Public Comment Summary Report

Proposed GNSO Process for ICANN Board to Reverse Adoption of GNSO Policy Recs

Open for Submissions Date:
Thursday, 20 November 2025

Closed for Submissions Date:
Thursday, 22 January 2026

Summary Report Due Date:
Wednesday, 11 February 2026 (extended from Wednesday, 04 February 2026)

Category: Policy

Requester: Generic Names Supporting Organization (GNSO)

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Open Proceeding Link:
https://www.icann.org/en/public-comment/proceeding/proposed-gnso-process-for-icann-board-to-reverse-adoption-of-gnso-policy-recs-20-11-2025

Outcome:
This Public Comment proceeding is a requirement for material edits to the GNSO Operating Procedures. The comments received mentioned opportunities for refinement, provided additional clarity, and highlighted general alignment of the community's expectations for this process.

The GNSO Support Staff note that the anticipated changes outlined in this summary report must be agreed upon by the GNSO Council before they are incorporated in the GNSO Operating Procedures. Anticipated changes include but are not limited to the slight broadening of reasons and circumstances where the ICANN Board may consider reverse adoption of GNSO Policy Recommendations, and changing (emphasis added) "the Board *may* adhere to the process below" to "the Board *should* adhere to the process below". Upon further review of the public comments received, the GNSO Council may consider additional changes to the Proposed GNSO Process for ICANN Board to Reverse Adoption of GNSO Policy Recommendations.

Additionally, the anticipated amendments to the GNSO Operating Procedures align with Strategic Objective 1.2 of the ICANN Strategic Plan for FY26-30. The GNSO Council and GNSO Support Staff appreciate the community's valuable input on the Proposed GNSO Process for ICANN Board to Reverse Adoption of GNSO Policy Recommendations.

Section 1: What We Received Input On

The GNSO Council recently proposed a process for the ICANN community's consideration to enable the ICANN Board to reconsider a previously adopted policy recommendation from the GNSO. This proposal is based on the identification of a procedural gap, specifically the lack of a defined process for the Board to reconsider an adopted GNSO policy recommendation. The process is proposed to be contained in updates to the GNSO Operating Procedures, specifically updates to the Policy Development Process (PDP) Manual and the GNSO Guidance Process (GGP) Manual. The updated text seeks to balance the need to set expectations for both the GNSO Council and Board while also ensuring the updates do not limit the Board's actions in accordance with its fiduciary duties. The GNSO sought community input on the proposed updates to ensure the updates strike the right balance of necessary flexibility and appropriate guardrails.

Section 2: Submissions

Organizations and Groups:

Name	Submitted by	Initials
Business Constituency		BC
Intellectual Property Constituency		IPC
Tucows		Tucows
Internet Infrastructure Coalition		i2C
Noncommercial Stakeholder Group		NCSG
Registrar Stakeholder Group		RrSG
At-Large Advisory Committee		ALAC
Registries Stakeholder Group		RySG

Individuals:

Name	Affiliation (if provided)	Initials
Miracle Onyebuchim		MO
Chubasco Diranga	ALAC	CD

Section 3: Summary of Submissions

The Proposed GNSO Process for ICANN Board to Reverse Adoption of GNSO Policy Recommendations received 10 comments during the Public Comment period. This Summary of Submissions provides a broad thematic overview of the Public Comments received. The Public Comments broadly cover the following themes and are expanded on below:

- Support for the Reversal Process with Limitations
- Reversal Process in Relation to Implementation Timing
- Community Involvement in the Reversal Process
- Reversal Process Documentation
- Placement of Mechanism
- Proposed Edits to the Proposed Process

Support for the Reversal Process with Limitations

The ALAC, BC, CD, i2C, MO, NCSG, RrSG, RySG, and Tucows support the development of a process by which the ICANN Board may reverse the adoption of GNSO policy recommendations. However, these groups note that the reversal process should only be used after meeting certain safeguard requirements, after proper assessments of the issue have been conducted, and in limited circumstances. There is agreement among these commenters that the reversal process should not be used routinely.

The RrSG and RySG note that there should also be a pathway for the GNSO Council to recommend to the ICANN Board that the adoption of GNSO policy recommendations be reversed.

Reversal Process in Relation to Implementation Timing

The ALAC notes that unwarranted delays in implementation should be avoided in order to limit the instances where the ICANN Board may seek to reverse adopted GNSO policy recommendations. Similarly, the IPC acknowledges that the ICANN Board lacks a specific mechanism to reconsider or reverse its adoption of GNSO policy recommendations but does not believe that the proposed process addresses a broader problem related to the implementation and timing of ICANN Board-approved GNSO policy recommendations.

Community Involvement in the Reversal Process

CD, MO, NCSG, and RySG suggest including a limited Public Comment period or community consultation period prior to the conclusion of a reverse adoption process.

The RrSG, RySG, and Tucows support the addition of a required consultation period with the Implementation Review Team as part of the reversal process. Additionally, the RySG proposes, if possible, including a consultation with the relevant PDP working group.

CD and NCSG suggest extending the GNSO Council response window to allow the GNSO Council enough time to receive input from relevant stakeholder groups or seek additional clarification.

The ALAC notes that community participation and input should be included in the revision or adaptation process that comes as a result of the Board's decision to reverse the adoption of GNSO policy recommendations.

