Governance Principles for the Root Server System

September 2023

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Acronyms

RSO(s) root server operator(s)
RSS   root server system
RSS GS root server system governance structure

1. Separation and balance of powers

1.10 | Financial integrity and self-determination

The entity that collects funds for RSS support is not necessarily the entity that defines the rules for disbursement of those same funds. It is critical to avoid capture or the perception of capture as a result of loss of control over financial decisions.

1.20 | An RSO has no authority to publish an altered or alternative root zone

An RSO must only publish from its designated root server identities IANA root-related data exactly as received from IANA through the Root Zone Maintainer.

Interpretation Notes
- Publishing "outdated" or "expired" zone data might violate this principle after sufficient time has elapsed.
- Whether or not this principle is violated may depend upon the intention of the RSO in maintaining such an outdated data set.
- On some occasions, for example, root servers have continued to publish outdated data to maintain service when root zone updates have been interrupted.
- Also consider the ZoneMD process which authorizes RSOs to ignore updates when authenticity is unproven.

1.30 | Prescriptive authority is distinct from executive authority

The act of developing policy (prescriptive authority) should be distinct and separate from the acts of implementing and enforcing policy (executive authority).

Interpretation Note
- This principle is not meant to serve as an absolute bar on persons who are involved with one function from having a role in the other. The relatively small size of the RSS community will require a certain degree of pragmatism in application.

1.40 | RSS policy arises through collaboration between RSO and non-RSO stakeholders

To maintain and continue to build trust in the RSS:
1. Non-RSO stakeholders must have a voice in RSS governance.
2. RSOs must continue to have a voice in RSS governance.

- See RSSAC058 Section 1.2, The Role of RSOs in DNS Root Service Governance and Operation.

1.50 | Policy development: No single controlling person or entity

The process of developing RSS policy must not fall under the control of a single actor, whether through sole control by an entity, or by multiple persons or entities acting under a common system of control.

Interpretation Notes

- 1.50 can be distinguished from 1.90.
  - 1.50 is an effort to avoid "capture" of the policy development institution.
  - 1.90 is an effort to avoid someone who participates in the governance structure from "hijacking" an agenda that otherwise enjoys support.

1.60 | Accountability

Maintaining and building trust in the RSS GS requires that adherence to these principles will be subject to some form of confirmation and review.

Interpretation Notes

- At time of implementing this principle, it will be important to identify who performs the confirmation and review.

1.70 | Transparency

Maintaining and building trust in the RSS GS requires that exercise of enumerated powers should be open and transparent.

1.80 | Flexibility

To accommodate changes driven by technical necessity, it must remain possible to change the RSS GS itself.

Interpretation Notes

- Who has the power to make the change?
- The precise mechanism of changing the RSS GS (i.e., amending the governance documents) is to be determined.

1.90 | No unilateral veto

No decision-making threshold within the RSS GS shall require unanimity. Unanimity requirements are generally a hindrance to good governance and promote the ability for any single voice or entity to stall or block progress. Decision-making thresholds based on majority, super- or supra-majority thresholds remain available.

Interpretation Notes

- 1.90 can be distinguished from 1.50.
  - 1.50 is an effort to avoid "capture" of the policy development institution.
  - 1.90 is an effort to avoid someone who participates in the governance structure from "hijacking" an agenda that otherwise enjoys support.

1.100 | Divergent viewpoints are welcome

Divergent viewpoints will be encouraged during policy development.

1.100.4 | Divergent viewpoints will be published

All viewpoints on proposed or approved policies will be published.

Interpretation Notes

- This principle does not interfere with the normal process of creating or publishing minutes and recordings.
- With respect to formal statements of policy, the onus should be on the person with a divergent view to produce a statement of their view for publication if they wish it to be included.
- Publication of divergent viewpoints is an option available to those who hold such views and not a mandate for those holding such views that requires them to publish their diverging views.

1.101 | There must be a deterministic method of concluding debate within the RSS GS

The RSS GS must have rules for concluding debate and making decisions

Interpretation Notes

- There must be a predictable method of declaring that debate has concluded and the time has arrived to make a decision.
- It may be possible to achieve this principle by adopting a well known system of managing debate, such as Robert's Rules of Order, or by adopting a formal definition of "consensus" as a regulating mechanism.

