

Göran Marby  
President and CEO  
Internet Corporation for Assigned Names and  
Numbers (ICANN)  
12025 Waterfront Drive, Suite 300  
Los Angeles, CA 90094-2536, USA

**RE: Proposed Change of Control of Public Interest Registry (PIR)**

Dear Göran and members of the ICANN Board,

In Access Now's last [letter](#) to ICANN on March 13, 2020, we outlined some of the many reasons why the proposed Public Interest Commitments (PICs) would in no way be sufficient to hold PIR — and Ethos Capital as its controlling investor — accountable to the .ORG community or to ensure the interests of those who rely on .ORG are protected. The several adjustments Ethos made to its proposal since we wrote that letter are not significant and do not change our position.

ICANN has an important opportunity to restore the .ORG community's confidence, and to do its part in protecting online civic space — which is already under attack all around the world. It can do that by taking the following steps:

**Extend the public comment period.**

If ICANN is serious about getting meaningful input from the community on the current proposal, a seven-day comment period isn't enough. At a minimum ICANN needs to allow its standard 30-day window for comments, especially considering the additional strain civil society around the world is burdening under the ongoing COVID-19 crisis. This falls in line with [guidance](#) from the UN special rapporteur on the freedom of assembly, that “multilateral institutions should take steps to ensure civil society organizations can continue to participate in all policy decisions, including those related to the Covid-19 response, especially in the case of public-private partnerships.” That ICANN is *multi-stakeholder*, not multilateral (like the UN), only adds to its responsibility to meaningfully consult civil society.

**Negotiate an extension with PIR and Ethos.**

ICANN is rushing to get in public comments in just seven days, with only two working days to process the results ahead of their April 20th deadline for deciding .ORG's future. Further, ICANN is still [waiting for responses](#) from Ethos to many very important questions (covering issues like PIR's financial solvency, avenues for community input going forward, and who would actually be in control of PIR across the several holding companies involved in the transaction). Getting the information they need both from Ethos and the community is essential to the long-term sustainability of .ORG, and ICANN should insist on more time to make this decision.

**Withhold consent to the transfer of control of .ORG.**

Even without extended comment periods and additional information, though, ICANN already has all it needs to reject this deal. Simply put, this is an underhanded and dangerous deal that puts all of us at risk, and ICANN should stop it. After several rounds of empty concessions from Ethos, and their continued failure to produce essential information about how the deal is structured, it is very clear that there is no path to redeeming this sale.

**Lead a community consultation on the future of .ORG.**

ICANN should provide an inclusive, substantive, community-driven venue for discussing a viable path forward for .ORG. If ISOC no longer has an interest in being a steward for the domain, it is essential that we can collectively identify a new solution that — first and foremost — meets the needs of the .ORG community, now and in the future.

Sincerely,

**Peter Micek**  
General Counsel  
Access Now

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**Carolyn Tackett**  
Global Campaign Strategist  
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CC: Maarten Botterman, Chairman of the Board, ICANN  
Jeff Jeffrey, General Counsel, ICANN