Staff Report of Public Comment Proceeding

Final Report Recommendations of the Geographic Regions Review Working Group	
Publication Date:	13 May 2016
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Public Comment Proceeding		**Important Information Links**
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Staff Report Due Date:	9 May 2016	[View Comments Submitted](#)

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Section I: General Overview and Next Steps

General Overview:

The cross-community Geographic Regions Review Working Group has produced its Final Report in which it proposes a series of recommendations regarding the ongoing application of the organization's geographic regions framework.

The Working Group's Final Report provides an extensive series of conclusions, proposals and recommendations including:

a) The Working Group concludes that the general principle of geographic diversity is valuable and should be preserved.
b) Application of the geographic diversity principles must be more rigorous, clear and consistent.
c) Adjusting the number of ICANN geographic regions is not currently practical.
d) No other International Regional Structures offer useful options for ICANN.
e) ICANN must formally adopt and maintain its own unique Geographic Regions Framework.
f) The Community wants to minimize any changes to the current structure.
g) ICANN must acknowledge the sovereignty and right of self-determination of states to let them choose their region of allocation.
h) ICANN communities have flexibly applied geographic diversity principles over the years. While the Board should remain strictly subject to the current framework, flexibility should be preserved for other structures.
i) "Special Interest Groups" or "Cross-Regional Sub-Groups" offer new diversity opportunities.
j) Implementation mechanisms and processes must be developed by Staff; and
k) The Board must preserve its oversight and future review opportunities.

The ICANN Board was interested in further community reaction to those recommendations and directed ICANN Staff to open and manage an extensive public comment period of 120 days to give the community an opportunity to thoroughly review the proposals and provide any additional comments

on the working group recommendations.

The Public Comment reply period closed on 24 April 2016 and Staff has prepared this summary and analysis of the community's input.

Next Steps:

In addition to publication in the community public forum (see Important Information Links at top of this report), this report will be forwarded to the ICANN Board of Directors for review as part of their consideration of the Working Group recommendations.

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 are listed below with notable initials. To the extent that specific quotations or attributable comments are referenced in this report (see Section III), such citations will reference the specific contributor's initials.

Organizations and Groups:

Name	Submitted by	Initials
At Large Advisory Committee	At Large Staff	ALAC
GNSO Business Constituency	Steve DelBianco	BC
GNSO Intellectual Property Constituency	Greg Shatan	IPC
GNSO Non Commercial Stakeholders Group	Maríllia Marciel	NCSG
GNSO Registries Stakeholder Group	Stéphane Van Gelder	RySG

Individuals:

Name	Affiliation (if provided)	Initials
Jean-Jacques Subrenat	Individual	JJS

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).

Community comments submitted in this proceeding were extensive in scope and addressed multiple working group recommendations. Rather than reproducing a separate and potentially repetitive analysis section of this report, for this proceeding, this section combines the summary and analysis of comments received in one place with staff analysis directly associated with each recommendation

For this combined Summary and Analysis of Comments (see General Disclaimer immediately above), the commenters' feedback is divided into specific sections – each focusing on a particular recommendation made by the Working Group (WG) and including additional sections reflecting some additional topics/matters specifically identified by community comments. As part of each section, the staff has added an "Analysis" paragraph or two incorporating potential suggestions or recommendations for how the Board might want to consider or address the community comments on

that topic.

General Comments on Specific WG Recommendations

Issue 1 – General Principles of Geographic Diversity

WG Recommendation "A" – "The Working Group concludes that the general principle of geographic diversity is valuable and should be preserved."

The ALAC agrees that the general principle of geographic diversity is "valuable and should be preserved." ALAC notes that the origin of the ICANN Geographic Regions was the need to ensure geographic diversity within the ICANN Board. The ALAC "strongly believes that the Geographic Regions review should address that very aspect to preserve and improve the geographic diversity in the ICANN Board composition."

The BC endorses the recommendations of the Geographical Regions report stating that it "strongly agrees with the report's reiteration that diversity - including geographical diversity - is essential to ICANN's mission and to the success of the multistakeholder model, as is continued emphasis on making ICANN more open to a multilingual audience through translation."

The NCSG says it supports Recommendation A.

Analysis – There is apparent agreement among those commenters interested in this WG recommendation that geographic diversity within the ICANN Board and other community bodies continues to be an important organizational goal.