1.110 | Direct participation of RSOs in RSS GS

RSS GS procedures for both developing and implementing policy must enable direct participation of all RSOs that choose to participate.

Interpretation Notes

- Governance decisions must take place in a context where each RSO has the right to participate directly in the decision.
- This principle does not serve as a mandate for RSOs to participate in such decisions, provided that this may influence the ability to achieve a quorum, etc.

1.210 | Survivability

The design of the RSS GS must make it capable of defending itself against attacks that would otherwise destabilize it.

Interpretation Notes

- In building the RSS GS and the RSS, risks should be identified and mitigation measures implemented to support both the RSS GS and the RSS against legal process attacks by bad faith actors.

1.220 | [Identification of stakeholder communities to participate in the RSS GS]

TBD

2. Designation and removal of RSOs

2.10 | Maintain and enhance trust in the RSS

The decision-making framework used to establish the number and identities of RSOs must preserve and enhance trust in the RSS.

Interpretation Notes

- The "number" of RSOs refers to a range (minimum and maximum) number of RSOs.
- "Identities" of RSOs refers to the identities of the entities operating as an RSO - not the root identifier.

2.11 | Maintain and enhance trust in RSS performance

The decision-making framework used to establish the number and identities of RSOs must preserve and demonstrate competence, consistency, commitment, and care for the RSS.

Interpretation Notes

- The "number" of RSOs refers to a range (minimum and maximum) number of RSOs.
- "Identities" of RSOs refers to the identities of the entities operating as an RSO - not the root identifier.

2.20 | Move cautiously

Changes to the composition and identity of the RSOs must be undertaken with caution. Extreme or rapid change to identities or numbers of RSOs creates unnecessary operational risk and is to be avoided.

Interpretation Notes

- See, for example, RSSAC058 Success Criteria A.7.3, designation or removal will require, at minimum, approval by a supermajority of RSOs.

2.30 | RSS service mission is global and universal in scope

The RSS is a service provided to the world on an open basis without discrimination.

Interpretation Notes

- Making a service available on an open basis without discrimination means, among other things, making it available to queries that originate from anywhere in the world.

2.31 | RSO service mission is global and universal in scope

Each RSO holds a position of global trust, and each RSO must maintain a service that is globally available.

Interpretation Notes

- Making a service available on an open basis without discrimination means, among other things, making it available to queries that originate from anywhere in the world.

2.40 | Criteria objectivity and transparency

Decisions about designation and removal of RSOs must be based on criteria that are both objective and transparent.

Interpretation Notes

- Designation and removal are two different processes that require different standards.
- Flexibility remains important in this context, understanding that these criteria may evolve over time.

2.41 | Impartiality of decision-making

Decisions about designation and removal of RSOs must be made in a manner that is impartial.

Interpretation Notes

- See also principle 2.80 that designation and removal are conceptualized as different procedures

2.60 | Technical necessity

The total number of RSO designations (or the range of acceptable number of designations) must be based solely on objective technical necessity.

- This principle does not alter the need to preserve and promote RSO organizational diversity as discussed in RSSAC058 Success Criteria A.2.1.2.
- This principle limits any increase in the number of RSOs to circumstances where such increase is technically necessary.
- Reducing the number of RSO designations should be limited to circumstances where the reduction is necessary to mitigate an identified harm.
- Increasing number of RSO designations should be limited to circumstances where the increase is necessary to make positive improvements to the RSS.

2.70 | Due diligence on candidate RSOs

The RSS GS must conduct appropriate due diligence to assess the technological and non-technological characteristics of a candidate RSO and to assure the RSS stakeholders that the candidate RSO complies with adopted designation criteria.

Interpretation Notes

- See also RSSAC024 concerning technical characteristics of RSOs.

2.80 | Differentiate treatment of designation and removal of RSOs

Decisions on designation of an RSO are different from decisions on removal of an RSO and should be subject to different frameworks.

2.85 | RSS is a public good

The RSS is a public good intended to be non-exploitative and supplied free of charge at the point of consumption by downstream clients.

2.89 | RSO designations can only be granted through the proper RSS GS processes

TBD

2.90 | RSO designations are not for sale by the RSS GS

The RSS GS may not appropriate existing or future RSOs with the intention of monetary benefit or attainment of influence.

