

To: ICANN Board of Directors

On the 11th and 12th of January representatives from the Non Contracted Parties House (NCPH), including both the Commercial Stakeholder Group and the Non-Commercial Stakeholder Group, met in Washington to discuss a wide range of issues. The Constituencies who form the NCPH represent the views of 50% of the current GNSO, and together bring to the table a wide range of diverse opinions representing a multitude of stakeholders. It is therefore particularly notable when such a widely disparate group speak with a uniform voice on any topic.

One issue that was discussed in Washington was the current GNSO review. There was a strong consensus opinion that the current review fundamentally failed to address the main issue of concern; the existing structure of the GNSO.

Attempting to address questions of process, accountability or performance of such a major part of the ICANN structure without tackling the root cause of so much dissatisfaction, a point underlined by the very strong opinions expressed by all parties at the Washington event, would be a major failure of the review process that is embedded within ICANN's bylaws.

Whilst it is appreciated that following concerns initially expressed during ICANN 51 there has been a late initiative to include structural issues within the current study, it is the view of the individual NCPH participants that this will not adequately produce the required focus on such an important issue.

What is required is a thorough review of the current GNSO structure that takes full account of the evolution of the DNS and the interaction that is required between those players who have a major role to play in GNSO policy development. Without recognition of the need to undertake this exercise and commit to a program that is developed with the full cooperation of all impacted parties, an important part of ICANNs multi-stakeholder model will continue to be viewed as dysfunctional by many of those who remain committed to try and deliver coherent and progressive policy within the current structural architecture of the GNSO.

The individual NCPH participants urge the ICANN Board to note the level of concern and undertake the required action to address this as a matter of urgency. We recommend that the Board also consult the GNSO Council on how best to address this issue.