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# GNSO Council Strategic Planning Session 22-24 January 2020 Meeting Report

## Status of This Document

This is the outcome document from the third GNSO Council Strategic Planning Session held in January 2020. This successful event saw the GNSO Council: 1) assess the GNSO's workload and develop a comprehensive work plan of activities and objectives to be executed over the coming calendar year and beyond, 2) reaffirm its understanding of responsibilities as a consequence of the IANA stewardship transition and the recently adopted processes and procedures to meet those responsibilities, and 3) understand the new tools that are available to the GNSO Council as a result of its flagship initiative 'PDP 3.0', which is focused on making vital incremental improvements to enhance the efficiency and effectiveness of the GNSO Policy Development Processes.

# Table of Contents

**EXECUTIVE SUMMARY** **3**

**DAY ONE** **6**

**DAY TWO** **21**

**DAY THREE** **32**

**EVALUATION** **41**

**ANNEX A – GNSO 2020 STRATEGIC PLANNING SESSION AGENDA** **42**

# Executive Summary

## A. Background

This is the outcome document from the third GNSO Council Strategic Planning Session held in Los Angeles, California in the United States from 22 to 24 January 2020. The meeting was funded through an Additional Budget Request that was submitted by the GNSO Council in the previous calendar year, and sought to build upon the important work and projects that had been initiated following the first Strategic Planning Session in 2018 and the second in 2019.

The objective of the 2020 meeting was to critically assess the GNSO's workload for the calendar year ahead and beyond, reaffirming the Council's understanding of responsibilities as a consequence of the IANA stewardship transition and the recently adopted processes and procedures to meet those responsibilities, and understand the new tools that are available to the GNSO Council as a result of its flagship initiative 'PDP 3.0', which is focused on making vital incremental improvements to enhance the efficiency and effectiveness of the GNSO Policy Development Processes. In advance of the meeting, the Council leadership team and Heather Forrest, who served as a facilitator, met extensively with ICANN staff to develop a comprehensive agenda for the meeting, with preparatory materials circulated to members of the Council one month prior to the meeting for their close review.

The meeting had a strong attendance of nearly the entire GNSO Council with active and vocal participation from all GNSO Stakeholder Groups and Constituencies. As noted, the session was co-facilitated by former GNSO Chair, Heather Forrest.

As a key improvement that allowed more time for substantive dialogue, a preparatory webinar was held prior to the Strategic Planning Session to ensure a baseline understanding amongst Council members of the following topics and encourage questions and discussion on:

- What is the role of the GNSO?
- What are the role and responsibilities of the GNSO as a member of the Empowered Community?
- What is the GNSO Council and what does it do?
- What are the role and responsibilities of Council leadership?
- What are the role and responsibilities of the GNSO Council liaisons?
- GNSO Policy Development and the 'Picket Fence'

All of the preparatory materials for this meeting have been archived in the interest of transparency at this URL: https://drive.google.com/drive/folders/0ADOkmquLNnARUk9PVA. Additionally, all

relevant Council procedures (including the GNSO Operating Procedures, Policy Development Process Manual, GNSO Working Group Guidelines and the new Empowered Community processes and procedures) are publicly archived at this URL: https://gnso.icann.org/en/council/procedures.

## B. Terminology

Where there are references to the 'Council' in this document, please note this refers to the GNSO Council. Similarly, references to 'Working Groups' refer to Policy Development Process working groups that have either been chartered by, or fall within the management of, the GNSO.

## C. Focus

The meeting spanned three days, each of which had a specific focus and objective[1]:

- **Day 1 – Development and Skills Training**
  The overarching goal of the first day of the meeting was to:
  - Enhance understanding of the different roles and responsibilities (GNSO Council, leadership, liaison, Empowered Community) relevant to the GNSO Council and its members
  - Increase knowledge of the toolkit available to assist Council members in their role and responsibilities (especially program management)
  - Enhance conflict identification and resolution skills

- **Day 2 – Management of current and future workload**
  The focus for day two was to get a better grasp of the Council's current and future workload and use that information to start the development of a prioritized workplan for the year ahead and beyond.

- **Day 3 – Effective management and prioritization of policy development activities**.
  The focus for day three was to assess current and future workload in order to reach a shared view of what can the Council do to more effectively set PDPs up for success, as well as execute its role as manager of the PDP and planning for the next steps for PDP 3.0.

## D. Outcomes

This report provides further details on the discussions, agreements, and action items that were cultivated during the 2020 GNSO Council Strategic Planning Session.

The key outcomes of the meeting can be summarized as follows:

[1] For a detailed overview, please see subsequent sections of this report.

- Established a common understanding of the Council's remit and responsibilities under ICANN governance documents;
- Clarified the responsibilities of various Council roles (leadership, liaisons and councilors);
- Enhanced understanding of the GNSO's history and present role within the broader ICANN community;
- Enhanced understanding of the improvements that have been implemented as a result of the PDP 3.0 initiative and identification of potential future improvements;
- Critically evaluated the Council's role as manager of the policy development process, including identification of existing inefficiencies and possible solutions;
- Reviewed and organized the Council's workflow for 2020 and beyond, including expected PDP milestones;
- Development of a possible prioritization for upcoming work efforts; and
- Informed the GNSO Chair's messaging for the SO/AC Chairs workshop that followed immediately after the 2020 SPS.

# Day One

## A. Focus for day one

*Development and skills training*

The overarching goal of the first day of the meeting was to:

- Enhance understanding of the different roles and responsibilities (GNSO Council, leadership, liaison, Empowered Community)
- Increase knowledge of the toolkit available to assist Council members in their role and responsibilities (especially project management)
- Enhance conflict identification and resolution skills

## B. The role and responsibilities of the GNSO Council as a member of the Empowered Community

**Objective**: Understand the role and responsibilities of the GNSO Council as a member of the Empowered Community through an actual use case – budget rejection action.

**High level notes**:

- This session built on the information presented during the preparatory webinar.
- As requested during the webinar, a more practical approach to this subject was presented in the form of a Rejection Action Petition case study.
- A Rejection Action Petition always starts with an individual who commences this process through a petition. The matter complained of must be based on an issue that was specifically raised in a public comment forum and which was not satisfactorily addressed. NOTE: The individual submitting the petition does NOT have to be the person who filed the public comment, nor does the individual need to be a member of the GNSO or any other SO/AC. The issue raised should relate to perceived inconsistencies with the Mission, purpose and role set forth in ICANN's Articles of Incorporation and Bylaws, the global public interest, the needs of ICANN's stakeholders, financial stability, or other matter of concern to the community.
- The case study proceeded as follows: suppose the ICANN Board approves the FY21 Budget on 4 May 2020, and notice is provided promptly to EC Administration and Decisional Participants. From this point, an individual may submit a petition to a Decisional Participant seeking to reject the action and initiate the Rejection process (a “Rejection Action Petition”). The Rejection Action Petition (RAP) can be submitted within the first 10 days following the notice.

- What must a RAP contain? GNSO Guidelines and Templates for 2.2, 2.3, see section 4.2.2 Requirements for a Rejection Action Petition. A RAP should include at least the following:
    - Name and affiliation of the Petitioner,
    - If the RAP relates to a Standard Bylaw Amendment, a statement, if applicable, that the Standard Bylaw Amendment is based solely on the outcome of a PDP, citing the specific PDP and the provision in the Standard Bylaw Amendment Draft as of 30 April 2019 10 subject to the Board Notice that implements such PDP. Additionally, the RAP must include the name of the Supporting Organization that is a Decisional Participant that undertook the PDP,
    - If the RAP relates to an ICANN budget, an IANA(PTI) Budget, an Operating Plan or a Strategic Plan, the RAP shall also include a clarification that the rationale is based on one or more significant issues that were specifically raised in the applicable public comment period(s) and that these issues relate to perceived inconsistencies with the ICANN mission, purpose and role set forth in ICANN's Articles and Bylaws, the global public interest, the needs of ICANN's stakeholders, ICANN's financial stability or other matter of concern to the community
- How does an individual file its RAP? Bylaws are silent on this. GNSO Guidelines and Templates for 2.2, 2.3, see section 4.1 4.1 - Who is eligible to submit a Rejection Action Petition to the GNSO Council? "An individual must submit such a Petition to the GNSO Council, which is the representative body of the GNSO as a Decisional Participant. (Note: such a Petition can be submitted directly to the Council, transmitted through a GNSO Stakeholder Group or Constituency, or via other channels. However, as per Section 4.2.1 below, such a Petition must be submitted to the GNSO Council no later than the tenth (10th) day into the Rejection Action Petition Period…..)".
- Important for Councilors to communicate this process and requirements to respective groups to make sure that a petition received is recognized as such and transmitted promptly to the Council. This may require further discussion between Council and SG/Cs.
- What happens next to the RAP? First, Council gets notified. See 4.2.3 Rejection Action Petition Review and Certification of Completeness: On receipt of a Petition submitted by an individual per Section 4.1 of this Guideline, the GNSO Secretariat will promptly circulate the Petition to the GNSO Council via the GNSO Council mailing list. Then the GNSO Council leadership will determine within two (2) days after circulation of the Petition whether the Petition is complete, i.e., that it addresses all of the requirements as set forth above and in Annex D, Section 2.2(c)(i)(A-B) of the ICANN Bylaws.
- What happens if the RAP is incomplete? GNSO Guidelines and Templates 4.2.3 Rejection Action Petition Review and Certification of Completeness: If the GNSO Council leadership determines that the Petition is not complete, the Petitioner and the GNSO Council will be informed promptly in writing, and the Petitioner

may resubmit the Petition, if time permits, noting that the updated Petition must be re-submitted no later than the tenth (10) day into the Rejection Action Petition Period (as defined in Section 4.2.1 above). Failure to resubmit a correct and complete Petition within ten (10) days into the Rejection Action Petition Period will result in the automatic termination of the Rejection Process.

