# Independent Review of the Generic Names Supporting Organization - Draft Report

# Public Comment Input Template

The Report Summary (Section 1, pages 4-20) offers a brief overview of Westlake’s work and outlines 36 proposed recommendations. Please refer to the specific recommendation and relevant section of the Draft Report for additional details and context about each recommendation.

The purpose of the Public Comment posting is to request community feedback on the Draft Report published by Westlake Governance, the independent examiner appointed by the Structural Improvements Committee of the ICANN Board for the review of the Generic Names Support Organization (GNSO). The Draft Report can be found at [www.icann.org/en/system/files/files/gnso-review-draft-29may15-en.pdf](https://www.icann.org/en/system/files/files/gnso-review-draft-29may15-en.pdf).

The following template has been developed to facilitate input to this Public Comment. Use of the template is not required but is strongly encouraged to ensure that comments are appropriately applied. This template provides the opportunity for general input on the proposal as well as specific comments by section. Please note that there is no obligation to complete all of the sections – commenters may respond to as many or as few as they wish.

Following completion of the template, please save the document and submit it as a pdf attachment to the Public Comment proceeding: [comments-gnso-review-01jun15@icann.org](mailto:comments-gnso-review-01jun15@icann.org). In cases where comments are being submitted on behalf of a group, to facilitate development of group comments, a PDF version of the template is provided for sharing with the group; once the group comments are finalized, please enter them into the template rather than sending them as a Word or PDF file.

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| 1. Please provide your name: | Non-commercial Stakeholders Group |
| 1. Please provide your affiliation: | NCSG |
| 1. Are you providing input on behalf of another entity (e.g. organization, company, government)? | Click here to choose Yes or No. |
| 1. If you answered ‘yes’ to the previous question, please list the entity on whose behalf you are submitting these comments. | Click here to enter text. |

All of the Independent Examiner’s recommendations have been classified into four topical themes: Participation and Representation; Continuous Development; Transparency; and Alignment with ICANN’s Future. Please refer to the specific recommendation and relevant section of the Draft Report for additional details and context about each recommendation.

Please add your comments into the designated areas within the following table:

| **Rec #** | **Theme Topic** | **Proposed Recommendation** |
| --- | --- | --- |
| 1 | Participation & Representation | Develop and monitor metrics to evaluate the ongoing effectiveness of current outreach strategies and pilot programmes with regard to GNSO Working Groups (WGs) (as noted in the WG participation recommendations under section 5.4.5). |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #1 BY SELECTING APPLICABLE OPINION:***  ***Pull down to choose a response.***  ***Click here to enter comments***. | | |
| 2 | Participation & Representation | Develop and fund more targeted programmes to recruit volunteers and broaden participation in PDP WGs, given the vital role volunteers play in Working Groups and policy development. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #2 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  Frankly, we feel we need more resources to help keep volunteers engaged. They need support, education, and travel money. The fellowship program is a great success, but the gap between being an interested fellow and a contributing volunteer is very wide. More resources and mentoring assistance would be helpful. | | |
| 3 | Participation & Representation | Review the level, scope and targeting of financial assistance to ensure volunteers are able to participate on a footing comparable with those who participate in GNSO as part of their profession. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #3 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  This is certainly a huge problem, particularly noticeable this year with Netmundial, the IANA transition, and a number of very demanding working groups requiring sustained time and effort. | | |
| 4 | Participation & Representation | Explore a tailored incentive system to increase the motivation of volunteers. (For example, this may include training & development opportunities or greater recognition of individuals). |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #4 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  This is an interesting proposal, but we would need to hear more. | | |
| 5 | Participation & Representation | Continue initiatives that aim to reduce the barriers to newcomers. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #5 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  Of course this is an excellent suggestion, the problem is the how. Not all initiatives may be worth the money. | | |
| 6 | Participation & Representation | That the GNSO record and regularly publish statistics on WG participation (including diversity statistics). |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #6 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  We do not want to encourage a punch clock mentality (or reward system, as in 4 above), but statistics would help us track volunteer burnout and allocate resources more fairly. | | |
| 7 | Participation & Representation | That Stakeholder Groups (SGs) and Constituencies (Cs) explore and implement ways to engage more deeply with community members whose first language is other than English, as a means to overcoming language barriers. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #7 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  We need more simultaneous translation. That is the easiest and most effective way to overcome this barrier, but it is extraordinarily resource intensive. Do we even know what the ranking of most common languages is? | | |
| 8 | Continuous Development | That WGs should have an explicit role in responding to implementation issues related to policy they have developed, and that the current Policy and Implementation Working Group specifically address the role of WGs in responding to policy implementation issues. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #8 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  ***Click here to enter comments***. | | |
| 9 | Continuous Development | That a formal Working Group leadership assessment programme be developed as part of the overall training and development programme. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #9 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  ***Click here to enter comments***. | | |
| 10 | Continuous Development | That a professional facilitator/moderator is used in certain situations (for example, when policy issues are complex, where members of the WG are generally inexperienced and/or where WG members have interests that conflict), and that the GNSO develop guidelines for the circumstances in which professional facilitators/moderators are used for Working Groups. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #10 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  We have already commented on this option. There is almost always some conflict in working groups. There are several issues associated with independent facilitators:  1. To whom do they report? 2. How do they manage to get the background necessary to understand the issues properly? 3. If the role is simply more proactive dispute resolution, than perhaps the best thing to do is to bring them in as neutral adjuncts in a regular working group process. | | |
| 11 | Continuous Development | That the face-to-face PDP WG pilot project be assessed when completed. If the results are beneficial, guidelines should be developed and support funding made available. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #11 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  Accountability requirements alone would demand that ICANN do this on a pilot, so yes. | | |
| 12 | Participation & Representation | That ICANN assess the feasibility of providing a real-time transcripting service in audio conferences for prioritised PDP WGs. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #12 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  This would definitely assist English as second language users. Good suggestion. | | |
| 13 | Continuous Development | That ICANN evaluate one or more alternative decision support systems and experiment with these for supporting WGs. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #13 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  We have more immediate problems to spend money on. | | |
| 14 | Continuous Development | That the GNSO further explores PDP ‘chunking’ and examines each potential PDP as to its feasibility for breaking into discrete stages. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #14 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  This proposal will only work if close attention is paid to the fairness of the procedures, and the scoping. | | |
| 15 | Continuous Development | That the GNSO continues current PDP Improvements Project initiatives to address timeliness of the PDP. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #15 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  ***Click here to enter comments***. | | |
| 16 | Continuous Development | That a policy impact assessment (PIA) be included as a standard part of any policy process. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #16 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  We have been requesting this for some time. Care should be taken to differentiate between a RIA (regulatory impact analysis) which is a good model to follow, and a PIA (privacy impact assessment) which is also useful but quite different. We need both, really. We have also recommended, through the working party on Human Rights, that we develop a human rights impact assessment tool, insofar as certain human rights are implicated by the assignment of names and numbers (privacy, freedom of expression, freedom of assembly, due process, and intellectual property protection.) | | |
| 17 | Continuous Development | That the practice of Working Group self-evaluation becomes standard at the completion of the WG’s work; and that these evaluations should be published and used as a basis for continual process improvement in the PDP. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #17 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  Sounds good, but folks are already having trouble making all the meetings and calls. More administrative tasks are not necessarily welcome, and may lack sufficient participation to be valid. | | |
| 18 | Continuous Development | That the GNSO Council evaluate post implementation policy effectiveness on an ongoing basis (rather than periodically as stated in the current GNSO Operating Procedures); and that these evaluations are analysed by the GNSO Council to monitor and improve the drafting and scope of future PDP Charters and facilitate the effectiveness of GNSO policy outcomes over time. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #18 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  Same comment as 17 | | |
| 19 | Participation & Representation | As strategic manager rather than a policy body the GNSO Council should continue to focus on ensuring that a WG has been properly constituted, has thoroughly fulfilled the terms of its charter and has followed due process. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #19 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  This is pure process. The Council also has to examine what comes out the other end. | | |