Issue 2 – Applying Rigor to the Diversity Principles – and Identifying Region of Origin

WG Recommendation "B" – "Application of the geographic diversity principles must be more rigorous, clear and consistent."

The NCSG and the ALAC both support Recommendation "B". The ALAC notes, "The current means for identifying an individual's region of origin is a choice between citizenship (or origin) and residency." The ALAC says, "This criterion should be more rigorous and for purposes of clarity and consistency there should be just one single criterion for the identification of a person's region". The ALAC says the current "non-rigorous approach may result in having a large number of the Board … residing and working for long time in the same region, thus having the same spirit and the same interests."

Analysis: As noted by the WG in its Initial Report (see Initial Report of WGGR - 26 June 2009), Article VI, Section 2, sub-section 2 of the ICANN Bylaws provides a choice between an individual's domicile and country of citizenship for purposes of diversity. The selection is made by the individual in their Statement of Interest to the Nominating Committee. That issue was not explored in depth by the Working Group and may be an area of consideration that the Board may wish to identify for future examination.

The application of "rigor" as identified by the WG (as expressed in paragraph 48 of the Final Report) focused on the "critical" need "for the organization to adopt a more rigorous approach by re-defining a clear and consistent classification framework that assigns countries and territories to regions." That concept is subsequently supported in Paragraph 84 by the WG recommendation that "the Board should direct Staff to prepare and maintain ICANN's own unique organizational table that clearly shows the allocation of countries and territories (as defined by ISO 3166) to its existing five Geographic Regions."

Issue 3 – Number of Regions

WG Recommendation "C" – "Adjusting the number of ICANN geographic regions is not currently practical."

The BC agrees with the report recommendation that ICANN's geographical regions are distinct from those of many major international organizations, and that changing those regions or adding to the number of regions would be "unlikely to enhance ICANN's mission and could lead to additional cost and confusion."

The ALAC does not think that it is appropriate to approach the potential adjustment of the number of the ICANN Geographic Regions from the perspective of organizational or financial consequences since "the mission of the Geographic Regions Review Working Group is to find the best arrangement that may lead to more diversity as per the ICANN bylaws." The ALAC says, "The number of regions should not curb the improvement when necessary." "While we recognize that reducing the current number of the ICANN Geographic Regions is neither a desired nor a viable option", the ALAC states, "we find that adding new regions may address some of the concerns raised by parts of the community regarding their representation (the Arab and small islands communities for example)."

The NCSG says it does not support Recommendation C. The NCSG says it "would like to see further discussion on practical ways to foster the formation of new regions that are under-represented, according to the community's wishes, as well as fairness in the size of Board and ALAC representation." The NCSG "does not support the Working Group conclusions that the creation of new geographical regions is not merited" and asserts that "the suggestion that there be no wholesale modifications to the existing geographical regions framework are incorrect." In fact, the NCSG "encourages the Working Group to better consider the relationship between geographic boundaries and cultural groups, and to see the formation of new regions according to the community's wishes."

Analysis: Regardless of the Board's decision on Recommendation C, in the next iteration of this work, the Board could consider encouraging further community discussions to investigate practical ways to explore the potential formation of new regions or community groupings that are considered under-represented. The result could be the formation of a community/staff discussion group that explores these issues as well as broader diversity matters of interest ranging beyond geography to other diversity matters.

Issue 4 - Other International Regional Structures

WG Recommendation "D" – "No other International Regional Structures offer useful options for ICANN."

NCSG agrees and accepts Recommendation D - that no other international regional structures are applicable to ICANN. That being said, the NCSG notes, "The Working Group's proposed geographical framework is largely a legacy of anachronic geopolitical arrangements." The NCSG notes that the current framework "proposes that dependent territories be allocated to the same geographical region as their 'country', regardless of their geographical location, thus continuing the legacy of cultural and institutional influence.

While the NCSG acknowledges that "some international institutions, like the European Union, continue to cluster countries together based upon geographical standing", the NCSG asserts that "they have a legitimate claim to do so because they are providing their members with a mechanism to reduce cross-border transaction costs." ICANN, according to the NCSG, "can make no such claims".

