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## **Enhancing the Effectiveness of ICANN’s Multistakeholder Model – Next Steps**

Dear Eleeza,

The Generic Names Supporting Organization (GNSO) Council welcomes the opportunity to provide input on the “Enhancing the Effectiveness of ICANN’s Multistakeholder Model – Next Steps” (hereinafter referred to as “MSM”) paper. This is an input to the [Public Comment process](#) on this issue.

This statement is made on behalf of the GNSO Council. However, our comments are intended to complement, and not replace, any input that may be provided by individual GNSO Stakeholder Groups and Constituencies.

### **Preamble to the GNSO Council Statement**

#### **Linkages and Interdependencies**

The Council notes that there are linkages between the MSM initiative and:

- (a) The ATRT3 Final Report which is currently subject to public comment.
- (b) Implementation of CCWG-Accountability WS2 Recommendations.

While Council will continue to engage with all of these streams of work through appropriate mechanisms, the linkages and areas of possible overlap must be managed efficiently and transparently by the ICANN Board and ICANN org in conjunction with the community.

#### **COVID-19**

The Council notes that the impact of COVID-19 on ICANN work, particularly policy development, was discussed at a [plenary session](#) at ICANN68. Several of the issues raised at that session, and elsewhere, are particularly relevant to work on enhancing the MSM, including the identified priority area of “Consensus, Representation and Inclusivity”, and also to other areas including “Culture, Trust and Silos.” The Council looks forward to continuing engagement with the Board, ICANN org and the community in pursuing the issues raised at the ICANN68 session as an immediate and practical opportunity for enhancing the effectiveness of the MSM.

### **GNSO Council Response to Suggested Actions**

In the MSM paper, the work undertaken by the GNSO Policy Development Process 3.0 (PDP 3.0) initiative has been included in existing work efforts that map to the three work areas identified in the MSM project. Specifically, the MSM paper includes two suggested actions to address the “gap in resolving areas of impasse” in the “Consensus, Representation, and Inclusivity” work stream. The GNSO Council is suggested to undertake these actions in coordination with ICANN org. These two suggested actions are reproduced below.

<b>Work Area 3: Consensus, Representation, and Inclusivity</b>			
<b>Work Process or Mechanism</b>	<b>Description</b>	<b>Action</b>	<b>Involved Participants</b>
<b>PDP 3.0</b>	An initiative by the GNSO Council to improve the effectiveness of the policy development process in specific, identified areas	<p>Community-led webinars by the GNSO Council and facilitated by ICANN org to familiarize the broader community with the various improvements with a view toward determining if the improvements can be applied to their internal processes.</p> <p>Examples of improvements that may be useful to other community participation norms, and project management.</p> <p>This is a suggested new action, building on work done recently by the GNSO.</p>	GNSO Council, ICANN org
<b>Consensus Playbook</b>	A document, requested by the GNSO and prepared by a professional facilitator for broad community use	Introductory webinar by the GNSO Council to explain the objective and utility of the Playbook, followed by community discussions facilitated by ICANN org, to determine whether aspects of the Playbook can be usefully deployed elsewhere in the community. This is a suggested new action, building on work done recently by the GNSO.	GNSO Council, ICANN org

**PDP 3.0 Webinar(s):**

The GNSO Council agrees with the suggested action that the GNSO Council holds a community-led webinar(s) to familiarize the border ICANN community with the PDP 3.0 improvements. It should be noted that the GNSO Council, with the support from ICANN Policy staff, already held a public webinar on [9 December 2019](#) to raise awareness of the PDP 3.0 initiative, highlight the key takeaways of proposed work products, and discussed the linkage between the MSM project and the PDP 3.0 initiative. The GNSO Council also considered the feedback received from webinar attendees when finalizing the PDP 3.0 Implementation Final Report.

