

27 July 2019

NCSG Comment on the Fundamental Bylaws Amendment Proposal – IANA Naming Function Review

The Noncommercial Stakeholders Group (NCSG) welcomes the opportunity to comment on the proposed change to Bylaws Section 18.7(b).¹

We recognize the importance of the IANA Functions Review, as well as the necessity to seriously consider fundamental Bylaws amendments when they come before the community.

We understand that the ccNSO has faced difficulties in finding a non-ccNSO affiliated ccTLD manager in order to fill the position provided for by the Bylaws.

Looking at the change currently under consideration, we note that while the Bylaws would “strongly recommend” to look for a non-ccNSO affiliated ccTLD manager, this would not create any obligation to look for one, as long as the process as a whole can objectively be termed as “inclusive” and “open.”

The ccNSO website currently lists 172 members, which means in turn that there is a significant minority of non-members; using the conservative figure of 200 ccTLDs in total, that makes 14% of unrepresented, while recognizing that some are currently not operational.

While the proposed change does not appear unreasonable, we would look favourably at maintaining the obligation for the ccNSO to reach out to a non-ccNSO affiliated ccTLD manager. Such an obligation could be qualified by a term such as “best efforts.” This would impose a lighter burden on the composition of the IFRT, while ensuring that non-ccNSO affiliated ccTLD managers keep a reserved seat as was provided for in the original bylaws.

¹ <https://www.icann.org/public-comments/bylaws-amend-iana-naming-function-2019-06-10-en>