

GNSO gTLD Registries Stakeholder Group Statement

Issue: Process for Recognition of New GNSO Constituencies

Date: 3 April 2011

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[Process for Recognition of New GNSO Constituencies \(including 3 Appendices\)](#) [PDF, 206 KB]

Regarding the issue noted above, the following statement represents the views of the ICANN GNSO gTLD Registries Stakeholder Group (RySG) as indicated. Unless stated otherwise, the RySG position comments were arrived at through a combination of RySG email list discussion and RySG meetings (including teleconference meetings).

The comments below are organized by section as indicated.

III. Procedures

The second sentence of the first paragraph of this section says “At the end of each of step, an evaluation will be conducted by the applicable Stakeholder Group Executive Committee (SGEx), which will determine whether the application is approved to proceed to the next phase subject to Board ratification.” The RySG questions whether it is wise to give SG’s too much control over approval of new constituencies. We definitely support SG input into the approval process but we question whether SG’s should be able to stop new constituencies from being approved if those constituencies meet documented requirements. If these procedures are adopted, the RySG anticipates revising its charter to define the requirements for the SGEx to act in this regard.

A basic assumption in these procedures is that a stakeholder group executive committee (SGEx) will be empowered to act on behalf of the full SG membership regarding the process for approving new SG constituencies. The current RySG charter does not authorize the RySG Executive Committee to do this. There are at least two ways this could be resolved: 1) the RySG could change its charter; 2) the process proposed by the SIC could be modified so that all references to the ‘SGEx’ could be replaced by either “SG” or “SGEx or SG per the SG’s charter”.

3) a) Uniqueness and Representational Focus (page 2)

The first sentence reads: “In order to properly accommodate a new Constituency in accordance with this criterion, proponents may recommend a restructure of the SG’s membership and/or the representational elements of one or more existing (or proposed) Constituencies.” The RySG believes that the proponents should be encouraged to discuss possible restructure options with the applicable SG. That should increase the chances of

the proponents understanding the issues of the SG structure and would hopefully improve the probability of the recommended restructure being acceptable to the SG.

Step 1, Subsection D (page 3) & Step 2, Subsection E (page 6)

The procedures state that “the SGEx may engage in a dialogue as appropriate with the ICANN Board”. How would this happen? Considering the time limits to various steps in the process, it seems essential that a specific procedure with its own time limits be defined in the document that the SGEx and the Board would follow.

The procedures later say “the SGEx may . . . consult with the SG community, including the GNSO Council”. Similar to above, we again ask how this would happen? If specific procedures for consulting with the GNSO are not included in this process, it may be difficult to meet the time constraints.

In both the case of the Board and the Council, they hold meetings relatively infrequently. In addition, they are each made up of many individual members who may not be able to speak for the full body. Moreover, in the case of the Council, Constituency and SG members also are responsible for communicating with their respective groups. Any processes proposed should address these complexities.

Step 2 (page 7)

At the end of this section, we suggest that a discussion about the requirement for SG charter revision be added.

Appendix 1 – Applicant Constituency Evaluation Criteria

Item 3) (b)

This item refers to “NAICS, ISIC, or NTEE-CC”. We recommend that these acronyms be defined and that applicable references be included to their classification systems.

Item 4)

The first paragraph says the following: “For Constituencies comprised primarily of organizations, criterion (a) will apply. For Constituencies comprised primarily of individuals, criterion (b) will apply.” What happens when a constituency is a mix of both organizations and individuals?

Sub-item (b) ends with this sentence: “Seven of these individuals must be located in each of at least four ICANN Geographic Regions or at least four individuals from all five Geographic Regions.” How is it possible to have “four individuals from all five Geographic Regions”? This should be clarified.

Appendix 2 – Candidate Constituency Evaluation Criteria

Item 4)

This item requires that “the Candidate Constituency must: . . . Have demonstrated active engagement in the applicable Stakeholder Group by becoming a participant in at least two committees with its representatives attending at least 50% of the scheduled meetings.” This might not be possible in the RySG because we only rarely form committees. A possible way to resolve this might be to say the following: “the Candidate Constituency must: . . . Have demonstrated active engagement in the applicable Stakeholder Group by ~~becoming a participant in at least two committees with its representatives~~ attending at least 50% of the scheduled meetings and participating in at least two SG statement development processes.”