The GNSO Council is in the process of planning a second PDP 3.0 public webinar, which is expected to be held prior to the ICANN69 Virtual Annual General Meeting. The objective of this webinar is three fold:

- 1) To provide the community an update on the PDP 3.0 implementation, focusing on actual use cases of the work products;
- 2) To kick start GNSO Council’s preliminary assessment on whether PDP 3.0 Improvements have enhanced the efficiency and effectiveness of GNSO PDPs; and
- 3) To help other Supporting Organizations and Advisory committees (SOs/ACs) evaluate the applicability of the PDP 3.0 improvements and work products in their working groups and internal processes.

Not all PDP 3.0 work products have been implemented as many of them are intended to be applied to new GNSO PDP working groups, or invoked when circumstances warrant their application (see details in the “PDP 3.0 Implementation Status Update” section below). Nevertheless, in the upcoming webinar, the GNSO Council expects to share practical use cases of implementing the following PDP 3.0 improvements in inflight PDP working groups:

- #1 Terms of participation for working group members
- #2 Consider alternatives to open working group model
- #5 Active role for and clear description of Council liaison to PDP working groups
- #6 Document expectations for working group leaders that outlines role & responsibilities as well as minimum skills / expertise required
- #11 Enforce deadlines and ensure bite size pieces
- #12 Notification to Council of changes in work plan
- #16 Criteria for PDP working group updates

After more PDP 3.0 work products are put into use, the GNSO Council may consider holding additional community webinars at an appropriate time to share our implementation experience of other PDP 3.0 improvements. Outreach to other SOs/ACs may be warranted so that the GNSO Council can gauge community interest for additional PDP 3.0 webinars and to understand if the community would like to learn more about any specific topics.

### **Consensus Playbook Introductory Webinar**

The GNSO Council agrees that an introductory webinar of the Consensus Playbook will help promote understanding and adoption of this reference guide across the ICANN community. However, the GNSO Council believes that instead of the Council itself, ICANN org should lead the educational charge related to the playbook, including presenting its content, developing learning materials, and facilitating community discussions.

To help explain our suggestion, we have included a recap of the Consensus Playbook’s origin and context below<sup>1</sup>:

The Consensus Playbook was identified as one element of the PDP 3.0 initiative, specifically the Improvement #4, which aims to help both working group leaders and members alike to better understand the process needed to build consensus and some tips/tools to use when consensus may seem like an elusive outcome.

The GNSO Council submitted an [ABR](#) to ICANN org in January of 2019 for a consensus building training manual/guidebook, developed by an external firm specialized in the field of consensus building. The ICANN Board approved the ABR contingent upon the playbook being developed in a manner such that it could be applicable to the wider ICANN community; in the approval process, it was recognized that better understanding consensus building is beneficial to all of those involved in ICANN.

The ICANN org selected the Consensus Building Institute (CBI) as the expert firm to develop this Consensus Playbook. CBI, in seeking to ensure wider ICANN community applicability, considered the definitions of consensus for the various groups within ICANN and interviewed experienced members from all of the

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<sup>1</sup> This recap is largely extracted from Appendix 4 of the Consensus Playbook, see p.100: [go.icann.org/consensus](https://www.icann.org/consensus)

ICANN community groups, to have them share their extensive consensus building experience in leading and participating in working groups and community groups.

As a result of the widened scope of applicability conditioned by the ABR approval and the development process primarily involving an external vendor and ICANN org, the Consensus Playbook should not be considered purely a GNSO PDP 3.0 work product. While the GNSO Council requested its creation, the playbook's reach has grown beyond the GNSO by incorporating input from leaders across SOs/ACs, and is intended to be broadly applicable across various ICANN community consensus building processes, not just those in GNSO PDP working groups. The GNSO Council noted that the same understanding was also reflected in the summary of the Consensus Playbook in the MSM paper (p. 18).

