



GNSO Small Team Report: ODP

19 Nov 2020

GNSO Initial Feedback – Contents

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 - When appropriate, move the process upstream
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 - Understand the implementation details & attendant risks

Introduction

- See this as an effort to improve transparency and consistency
- Reviewed the procedure and identified areas needing clarification in order to achieve full understanding
- Created a list of clarifying questions to aid our understanding and the community's

Management Summary

- PDPs are like snowflakes, all requiring different levels and timing of operational analysis
- The version described in the draft appears to be “over-engineered”
- We see some flexibility built-in but think flexibility should be the hallmark
- We recommend a “framework” rather than one procedure
- In certain circumstances, *elements of* an operational analysis, requested by a PDP WG or IRT, should be honored
- For now:
 - Do what we need to do for SubPro and EPDP in a transparent way
 - Take the time to get this long-term procedure correct

Transparency considerations

- ICANN is or should have been undertaking a similar effort, i.e., determining operational impacts and reporting same to the Board. This draft is a codification of good management practice
- Does the current draft provide adequate transparency: i.e., does the DFG represent the community?
- DFG and other inputs should be transparent as well (with appropriate balancing, i.e., providing visibility but not slowing the process)
- The next draft of the new process should explicitly identify transparency measures, e.g.,
 - ensure that policy recommendations are not changed (either diminished or augmented)
 - all reporting is public (so that the Board and community receive information simultaneously)
 - the DFG is narrowly scoped to consideration of operational impacts and not empowered to create solutions or “work-arounds,”

When appropriate, move the process upstream

- There are instances in the past where PDP teams requested operational input
- These will be rare and at the discretion of the Board, staff, or GNSO Council
- These might take the form of feasibility analyses or other specific information requests (cf., full operational analyses as contemplated by the Draft Concept Paper)
- The process might be a lever for improving / streamlining the PDP, rather than retarding it.

Make it flexible & discretionary

- More “process” should only be deployed only when necessary
- There are risks in over-engineering and adding yet-another complex framework
- We recommend a flexible, discretionary process, with appropriate transparency mechanisms in place
- We rely on and expect ICANN staff to competently marshal necessary resources and also to play a key role

Risks

- Parties, such as ICANN or those not participating in the PDP (e.g., the DFG members), might end up significantly altering its conclusions, (“thumb on the scale”)
- The process will inevitably extend the current timelines (our review / flow chart of the process as drafted indicates additional time will be required), and
- The process places additional burdens on the community



Thank You