Item 5)

The introductory sentence says “For Constituencies comprised primarily of organizations, criterion (a) will apply; for Constituencies comprised solely of individuals, criterion (b) will apply.” What happens when a constituency is a mix of both organizations and individuals?

Sub-item b) says “Show a membership count of seventy (70) individual members with fourteen individuals located in each of at least four ICANN Geographic Regions or at least seven individuals from all five ICANN Geographic Regions.” Should this be edited as follows: “Show a membership count of seventy (70) individual members with fourteen individuals located in each of at least four ICANN Geographic Regions or at least seven individuals from **each of** all five ICANN Geographic Regions.”?

The requirements in item 5) seem to disallow a constituency if it did not have members in at least four of ICANN’s geographic regions. Under the terms described in sub-item a), the RySG would be disallowed because there are currently no gTLD registries in two of ICANN’s geographical regions. Did the SIC intend this result? If not, the requirements need to be fixed. If this was the intent, we believe that these requirements may preclude some constituencies that otherwise would be legitimate. For example, what if a group of Latin American businesses wanted to form a constituency of the CSG? Would that be a bad idea if they met all other criteria except the geographical diversity requirements?

Summary of RySG Support

1. Level of Support of Active Members: Majority
 - 1.1. # of Members in Favor: 8
 - 1.2. # of Members Opposed: 0
 - 1.3. # of Members that Abstained: 0
 - 1.4. # of Members that did not vote: 5

General RySG Information

- Total # of eligible RySG Members¹: 14
 - Total # of RySG Members: 13
 - Total # of Active RySG Members²: 13
 - Minimum requirement for supermajority of Active Members: 9
 - Minimum requirement for majority of Active Members: 7
 - # of Members that participated in this process: 13
1. Names of Members that participated in this process: Afiliás (.info & .mobi)
 2. DotAsia Organisation (.asia)
 3. DotCooperation (.coop)
 4. Employ Media (.jobs)
 5. Fundació puntCAT (.cat)
 6. Museum Domain Management Association – MuseDoma (.museum)
 7. NeuStar (.biz)
 8. Public Interest Registry - PIR (.org)
 9. RegistryPro (.pro)
 10. Societe Internationale de Telecommunication Aeronautiques – SITA (.aero)
 11. Telnic (.tel)
 12. Tralliance Registry Management Company (TRMC) (.travel)
 13. VeriSign (.com, .name, & .net)
- Names & email addresses for points of contact
 - Chair: David Maher, dmaher@pir.org
 - Alternate Chair: Keith Drazek, kdrazek@verisign.com
 - Secretariat: Cherie Stubbs, Cherstubbs@aol.com
 - RySG representative for this statement: Chuck Gomes, cgomes@versign.com

¹ All top-level domain sponsors or registry operators that have agreements with ICANN to provide Registry Services in support of one or more gTLDs are eligible for membership upon the “effective date” set forth in the operator’s or sponsor’s agreement (Article III, Organization and Membership, ¶ 1). The RySG Articles of Operations can be found at http://www.gtldregistries.org/system/files/registries-sg-proposed-charter-30jul09-en_0.pdf.

² Per the RySG Articles of Operations, Article III, Organization and Membership, ¶ 6: Members shall be classified as “Active” or “Inactive”. A member shall be classified as “Active” unless it is classified as “Inactive” pursuant to the provisions of this paragraph. Members become Inactive by failing to participate in a Constituency meeting or voting process for a total of three consecutive meetings or voting processes or both, or by failing to participate in meetings or voting processes, or both, for six weeks, whichever is shorter. An Inactive member shall have all rights and duties of membership other than being counted as present or absent in the determination of a quorum. An Inactive member may resume Active status at any time by participating in a Constituency meeting or by voting.