~~Initial~~ Final Report on the
Data & Metrics for Policy Making
Working Group

STATUS OF THIS DOCUMENT

This is the ~~Initial~~ Final Report on Data & Metrics for Policy Making (DMPM), prepared ~~for public comment. A Final Report will be prepared~~ by the DMPM Working Group ~~and ICANN staff following review of public comments on this Initial Report~~for submission to the GNSO Council.

SUMMARY

While this Working Group is not a Policy Development Process (PDP), this report is submitted to the GNSO Council for its consideration as a required step in this GNSO Policy Development Process~~this report is submitted to the GNSO and posted for public comment in accordance with the PDP Manual.~~

Comment [BC1]: Refresh prior to publication

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1.   Executive Summary

1.1   Background

The 2010 Registration Abuse Policies Working Group (RAPWG) identified the Meta Issue: Uniformity of Reporting, which it described as "need for more uniformity in the mechanisms to initiate, track, and analyze policy - violation reports." The RAPWG recommended in its Final Report that "the GNSO and the larger ICANN community in general, create and support uniform problem – reporting and report-tracking processes."

The GNSO Council recommended the creation of an Issue Report to further research metrics and reporting needs in hopes of improving the policy development process. The report created by ICANN staff outlined accomplishments regarding reporting and metrics by the Contractual Compliance function and it also reviewed other reporting sources that may be of relevance. The GNSO Council subsequently adopted the recommendation to form this non-PDP Working Group tasked with exploring opportunities for developing reporting and metrics processes and/or appropriate standardized methodologies that could better inform fact-based policy development and decision making. The GNSO resolution states:

> *Resolved,*
> *The GNSO Council does not initiate a Policy Development Process at this stage but will review at the completion of the ICANN Contractual Compliance three-year plan expected for 31 December 2013 whether additional action is required;*
>
> *The GNSO Council further approves the creation of a drafting team to develop a charter for a non-PDP Working Group to consider additional methods for collecting necessary metrics and reporting from Contracted Parties and other external resources to aid the investigation.*

1.2. Deliberations of the Working Group

- The DMPM Working Group started its deliberations in October 2013 where it decided to conduct its work through a combination of bi-weekly conference calls and email conversations on a publicly-archived email list.
- The Working Group also met face-to-face during the ICANN Conferences in Singapore, London, Los Angeles, and Buenos Aires.
- Section five provides an overview of these deliberations.

1.3   WG Preliminary Recommendations

The DMPM WG created seven recommendations based on its deliberations which included reviews of prior PDP efforts and analysis of gaps in the policy process where the use of data and metrics could benefit the policy development process. It is recommended to review the details of each recommendation in Section 5 of this report as they contain further information about proposed implementations should these be adopted by the GNSO Council.

Proposed Recommendations to Charter Questions A
Recommendation #0:

Comment [BC2]: Review Report to remove any hint of reference to "Open Data"

Early Outreach, Comment #1

Comment [BC3]: Update Exec Summary after body content is agreed and final.

- The WG makes no recommendations in regards to this charter question, but based on the observations several recommendations are presented under the other charter questions.

Proposed Recommendations to Charter Questions B
Recommendation #0:

- The WG makes no recommendations as it was considered beyond scope for any suggested changes.

Proposed Recommendations to Charter Question C

Recommendation #0:

- The WG makes no recommendations in regards to this charter question, but based on the observations several recommendations are presented under the other charter questions.

Proposed Recommendations to Charter Questions D, E, F
Recommendation #1:

- The Working Group recommends the formation of a small "pilot" effort under which GNSO community Stakeholder Groups and Constituencies or Working Groups initiated within the GNSO would be invited to submit proposals/ideas for fact-based data and metrics collection for analysis of issues and/or problems. A number of proposals (five or fewer) would be selected to assess the impact of fact-based information on identifying potential or further exploring existing GNSO policy development issues.

Proposed Recommendations to Charter Question G, H

Recommendation #2

- The WG recommends the GNSO direct staff to make updates to the GNSO's Policy Development Process Manual (Annex 2 of GNSO Operating Procedures, Section 9, p.65) that updates existing text of the early reach in regards to audience scope and quantitative input.

Recommendation #3:

- The WG recommends the GNSO direct staff to create and publish new templates of the Issue Report, Charter, and Final Report templates as linked to from the Working Group Guidelines, Annex 1, Section 5, Products and Outputs (p.53).

Recommendation #4:

- The WG recommends that the GNSO direct staff to add a template recommendation that outlines any future working group recommendations include an additional recommendation

that measures whether the policy change produced the intended e.ffect. As part of the
prior recommendation to create work product templates, the Charter template work
product should be updated to reflect the change as noted in the Charter template example
found in Annex A of this report.

Recommendation #5:

- The WG recommends the GNSO direct staff, as part of the prior Work Product Template
recommendation, to import the same template recommendation into the Final Report
template. A model of the template recommendation can be found in Annex A of this report.

Recommendation #6:

- The WG recommends that the GNSO direct staff to update Annex 1 (p.53) of the Policy
Development Process Manual, by adding a new Section 4.5 2 labelled "Metrics Request
Decision Tree and Form." This section will contain introductory content on how the GNSO
can make requests for data and metrics at the Issue Scoping phase or during the Working
Group phase of the Policy Development Process. The decision tree and form can be found
in Annex B and C of the DMPM report.

Recommendation #7:

- The WG recommends the GNSO direct staff to import the Metrics Request Decision Tree
found in Annex B and Metrics Request Form found in Annex C of this report be imported
into the Working Group Guidelines, likely an Annex. Staff has the discretion of creating a
link and posting the decision tree external to the WGG, but the form should be included to
complement other suggested changes and the form used when requesting an Issue Report.

1.4   Conclusions and Next Steps

The DMPM WG has suggested a number of recommendations to evolve the policy process with a
more data-driven culture in the deliberations of issues of the generic name space and the ICANN
Community.

This Initial Final Report on the non-PDP Data & Metrics for Policy Making WG is prepared in
accordance with the GNSO Policy Development Process as stated in the ICANN Bylaws, Annex A (see
http://www.icann.org/general/bylaws.htm#AnnexA). -Near-term activities:

- The Initial Report will be posted for public comment for a minimum of 40 days.
- Once the WG has received and reviewed all comments, tThe WG will prepared its a Final
Report, and if approved, it will be forwarded to the GSNO Council for review.
- If the GNSO Council determines that further work is required, it will return the report to the
WG with suggested topics for review and possible revision. Should recommendations be
approved by the Council, staff will be instructed to begin implementation.

2.   Objectives

To develop, at a minimum, an Initial Report and a Final Report addressing the working group's charter questions with recommendations as outlined above, following the processes described in the GNSO Working Group Guidelines. The recommendations contained in this report may include proposed changes to the GNSO Operating Procedures.

3.   Background

3.1   Process background

- The Registration Abuse Policies Working Group (RAPWG) requested an Issue Report on the current state of uniformity in the mechanisms to initiate, track, and analyze policy-violation reports.
- The GNSO Council deliberated the request at ICANN45 in Toronto and adopted a motion requesting an Issue Report on this topic, explicitly requesting that the Issue Report includes a staff recommendation on how this issue can be further addressed outside of a PDP if recommendations in relation to this issue do not require consensus policies to implement.
- ICANN staff analyzed the current state of ICANN's Contractual Compliance team's completion of their three-year plan to enhance the compliance systems, process, and reporting capabilities.
- ICANN staff recommended the GNSO Council consider forming a Working Group to review how the community can collaborate with contracted parties and other service providers in the sharing of complaint and abuse data that may also further educate Registrants and Internet users in submission of complaints to the appropriate party. Such a Working Group could also investigate more formal processes for requests of data, metrics, and other reporting needs from the GNSO that may aid in GNSO policy development efforts.