- If the GNSO Council leadership certifies the Petition (i.e., determines that a Petition has addressed all of the requirements set out in Section 4.2.2 of this Guideline), the leadership will promptly inform the GNSO Council and request that the GNSO Secretariat publish the Petition and its certification on the GNSO website/wiki, as well as to the GNSO Stakeholder Group and Constituency mailing lists. The GNSO Secretariat will also inform the GNSO Representative on the EC Administration. After closure of the tenth (10th) day into the Petition Period (as defined in Section 4.2.1 above), the GNSO Council Secretariat will publish on the GNSO website/wiki the uncertified Petition, and the findings of the GNSO Council leadership with respect to the non-certification of the Petition. Note: At this stage, the RAP is merely certified, not 'accepted' or 'rejected' per the Bylaws.
- At the close of the 10th day into the Petition Period:
    - **Petition not certified**: the GNSO Council Secretariat will publish on the GNSO website/wiki the submitted but uncertified Petition, and the findings of the GNSO Council leadership with respect to the non-certification of the Petition.
    - **No petition/petition not certified**: The GNSO Representative on the EC Administration must notify the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary that no Petition has been submitted or certified at the closure of the tenth (10th) day into the Petition Period. The GNSO Council Chair will inform the GNSO Council, the Stakeholder Groups and Constituencies, and the GNSO Representative on the EC Administration accordingly.
    - **Petition certified**: the leadership will promptly inform the GNSO Council and request that the GNSO Secretariat publish the Petition and its certification on the GNSO website/wiki, as well as to the GNSO Stakeholder Group and Constituency mailing lists. The GNSO Secretariat will also inform the GNSO Representative on the EC Administration.
- Upon publication of a certified Petition, the GNSO Stakeholder Groups and Constituencies will be asked to provide feedback, opinions or comments on the merits of the Petition. This feedback period will close on the fifteenth (15th) day into the Petition Period. The GNSO Council leadership will work with GNSO support staff to compile any comments received and post the compilation of comments to the GNSO Council list. The GNSO Secretariat will promptly post the compilation of comments to the GNSO website/wiki. If feasible and time permits, the GNSO Council leadership may work with GNSO support staff to categorize and summarize these comments to facilitate their review by the GNSO Council

- Decision to accept or reject RAP must be taken no later than 20th day of the Petition Period. This means that the GNSO Council must meet (either in person or via tele-conference) no later than the twentieth (20th) day of the Petition Period to decide whether to accept or reject the Petition. Council leadership and Secretariat must schedule the meeting and observe Ops Procedures meeting protocols. In accordance with Section 11.3(j) of the ICANN Bylaws, the decision shall be made by a GNSO Council simple majority vote of each House.
- In taking its decision, the GNSO Council shall consider:
    - The rationale upon which the Petitioner seeks to reject the Rejection Action and initiate the Rejection Process; and
    - The feedback, views and input received from the GNSO Stakeholder Groups and Constituencies regarding the Petition; and
    - The importance of the matter for the GNSO Stakeholder Groups and Constituencies; and
    - Other factors deemed relevant by the GNSO Council.
- What happens if the GNSO Council has not/cannot reach a decision on a certified RAP by the end of the 20th day into the Petition Period? GNSO Guidelines and Templates 4.2.5: The GNSO Council will be deemed to have rejected the proposed Petition. GNSO Secretariat to inform the SG/Cs accordingly via the GNSO Council and the Stakeholder Group and Constituency mailing lists, and publish this on the GNSO website/wiki. GNSO Secretariat will inform the GNSO Rep on the EC Administration, who will notify the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary about the GNSO Council's decision.
- If the GNSO Council decides to accept the RAP, within 24 hours of that decision, the GNSO Representative on the EC Administration shall promptly provide a Rejection Action Petition Notice (hereinafter referred to as "Petition Notice") to the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary. In accordance with the Bylaws (Annex D, Section 2.2(c)(i)(A)-(B)), the Rejection Action Petition Notice must include:
    - The Petition and the rationale for the Petition; and
    - The GNSO Council decision and the rationale for the decision. (such rationale would be required were the Petition to be accepted by at least one (1) other Decisional Participant, in accordance with Annex D, Section 2.2(d)(i)(A) of the ICANN Bylaws)
- If the GNSO Council decides to accept the RAP, it must decide, in accordance with the ICANN Bylaws (Annex D, Section 2.2(d)(i)(C-D)), Whether to request ICANN to hold a publicly available conference call prior to the Rejection Action Community Forum (hereinafter referred to as the "Community Forum"); and whether to request that ICANN hold the Community Forum during the next scheduled ICANN public meeting.
- If the GNSO Council decides to accept the RAP, immediately upon submission of the RAP Notice to the EC Administration and the other Decisional Participants,

the GNSO Rep on the EC Administration shall contact the other Decisional Participants to invite them to support the GNSO Petition. If the GNSO receives support from at least 1 other Decisional Participant within 7 days after the closure of the Petition Period, the RAP becomes a "Rejected Action Supported Petition", and within 24 hours of receiving support, the GNSO Rep on the EC Admin must notify Council, the EC Administration, other Decisional Participants and the ICANN Corporate Secretary.

- If at the end of the seventh (7th) day following the expiration of the Petition Period no other Decisional Participant has expressed support for the Petition, the process ends.
- This entire process must occur within only 29 days:
    - Rejection Action Board Notice received = Day 0. Individual X has 10 days to submit a Rejection Action Petition to the GNSO Council.
    - If the Rejection Action Petition is certified, the absolute last day to complete the process is Day 29 (= Day 0 + 29).
    - Between Day 10 and Day 29:
    - Incomplete RAPs have an opportunity to be corrected
    - Council leadership must certify the RAP
    - SG/Cs to provide feedback on certified RAP
    - Council meets to decide whether to accept or reject certified RAP
    - Other Decisional Participants must be notified of Council's decision
    - Other Decisional Participants invited to support GNSO-initiated RAP, reach and communicate that decision
    - GNSO Rep on the EC Administration communicates either Supported Petition or process ends
- Bylaws drafting team templates and guidelines are expected to assist in this and other EC-related processes.
- Section 20.1 addresses indemnification including SO/ACs and EC as long as these act within the scope of these processes and procedures. There may be a need to further consider potential liability of Council members?

**Action item #1:** Staff to circulate to the GNSO Council the guidelines and templates that have been recently developed and adopted and which be found on the GNSO web-site (see https://gnso.icann.org/en/council/procedures under the heading Guidelines and Templates that Help the GNSO Fulfill Its Role & Obligation as a Decisional Participant in the Empowered Community).

**Action item #2**: Form a small group of Council members to draft a letter to ICANN Legal to raise questions relating to potential liability of individual Council members and existing protections.

**Action item #3**: Councilors to notify their respective Stakeholder Groups and Constituencies of the potential role of SG/Cs in carrying out the GNSO's Empowered

Community responsibilities, and to consider whether current SG/C practices will enable carrying out these responsibilities.

## C. The Council as Manager of the Policy Development Process?

**High level notes**:

- The GNSO is responsible for policy development related to generic Top-Level Domains (gTLDs).
- 21 Councilors from 6 different constituencies / Stakeholder Groups & Nom Com appointees.
- What tools does the Council use to oversee and manage policy development?
    - Monthly updated project list (recently improved with new status codes)
    - Pre-ICANN meeting GNSO Policy Update Webinar
    - GNSO Council liaison to PDP WGs
    - PDP 3.0 tools
- Rough average of duration from initiation of PDP to policy effective date for completed PDPs is 1324 days. However, looking at currently ongoing PDPs this timeline is projected to be extended by an additional 1000 days (i.e. almost 3 years). Over time PDPs have become more complex but there may be other challenges that are affecting the timeline and efficiency and effectiveness for PDPs to deliver their end products.
- How can Contracted Parties plan for impacts that a PDP has if the process take so long and the outcome uncertain until it nearly reaches the end?
- If this cannot be fixed, legitimate questions will be raised about the viability of the multistakeholder model. Important for the Council to recognize this and address the issues that prevent PDPs from delivering in a timely manner.
- Consider defining the phases more specifically and define the timeline so that constraints are felt and respected. Also review the obligations that individuals have in this process – once work has been scoped and a certain stage has been reached, no repeat interventions or requests should be accepted or have new members joining that may try to reopen previously agreed issues.
- The restrictions put in place for the EPDP on the Temporary Specification for gTLD Registration Data may have addressed some of the issues – limited number of members has focused and restricted interventions. Scoping and ensuring a narrow scope also plays an important role in ensuring focused discussions.
- Role of PDP Leadership also needs to be considered – this may require reassessing leadership appointments.
- Being too inclusive poses challenges as it may prevent from moving on. Not everyone may be there with the same objectives and understanding of the underlying principles of the consensus building model. Hesitation to cut off interventions that are repeat arguments and do not contribute to finding consensus.

- Use case – SubPro – the original delivery date per the original workplan for the Final Report was 2 July 2018, this is now predicted to be closer to end of September 2020.
- Use case – RPMS – the original delivery date per the original workplan for the Final Report was January 2018, this is now predicted to be August 2020, even though the Initial Report has not been published yet.
- Council needs to consider how to set these groups up for success, not failure.
- Does the Council have capacity to start any new PDPs in 2020?
- How to avoid having a PDP go on for any years but not result in any change to existing policy recommendations – is that a waste of time?
- For discussion:
    - What are some of the tools the GNSO Council now has at its disposal, to help it in managing PDPs (in particular, coming from PDP 3.0)?
    - Is the GNSO Council engaging in Project Management or Program Management? What is the appropriate level of oversight at the Council level?
    - How can the GNSO Council best support its WGs? Do WGs have the tools that they need to succeed?
- Consider separating out 'easy' vs. more difficult / political issues and treat them in a different way, for example by involving external facilitators or other tools that may be necessary to achieve agreement.
- Easy to delay a PDP by reopening issues over and over.
- Need to consider new ways to approach issues. Culture needs to change as otherwise it may be difficult for MSM to survive.
- In most projects, controlling costs is the most powerful tool, but the same type of control does not seem to exist within the GNSO. Is that something that is acceptable? GNSO Council does provide input into the budget. There has been consideration of having more details available in relation to resources that are 'spent' by a PDP, not only $$ but also other types of resources such as staff and community time.
- Council needs to decide what kind of Council it wants to be. There are quite a few tools available but these have not always been used in a proactive manner. Council needs to decide how proactive it wants to be. Is Council being too "nice" – needs to be firmer and put its foot down more often.
- This discussion continued into day 2 where further details were shared that will help inform this discussion.