As such, the GNSO Council believes that it is appropriate for ICANN org to lead and facilitate future educational efforts related to the playbook across the ICANN community. We defer to ICANN org to determine the suitable format to carry out such efforts, as well as the appropriate department(s) and personnel to be involved (e.g., the ICANN Policy Team's Conflict Resolution Specialist, in coordination with other ICANN org staff, may be in position to support educational activities related to the Consensus Playbook).

In addition, the GNSO Council would like to offer a suggestion for ICANN org's consideration. If the ICANN org plans to develop any additional educational materials related consensus building (e.g., ICANN Learn course), we suggest that the Consensus Playbook serves as the foundation for such materials and its content be repurposed, at least partially, for the development of these materials. This will help create consistency by building on existing work to which ICANN org already devoted resources, as well as facilitate the learning/adoption of the playbook through diverse platforms targeting different audiences.

The GNSO Council is happy to discuss our suggestions with ICANN org and provide additional input. If it helps clarify the role/responsibility related to the Consensus Playbook, the GNSO Council may consider allocating a brief segment in the upcoming PDP 3.0 webinar for an ICANN org staff member to introduce the Consensus Playbook and preview any planned activities for the community to learn and discuss its objectives and utility.

### **PDP 3.0 Implementation Status Update**

To provide additional details for the GNSO Council's responses to the suggested actions in the MSM paper, we include a status update on the PDP 3.0 implementation below.

On 20 February 2020, the GNSO Council [adopted](#) the [Final Report](#) of the PDP 3.0 implementation, which included all work products associated with the 14 improvements and additional proposals, such as a revised PDP working group charter template.

On 22 April 2020, the [Consensus Playbook](#), a reference guide originated from the PDP 3.0 Improvement #4, was published. Via an [Additional Budget Request \(ABR\)](#) submitted by the GNSO Council and approved by the ICANN Board, ICANN org contracted the Consensus Building Institute (CBI) to develop the playbook with community-wide applicability in mind. Since its publication, the playbook has been distributed across SOs/ACs through various ICANN communication channels.

On 28 April 2020, the GNSO Council leadership reached out to the leadership teams and the Council liaisons of the three inflight GNSO PDP working groups, namely: 1) Expedited Policy Development Process (EPDP) Team on Temporary Specification for gTLD Registration Data; 2) New gTLD Subsequent Procedures PDP Working Group; and 3) Review of All Rights Protection Mechanisms in All gTLDs PDP Working Group. As the leadership teams, in consultation with the Council liaisons, are responsible for managing the PDP working groups’ deliberations, this outreach was to inform them of the specific PDP 3.0 work products that have been deployed, as well as to ensure that they know where to locate relevant tools and guides when efficiency/effectiveness issues arise.

It is important to note that while the GNSO Council has officially deployed the PDP 3.0 work products, many of them are intended to be applied to new GNSO PDP working groups launched in the future, or invoked when circumstances warrant the application of the work products. The EPDP Team, however, is an exception; several of its innovations inspired the development of PDP 3.0 improvements. As a result, the EPDP Team also serves as a pilot for implementing several PDP 3.0 work products ahead of the other two inflight GNSO PDP working groups. At present, the GNSO Council has not launched any new PDP working groups, so some of the PDP 3.0 work products have not been tested in practice. The GNSO Council anticipates the launch of a new PDP working group in Q4 2020 to tackle a policy area in its pipeline, but the exact timeline is subject to change.

The table below provides an overview of the implementation status of PDP 3.0 work products since the GNSO Council adoption of the PDP 3.0 Final Report, focusing on whether/how they are applied in the three inflight GNSO PDP working groups. The table is mapped to the proposed work areas in the MSM paper, and the work products are hyperlinked from their titles. The work products that have already been used are highlighted in green; the use cases include those in the EPDP Team.