Reversal Process Documentation

BC, CD, MO, NCSG, RrSG, and Tucows advocate for detailed documentation of reversal situations in order to allow for extensive review of individual reversal situations and sets of reversal situations within a given time period.

The RrSG and Tucows note that GNSO policy recommendations are often presented as a package and cautioned that adjusting one or more recommendations may impact the interpretation of other recommendations.

Placement of Mechanism

The majority of commenters note that the GNSO PDP Manual and the GNSO GGP Manual are the appropriate places to capture the Board reversal process.

The IPC disagrees with the proposed placement of the proposed reversal process, expressing a view that the reversal process should be an ICANN Bylaws amendment approved by the Empowered Community since the proposed process obligates the Board to undertake a new process.

Proposed Edits to the Process for Council Consideration

While generally supportive of the GNSO Council's proposed reversal process, both the RrSG and Tucows suggested the following edits for the Council's consideration:

The proposed process currently provides (emphasis added), "the Board *may* adhere to the process below." Both RrSG and Tucows recommend changing the word *may* to *should* to emphasize the importance of the Board following a published process in the rare event it believes reversal is necessary.

Secondly, both the RrSG and Tucows recommend expanding the language defining when the reversal process could be invoked. Specifically, RrSG and Tucows note the language currently contemplates the Board reversing its adoption of a GNSO policy recommendation "on the basis of new information and where the recommendation is no longer in the best interest of ICANN or the ICANN community". Both RrSG and Tucows note this language may be unnecessarily limiting and recommend adding the concept of changed circumstances, which could also necessitate the Board's reconsideration of a previously adopted recommendation. To that end, both RrSG and Tucows suggest amending the process to include the following language (proposed new text in bold), "The action should be taken on the basis of new information **or a change in relevant circumstances** and where the recommendation is no longer in the best interest of ICANN or the ICANN community." In proposing this update, both the RrSG and Tucows emphasize that the proposed language edit is not meant to unduly increase the Board's use of the reversal process; instead, RrSG and Tucows note there may be limited instances where a change in circumstances may necessitate reconsideration.

Section 4: Analysis of Submissions

The GNSO Council appreciates the time, effort, and participation in this proceeding and is grateful to those who provided timely feedback.

Support for the Reversal Process with Limitations

All commenters emphasize the exceptional nature of the proposed Board reversal process and note the importance of guardrails to prevent potential overuse or abuse of the process. In emphasizing the exceptional nature of the process, many commenters specifically note the amount of community time and effort that go into approved GNSO policy recommendations, and, accordingly, the Board should use this process as a tool of last resort and only when necessary.

In previous discussions related to the proposed process, both the Board and GNSO Council agreed this process is exceptional and should only be invoked when absolutely necessary. The GNSO Council appreciates the additional guardrails suggested by commenters and will review these suggestions prior to voting on the updated process.

Reversal Process in Relation to Implementation Timing

The GNSO Council appreciates the concerns raised by commenters regarding the delays or deferrals in policy implementation, but notes the potential necessity of Board reversal is not only limited to implementation-related delays. Notwithstanding this, the GNSO Council understands and appreciates the concerns raised regarding implementation timelines. In recognition of this, the GNSO Council is actively discussing how to improve PDP timelines and outcomes (including the policy implementation phase) by ensuring policy recommendations are “Board ready”, meaning the recommendations are both adoptable and implementable. While this specific discussion is ongoing, the GNSO Council is always committed to the continuous improvement of the PDP process and outcomes, with the expectation that these efforts will minimize the need to utilize this reversal process.

Community Involvement in the Reversal Process

Some commenters noted the importance of community involvement in the Board reversal process. In previous discussions, both the Board and Council noted the importance of transparency in the process. Generally speaking, there has been an expectation that the Board and Council will raise concerns and discuss issues at hand, especially prior to the Board’s formalization or invocation of the reversal mechanism. Additionally, the GNSO Council appreciates the need for community involvement due to the tremendous work and resource allocation that goes into a GNSO PDP, and, to that end, encourages GNSO councilors to inform and update their respective constituencies so that questions or concerns can be raised prior to decision points.

Reversal Process Documentation

Several commenters note there should be regular reporting (for example, biannually) of instances where the Board reversal process is used, as the reporting would aid in transparency, learning, and review. The GNSO Council notes this suggestion and will discuss how to best report on the process, taking into consideration that ideally, the mechanism should not be used frequently enough to warrant regular reporting.

Placement of Mechanism

The majority of commenters support the placement of the reversal process in the GNSO Procedures documentation. While the IPC expressed a view that this process should be subject to the Bylaws amendment process, the Board and GNSO Council discussed the appropriate placement of the procedure and noted the proposed inclusion in the GNSO procedural documents does not diminish either the weight of the process or the exceptional nature under which the process should be invoked.

Proposed Edits for to the Proposed Process

The RrSG and Tucows submitted proposed redlines to the proposed process, and the GNSO Council will consider both of these edits, noting that (i) changing the word “may” to “should” emphasizes the expectation that the Board will use this process but does not unduly bind the Board, and (ii) adding the concept of changed circumstances would remove a potentially important limitation without either encouraging reversal or removing important safeguards that ensure this process is only invoked when absolutely necessary.

Section 5: Next Steps

The GNSO Council will now review the community input received and consider making adjustments to the proposed text prior to voting on the updated GNSO Operating Procedures.