## D. PDP 3.0

**High level notes**:

- GNSO Council initiative to enhance the efficiency and effectiveness of PDPs. Adopted 14 PDP 3.0 improvements on 24 October 2018.
- Divided into five improvement packages focusing on:

- Expectations, Requirements, participation Methods for GNSO Working Group members and leaders
- Project management
- Council Liaisons
- Conflict resolution
- Remaining work items

**Package 1 Overview - #1, #2, #3, #6 | Expectations, Requirements, Participation Methods for GNSO Working Groups Members and Leaders**

| | |
|---|---|
| **Statement of participation (#1)** | A document that seeks affirmative commitment from working group members before they can participate in a working group |
| **A comparison table of working group models (#2)** | A document that identifies three policy working group models, notes aspects for consideration during working group formation, and lists elements of different models that can be mixed and matched |
| **Criteria for joining of new members (#3)** | A document that provides additional clarifications for the GNSO Working Group Guidelines and outlines factors that a working group should consider in determining whether to accept new members after the start of the effort |
| **Working group member skills guide (#3)** | A document that lists resources, tips, and suggestions that help ensure new members are sufficiently prepared for full participation in a working group |
| **Expectations for working group leaders (#6)** | A tool that facilitates the working group's selection and review of its leadership positions and helps a working group and the Council hold its leaders accountable |

**Package 2 overview - #11, #12, #14, #16 | Project Management Related Improvements**

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|---|---|
| **GNSO project work product catalog (#11, #12, #16)** | A list of staff-managed work products that help document and guide the progress of a working group from start to finish<br>• Summary Timeline<br>• GNSO Council Project List<br>• Project Plan<br>• Work Plan & Action Items<br>• Fact Sheet<br>• Project Change Request |
| **Project status and condition change procedure & flowchart (#11, #12, #16)** | A process that assists working group and Council leadership in assessing the state of a project and determining when disruptions require Council attention |
| **Checklist: criteria to evaluate request for data gathering (#14)** | A tool that assists PDP working group in performing its due diligence before submitting a data gathering request to the GNSO Council |

**Package 3 overview - #5, #13 | Review of Working Group Leadership and Guide for GNSO Council Liaison to PDP Working Groups**

| | |
|---|---|
| **New liaison briefing and liaison handover (#5)** | A tool that assists a new GNSO Council liaison to a PDP working group in getting up to speed with the liaison role and responsibilities generally, but also specific to the particular PDP |
| **GNSO Council liaison supplemental guidance (#5)** | A checklist that details job duties of a GNSO Council liaison to a PDP working group |
| **Regular review of PDP working group leadership by GNSO Council (#13)** | A process that helps the GNSO Council evaluate the performance of PDP working group leadership and address possible issues/opportunities identified |

| | |
|---|---|
| **PDP working group member survey on leadership performance (#13)** | An anonymous survey to be completed by PDP WG members and feed into the regular review of PDP working group leadership by the GNSO Council |

**Package 4 overview - #9, #15 | Consensus Building & Conflict Resolution**

| | |
|---|---|
| **Briefing Document on the Concept of "Consensus" in the PDP (#9)** | A briefing document that explains the concept of "consensus" and references experience with consensus building in the Internet Engineering Taskforce (IETF)<br>❖ This document will be absorbed by the consensus playbook to be developed under Improvement #4 |
| **Clarification to Complaint Process in GNSO Working Group Guidelines (#9)** | 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 |
| **Independent Conflict Resolution (#15)** | A reference guide to conflict resolution resources available to the ICANN community |

**Package 5 – Remaining Work Items**

#4 Capture vs. consensus playbook
#17 Resource reporting for PDP Working Group

- Issue report is intended to start the foundation and collect relevant materials. If there is a need for more detail or substance, that should be explored. Scoping teams are being used to provide expertise to Council on the possible path forward. A charter drafting team will subsequently draft the charter which will focus on precise and focused scoping. This may already identify the need for potential additional resources, and/or this may happen during the course of a PDP.
- Council is making an effort in recent efforts such as RPM IGO workstream, to ensure that members have a certain set of skills and knowledge when joining as well as identifying what information is already available, such as legal advice, that should be used and help inform the deliberations.
- Chair plays a critical role in driving the discussions and the issues – considering as part of the chartering process, the selection of a Chair is critical. What is the role

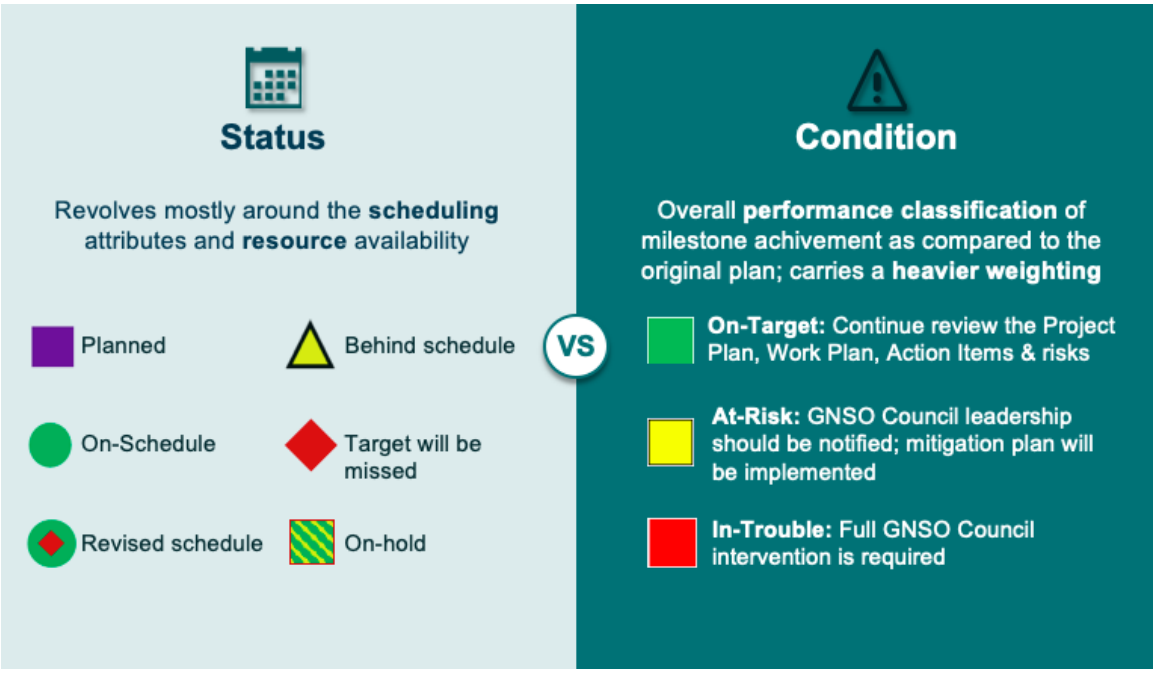
of the Council here? Is it only about establishing criteria and skills, but what if these are not met? How can the Council ensure that a qualified Chair is selected, if this is done by a WG, or what can the Council do if despite meeting the qualifications and skills the Chair is not performing as expected? Council should be able to consider termination of Chair and appointing another Chair or have the Council liaison step in.

- Hard decisions may and should be made to course correct, but Council will need to own those decisions.
- Challenge is that this is not a corporate environment in which someone who is not performing can be replaced or fired – need to think how this can be effectively managed.
- Regular contact with WG leadership should aid in identifying issues at an early stage and possible course correct. The Council Liaison also performs the role of early warning and issue identification.
- Should consider specific guidelines for how WG leadership is reviewed.
- PDP 3.0: Final documents & related work products for all 14 Improvements. Confirmation of effective dates to deploy Improvements. Planning for the next phase of PDP 3.0 (e.g., parking lot items, improvements not approved in ICANN63, etc.)

**GNSO Project Work Product Catalog – work package 2**

1. Summary Timeline
   Display key deliverable dates; be presented on a rolling 12 months; updates occur monthly/as required
   Primary Audience: WG, GNSO Council, Community
2. Next Generation Project List
   Contain summary, scope, composition, deliverable, tasks, status and condition
   Primary Audience: WG, GNSO Council
3. Project Plan
   A Gantt Chart with detailed view of tasks and deliverables; typically used within WG leadership
   Primary Audience: WG, GNSO Council Leadership
4. Work Plan & Action Item
   Tactical view of tasks, deliverables, and additional actions that typically occur no longer than two months
   Primary Audience: WG
5. Fact Sheet
   For projects where dedicated funds are provided outside of budgeted policy activities; update monthly
   Primary Audience: GNSO Council Leadership, Community
6. Project Change Request
   A formal, written request to document changed parameters after the project was launched; need Council approval
   Primary Audience: GNSO Council

**Project Status & Condition Change Procedure**




- Council to review detailed project status & condition change procedure flow chart to better understand the expected steps that need to be followed in order to consider all status and/or condition change request.
- The process flows informs the status codes on the project list – monthly review by the Council should serve as an early warning mechanism.
- Should a lighter process be available for PDPs that are less complex and broad?
- Need to put in a reality check and see if this process flow works or whether alternative paths need to be explored.
- This is a mechanism to facilitate the Council making a decision and determination on how to respond to a status or condition change.
- Is Council making effective use of the information it has? Are current status codes ignored and issues not addressed in a timely manner?
- Who gives credibility to status designation? Staff in consultation with WG leadership? But how to deal with human misjudgment? Up to the Council to determine, but any Council member, WG member, individual is able to raise a question and challenge the status and/or condition of a project.
- Regular review of the project list should allow for earlier identification of issues.
- Could a type of standing committee provide for a more regular and consistent review of the project list? This is the Council's responsibility and should not delegate that function.

**Action item #4:** Schedule a special Council meeting to carry out a detailed run through of the full project list. Following that, Council meeting would consider during its regular meeting any changes to the project and condition would be reviewed.

