

# Staff Report of Public Comment Proceeding

## Initial Report on Review of the Customer Standing Committee (CSC) Charter

**Publication Date:** 8 June 2018

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### Public Comment Proceeding

Open Date: 11 April 2018

Close Date: 1 June 2018

Staff Report Due Date: 8 June 2018

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## Section I: General Overview and Next Steps

The CSC Charter review team (RT) sought public comments and input on its findings and proposed amendment of the CSC Charter, as included in the Initial Report. According to the ICANN Bylaws (Section 17.3 (c)) and reflected in the CSC Charter, the Country Code Names Supporting Organization (ccNSO) and Registries Stakeholder Group (RySG) are required to review the CSC Charter one year after the first meeting of the CSC to consider whether the Charter is adequate and provides a sound basis for the CSC to perform their responsibilities as envisioned in the development of the IANA Transition Proposal.

Taking into account comments received, the Review Team will prepare a Final Report, including a proposed amended charter, for consideration and adoption by the ccNSO and GNSO Councils. The amended Charter will become effective following the adoption of the Final report.

## Section II: Contributors

*At the time this report was prepared, a total of six (6) community submissions had been posted to the forum. The contributors, both individuals and organizations/groups, are listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the foregoing narrative (Section III), such citations will reference the contributor's initials.*

### Organizations and Groups:

Name	Submitted by	Initials
Customer Standing Committee	Elaine Pruis	CSC
Registry Stakeholder Group	Paul Diaz	RySG
GNSO Council	Rafik Dammak	GNSO C
Non-Commercial Stakeholder Group	Farzaneh Badii	NCSG
Business Constituency	Steve DelBianco	BC
DENIC eG	Peter Koch	DENIC

Individuals: None

## Section III: Summary of Comments

***General Disclaimer:** This section intends to summarize broadly and comprehensively the comments submitted to this public comment proceeding but does not address every specific position stated by each contributor. The preparer recommends that readers interested in specific aspects of any of the summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).*

The Comments received are categorized in the following manner:

1. General Comments and feed-back on Report
2. Comments and feed-back relating to the Findings of the Review Team
3. Comments and feed-back relating to the proposed amended Charter
4. Comments and remarks items not addressed in report

### **1. General Comments and Feed-back on Report**

The CSC commends the RT with its report as thorough and fully supports its recommendations, in particular recommendation 4.3.2 that “mission and scope of responsibilities of CSC” should NOT be expanded.

The RySG recognizes the importance of reviewing the charter of the CSC to ensure it is set-up for long-term success and the RT proposes to keep the scope limited.

The GNSO C is supportive of the proposed amendments to the Charter.

The BC views as most relevant part of the work of the RT:

- That the RT confirmed that the Charter should reflect that the role and responsibilities of the CSC is independent of the IANA Function Operator (IFO), and that, should the IFO role be separated from ICANN, any new operator should be required to work with the CSC.
- That the RT’s view that narrow scope of the CSC is required and has provided the CSC with considerable clarity about its role and responsibilities.

The NCSG believes the Initial Report contains observations that are outside of scope of the review, but generally it is satisfied with the review and has no major objections. The CSC is encouraged to continue to effectively and efficiently follow all the guidelines contained in proposed charter.

DENIC supports the findings and proposed changes to the CSC Charter.

### **2. Comments and feed-back relating to the Findings of the Review Team**

The CSC made following comments and observations:

- With respect to the Remedial Action Procedures (RAP), the CSC notes that the RT, in its report, indicates that a regular review of the RAP should be included in the charter. The CSC believes that the RAP as adopted between PTI and the CSC (and submitted to the RT) contains specific language regarding regular reviews of the RAP. The CSC further notes that the proposed charter

does not include specific wording with respect to reviewing the RAP. In the view of the CSC that is the correct way forward as the RAP itself contains the review procedure and is therefore included by reference.

- Strong support of the observation and recommendation that the ccNSO and GNSO Councils should conduct an analysis of the requirements of the CSC effectiveness review and the IANA Naming Function Review embodied in the ICANN Bylaws (both due to be started in October 2018) with a view to create synergies and avoid overlap.
- Support of the RT's recommendation that the CSC be eligible to seek travel support in accordance with ICANN's budget and travel requirements

The RySG:

- Believes that the RT recommendations to allow travel funding for CSC members, and to reduce the number of required face-to-face meetings with direct customers are realistic and prudent . Travel funding would remove barriers for entry of qualified candidates from a wider variety of backgrounds.
- Acknowledges the RT's observation pertaining to the CSC Effectiveness and IANA Function Performance reviews. The ccNSO and GNSO Councils are encouraged to collaborate to establish the most effective and efficient method as possible to ensure the quality of the reviews and considering the resources to conduct the reviews simultaneously.

The GNSO C has noted the observations which are out of scope of the Charter review, in particular those related to the concurrence of the CSC related reviews and has identified two volunteers to work with counterparts from the ccNSO Council.

### **3. Comments and feed-back relating to the proposed amended Charter**

The RySG supports the amended Charter as proposed.

The GNSO C is supportive of the proposed amendments to the CSC Charter. In addition, the GNSO C suggests that in the proposed section on changed circumstances a reference to the remaining "term" be included for any new appointee, for example for the remaining term of the departing member.

To reflect the language as contained in the ICANN Bylaws it is suggested that the membership composition section in the charter:

- *Representatives from two gTLD Registry Operators*
- *Representatives from two ccTLD Registry Operators*

be changed to:

- *Two individuals representing gTLD registry operators appointed by the Registries Stakeholder Group;*
- *Two individuals representing ccTLD registry operators appointed by the ccNSO.*

The GNSO C also suggest that the language in the proposed Charter, "they will take into account the overall composition of the proposed CSC in terms of geographic diversity and skill set" be changed to

*“The ccNSO and GNSO Councils will consider the overall composition of the proposed CSC in terms of geographic diversity and skill sets”* to explicitly indicate the role of GNSO and ccNSO Councils.

The BC supports the decision to consider the Remedial Action Procedure as a Standalone Operational document and agrees with only including references in the Charter. However the BC also notes that amended charter does not follow recommendations in two specific considerations:

- No mechanism in the charter for regular review of the RAPs, which should be included
- In case of new IANA Functions Operator, a new RAP should be agreed with the new Operator, which should be included.

DENIC supports the proposed changes to the Charter. It also suggests editorial changes to the membership composition to clarify the wording on the additional membership of a TLD representative not considered a ccTLD or gTLD registry operator.

#### **4. Comments and remarks items not addressed in Report**

The GNSO C encourages that appointments take into consideration the CCWG Work Stream 2 recommendations to the greatest extent possible.

DENIC suggest that where the charter says: *The CSC, in consultation with registry operators, is authorized to discuss with the IANA Functions Operator ways to enhance the provision of IANA's operational services for any of the following reasons:*

- *to meet changing technological environments;....*

it might benefit from more clarification that the changing technological environments are limited to those related to service levels.

Related, and although out of scope of the charter review itself, DENIC suggests the community to conduct a gap analysis to identify areas of issues that are beyond CSC's scope, not necessarily strictly operational within PTI's remit and also not clearly within the scope of any other AC or SO, or of RZERC.

### **Section IV: Analysis of Comments**

*General Disclaimer:* *This section intends to provide an analysis and evaluation of the comments submitted along with explanations regarding the basis for any recommendations provided within the analysis.*

The analysis will be undertaken by the members of the Review Team and the results will be included in their Final Report.