
Public Comment Summary Report

Proposed Updates to the GNSO Operations Procedures

Open for Submissions Date:
Friday, 09 September 2022

Closed for Submissions Date:
Monday, 14 November 2022 (Extended from Monday, 17 October 2022)

Summary Report Due Date:
Monday, 28 November 2022

Category: Governance

Requester: Generic Names Supporting Organization (GNSO)

ICANN org Contact(s): policy-staff@icann.org

Open Proceeding Link:
<https://www.icann.org/en/public-comment/proceeding/updates-to-the-gnso-statement-of-interest-soi-procedures-and-requirements-09-09-2022>

Outcome:
This Public Comment proceeding was initially scheduled to remain open from 9 September 2022 through 17 October 2022. The Public Comment proceeding was extended to 14 November in response to requests for additional time to submit input.

A total of 8 submissions were received. The GNSO Council Committee for Overseeing and Implementing Continuous Improvement (CCOICI) and the GNSO Statement of Interest (SOI) Task Force will review the input received and will consider whether any changes need to be made to its recommendations.

Section 1: What We Received Input On

GNSO Working Group Self-Assessment

At the direction of the GNSO Council, the GNSO Council Committee for Overseeing, and Implementing Continuous Improvement (CCOICI) reviewed the existing GNSO Working Group Self-Assessment (WGSA) survey as well as requirements outlined in the GNSO Operating Procedures. As a result of this review, the CCOICI has proposed several updates to the different documents that related to the WGSA that aim to reflect that:

- Stating objective of WGSA: inform the Chartering Organization of potential issues that might need to be immediately addressed (periodic survey) or for future efforts (closure survey).
- Policy Development Process (PDP) Team charter to state if and when a periodic survey and/or closure is expected to take place to allow the GNSO to customize the cadence of surveys for a project based on the length, structure, and milestones of that PDP.
- Clarity around what will be publicly available and with whom information is shared.
- New/updated questions focused on performance of Working Group (WG) leadership, Council liaison and staff support.

In addition, the CCOICI has recommended:

- A new periodic survey template that would normally be conducted after the publication of the Initial Report (unless charter indicates differently, or Council decides differently), including PDP 3.0 proposed survey questions regarding leadership.
- A set of technical requirements that the survey tool would ideally possess, including functionality that would send a unique link to each WG member, thereby permitting anonymous responses but ensuring that only WG members respond.
- Council leadership, in consultation with liaison to the WG, may decide to modify the survey, if deemed necessary.

The updates proposed as well as new aspects can be reviewed in the [CCOICI's report to the GNSO Council](#).

GNSO Statement of Interest

The CCOICI tasked the GNSO SOI Task Force (TF) to review the current Statement of Interest (SOI) requirements and make recommendations accordingly. Based on its review and the [outreach](#) that the SOI conducted to the community, the TF is recommending that the current SOI is split into two distinct parts, namely a General Statement of Interest, which contains general information about a participant, and an Activity Specific Statement of Interest, which provides information specific to the activity that a participant has requested to participate in. Further details about the TF's recommendations can be found [here](#).

The TF has also made available [a sample form](#) that can be filled out that will allow the community to better appreciate the intent of these recommendations as well as the updated SOI questions. At the end of this form, you are also invited to share your feedback on the proposed updates to the SOI which will be reviewed by the SOI TF together with other input that may be provided through this Public Comment forum.

Miscellaneous Updates

The staff support team also identified a number of miscellaneous updates to the GNSO Operating Procedures such as updating links and references and correcting minor typographical and grammatical errors. These have also been reflected in the [redline version of the GNSO Operating Procedures](#). The changes have also been summarized in [this document](#).

The CCOICI welcomed community input on any aspects of the recommendations in relation to the WGSA as well as the SOI, and specifically the proposed updates to the GNSO Operating Procedures.

Section 2: Submissions

Organizations and Groups:		
Name	Submitted by	Initials
Identity Digital Inc.	Alan Woods	ID
Registrar Stakeholder Group	Owen Smigelski	RrSG
Blacknight	Michele Neylon	BN
At-Large Advisory Committee	ALAC Policy Staff	ALAC
Registries Stakeholder Group	Registries Stakeholder Group	RySG
Public Interest Registry	Elizabeth Bacon	PIR
NIC United Kingdom of Great and Northern Ireland (UKGBNI)	Andrew Hallfamn	UKGBNI

Individuals:		
Name	Affiliation (if provided)	Initials
N/A		

Section 2a: Late Submissions

At its discretion, ICANN org accepted late submissions, which have been appended to this summary report.