**Use Case – EPDP on the Temporary Specification for gTLD Registration Data**

| | EPDP – Phase 2 |
|---|---|
| **Delivery Date per Original Workplan** | First Meeting – 02 May 209<br>Initial Report – 04 Dec 2019<br>Final Report – 21 Apr 2020 |
| **Current Committed Delivery Date** | Initial Report – 07 Feb 2020<br>Final Report – 11 Jun 2020 |

| Report Date (Project Package) | Commit Date (Final Report) | Notes: |
|---|---|---|
| 13 Aug 2019 | 21 Apr 2020 | Project plan submitted to GNSO Council for review and confirmation |
| 31 Aug 2019 | 21 Apr 2020 | Status and Condition levels On Target |
| 30 Sep 2019 | 21 Apr 2020 | Status and Condition levels On Target; Priority 1 tasks marked as Behind schedule |
| 31 Oct 2019 | 21 Apr 2020 | Status and Condition levels On Target; Priority 1 & 2 tasks marked as Behind schedule |
| 30 Nov 2019 | 11 Jun 2020 | Status and Condition downgraded to Behind schedule and At-Risk; Initial Report delayed by 2 months. PCR Council consultation and new target delivery date of 7 Feb 2020 |
| 31 Dec 2019 | 11 Jun 2020 | Status and Condition revised to Revised Schedule and On-Target |

## E. Conflict Resolution in Practice

**Objectives:**

**High level notes:**

- Objectives of the session were as follows:
  - Encourage an open and collaborative dialogue around the challenges the GNSO faces in resolving conflicts (note: GNSO Council support staff left the room to encourage freedom of Councilors to reflect thoughtfully on how conflict arises and what the Council's, individual Councilors' and staff roles are in facilitating resolution of conflict;
  - Assist Councilors in identifying conflict and provide a toolkit for intervening and responding; and
  - Introduce Councilors to Melissa Allgood, Conflict Resolution Specialist, and provide insight into the scope of her role.
- Sources of responsibility were identified and discussed in relation to conflict resolution in the GNSO:
  - Leadership (PDP and Council) roles and responsibilities (in particular, PDP 3.0 Improvement #6 - Document Expectations for Working Group Leaders that Outlines Role & Responsibilities as well as Minimum Skills / Expertise Required and GNSO Basics Module 2c – GNSO Working Groups Chair's Guide);
  - GNSO Operating Procedures Section 3.7 (current draft of section 3.7 amendments of the PDP3.0 small team were discussed);
  - GNSO Council liaison role and responsibilities;
  - ICANN Conflict Resolution Specialist (Melissa Allgood appointed to this role in October 2019, her role to focus on training and serving as a

resource for early intervention in conflict resolution with the aim of preventing escalation to a formal complaint); and
    - ICANN Ombudsman and Complaints Office.
- Discussions focused on such topics as:
    - The limited role of the GNSO Council in conflict resolution, and the critical importance of PDP Chairs and GNSO Council liaisons in conflict identification and resolution;
    - The challenges inherent in the reluctance of volunteers to evaluate criticize or censure fellow volunteers;
    - Differentiation of the Conflict Resolution Specialist role from existing Ombudsman and Complaints Office roles, and past experience with involving the ICANN Ombuds in GNSO PDP-related dispute resolution;
    - Lessons learned from past experience involving GNSO Operating Procedures section 3.7 and how these can be addressed in proposed amendments to the Operating Procedures; and
    - Foreseeable challenges in 2020 in light of the GNSO Council's current workload and work flow.

**Action Item #5**: PDP3.0 small team to seek input of Melissa Allgood, Conflict Resolution Specialist, in further development of GNSO Operating Procedures section 3.7.

## F. Wrap up and Summary of Action Items

**Action items Day 1 (compilation):**

**Action item #1:** Staff to circulate to the GNSO Council the guidelines and templates that have been recently developed and adopted and which be found on the GNSO web-site (see https://gnso.icann.org/en/council/procedures under the heading Guidelines and Templates that Help the GNSO Fulfill Its Role & Obligation as a Decisional Participant in the Empowered Community).

**Action item #2**: Form a small group of Council members to draft a letter to ICANN Legal to raise questions relating to potential liability of individual Council members and existing protections.

**Action item #3**: Councilors to notify their respective Stakeholder Groups and Constituencies of the potential role of SG/Cs in carrying out the GNSO's Empowered Community responsibilities, and to consider whether current SG/C practices will enable carrying out these responsibilities.

**Action item #4:** Schedule a special Council meeting to carry out a detailed run through of the full project list. Following that, Council meeting would consider during its regular meeting any changes to the project and condition would be reviewed.

**Action Item #5**: PDP3.0 small team to seek input of Melissa Allgood, Conflict Resolution Specialist, in further development of GNSO Operating Procedures section 3.7.

# Day Two

## A. Focus for day two

The focus for day two was to get a better grasp of the Council's current and future workload and use that information to start the development of a prioritized workplan for the year ahead and beyond.

## B. Understanding the Council's current and future workload

**Objectives**: To understand and appreciate the Council's current and future workload

**High level notes:**

- 5 Year Strategic and Operating Plan (FY21-FY25) is currently out for public comment.
- Need to understand at the macro level what the community priorities and objectives are to better understand alignment with GNSO's priorities and work. GNSO's work fall under a narrow set of Operational Initiatives as part of the 5 Year Strategic and Operating Plan.
- In the Strategic Plan, each of the 5 Strategic Objectives has a set of Strategic Goals. Each of the 17 Goals include a set of Targeted Outcomes. In the Operating & Financial Plan, each of the 15 Operating Initiatives and each of the 35 Functional Activities is linked to the Targeted Outcomes supported. Each Function Activity includes a list of Operating Initiatives it supports.
- Important for Council to be familiar with the Strategic Goals that directly relate to the Council's role and activities as these to a certain degree will dictate the work ahead. Most relevant to the GNSO Council are:
    - **Strategic Objective 2:** Improve the effectiveness of ICANN's multistakeholder model of governance
      **Strategic Goals:**
      2.1. Strengthen ICANN's bottom-up multistakeholder decision-making process and ensure that work gets done and policies are developed in an effective and timely manner.
      Support and grow active, informed, and effective stakeholder participation.
      2.3 Sustain and improve openness, inclusivity, accountability, and transparency.
      Operating Initiatives most relevant to the Council
    - **Strategic Goal**: Support and grow active, informed, and effective stakeholder participation.
      Targeted Outcomes:

- Meaningful stakeholder participation increases, demonstrated by community members effectively engaged in multi-stakeholder model processes and committed to cooperating toward an agreed-upon global public interest
- The knowledge and skill levels across the stakeholder community and organization increase, demonstrated by community members and staff equipped with basic knowledge of the DNS as well as ICANN policy and advisory processes.
- The ICANN community establishes mechanisms, such as an accurate measure of community participation, to equitably distribute workload among the pool of stakeholder representatives.
- Representation across all stakeholders continues to reflect the evolving functional, geographic, and cultural diversity of the Internet.
- Continued efforts of ICANN Board, community, and org facilitate the inclusion and participation of all stakeholders.

These measures are examples of those that will be used over the five-year period for this initiative:

- Membership tracking by SOs, ACs, stakeholder groups, and constituencies and other metrics.
- Implementation of Board-approved recommendations from Organizational Reviews and Community Charter Reviews.
- Metrics related to Public Comment proceedings.
- Community activity indicators that track global participation in projects and activities as well as the translation and interpretation services required for those projects and activities.
- Reports and statistics for ICANN prep week and ICANN Public Meetings.

- **Strategic Goal**: Strengthen ICANN's bottom-up multistakeholder decision-making process and ensure that work gets done and policies are developed in an effective and timely manner

  Targeted Outcomes:
  - Processes and tools are in place and consistently utilized to reach consensus, resolve impasses, and make timely, informed, and effective decisions that are in the global public interest, take policy advice into account, and ensure consistency with ICANN's mission and bylaws.
  - Decision-making processes ensure that input from all stakeholders is considered.
  - Improved multistakeholder model processes, such as Policy Development Process (PDP) 3.0 or streamlined Organizational and Specific Reviews, and other evolutions of ICANN's governance and cross-community working methods help produce timely and relevant results.

- ICANN stakeholders collaborate to define prioritization mechanisms, which ensure that cumulative workload is reasonable at any one time, and that ICANN priorities reflect the community's collective needs

ICANN org uses a combination of milestones and reports to ensure that initiatives advance. Milestones and progress for this initiative are tracked through indicator metrics aimed at measuring ICANN org accountability and community activity. Among these indicators are metrics related to:

- Processes for Empowered Community actions.
- Public Comment proceedings.
- Milestone reporting by working groups.
- Tracking of hours spent on community deliberations.
- Meeting and report statistics.

- **Functional** activities most relevant to the Council: Policy Development and Implementation Support:
  - Policy Development and Advice
  - Policy Research
  - Contracted Parties Services Operations
  - Technical Services
  - Global Domains Division Strategic Programs
  - Constituent and Stakeholder Travel

- The GNSO Planning & Operations Stack:

  - **Strategic Objectives << 5**
    - **Strategic Goals << 17**
    - **Operating Initiatives << 15**
    - **Functional Activities << 35**
      - Portfolios >> Policy >> MSSI >> GDD (by SO/AC, SG/C) // Policy, Reviews, Implementation
      - Programs (RDS, gTLDs, RPMs, Transfers, Council Ops (action items))
        - Projects (On-going vs. Projects (start/finish))
          - Working Group(s)
            - 1- Project Management / Resource Management
              - Financial Rollup
                - Accounts
                - Professional services (metrics, advice, remote participation, facilitation)
                - Travel (ICANN meeting, dedicated F2F)
                - Budget, Commitments vs. Actuals
                - Staff Allocation
            - 2- Policy Deliberations
            - 3- Initial Report / Public Comment
            - 4- Final Report
            - 5- Post WG Activities
          - WG Recommendations
          - Council Resolution(s)
          - Board Resolution(s)
          - Implementation
    - **Targeted Outcomes & Publication**