Work Area 2: Precision in Scoping Work			
Improvement	Work Product	Description	Implementation Status
#11 Enforce deadlines and ensure bite size pieces	<a href="#">GNSO Project Work Product Catalog</a>	A list of staff-managed work products that help document and guide the progress of a PDP working group from start to finish	The next-generation <a href="#">Project Situation Report</a> (also called the “Project List”) has already been used by the GNSO Council to review all active/open GNSO projects and assess their status and condition.
#12 Notification to Council of changes in work plan			All three GNSO PDP working groups have been using a suite of project management products (e.g., summary timeline, project plan, work plan) to organize and track their work, but their formats and levels of details vary. EPDP Team’s project management products are the most detailed (see its July 2020 package submitted to the GNSO Council <a href="#">here</a> ) and may serve as a model for new GNSO PDP working groups to be launched in the future.
#16 Criteria for PDP working group updates			Only the EPDP Team has been using the Fact Sheet (see <a href="#">Page 2</a> of its July 2020 package) to

			track how its dedicated financial resources outside the normally budgeted policy development activities are spent. The Fact Sheet is not applicable to the other two PDP working groups which do not have extraordinary fundings allocated by ICANN org.
	<a href="#">Project Status and Condition Change Procedure &amp; Flowchart</a>	A process that assists PDP working group and Council leadership in assessing the health of a project and determining when disruptions require Council attention	GNSO support staff, in consultation with PDP working group leadership teams and Council liaisons, have applied the procedure when updating the <a href="#">Project Situation Report</a> on a monthly basis, helping the GNSO Council monitor and assess the health of all three PDPs, as well as determine a course of action to return them to a healthy status and condition.
	<a href="#">Project Change Request Form</a>	A formal request that PDP working group submits to the GNSO Council to modify any deliverable or baseline delivery date	All three GNSO PDP working groups have submitted this form to the GNSO Council, requesting timeline extension and interim/final report delivery date change.
#14 Make better use of existing flexibility in PDP to allow for data gathering, chartering and termination when it is clear that no consensus can be achieved	<a href="#">Checklist: Criteria to Evaluate Request for Data Gathering</a>	A tool that assists PDP working group in performing its due diligence before submitting a data gathering request to the GNSO Council	None of the three GNSO PDP working groups has used this checklist yet, as none has requested resources for data gathering efforts since the PDP 3.0 Final Report adoption.
#17 Resource Reporting for PDP Working Group	<a href="#">Resource Reporting for PDP Working Group</a>	A preliminary document that provides high-level definitions and concepts about resource tracking, which may continue evolving beyond PDP 3.0 implementation	The GNSO Council has been holding off implementation of this recommendation until the next-generation capacity management model/tool is ready for implementation for new GNSO PDP working groups.

**Work Area 3: Consensus, Representation, and Inclusivity**

Improvement	Work Product	Description	Implementation Status
#1 Terms of participation for working group members	<a href="#">Statement of Participation</a>	A document that seeks affirmative commitment from members before they can participate in a PDP working group	The Statement of Participation is an innovation of the EPDP Team and only the EPDP Team has implemented it since its inception. The other two inflight working groups are not required to implement it as they have been in operation since 2016 and are expected to conclude their work in Q4 2020.
#2 Consider alternatives to open working group model	<a href="#">Comparison Table of Working Group Models</a>	A document that identifies three possible PDP working group models, notes aspects for consideration during working group formation, and lists elements of different models that can be mixed and matched	<p>This improvement stemmed from EPDP Team’s experience of implementing an alternative membership structure (i.e., a “representative model”), instead of the traditional open model, to enhance the efficiency and effectiveness of the PDP. Since the other two inflight working groups have been in operation since 2016 and are expected to conclude their work in Q4 2020, adopting a model different from their current open model is impractical.</p> <p>However, when chartering future PDP working groups, the GNSO Council is required to consider the appropriate model and provide rationale for the chosen one in the charter.</p>
#3 Criteria for joining of new members after a PDP working group is formed or re-chartered	<a href="#">Criteria for Joining of New Working Group Members</a>	A document that provides additional clarifications for the GNSO Working Group Guidelines and outlines factors that a PDP working group should consider in determining whether to accept new members after the start of the effort	Since the GNSO Council adoption of the PDP 3.0 Final Report, none of the three inflight GNSO PDP working groups has received new member requests. Hence, there is no need for working group leadership teams to reference this document unless someone intends to join the working group.
	<a href="#">Working Group Member Skills Guide</a>	A living document that lists resources, tips, and suggestions that help ensure new members are sufficiently prepared for full participation in a PDP working group	<p>Since all three inflight GNSO PDP working groups have been in operation for several years and are expected to conclude their work in 2020, implementing this guide, which is designed for new members, is impractical at this stage.</p> <p>However, when chartering future PDP working groups, the GNSO Council is required to clarify members’ responsibility, skill requirement, and specific expertise by referencing this guide.</p>



