# WP2: Categorising Public Comment Replies

# Section: Fundamental Bylaws

# Aims

The goals of this categorisation exercise were:

1. To identify common topics that those who submitted replies wished to discuss, so that WP2/CCWG can organise itself to discuss these topics;
2. To show the relative popularity of each topic as an item for discussion, so that WP2/CCWG can prioritise its focus accordingly;
3. To collect those comments are all on a given topic together, and separate them out from unrelated comments, so that when WP2/CCWG discusses an issue it has readily before it all the feedback received on that issue
4. To ensure that items that were new to CCWG and which did not receive much attention were captured, so that these additional ideas were not excluded from consideration

# Methodology

The reviewers read the Public Comment Replies[[1]](#footnote-1) and sought to identify broad topics or issues to which particular comments were addressed. These topics were drawn broadly, and value neutral as to the position taken on the topic.

# Outcome

The process produced three major substantive topic areas for WP2/CCWG to discuss, plus a single comment that the reviewers categorise as Miscellaneous. Within those major topic areas we find two sub-topic, two sub-topics and four sub-topics, respectively.

Three main topics or eight detailed topics seems a manageable number.

Every subtopic had at least four commenters speaking to it; the most popular had twenty-six.

The reviewers found a single comment raised that could not be categorised and indexed using this methodology: it therefore aims to constitute (errors and oversights aside) an exhaustive reference.

# Breakdown of comments received

|  |  |  |
| --- | --- | --- |
| **Main topic area** | **Sub-topic area** | **No. of commenters who submitted comments relating to this topic** |
| Concept and choice of Fundamental Bylaws |  |  |
|  | The concept of having Fundamental Bylaws | 26 |
|  | Which Bylaws should be fundamental? | 13 |
| Change mechanisms |  |  |
|  | Who can change the Fundamental Bylaws? | 7 |
|  | Change thresholds and mechanisms | 11 |
| Proposals for additions and alterations to the Fundamental Bylaws |  |  |
|  | Proposals for additional Bylaws | 5 |
|  | Does wording need to be more flexible? | 4 |
|  | Location of Headquarters | 7 |
|  | IANA Reviews | 6 |
| Miscellaneous comments | 1 |

# Scope of topics

## Concept and choice of Fundamental Bylaws

There were a number of commenters who spoke specifically and explicitly in answer to the question posed about whether there was support for the bare concept of having Fundamental Bylaws that were harder to change than other Bylaws. These are collected into one sub-topic.

A set of commenters gave comments as to whether there was support for the specific bylaws that CCWG proposed for “Fundamental” status. These are collected into another sub-topic (NB: a separate major topic exists for new proposals).

## Proposals for additions and alterations

The reviewers identified four groups of comments relating to this major topic:

* Those that commented on whether the location of the ICANN Headquarters should become a fundamental bylaw
* Those that commented on whether the IANA Functions Review and/or other provisions recommended by CWG-Stewardship should be incorporated into the bylaws and granted “Fundamental Bylaw” status
* Those that proposed the creation of new bylaws that would have fundamental status, or that would promote additional bylaws to fundamental status on top of those proposed by CCWG (apart from comments related to the location of ICANN headquarters or the IANA Functions Review / CWG-Stewardship proposals)
* Finally, a number of commenters suggested that, while they supported in principle granting “Fundamental Bylaw status” to the bylaws identified by CCWG, amendments to the wording of those bylaws should be considered before this occurs.

## Change mechanisms

The reviewers identified two groups of comments relating to this major topic:

* Comments related to whose approval is required for changes to the fundamental bylaws (including support for the CCWG proposal that community approval should be required, rather than just the Board)
* Comments related to the thresholds of support that would be required to approve a change to a fundamental bylaw

## Other

Other comments.

# Appendix: Index of comments received

This appendix indexes the Public Comment Summary so that individual comments on a particular topic can be found quickly.

|  |  |  |  |
| --- | --- | --- | --- |
| Topic | Commenter | Ref | Notes/extract |
| The concept of having Fundamental Bylaws | auDA | 126 |  |
|  | DBA | 127 |  |
|  | DCA-T | 129 |  |
|  | NM | 130 |  |
|  | AFRALO | 131 |  |
|  | Afnic | 132 |  |
|  | Govt-IN | 133 |  |
|  | DP-DK | 134 |  |
|  | IA | 135 |  |
|  | eco | 136 |  |
|  | JH | 138 |  |
|  | BC | 139 |  |
|  | .UK | 140 |  |
|  | USCIB | 141 |  |
|  | LINX | 142 |  |
|  | JPNIC | 143 |  |
|  | MPAA | 147 |  |
|  | CDT | 148 |  |
|  | CIRA | 149 |  |
|  | USCC | 151 |  |
|  | INTA | 152 |  |
|  | .NZ | 153 |  |
|  | NCSG | 155 |  |
|  | GG | 156 |  |
|  | CENTR | 157 |  |
|  | NIRA | 158 |  |
| Which Bylaws should be fundamental? | auDA | 126 |  |
|  | AFRALO | 131 |  |
|  | Afnic | 132 |  |
|  | eco | 136 |  |
|  | RySG | 137 |  |
|  | LINX | 142 |  |
|  | IPC | 145 |  |
|  | MPAA | 147 |  |
|  | CDT | 148 |  |
|  | INTA | 152 |  |
|  | .NZ | 153 |  |
|  | NCSG | 155 |  |
|  | NIRA | 158 |  |
| Who can change the Fundamental Bylaws? | RH | 124 |  |
|  | Govt-IN | 133 |  |
|  | BC | 139 |  |
|  | CDT | 148 |  |
|  | NCSG | 155 |  |
|  | GG | 156 |  |
|  | NIRA | 158 |  |
| Change thresholds and mechanisms | DCA-T | 129 |  |
|  | NM | 130 |  |
|  | IA | 135 |  |
|  | RySG | 137 |  |
|  | BC | 139 |  |
|  | .UK | 140 |  |
|  | LINX | 142 |  |
|  | IPC | 145 |  |
|  | SR | 150 |  |
|  | USCC | 151 |  |
|  | GG | 156 |  |
| Proposals for additional Bylaws | CRG | 128 |  |
|  | IPC | 145 |  |
|  | USCC | 151 |  |
|  | INTA | 152 |  |
|  | .NZ | 153 |  |
| Does wording need to be more flexible? | IA | 135 |  |
|  | BC | 139 |  |
|  | USCC | 151 |  |
|  | GG | 156 |  |
| Location of Headquarters | Afnic | 132 |  |
|  | IA | 135 |  |
|  | RySG | 137 |  |
|  | BC | 139 |  |
|  | IPC | 145 |  |
|  | Govt-BR | 146 |  |
|  | MPAA | 147 |  |
| IANA Reviews | RySG | 137 |  |
|  | JPNIC | 143 |  |
|  | CWG-St | 144 |  |
|  | CDT | 148 |  |
|  | HR2251 | 154 |  |
|  | NCSG | 155 |  |
| Miscellaneous comments | JS | 125 |  |

1. The starting point for this exercise was the summary of public comment replies supplied by staff support, not the original replies themselves. [↑](#footnote-ref-1)