| 20 | Alignment with ICANN’s Future | That the GNSO Council should review annually ICANN’s Strategic Objectives with a view to planning future policy development that strikes a balance between ICANN’s Strategic Objectives and the GNSO resources available for policy development. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #20 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  What is required is a gap analysis, not striking a balance. We need to be able to assess how mature the policy is within areas that are on the ICANN strategic objectives, then we will know how much work will be required by the GNSO. The strategic objectives then need to be aligned with a realistic assessment of how fast the work can be done. | | |
| 21 | Alignment with ICANN’s Future | The GNSO Council should regularly undertake or commission analysis of trends in gTLDs in order to forecast their likely requirements for policy and to ensure those affected are well-represented in the policy-making process. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #21 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  We cannot see how independent analysis of trends in gTLDS is going to be useful in predicting trends for policy requirements. Seems like a waste of money. | | |
| 22 | Continuous Development | That the GNSO should review and implement a revised training and development programme encompassing: - Skills and competencies for each Council member - Training and development needs identified - Training and development relevant to each Council member - Formal assessment system with objective measures - Continual assessment and review. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #22 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  How are council members going to be evaluated? Who will do the evaluation? It seems more reasonable to define a set of skills required by Councillors, and offer training. It would hardly be appropriate for a group withing ICANN (staff, for instance) to evaluate volunteers and send them for training. This recommendation needs a serious rethink. | | |
| 23 | Participation & Representation | That the GNSO Council and SGs and Cs adhere to the published process for applications for new constituencies. That the ICANN Board in assessing an application satisfy itself that all parties have followed due process. Subject to the application meeting the conditions, the default outcome should be that a new Constituency is admitted. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #23 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  This seems to imply that this has not taken place. IS there an example of this? | | |
| 24 | Transparency | That all applications for new constituencies, including historic applications, be published on the ICANN website with full transparency of decision-making. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #24 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  ***Click here to enter comments***. | | |
| 25 | Participation & Representation | That the GNSO Council commission the development of, and implement, guidelines to provide assistance for groups wishing to establish a new Constituency. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #25 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  ***Click here to enter comments***. | | |
| 26 | Transparency | That GNSO Council members, Executive Committee members of SGs and Cs and members of WGs complete and maintain a current, comprehensive SoI. Where individuals represent bodies or clients, this information is to be posted. If not posted because of client confidentiality, the participant’s interest or position must be disclosed. Failing either of these, the individual not be permitted to participate. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #26 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  IS this not already the rule? | | |
| 27 | Transparency | That the GNSO establish and maintain a centralised publicly available list of members and individual participants of every Constituency and Stakeholder Group (with a link to the individual’s SOI where one is required and posted). |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #27 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  Good idea. | | |
| 28 | Transparency | That section 6.1.2 of the GNSO Operating Procedures be revised, as shown in Appendix 6, to clarify that key clauses are mandatory rather than advisory, and to institute meaningful sanctions for non-compliance where appropriate. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #28 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  ***Click here to enter comments***. | | |
| 29 | Continuous Development | That new members of WGs and newcomers at ICANN meetings be surveyed to determine how well their input is solicited and accepted by the community, and that the results be published and considered by the GNSO Council at its next meeting. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #29 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  We think this is unworkable. How is a newcomer going to respond to demands for feedback and evaluation in this way? How is the community going to respond? I think we should find other, more neutral ways to monitor how well newcomers are being accepted into the community, possibly by assigning coaches who check back periodically to see how integration is getting along. | | |
| 30 | Continuous Development | That the GNSO develop and implement a policy for the provision of administrative support for SGs and Cs; and that SGs and Cs annually review and evaluate the effectiveness of administrative support they receive. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #30 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  We support this initiative. | | |
| 31 | Continuous Development | That the GAC-GNSO Consultation Group on GAC Early Engagement in the GNSO Policy Development Process continue its two work streams as priority projects. As a part of its work it should consider how the GAC could appoint a non-binding, non-voting liaison to the WG of each relevant GNSO PDP as a means of providing timely input. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #31 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  We are currently doing the first part of this recommendation. We withhold judgement on the practicality of the second option. | | |
| 32 | Participation & Representation | That ICANN define “cultural diversity” and that relevant metrics (encompassing geographic, gender, age group and cultural, possibly by using birth language) be monitored and published. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #32 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  While this is a worthy activity, it is worth noting that staff time spent on this could perhaps be better spent on mentoring and assisting new recruits, as it seems this is where outreach fails to materialize into working partners. | | |
| 33 | Participation & Representation | That SGs, Cs and the Nominating Committee, in selecting their candidates for appointment to the GNSO Council, should aim to increase the geographic, gender and cultural diversity of its participants, as defined in ICANN Core Value 4. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #33 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  NCSG is currently doing this. | | |
| 34 | Participation & Representation | That PDP WGs rotate the start time of their meetings in order not to disadvantage people who wish to participate from anywhere in the world. This should be the norm for PDP WG meetings even if at first all the WG’s members come from the “traditional” regions of North America and Europe. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #34 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  This should be the norm. | | |
| 35 | Participation & Representation | That the GNSO Council establish a WG, whose membership specifically reflects the demographic, cultural and gender diversity of the Internet as a whole, to identify and develop ways to reduce barriers to participation in the GNSO by non-English speakers and those with limited command of English. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #35 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  Good idea, we would participate. | | |
| 36 | Participation & Representation | That, when approving the formation of a PDP WG, the GNSO Council require that its membership represent as far as reasonably practicable the geographic, cultural and gender diversity of the Internet as a whole. Additionally, that when approving GNSO Policy, the ICANN Board explicitly satisfy itself that the GNSO Council undertook these actions when approving the formation of a PDP WG. |
| ***INDICATE YOUR SUPPORT FOR RECOMMENDATION #36 BY SELECTING APPLICABLE OPINION***:  ***Pull down to choose a response.***  This would be extremely difficult to achieve at the moment. At best, you could rate the participation and attempt to add others to achieve balance, but we simply do not at the present time have enough volunteers on the working groups. | | |

**Other Comments:**

Are there any other comments or issues you would like to raise pertaining to the Independent Review of the GNSO Draft Report? If yes, please enter your comments here:

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