

Draft SSR2 letter from GNSO Council to AC/SO leaders, with cc to ICANN Board

XX February 2018

From: GNSO Council

To: AC/SO Leaders

Aftab Siddiqui (Chair ASO)
Alan Greenberg (Chair ALAC)
Rod Rasmussen (Chair SSAC)
Katrina Sataki (Chair ccNSO)
Manal Ismail (Chair GAC)
Tripti Sinha (Co-Chair RSSAC)
Brad Verd (Co-Chair RSSAC)

cc: ICANN Board
SSR2RTco-chairs and members

RE: Input of the GNSO Council on the current status and next steps of the Second Security, Stability, and Resiliency of the DNS Review Team (SSR2-RT)

The GNSO Council remains concerned by the ICANN Board's suspension of the second community-driven review of ICANN's Security, Stability, and Resiliency of the DNS (SSR2-RT) just prior to the October 2017 ICANN 60 meeting in Abu Dhabi (<https://www.icann.org/en/system/files/correspondence/crocker-to-ssr2-28oct17-en.pdf>). The completion of this mandatory independent review is a fundamental accountability mechanism required under ICANN's Bylaws. We consider it essential to fulfilling ICANN's core values and commitments to a secure and stable system of unique internet identifiers.

The GNSO Council considers the Board's actions in suspending an independent community review to be an unprecedented intervention. From a procedural standpoint, the GNSO Council recognizes that individual Supporting Organization (SO) and Advisory Committee (AC) leaders have neither an established process by which to coordinate the re-start of a suspended Review Team's work, nor clear authority in the ICANN Bylaws for doing so. Accordingly, the GNSO Council has formally tasked its Chair with coordinating and collaborating with the other SO/AC leaders to determine an appropriate path forward for re-starting the work of the SSR2-RT, but particularly a path that empowers the Review Team members. To be clear, the GNSO Council does not consider it appropriate that the SO/AC leaders usurp any powers of the Review Team itself.

Concurrently, the GNSO Council has conducted an assessment of the issues raised by the ICANN Board's letter of October 28 which cited concerns raised by the SSAC. We continue to review all existing documentation, including the Bylaws and Terms of Reference, as well as the Work Plan and Skills Matrix prepared by SSR2-RT members post-ICANN60 to ensure next steps are both informed and effective. We have also invited feedback from current and past GNSO-appointed SSR2-RT members on their recommendations, if any, about possible adjustments that are responsive to the issues raised by the ICANN Board. This issue was further discussed during the GNSO Council's January 29-31 face-to-face

strategic planning session and monthly Council meeting in Los Angeles.

In accordance with the relevant provisions of ICANN's Bylaws dealing with the appointment of Review Team members, the GNSO's Standing Selection Committee is working to identify candidates to further augment the SSR2-RT and, at a minimum, to replace one GNSO-appointed member who recently resigned. Since there remain vacant, unfilled slots in the RT's full complement of 21 members, the GNSO Council can prepare itself if appropriate to nominate additional SSR2-RT candidates and outside experts to augment the current group and/or to replace any Review Team members who have resigned, or do not wish to continue in their role. We look forward to coordinating with the other SOs and ACs to round out this important group with new members who possess an appropriate skill set and level of engagement.

We understand that the SO/AC leaders, as part of their ongoing collaboration on this issue, have discussed the possible use of an external facilitator to assist the SSR2-RT re-start its work. The GNSO Council does not oppose exploring the involvement of an external facilitator to assist the SSR2-RT members in identifying and resolving any issues that may impede their work and clarifying the scope of the Review Team's work. Further, the GNSO Council believes that the involvement of an external facilitator is preferable to the SO/AC leaders attempting to fulfil this facilitation role themselves.

We hope that you have found this letter helpful in understanding the GNSO Council's considerations to date on this matter, and it is our hope that other SO/AC leaders will likewise inform the community on the perspectives of their respective groups on this important topic. Thank you.

Sincerely,

[On behalf of the GNSO Council]

Heather Forrest, GNSO Council Chair

Donna Austin, GNSO Council Vice Chair

Rafik Dammak, GNSO Council Vice Chair