

3.1 Phase 1: Work Already Underway

The suggestion is to dispatch those items that were identified by the Working Party as already underway first and simultaneously with the implementation of those recommendations identified in the first batch. As some work is already being performed and/or recently completed it would seem logical to address these recommendations at the same time as those identified in the first batch. These also are organized into the three categories identified above, and then by high, medium, and low priority within each category.

PDP Improvements, Effectiveness, and Implementation

Recommendation 8	
Independent Examiner's Final Recommendation	That Working Groups should have an explicit role in responding to implementation issues related to policy they have developed.
Prioritization	High
Working Party Comments	Agree but work is already done elsewhere. The already approved Policy & Implementation Working Group recommendations cover this. Ongoing GNSO action item: ensure it happens in all future policy implementation efforts.
STATUS	CONSENSUS CALL DUE 04 MAY

Recommendation 14	
Independent Examiner's Final Recommendation	That the GNSO further explores PDP 'chunking' and examines each potential PDP as to its feasibility for breaking into discrete stages.
Prioritization	Medium
Working Party Comments	Allow GNSO flexibility to determine when chunking (or phases) is appropriate; needs refinement.
STATUS	CONSENSUS CALL DUE 04 MAY

Recommendation 15	
Independent Examiner's Final Recommendation	That the GNSO continues current PDP Improvements Project initiatives to address timeliness of the PDP.
Prioritization	High
Working Party Comments	Already being done. GNSO action items: ensure that efforts to improve the timeliness of PDPs continue.
STATUS	CONSENSUS CALL DUE 04 MAY

Recommendations 16	
Independent Examiner's Final Recommendation	<u>Recommendation 16</u> : That a policy impact assessment (PIA) be included as a standard part of any policy process.
Prioritization	High
Working Party Comments	GNSO action items: i) Develop an analytical framework for assessing policy impacts; ii) determine what should be measured and

	corresponding metrics. iii) Change the PDP Guidelines to make post-implementation policy effectiveness evaluation an ongoing rather than a periodic process and to include an assessment period at the start of the implementation process; iv) develop guidelines for how implementation of policies should be evaluated.
STATUS	CREATE NEW CHARTER FOR RECOMMENDATION 16 AND SEND OUT FOR A CONSENSUS CALL

GNSO Council, Stakeholder Group, and Constituency Appointments, Members, Membership, Statements of Interest, Procedures, and Support

Recommendation 33	
Independent Examiner's Final Recommendation	That Stakeholder Groups, Constituencies, and the Nominating Committee, in selecting their candidates for appointment to the GNSO Council, should aim to increase the geographic, gender and cultural diversity of its participants, as defined in ICANN Core Value 4.
Prioritization	Medium
Working Party Comments	Working Party believes work is already being done but improvements/metrics need to be made in this area
STATUS	STAFF TO DEVELOP DRAFT CHARTER

Recommendations 24 and 25	
Independent Examiner's Final Recommendation	<u>Recommendation 24</u> : That the GNSO Council and Stakeholder Groups and Constituencies adhere to the published process for applications for new Constituencies. That the ICANN Board in assessing an application satisfy itself that all parties have followed the published process, subject to which the default outcome is that a new Constituency is admitted. That all applications for new Constituencies, including historic applications, be published on the ICANN website with full transparency of decision-making. <u>Recommendation 25</u> : That the GNSO Council commission the development of, and implement, guidelines to provide assistance for groups wishing to establish a new Constituency.
Prioritization	Medium
Working Party Comments	Recommendation 24: GNSO action items: i) Determine whether new Constituency application processes are clearly posted and easily accessible, ii) determine what steps are taken to ensure compliance with those processes and whether those steps are adequate; iii) determine if all Constituency applications, including historic ones, are publicly posted along with full transparency of the decision-making process; iv) determine whether or not there is a presumption that a new Constituency should be admitted if all requirements are met and if such a presumption is appropriate; v) determine what process the Board uses to evaluate new Constituency applications and whether they are ensuring process compliance; vi) make recommendations for any modifications to the

	<p>process, if any.</p> <p>Recommendation 25: GNSO action items: i) Evaluate the effectiveness and accessibility of guidance for new Constituency applications; ii) recommend improvements to the guidance and the available assistance as appropriate.</p>
STATUS	STAFF TO DEVELOP DRAFT CHARTER