- Keep in mind that Council is in practice more focused on program management than project management.
- Program Management – the continuous process of selecting and managing the optimum set of project-oriented initiatives that deliver maximum value
    - dynamic decision-making process
    - enables leadership to reach consensus on the best use of resources to focus on projects that are achievable and strategically aligned with goals and objectives
    - generally have a multiplicity of requirements, deliverables, stakeholders, departments, and interfacing organizations interacting with the work
- Project Management – the application of processes, methods, skills, knowledge and experience to achieve specific project objectives according to the project acceptance criteria within agreed parameters
    - project management has final deliverables that are constrained to a narrowly defined scope, finite timescale and budget << triple constraints >>
    - a key factor that distinguishes project management from just 'management' is that it has this final deliverable and a finite timespan, unlike management which is an ongoing process
    - an improperly scoped project often leads to unforeseen/unplanned tasks and schedule delays
- GNSO Programs – current, on-deck, completed, organized by subject categories

**gTLD**
Current: Auctions, SubPro, T&T
*On-Deck: IDN-WG
FY2020: WT5, IDN-ST
FY2018: CWG-UCTN
FY2015: SubPro-DG
FY2014: UCTN
FY2013: CTWG
FY2012: FastFlux, gTLD-AS
FY2011: gTLD-CC, gTLD-Intro, Rec6, VI
FY2009: AGP
FY2007: IDNWG, PROWG, Reserved
FY2006: RSEP
FY2004: RNAP
FY2002: dot_ORG, IDNTF

**SSR**
FY2014: GNSO-SSR
FY2013: UofC
FY2012: IRD, RAPWG

**Transfers**
Current: TP_PRST
*On-Deck: TP-WG
FY2020: TP-TSR
FY2018: IRTP-C, TEAC-PR
FY2017: IRTP-D
FY2016: IRTP-B
FY2012: IRTP-A
FY2009: IRTP-Denials
FY2008: IRTP
FY2004: IRTP0
FY2003: Transfer, TTF

**Expiration**
*On-Deck: ERRP-PR
FY2014: PDENR
FY2012: Fake
FY2004: EDDP
FY2003: Deletes

**RDS**
Current: EPDP-P1-IRT, EPDP-P2, PPSAI
*On-Deck: EPDP-P3, Rec#27, WPAIG
FY2019: RDS-PDP, Thick
FY2014: Whois1
FY2004: Whois-MR
FY2003: Whois0, Whois1

**RPM**
Current: RPM-P1
*On-Deck: RPM-P2
FY2016: Lock
FY2010: STI
FY2009: TM-IRT
FY2003: UDRP
FY1999: UDRP0

**IGO**
Current: IGO-INGO2, IGO-RCRC, IGO-CRPM, RPM-IGO-CRPM
FY2018: IGO-INGO1
FY2013: RedCross
FY2008: IGO-DRP

**Operations**
Current (on-going): Council, Leaders, A-Is, SSC, SCBO, SPS, PDP3.0, GEO, EC
*On-Deck: PolImp-RR
FY2020: RODT
FY2018: CWG-Principles, GAC-GNSO-CG
FY2017: Meetings, PDP-IMPR, SCI
FY2016: DMPM, POLIMP
FY2012: GNSO-Improve
FY2002: Council-TF

**Other**
Current: GEO
FY2018: CCWG-IG

**Reviews**
Current: CCT, CSC1, RDS2, SSR2, IFRT1, ATRT3
*On-Deck: GNSO3, CCT2, ATRT4
FY2019: CCT-RT, GNSO2
FY2017: GNSO1

**Accountability**
Current: IRP_IOT, WS2
FY2017: CCWG, WS1
FY2011: AofC

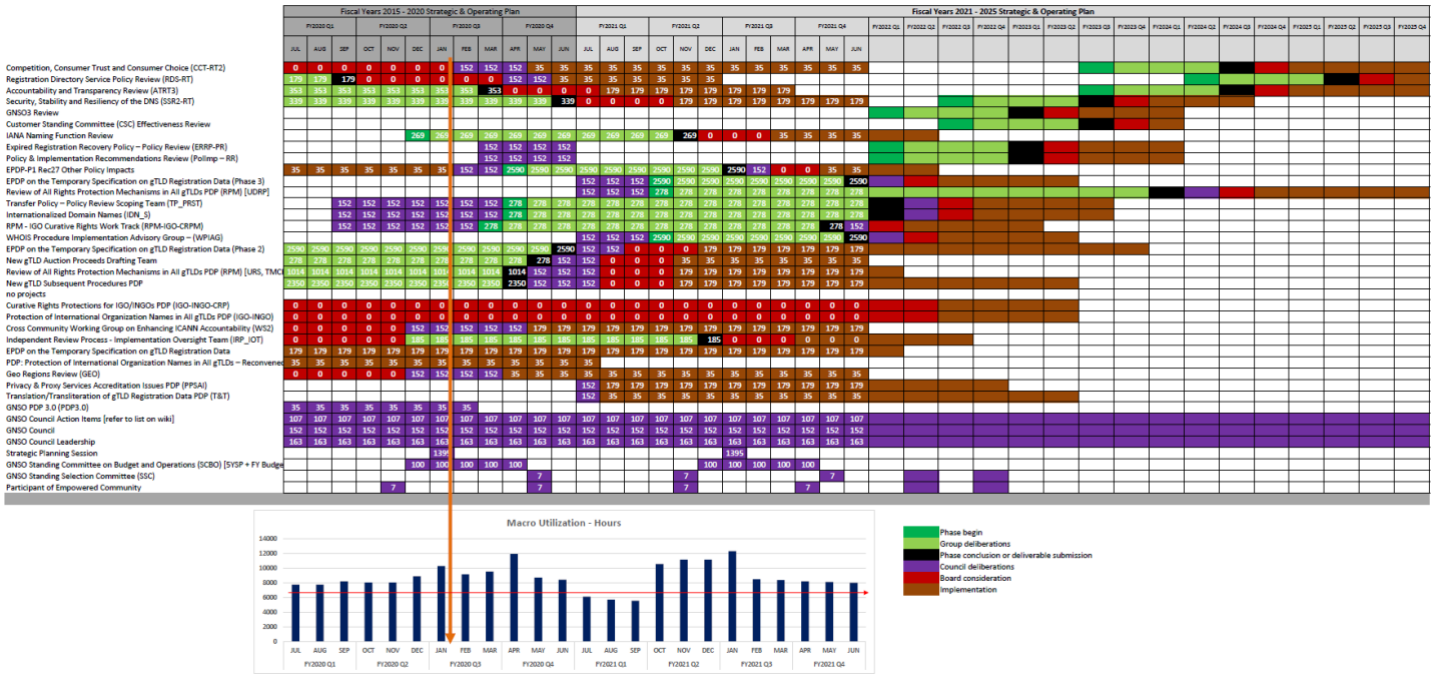
- People (Community) Resources – representative community members required to deliberate and complete project tasks resulting in consensus policy outcomes
    - community resource availability for any new project should be reviewed and balanced against all other in-flight projects
    - given the distributed and volunteer nature of community members, it will be challenging to estimate and determine actual consumption required to complete all tasks
    - an estimation framework will be used to based on guesstimates of time allocation to certain activities combined with actual attendance of in-person or remote participation of policy development discussions
- People (Staff) Resources – staff (Policy + SO/AC Admin) assigned to a given project supporting the project through its full lifecycle
    - tracking of this resource at the beginning stages of any project will be a percent allocation of an FTE
    - one staff member is allocated at 2080 hours per year (40 hours per week times 52 weeks in a year. A one-half FTE (.5) equates to 1040 hours
- Financial Resources – authorized budget allocated for particular purposes of a sponsored project, such as professional services. Only in exceptional circumstances will a GNSO working group be allocated a specific and dedicated budget.
- There is a growing awareness that more needs to be done to track resource allocation, to also allow for better control of expenditure and resources.
- May not be possible to shift resources based on priorities, especially from a community perspective as SG/Cs may allocate resources based upon their own priorities.
- Resource based activity estimates per meeting:

| Regular WG Weekly Activities | Community Member Hours | Leadership Hours | Policy Staff Hours | SO/AC Admin Hours |
|---|---|---|---|---|
| Manage roster | | | | 0.50 |
| Schedule meetings | | | | 0.50 |
| Prepare remote participation | | | | 0.50 |
| Manage call | | | | 1.50 |
| Manage attendance | | | | 0.25 |
| Post-meeting artifacts | | | | 1.00 |
| Setting Agenda | 0.00 | 0.25 | 0.50 | |
| Preparing Documentation | 0.00 | 1.00 | 2.00 | |
| Reviewing Documentation | 0.50 | 0.00 | 0.50 | |
| Prepping for Meeting (incl. coordination calls) | 0.00 | 1.00 | 1.00 | |
| Participating in Meeting | 1.50 | 1.50 | 1.50 | |
| Sending Outcomes from Meetings | 0.00 | 0.00 | 0.50 | |
| Updating Documentation | 0.50 | 0.50 | 0.50 | |
| Reviewing and Responding to Email | 1.00 | 1.00 | 0.25 | |
| Ad Hoc Work | 0.00 | 1.00 | 1.00 | |
| | **3.50** | **6.25** | **7.75** | **4.25** |

| Agressive WG<br>Weekly Activities | Community<br>Member Hours | Leadership<br>Hours | Policy Staff<br>Hours | SO/AC Admin<br>Hours |
|---|---|---|---|---|
| Manage roster | | | | 0.25 |
| Schedule meetings | | | | 0.25 |
| Prepare remote participation | | | | 0.50 |
| Manage call | | | | 2.00 |
| Manage attendance | | | | 0.25 |
| Post-meeting artifacts | | | | 0.75 |
| Setting Agenda | 0.00 | 0.25 | 0.50 | |
| Preparing Documentation | 0.00 | 1.50 | 3.00 | |
| Reviewing Documentation | 2.00 | 0.00 | 1.50 | |
| Prepping for Meeting (incl. coordination calls) | 0.00 | 1.00 | 2.50 | |
| Participating in Meeting | 2.00 | 2.00 | 2.00 | |
| Sending Outcomes from Meetings | 0.00 | 0.25 | 0.50 | |
| Updating Documentation | 0.50 | 0.50 | 0.50 | |
| Reviewing and Responding to Email | 1.00 | 1.00 | 0.25 | |
| Ad Hoc Work | 0.00 | 1.00 | 1.00 | |
| | **5.50** | **7.50** | **11.75** | **4.00** |

| GNSO Council<br>Monthly Activities | Community<br>Member Hours | Leadership<br>Hours | Policy Staff<br>Hours | SO/AC Admin<br>Hours |
|---|---|---|---|---|
| Manage roster | | | | 0.50 |
| Schedule meetings | | | | 1.50 |
| Prepare remote participation | | | | 0.50 |
| Manage call | | | | 2.00 |
| Manage attendance | | | | 0.25 |
| Post-meeting artifacts | | | | 2.50 |
| Setting Agenda | 0.00 | 1.00 | 0.25 | |
| Preparing Documentation | 0.00 | 1.00 | 2.00 | |
| Reviewing Documentation | 3.00 | 1.00 | 0.00 | |
| Prepping for Meeting (incl. coordination calls) | 1.00 | 3.00 | 2.00 | |
| Participating in Meeting | 2.00 | 2.00 | 2.00 | |
| Sending Outcomes from Meetings | 0.00 | 1.00 | 1.00 | 1.00 |
| Updating Documentation | 0.00 | 0.50 | 0.50 | |
| Reviewing and Responding to Email | 0.50 | 1.00 | 1.00 | |
| Action Items | 0.50 | 3.00 | 3.00 | 2.00 |
| Standing Committees | 1.00 | 2.00 | 4.00 | 3.00 |
| | **8.00** | **15.50** | **15.75** | **13.25** |

- These are guesstimates at this stage, but an attempt to start having an idea and be able to measure resource commitments.




