Questions to be sent to SO/ACs

Preamble
The newly-adopted ICANN bylaws created several Work Stream 2 accountability subgroups. The subgroup on SO/AC Accountability is responsible for reviewing how each SO and AC is accountable to its designated community, and potentially to global Internet stakeholders as well. The background and progress for this group are described <u>here</u>.

The new Bylaws charge our subgroup with reviewing and developing recommendations relating to "Supporting Organization and Advisory Committee accountability, including but not limited to improved processes for accountability, transparency, and participation that are helpful to prevent capture". Moreover, the CCWG-Accountability has recommended that the group "Develop a detailed working plan on enhancing SO and AC accountability taking into consideration the comments made during the public comment period on the Third Draft Proposal."

To that end, we are asking each AC and SO chair to point us to resources and documents used to maintain accountability to your respective designated community, taking into account the particular or specific working modalities of each SO/AC (and any subgroups).

Questions (please respond to all that are applicable to your AC/SO/subgroup)**:**

Designated Community:
What is your interpretation of the designated community for your AC/SO, as defined in the ICANN Bylaws and shown below? For example, do you view your designated community more broadly or narrowly than the Bylaws definition?

The designated community of each AC/SO, as defined in ICANN bylaws:

> ALAC is "the primary organizational home within ICANN for individual internet users"

> ASO is "the entity established by the Memorandum of Understanding [2004] between ICANN and the Number Resource Organization ("NRO"), an organization of the existing RIRs"

> ccNSO is "ccTLD managers that have agreed to be members of ccNSO"

> GAC is "open to all national governments (and Distinct Economies upon invitation)"

> GNSO is "Open to registries, registrars, commercial stakeholders (BC, IPC, ISPCP), and non-commercial stakeholders"

The GNSO is comprised of bodies representing the following interests:
- The Registry Stakeholder Group (RySG)
- The Registrar Stakeholder Group (RrSG)
- The Non-Commercial Stakeholder Group (NCSG), comprising the Non-Commercial Users Constituency (NCUC) and the Not-for-Profit Organizational Concerns (NPOC)
- The Commercial Stakeholder Group (CSG), comprising the Business Constituency (BC), Internet Service Providers and Connectivity Providers Constituency (ISPCP) and the Intellectual Property Constituency

(Please note that the language quoted above is not from the ICANN Bylaws - see article 11 for the Bylaw language related to the GNSO).

> RSSAC "members shall be appointed by the Board" to "advise the ICANN community and Board on matters relating to the operation, administration, security, and integrity of the Internet's Root Server System"

SSAC members are "appointed by ICANN board" to "advise the ICANN community and Board on matters relating to the security and integrity of the Internet's naming and address allocation systems."

Accountability related policies and procedures:
What are the published policies and procedures by which your AC/SO is accountable to the designated community that you serve? Please include, as applicable:

This response only covers the policies and procedures of the GNSO Council and/or GNSO Working Groups. Each GNSO Stakeholder Group and Constituency has been requested to respond to these questions providing information relevant to their respective policies and procedures. All processes and procedures related to the GNSO Council and GNSO Working Groups are, in addition to the relevant sections of the ICANN Bylaws, detailed in the GNSO Operating Procedures (see https://gnso.icann.org/en/council/op-procedures-01sep16-en.pdf).

- Your policies and efforts in outreach to individuals and organizations in your designated community who do not yet participate in your AC/SO.

GNSO Council members are appointed by GNSO Stakeholder Groups and Constituencies, as well as the Nominating Committee. Further information about how this is done would need to be obtained from these groups in relation to this question.

GNSO Working Groups are open to anyone interested in participating. There is no requirement to be a member of the GNSO. Announcements for call for volunteers are distributed as widely as possible, via the GNSO web-site, ICANN newsletters, and outreach to other SO/ACs. Specific newcomer webinars and training tools are available for those that want to learn more about what it takes to participate in GNSO working groups.

- Your policies and procedures to determine whether individuals or organizations are eligible to participate in your meetings, discussions, working groups, elections, and approval of policies and positions.

From the perspective of the GNSO Council, only Council members can participate in GNSO Council meetings. Subject matter experts outside the Council are sometimes invited to attend a Council meeting to provide information on a dedicated topic. However, all decisional meetings are recorded, transcribed, and audiocast.

From the perspective of GNSO Working Groups, anyone interested can participate in a GNSO Working Group. The only requirement is that a statement of interest is provided (it is not a problem to have a specific interest as long as it is declared). Those not willing or able to participate in working groups as a member have the option to following deliberations as an observer (read only access to the mailing list). All GNSO Working Groups have their mailing list publicly archived as well as recordings and transcripts posted online.

- Transparency mechanisms for your AC/SO deliberations, decisions and elections. Please describe not only your disclosure practices, but also any efforts that you make to explain the meaning of released material, so that they are more effectively transparent to a wider range of stakeholders.

Typically all GNSO Council meetings are recorded and transcribed. Furthermore, results of Council decisions and elections are disseminated as well as posted on the GNSO web-site. The GNSO Council mailing list is publicly archived which makes all materials and discussions accessible for public review. In addition, all GNSO Working group meetings are recorded and transcribed. Additional materials such as draft reports are available from the working group wiki. Reports usually contain executive summaries to facilitate review and understanding of the materials.

- Does your AC/SO conduct internal reviews of your accountability related policies and procedures?

Review of such policies and procedures is covered as part of the structural review of the GNSO which has resulted in previous improvements and updates. The recommendations of the current GNSO Review are in the process of being implemented.

- Were these policies and procedures reviewed and/or updated over the past decade? If so, could you clarify if they were updated to respond to specific community requests/concerns?

The GNSO Operating Procedures were updated as a result of the last structural review and were the subject of continuous improvement by the GNSO Standing Committee on Improvements Implementation (issues that needed to be addressed would be identified either by the GNSO Council or GNSO Working Groups). Further updates to the GNSO Operating Procedures are expected as a result of the latest GNSO Review – the recommendations are currently being implemented.

Mechanisms for challenging or appealing elections:
- Does your AC/SO have mechanisms by which your members can challenge or appeal decisions and elections? Please include any links where these mechanisms can be consulted.

The voting procedures for the GNSO are detailed in section 11.3 of the ICANN Bylaws. Once a vote is taken, the voting results are recorded and published. There is no formal challenge or appeal mechanism, but any Council member could submit a new motion or request an issue to be put on the agenda for discussion.

The election procedures for the GNSO Chair and GNSO Council Vice-Chairs are detailed in the GNSO Operating Procedures (see section 2.2. - https://gnso.icann.org/en/council/op-procedures-01sep16-en.pdf).

Any unwritten policies related to accountability:
- Does your AC/SO maintain unwritten policies that are relevant to this exercise? If so, please describe as specifically as you are able.

N/A