Interpretation Notes

- This principle will need to be implemented in a manner that takes account of RSSAC058 Success Criteria A.2.4.3, increasing number of RSOs, and A.3.6, financial consequences of RSO creation/revocation/transfer.
- Designations shall not be subject to auction or any similar process
- In this context, "public good" means "a commodity or service that is provided without profit to all members of a society, either by the government or a private individual or organization."

2.90.1 | Cost neutral designation process

The designation process shall be operated on a cost neutral basis. Total charges assessed for applications shall not exceed total costs of assessment.

Interpretation Notes

- Application fees (if any) must not become a hidden form of finance over and above reasonable costs of assessing applications

2.90.2 | TBD

In the event of equal applicants, the RSS GS needs to choose the applicant that best enriches the RSS.

2.91 | Changes in control of operations of an RSO's root service provision are subject to review by the RSS GS

The RSS GS shall retain the ability to consider each entity proposed to take over RSO operations and assess whether continued designation or revocation is the appropriate path after a change in control.

Interpretation Notes

- This principle will need to be implemented in a manner that takes account of RSSAC058 Success Criteria A.2.4.1, transferability, and A.3.6, financial consequences of RSO creation/revocation/transfer.
- The term "control" in this principle is to be interpreted as that term is typically used in technology contracting.
- The term "control" in this principle is not limited to technical controls and must be assessed in the context of both governance and technical controls.
- If an RSO subcontracts operations then this does not constitute a "change of control" so long as the RSO maintains governance control and responsibility for operating the root server.

2.100 | Funds received from RSO designation are dedicated to the RSS

If the RSS GS receives funds in the process of assessing and granting a new RSO designation, such funds must be placed at the disposal of the RSS GS and used to benefit the RSS.

Interpretation Notes

- The principle is intended to limit the risk of negative incentives to make extravagant charges for designation that might otherwise be dedicated to non-RSS purposes or fall under the control of persons other than the RSS GS.
- All funds received by the RSS GS for the process of making or changing designations must be solely used for that purpose on a not for profit cost recovery basis.

2.210 | Voluntary resignation

Each RSO should have a path available that enables it to voluntarily resign its designation as an RSO in a controlled manner.

Interpretation Notes

- Avoid situations where too many RSOs can resign too quickly.
- The onus is on the RSS GS to manage the resignation process.
- Candidate RSOs must have a plan for this in much the same way that they are expected to have incident response plans and related management in place.

3. Finances

3.10 | Financial stability: governance

Operating a trusted and stable RSS GS requires sufficient recurring, predictable, appropriate, and transparent sources of finance.

Interpretation Notes

- Support over time does not preclude other measures to make funding useful to the RSS and RSS GS.
- This principle is addressed only to the question of funding the RSS GS.

3.20 | Financial stability: operations

Operating a trusted and stable RSS requires sufficient recurring, predictable, appropriate, and transparent sources of finance for RSOs.

Interpretation Notes

- The transparency element should not be read to impose obligations to reveal confidential customer lists, etc.
- It is sufficient for RSOs to describe the nature of funding sources.
- More than the minimum number of RSOs must be fully funded for operation for more than a few years into the future.
- A reserve should be available to ensure stable operation of the RSOs receiving funding if the primary source of funding goes away.

3.30 | RSS governance is a not-for-profit activity

The focus of the RSS GS must be the sole purpose of assuring the proper functioning of the RSS. Therefore, the RSS GS should be run in the public interest, and any revenue in excess of costs should not accrue to the private benefit of individual stakeholders or entities.

3.40 | Operating an RSO is a not-for-profit activity

Each RSO is expected to operate its root service in support of the RSS without the purpose or intention of making a profit from said service.

Interpretation Notes

- This principle applies only to the business process of operating a root server.
- The principle does not restrict the RSO from profit-making activity outside the scope of operating a root server.

3.50 | No data commercialization

An RSO shall not monetize data collected while operating its root service.