3.2   Final Issue Report Background (excerpt below, full report: Final Issue Report)

4.5 Complaint Metrics External to ICANN

While complaint and audit data is now being made available from ICANN Contractual Compliance another gap in metrics remains. It is understood that only a small portion of complaints actually end up at ICANN as the first point of contact is usually the registrar or registry involved. However, requirements of data gathering from external sources, such as complaint data from Contracted Parties, are not always available which may otherwise assist in the policy development process. Previous PDP Working Groups and Drafting Team efforts like the RAPWG, IRTP-B, PEDNR, and Vertical Integration are examples of such efforts that were challenged by this issue. They experienced this gap because certain types of data were not measured or not made available for a variety of reasons. Such root causes are:

- Certain types of data are not measured at all or unknown
- Access to data and reports from third parties are confidential and the WG does not have a clear definition how such data could be used without compromising the integrity of confidence
- Cost considerations of access to metrics without immediate or near term funding
- Legal considerations dealing with competition law
- Privacy considerations
- No formal process exists to request data other than noted in next Section 4.6
- Collaboration and interaction with external stakeholders who collect data is limited

4.6 ICANN Policy Development Process and Working Groups

While Contractual Compliance metrics are critical to measure complaints submitted to ICANN and audit performance of existing policies, it is equally important to use metrics for developing GNSO policy, as well as defining possible metrics to assess the impact of adopted policy changes. The ICANN Policy Development Process (PDP) includes language relative to assessments and metrics that should be considered by a Working Group for policy development. The PDP process also denotes post assessments where new policies are implemented. The following two sections were extracted from the PDP process within the GNSO Operating Rules and Procedures (see http://gnso.icann.org/basics/gnso-pdp-manual-annex-2-16dec11-en.pdf).

> ***Section 9: PDP Outcomes and Processes***
> *The PDP Team is encouraged to establish communication in the early stages of the PDP with other departments, outside the policy department, within ICANN that may have an interest, expertise, or information regarding the implementability of the issue. The Staff Manager is responsible for serving as the intermediary between the PDP Team and the various ICANN departments (finance, legal, compliance, etc.).*
>
> ***Section 17: Periodic Assessments of Approved Policies***
> *Periodic assessment of PDP recommendations and policies is an important tool to guard against unexpected results or inefficient processes arising from GNSO policies. PDP Teams are encouraged to include proposed timing, assessment tools, and metrics for review as part of their Final Report. In addition, the GNSO Council may at any time initiate reviews of past policy recommendations.*

To better manage workload and initiation of a PDP by the GNSO Council, a template "Request for Issue Report" will be required to initiate any new effort where an Issue Report is requested. One section of the form includes the following relative to data gathering for informed policy:

> *Please provide a concise definition of the issue presented and the problems raised by the issue, including quantification to the extent feasible:*
> - *What is the economic impact or effect on competition, consumer trust, privacy and other rights*

The three excerpts above begin to set the foundation to acquire metrics for use within a PDP and to measure its effectiveness. However, the Working Group Charter template does not include a section for proposing metrics that may be useful to a group conducting its analysis, nor does it include possible success factors and possible metrics to measure compliance with any policy changes or additions. Further, no formal process exists to exercise a formal request for metrics from both internal to ICANN and external resources. Often these types of requirements will contain time and cost restraints. Defining a formal process may aid in expediting these types of requests as request from future Working Group and PDP efforts.

3.3   DMPM Initial Report

The DMPM WG, after research of prior efforts and extensive deliberations of the charter questions, compiled its Initial Report per the WG Guidelines, and made it available for public comment for 40 days. The Initial Report contained seven recommendations that are found later in this report. A public comment period was commenced for 40 days and the results can be found in the Public Comment Report.

Comment [BC4]: Insert URL Link

Comment [BC5]: Update w/ final meeting(s) 6 Oct.

4.   Members of the Working Group

The members of the Working group are:

Name	Affiliation*	Meetings Attended (Total # of Meetings: 2426)
Cheryl Langdon-Orr	ALAC	253
Jonathan Zuck	IPC	242
Pam Little	RySG	231
Olivier Kouami	NPOC	17
Tony Onorato	Individual	197
Marinel Rosca	Individual	16
Graeme Bunton	RrSG	176
Nenad Orlic	ISPCP	13
Sonigitu Ekpe	NCUC	132
Janvier Ngnoulaye	Individual	121
Andrew Merriam (left 23 Feb 2015)	RySG	9
Sara Bockey	RrSG	119
Kayode Yussuf	IPC	8
Jeremy Beale	Individual	7
Mouhamet Diop	RrSG	7
Rising John Osazuwa	Individual	86
Gabriel Vergara	NCUC	5
Rudi Vansnick	NPOC	4
Benjamin Akinmoyeje	Individual	4
Caleb Kow	NCUC	3
Klaus Stoll	NPOC	2
Adamu B Ishiaku	NCUC	2
Magaly Pazello	NCUC	2
Farhat Abbas	NCUC	2
Mikey O'Connor (left 7 Apr 2014)	ISPCP	2
Robb Schecter	BC	2
Tom Lowenhaupt	ALAC	1
Sebastien Bachollet	ALAC	1
Migel Angel Gomez Zotano	Individual	1
Saurabh Jindal	Individual	1
Theo Geurts	RrSG	1
Abhijith Jayanthi	BC	
Jay Daley	Individual	

The Statements of Interest (SOI) for the Working Group members can be found at:
https://community.icann.org/pages/viewpage.action?pageId=41888787

The attendance records can be found at:
https://community.icann.org/pages/viewpage.action?pageId=48346973

The email archives can be found at http://mm.icann.org/pipermail/gnso-dmpm-wg/

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ALAC – At-Large Community
RrSG – Registrar Stakeholder Group
RySG – Registries Stakeholder Group
CBUC – Commercial and Business Users Constituency
NCUC – Non Commercial Users Constituency
IPC – Intellectual Property Constituency
ISPCP – Internet Service and Connection Providers Constituency
NCSG – Non-Commercial Stakeholder Group

5.   Deliberations and Recommendations

This section provides an overview of the deliberations of the Working Group. ~~This section~~It is intended to serve as a record of the discussion and analysis of the Working Group and to provide context for the recommendations made in the following sub-sections.

5.1   Working Group Approach

The Data & Metrics for Policy Making Working Group convened its first meeting in October 2013, meeting twice per month. As one of its first tasks, the Working Group prepared a work plan, which has been reviewed on a regular basis, and revised where necessary.

5.2   Definitions

The following definitions are in relation to this report and the WG deliberations:

- *Data*: Individual facts, a set of values, statistics, or items of information
- *Metrics*: A set of measurements that help quantify results, which allows for better determination of the level of success against a set of goals

5.3   Working Group Deliberations and Recommendations

5.3.1   Charter Question A

The question "which comes first, policy process or definitive data describing the problem?" along with suggestions as to how data can be gathered when it hasn't yet been included in the reporting process.

5.3.1.1 Observations:

- The DMPM WG reviewed previous working group's efforts to determine the role data and/or metrics played in those efforts. Use case analysis documentation can be found on the DMPM Community Wiki. The DMPM WG asked two central questions in this review:
    - If data and/or metrics were included in the deliberations of the WG, did it help achieve a better outcome?
    - If data and/or metrics were NOT included in the deliberations of the WG, would the process have been improved and if so, in what way(s)?
- This analysis illustrated to the DMPM WG that:
    - WGs can play an important role in helping establish a culture of fact-based issue analysis and decision-making.
    - Incorporating data and/or metrics into the policy development process is likely to be beneficial, in particular for scoping, understanding, and describing the problem or issue.
    - Lacking baseline data hampers the understanding of problems which should be a primary rationale for making changes to policy. Therefore, ensuring relevant baseline data as one element guiding the policy process is critical and should be

mandated by WGs.

- o Having a fact-based investigation and analysis of the problem, more focused deliberations should become a feature of the policy development process. Therefore, ideally, data gathering and analysis should occur prior to and/or while scoping the issue with the policy development process to follow. Note however, at the working group phase, a group should not be limited in seeking further data and metrics should additional analysis be required, especially when new forms of data may become available.
- o When a WG makes recommendations, it should include a policy impact assessment, and recommend suitable metrics to measure the impact[1]. Specifically, implementation of Consensus Policies should ensure post-implementation data is collected to analyze whether or not policy goals are achieved using defined metrics.
- o In the hierarchy of problems, the true nature and size of a problem should be weighed against other related issues or PDPs under consideration by the GNSO and the wider community in order to prioritize research and resources.

5.3.1.2 Preliminary Recommendations:

The WG makes no recommendations in regards to this charter question, but based on the observations several recommendations are presented under the other charter questions.

5.3.1.3 Preliminary ILevel of consensus for this recommendation
- N/A

5.3.1.4 Expected impact of the proposed recommendation
- N/A

5.3.2   CHARTER QUESTION B
How processes can be continuously improved, simplified and made more consistent for people wishing to either report a problem or learn about their options when their problem falls outside ICANN policy

5.3.2.1 Observations

- The WG has considered this charter question and notes that ICANN Contractual Compliance's Three-Year Plan called for improving the compliance function through better-defined processes, systems, and categorization of complaints. As a result, the complaint intake system has been improved to meet these requirements. In addition, ICANN

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[1] This observation aligns with that of GNSO Review conducted by Westlake; Recommendation 16: That a policy impact assessment (PIA) be included as a standard part of any policy process.

