Response to Documentary Information Disclosure Policy Request

To: Padmini Baruah on behalf of the Centre for Internet & Society

Date: 14 May 2016

Re: Request No. 20160423-2

Thank you for your Request for Information dated 23 April 2016 (Request), which was submitted through the Internet Corporation for Assigned Names and Numbers (ICANN) Documentary Information Disclosure Policy (DIDP) on behalf of The Centre for Internet & Society (CIS). For reference, a copy of your Request is attached to the email forwarding this Response.

Items Requested

Your Request seeks the disclosure of documentary information relating to "diversity analysis of public comments" submitted in 2015 and 2016, similar to the diversity analysis set forth in the ICG's Summary Report on Comments Received during the Public Comment Period on the Combined Transition Proposal, available at https://www.ianacg.org/icg-files/documents/Public-Comment-Summary-final.pdf.

Response

ICANN's DIDP is "intended to ensure that information contained in documents concerning ICANN's operational activities, and within ICANN's possession, custody, or control, are made available to the public unless there is a compelling reason for confidentiality." (*See* https://www.icann.org/resources/pages/didp-2012-02-25-en). As part of its commitment to transparency, ICANN makes available a comprehensive set of materials on its website as a matter of course. A threshold consideration in responding to a DIDP request is whether the documents requested are in ICANN's possession, custody or control. Under the DIDP Policy, where the responsive document does not exist, ICANN shall not be required to create or compile summaries of any documented information. (*See* https://www.icann.org/resources/pages/didp-2012-02-25-en.)

The ICANN Public Comment process is a vital element in ICANN's decision-making process whereby the community is given an opportunity to comment upon proposals initiated by a working group or staff department. Generally, public comment forums are open for at least 40 days. Information regarding upcoming, current, and past public comment proceedings are published on the Public Comment webpages at https://www.icann.org/public-comments#open-public and https://www.icann.org/public-comments/archive, and includes the following for each proceeding: (1) brief overview; (2) a description, explanation and purpose; (3) background information; (4) relevant resources; (5) additional information; (6) comments forum; and (7) report of public comments. Additionally, since 2013, in response to recommendations of the first Accountability and Transparency Review Team, ICANN prepares an annual Public

Comments Data Analysis. The annual report is available on the community wiki at
https://community.icann.org/x/hgeOAw.

Your request seeks the disclosure of diversity analyses prepared for all public comments
that ICANN has sought from 2015 to the present. Your Request states that the query
stems from the diversity analysis prepared by the ICG as part of its Summary Report on
Comments Received during the Public Comment Period on the Combined Transition
Proposal. (*See* https://www.ianacg.org/icg-files/documents/Public-Comment-Summary-
final.pdf.) Generally speaking, ICANN does not conduct a diversity analysis of the
comments received. As such, there are no documents responsive to your request. To the
extent that diversity data points were included in any reports of public comments
received from 2015 to the present, those reports have been published on the Public
Comments webpages at https://www.icann.org/public-comments#open-public and
https://www.icann.org/public-comments/archive.

About DIDP

ICANN's DIDP is limited to requests for documentary information already in existence
within ICANN that is not publicly available. In addition, the DIDP sets forth Defined
Conditions of Nondisclosure. To review a copy of the DIDP, please see
http://www.icann.org/en/about/transparency/didp. ICANN makes every effort to be as
responsive as possible to the entirety of your Request. As part of its accountability and
transparency commitments, ICANN continually strives to provide as much information to
the community as is reasonable. We encourage you to sign up for an account at
MyICANN.org, through which you can receive daily updates regarding postings to the
portions of ICANN's website that are of interest because, as we continue to enhance our
reporting mechanisms, reports will be posted for public access.

We hope this information is helpful. If you have any further inquiries, please forward
them to didp@icann.org.