Interpretation Notes

- This principle does not distract from the need for each RSO to disclose operational data (as appropriate) to the RSS GS in support of security, stability, and resilience goals.
- This principle does not prohibit the recovery of costs incurred in collecting and presenting data for bona fide research purposes approved by the RSS GS.
- Any sharing/transferring of data could raise data protection issues that will need to be considered (both in light of the RSS GS operator as well as ICANN and the other RSOs) and should be addressed during implementation.

3.60 | Financial accountability: RSS GS

The RSS GS must be accountable to the funding sources for funds provided to it.

3.61 | Financial accountability: RSOs

For the purpose of demonstrating accountability to the funders of the RSS GS, each RSO must be accountable to the RSS GS for funds provided to it by the RSS GS.

Interpretation Notes

- In order to demonstrate accountability to the RSS GS and the RSS GS to funders, the reporting from the RSS GS and the reporting that the RSS GS will require from RSOs receiving funds need to be defined.
- The intention is that the RSS GS itself becomes the entity with primary responsibility to assure accountability to those who provide funds for operations.
- In turn, RSOs are accountable to the RSS GS with respect to such funds that are received from the RSS GS.
- The RSS GS itself will be a forum used to drive accountability.
- Careful consideration must be given to enforcement mechanisms when it comes time to implement this principle.

3.69 | Financial transparency: RSS GS

The RSS GS must be transparent regarding all use of finances. This is a crucial element of building and maintaining trust with the broader community of RSS stakeholders.

- Funding requests will be vetted by the RSS GS prior to the request being addressed.
- Vetting will include a test for fit and proper person.
- "Transparency" includes an obligation for the RSS GS to publish a statement of its finances.

3.80 | Financial self-determination

Decision-making concerning funds raised or disbursed by the RSS GS, should rest within the RSS GS itself.

Interpretation Notes

- This principle does not apply to funds raised directly by RSOs outside the scope of RSS GS involvement.
- Development of policy regarding the use of funds raised or disbursed by the RSS GS, should rest within the RSS GS, subject to appropriate RSS GS policy recommendation approval processes.
- This principle will need to be implemented in accordance with laws such as accounting and tax laws, to the extent that these are applicable.

3.89 | Entities providing funding to the RSS GS are subject to due diligence

The RSS GS will conduct due diligence over entities committing ongoing funding for the RSS GS.

Interpretation Notes

- This due diligence requirement applies only to funding provided to or through the RSS GS itself and does not apply to the RSOs individually.

3.90 | Stakeholder communities that are committed to provide funds to the RSS GS should have representation in the RSS GS.

Any system that includes regular funding obligations by a community of RSS stakeholders to the RSS GS must also include a mechanism to represent that community in RSS GS funding policy.

- This principle is intended to apply only to communities (not individual entities) who are obliged to provide funding for the RSS. It is not intended to apply to those who are voluntary or individual contributors.
- This principle is not intended to create a situation where external funders can buy seats at the governance table.
- This principle states a non-exclusive requirement that communities obligated to provide funding should have some appropriate degree of representation (not exclusive representation).

3.100 | Funding commitment: RSS GS

There must be a system of ongoing commitment to provide financial support for the RSS GS.

3.101 | Funding commitment: RSS operations

There must be a system of ongoing commitment to provide financial support for RSS operations.

3.110 | RSOs remain free to seek external sources of funding

RSOs remain free to raise funds as they see fit to support RSO service activity.

3.510 | RSO funding requests and allocation decisions

Funding from the RSS GS should be available to the RSS. Each RSO can request funding support, and those requests will be assessed on a fair, impartial, and objective basis.

Interpretation Notes

- The RSS GS should not be allowed to become a single point of financial failure for the RSS.

Evolution of Governance Principles for the RSS

- [Discussion Matrix (June–August 2023)](#)
- Results of Questionnaires (May 2023)
    - [Separation and balance of powers in the RSS GS](#)
    - [Designation and removal of RSOs](#)
    - [Finances](#)
    - [Candidate principles](#)
- [Discussion Matrix (April 2023 Workshop)](#)
- [Discussion Matrix (January–March 2023)](#)
- Results of Questionnaires (December 2022–January 2023)
    - [Separation and balance of powers in the RSS GS](#)
    - [Designation and removal of RSOs](#)
    - [Finances](#)
- [Discussion Draft (December 2022 Workshop)](#)
- [Discussion Draft (September–November 2022)](#)