Contractual Compliance has developed a dedicated complaints reporting page to enhance transparency and understanding for the community.

- As substantive actions by ICANN Contractual Compliance have already been developed and deployed, the WG sees no further action required in regards to this charter question.

5.3.2.2 Preliminary Recommendations:

The WG makes no recommendations as it was considered beyond scope for any suggested changes.

5.3.2.3 Preliminary lLevel of consensus for this recommendation
- N/A

5.3.2.4 Expected impact of the proposed recommendation
- N/A

5.3.3   Charter Question C
Principles that enhance metrics and data available to better inform the GNSO policy development process

5.3.3.1 Observations:

- The WG considered the benefits of leveraging fact-based analysis in the policy development process. By basing discussion and decisions on tangible evidence as opposed to "gut feeling" or anecdotal examples, it is expected that this non-exhaustive list of improvements may be seen in the policy development processes.

  - Issue Identification/Scoping/Report: The GNSO is able to consider the scope of impact to affected parties in prioritizing its policy development efforts; **the most critical and impactful issues can be prioritized in the queue to be resolved**. This is especially important when considering that community volunteers and staff support have limited capacity, as well as the length of PDP efforts.

  - Working Group: The WG deliberations and development of recommendations should be improved by **creating right-sized solutions to the identified issues**.

  - Post-Implementation: **The implementation of the policy can be evaluated to determine its level of effectiveness**. With that information, the community can make informed decisions about allowing a policy to remain as-is, make modifications, or replace a policy entirely.

- The WG believes that a set of guiding principles can assist with evolving the culture to fact-based issue analysis and decision making. While no authoritative location exists to document principles, the WG notes that principles did guide the DMPM's deliberations in formulating its recommendations. A non-exhaustive list includes:
  - Improve the way in which Consensus Policies are developed and help ensure that the most critical registrant, registry, and registrar issues are addressed
  - Evolve culture to better informed, fact-based policy development and decision making
  - Base deliberations and decisions on tangible evidence as opposed to "gut feeling" or anecdotal evidence
  - Instill notion of continuous improvement to the policy process and effectiveness of consensus policy implementations
  - Care and safeguards should be used where sensitive data may reveal confidential business process and/or infringe upon anti-competitive practices

5.3.3.2 Preliminary Recommendations:

- The WG makes no recommendations in regards to this charter question, but based on the observations several recommendations are presented under the other charter

questions.

5.3.3.3 Preliminary lLevel of consensus for this recommendation

- N/A

5.3.3.4 Expected impact of the proposed recommendation

- N/A

5.3.4   Charter Questions D, E, and F

Charter Question D: Improved understanding of the limits of ICANN policies regarding data measurement and tracking and other options to pursue if an issue is not covered by policies that gather data

Charter Question E: Mechanisms whereby GNSO working groups can request information (both internal to ICANN or external, including GNSO contracted parties) which support fact-based policy-making

Charter Question F: Mechanisms to ensure appropriate safeguards with regard to the confidentiality of certain types of information

5.3.4.1 Observations:

- In reviewing the registry agreement and registrar agreement, the WG notes that the amount of data that contracted parties must share is limited in scope. However, the WG observed a number of benefits from integrating data and/or metrics into the policy development process, as described in the observations for Charter Question C.
- These benefits derived from a data-driven process could influence the actions of the affected parties, as the benefits or even harm caused from recommendations are likely to directly impact those parties. As a result, while the WG believes that providing data can be time-consuming, the effort may ultimately be worthwhile if it results in better solutions.
- The WG realizes that providing data can at times be problematic for contracted parties as their data may be sensitive and/or proprietary. The WG considered options that would provide the confidentiality required by parties being asked to contribute data and/or metrics.
- The WG developed a set of principles for data requests to attempt to address the concerns of the contracted parties. These principles were then integrated into a decision tree, available in Annex B, to assist future WG's in choosing the best course of action to obtain data and/or metrics when deemed to be beneficial to the policy development process. Below is a non-exhaustive list of key principles identified for requesting data and/or metrics from contracted parties. Further deliberations and community input also mentioned that these principles are applicable for all types of data/metrics in addition to any data that might be supplied by contracted parties. The request for and usage of the data:
    - Should be non-discriminatory among registrars/registries and data providers listed should also be treated as confidential
    - Should Clearly state the purpose for which the data and/or metrics will be used
    - Should maintain the confidentiality of the data and/or metrics unless otherwise agreed
    - Should be anonymized and aggregated, unless otherwise agreed

Comment [BC6]: General Comment #8

Add statement to Contracted Parties principles that it should be applicable to any data collection process.

Comment [BC7]: Also added to Hints & Tips page found in Annex C that will be published online.

- o   Provide adequate safeguards to protect against unauthorized access or
    disclosure, consistent with ICANN's policy development process
- o   Consider whether the data can be collected directly by ICANN or indirectly (i.e.,
    collected and processed by an independent third-party)
- o   Retail and wholesale pricing shall not be provided for use in consensus policy
    development (refer to Registry & Registrar agreements)
- o   Special care should be taken when Personally Identifiable Information (PII) data
    is involved
- o   Data should be stored only so long as required for the specified policy
    development effort, and should be destroyed upon completion
- o   Request of data that do not have contractual obligations, data source owners
    should have a unilateral opt out if they determine that the data is sensitive
    (mostly applicable to contracted parties)

- The WG debated some possible ways to promote the principles described above and
  came to the conclusion that the collection, anonymization, and aggregation of data by
  an independent third-party are likely to meet the requirements. However, a service
  provider is expected to require funding and the WG believes that the cost of providing
  data should not be borne by the contracted parties.
- The WG also cited how issues could be better informed at the "Issue Identification"
  phase of the Policy Development Process and determined that this could contribute to
  better management of capacity issues currently experienced in the GNSO.
- ICANN must share in the commitment to promote fact-based decision making, which
  may include financially supporting the collection and processing of data from contracted
  parties or provision of data from other independent sources.

5.3.4.2 Preliminary Recommendations:

The DMPM WG recommends staff and future working groups should be empowered to obtain data
and/or metrics and should be given the resources to perform such an analysis.

Recommendation 1: The Working Group recommends the formation of a small "pilot" effort
under which GNSO community Stakeholder Groups and Constituencies or Working Groups
initiated within the GNSO would be invited to submit proposals/ideas for fact-based data
and metrics collection for analysis of issues and/or problems. A number of proposals (five or
fewer) would be selected to assess the impact of fact-based information on identifying
potential or further exploring existing GNSO policy development issues.

Recommendation details:
This pilot effort would target the "Issue Identification" and "Working Group" phases of the
GNSO policy development process (PDP) with the intent of enhancing community
understanding of issues prior to the "Issue Scoping" phase of the PDP or to further provide
necessary data as required for working groups. To the extent data and metrics should be
required at the "Issue Scoping" phase, the pilot may be accessible by staff as they are tasked
with development of Issue Reports.

> **Comment [BC8]:** WG to review the principles
> in section 5 for inclusion of the opt-out notion on
> data and metrics requests. A further review of
> the requirements section of the Metrics Request
> Form will be completed.
>
> Suggested by Graeme B. on 29 Sept.
> General Comment #14 from RrSG
>
> Slight edit on 30 Sept by staff, per 29 Sept
> discussion.

This effort would be targeted in both timing and scope with an eye toward assessing how fact-based data and metrics collection can assist the GNSO community in more efficiently identifying, defining, or confirming the need for policy development work in certain areas of inquiry.

Upon the identification of an inquiry topic in the pilot phase, third-party contractors or ICANN staff would conduct the research or data gathering and be responsible for reporting back to the working group within a specific and expeditious period of time. The research output of any approved proposals would follow the recommended format of an Issue Report Request as noted in Section 4 of Annex 2 (p.58, 59) of the Policy Development Process Manual, as some matters may ultimately be presented to the GNSO Council.

Further, working groups will be expected to follow the same process for the pilot should they determine a need for additional data to facilitate policy deliberations in formulation of possible consensus policy recommendations.