<p>#4 Consensus Playbook</p>	<p><a href="#">Consensus Playbook</a></p>	<p>A reference guide that is designed for the ICANN community and only permitted to be used by the ICANN community in support of ICANN related work; it aims to provide the ICANN community with practical tools and best practices for building consensus, bridging differences, and breaking deadlocks within ICANN processes; it neither changes the definitions of consensus/methods of decision making, nor creates any new requirements</p>	<p>The playbook has been distributed in the GNSO Council, PDP working groups, and stakeholder groups/constituencies, as well as the wider ICANN community as a reference guide to facilitate consensus building. In particular, PDP leadership teams are encouraged to review the playbook, especially as all three inflight PDP working groups have reached or are approaching the consensus call stage of their final recommendations.</p> <p>While it is not a requirement that PDP leadership teams must implement the practical tools and best practices in the playbook, additional opportunities for the ICANN community to discuss the content and utility of the playbook is anticipated (see the “GNSO Council Response to the Suggested Actions” section above).</p>
<p>#5 Active role for and clear description of Council liaison to PDP working groups</p>	<p><a href="#">New Liaison Briefing &amp; Liaison Handover</a></p>	<p>A tool that outlines the role and responsibility of a GNSO Council liaison to a PDP working group</p>	<p>This tool has already been used during the liaison handover process for the New gTLD Subsequent Procedures PDP and the Review of All RPMs in All gTLDs PDP.</p>
	<p><a href="#">GNSO Council Liaison Supplemental Guidance</a></p>	<p>A checklist that lists detailed job duties of a GNSO Council liaison to a PDP working group</p>	<p>This improvement stemmed from EPDP Team’s experience of enhancing the role of its GNSO Council liaison; the checklist referenced and expanded on liaison’s responsibilities described in EPDP Team’s charter.</p> <p>As of today, the GNSO Council liaisons to the all three inflight GNSO PDP working groups have reviewed this checklist and carried out their specific job duties, especially when circumstances required their intervention.</p>
<p>#6 Document expectations for working group leaders that outlines role &amp; responsibilities as well as</p>	<p><a href="#">Expectations for Working Group Leaders &amp; Skills Checklist</a></p>	<p>A tool that facilitates the PDP working group’s selection and review of its leadership team and helps the working group and the Council hold its leaders accountable</p>	<p>This improvement stemmed from Council’s experience in selecting EPDP Team leadership; criteria and expectations for the EPDP Team Chair were described in the Call for Expression of Interest and candidates were assessed by the GNSO Council against a list of identified skills. This work product referenced leadership criteria in EPDP’s charter and incorporated</p>



