity in terms of geography and skill set.

A representative for a TLD registry operator not associated with a ccTLD or gTLD registry, will be required to submit an Expression of Interest to either the ccNSO and GNSO Councils. The Expression of Interest must include a letter of support from the registry operator. This provision is intended to ensure orderly formal arrangements and is not intended to imply those other registries are subordinate to either the ccNSO or the GNSO.

The full membership of the CSC must be approved by the ccNSO and the GNSO Councils. While it will not be the role of the ccNSO and GNSO to question the validity of any recommended appointments to the CSC, in approving the full slate the ccNSO and GNSO Councils will take into account the overall composition of the proposed CSC in terms of geographic diversity and skill sets.

### **Terms**

CSC appointments, regardless of whether members or liaisons, will be for a two-year period with the option to renew for up to two additional two-year terms. The intention is to stagger appointments to provide for continuity and knowledge retention.

To facilitate this, at least half of the inaugural CSC appointees will be appointed for an initial term of three years. Subsequent terms will be for two years.

CSC appointees must attend a minimum of nine meetings in a one-year period and must not

be absent for more than two consecutive meetings. Failure to meet this requirement may result in the Chair of the CSC requesting a replacement from the respective organization.

A vacancy on the CSC shall be deemed to exist in the case of the death, resignation, or removal of a CSC member or liaison. This vacancy shall be filled by the appointing organization or advisory committee for the unexpired term.

### **Changing circumstances of appointed CSC member**

In the event that a member appointed to the CSC by either the ccNSO or RySG has a change in circumstances that may affect the basis upon which the member was appointed to the CSC, they are required to notify their appointing organization of their changing circumstances. If the member is willing to remain a member of the CSC, they will be required to seek re-confirmation of their appointment. The appointing organization will be responsible for considering the request in accordance with internal procedures.

The appointing organization will be responsible for notifying the Chair of the CSC of its decision and should also notify the other appointing organization.

In the event that the appointing organization is not willing to re-confirm the appointment, the member will be required to resign from the CSC and the appointing organization will be required to fill the vacancy as soon as possible. A temporary replacement may be appointed while attempts are made to fill the vacancy.

If a member wishes to resign from the CSC because of a change in circumstances, or for any other reason, they must notify their appointing organization.

Any new appointment will need to be approved by both the ccNSO Council and the RySG. The GNSO Council should be notified of any new appointment.

### **Recall of members or liaisons**

Any CSC appointee can be recalled at the discretion of their appointing community.

In the event that a ccTLD or gTLD registry representative is recalled, a temporary replacement may be appointed by the designating group while attempts are made to fill the vacancy. As the CSC meets on a monthly basis, best efforts should be made to fill a vacancy within one month of the recall date.

The CSC may also request the recall of a member of the CSC in the event they have not met the minimum attendance requirements. The appointing community will be responsible for finding a suitable replacement.

### **Meetings**

The CSC shall meet at least once every month via teleconference at a time and date agreed upon by members of the CSC.

The CSC will provide regular updates, at least twice per year, to the direct customers of the

IANA naming function. These updates may be provided to the RySG and the ccNSO during ICANN meetings.

To allow the CSC to carry out the work identified above and, in particular, to help develop a cooperative relationship with the IANA Functions Operator, the CSC is also required to meet with the Board of the IANA Functions Operator at least twice a year. These meetings should, wherever possible, be held at ICANN meetings.

The CSC will also consider requests from other groups, including the ICANN Board and ICANN org, to provide updates regarding the IANA Functions Operator's performance.

### **Record of Proceedings**

Minutes of all CSC teleconferences will be made public within five business days of the meeting.

In the event that the CSC invokes the RAP, it will be required to inform the RySG, ccNSO and GNSO Councils and provide regular status updates.

Information sessions conducted during ICANN meetings will be open and posting of transcripts and presentations will be done in accordance with ICANN's meeting requirements.

### **Secretariat**

ICANN will provide secretariat support for the CSC and will also be expected to provide and facilitate remote participation in all meetings of the CSC.

### **Review**

The Charter may be reviewed at the request of the CSC, ccNSO Council, RySG or GNSO Council or in connection with an IANA Function Review. The review will be conducted by a committee of representatives from the ccNSO and the RySG in accordance with a method determined by the ccNSO Council and RySG. Each review is to include the opportunity for input from other ICANN stakeholders, via a Public Comment process. Any recommended changes are to be ratified by the ccNSO and the GNSO Councils.

The effectiveness of the CSC will initially be reviewed two years after the first meeting of the CSC; and then every three years thereafter. The method of review will be determined by the ccNSO and GNSO.

## **Annex D Process and Schedule**

The RT had initial discussions and interviews with representatives from the CSC, PTI and ICANN Org in September and October 2018.

In October 2018, during ICANN63, members of the RT also had discussions with the ccNSO and GNSO/RySG, representing the direct customers of the naming services, and held an open consultation.

In December 2018, the RT consulted the CSC about its initial findings.

Notes from these consultations and meetings of the RT are available on the CSC Charter RT wikispace: <https://community.icann.org/display/CRT>

As a result of these consultations, the RT prepared its Initial Report for public consultation.

The public consultation run from 16 January 2019 until 25 February 2019.