- Resource Consumption and Forecasting Dashboard:
  (For larger view, please see here)
- For discussion:
  - Is it possible to establish a max. capacity, e.g., only x PDPs and y DTs can run simultaneously?
  - If yes, consider review upcoming projects and order them (consider having each SG rank in order of priority and use the aggregate to determine future order).
  - Need to consider mechanism for projects / asks that may be generated externally – or rerun ranking as new items come in?
  - Consider other ways to mitigate asks that contribute to overload – e.g. provide timely input on review team recommendations that assign work to the GNSO, requests coming from the Board to come with an indication of priority and suggestions for which projects can be paused or how capacity will be increased.
- Table maps out work that is either underway or anticipated across the coming 5 years in line with the 5 year Strategic and Operating Plan.
- New work should only be taken on when there is bandwidth available – this discussion aims to create a better understanding of what current bandwidth is and what capacity exists to take on new work.

- Tactical project management at the PDP level, through the different tools that the Council has available such as the project list, work breakdown structure and the project status change process.
- Current budget does not recognize the contribution of volunteer resources.
- Trying to quantify the available resources and how much is anticipated to be needed to conduct a PDP will be key to help inform the Council's planning and workload management. How much can be done, in a reasonable amount of time with the resources available.
- May also need to review how others do this – for example, SSAC which has very strict rules about the amount of work that can be taken on.
- Difference between what we must do and what we would like to do – review of spreadsheet and subsequent prioritization should factor that in.
- Desired outcome of this discussion could be a straw person for order in which work is taken on. See list of work items that has been circulated in view of conducting a straw poll during day 3 of the meeting.
- It is likely that future efforts will follow representative or expert type membership model – however, there is still a finite number of SG/C resources to populate these efforts. How many efforts can be reasonable staffed by community volunteers?

## C. Develop a draft work plan for the coming year

**Objectives**:

- Revisit the scope of work already underway, as well as upcoming work (e.g., review of the project list / scary spreadsheet with open eyes)
- Councilors to have a frank discussion about what can reasonably be accomplished in the upcoming year and document a draft work plan
- Consider capacity established as part of previous discussion as a baseline.

**High level notes:**

- Council needs to look at ongoing work, future work, dependencies with other activities, work that may come out of other initiatives like reviews or the Evolving the Multistakeholder Model initiative.
- Review of the Projects List may help understand what is on the Council's plate at the moment.
- What ability does the Council have to re-order or re-organize work? Council has already made use of small scoping team in an attempt to leverage community expertise and scope the work better. Need to better understand what is required to complete the work – is it always necessary to have a PDP or is there another

mechanism? Does it need a full blown WG or is there another type of mechanism?

- How to 'sell' this to the broader community? Some of this is already being communicated via PDP 3.0 and the responses to the comments that were received. Council does need to be sensitive to the decisions that are being made and how these are communicated to the broader community.
- Need to build in sufficient time to evaluate after work has been completed before immediately moving on with additional work – reality check to make sure that work is still relevant and necessary.
- No roadmap for the GNSO re. what it is planning to achieve and what its priorities are – that may also be a tool that could be used to communicate to the broader community what the expected plans are.
- Scoping is key to setting projects up for success – consideration needs to be given at that stage at what the appropriate format is for the effort, what resources may be needed.
- Consider breaking down PDPs into more bite-size pieces so that it is more focused, will hopefully attract those that have expertise in that narrowly scoped item and avoid a big free for all type of discussion.
- Breaking issues down into much more manageable aspects – this has been done in the past, for example, locking of a domain name subject to UDRP. The discussion was also helped by the participation of experts in this area so it was informed by actual knowledge and facts.
- Consider making changes to leadership structures, moving away from having co-chairs but focus on having a chair with vice-chairs, as needed. The exception may be a CCWG where different parts of the community appoint a co-chair.
- List of expected and known future GNSO work items:
    - Expired Registration Recovery Policy – Policy Review & Rec 27 (ERRP-PR) - The ERRP Consensus Policy became effective 31 Aug 2013 as a result of adopted recommendations produced from the GNSO's Post Expiration Domain Name Recovery (PEDNR) PDP WG. That WG deliberated on issues related to the expiration of domain names and to what extent a Registrant should be able to recover domain names after they expire.
    - Policy & Implementation Recommendations Review - The GNSO Council resolved in June 2015 that a "review of these recommendations is carried out at the latest five years following their implementation to assess whether the recommendations have achieved what they set out to do and/or whether any further enhancements or changes are needed".
    - EPDP on the Temporary Specification on gTLD Registration Data (Phase 3) – addressing items that are addressed in phase 2 such as priority 2 items that are dependent on external factors.

- Review of All Rights Protection Mechanisms in All gTLDs PDP – Phase 2 Review of UDRP (RPM)
- Transfer Policy – Policy Review Scoping Team - ICANN Org delivered the most recent version of the Transfer Policy Status Report (TPSR) to the GNSO Council on 22 April 2019. The TPSR provides details on the noted purposes of the Transfer Policy (formerly known as the Inter-Registrar Transfer Policy (IRTP)), an overview of the domain name transfer process, the impact of the Temporary Specification and the Registration Data Access Protocol (RDAP) on the Transfer Policy, metrics related to the Transfer Policy, and a summary of the public comments and survey responses to the published TPSR. The GNSO Council formed a Transfer Policy Review Scoping Team to scope the work and advise the Council on next steps.
- Internationalized Domain Names - The GNSO Council established a scoping team to study the full extent of the impacts from both the IDN Variant TLD Recommendations and the IDN Guidelines upon existing registry agreements and future applicants, to determine the range of issues and appropriate mechanisms needed to address them (e.g., policy development, direct engagement with ICANN Org, other). This scoping team is limited to the tasks of identifying the scope of the issues and making a recommendation to the GNSO Council on the best mechanism(s) for resolution. Once in receipt of the recommendations from the scoping team, the GNSO Council will determine the appropriate next steps.
- WHOIS Procedure Implementation Advisory Group – (WPIAG) – group tasked to review ICANN Procedure for Handling Whois Conflicts with Privacy Laws
- DNS Abuse – potential work addressing DNS Abuse following community wide discussions on this topic
- Multistakeholder Model Evolution / PDP improvements – work items coming out community wide discussions concerning the MS Evolution and/or PDP 3.0 follow up items.
- Rec 27[2]: Review of Thick RDDS (Whois) Transition Policy for .COM, .NET, and .JOBS & Registry Registration Data Directory Services Consistent Labeling and Display

[2] Recommendation 27 from EPDP Phase 1: The EPDP Team recommends that as part of the implementation of these policy recommendations, updates are made to the following existing policies / procedures, and any others that may have been omitted, to ensure consistency with these policy recommendations as, for example, a number of these refer to administrative and/or technical contact which will no longer be required data elements. For the purposes of this survey, items have been clustered based on initial assessment of effort required to resolve and possible linkage. However, the Council may decide to deal with these items in a different cluster or individually.

- Rec 27: Review of Proxy and Privacy Services Accreditation & Translation & Transliteration of Contact Information
- Rec 27: Review of Whois Data Reminder Policy, Restored Names Accuracy Policy; Additional Whois Information Policy; Whois Marketing Restriction Policy; Registry Services Evaluation Policy; Expired Domain Deletion Policy; AGP Limits Policy.

- Need to distinguish between policy review / overhaul and assessment of ongoing effectiveness. There should be a mechanism to measure ongoing effectiveness of a policy – could this be a GDD function? This could also assess whether a policy is still relevant or has it been taken over by events and should be retired.
- Input from the Council on what is achievable under the Evolution of the Multistakeholder Model would be helpful.

## D. Wrap up and close of session

**Action items Day 2 (compilation):**

- None

# Day Three

## A. Focus for Day Three

Assessing current and future workload, what can the Council do to more effectively set PDPs up for success, as well as execute its role as manager of the PDP.