The NCSG also does not support the use of the United Nations Statistics Division's classifications of nations and territories as an appropriate model for ICANN to draw from. The NCSG says, "It is not fit for purpose, as evidenced by the fact that ICANN Staff themselves do not consistently use the UN's

regional allocations despite committing to do so in 2000. In addition, [the UN classification] does not appropriately take into consideration geographical nor linguistic diversity."

According to the NCSG, the challenge for ICANN, in resolving this tension, "will be in how it equally and usefully subdivides the globe into smaller units to form a part of a new regions framework." In doing so, the NCSG says, "we ask that ICANN consider larger cultural variations, as well as ethnographic analyses of the regions and widespread public consultation activities to collect subjective experiences to ensure we are developing a relevant and dynamic framework which considers individualism over collectivism. The NCSG would like to be involved in the development of any such policy processes."

Analysis – Community comments regarding Recommendation D challenge the organization to re-examine the size and scope of the current geographic regions framework. Acknowledging that no other international institutions employ structures that are applicable to ICANN, community comments suggest that ICANN consider another set of alternatives. This is an area that the Board may wish to investigate in the next potential phase of these inquiries.

Issue 5 – ICANN's Own List of Countries and Territories

WG Recommendation "E" – "ICANN must formally adopt and maintain its own unique Geographic Regions Framework."

The ALAC supports ICANN formally adopting and maintaining its own record of the assignment of countries and territories to ICANN's Geographic Regions.

The NCSG supports Recommendation E, "provided that ICANN adopts and maintains [its] own geographic regions framework which both accommodates and reflects its bylaws and articles of incorporation." NCSG asks, that "this recommendation be amended to require the participation of the multi-stakeholder community in the development of this framework, and that it not be developed entirely by Staff."

The NCSG also says it does not support the use of the United Nations Statistics Division's classifications of nations and territories as an appropriate model for ICANN to draw from. "It is not fit for purpose", the NCSG asserts, "as evidenced by the fact that ICANN Staff themselves do not consistently use the UN's regional allocations despite committing to do so in 2000. In addition, it does not appropriately take into consideration geographical nor linguistic diversity."

Analysis: Based on community comments, the Board could direct staff to include community input in the development of the next formal ICANN Geographic framework and, potentially, its own list of countries, territories and regions. The Board could determine that ICANN's own unique framework need not be completely different from other frameworks but could be built upon the foundation of other accepted structural models.

Issue 6 – Minimal Change to the current structure.

WG Recommendation "F" – "The Community wants to minimize any changes to the current structure."

The RySG says it "generally supports the recommendation that ICANN shall maintain its current geographic regions framework that is suited to the Regional Internet Registries (RIRs), while each SO or AC has flexibility in applying the geographic diversity principles."

NCSG disagrees with the WG conclusion in Recommendation F stating, "We are unsure as to how the Working Group reached this conclusion because no evidence was provided in support of this statement. We have reviewed one of your earlier public consultation activities from 2009 - which

attracted only [one response](#) from a community member, in support of the formation of a new region - and your claim about a strong community preference does not appear to be supported by this data, nor do we consider this exercise to be a statistically significant representation of the community's wishes." The NCSG says it "supports further discussion on how ICANN assigns countries and territories to regions." Adding, " More community input should be solicited to ensure the community's wishes are being accurately captured."

The ALAC agrees for the time being to leave the current structure "as is", with countries and territories having the right to "opt in" for a change in region if they so wish.

Analysis – The WG's assertion that the community favored minimal changes to the current geographic regions framework was addressed in Paragraph 59 of the Final Report. In that paragraph, the WG noted that of the initial comments on the Final Report by the community, "the preponderance of those commenting on the draft report favored leaving the structure 'as is'." Those comments, according to the WG Final Report, opposed "the original WG recommendation to move the organization 'to a new regional structure based (loosely) on the RIR regional structure, with countries having the right to 'opt out' of moving'." As result of that opposition, the WG's recommendation shifted to an opt-in model.

Community interest in closer involvement with the assignment of countries and territories to regions could be addressed by the Board directing staff to make sure that the community has the opportunity to participate in development of the new ICANN list recommended in the Final Report (see Final Report - paragraphs 8 and 84).

Issue 7 – Matters of Sovereignty

WG Recommendation "G" – "ICANN must acknowledge the sovereignty and right of self-determination of states to let them choose their region of allocation."