The RT submits its Final Report to the ccNSO and GNSO Councils for adoption and next steps

**ANNEX E Summary Public comments**

<b>TITLE: Initial Report on CSC Effectiveness</b>																			
<b>Publication Date:</b>	4 March 2019																		
<b>Prepared By:</b>	Bart Boswinkel																		
<table border="1"> <thead> <tr> <th colspan="2"><b>Public Comment Proceeding</b></th> </tr> </thead> <tbody> <tr> <td>Open Date:</td> <td>16 January 2019</td> </tr> <tr> <td>Close Date:</td> <td>25 February 2019</td> </tr> <tr> <td>Staff Report Due Date:</td> <td>4 March 2019</td> </tr> </tbody> </table>		<b>Public Comment Proceeding</b>		Open Date:	16 January 2019	Close Date:	25 February 2019	Staff Report Due Date:	4 March 2019	<table border="1"> <thead> <tr> <th colspan="2"><b>Important Information Links</b></th> </tr> </thead> <tbody> <tr> <td colspan="2">Announcement</td> </tr> <tr> <td colspan="2">Public Comment Proceeding</td> </tr> <tr> <td colspan="2">View Comments Submitted</td> </tr> </tbody> </table>		<b>Important Information Links</b>		Announcement		Public Comment Proceeding		View Comments Submitted	
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<b>Staff Contact:</b>	Bart Boswinkel	<b>Email:</b>																	
<b>Section I: General Overview and Next Steps</b>																			
<p>The Customer Standing Committee (CSC) Effectiveness Review Team (ERT) seeks comments on its Initial Report, particularly its findings and recommendations. The Effectiveness Review is required under Article 17 of the ICANN Bylaws and the Charter of the CSC, two years after the first meeting of the CSC (October 2016).</p> <p>Taking into account public comments received, the ERT will finalise its report for consideration and adoption by the Country Code Names Supporting Organization (ccNSO) and Generic Names Supporting Organization (GNSO) Councils.</p>																			
<b>Section II: Contributors</b>																			



*At the time this report was prepared, a total of three (3) community submissions, and none by individuals have been posted to the forum. The contributing organizations/groups, are listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the foregoing narrative (Section III), such citations will reference the contributor's initials.*

Organizations and Groups:

<b>Name</b>	<b>Submitted by</b>	<b>Initials</b>
Internet Service Providers and Connectivity Providers	Phillippe Fouquart	ISPCS
Country Code Names Supporting Organisation Council	Katrina Sataki	ccNSO Council
Registries Stakeholder Group	Samantha Demetriou	RySG
Business Constituency	Steve DelBianco	BC
Non – Commercial Stakeholder Group	Rafik Dammak	NCSG

**Section III: Summary of Comments**

*General Disclaimer: This section intends to summarize broadly and comprehensively the comments submitted to this public comment proceeding but does not address every specific position stated by each contributor. The preparer recommends that readers interested in specific aspects of any of the summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).*

**General Comments**

The ISPCP Support findings and recommendations of the ERT. It supports that Report is to be considered input into IANA Naming Function review (IFR). The ISPCP considers the “*IFR as an important milestone post IANA transition ICANN*”.

The ccNSO Council is pleased that CSC Effectiveness Review re-confirms and has validated that the CSC is performing its mission effectively.

The ccNSO Council commends the ERT with method of review and believes it has produced a solid and verifiable review effectively and efficiently.

The Registries Stakeholder Group (RYSG) expressed appreciation of work of the ERT, in particular the effort to design the template and process. The RySG further support the Findings and Recommendations contained in the Initial Report

According to the Business Constituency that the technical nature of the work and technical capabilities of the members are well-matched and the smooth operation of the CSC suggests the members appointing organisations have each chosen well.

The NSCG expressed its support for the conclusions and four recommendations contained in the Initial Report.

### **Specific Comments**

The ccNSO Council shares and highlights the concern of the ERT on the need and importance of ensuring high quality membership of the CSC. The Council supports that CSC develops a required skill and expertise matrix to inform the selection of new members and liaisons by the appointing organisations (Recommendation 3 of the report)

The ccNSO Council also highlights its support for recommendation 2, the suggestion that the Chair informs the appointing organisations on attendance of the appointed members and liaisons. More specifically the Chair of the CSC should inform the appointing organisations at least once a year, preferably in May, before the annual selection process starts.

The Business Constituency supports the need to clarify the role of the CSC with respect to how it will handle a complaint from an individual customer. They note that arm's length between oversight and complaint function should be maintained, but any fix is on the CSC to implement.

With respect to mandatory meeting attendance the Business Constituency is of the view that lack of attendance is detrimental to the community's full appreciation and understanding of the work of the CSC. Effectively the liaisons are the link CSC and the appointing community and the ability to present the work of the CSC accurately and fairly to their appointing group.

### **Section IV: Analysis of Comments**

*General Disclaimer: This section intends to provide an analysis and evaluation of the comments submitted along with explanations regarding the basis for any recommendations provided within the analysis.*

Based on the comments received, the Review Team does not see a compelling reason to adjust the Initial Report, with exception of refining recommendation 2 to take into account the comment from the ccNSO Council.