Organizations and Groups:

Name	Submitted by	Initials
Non-Commercial Stakeholder Group	Tomslin Samme-Nlar	NCSG

Individuals:

Name	Affiliation (if provided)	Initials
N/A		

Section 3: Summary of Submissions

PIR expresses support for the proposed changes to the GNSO Operating Procedures in relation to the Statement of Interest section but is of the view that these changes do not go far enough. Specifically, PIR notes that “there is no real requirement that individuals disclose the identity of who they represent in ICANN policymaking processes”. PIR proposes that “for there to be meaningful participation in ICANN policy making, participants must disclose the identities of their clients or the employers they represent as a condition to participating, without exception”. They also point to practices in other organizations such as the Organization for Economic Co-operation and Development (OECD), the European Parliament and U.S. Federal requirements which require disclosure of clients. In addition, PIR encourages “the GNSO to consider strong enforcement of the disclosure principle captured in the Activity Specific SOI”. ID, BN and RrSG all indicate their support for the input provided by PIR.

RySG also supports the proposed changes but similarly points out that allowing an exemption if professional ethical obligations prevent from disclosing information requested “essentially neutralizes the requirements of the new, well-crafted Activity Specific SOI”.

NCSG expresses its support for the addition of an Activity Specific Statement of Interest but is of the view that this should only serve as a set of baseline questions, allowing the GNSO Council “to add questions specific to the activities when it sees fit”.

UKGBNI points to the importance of ensuring that “at no stage of [sic] the GNSO’s proposed amendments harm registrants”.

In relation to the WGSA, ALAC requests that an additional option is added to the question relating to Primary Organizational Affiliation, namely that in addition to “At-Large Advisory Committee (ALAC)”, there is also the option to select “At-Large Community”.

In their submissions, the RySG, RrSG and NCSG express their support for the proposed updates in relation to the WGSA.

Section 4: Analysis of Submissions

The CCOICI and GNSO SOI TF are responsible for reviewing and analyzing the input received. The working group is responsible for the review and analysis of submissions, and will be reviewing all submissions via the Public Comment review tools and further deliberations during meetings (see [here](#) for CCOICI and [here](#) for GNSO SOI TF).

Section 5: Next Steps

The CCOICI and GNSO SOI TF will review the input received and update their recommendations as deemed appropriate. Following this review, the recommendations, and proposed updates to the GNSO Operating Procedures will be submitted to the GNSO Council for its consideration.

NCSG Response to Public Comment – Proposed Updates to the GNSO Operating Procedures

The Non-Commercial Stakeholders Group (NCSG) represents the interests of non-commercial users in the formulation of Domain Name System policy within the auspices of the Generic Names Supporting Organisation (GNSO). Since our inception, we have facilitated global academic and civil society engagement in support of ICANN's mission, stimulating an informed citizenry and building their understanding of relevant DNS policy issues while raising awareness of the need for ICANN to comply with applicable privacy and data protection legislation.

GNSO Working Group Self-Assessment

The NCSG strongly supports the updates to GNSO Working Group Self-Assessment (WGSA) by the GNSO Council Committee for Overseeing and Implementing Continuous Improvement (CCOICI). We are hopeful that the proposed modifications will improve the efficiency of WGSA survey while assisting the GNSO Council, in its role as the policy development manager, to monitor and support the Working Groups more effectively.

GNSO Statement of Interest

Regarding the CCOICI's recommendation to separate the current Statement of Interest (SOI) into 2 parts, the NCSG welcomes the addition of an Activity Specific Statement of Interest. By mandating participants to provide information specific to the activities they request to participate in, we believe this will effectively improve the transparency and accountability of GNSO activities.

The NCSG notes that the questions recommended for the Activity Specific Statement of Interest should only serve as baseline questions. It should allow the GNSO Council, when chartering GNSO activities, to add questions specific to the activities when it sees fit.

Miscellaneous Updates

The NCSG supports the proposed updates and thanks the staff support team for its work in identifying and correcting all the inconsistencies and typographical and grammatical errors throughout the GNSO Operating Procedures.