

Statement of the Noncommercial Stakeholders Group on the [CCWG-Accountability WS2 Final Report](#)

The Noncommercial Stakeholders Group (NCSG) welcomes the opportunity to comment on the CCWG Accountability Workstream 2 (CCWG-Accountability) outcome document.

The NCSG is the most diverse body in the Generic Names Supporting Organization, with individual and organisational members from 128 countries. As a network of individual and organisational members representing the interests of non-commercial registrants, we represent a broad cross-section of the global Internet community. Many of our members were involved in the work of the CCWG-Accountability, including both Workstream 1 and Workstream 2.

I. NCSG Comments on the Recommendations

Diversity

The NCSG supports the eight recommendations on diversity.

Guidelines for standards of conduct presumed to be in good faith associated with exercising removal of individual ICANN Board Directors

The NCSG supports the proposed guidelines and recommendations.

Human Rights Framework of Interpretation

The NCSG supports the framework of interpretation for the ICANN Bylaw on Human Rights, and we also endorse the considerations and conclusions listed in the annex.

Jurisdiction

The NCSG supports these recommendations, and we call for their full and timely implementation.

Ombuds

The NCSG has strong concerns in relation to the the proposed Ombuds office recommendations. While we support some of the recommendations, we believe that the concerns outlined in the NCSG comment to the subgroup reports on the independence of the Ombuds office were not adequately addressed¹. The NCSG therefore objects to this part of the Workstream 2 report for falling short of addressing this important aspect of the future work of the Ombuds office.

¹https://mm.icann.org/pipermail/comments-iao-recs-10nov17/attachments/20180115/6c8a7f0c/CCWG_WS2Ombudsmanreportcomments-0001.pdf

Accountability of SO/ACs

The NCSG supports the recommendations and conclusions that the group reached in its entirety in relation to SO/AC accountability.²

Staff Accountability

The NCSG supports these recommendations.

Transparency

The NCSG supports the transparency subgroup recommendations in general. However, we would like to express again our support for the dissenting opinion which was jointly submitted by the NCSG and CSG. As the dissenting opinion stated: “We submit this minority statement not to disagree with the final recommendations, but to express dismay that the Working Group was not able to achieve consensus support for any clear principles to guide ICANN’s decisions as to when to waive attorney-client privilege, and better align them with the overarching Bylaws obligation to “operate to the maximum extent feasible in an open and transparent manner.”³

II. NCSG Comments on Implementation:

While the report itself states that most of the “modifications, and many of these are either suggestions of good practices or simply optional while many others offer flexibility in how they can be implemented”, it suggests that this will be a multi-year project. Some of the recommendations might take longer and some might not. The start of implementation of each project should not depend on how long it will take. Considering this, the NCSG supports the implementation approach.

² “The final report presents 29 recommendations or good practices SO/ACs should implement in the areas of Accountability, transparency, participation, Outreach and Updates to policies and procedures. It also includes recommendations on the Mutual accountability roundtable and the applicability of the IRP to SO/AC activities”

³

<https://www.icann.org/en/system/files/files/ccwg-acct-ws2-annex-8-2-transparency-minority-statement-27mar18-en.pdf>