

Country Code Names Supporting Organization

ccNSO Review: Comments on Draft Final Report

14 January 2011

The ccNSO Council welcomes the opportunity to comment on the Draft Final Report of the ccNSO Review Working Group.

As a preliminary observation, the ccNSO Council would like to thank the ccNSO Review Working Group (WG), led by Jean-Jacques Subrenat, for the open, consultative and collaborative spirit with which they undertook the review.

The ccNSO Council believes that the collaboration between ccTLDs and the WG has delivered a Draft Final Report that reflects many changes already underway in the ccNSO, resolves many of the concerns ccTLDs held relating to the earlier work of independent reviewers, and provides a strong framework for the future refinement of the ccNSO's work.

On the substance of the Draft Final Report, the ccNSO Council offers the following comments (in bold) on the specific conclusions of the WG (each of which is, in turn, based on the recommendations formulated by independent reviewers):

Reviewers' Recommendations

1. The ccNSO should consider the adoption of alternative, consensus-based, lighter and faster policy development mechanisms:

a) A comments mechanism would allow the ccNSO to provide a prompt response to a request from ICANN's Board or another Supporting Organisation.

b) A position paper mechanism would allow the ccNSO to elaborate common Statements on relevant ccTLD issues in a way that reflects the general position of the ccTLD community. The fast tracked comment mechanism as with the position paper mechanism would be non-binding to ccNSO members.

WG's Conclusion

*Both recommendations 1 a) and 1 b) are in line with current de facto practices within the ccNSO and essentially require formalization of these practices for clarity and transparency. The WG is in support of taking such steps, noting that guidelines to this effect are already foreseen by the ccNSO. However, as noted in multiple community comments, these are **not** policy development mechanisms and do **not** substitute for PDPs.*

The ccNSO Council welcomes the acknowledgement by the WG that mechanisms for community commentary and engagement differ from, and do not substitute for PDPs. As stated by the WG, the ccNSO is currently developing guidelines to clarify the range of mechanisms it uses to solicit feedback from ccTLDs and contribute to ICANN commentary processes (letters from the ccNSO Council or Chair, draft WG reports, calls-for-comment, teleconference discussions etc), and the circumstances in which each mechanism may be used.

Reviewers' Recommendation

2. Consider the translation into the main UN languages of key documents concerning and produced by the ccNSO (Bylaws, the Rules and Guidelines document, major Policy papers) of a brief summary of ccNSO position paper.

WG's Conclusion

Recognizing that it is an objective within ICANN to have essential documentation available in the main UN languages, the WG views this recommendation in a positive light. However, such an objective cannot be open-ended without regard for the budgetary context and there is a need to carefully consider the costs in relation to the potential benefits for translations in each individual case. Such assessments are best undertaken by the relevant community and the WG leaves this for the ccNSO community's consideration and resolve for each detailed suggestion put forward. The WG also refers to its conclusions regarding the closely related recommendation 3, below. The WG further notes that comments received do not express overall support for recommendation 2. Some call for limiting translations to only core documents and some state that financing of translations should be resolved first, before undertaking any translations.

The ccNSO Council welcomes and supports the WG's conclusion that translation of key documents is desirable, though cannot be considered without budgetary context. The ccNSO will continue to consider the translation of documents, as and when it is considered useful, provided a cost effective methodology can be found.

Reviewers' Recommendation

3. Due to the significant cost of translating documents on a regular basis we suggest that the task of translating all documents related to the ccNSO's activity could be carried by the ccNSO membership itself. This could be facilitated by the setting up of a multilingual wiki (as used by Wikipedia). In this way, the translation of documents would become the responsibility of the linguistic communities themselves, and there need be no limit to the number of languages that documents could be translated into. If such a mechanism were adopted we would also suggest the appointing by the Council of a "linguistic community manager" for each language who would have responsibility to check the accuracy of the translation.

WG's Conclusion

The WG agrees that this voluntary approach could be beneficial for the community and notes that it would not contradict the WG's conclusion for recommendation 2 above. Accordingly, this is an approach that is left for the ccNSO community to decide upon, as and when and to the extent it is considered useful and practical. At the same time, the WG notes that some community comments express doubts about the viability of the proposed approach.

