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COMPLETE

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PAGE 2: Personal Information

Q1: **Name**	Robin
Q2: **Affiliation**	Gross
Q3: **Responding on behalf of**	IP Justice

PAGE 3: Recommendation 1

Q4: **Is establishing an Empowered Community for enforcing Community Powers a solution that is acceptable to you?(Please see Annex 1 - Recommendation #1: Establishing An Empowered Community For Enforcing Community Powers for more information)**	No, I do not support this recommendation., Comment Recommendation #1 cannot be supported because it elevates Advisory Committees relative to Supporting Organizations in ICANN's historic balance of influence among SO/ACs. This recommendation is also problematic because it creates an important "decision making" role for the Government Advisory Committee, which is a significant shift in ICANN's historic private sector led structure. The GAC is supposed to be an "advisory" committee, but this flawed recommendation provides governments with an additional and significant "decision making" power at ICANN. The recommendation further over-empowers the ALAC in its flawed constitution. Because the influence of the Advisory Committees is over-inflated and the influence of the Supporting Organizations is marginalized, the so-called Empowered Community, fails to deliver meaningful accountability.

PAGE 4: Recommendation 2

Q5: **Is empowering the community through consensus: engage, escalate, enforce a solution that is acceptable to you?(Please see Annex 02 - Recommendation #2: Empowering The Community Through Consensus: Engage, Escalate, Enforce for more information)**	Yes, I support this recommendation.

PAGE 5: Recommendation 3

Q6: Is redefining ICANN's Bylaws as 'Standard Bylaws' and 'Fundamental Bylaws' a solution that is acceptable to you?(Please see Annex 03 - Recommendation #3: Redefining ICANN's Bylaws As 'Standard Bylaws' And 'Fundamental Bylaws' for more information)	Yes, I support this recommendation.

PAGE 6: Recommendation 4

Q7: Is ensuring community involvement in ICANN decision-making: seven new Community Powers a solution that is acceptable to you? (Please refer to Annex 04: Details on Recommendation 4: Ensuring Community Involvement In ICANN Decision-Making: Seven New Community Powers for more information)	Yes, I support this recommendation.

PAGE 7: Recommendation 5

Q8: Is changing aspects of ICANN's Mission, Commitments and Core Values a solution that is acceptable to you?(Please refer to Annex 05 - Details on Recommendation #5: Changing Aspects Of ICANN's Mission, Commitments And Core Values for more information)	Yes, I support this recommendation., Comment ICANN's mission must be narrowly tailored and it must be precluded from straying beyond that. In particular content regulation must be out of scope for ICANN and its mission and that must be clarified in the Articles of Incorporation. Also the definition of "global public interest" must be tied to the community's interpretation, as derived through the multi-stakeholder bottom-up process, rather than a product of independent board judgment, and this must be included in ICANN's foundational Articles.

PAGE 8: Recommendation 6

Q9: Is reaffirming ICANN's commitment to respect internationally recognized human rights as it carries out its Mission a solution that is acceptable to you?(Please refer to Annex 06 - Recommendation #6: Reaffirming ICANN's Commitment to Respect Internationally Recognized Human Rights as it Carries Out Its Mission for more information)	Yes, I support this recommendation.

PAGE 9: Recommendation 7

Q10: Is strengthening ICANN's Independent Review Process a solution that is acceptable to you?(Please refer to Annex 07: Recommendation 7: Strengthening ICANN's Independent Review Process for more information)	Yes, I support this recommendation.

PAGE 10: Recommendation 8

Q11: Is fortifying ICANN's request for reconsideration process a solution that is acceptable to you?(Please refer to Annex 08 - Recommendation #8: Improving ICANN's Request For Reconsideration Process for more information)	Yes, I support this recommendation.

PAGE 11: Recommendation 9

Q12: Is incorporation of the Affirmation of Commitments a solution that is acceptable to you?(Please refer to Annex 09 - Recommendation #9: Incorporation of the Affirmation of Commitments for more information)	No, I do not support this recommendation., Comment The Affirmation of Commitments imposes too many top-down policies on the community and therefore should not be mandating in this way. Those policies should be derived from bottom-up consensus-based processes instead.

PAGE 12: Recommendation 10

Q13: Is enhancing the accountability of Supporting Organizations and Advisory Committees a solution that is acceptable to you?(Please refer to Annex 10 - Recommendation #10: Enhancing the Accountability of Supporting Organizations and Advisory Committees for more information)	No, I do not support this recommendation., Comment This recommendation is unacceptable as proposed because it exempts the Governmental Advisory Committee from the same accountability improvements that other SO/ACs must undergo via the Bylaws reviews processes. Furthermore, the Bylaws review processes are not truly bottom-up or democratic in their make-up or operation. They are heavily dominating by ICANN's board and senior staff and provide too much unilateral authority over the SO/ACs governance to the board.

PAGE 13: Recommendation 11

Q14: Is Board obligations regarding GAC Advice (Stress Test 18) a solution that is acceptable to you?(Please refer to Annex 11 - Recommendation #11: Board obligations regarding GAC Advice)	No, I do not support this recommendation., Comment The recommendation marks a significant shift at ICANN away from being private sector led and towards governmental control of key Internet governance functions. It is a grave mistake to empower governments in this way, many of whom are not democratic and routinely engage in wide-scale violations of human rights. The unaccountable should not be empowered at ICANN, but this recommendation does just that.

PAGE 14: Recommendation 12

Q15: Is committing to further accountability work in Work Stream 2 a solution that is acceptable to you? (Please refer to Annex 12 - Recommendation #12: Committing to further accountability work in Work Stream 2)	Yes, I support this recommendation., Comment More focus on transparency is needed in Work Stream 2, particularly over board communications and board deliberations. The ICANN board should be held to same standard of transparency under which the GNSO Council operates: publicly recorded and transcribed board meetings and email discussions. The ICANN board should not be allowed to impede Work Stream 2, once the leverage of the IANA transition is not in place to force accountability improvements. Experience shows the board resists accountability at every turn and it cannot be permitted to delay, truncate, or control Work Stream 2 accountability reform work.

PAGE 15: Additional Information

Q16: Please submit comments you have in addition to the information provided above, including on NTIA criteria, CWG-Stewardship requirements and Stress Tests.	*Respondent skipped this question*