

MARKLE FOUNDATION

Statement On ICANN Studies By Zoë Baird, President of the Markle Foundation

New York, 31 August 2001 - Zoë Baird, President of the Markle Foundation, today released the following statement upon the issuance of the ICANN At Large Study Committee Report and the NGO and Academic ICANN Study:

"The two reports released this week correctly conclude that ICANN can no longer be described as a technical standards setting body that does not make policy decisions. As such, both reports acknowledge the need for ICANN to adequately provide for representation of the public interest if it is to be a legitimate entity deserving of compliance with its decisions, and able to substitute for governmental decision-making.

The Markle Foundation has been supporting the development of a variety of ideas and views to stimulate public debate on how to provide for adequate representation of the public interest of Internet users worldwide within ICANN, particularly those who do not have a commercial interest in the Internet.

We welcome issuance of these reports as contributing to the continuing debate about these issues. The Markle Foundation does not itself take a position on the proposals, but believes that these proposals and others have to be evaluated by the following criteria:

1. Does the proposal reduce the representation of Internet users at large on the ICANN board (thus any reduction in seats representing Internet users would be troubling, and the demographics of domain name holders must be examined if they select users' representatives since available Verisign data indicates that 80% of domain name holders are companies, and in addition that developing countries will be underrepresented);
2. Does the proposal provide for representation of the broad and sometimes conflicting public interests implicated by ICANN decisions in addition to commercial interests (with regard to, for example, the necessary degree of competition to protect the public interest and how to best achieve it, or the appropriate resolution of intellectual property disputes);
3. Does the proposal provide adequate transparency and participation by Internet users in the daily processes of the organization (in a practical manner consistent with the purposes of the organization), and make some effort to equalize resources available for participation, to avoid capture by commercial or regional interests.

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The Markle Foundation was the principal funder of the NAIS study, and of the first ICANN election of At Large Directors. We encourage experimentation with new models of international policy making for the Internet such as ICANN. The Markle Foundation therefore supports efforts to consider how to achieve the critical representation of the public interest in these bodies.

About the Markle Foundation

The Markle Foundation works to realize the potential of emerging communications media and information technology to improve people's lives. The foundation's work focuses on three primary areas: *Policy for a Networked Society*, *Interactive Media for Children*, and *Information Technologies for Better Health*. Many of the *Policy for a Networked Society* activities help to build the capacity to include the public voice in the governance of the Internet.

Markle pursues its goals through a range of activities including analysis, research, public information and the development of innovative media products and services. The Foundation creates and operates many of its own projects, using not only grants but also investments and strategic alliances with non-profits and businesses.

(See <http://www.markle.org> for more information.)