# RSO Feedback on Current GWG Draft

17 June 2021

# High level feedback

RSOs are concerned of the following in the current GWG draft

1. Loss of checks and balances
2. Loss of independence
3. No obvious reason for choosing ICANN affiliate as type of organization
4. Current proposal lacks many details

# Concern 1: Loss of checks and balances

- Moving the structures out of ICANN removes the connection to the build-in checks and balances in the ICANN community.
- Moving the structure out of ICANN also puts RSOs further away from the stakeholders that directly depend on the service.
- Separating the the RSOs and the IANA into "separate buckets" institutionalize a division that we do not want to exist.

RSO Perspective:

- In drafting RSSAC037, the RSOs put a lot of effort understanding the ICANN checks and balances and build a model that works for all RSOs.
- In drafting RSSAC037, the RSOs spend a lot of time defining the stakeholders for the system, and arrived at "ICANN" as being the best representation for them. The RSOs questions the need to redefine it again.
- The RSO's have always stated their intent to serve the IANA zone. There needs to be a tie between the RSO's and IANA to ensure the root zone and root server system remain intact and unfractured

# Concern 2: Loss of independence

- The PRS seems to be a top-down structure where the RSOs can "be told what to do," which limits their independence
- As decision-making is moved towards a smaller group ("PRS Board"), the risk of capture of the system increases noticeably.
- The operational trust of the RSS lies with the fact that it is not controlled by any one entity, Board, collective, or government agency. Single point of operational control could lead to loss of trust.

RSO Perspective:

- The RSOs would like to see a model where the risk of capture is kept as small as possible.
- The RSOs have to give up a lot to come under this model. Given the composition and representation of the PRS board, and the risk of capture, there is real concern from RSOs that RSO interests be simply be out-voted.

# Concern 3: Choosing ICANN affiliate as type of organization

- GWG seems to have selected a legal form without explaining how or why that choice or made

RSO Perspective:

- The RSOs suggests first a list of criteria that any governance body needs to satisfy must be developed, and then explore legal structure options on how to meet those criteria.
- The RSOs are developing such a list of criteria

# Concern 4: Current proposal lacks many details

- In drafting RSSAC037, the RSOs spent a lot of time together thinking about stakeholders, checks and balances, functions and built a model that is accepted by all RSOs.
- The GWG proposal have a lot of gaps

RSO Perspective:

- RSOs are unlikely to agree to anything that says "TBD".