

Comments on the NPOC Charter Review, Sam Lanfranco, October 6, 2016

Klaus,

Thank you, Maryam, and the NPOC Executive for initiating the Charter Review.

Thank you and the NPOC Executive for initiating the Charter Review. The explosive growth of the Internet, coupled with those left behind in terms of access, use and benefits, and the transition in ICANN's operational role, make this an ideal time to reflect, discuss, and craft a revised Charter for NPOC's remit, focus and work plan.

It is extremely important that the not-for-profit/non-governmental organization sector (NFP/NGO), and those constituencies it represents, have a bigger voice in the various levels of Internet governance and policy. Those policies aid or obstruct their pursuit of their own mission and vision.

In light of the Charter revision I would like to offer some initial observations from two perspectives, observations intended to feed discussion. One is from the perspective of an NFP/NGO. The second is from three years within NPOC, its NCSG umbrella group, and inside the ICANN organizational ecosystem.

The NGO I represent has a global health mission. I represent it because of my interests and willingness to devote the time to NPOC. The NGO has a general interest in the health and wellness of the Internet ecosystem, including DNS policy and implementation, but –as with most NFP/NGOs- it is not in a position to devote time or resources to that interest. This is not unlike health NFP/NGOs and the issue of radioactive waste disposal. Medical radioactive waste is a serious issue, representing a significant portion on low level radioactive waste, but most health NFP/NGOs are focused on their core health mission. They are not in a position to devote time and resources to join others dealing with the problems of medical radioactive waste.

What does this mean for NPOC and ICANN in general? It means that greater, broader and deeper NFP/NGO engagement has to carry a short term gain (a “win”) for greater engagement in the broader Internet ecosystem. That has to be more than just a window or door to greater awareness of, and engagement in, ICANN's mission of domain name system (DNS) stability and security.

How does NPOC do that? The answer is not to revise the Charter to wider NPOC's core remit, which is linked to and constrained by ICANN's remit. It is in the UN's Sustainable Development Goal (SDG) #17. In discussion with its constituency NPOC should help build stronger partnerships between the majority of underrepresented NFP/NGOs and processes and structures that address the policies and practices shaping the Internet ecosystem at all levels relevant to the NFP/NGO sector and its constituent parts. An NPOC deliverable, as part of this, would be greater NFP/NGO awareness and engagement in ICANN policy and implementation.

I would now like to share learning from three years of engagement with ICANN and NPOC, as it directly relates to either the NPOC Charter or its subsequent work plan.

The first learning is with regard to the depth and breath of active NPOC membership. Most current membership, as with the rest of NCSG, is driven by individuals who are essentially working pro bono representing their organizations, and working pro bono for ICANN. Beyond that narrow breadth of membership, there are two significant vacuums in the membership space.

One vacuum is at the top of the NFP/NGO pyramid, and on the part of the large global organizations. They were the impetus for NPOC in the first place but they do not play a role in NPOC. That is in part because they have other avenues in which to pursue their ICANN engagement (e.g. via the GNSO directly). There may be a Charter issue, or it may be an NPOC work plan issue, but it warrants at least some discussion.

The other vacuum is at the bottom of the NFP/NGO pyramid (BoP). The BoP represents the vast majority of constituency groups. It is where the vast number of NFP/NGO Internet challenges resides, and where there is only a tiny sliver of engagement with NPOC, NCSG and ICANN. Again, this calls for greater clarity with regard to NPOC's partnership efforts and its work plan to help others address those needs and concerns at all levels of the Internet ecosystem.

Lastly, I have a concern related to the proposed requirement, from Klau's kick off message, that a membership-based NFP/NGO must represent primarily non-commercial organizations. I would like that requirement to be the subject of discussion. I believe this is an important deviation from the initial NPOC Charter which was worded to allow membership by professional associations with educational, social or other non-commercial objectives. Under the proposed requirement if NPOC were apart from ICANN, ICANN would not be eligible to join NPOC even though its remit would be identical. What the implications are for the differences between -membership must represent primarily non-commercial organizations-, and -the organization must have a non-commercial mission- needs to be discussed and reflected on.

This proposed requirement of membership brings two problems. One is the potential exclusion of professional associations where they engage in support of the public interest, no matter what the composition of their membership might be. That would include organizations such as global chapters of Rotary Clubs, Lions Clubs, and similar organizations with a strong public interest and social policy focus. The other (growing) problem would be with respect to social business and "B Corp" social enterprise organizations. There is strong pressure for NFO/NGOs to become self-financing with a social business focus (as per ICANN?). That should not preclude them from NPOC membership. This issue needs to be discussed.

I would hope that the issues raised here would be discussed both inside the Charter revision committee and with the NPOC, and if possible wider, NFP/NGO constituency community.

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