The IPC notes the Final Report recommends that "countries or territories should be given the opportunity to seek reassignment from one region to another" and that ICANN staff should "develop a self-selection process". The IPC notes, "while these recommendations potentially create a risk of provoking international conflict, this position is prudently consistent with the longstanding IANA/ICANN policy of avoiding making determinations as to what is or is not a country."

The ALAC asserts that for the sake of avoiding any interference in the relationship between the dependent countries or territories and their "mother countries", ICANN should give the opportunity to the dependent counties/territories to petition to move to a different ICANN Geographic Region – utilizing the right to "opt-in". The ALAC emphasizes, "The request should be initiated or supported by the local government of the relevant country or territory, taking into account the views of the local Internet community" and that "no territory re-assignment should be made if objections are raised by the Government of the 'mother country'."

The ALAC also says, "We do not believe that the reassignment to a region that is not geographically adjacent to the existing region should be restricted. For example if a dependent country/territory wishes to be reassigned to the region where it is physically situated but the region is not adjacent to the mother country's one, we do not understand why this kind of reassignment is not permitted."

The ALAC further believes that no country/territory should be able to seek reassignment more frequently than once every 5 years, using the same cycle of the ICANN Geographic Regions Review.

The NCSG comments accept Recommendation "G" with one modification. The NCSG says, "It is outside the scope of ICANN's remit to become involved in questions of sovereignty." The NCSG asks that ICANN "promote usage of the term 'states and other collective entities' in place of 'states', in order to take into consideration situations such as disputed territories." This view is also noted in the

terminology issue section of this report.

Further, the NCSG says it, "does not support paragraph 63, point B, of the Final Report that says no country may be reassigned to a different region more than once every three years." The NCSG says ICANN should be silent on this matter as "countries and territories should be free to make this call".

Analysis – With the conditions noted, community commenters seem to support the opportunity for a self-selection process if any state or other entity has an interest in being re-assigned to another geographic region. Based on the comments noted in this section and others noted in other sections of this report, there also seems to be a strong community desire for the opportunity to provide input into any staff effort to develop or establish that reassignment process. The Board may wish to provide specific directions to the staff in that regard.

Issue 8 – Community Governance Issues

WG Recommendation "H" – "ICANN communities have flexibly applied geographic diversity principles over the years. While the Board should remain strictly subject to the current framework, flexibility should be preserved for other structures."

The NCSG accepts recommendation H, but suggests the recommendation "be reworded to stress that ICANN requires a community-wide strategy." The NCSG states, "We understand this is the intention of the report, but how this recommendation currently reads suggests that different supporting organisations could develop their own geographic regions frameworks."

The IPC notes, "the general theme of Recommendations A through F is that 'for the time being' the existing methodology of ICANN geographic region designation should be maintained and continue to be applied, in particular to the selection of members of the Board (which the Final Report identifies as being the original purpose of the concept of geographic diversity within ICANN, dating back to the US Government's Green Paper leading to the formation of ICANN)." Noting this approach, The IPC goes on to assert, "Recommendations H and I provide that communities within ICANN have the option of following that methodology or adopting some other Board-approved methodology for ensuring geographical diversity. The Final Report notes that individual communities should have time for and flexibility in ensuring how best they deal with diversity, but also notes that it is desirable that current inconsistencies across communities (SOs, ACs, SGs, Cs, etc.) are minimized.

The IPC notes, "these recommendations overlap with the ongoing work by external consultancy Westlake Governance Limited ("Westlake") to review the GNSO". The IPC "questions whether the [WG] and Westlake were aware of each other's efforts in relation to geographic diversity. The IOC says, as a general principle, it believes "overlapping efforts within the community are an inefficient use of ICANN funds and scarce volunteer time resources, and further believes that the risk of potentially conflicting outcomes from overlapping initiatives should be avoided."

The IPC notes the WG Final Report "is NOT suggesting that each SO or AC be permitted to create its own regional framework" and "questions whether this was taken into consideration by Westlake in its recent review of the GNSO."

Analysis – The community comments express an understanding of the need for consistency in the application of a geographic framework across the organization. They express reservations about potential negative consequences if individual communities interpret the WG guidance to give them the ability to create their own separate geographic frameworks. The WG recommendation to keep all these matters under Board oversight (Recommendation "K") should be sufficient to prevent any inconsistent geographic frameworks from being developed by individual communities. Nevertheless, it would be advisable that any Board decision should make efforts to provide clear direction on the limits,

if any, on individual community flexibility in this area.

