14 September 2014
Public Comment URL:
https://www.icann.org/public-comments/bylaws-amend-gac-advice-2014-08-15-en
Subject: In the matter of Proposed Bylaws Changes Regarding Consideration of GAC Advice

The Internet Society (ISOC) has been following with interest the discussions on the proposed Bylaws revisions that seek to incorporate a higher voting threshold for the ICANN Board to determine not to follow the advice of the Governmental Advisory Committee (GAC). Currently, the Bylaws require a simple majority of the Board (50%+1) to vote to not follow a piece of advice from the GAC. The proposed amendments to the Bylaws would require 2/3 of the voting members of the Board to vote to act inconsistently with a piece of GAC advice.

The proposed change to the bylaws raises some important questions that we believe require further clarification. Before sharing our views in response to ICANN's public comment call, the Internet Society would like to seek clarity on some questions/issues:

- How was the new requirement of a 2/3 of voting members of the Board selected?
- Do the proposed Bylaws revisions give the GAC a preferential position in comparison to other AC/SOs?
- Are there any safeguards in place to ensure that the GAC does not lower the bar internally for reaching consensus?
- How will the proposed Bylaws alter the current stakeholder balance and ICANN's multistakeholder, bottom-up policymaking model? Would this proposed change have the effect giving the GAC a policy development role within ICANN rather than an advisory role?

The Internet Society asks these questions in the spirit of continued cooperation and collaboration. We believe that these are crucial questions that merit greater dialogue within the community before proceeding with any substantive revisions. In reviewing the record of comments submitted thus far, we also note that other stakeholders have raised important concerns and questions that should be carefully considered. We remain committed to supporting ICANN as we work together to carry out our respective responsibilities towards preserving a healthy Internet governance ecosystem.

Respectfully submitted,

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The Internet Society