Should the pilot effort show success, a subsequent follow-up phase would encompass an FY17 or FY18 special budget request to expand the initial pilot effort into a more full-fledged program of resources to examine potential topics/matters of community interest. This second phase (informed by the initial pilot effort) would likely feature the development of more specific criteria for topic selection and data gathering/research. Where possible, ICANN should identify and/or retain dedicated staff to assist with the collection and reporting of data and metrics. Additionally, it is recommended that ICANN establish on-going relationships with third-party providers to enable fast-track access to data. As an example, where subscriptions or retainers can be made with data providers will allow groups seeking and using data more readily.

> **Comment [BC9]:** WG to add suggestions that dedicated staff, established relationships with data providers and/or retainers should be considered as part of the recommendation #1 pilot effort.
>
> General Comment #7

Success Criteria Considerations:
1. Did the SGs, Cs, or WGs use data and/or metrics as part of its process (e.g., in scoping/defining the issue, prioritizing the issues under consideration, and/or guiding the WG to an informed recommendation on the issue under consideration)
2. Who (registrants, registrars, registries) or what groups have benefited from the availability of data/metrics?
3. Was the incorporation of data and/or metrics or were the data/metrics useful to the WG in its process?
4. Was there general community satisfaction in the process for requesting data/metrics to further explore issues? Specifically:
   a. Availability and clarity of eligibility criteria for funding
   b. Number of applications received vs number approved or rejected
   c. Average time of the approval process

5.3.4.3 ~~Preliminary l~~Level of consensus for this recommendation
The WG ~~appears to have~~came to full consensus for this recommendation~~, but it should be noted that no formal consensus call was undertaken. Such a formal consensus call will be conducted once~~

the recommendation is finalized following review of the public comments received on this Initial
Report.

5.3.4.4 Expected impact of the proposed recommendation

It is anticipated that the execution of the pilot will benefit the policy process by providing the ability
for more fact-based decision making in the evaluation of issues and group deliberations. It is
possible that the proper analysis of data and metrics around certain issues may mitigate the need
for extensive policy efforts, or should a policy effort be required, that proper policy solutions be
created that are the most appropriate to address the issue. It is anticipated that the pilot effort will
require funds as a part of ICANN's Policy budget with each pilot request being reviewed. Funds and
additional resources for the pilot effort will be assessed, but the demand of such pilot requests
should be considered an investment of improvement rather than just a cost against budget.

The WG welcomes any additional input as part of the public comment forum on the expected
impact of the proposed recommendation that should be considered as part of the WG deliberations
going forward.

5.3.5   Charter Question G and H

Charter Question G: A framework for distributing information to the GNSO policy-making community with the intent of both informing those groups and providing the ongoing basis for identifying and correcting problem-reporting and data-collection problems

Charter Question H: Any changes needed to incorporate the processes described above into the ongoing Policy Development Process.

5.3.5.1 Observations:

- A key component of establishing a framework for distributing information is through early outreach to the Supporting Organizations and Advisory Committees, as well as beyond these logical partners. By reaching out early, the groups are both informed of issues being discussed, but also have the opportunity to contribute to the resolution of the issues.
- Distributing information to the community prior to and during deliberations, as well as post-implementation, contributes to a framework for continuous improvement.
- The policy development process should have the concept of continuous improvement integrated into its DNA. For instance, the charter template could require that WGs identify a set of baseline data that should be captured to allow for the community to determine if a set of recommendations was effective or not. The WG could also identify a set of metrics that would help determine the level of success of recommendations post implementation.
- The policy development process can be injected with data-driven elements to ensure that both staff and the community are asking the right questions through the entire life cycle.
- The DMPM WG sees a need to revise Issue Report, Charter, and Final Report templates to accomplish this task noting that some references in the current Working Group Guidelines are out of date.
- The WG developed a decision tree (available in Annex B) that future WGs can utilize to help determine the best avenue to request additional data and metrics. While some data and metrics can be obtained from publicly available sources, there are instances where third-party assistance is needed.
- For metrics requests not easily available to Working Groups, the DMPM developed a metrics request template (available in Annex C) to be used in conjunction with the decision tree.

5.3.5.2 Preliminary Recommendations:

When initiating an outreach event for early input into the policy process, Working Groups should consider expanding the scope of the audience beyond SOs/ACs where additional expertise could provide value in the capture of information to better inform the issues being discussed. Working Groups should also construct a component of the request for input instrument that is structured in a way for quantitative input, such as a survey, that complements the WG's Charter questions and information being sought.

The DMPM WG recommends that future WGs seek a larger audience and more quantitative
approach when requesting input during the early outreach stage.

> **Recommendation 2:** Early WG Outreach:
> - The WG recommends the GNSO direct staff to make updates to the GNSO's Policy
>   Development Process Manual (Annex 2 of GNSO Operating Procedures, Section 9,
>   p.65) that updates existing text of the early reach in regards to audience scope and
>   quantitative input.
>
> Recommendation Details:
> It is suggested that the current text be modified as follows (new text marked with
> underline):
> "The PDP Team should formally solicit statements from each Stakeholder Group and
> Constituency in the early stages of the PDP. Stakeholder Groups and Constituencies
> should at a minimum have 35 days to complete such a statement from the moment that
> the statement is formally requested by the PDP Team. If appropriate, such statements
> may be solicited more than once by the PDP Team throughout the PDP process. The PDP
> Team is also encouraged to formally seek the opinion of other ICANN Advisory
> Committees and Supporting Organizations, as appropriate that may have expertise,
> experience, or an interest in the PDP issue. Solicitation of opinions should be done
> during the early stages of the PDP.
>
> In addition, the PDP Team should seek input from other SOs and ACs. Such input should
> be treated with the same due diligence as other comments and input processes. In
> addition, comments from ACs and SOs should receive a response from the PDP Team.
> Further, the PDP team should consider expanding the audience scope external to
> ICANN's ACs and SOs where additional expertise could provide value in the capture of
> information to better inform the issues being discussed. This may include, for example,
> direct reference in the applicable Report or embedded in other responsive
> documentation or a direct response. Where possible, the PDP team should also
> complement qualitative input with a method that seeks quantitative input either
> through the use of surveys or other instruments or metrics to detect noticeable trends
> to any responses received. The PDP Team is expected to detail in its report how input
> was sought from other SOs and ACs."

Also, the WG recommends that templates should be revised to support fact-based decision making
to improve consistency of work products produced by working groups.

> **Recommendation 3:** Work Product Templates:
> - The WG recommends the GNSO direct staff to create and publish new templates of
>   the Issue Report, Charter, and Final Report templates as linked to from the Working
>   Group Guidelines, Annex 1, Section 5, Products and Outputs (p.53).
>
> Recommendation Details:
> The following text is suggested to be added to WGG (p.50):
> **note where brackets are added to bullets, they represent flags where an action is to

be performed.
"Work Product Templates:
- Issue Report
- Charter
- Final Report

Work Product Examples:
- Issue Report – IRTP Part D Issue Report [To be added]
- Charter – IRTP Part D Charter [To be added]
- Initial Report – IRTP Part D WG Initial Report [Update existing]
- Final Report – IRTP Part D WG Final Report [Update existing]
- Public Comment Review Tool – IRTP Part D PCRT [Update existing]
- Recommendations/Guidelines – New gTLDs Principles, Recommendations & Implementation Guidelines
- Stakeholder Group/Constituency Statement Template – IRTP Part D Constituency Statement Examples [Update]
- Public Comment Announcement Text – IRTP Part D Public Comment Announcement [Update]
- WG Self-Assessment Template (See Section 7.0.)"

Where applicable, WG Charters and Final Reports should include a quantitative expectation with that include proposed measures of success on implemented consensus policy recommendations implemented by staff. It is acknowledged that both positive and negative results can transpire after the analysis. Both outcomes can lead to further adjustments in policy, especially with negative results where the intended outcome was not met, or more importantly issues with security, stability and resiliency are detected. Refer to Annex A for the WG's deliverable.

Recommendation 4: Charter Template:
- The WG recommends that the GNSO direct staff to add a template recommendation that outlines any future working group recommendations include an additional recommendation that measures whether the policy change produced the intended effect. As part of the prior recommendation in this report to create work product templates, the Charter template work product should be updated to reflect the change as noted in the Charter template example found in Annex A of this report.

Recommendation 5: Final Report Template
- The WG recommends the GNSO direct staff, as part of the prior Work Product Template recommendations, to import the same template recommendation into the Final Report template. A model of the template recommendation can be found in the deliverables section of this report found in Annex A.