## B. How can the GNSO Council more effectively execute its role as manager of the PDP?

**High level notes:**

- Deep-dive into the status of the GNSO's ongoing PDPs.
    - Were they set up to succeed?
    - Are they operating effectively?
    - Are they meeting milestones in a timely manner?
    - Does Council believe like it has a good enough grasp of the status of the PDP to answer these questions?
    - Revisiting: How can the GNSO Council best support its WGs? Are there gaps in the toolkit?
- Focus is on finding solutions – how can issues be addressed and allow for the effective execution of ongoing PDPs?
- The Council considered a couple of use cases (SubPro PDP and RPMs) and discussed:
    - Scoping – were these scoped too broadly?
    - Leadership / role of the chair
    - Work plan
    - Impact of size of the group
    - Incentive to compromise – fall back to status quo does not provide incentive for those satisfied with status quo
    - Setting realistic timelines vs. aspirational dates
    - Conflicts of interest
    - Preparation and preparedness by WG members
    - Need for regular check-in / reality check
    - Enforcing deadlines
- Should WG have better project management tools and be required to make use of the tools that already exist?
- Consider being more specific on which topics are within and not within scope.
- More proactive engagement may be necessary, through the liaison, to assess if/when course correction is necessary and what that should be.
- Should liaison be given more leeway in providing guidance to PDP WGs, for example, when questions of scope arise?
- How to deal with chairs who have a vested interest in the outcome? But also how to find qualified chairs that do not have a vested interest? Should support

staff serve as chair or have a group of trained / qualified chairs from which the Council could chose? Could the NomCom, Standing Selection Committee (SSC) or other body assist with the creation of such a pool? For example, NomCom could identify pool after which SSC makes final selection. Important that those chairs have a familiarity with the ICANN environment as a complete outsider may not be as effective.

- Selection of Chair by Council / Council leadership allows for setting of criteria in advance against which candidates are measured. It also allows for providing specific direction to the Chair. It has proven difficult for WGs to be objective in selection of leadership in the past not wanting to offend volunteers.
- Council selection of leadership versus selection by the WG – is the former better suited to ensure neutrality of chair?
- Council needs to set objective criteria by which leadership is selected (e.g. pragmatic, practiced, familiar with the processes and have personality).
- Relationship and trust between liaison and leadership is key. Is it a challenge or a benefit if liaisons rotate in and out as a result of the duration of a WG?
- Need to consider motivation of members to join an effort – prestige, knowledge.
- Should compensation be considered of leadership and/or members – that would change the whole dynamic of the model and likely create other kind of issues.
- Need to create incentives for delivering on time.
- Also need to think about how to create the right incentives for WG members to participate in consensus building instead of treating it like a negotiation – can the Council play a role there through its SG/Cs, especially in a representative model?
- Need to remind Chairs that their role is about process not substance.
- Council also needs to have realistic expectations about what is achievable and in what timeframe.
- There is no one-size-fits all – each group is unique and careful consideration needs to be given to what works best for that specific effort.
- Need to emphasize deadlines early on in a WG.
- A review of an existing policy needs to be different than the development of new policy.

**Charter and Project Management**

- Effective resource tracking can only occur with a properly scoped project as noted in the project definitions. It is critical that during the chartering phase of a project that once the project scope is agreed upon, that the effort be appropriately sized in terms of time (project duration + expected delivery) and Cost (person/task hours + professional services). Note however, that a completed project plan will not usually occur until after a working group has performed a cursory review of the in-scope issues and confirmed its workplan. Therefore, the formal project plan should be returned back to the GNSO Council (post charter approval and launch of WG) for final confirmation and formal initiation of the project Status, Condition procedure including a final Delivery

Date. It should be noted that with more effective chartering, resource allocation may accordingly become more efficient.

- Reviewed additional details on chartering and project management using this document: https://drive.google.com/open?id=1bCVRY2UckF-0hLnUzl7OEIeblXBAc_UQ.
- Develop charter in bite size chunks and also consider for those tasks that may be more challenging that a specific timeline is put in place at the end of which the WG reports back to determine whether resolution is near or whether it should be abandoned as it may never may reached.
- Repeatable actions in WG: 1) Project Management / Resource Management, 2) Policy deliberations; 3) Initial Report / Public Comment; 4) Final Report, 5) Post WG Activities.
- Repeatable Deliberation Structure of policy topics (repeat for each one): Consistent approach to work each building block (Work Breakdown Structure W.B.S.)
    - Determine if required and necessary
    - Confirm scope
    - Deliberate issue / perform research
    - 1st reading / verbal feedback (manual reading of each principle, proposed recommendation, impl. detail)
    - 2nd reading / verbal feedback (stabilize block)
    - 3rd reading / email feedback
    - Document discussion and outcome
    - Obtain preliminary agreement for inclusion into Initial Report (consensus playbook)
- Important for Council to closely review program management tools it has available such as the project list.

## C. Lunch with the Board

**Objectives:**

- Update the Board on what has taken place in the previous two days of the Strategic Planning Session
- Have an open and frank discussion with the Board

**High level notes:**

- Update on the Strategic Planning Session so far
    - Maturing of the organization – how to improve processes and procedures.
    - Focus has been on prioritization – how to address existing and future workload with resources available.

- What can be done to bring in flight PDPs to closure and how can future work be more effectively planning? A number of new tools are available as a result of PDP 3.0 to assist in the better planning, scoping and subsequent oversight of PDPs. The Council has reviewed these during the SPS to start making effective use of these.
- Important to the Board that as part of a PDP thoughtful consideration is given to the impact on other Consensus Policies and being specific about what changes are intended to be made.
- Would it be helpful to have additional dialogue between Council and Board when policy recommendations are considered to ensure understanding as well as possible identification of gaps and/or guidance for implementation? One of the items on the Council's list are a review of the Policy & Implementation recommendations, maybe this could be considered as part of that?
- Better understanding of resources required and resources available is intended to aid work planning.
- Continuous improvement should be the goal, not only for the GNSO but also for the Board and the broader community.
- Council has discussed how to become more proactive in overseeing PDPs as well as ensure understanding of the Council's role and responsibilities in the context of the Empowered Community.
- Many of the elements of the Multistakeholder Model Evolution project may have been addressed through the PDP 3.0 improvements.

- Discussion: The Board's priority goals for 2020 (especially those that may have an impact on the GNSO)
  - Oversight of cross community initiatives, e.g.
    - Global Public Interest
    - Framework for liaisons
    - EPDP Phase 2
    - Sub Pro, etc. etc.
  - ICANN Org oversight, e.g.
    - ICANN managed root server
    - DNS Evolution and Security
  - Strategic and forward looking, e.g.
    - Evolution of Multistakeholder model
  - Governance, e.g.
    - Board Effectiveness
    - Abuse

    - Community Engagement and Relationships, e.g.
        - Interaction with ICANN Community
        - Anti-Harassment Policy
- Engagement of Board liaisons is a positive development and has been welcomed by the GNSO. This is a delicate role, having a Board liaison does change the dynamics in a WG – is a job description in the works? Board is looking for more insight with the hope of translating this into guidelines that would provide more clarity.
- Topics of mutual interest:
    - Status of EPDP Phase 1, rec 12 supplemental recommendation consideration
    - IGO Curative Rights status of consideration of GNSO Recommendations

(due to lack of time, update requested via email)

## D. PDP 3.0 Improvements

**Objectives:**

- Councilors to gain an understanding of what has been identified in the Parking Lot
- In light of conversations at the SPS, Councilors to identify which items might need further work and plan for PDP 3.0 phase 2
- Councilors to consider the impact of and possible alignment with the Evolution of the MSM project and if applicable, identify next steps

**High level notes:**

- As part of the PDP 3.0 discussions, a number of items were identified that might benefit from further work in the future ("the parking lot")
- Parking lot items include:
    - SOI Review - Consider whether SOI needs to be enhanced for more effective disclosure of potential conflicts
    - Council's WG participation - Consider whether there is any potential conflict of interest issue when a GNSO Councilor participates in a WG
    - Representative Model Impact - Consider whether the move toward a representative model triggers potential changes to early input, roles of liaison/WG leadership, etc.
    - Extension of WG Assessment - Consider surveying PDP WGs to identify future improvements, including a post-mortem on the EPDP from a process perspective

    - IRT Liaison - Related to Improvement #5, re-evaluate whether the IRT Liaison's role description and associated procedures are sufficient
    - Tool for WG leadership - Propose tool for the WG leadership to assess, at the start of each meeting, whether a sufficient number of WG members are present to proceed
- Anything missing? If/how should these be addressed, factoring in workload and prioritization.
- Should anything be added to recommendation #15 in relation to conflict resolution?
- SOI Review – consider looking at guidelines that are used in the context of arbitration. Transparency is the issue, not necessarily conflict. Disclosure leads to transparency.
- Consider small agile teams to deal with these issues?
- Many Council members are directed by their SG on how to vote so there should be very little risk of conflict of interest issues as a result of Council member participation in a WG.
- Note that just because issues are listed on the parking lot, does not mean that the Council needs to address these.
- May need to review what effect the PDP 3.0 improvements have on the GNSO Operating Procedures and do a wholesale update? Also need to consider a review of the PDP 3.0 improvements to see what works and what doesn't.
- What impact does move towards representative model have on the inclusiveness and diversity of the PDP? Are there adjustments that could be made to counterbalance any potential impact? For example, in a representative model it may no longer be necessary to request SO/AC/SG/C input at an early stage as all interested parties are around the table, but there may be an opportunity to allow for the broader public, especially those that may not feel represented, to provide input or suggestions that the WG should consider.
- Consider using the new charter template to commence the chartering effort for some of the new efforts, without actually kicking them off (e.g. transfers, or IDNs) to see if the template is fit for purpose.
- WG Self-Assessment – is currently a survey that happens at the end of a WG but with the current duration of WGs it may not provide useful information for the Council. Could this be repurposed to be a regular survey that could provide the Council information on the functioning of the WG? Consider aligning the survey with the WG milestone phases identified.
- Possible additional item is the consideration of the chair per the previous discussion.
- Should further consideration be given to the relationship with the ICANN Board and possible improvements in how the GNSO Council and ICANN Board work

together? This might be considered better in the context of the upcoming Policy & Implementation review?

**Action item #6**: Council to further consider the process and timing of the review of PDP 3.0 Improvements

**Action item #7**: Council to agree on mechanism to start review of GNSO Operating Procedures to consider which updates may need to be made as a result of the PDP 3.0 Improvements.

**Action item #8**: Council to consider commencing chartering for one of the new efforts (e.g. IDNs or transfers) to make sure the new charter template is fit for purpose.

**Action item #9**: Council to confirm which parking lot items plus other items identified to move forward with and consider using agile teams to do so.

**Action item #10**: Council members to consult with their respective groups to discuss whether there are other items that should be addressed going forward.

