



**Public Interest Registry Comments to the ICANN Community Participant Code
of Conduct on SOIs and General Ethics Policy Public Comment Period
October 23, 2024**

Public Interest Registry ("PIR") commends ICANN for its publication of the draft ICANN Community Participant Code of Conduct Concerning Statements of Interest (the "Code of Conduct"). The Code of Conduct would raise the bar on transparency in ICANN and the multistakeholder model and increase trust in the results yielded from those processes.

We are very pleased to see that the Code of Conduct would close a loophole in which participants in ICANN processes could choose to withhold the identities of their clients while trying to influence ICANN policy making, all on the strained basis of a purported professional obligation. Preserving this loophole would allow for any person or entity, be they large multinational company, individual, or even state actor, to pay to influence ICANN policymaking anonymously.

Other global policymaking bodies have flatly prohibited this sort of loophole. The [Organisation for Economic Co-operation and Development \(OECD\)](#) has noted "influence practices conducted without transparency and integrity, and without the involvement of a broad group of stakeholders, can result in situations of inequity in influence, undue influence or foreign interference." It also noted that "there is a need for a clear transparency and integrity framework" in seeking to influence policymaking processes. This is also why policymaking processes in the EU and the US require disclosure of client identities, without exception.

The Code of Conduct's closing of this loophole is tremendous progress towards the Bylaws' requirement that "ICANN and its constituent bodies shall operate to the maximum extent feasible in an open and transparent manner," and brings ICANN's commitment to transparency up to par with other global policy making organizations. Consistent with that requirement, we also applaud that this Code of Conduct is not limited to one subgroup within ICANN, but rather creates a transparency floor across all Supporting Organizations, Advisory Committees, Constituencies, Working Groups, Task Forces, Review Teams, and other similar groups. The Code of Conduct also provides clarity on meaningful enforcement of the Code's requirements.

We thank the ICANN Board, ICANN Org, and the ICANN Community for their work to advance this important issue, and encourage the Board to adopt the Code of Conduct in its current form.