

## **Comment of the Non-Commercial Stakeholders Group on the GNSO Operating Procedures and ICANN Bylaws**

The Non-Commercial Stakeholders Group (NCSG) is pleased to comment on the proposed modifications to the Generic Names Supporting Organization (GNSO) Operating Procedures and ICANN Bylaws.

### *Background:*

With the completion of the IANA stewardship transition, the GNSO embarked on a review of its Operating Procedures to assess what changes, if any, were needed to bring the Operating Procedures into alignment with the new ICANN Bylaws and to determine any consequent changes to the Bylaws themselves.

The GNSO established a Revised Bylaws Drafting Team (DT) that undertook the analysis along with the invaluable assistance of ICANN staff. The GNSO Council accepted the DT Final Report on 1 December 2016. ICANN staff then drafted proposed language for any necessary modifications or additions to the GNSO Operating Procedures and, where applicable, the ICANN Bylaws.

### *General Comments:*

The NCSG would like to thank the GNSO DT and ICANN staff for their work. We would like to recognize the considerable effort by ICANN staff that went into the analysis and resulting proposed changes to the Operating Procedures and Bylaws.

We also appreciate that in assessing where there might be changes required to the Operating Procedures and Bylaws that ICANN staff took a “minimalist approach by focusing on the minimum changes needed to implement the DT recommendations.”

Given the NCSG’s involvement in the GNSO DT, we are comfortable with the proposed changes and approach outlined in the public consultation and look forward to their endorsement and incorporation into the Operating Procedures and Bylaws. If later on during implementing the operating procedures, it is found out that changes recommended by DT for some reason are not reflected in the new GNSO operating procedures, GNSO should follow the DT advice in those circumstances and allow for the mistake to be corrected.

Finally, we should note that the DT reached a consensus that GNSO Council should speak on behalf of the GNSO as a Decisional Participant in the Empowered Community. As was steadfastly maintained in the DT, NCSG is of the firm belief that the GNSO Council should speak for the GNSO as a Decisional Participant in the Empowered Community.

