

14 November 2022

RrSG Response to Proposed Updates to the GNSO Operating Procedures

The Registrar Stakeholder Group (RrSG) is pleased to comment on the [Proposed Updates to the GNSO Operating Procedures](#) and thanks the participants for their efforts in drafting these updates. The RrSG in general supports these proposed updates, however would like to comment regarding the proposed changes for the Statement of Interest (SOI) requirements.

A founding principle of ICANN is openness and transparency. This applies to not just the ICANN org, but also the participants in the ICANN community and policy development process. As detailed in the [comment](#) from Public Interest Registry (PIR), allowing attorneys or other lobbyists to participate in ICANN without disclosing which client(s) they represent goes against the spirit of transparency that is woven into ICANN's structures and processes. The RrSG supports the comment from PIR, and in particular would like to highlight PIR's three examples where attorneys or lobbyists are required to disclose underlying clients:

The Organisation for Economic Co-operation and Development (OECD) has noted consultants representing others' interests or lobbyists involved in the policymaking process can "lead to undue influence, unfair competition and regulatory capture to the detriment of the public interest and effective public policies." In order to "safeguard the integrity of the public decision-making process," the OECD seeks "a sound framework for transparency" that requires disclosure of clients for those engaged in the public policy process.

This principle is further reflected in policy making bodies around the world. Just last year, the European Parliament adopted a "Transparency Register," recognizing that "citizens should have the greatest possible trust in the Union's institutions" and "that trust, in order to exist, needs to be underpinned by a perception that interest representation is bound by high ethical standards."

This is also consistent with U.S. Federal requirements that organizations and lobbyists disclose on behalf of which clients they seek to influence the lawmaking process at the United States Congress.

It is incongruous that the OECD, the EU, and the US would be more open and transparent than ICANN. There is no legal or ethical basis for keeping client identity confidential, and in the interest of fairness, all participants in ICANN should disclose who they are providing services for (even if unpaid). The RrSG requests that the SOI requirements be adjusted to ensure this transparency.

Sincerely,

Ashley Heineman
RrSG Chair