Issue 9 – Interest Groups

WG Recommendation "I" - "'Special Interest Groups' or 'Cross-Regional Sub-Groups' offer new diversity opportunities."

The IPC notes that the WG recommends mechanisms for "special interest groups" to self-designate and participate through those groups within the ICANN environment. These groups, which "might restrict their interest to a single SO or AC, while others might span all of ICANN's communities", would not be formally recognized within or replace the ICANN structure, but rather "would be complementary" to it. The IPC notes, "It is not clear how such groupings will interact with the formally recognized ICANN structures: will the Board, SOs and ACs be required to interact in a consistent way with these groupings? If so, how will this procedurally be achieved? The IPC notes that such an approach potentially risks contravening the longstanding IANA/ICANN policy of avoiding making determinations as to what is or is not a country.

The ALAC is in full support of recognizing and accommodating "Special Interest Groups" based on common specificities such as culture, language, etc., assuming that those "Special Interest Groups" do not replace the adopted geographic regions.

The NCSG "partially" supports recommendation "I". The NCSG says, "We are in agreement that 'cross-regional subgroups' that are not currently aware of ICANN's work - but may become aware of it in the future - should be warmly welcomed into the community. However, we consider it inappropriate to extend the same principle to 'special interest groups'." The NCSG says, "If a more precise definition of this term can be provided and agreed upon across the supporting organisations, our objection may not be sustained". "Our fear", says the NCSG, "is that this term could be applied to disputed territories, leading to a situation where ICANN is giving credence to a state that does not accept the autonomous existence of another entity." In that case, the NCSG posits, "We would have two distinct categories, states with full status, and 'special interest groups' with an inferior status."

Analysis – The WG made an effort to specifically define the parameters of potential new special interest groups that may wish to form (see Final Report at paragraph 78). If the Board is inclined to adopt this recommendation, it may wish to follow those parameters or articulate others consistent with the community comments. Community concerns expressed in this area reflect a cautious approach to the actual implementation of this and other WG recommendations. Board direction to staff with respect to implementation could include the expectation of community collaboration to help confirm or further define the appropriate parameters for the formation and activities of potential special interest groups.

Issue 10 – Implementation Mechanisms

WG Recommendation "J" – "Implementation mechanisms and processes must be developed by Staff."

The NCSG notes its partial support for Recommendation J and acknowledges that "Staff will need to do the majority of the work in developing internal operating procedures and other resources." However, the NCSG notes, "the multi-stakeholder community must remain involved in all policy-making processes, especially in relation to the development of criteria for evaluating the success and failure of the geographic regions framework."

"As for the implementation mechanisms, and in order to ensure a smooth 5 year review and a high quality of the process by which re-assignments are considered", the ALAC suggests that "ICANN set up an Ombudsman for Global Issues (OGI), assisted by a handful of experts from various parts of the

community. This small group would receive requests from governments, associations, groups or individuals wishing to avail themselves of the "opt in" or "opt out" scheme being considered." According to the ALAC, "This OGI would report to the Board, bringing to their attention specific cases and proposing solutions." The ALAC says, "This would not, or very marginally, impact the role of the existing Ombudsman."

Analysis – Based on comments regarding this and other recommendations, there is clear community interest in active collaboration with staff on a number of the implementation matters associated with the WG recommendations (e.g., the opt-in process and the new ICANN regions list assigning states and other entities to particular regions). Depending on the recommendations, if any, that the Board adopts or modifies, the component of community staff collaboration is likely to be a major consideration. Consideration of the ALAC's OGI idea could be incorporated into a potential implementation discussion of the opt-in concept described in the language of WG Recommendation "G".

Issue 11 - Board Review

WG Recommendation "K" - "The Board must preserve its oversight and future review opportunities."

The ALAC believes that the Board should have the ultimate oversight over the ICANN Geographic Regions' framework including the 5 year review and reassignment process.

The NCSG does not support recommendation K in its present form. The NCSG says, "We believe that oversight should be a joint community and Board responsibility, particularly on matters integral to the functioning of the ICANN community."

