



Comment on Initial Report on Review of the Customer Standing Committee (CSC) Charter

Status: FINAL

Version: 2

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Business Constituency Submission

GNSO//CSG//BC

Background

This document is the response of the ICANN Business Constituency (BC), from the perspective of business users and registrants, as defined in our Charter:

The mission of the Business Constituency is to ensure that ICANN policy positions are consistent with the development of an Internet that:

1. promotes end-user confidence because it is a safe place to conduct business
2. is competitive in the supply of registry and registrar and related services
3. is technically stable, secure and reliable.

Initial Report on Review of the Customer Standing Committee (CSC) Charter¹

In the BC's view, the most relevant work of the CSC Charter Review Team (RT) are:

- 1) The RT confirmed that the Charter should reflect that the role and responsibilities of the CSC is independent of the IANA Functions Operator. It also confirmed that CSC should remain independent should the role be separated from ICANN, when a new operator should be required to work with the CSC.
- 2) The RT considers that the narrow scope of the CSC as required in its Charter and reflected in Section 17 of the ICANN Bylaws has provided the CSC with considerable clarity about its role and responsibilities. This has been beneficial to the development of the CSC's operating procedures and other documents.

The RT recommended some changes to the CSC Charter. Most of the changes to the Charter recommended by the RT are not considered substantive, such as:

- Provide monthly reports (and thus reduce F2F meetings with direct customers from 3 to 2 meetings per year)
- Provide a mechanism to make minor changes to the agreed service levels
- Provide a mechanism to address changing circumstances regarding appointed members of the CSC (such as a change in affiliation)
- Language changes to bring coherence between the ICANN Bylaws and the CSC Charter

Amendment Regarding Remedial Action Procedures (RAPs)

- According to Section 17.1 of the ICANN Bylaws and the Charter, the CSC is authorized to undertake remedial action to address poor performance of the IANA Functions Operator.
- The Charter requires that remedial action has to be undertaken in accordance with Remedial Action Procedures (RAPs) developed and agreed by the CSC and the PTI (as a separate document)
- The RT proposes to amend the Charter to reflect the introduction of agreed RAPs.

¹ ICANN Public comment page at <https://www.icann.org/public-comments/csc-charter-rt-initial-2018-04-11-en>

- As the CSC Charter had a reference to the development of the RAPs which have already been developed as part of the work undertaken by the CSC and PTI, - the reference to the “development of the RAPs” is removed from the amended Charter.
- The RT considered the RAPs as a standalone operational document and thus recommends that even though the RAPs should be referenced in the Charter, they should not be included, however, the provision for a regular review of the RAPs should be included in the Charter. It also agrees that there should be a requirement to agree a new RAP with any new IANA Functions Operator.

BC Comments:

The BC supports the decision to consider the RAPs as a Standalone operational document and agrees with the RT regarding the need to reference the RAPs in the Charter.

On the other hand, the BC highlights that the amended CSC Charter does not follow the recommendations of the RT in these two specific considerations:

- 1) There is no provision for a regular review of the RAPs included in the amended Charter, as recommended by the RT.
The BC agrees with the RT that a provision for this regular review should be included in the final CSC Charter.
- 2) The amended CSC Charter does not follow the recommendations of the RT regarding the requirement to include in the CSC Charter that in the case of there being a new IANA Functions Operator, a new RAP should be agreed with the new Operator.
The BC agrees with the RT that such a provision should be included in the final CSC Charter.

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This comment was drafted by Gabriela Szlak, with edits by Marie Pattullo and Steve DelBianco.

It was approved in accord with the BC charter.