The ccNSO Council welcomes the WG's conclusion and remains open to the general concept of voluntary translation by community members, if and when they are able to offer these services. Consistent with the WG's conclusion, the ccNSO Council restates its view that a more formalised mechanism for voluntary translation would be unworkable and an unreasonable burden on members.

Reviewers' Recommendation

4. The ccNSO staff should regularly engage in outreach activities to enlarge membership / better communication with nonmembers. ICANN should increase resources in order to propose attractive and value-added services for the ccTLD community. These value added services would require a dedicated "online community manager" whose responsibilities it would be to attract new members, especially from underrepresented regions.

WG's Conclusion

The WG agrees with the general objective to strive for ccNSO membership growth and wishes to highlight the outreach role already performed to this end by the ICANN Regional Liaison staff. The WG also agrees with public comments stating that no additional expenditure should be incurred to this end until financial contribution issues have been resolved.

Regarding the point about “attractive and value-added services”, the WG notes that this is a generic expression lacking the needed specificity. The WG is in principle positive to considering new services to attract new members, but only provided any such services are strictly within the mandate of the ccNSO and explicitly requested by the ccNSO membership, as highlighted in public comments.

The ccNSO Council welcomes the WG’s conclusions regarding membership outreach efforts. In particular (as stated in its response to the independent reviewer’s recommendations) the ccNSO is currently discussing the matter of financial contributions and, while the issue is unresolved, the ccNSO Council is uncomfortable with ICANN incurring additional costs related to outreach.

Reviewers’ Recommendation

5. The ccNSO should engage with the GAC and ALAC to determine a joint initiative to boost the membership levels of all the SOs and ACs within ICANN.

WG’s Conclusion

The WG considers that the membership growth objective of this recommendation has merits. However, the WG notes that the rationales for joining or not joining these entities vary, both between the entities and across the potential members.

Accordingly, the WG doubts that an overall joint campaign would be crowned with success. The WG further acknowledges the comments received regarding this recommendation.

The ccNSO Council supports the WG’s conclusion.

The ccNSO Council maintains ongoing dialogue with the other SOs and ACs though does not believe membership is a priority issue in all of these discussions. The ccNSO Council restates its view that interaction with the GAC is a notable exception, and will continue to encourage ccNSO membership by government-operated ccTLDs.

Reviewers’ Recommendation

6. When ccNSO develops a policy which could impact the activity of registrars and registrants, ccNSO should be able to collect their position.

WG’s Conclusion

The WG notes, first of all, that the scope of a global ccNSO policy development is very focused. The WG also notes that extensive opportunities for public comments are provided in line with the ccNSO Policy Development Process. The WG also recognizes public comments highlighting the differences between the roles of the GNSO Registrars and the registrars for ccTLDs.

The ccNSO Council strongly supports the WG’s conclusion and, in addition, notes that there are existing international and local mechanisms for consultation with registrars and registrants on relevant policy issues.

Reviewers’ Recommendation

7. Beyond the ongoing improvement of the website, we recommend the implementation of a collaborative networking tool allowing ccNSO to create subgroups based on thematic, regional, linguistic grounds. Such a tool could include wiki, agenda, project management functions and allow members to update their own contact details within the register of all ccNSO participants. Articulation of this collaborative tool with existing mailing lists has to be studied.

Such a tool would be helpful for the animation of the ccNSO community as well for attracting new members. Animation of such a tool requires “community management” capabilities.

WG’s Conclusion

The WG is in favor of applying a demand-driven approach, where the needs are first identified and agreed by the community before new tools are introduced. Accordingly, the WG recommends that the independent reviewers’ suggestion be considered by the ccNSO community in the light of the community’s evolving needs, as a subsequent potential step once the new website has been established. Such a demand driven step-by-step approach is further justified in light of the public comments received, expressing doubts about overly ambitious plans.

The ccNSO Council strongly supports the WG’s conclusion and, in accordance with the needs of community members, will continue to assess and implement new collaborative tools to augment the recently-improved ccNSO website.

Reviewers’ Recommendation

8. ICANN should provide ccNSO with appropriate “management community” capabilities in order to make the best usage of the collaborative tool.

