

## Report of Public Comments

<b>Title:</b>	<b>Review of the ASO</b>		
<b>Publication Date:</b>	3 May 2012		
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<b>Comment Period:</b>		<b>Important Information Links</b>	
Open Date:	16 March 2012	Announcement	
Close Date:	30 April 2012	Public Comment Box	
Time (UTC):	23:59	View Comments Submitted	
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<b>Section I: General Overview and Next Steps</b>			
<p>A review of the Address Supporting Organization, ASO, as required by the ICANN Bylaws, has been undertaken under the auspices of the Number Resource Organization, NRO, in line with the provisions of the ASO MoU. As an important step in this process, ITEMS International was engaged to perform an independent review and has presented a final report, to which public comments were sought to inform considerations and decision by the NRO and ICANN in preparation of further steps. As part of the public comments process, the NRO also submitted its conclusions on the report to the forum just before the end of the reply comment period, taking into accounts the comments received. Following the closing of the public comment forum, the Report and the comments received will next be considered by the ICANN Board for decisions on preferred implementation steps to be agreed in discussions with the NRO.</p>			
<b>Section II: Contributors</b>			
<p><i>At the time this report was prepared, a total of 5 community submissions had been posted to the Forum, whereof two that can only be classified as spam and are disregarded in this report. The remaining three contributions came from two organizations/groups, listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the narrative (Section III), such quotations will reference the contributor's initials.</i></p>			
<u>Organizations and Groups:</u>			
<b>Name</b>	<b>Submitted by</b>	<b>Initials</b>	
Number Resource Organization	John Curran, NRO EC Chair	NRO	
Depository, Inc.	Peter Thimmesch, Chairman	DInc	
<u>Individuals:</u>			
<b>Name</b>	<b>Affiliation (if provided)</b>	<b>Initials</b>	
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<b>Section III: Summary of Comments</b>			

*General Disclaimer: This section is intended to broadly and comprehensively summarize the comments submitted to this Forum, but not to address every specific position stated by each contributor. Staff recommends that readers interested in specific aspects of any of the summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).*

The NRO submitted the first comment, essentially inviting further public comments on the ASO Review report and stating that the NRO would post its own conclusions on the report before the end of the reply comment period, while taking any posted comments into account.

DInc noted that the review was undertaken under the auspices of the NRO instead of ICANN, raising concerns over conflicts of interest. DInc recommended that the ICANN Board appoint an independent entity to review the provisions of the ASO MoU that prompt this kind of handling.

The NRO filed the last comment, providing their views on each of the 26 recommendations in the ASO Review report in table format. For 11 of these (recs 4, 6, 7, 8, 12, 16, 18, 19, 20, 24 and 25) the NRO expressed agreement without further comment. For two (recs 21 and 22, both directed to the ICANN Board), the NRO stated that they had no comments. For six (recs 9, 13, 14, 15, 17 and 26), the NRO expressed agreement, while adding some precision as to timing and process. For the remaining seven (recs 1, 2, 3, 5, 10, 11 and 23) the NRO provided comments that diverge to varying degrees from the recommendations, in ways explained in section III below. Finally, the NRO addressed DInc's recommendation above, stating that the NRO and ICANN would mutually agree on a revised ASO Review procedure with joint selection of the independent entity to perform the review.

#### **Section IV: Analysis of Comments**

*General Disclaimer: This section is intended to provide an analysis and evaluation of the comments received along with explanations regarding the basis for any recommendations provided within the analysis.*

As noted in section II above, the NRO views are largely in agreement with the findings in the ASO Review report, but diverge to varying degrees as explained below regarding the following recommendations:

Rec 1 calls for clarification of the purpose, mandate and objectives of the ASO and distinction of the functions to be undertaken by its entities. The NRO finds that these aspects are clearly specified while recognizing that confusion exists in the wider community. The NRO intends to combat such confusion with increased education, transparency and review of the terminology.

Rec 2 calls for an update of the ASO MoU Attachment A to make it consistent with the ASO Procedure document. The NRO states that this should be achieved the other way around, making sure that the Procedure document is consistent with the MoU.

Rec 3 calls for the MoU signatories to agree on a procedure for ASO AC handling in case the ICANN Board rejects a global policy proposal. The NRO focuses on conversations to agree on such a

procedure and does not single out the role of the ASO AC in such a procedure beforehand.

Rec 5 proposes that a procedure be established for the ICANN Board to initiate a policy development. The NRO states that the MoU Attachment A already enables the ICANN Board to propose policy development for the ASO's consideration and that the ASO AC has agreed to develop procedures for such a case.

Rec 10 suggests enrichment of the NRO/ASO workshop agendas at ICANN meetings. The NRO agrees to enrichment to attract more of the ICANN audience, while stating that the focus of presentations should be on current and future ASO activities.

Rec 11 claims that the presentation of the ASO Report at ICANN meetings should always be done by the ASO AC Chair. The NRO qualifies that with "when possible and where the report is mainly about matters within the ASO AC scope".

Rec 23 calls for the NRO EC to empower the Policy Proposal Facilitating Teams (PPFT). The NRO states that the PPFTs' role shall be further clarified thru the continued work in completing the ASO Procedures.