

Comments on the December 2016 Draft Report

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The current draft report, subject of current public consultation, is an improvement on the previous version discussed on the mailing list and in the Transparency sub group, but it still suffers from serious shortcomings.

1. Proceeding in the manner recommended by the authors (Michael Karanicolas, Chris Wilson and Barbara Wanner) would engender a **culture of distrust** between the ICANN community and the ICANN staff which would be counterproductive in terms of constructive cooperation in implementing the desired degree of transparency.
2. It is very much to be regretted that **ICANN has not yet issued its comments on the draft text**, including the budgetary aspects. Indeed, the proposed policies would require a remarkable shift in the day-to-day priorities of the ICANN administration. I submit that this discussion should proceed no further in CCWG until ICANN has reported on the resources required to implement the proposed policy. These include staff time, opportunity cost to alternative priorities, and systematic archiving of a wide range of information that would not normally be recorded
3. Regarding **relations with governments**, whilst footnote 35 attempts to finesse the issue within the ICANN community, DIDP Recommendation 2, would still require all ICANN staff at all times to document all conversations with government officials, GAC or otherwise.¹ That is obviously impractical.
4. It would appear from recommendation DIDP 5, that ICANN should file **all documents** (including DDIP Recommendation 2) **in several alternative formats**. Technically possible, perhaps. Certain formats are vulnerable to opportunistic editing and re-distribution (under Creative Commons?)
5. Whilst I agree that the Ombudsman or the Complaints Officer should **oversee the general transparency policy**, I would expect ICANN to estimate the total staff costs of fulfilling this obligation. Does this become another layer of bureaucracy?

CW

Roy, 10/02/2017

1. It comes to mind that this provision might have included hypothetical exchanges between the GAC Chair, the GAC Secretary and senior ICANN staff, with Beijing and Taipei about their respective participations in ICANN. I don't think so.