As part of the WG's deliberations, a decision tree and metrics request form were developed to aid in future requests for the pilot effort as listed in the first recommendation of this report in addition to any similar requests should future working groups determine a need for additional data to assist in their deliberations.
Recommendation 6: Metrics Request Introduction in WGG

Comment [BC10]: Update CI to reflect comment of Maarten Botterman??

Refer to Charter Annex

Review final report language to determine if both positive and negative implications are mentioned and revise Recs #4 & #5 reflecting the possible outcome of both.

Do updates to the two recommendations need to be made?

- The WG recommends that the GNSO direct staff to update Annex 1 (p.53) of the Policy Development Process Manual, by adding a new Section 4.5 labelled "Metrics Request Decision Tree and Form." This section will contain introductory content on how the GNSO can make requests for data and metrics at the Issue Scoping phase or during the Working Group phase of the Policy Development Process. The decision tree and form can be found in Annex B and C of the DMPM report.

Recommendation Details:
The following text is suggested to be added to WGG in a new Section 4.5 in Annex 1 on Page 53:
"4.5 Metrics Request Decision Tree and Form
If a Stakeholder Group or Constituency at the Issue Identification phase or during the Working phase of the Policy Development Process determines that acquisition of data and/or metrics may better facilitate issue development or deliberations, it should utilize the Metrics Request Decision Tree and submit a Request Form to the GNSO Council for consideration and subsequent facilitation by staff. The requestor should perform a preliminary requirements definition and an approximate sizing of resources that may be required.

The Metrics Request Decision Tree will help facilitate the process of the request in considering requirements, resources, data sources, and confidentiality. The requestor shall complete the following form and the Metrics Request Decision Tree can be found on http://gnso.icann.org."

Recommendation 7: Metrics Request Form & Decision Tree in WGG
- The WG recommends the GNSO direct staff to import the Metrics Request Decision Tree found in Annex B and Metrics Request Form found in Annex C of this report be imported into the Working Group Guidelines, likely in proposed Section 4.5 listed in recommendation #6. Staff has the discretion of creating a link and posting the decision tree external to the WGG, but the form should be included to complement other suggested changes and the form used when requesting an Issue Report.

5.3.5.3 Preliminary ILevel of consensus for this recommendation
The WG came to full consensus for these six recommendations.The WG appears to have consensus for these recommendations, but it should be noted that no formal consensus call was undertaken. Such a formal consensus call will be conducted once the recommendations are finalized following review of the public comments received on this Initial Report.

5.3.5.4 Expected impact of the proposed recommendation
It is anticipated the implementation of the recommendations will have minimal impact as it pertains to resources or funds. However, it is expected that these changes will initiate a cultural change in the GNSO in the use of data and metrics for analyzing issues and assisting with policy deliberations.

The WG would welcome any additional input as part of the public comment forum on the expected impact of the proposed recommendation that should be considered as part of the WG deliberations going forward.

5.3.6   Summary of Public Input on DMPM's Initial Report

The WG launched a 40 day public comment on its Initial Report. All comments supported the WG's effort and recommendations with a few suggested changes for the Final Report. None required substantial changes to the WG's preliminary recommendations.   The WG's deliberations and analysis of public comments can be found on the ICANN Public Comments page.

6.   Conclusions and Next Steps

The DMPM WG has suggested a number of recommendations to evolve the policy process with a more data driven culture in the deliberations of issues of the generic name space and the ICANN Community. The diagram below highlights the phases affected by the DMPM WG's recommendations.
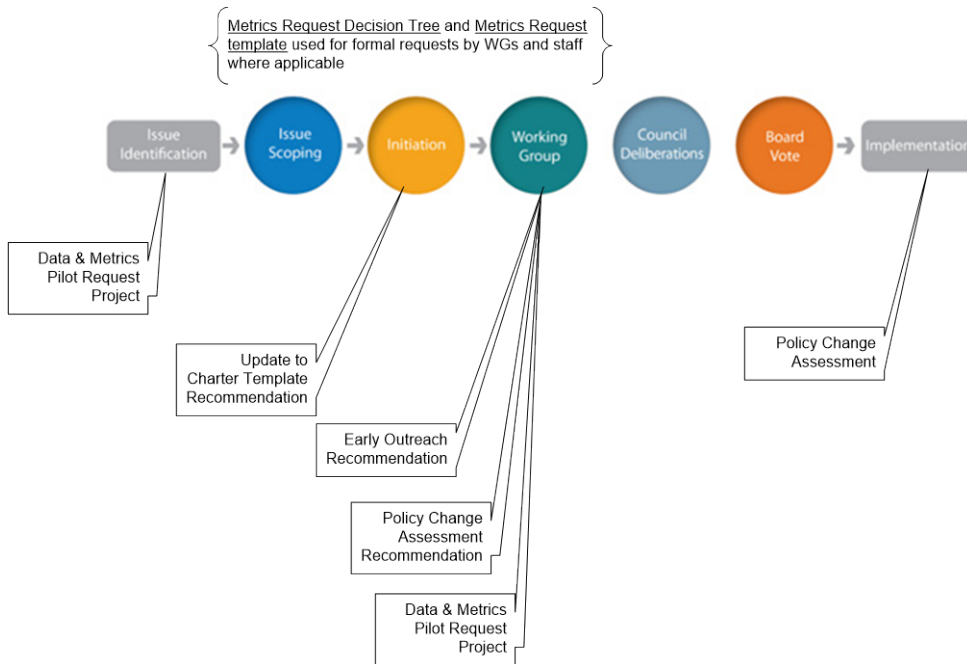
This Initial Final Report on the non-PDP Data & Metrics for Policy Making WG is prepared in accordance with the GNSO Policy Development Process as stated in the ICANN Bylaws, Annex A (see http://www.icann.org/general/bylaws.htm#AnnexA). Near-term activities:

- The WG prepared its Final Report, and will be forwarded to the GSNO Council for review.
- If the GNSO Council determines that further work is required, it will return the report to the WG with suggested topics for review and possible revision. Should recommendations be approved by the Council, staff will be instructed to begin implementation.
- The Initial Report will be posted for public comment for a minimum of 40 days.
- Once the WG has received and reviewed all comments, the WG will prepare a Final Report, and if approved, it will be forwarded to the GSNO Council for review.
- If the GNSO Council determines that further work is required, it will return the report to the WG with suggested topics for review and possible revision.

7.   Annex A – ~~Working Group~~WG Charter Template

This annex contains the DMPM WG's deliverable on suggested changes to the Working Group Charter for a Policy Development Process (listed on the next page).   In short, the WG recommended the addition of a new section dedicated to assist the Drafting Team to formulate some initial data that they may require to deliberate on the issues in an informed manner. The idea is to create a set of guideposts for the WG at the chartering stage without being overly prescriptive or performing any of the WG's work.

A template WG recommendation was also added to the "Deliverables" section for the WG to determine measure of success of the policy outcome and which should be fully documented in the WG's Final Report. Suggested changes are highlighted with RED text.

Working Group Charter for a Policy Development Process for XXXXX

WG Name:	[Issue Name] Working Group	
Section I: Working Group Identification		
Chartering Organization(s):	Generic Names Supporting Organization (GNSO) Council	
Charter Approval Date:	TBD	
Name of WG Chair/Co-Chairs:	TBD	
Name(s) of Appointed Liaison(s):	TBD	
WG Workspace URL:	TBD	
WG Mailing List:	TBD	
GNSO Council Resolution:	Title:	Motion to initiate a Policy Development Process (PDP) for XXXXXXXXXX
	Ref # & Link:	TBD
Important Document Links:	•	

Section II: Mission, Purpose, and Deliverables

Mission & Scope:

Background

At its meeting on 20 November 2013, the GNSO Council unanimously adopted the initiation of a Working Group to deliberate the issues of topic X……….

Mission and Scope

This Working Group (WG) is tasked to provide the GNSO Council with policy recommendations regarding whether to……………….

As part of its deliberations, the PDP WG should, at a minimum, consider the following issues detailed in Section IX of the Final Issue Report. These are:

- *Issue 1*

- *Issue 2*

- *Issue 3*

- *Issue 4*

The WG should also include the following additional topics in its deliberations:

- *Topic 1*

- *Topic 2*

- *Topic 3*

- *Topic 4*

The WG should invite participation from other ICANN Supporting Organizations and Advisory Committees, including the GAC. It should track any ongoing discussions…………………………………….. It may also wish to consider forming sub-groups to work on particular issues or sub-topics in order to streamline its work and discussions.

For purposes of this PDP, the scope of this WG is to be limited to…………….

