

11 February 2019

## **Statement of the Generic Names Supporting Organization Council on ICANN's Draft Five-Year Strategic Plan for Fiscal Years 2021 through 2025**

The Generic Names Supporting Organization (GNSO) Council welcomes the opportunity to provide input on those aspects of ICANN's draft five-year Strategic Plan for fiscal years 2021 through 2025 which are of relevance to our remit. Thus, while these comments are submitted on behalf of the GNSO Council, our comments are intended to complement, and not replace, any input that may be provided on the Strategic Plan by individual GNSO Stakeholder Groups and Constituencies.

### **Introduction to the Strategic Plan**

The GNSO Council recognizes the potential impact of greater regulatory activity and other internal and external factors on ICANN's existing gTLD policies, and on ongoing and future GNSO Policy Development Processes and Implementation Review Teams. These potential impacts underscore the importance of ICANN's next strategic plan continuing to guide ICANN org and the ICANN community toward more awareness, coordination, accountability, transparency, and representative engagement. We are broadly comfortable with the five trends that have been identified, however we offer more specific comments in the text that follows.

### **Vision**

*- Evolve ICANN's governance model to remain effective, transparent, and accountable;*

If evolution and improvements to ICANN governance model are necessary, the GNSO Council suggest amending this statement to read "Evolve ICANN's governance model to **be increasingly** effective, transparent, and accountable".

*- Improve the effectiveness of ICANN's policy development processes;*

The GNSO Council is concerned that there is a danger in privileging 'effectiveness' in the Policy Development Process without concurrently considering inclusivity. We therefore ask that this sentence be revised to read, "Improve the effectiveness of ICANN's **multistakeholder** policy development processes".

*- Anticipate and manage the impact of legislation and regulation; and*

The GNSO Council supports the continued examination of legislation and regulations to foster a fuller understanding of ICANN's roles and responsibilities and the potential impact on gTLD policies and GNSO policy development. If ICANN continues to have difficulties in recognizing, understanding, and balancing its evolving legal obligations in relation to activities within its remit (as was for the case, for instance, with the European Union's General Data Protection Regulation), this could pose a risk to the organization's legitimacy, sustainability, and reputation.

*- Ensure ICANN is technically robust and financially sustainable.*

This statement is acceptable. The GNSO Council would like to see a downward trend in ICANN's operating costs without there being any undue impacts on policy development activities, which are and must remain a core ICANN activity.

## Strategic Objectives

*2. ICANN's GOVERNANCE: Improve the effectiveness of ICANN's multistakeholder model of governance.*

The GNSO Council supports this objective and have taken our own steps in 2018 and early 2019 to develop "PDP 3.0 Recommendations" for improved efficiency and effectiveness of the Council in managing the GNSO Policy Development Processes.

*2.1. Address the increasing needs of inclusivity, accountability and transparency, while at the same time ensuring that work gets done and policies are developed in an effective and timely manner*

The GNSO Council agrees with the Targeted Outcomes and Risks.

*2.2 Strengthen ICANN's multistakeholder decision-making process.*

The GNSO Council recommends adding clarifying language that Supporting Organizations and Advisory Committees "make timely and effective decisions that are in the global public interest **and consistent with ICANN's mission and bylaws.**"

*2.3 Strengthen the inclusivity and openness of ICANN's multistakeholder model by improving and sustaining diverse representation and active, effective participation.*

The GNSO Council agrees with the Targeted Outcomes and Risks. However, it is important that such goals include the importance of "informed" policy making. This could be strengthened by a small change, "... and active, **informed**, effective participation."

*3.2 Improve understanding of and responsiveness to new technologies by greater engagement with industry, academia, standards development organizations, and other relevant parties.*

The GNSO Council requests clarification regarding the intended implementation of this outcome. Without further clarification, we suggest that "new technologies" be revised to read, "new technologies which directly impact the reliability, stability, and security of the Domain Name System" so to ensure ICANN stays on mission.

*3.4 Plan a properly funded, managed, and risk-evaluated new round of gTLDs.*

The GNSO Council acknowledges the Targeted Outcomes and Risks, but can only accept this outcome subject to the satisfactory completion of relevant policy development work first being undertaken. Accordingly, we request that this objective be reworded so as not to pre-suppose any outcome: **"Subject to completion, GNSO Council approval and ICANN Board approval of a Final Report of the Subsequent Procedures PDP WG, ICANN will plan a properly funded, managed and implemented expansion of gTLDs."**

*4. GEOPOLITICS: Address geopolitical issues impacting ICANN's mission to ensure a single and globally interoperable Internet.*

The GNSO Council supports this objective, particularly if/when such geopolitical issues may impact GNSO Policy Development Processes and Implementation Review Teams.

*4.1 Further develop early warning systems, such as ICANN org's Legislative/Regulatory Development Reports, to identify and address global needs and threats, demonstrating ICANN's trustworthiness in resolving the challenges within its remit in a timely manner.*

The GNSO Council agrees with the Targeted Outcomes and Risks, particularly if/when such early warning systems can inform the ongoing or future work of GNSO Policy Development and Implementation processes.

*4.2 Continue to build alliances in the Internet ecosystem and beyond to raise awareness, and equip stakeholders from around the world to become active participants in ICANN's policy making.*

The GNSO Council agrees with the Targeted Outcomes and Risks. We recognize the value of a deep and informed pool of volunteers that will contribute to GNSO policy development activities.

*5. FINANCIALS: Ensure ICANN's long-term financial sustainability.*

The GNSO Council supports this objective and recognizes both the cost and value of ICANN's support for GNSO policy development and implementation activities.

*5.1 Enhance ICANN's understanding of the domain name marketplace.*

While market trends should be considered in organizational guidance, it should be noted that market trends are only relevant insofar as they 1) overlap with the current mission of ICANN, 2) as they affect ICANN's stability and resilience, 3) impact ongoing or future Policy Development and Implementation activities, and 4) impact ICANN's stream of revenue.

*5.2 Strengthen cost management and financial accountability mechanisms.*

The GNSO Council agrees with the Targeted Outcomes and Risks.

## **Conclusion**

We appreciate the opportunity to submit the GNSO Council's perspectives on the draft Strategic Plan. The GNSO Council appreciates the clarity and focus of calling for specific planning, prioritizing, and preserving of actions.

As the GNSO is a part of the Empowered Community we look forward to reviewing all inputs from the public comment process which addresses ICANN's broader strategy and budget. Finally, the GNSO Council would be happy to answer any clarifying questions that you may have regarding the contents of this document.

Yours sincerely,

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