WG’s Conclusion

The WG supports the recommendation that ICANN should provide such capabilities, subject to ccNSO decisions about implementation of the suggestions in recommendation 7 above. Recommendation 8 presents a subsequent step and the sequence must be respected in the planning. Again, as for recommendation 7, the WG notes that the public comments received for recommendation 8 express reluctance to overly ambitious plans and state the need for cost/benefit analysis.

The ccNSO Council supports the WG’s conclusion and additionally restates that it has no current requirement for further capabilities and resources from ICANN as it is well-served with current resource levels.

Reviewers’ Recommendation

9. Introduce a limit to the number of terms that can be served by ccNSO Council members (item tabled for discussion at ccNSO meeting in Brussels).

WG’s Conclusion

In keeping with the rules of good governance, it is necessary to have a robust succession planning process to ensure that leadership roles are properly filled at all times. With this in mind, the WG recognizes that the ccNSO is currently engaged in such a process, and suggests this should be strongly pursued, since external factors, as well as the constraint of term limits, make succession planning even more important. The WG supports recommendation 9, while noting that public comments indicate that the number of volunteers for service on the ccNSO seems limited by the workload of the Council, and by other mitigating factors. The WG further agrees with those public comments stating that recommendation 9 is dependent upon the implementation of recommendation 10 (see below)

In principle, the ccNSO Council agrees that term limits are an important and popular element of good governance. However, as observed by the WG, recommendation 9 of the independent reviewer is directly related to recommendation 10. The ccNSO Council retains some concerns about the workability of term limits in the ccTLD environment, though would not take a final decision until current efforts to refine roles, responsibilities and succession plans has concluded.

Reviewers’ Recommendation

10. ccNSO should consider clarifying of the respective roles of the Council and the Chair in the ccNSO Rules and guidelines.

WG's Conclusion

The WG recommends that this aspect be considered in conjunction with formalization of procedures according to recommendation 1 above. The WG also notes from public comments that such clarification of roles and responsibilities is both supported and already foreseen by the ccNSO.

The ccNSO Council welcomes this conclusion and, as noted by the WG, the ccNSO Council is currently undertaking a process for clarifying the roles and responsibilities of office-bearers. It is expected this work will be concluded in the coming months.

Reviewers' Recommendation

11. The ICANN Expenditure Analysis by Stakeholder Interest Area represents a major progress in term of understanding the allocation of ICANN budget towards ccTLD and ccNSO operations. In the interests of the members of the ccNSO and the broader ccTLD community, we recommend the institution of a permanent Finance Liaison (a designated member of the Council) whose responsibility will be to act as a go-between with ICANN's Finance Department and to ensure complete transparency regarding this issue and any other budgetary matters linked to the activities of the ccNSO and ccTLDs. The next release of ICANN Expenditure Analysis by Stakeholder Interest Area could be an opportunity to reduce the "perception gap".

WG's Conclusion

The WG considers it is in the interest of the ccNSO to have a thorough grasp of the ICANN budget and budgeting process, insofar as these have an impact on ccNSO matters. The WG also notes that this can be achieved in various ways, and considers it is up to the ccNSO to choose how this can best be achieved. The WG also notes that the ccNSO recently established a standing Financial WG, to fulfill, among others, a liaison function. The WG further notes that this recommendation has received both favorable and critical public comments regarding this recommendation, most of them considering that financial matters lie outside the scope of the ccNSO Review, but some suggesting that they should indeed be included.

The ccNSO Council welcomes this conclusion and, consistent with the established need for ccTLDs to be well-briefed on ICANN's budgetary processes, will continue to review and refine the mechanisms through which it engages and liaises with ICANN's Finance Department.

Reviewers' Recommendation

12. The ccNSO should develop and publish annually a policy road map for the next two three years to act as a strategy document for current and upcoming policy work and as a general marketing tool for information purposes within and outside the ICANN community.

WG's Conclusion

The WG recommends that such a plan be established by the ccNSO as a high-level living document, with flexibility for change and reviewing at least once a year. The WG further notes that the ccNSO has taken steps in this direction and encourages the continuation of this effort. The WG also notes the overall support for this recommendation expressed in public comments, and the stated need for flexibility.

As observed by the WG, the ccNSO is already undertaking the development of strategic and policy documentation, and therefore the ccNSO Council supports the group's conclusion.