Key Metric Considerations:

Define the policy goals for the proposed policy change and the metrics that will measure the goals
1.   Determine a set of questions which, when answered, provide the insight necessary to achieve the policy goals.
2.   Determine the types of data that may assist the WG in better scoping the issues and which can be collected and analyzed to help answer each question.
3.   Determine a set of metrics which can be collected and analyzed to help answer each question.
3.4. [Insert Link to Hints and Tips page on GNSO]

> **Comment [BC11]:** Updated per General Comment #6

Hypothetical Situation [to be deleted]:
In review of the Inter-Registrar policy, the PDP WG will require transfer statistics to determine the effectiveness of the implemented consensus policies. Specifically, the WG seeks the quantity of successful and unsuccessful transfers of second level domains over a given period.

Type of Metric	Example	How used to answer the question or goal
#1 Total Successful Transfers 12 months prior and 12 months post CP implementation	Total Xfers Pre-Policy: 345,000 Total Successful for period: 275,00 Total Xfers Post-Policy: 345,000 Total Successful for period: 320,000	An increase in successful transfers post policy implementation could signal that the policy change met its intended purpose.
#2		
#3		

Objectives & Goals:

To develop, at a minimum, an Initial Report and a Final Report regarding the WG's recommendations on issues relating to the ……………………………., following the processes described in Annex A of the ICANN Bylaws and the GNSO PDP Manual.

Deliverables & Timeframes:

The WG shall respect the timelines and deliverables as outlined in Annex A of the ICANN Bylaws and the PDP Manual. As per the GNSO Working Group Guidelines, the WG shall develop a work plan that outlines the necessary steps and expected timing in order to achieve the milestones of the PDP as set out in Annex A of the ICANN Bylaws and the PDP Manual, and shall submit this to the GNSO Council.

If the WG concludes with any recommendations, the WG must include a policy impact analysis and a set of metrics to measure the effectiveness of the policy change, including source(s) of baseline data for that purpose:
- Identification of policy goals
- Identification of metrics used to measure whether policy goals are achieved
- Identification of potential problems in attaining the data or developing the metrics
- A suggested timeframe in which the measures should be performed
- Define current state baselines of the policy and define initial benchmarks that define success or failu
- Metrics may include but not limited to (Refer to Hints & Tips Page):
    - ICANN Compliance data

> **Comment [BC12]:** Add content about setting baseline or targets for measuring success of policy change.
>
> Charter & Final Report Template, Comment #1

> **Comment [BC13]:** Create URL Link when published.

- Industry metric sources
- Community input via public comment
- Surveys or studies

Section III: Formation, Staffing, and Organization

Membership Criteria:

The WG will be open to all interested in participating. New members who join after certain parts of work has been completed are expected to review previous documents and meeting transcripts.

Group Formation, Dependencies, & Dissolution:

This WG shall be a standard GNSO PDP Working Group. The GNSO Secretariat should circulate a 'Call For Volunteers' as widely as possible in order to ensure broad representation and participation in the WG, including:

- Publication of announcement on relevant ICANN web sites including but not limited to the GNSO and other Supporting Organizations and Advisory Committee web pages; and
- Distribution of the announcement to GNSO Stakeholder Groups, Constituencies and other ICANN Supporting Organizations and Advisory Committees

Working Group Roles, Functions, & Duties:

The ICANN Staff assigned to the WG will fully support the work of the Working Group as requested by the Chair including meeting support, document drafting, editing and distribution and other substantive contributions when deemed appropriate.

Staff assignments to the Working Group:

- GNSO Secretariat

- ICANN policy staff members

The standard WG roles, functions & duties shall be those specified in Section 2.2 of the GNSO Working Group Guidelines.

Statements of Interest (SOI) Guidelines:

Each member of the WG is required to submit an SOI in accordance with Section 5 of the GNSO Operating Procedures.

Section IV: Rules of Engagement

Decision-Making Methodologies:

The Chair will be responsible for designating each position as having one of the following designations:

- **Full consensus** - when no one in the group speaks against the recommendation in its last readings. This is also sometimes referred to as **Unanimous Consensus.**
- **Consensus** - a position where only a small minority disagrees, but most agree. *[Note: For those that are unfamiliar with ICANN usage, you may associate the definition of 'Consensus' with other definitions and terms of art such as rough consensus or near consensus. It should be noted, however, that in the case of a GNSO PDP WG, all reports, especially Final Reports, must restrict themselves to the term 'Consensus' as this may have legal implications.]*
- **Strong support but significant opposition** - a position where, while most of the group supports a recommendation, there is a significant number of those who do not support it.

- **Divergence** (also referred to as **No Consensus**) - a position where there is no strong support for any particular position, but many different points of view. Sometimes this is due to irreconcilable differences of opinion and sometimes it is due to the fact that no one has a particularly strong or convincing viewpoint, but the members of the group agree that it is worth listing the issue in the report nonetheless.
- **Minority View** - refers to a proposal where a small number of people support the recommendation. This can happen in response to **Consensus**, **Strong support but significant opposition**, or **No Consensus;** or it can happen in cases where there is neither support nor opposition to a suggestion made by a small number of individuals.

In cases of **Consensus**, **Strong support but significant opposition**, and **No Consensus**, an effort should be made to document variances in viewpoint and to present any **Minority View** recommendations that may have been made. Documentation of **Minority View** recommendations normally depends on text offered by the proponent(s). In all cases of **Divergence,** the WG Chair should encourage the submission of minority viewpoint(s).

The recommended method for discovering the consensus level designation on recommendations should work as follows:
   i. After the group has discussed an issue long enough for all issues to have been raised, understood and discussed, the Chair, or Co-Chairs, make an evaluation of the designation and publish it for the group to review.
   ii. After the group has discussed the Chair's estimation of designation, the Chair, or Co-Chairs, should reevaluate and publish an updated evaluation.
   iii. Steps (i) and (ii) should continue until the Chair/Co-Chairs make an evaluation that is accepted by the group.
   iv. In rare cases, a Chair may decide that the use of polls is reasonable. Some of the reasons for this might be:
      o A decision needs to be made within a time frame that does not allow for the natural process of iteration and settling on a designation to occur.
      o It becomes obvious after several iterations that it is impossible to arrive at a designation. This will happen most often when trying to discriminate between **Consensus** and **Strong support but Significant Opposition** or between **Strong support but Significant Opposition** and **Divergence.**

Care should be taken in using polls that they do not become votes. A liability with the use of polls is that, in situations where there is **Divergence** or **Strong Opposition**, there are often disagreements about the meanings of the poll questions or of the poll results.

Based upon the WG's needs, the Chair may direct that WG participants do not have to have their name explicitly associated with any Full Consensus or Consensus views/positions. However, in all other cases and in those cases where a group member represents the minority viewpoint, their name must be explicitly linked, especially in those cases where polls where taken.

Consensus calls should always involve the entire WG and, for this reason, should take place on the designated mailing list to ensure that all WG members have the opportunity to fully participate in the consensus process. It is the role of the Chair to designate which level of consensus has been reached and to announce this

designation to the WG. WG member(s) should be able to challenge the designation of the Chair as part of the WG discussion. However, if disagreement persists, WG members may use the process set forth below to challenge the designation.

If several participants (see Note 1 below) in a WG disagree with the designation given to a position by the Chair or any other consensus call, they may follow these steps sequentially:
1. Send email to the Chair, copying the WG, explaining why the decision is believed to be in error.
2. If the Chair still disagrees with the complainants, the Chair will forward the appeal to the liaison(s) from the Chartering Organization (CO). The Chair must explain his or her reasoning in the response to the complainants and in the submission to the liaison(s). If the liaison(s) supports the Chair's position, the liaison(s) will provide their response to the complainants. The liaison(s) must explain their reasoning in the response. If the liaison(s) disagrees with the Chair, the liaison(s) will forward the appeal to the CO. Should the complainants disagree with the liaison(s)'s support of the Chair's determination, the complainants may appeal to the Chair of the CO or their designated representative. If the CO agrees with the complainants' position, the CO should recommend remedial action to the Chair.
3. In the event of any appeal, the CO will attach a statement of the appeal to the WG and/or Board report. This statement should include all of the documentation from all steps in the appeals process and should include a statement from the CO (see Note 2 below).