Other Issues:

Issue 12 – Timing and Timeliness of Working Group Activity

The IPC expressed concern regarding "the protracted timeline of [the working group] and the impact that this may have had on the [working group's] work." The IPC noted that the effort "has overlapped several major ICANN initiatives, including the development and implementation of GNSO policy on the introduction of new gTLDs and the development and implementation of policy on the introduction of Fast Track IDN ccTLDs." The IPC says, "The sporadic nature of the [working group's] work could be interpreted as suggesting that insufficient attention was given to the [working group's work] while these other major initiatives were underway. Further, the DNS landscape and indeed the ICANN community have changed significantly since 2007. The IPC believes that cross-community initiatives such as the [working group] should be undertaken in a timelier manner; if sufficient attention cannot be given to important work such as this while other major initiatives are underway, then it should be delayed until such time as appropriate attention can be given."

The RySG also noted the length of time taken for the WG effort. The RySG notes that it has been nearly nine years since the concerns about the definition and use of Geographic Regions were highlighted by the ccNSO in 2007 and almost three years since the WGGR produced its final report in June 2013. The RySG states, "The reason for these exceptionally long timelines is unclear but they might be cause of concern for some RySG members." The RySG further notes, "When the uniform Framework for a Cross Community Working Group (CCWG) Life Cycle: Principles and Recommendations (https://www.icann.org/public-comments/ccwg-framework-principles-draft-2016-02-22-en) is finalized and implemented, we hope the overall CCWG process will be greatly improved."

Analysis – The commenters make useful observations about the time frame of this particular effort - the WG effort was one of the organization's first fully-functioning cross community working groups. The suggestions offered by the commenters will provide helpful approaches to future cross community

working group activities.

Issue 13 – Importance of Linkage to IANA Transition Matters

The IPC comments question "how this (and indeed all of the WG's recommendations) will be impacted by changes to ICANN structure, governance rules and procedures through IANA transition activity. The IPC asks, "Will these questions be addressed in the next phase of IANA transition work, and if not, why not?"

The RySG says it agrees with the WG view articulated at paragraph 81 of the Final Report - that cultural, language, economic and other situational factors from time to time forge commonalities within the Internet community and they must "have the opportunity to be addressed." To this end, the RySG notes "diversity" is within the scope of the Accountability Work Stream 2 and "we look forward to participating in that work in the coming months."

Analysis – As noted by the commenters, there may be some potential links and operational impacts that arise between the recommendations made by the WG and the upcoming scope of work under the Accountability Work Stream 2 and other IANA transition matters. The Board and staff should be aware of these linkages in the implementation of any recommendations that are accepted by the Board. As the IPC suggests, these questions should be addressed considered in the next phase of the transition effort - should any of the recommendations be adopted.

Issue 14 – Terminology Issues

As used in the Final Report, JJS says the term "mother country" has objectionable connotations (e.g. colonialism, forceful appropriation, annexation), and that its use could foster future territorial or other disputes. He suggests that the term be replaced by a more neutral expression such as "state or entity with which it/they was/were related".

JJS notes that if used in the context of ICANN, the notion of "mother-country" could be construed by some states as "justification to challenge the self-determination of another state or region."

JJS says in order to avoid political, territorial or linguistic disputes from spilling over into its processes, "ICANN would be well advised to replace all references to 'countries', 'territories' or 'regions' simply as 'states or other collective entities'." He says, "This would obviate the need for ICANN to use any term which, in the sphere of international relations, may give rise to disputes."

The NCSG asks that ICANN "promote usage of the term 'states and other collective entities' in place of 'states', in order to take into consideration situations such as disputed territories."

Analysis – Advice regarding sensitivity to the use of words or terminology that may be too narrow, politically charged or otherwise misinterpreted is welcomed, as the WG struggled with some of these same issues. Although the Final Report is a finished product of the Working Group itself, staff will be mindful of the use of the terms mentioned by the commenters as documentation of the Board's ultimate decisions on the WG recommendations are prepared. Efforts will be made to adjust these terms as suggested in the comments. The term "states and/or other collective entities" seems to be a consensus suggestion that can be effectively pursued by staff in the context of any future work in this area - as can the "mother country" replacement term suggested by JJS.

Issue 15 – Too Narrow An Inquiry?

