

2 December 2024

RrSG Public Comment: [ICANN Community Participant Code of Conduct on SOIs and General Ethics Policy](#)

The Registrar Stakeholder Group (RrSG) welcomes the opportunity to provide a comment on the ICANN Community Participant Code of Conduct on SOIs and General Ethics Policy. This is a very important update and the RrSG appreciates the attention to this important matter and valuable steps forward considered in this draft Code.

The RrSG firmly believes that transparency of interests is crucial to fostering the atmosphere of trust which is essential to successfully conducting our work in the ICANN Community. We support the requirement that all participants in ICANN processes must disclose any interests which may influence their participation.

We acknowledge that there may be circumstances in which an ICANN Community member is unable to disclose what interests they represent; we strongly support the conclusion that “When disclosure cannot be made, the participant must not participate in ICANN processes on that issue.”

Does the ICANN Community Participant Code of Conduct Concerning Statements of Interest adequately address the issue of setting clear expectations for community disclosures of interests?

Yes. The Code of Conduct Concerning Statements of Interest clearly states that unethical actions are unacceptable and requires disclosure of influencing interests; this unequivocally expresses a clear and achievable standard for participation.

Are there items you believe are missing from the Code or that should be removed from the Code, and why?

We believe that the Code should more clearly address how enforcement will be handled. The Code does not speak to an escalation process beyond the relevant chair of the group or session where the issue occurred, other than to note that the Ombuds has no specific role in this scenario. Setting clear expectations in this regard, including what to do if the relevant chair does not adequately address the complaint as well as how to proceed in cases where

the chair is themselves the subject of the concern, would benefit this Code. Further, there should be consideration of how best to empower the chair to take action—can they remove someone? What happens if someone decides not to stop participation at the chair's request? Is there an appeal process? The Code should be more clear about how issues with this policy will be adjudicated and should consider training for community members and leadership in understanding and enforcing the Code.

Are there other ethical issues you wish to see addressed as part of the broader ICANN Community Ethics Policy?

We have nothing to add at this time.

Thank you,

Owen Smigelski
Registrar Stakeholder Group Chair