Note 1: Any Working Group member may raise an issue for reconsideration; however, a formal appeal will require that that a single member demonstrates a sufficient amount of support before a formal appeal process can be invoked. In those cases where a single Working Group member is seeking reconsideration, the member will advise the Chair and/or Liaison(s) of their issue and the Chair and/or Liaison(s) will work with the dissenting member to investigate the issue and to determine if there is sufficient support for the reconsideration to initiate a formal appeal process.

Note 2: It should be noted that ICANN also has other conflict resolution mechanisms available that could be considered in case any of the parties are dissatisfied with the outcome of this process.

Status Reporting:
As requested by the GNSO Council, taking into account the recommendation of the Council liaison(s) to the WG.
Problem/Issue Escalation & Resolution Processes:
The WG will adhere to ICANN's Expected Standards of Behavior as documented in Section F of the ICANN Accountability and Transparency Frameworks and Principles, January 2008.

If a WG member feels that these standards are being abused, the affected party should appeal first to the Chair and Liaison(s) and, if unsatisfactorily resolved, to the Chair of the CO or their designated representative. It is important to emphasize that expressed disagreement is not, by itself, grounds for abusive behavior. It should also be taken into account that as a result of cultural differences and language barriers, statements may appear disrespectful or inappropriate to some but are not necessarily intended as such. However, it is expected that WG members make every effort to respect the principles outlined in ICANN's Expected Standards of Behavior as referenced above.

The Chair, in consultation with the CO liaison(s), is empowered to restrict the participation of someone who

seriously disrupts the Working Group. Any such restriction will be reviewed by the CO. Generally, the participant should first be warned privately, and then warned publicly before such a restriction is put into place. In extreme circumstances, this requirement may be bypassed.

Any WG member that believes that his/her contributions are being systematically ignored or discounted or wants to appeal a decision of the WG or CO should first discuss the circumstances with the WG Chair. In the event that the matter cannot be resolved satisfactorily, the WG member should request an opportunity to discuss the situation with the Chair of the CO or their designated representative.

In addition, if any member of the WG is of the opinion that someone is not performing their role according to the criteria outlined in this Charter, the same appeals process may be invoked.

Closure & Working Group Self-Assessment:

The WG will close upon the delivery of the Final Report, unless assigned additional tasks or follow-up by the GNSO Council.

Section V: Charter Document History

Version	Date	Description	

Staff Contact:	TBD	**Email:**	Policy-staff@icann.org

8.   Annex B – Metrics Request Decision Tree

The diagram on the following page is a decision tree tool for the community, working groups, and staff to use as required for formal data and metrics requests pertaining to policy development. It basically guides the requestor to understand the availability and considerations for potential sources of data should it not be publicly available. It also considers potential budget/cost implications and how the GNSO Council would be involved in any such request. A full view in PDF can be found on the Community Wiki.

This tool should be used together with the Metrics Request Form found in Annex C.

Comment [BC14]: Add assessment tips/logic to Decision Tree & Form

Was the data collected using an established reliable system?

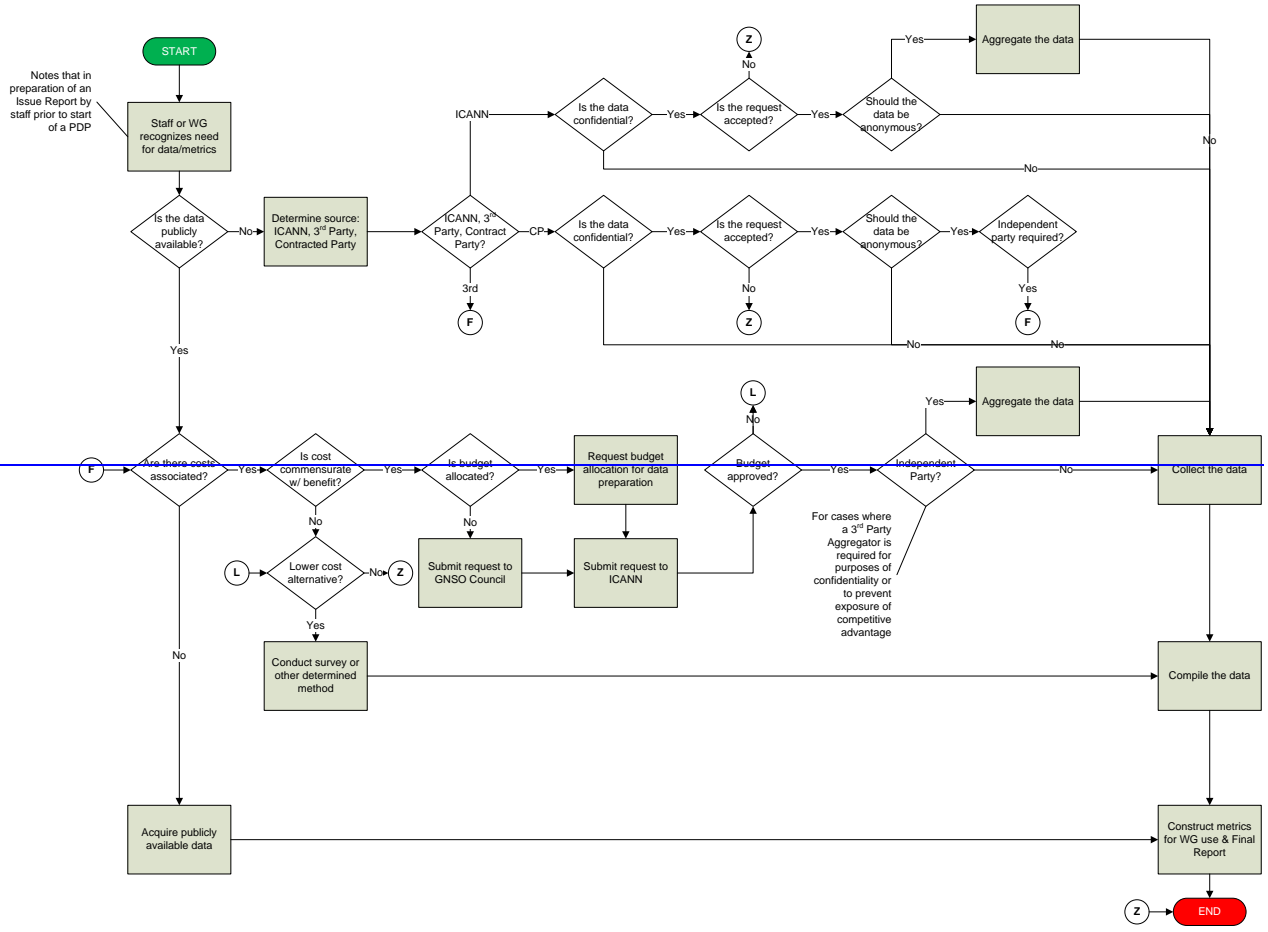Are the data elements/samples geographically/temporally representative of the study subject, which may be impacted by a policy being developed?
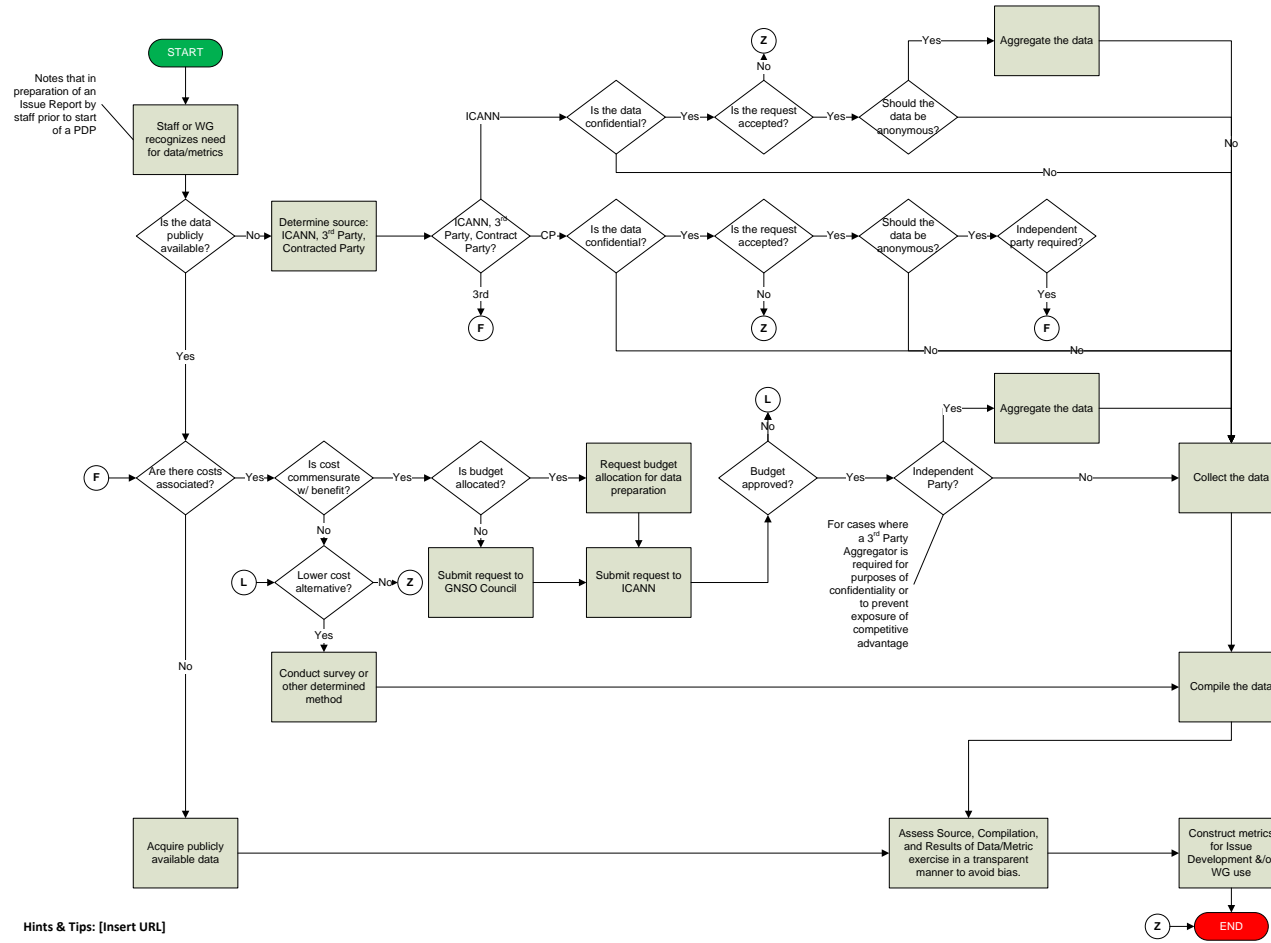
Was the selection of study subjects (or controls if applicable) biased resulting in an inability to generalize the results?