The NCSG expresses "concern about the representativeness of the results of this public consultation exercise." The NCSG notes, "While we are strong advocates of evidence-based policy-making, in this instance, the limited number of respondents is unlikely to reflect the views of the global Internet

community because most of the responses will likely originate from a small echo chamber of stakeholders with vested interests in preserving the status quo."

Analysis – Over the course of several years, the Working Group (a collaborative effort of representatives from six of the seven ICANN SOs and ACs) researched, studied, debated and developed its recommendations, regularly seeking input from the entire ICANN community at ICANN Public Meetings and through extended public comment opportunities. The Working Group made its various benchmark reports available in all 6 UN languages and there were many extended opportunities for community and public input. As noted by the commenters, those efforts do not guarantee global participation. The Board should keep those thoughts in mind as it deliberates the next steps that will spring from these deliberations. Staff can be encouraged to continue to promote any follow-up work activities as much as possible to encourage wide and diverse input and participation.

Issue 16 – Other Types of Diversity

The BC notes, "Lastly, while not directly a part of this report, the BC wants to call attention to the fact that, along with geographic diversity, there are many other kinds of diversity that must factor into the growth and functioning of a vibrant global internet community. Among them, gender diversity — as referenced in UN Sustainable Development Goal #5 — is an essential building block in the multistakeholder process and a key to reaching women around the world who make up half of the world's population. As a practical suggestion, the BC urges staff to investigate simple ways that all ICANN committees, meetings and work groups can collect data on participation by geographic region and gender, and make this data available for the broader community. By knowing the amount of participation from women and different geographic regions in all ICANN activities, we can better pursue our goals of broader stakeholder engagement and diversity."

The NCSG notes that Paragraph 53 of the report indicates that increasing diversity would be a challenge for some stakeholder communities. Where this is the case, ICANN should help such constituencies address the challenges involved in achieving greater geographic and cultural diversity. The NCSG asks "that ICANN acknowledge that outreach and engagement activities are particularly challenging for constituencies whose members are individually or organisationally poor, have missions and work agendas beyond ICANN's remit, or who have difficulty freeing up 'worker bees' to be engaged in ICANN's policy development and working group processes."

The NCSG says it has carefully considered the Final Report of the WG and its input is "intended to underscore and support the need for reform in this arena, because the principles of geographic, linguistic, and cultural diversity are both important and relevant to ICANN's activities." According to the NCSG, "The challenge for ICANN, in resolving this tension, will be in how it equally and usefully subdivides the globe into smaller units to form a part of a new regions framework." In doing so, the NCSG asks ICANN to "consider larger cultural variations, as well as ethnographic analyses of the regions and widespread public consultation activities to collect subjective experiences to ensure [the organization is] developing a relevant and dynamic framework which considers individualism over collectivism." The NCSG says it would like to be involved in the development of any such policy processes.

The RySG says although the WG Final Report specifically focuses on geographic diversity, "The RySG believes that this issue should be considered in light of the overall diversity issue at ICANN, as promoting functional, geographic, and cultural diversity is a core value of ICANN (see ICANN's Bylaws)."

Analysis – There is clear community interest in seeing the principles of diversity considered in contexts beyond just geography. The Board may wish to emphasize those other contexts in the implementation work on any adopted recommendations or explore these concepts in a future working group effort.

In the meantime, consistent with the strategic plan of the organization, the staff is pursuing mechanisms that will make possible the collection, assessment and publication of more detailed information regarding aggregate demographics of ICANN participants in the organization's policy development efforts. This information may be of use in future analysis and work activities regarding diversity issues and other matters.

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Section IV: Analysis of Comments

General Disclaimer: This section is typically intended to provide an analysis and evaluation of the comments received along with explanations regarding the basis for any recommendations provided within the analysis. For this particular report, the analysis and potential staff recommendations have been incorporated into the summary section above.

See Section III above. The community comments overall reinforce the values of diversity within the ICANN multistakeholder model and reflect a continuing evolution of community views regarding the value of not just geographic diversity but other types of diversity as well within the work of ICANN. The commenters acknowledge the impact of this diversity of the ICANN organization in a post IANA transition world. In choosing to adopt, modify or reject the Working Group recommendations, the Board could consider various options for further community participation in the implementation of any decisions based on the recommendations.