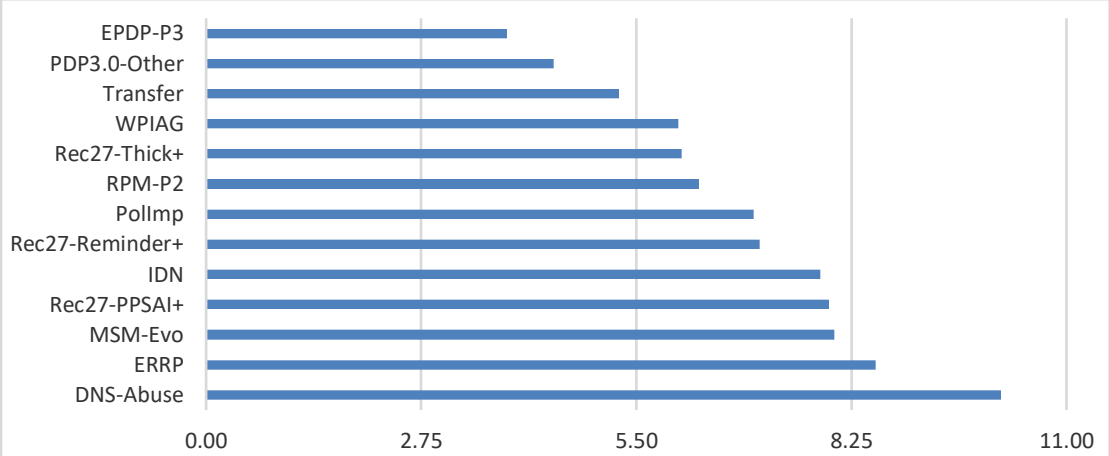
**Linkage with Multistakeholder Model Evolution**

- GNSO Council was requested to take lead on a couple of items but some/many/all of these may have already been tackled through PDP 3.0?
- As a result of PDP 3.0, GNSO is ahead of other community groups. As budget is associate with this effort, consider if budget may be needed or be helpful to implement remaining or future improvements.
- Consider providing an update to the Community on the GNSO's status of work in relation to this effort.
- Should the new work tools also be presented to WG Chairs so they are aware of these?

| Issue 2<br>Precision in Scoping Work | Issue 3<br>Efficient Use of Resources and Costs | Issue 5<br>Representation, Inclusivity, Recruitment, and Demographics | **Issue 8**<br>Consensus |
|---|---|---|---|
| **#11** Enforce deadlines and ensure bite size piece<br><br>**#12** Notification to Council of changes in work plan<br><br>**#16** Criteria for PDP working group updates | **#14** Criteria to evaluate request for data gathering<br><br>**#17** Resource reporting for PDP working group | **#1** Terms of participation for WG members<br><br>**#2** Alternatives to open Working Group model<br><br>**#3** Criteria for joining of new members<br><br>**#5** Active role for and clear description of Council liaison to PDP Working Groups<br><br>**#6** Expectations for Working Group leaders<br><br>**#13** Review of working group leadership | **#4** Capture vs. consensus playbook<br><br>**#9** Provide further guidance for section 3.6 and clarification of section 3.7<br><br>**#15** Independent Conflict Resolution |

## E. Wrap up and close of session

The Council reviewed the results of the order ranking survey.




For a detailed description of each of these items, please see
https://drive.google.com/open?id=1ejp9dapYK4qeF1dUsYliBgkqUIdN8LZL

- Council will need to further consider how these efforts are tied to either existing timelines or other efforts, as well as the effort is expected to take.
- Council will need to continue working collaboratively going forward with everyone contributing and taking role seriously to allow for efficient functioning of the Council. Many Council members have signed up recently to serve as leads for various efforts – important to continue that going forward.

- Continuous improvement is key to the continued success and survival of the multistakeholder model.

**Action item #11**: Council members to take the order ranking survey back to their respective SG/Cs to discuss and request input. This input will be further considered during an upcoming Council meeting to help inform the Council's prioritization and decision-making going forward.

## F. Summary of Action Items

**Action items Day 3 (compilation):**

**Action item #6**: Council to further consider the process and timing of the review of PDP 3.0 Improvements

**Action item #7**: Council to agree on mechanism to start review of GNSO Operating Procedures to consider which updates may need to be made as a result of the PDP 3.0 Improvements.

**Action item #8**: Council to consider commencing chartering for one of the new efforts (e.g. IDNs or transfers) to make sure the new charter template is fit for purpose.

**Action item #9**: Council to confirm which parking lot items plus other items identified to move forward with and consider using agile teams to do so.

**Action item #10**: Council members to consult with their respective groups to discuss whether there are other items that should be addressed going forward.

**Action item #11**: Council members to take the order ranking survey back to their respective SG/Cs to discuss and request input. This input will be further considered during an upcoming Council meeting to help inform the Council's prioritization and decision-making going forward.

# Evaluation

Following the session, a survey was sent to the participants to critically evaluate the Strategic Planning Session. The survey had 19 respondents, all of whom positively affirmed:

- The meeting represented good value for time spent (100% awarded the highest rating);
- I would recommend this meeting to colleagues (100% awarded the highest rating); and
- I would like to see this meeting continue next year (100% awarded the highest rating).

The summary survey data can be found here: https://drive.google.com/a/icann.org/file/d/1Ca3SwaDNc1-Tk39j-PJNUXY9zXErMOb0/view?usp=sharing

The following key conclusions can be drawn from the 2020 Strategic Planning Session evaluation:

- The Council was in agreement that the Strategic Planning Session was an excellent learning experience. There was a consensus that the Session was adequate in length, however some members of the Council thought it should be longer in future.
- Members of the Council found the team building activity on the evening of Day 2 to be highly beneficial at building bridges across Stakeholder Groups.
- Many found the sessions on the PDP 3.0 improvements particularly beneficial, as well as the discussions around program management and more effective management of PDPs.

**Next steps**:

The Council has begun to take up the Action Items identified throughout this report. The GNSO Council subsequently submitted an Additional Budget Request proposing that a Strategic Planning Session similar to the session described in this report be held in early 2021. That application acknowledges the need for the program and suggests that three days adequately accommodates the needs of the GNSO Council. Council leadership will encourage the new leadership team formed at ICANN69 to revisit this report to inform 2021 planning and a strategic planning session, should it be funded.

# ANNEX A – GNSO 2020 Strategic Planning Session Agenda

**Pre-SPS Preparations**
**Theme: Orientation**

1) Review the report and materials from the 2019 SPS (see https://gnso.icann.org/en/meetings/council-strategic-planning-session-final-25jan19-en.pdf)

2) Webinar Q & A Session to address questions related to the following topics:
   - Role of the GNSO
   - Role and responsibilities of the GNSO as a member of the Empowered Community
   - What is the GNSO Council and what does it do, including review of ICANN Bylaws Article 11 and GNSO Operating Procedures?
   - Role of Council leadership
   - Role of the Council liaison
   - GNSO Policy Development Process, including 'picket fence'
   - See recording: https://icann.zoom.us/rec/play/vcctceuo_Ts3T4aQ4gSDUKN-W421eK-shycYqPcEyk3jASVROgambrNEZ-ZkhbXzs6CKIdfyx_ZLZDzp
   - See preparatory materials: https://drive.google.com/drive/folders/14Z-GFdQ5Su-lQgriQVGaX9clA9Op4_Ld

3) General information: https://drive.google.com/drive/folders/1Add5YNeoHNFgOahe8ZQFbTlORV9dxu1f

**Day 1—Wednesday 22 January 2020**
**Theme: Development – roles and responsibilities, toolkit available (especially project management) and conflict resolution skills**

| Timing | Topic |
|---|---|
| 8.30 – 9.30 | **Welcome & Introductions** |
| 9.30 – 10.30 | **The role and responsibilities of the GNSO Council as a member of the Empowered Community** |
| 10.30 – 10.45 | Email Break |
| 10.45 - 12.30 | **The Council as Manager of the Policy Development Process** |
| 12.30 – 13.30 | Lunch Break |

| | |
|---|---|
| 13.30 – 15.30 | **PDP 3.0 Overview** |
| 15.30 – 16.00 | Email break |
| 16.00 – 17.30 | **Conflict resolution in practice** |
| Evening | **Free evening** |

**Day 1 Required Reading:**
https://drive.google.com/drive/folders/18SUwMOO5nTUx2oBctq2iPbX73LoKFaKs

**Day 2 – Thursday 23 January 2020**
**Proposed Theme: Strategic Planning – prioritization and workload management**

| Timing | Topic |
|---|---|
| 8.30 – 9.00 | Arrival at meeting room (Doubletree) |
| 9.00 – 10.30 | **Understand the Council's current and future workload** |
| 10.30 – 11.00 | Email Break |
| 11.00 – 12.30 | **Develop a draft work plan for the coming year** |
| 12.30 – 14.00 | Lunch Break |
| 14.00 – 16.00 | **GNSO Council Meeting** |
| 16.00 – 16.15 | Bag drop off in hotel room |
| 16.15 | Departure from hotel lobby |
| 17:00 | GNSO Council development activity and dinner |

**Day 2 Required Reading:**
https://drive.google.com/drive/folders/1hp3uRKvoxjZSwXSYDUcA-Kzpr72PQxBx

**Day 3—Friday 24 January 2020**
**Proposed Theme: Increasing effectiveness, PDP 3.0 next steps**

| Timing | Topic |
|---|---|
| 8.30 – 9.00 | Arrival at meeting room |

| | |
|---|---|
| 9.00 – 10.30 | **How can the GNSO Council more effectively execute its role as the PDP manager?** |
| 10.30 – 11.00 | Email Break |
| 11.00 – 12.15 | **How can the GNSO Council more effectively execute its role as the PDP manager?** (continued) |
| 12.15 – 13.15 | **Lunch -** Joint session with interested Board Members |
| 13.15 – 13.30 | Email Break |
| 13.30 – 15.30 | **PDP 3.0 improvements** |
| 15.30 – 16.00 | Email Break |
| 16.00 – 17.00 | **Conclusions & Wrap Up** |
| From 17.00 onwards | Departures |

**Day 3 Required Reading:**
https://drive.google.com/drive/folders/1PX-tRIJgicP3ebwvVmSmXB2jFcKkCL1C