General Comment #16

Comment [BC15]: Create data/metrics scrutiny logic in Decision Tree & Form

Metrics Request Form, Comment #1

START

Notes that in preparation of an Issue Report by staff prior to start of a PDP

Staff or WG recognizes need for data/metrics

Is the data publicly available?

Determine source: ICANN, 3rd Party, Contracted Party

ICANN, 3rd Party, Contract Party?

ICANN

Is the data confidential?

Is the request accepted?

Should the data be anonymous?

Aggregate the data

Z

No

Yes

Yes

No

No

CP

Is the data confidential?

Is the request accepted?

Should the data be anonymous?

Independent party required?

Yes

Yes

Yes

Yes

No

No

Z

F

No

3rd

F

No

Yes

Are there costs associated?

Is cost commensurate w/ benefit?

Is budget allocated?

Request budget allocation for data preparation

Budget approved?

Independent Party?

Aggregate the data

L

No

Yes

Yes

Yes

Yes

Yes

No

Collect the data

For cases where a 3rd Party Aggregator is required for purposes of confidentiality or to prevent exposure of competitive advantage

No

No

Lower cost alternative?

Submit request to GNSO Council

Submit request to ICANN

L

No

Z

Yes

Conduct survey or other determined method

Compile the data

F

No

Acquire publicly available data

Assess Source, Compilation, and Results of Data/Metric exercise in a transparent manner to avoid bias.

Construct metrics for Issue Development &/or WG use

Z

END

Hints & Tips: [Insert URL]

9.   Annex C – Metrics Request Form

This section contains one of the DMPM WG's deliverables which is a template request form for future Working Groups and staff should they require possible data not normally made available. It is to be used in conjunction with the decision tree in the prior annex. The intent is to help guide the requestor to more formally define the issue or problem to be solved and begin to define requirements in how the request may be fulfilled.

Working Group Metrics Request Form
Hints & Tips: [Insert URL]

Group Submitting Request:	[Name of WG/DT]
Request Date:	[DD-MMM-YYYY]
Policy or Issue being explored:	Provide a brief description of the policy issue being explored that requires the need for additional data.
Issue to be solved:	Provide a detailed problem statement about the issue(s) that require additional data and metrics to facilitate the WG's deliberations.
Data Requirements:	Provide a set of requirements to inform the scope.
Responsible Team(s) or Data Source:	Provide a list of potential sources, teams, and or 3rd party sources to meet the above data requirements. Such examples could be: 1. Publicly available data submitted to ICANN via Registry Operator monthly reports 2. ICANN Contractual Compliance 3. Sample(s) of Registrar/Registry data from registration systems aggregated through third party provider 4. Sample(s) of Registrar/Registry data from complaint intake systems aggregated through third party provider 5. Third party data sources
Expected Delivery Date:	[DD-MMM-YYYY]
Resource Estimation:	Educated guess on the resources required such as scope, people, access to data, complexity of requirements, sources. [Note: staff will evolve this section in fulfilling the request]
Budget Considerations:	Educated guess on the budget implications based on the resource estimation. [Note: staff will evolve this section in fulfilling the request] TBD 1. Data supplied by ICANN will not require additional budget

| | allocation |
| | 2. Third party provider to aggregate Registrar data will be required; RFP to be announced |

Hints & Tips:

This hints and tips form will be published on the GNSO website allowing links to be imbedded in the production documents after implementation. It is expected that this online document can be updated as required without requiring edits to be approved in formal documents like the GNSO Operating Procedures.

Principles when requesting collection of data and use of metrics:

- Should be non-discriminatory among registrars/registries and data providers listed should also be treated as confidential
- Should clearly state the purpose for which the data and/or metrics will be used
- Should maintain the confidentiality of the data and/or metrics unless otherwise agreed
- Should be anonymized and aggregated, unless otherwise agreed
- Provide adequate safeguards to protect against unauthorized access or disclosure, consistent with ICANN's policy development process
- Consider whether the data can be collected directly by ICANN or indirectly (i.e., collected and processed by an independent third-party)
- Retail and wholesale pricing shall not be provided for use in consensus policy development (refer to Registry & Registrar agreements)
- Special care should be taken when Personally Identifiable Information (PII) data is involved
- Data should be stored only so long as required for the specified policy development effort, and should be destroyed upon completion
- Request of data that do not have contractual obligations, data source owners should have a unilateral opt out if they determine that the data is sensitive (mostly applicable to contracted parties)

Data/Metric Assessment Tips:
- Was the data collected using an established reliable system?
- Are the data elements/samples geographically/temporally representative of the study subject, which may be impacted by a policy being developed?
- Was the selection of study subjects (or controls if applicable) biased resulting in an inability to generalize the results?

Possible Data & Metrics Resources:

New gTLDs:
http://newgtlds.icann.org/en
http://www.calzone.org/eventcal/calzone-dashboard.php

https://namestat.org/
https://ntldstats.com/

ICANN Operations:
https://www.icann.org/progress
https://www.icann.org/resources/pages/governance/annual-report-en
https://www.icann.org/resources/pages/governance/financials-en
https://www.icann.org/resources/pages/governance/current-en
https://www.icann.org/resources/pages/historical-2012-02-25-en
https://www.icann.org/search/#!/?searchText=990

Contractual Compliance:
https://www.icann.org/resources/compliance-reporting-performance
https://features.icann.org/compliance/registrars-list
https://features.icann.org/compliance

Publicly Available Data submitted or about Contracted Parties:
https://www.icann.org/resources/pages/reports-2014-03-04-en
https://www.icann.org/registrar-reports/accreditation-qualified-list.html

IANA Sources:
http://www.iana.org/domains/root/db
http://www.iana.org/domains/root/servers
http://www.iana.org/numbers
https://www.iana.org/protocols

Third Party Sources (free & fee):
http://www.domaintools.com/
http://www.registrarstats.com/
http://www.hosterstats.com/
http://www.zooknic.com/
http://www.udrpsearch.com/
https://publicsuffix.org/list/
https://www.spamhaus.org/
https://www.dataprovider.com/
http://www.statdns.com/
http://www.w3cook.com/
https://centr.org/domainwire
http://domainindex.com/tools#research-tools
https://www.quantcast.com/top-sites-1
http://www.alexa.com/
https://www.compete.com/