

Proposed Updates to GNSO Statement of Interest (SOI) – Brief Overview

This brief overview describes the main changes that are being proposed to the current SOI requirements. First and foremost:

- Instead of one SOI that is used for all activities, there would be two SOIs, namely:
 - **General Statement of Interest** which contains general information about a participant to understand their background and motivation for participating in GNSO activities.
 - **Activity Specific Statement of Interest** which is information that is provided specific to the activity a participant has requested to participate in. For example, what is their motivation for participation in that activity as well as the possible impact on the individual and/or their employer of the outcomes of the process. As part of the introductory meeting of a policy effort, each participant is expected to introduce their activity specific statement of interest and address any questions other participants may have.

(For further details the draft [CCOICI Recommendations Report](#))

In relation to the so-called “exemption”, it is important to note that the exemption option already exists under the current SOI requirements. This question would now be part of the Activity Specific Statement of Interest and it is recommended that it would be modified as follows:

Current SOI Question	Proposed Updates to this SOI Question
Do you believe you are participating in the GNSO policy process as a representative of any individual or entity, whether paid or unpaid?	<p>Do Are you believe you are participating in the GNSO policy process as a representative of any individual or entity, whether paid or unpaid?</p> <p>The term “representative” in this context means that you are acting on behalf of a third party, whether it is a legal or a natural person (the ‘Represented Party’) by whom you have been appointed, specifically for this activity or to a role that encompasses this activity, to represent and/or advocate for the Represented Party’s interests, views and positions.</p>
If the answer is “Yes,” please provide the name of the represented individual or entity. (If professional ethical obligations prevent you from disclosing this information, please enter “Private”):	<p>If the answer is “Yes,” please provide the name of the represented individual or entity. (If professional ethical obligations prevent you from disclosing this information, please enter “Private”: you must provide details on which ethical obligations prevent you from disclosing and must provide a high level description of the entity that you are representing without disclosing its name as well as declare whether, to the best of your knowledge, that entity is actively participating or being represented in other GNSO SG/Cs/SO/Acs,, for example “I represent a Registry client who is also actively participating in the RySG”, “I am representing a governmental entity, who is also actively participating in the GAC” or “I represent a large brand holder in the entertainment sector</p>

	who, to the best of my knowledge, is not actively participating or being represented in other ICANN groups”).
	○ Yes: [provide name of represented individual or entity]
	○ The following professional ethical obligations prevent me from disclosing this information: [specific details required to be provided if this box is ticked] ○ [Required response if previous box is ticked]: Please provide a high-level description of the entity that you are representing as well as declare, to the best of your knowledge, whether that entity is actively participating or being represented in other GNSO SG/Cs/SO/Acs

- As part of its consideration of what problem complete removal of the exemption language aims to address, the CCOICI reviewed the use of the current exemption in recent efforts¹ that did not operate under a representative model. The CCOICI found that a maximum of 0.03% members were making use of the exemption. This very limited use of the exemption led the CCOICI to the conclusion that the requests for removal of the exemption language did not seem to be in response to a current issue but potential future situations. The CCOICI also noted that the tightening of the exemption language, by providing further specificity as to what qualifies as a ‘representative’ may have even further reduced its use in these efforts.
- The CCOICI was also reminded that the SOI in current as well as future state is an honor system – it is dependent on respondents filling out the information truthfully. Although there is a mechanism to challenge accuracy, there is no independent verification of the information that is provided.

The CCOICI does recognize that despite these existing safeguards and the increased use of the representational model, the potential for misuse of the SOI exemption does exist in theory. As a result, the CCOICI is recommending the following additional safeguards:

1. Adding a provision to the Charter Template that allows Council to limit the participation of those that invoke the exemption in a Consensus Call. The Council could either decide to apply such a limitation at the outset or as a triggering mechanism (e.g. if X percentage of members invoke the SOI exemption, these members will not be able to participate in a Consensus Call). The CCOICI would like to point out that this is not something new – it is already common practice in the representational model that only members participate in a Consensus Call and not participants. If the Council is supportive of this safeguard, the CCOICI would work with the GNSO staff support team to develop proposed language for inclusion in the charter template.
2. Review usage of the exemption after implementation of these recommendations. As indicated, it is the expectation that with the narrowing of the language, the need to invoke the exemption may reduce. Nevertheless, the CCOICI recommends that the Council monitors the use of the exemption in future efforts so it can assess whether further modifications are necessary or not. If the Council is supportive of this safeguard, the GNSO staff support team would track this information and report to the Council on the use of the exemption for future efforts. Based on this reporting, the Council can then determine if/when further review is warranted.

¹ SOIs for the SubPro PDP with a total of 192 members and the RPM PDP with a total of 159 members were reviewed.