<p>minimum skills / expertise required</p>			<p>input/feedback from other experienced leaders in the community.</p> <p>Since the other two inflight GNSO PDP working groups have been in operation since 2016 and their leadership teams have already been selected before the PDP 3.0 Final Report adoption, this tool will not be used unless the existing working group leadership teams will be formally reviewed under PDP 3.0 Improvement #13. So far no leadership review has been initiated as it is not a requirement for inflight working groups.</p> <p>However, when chartering future PDP working groups, the GNSO Council is required to clarify the leadership team’s composition, responsibility, skill requirement, and specific expertise by referencing this tool.</p>
<p>#9 Provide further guidance for section 3.6 and clarification of section 3.7 of the GNSO working group guidelines</p>	<p><a href="#">Clarification to Complaint Process in GNSO Working Group</a></p>	<p>A guideline document that suggests detailed improvements to the complaint process within a GNSO working group, as well as proposed revisions to Section 3.7 of the GNSO Working Group Guidelines</p>	<p>None of the three GNSO PDP working groups used this comprehensive guideline document, as no working group member has filed a Section 3.7 Complaint since the PDP 3.0 Final Report adoption.</p>
	<p><a href="#">Briefing Document on the Concept of “Consensus” in PDP</a></p>	<p>A briefing document that explains the concept of “consensus” and references experience with consensus building in the Internet Engineering Taskforce (IETF)</p>	<p>This document has already served its purpose as a reference material for the CBI during its development of the <a href="#">Consensus Playbook</a> under PDP 3.0 Improvement #4. It does not require implementation.</p>
<p>#13 Review of working group leadership</p>	<p><a href="#">Regular Review of Working Group Leadership</a></p>	<p>A process that helps the GNSO Council evaluate the performance of PDP working group leadership and address</p>	<p>The three inflight working groups are not required to conduct formal review of their leadership teams. It is up to the GNSO Council leadership, working group leadership team, and the Council liaison to decide on the necessity of review, and the appropriate schedule if such review is needed. As of today, no leadership</p>

		identified issues and opportunities	review has been initiated in the three active working groups, so the work products associated with this PDP 3.0 improvement have not been invoked.
	<a href="#">Working Group Member Survey on Leadership Performance</a>	An anonymous survey that PDP working group members complete and feed into the regular review of PDP working group leadership by the GNSO Council	However, charters of new GNSO PDP working groups should set out a regular review schedule of their leadership teams.
#15 Independent Conflict Resolution	<a href="#">ICANN Org Resources for Conflict Resolution &amp; Mediation</a>	A guide that references existing conflict resolution resources available to the ICANN community	This guide lists and briefly explains the mandate of existing conflict resolution resources that the GNSO Council and PDP working groups are reasonably familiar with and have engaged before to address conflicts. ICANN Policy Team’s Conflict Resolution Staff has also been monitoring the progress in the three PDP working groups and can be a resource for leadership teams in resolving areas of impasse. Hence, this guide does not require specific implementation unless a refresher is required.

**Implementation of Other PDP 3.0 Work Products**

Work Product	Description	Implementation Status
<a href="#">Revised GNSO PDP Working Group Charter Template</a>	A template that incorporates all PDP 3.0 improvements and serves as a one-stop-shop of all PDP 3.0 work products to be referenced by the GNSO Council chartering team for future PDP working group	Since the GNSO Council has not launched any new PDP working groups, the revised charter template has not been used. However, GNSO support staff started testing the template in preparation for the potential launch of GNSO policy development effort, including that related to the Internationalized Domain Name (IDN) variant TLD management.
<a href="#">Proposed Update to GNSO Operating Procedures</a>	A proposal that suggests changes that *could* be incorporated into the GNSO Operating Procedures to reflect the guidance derived from the PDP 3.0 implementation efforts	The GNSO Council requests that after all PDP 3.0 improvements are in effect, the GNSO Council conducts a review of the implementation effectiveness. Following such review, the GNSO Council is expected to consider any necessary updates to the GNSO Operating Procedures and use this work product as a starting point.  Many PDP 3.0 work products are intended to be applied to new GNSO PDP working groups

		launched in the future, or invoked when circumstances warrant the application of the work products. Therefore, the GNSO Council has been holding off considering the proposed updates to the Operating Procedure until the review of PDP 3.0 implementation effectiveness is conducted.
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Finally, the GNSO Council is happy to answer any clarifying questions that you may have regarding the above.

Yours sincerely,

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