

Registries Stakeholder Group Statement

Issue: Proposed Charter Amendments of the GNSO Business Constituency

Date statement submitted: Feb 15, 2017

Reference URL: <https://www.icann.org/public-comments/bc-charter-amend-2017-01-06-en>

Background:

- The proposed amendments are presented as a new charter and is the result of 2 years work lead by a BC drafting team.
- The Charter changes have been approved by the membership of the Business Constituency in October 2016.
- BC homepage: <http://www.bizconst.org>

RySG Comment:

The Registries Stakeholder Group (RySG) would like to compliment the Business Constituency (BC) and its Charter drafting team with a well written, thorough and nicely structured proposed new version of the BC Charter.

The RySG would like to make the following observations:

5.1.2 Ineligible Organizations

The membership eligibility criteria state that ‘Entities which derive more than 30 percent of annual revenue as a registry operator, registrar, or domain name reseller (collectively, “Contracted Parties”)’ are ineligible for BC membership.

A domain name reseller does not have a contract with ICANN, is not a registry and not a registrar and as such cannot be a member of the Registries Stakeholder Group or the Registrars Stakeholder Group. Resellers are not eligible for membership of any other stakeholder group of the Non-Contracted Party House. By excluding domain name resellers from BC membership they are denied participation in ICANN policy development.

5.1.3 Non-Voting Members

The proposed Charter clarifies that otherwise eligible Members that are owned, controlled by, or under common ownership with any entity that votes in the Business Constituency or another Stakeholder Group or Constituency in either house of the GNSO is ineligible for Voting status within the Business Constituency.

While the proposed Charter gives clear guidance in the case of ownership or control, there is no such guidance to clarify membership status and voting rights for trade associations which represent the interest of Business Users or a consultant advising Business Users in case their respective members or client(s) is (are) a(n) entity(ies) that vote(s) in the BC or another SG.