Recommendation 30	
Independent Examiner's Final Recommendation	That the GNSO develop and implement a policy for the provision of administrative support for Stakeholder Groups and Constituencies; and that Stakeholder Groups and Constituencies annually review and evaluate the effectiveness of administrative support they receive.
Prioritization	Low
Working Party Comments	The Working Party believes that there is already a procedure for providing some forms of administrative support to Stakeholder Groups and Constituencies but that there is not a procedure for Stakeholder Groups and Constituencies to evaluate the effectiveness of the support provided. GNSO action items: i) Identify and review the existing procedures for Stakeholder Groups and Constituencies to obtain administrative support; ii) evaluate the adequacy & effectiveness of the existing procedures including whether additional forms of support might be beneficial; iii) develop recommendations for improvements to the procedures and new types of support, if any.
STATUS	STAFF TO DEVELOP DRAFT CHARTER

Working Group Performance, Participation, Meeting Tools, Self-Evaluation, Outreach, Volunteers, and Leadership

Recommendations 10 and 11	
Independent Examiner's Final Recommendation	<p><u>Recommendation 10</u>: That the GNSO Council develop criteria for Working Groups to engage a professional facilitator/moderator in certain situations.</p> <p><u>Recommendation 11</u>: That the face-to-face PDP Working Group pilot project be assessed when completed. If the results are beneficial, guidelines should be developed and support funding made available.</p>
Prioritization	Medium
Working Party Comments	<p>What does it mean to "engage"?; could be costly; develop criteria such as using an internal facilitator; should review existing pilot program already underway and that additional criteria be developed.</p> <p>The PDP Pilot Project has been done for two years. Need to evaluate. GNSO action items: i) Develop guidelines; ii) encourage support funding in the ICANN budget.</p>
STATUS	STAFF TO DEVELOP DRAFT CHARTER

Recommendation 13	
Independent Examiner's Final Recommendation	That the GNSO Council evaluate and, if appropriate, pilot a technology solution (such as Loomio or similar) to facilitate wider participation in Working Group consensus-based decision making.
Prioritization	Medium
Working Party Comments	Working Party believes in continuous improvement; no specific tool is being recommended; tool must meet need that is currently not being met.
STATUS	STAFF TO DEVELOP DRAFT CHARTER

Recommendation 19	
Independent Examiner's Final Recommendation	As strategic manager rather than a policy body the GNSO Council should continue to focus on ensuring that a Working Group has been properly constituted, has thoroughly fulfilled the terms of its charter and has followed due process.
Prioritization	Low
Working Party Comments	Work is already being done.
STATUS	STAFF TO DEVELOP DRAFT CHARTER

3.2 Phase 2: High Priority Recommendations

These are the recommendations that were assessed by the GNSO Review Working Party as high priority. They were considered to have agreement by the Working Party to adopt them without modification. These recommendations could be placed in the first batch to be implemented within the first year and could overlap with the implementation of those recommendations that are considered to be underway / and or completed as a result of other activities, but which might need modifications to existing procedures. These also are organized into the three categories identified above, and then by high, medium, and low priority within each category.

PDP Improvements, Effectiveness, and Implementation

Recommendations 18	
Independent Examiner's Final Recommendation	<u>Recommendation 18</u> : That the GNSO Council evaluate post implementation policy effectiveness on an ongoing basis (rather than periodically as stated in the current GNSO Operating Procedures); and that these evaluations are analyzed by the GNSO Council to monitor and improve the drafting and scope of future PDP Charters and facilitate the effectiveness of GNSO policy outcomes over time.
Prioritization	High
Working Party Comments	GNSO action items: i) Develop an analytical framework for assessing policy impacts; ii) determine what should be measured and corresponding metrics. iii) Change the PDP Guidelines to make post-implementation policy effectiveness evaluation an ongoing rather than a periodic process and to include an assessment period at the start of the implementation process; iv) develop guidelines for how implementation of policies should be evaluated.
STATUS	CONTINUE DISCUSSION IN PHASE 2

Recommendation 31	
Independent Examiner's Final Recommendation	That the GAC-GNSO Consultation Group on GAC Early Engagement in the GNSO Policy Development Process continue its two work streams as priority projects. As a part of its work it should consider how the GAC could appoint a non-binding, non-voting liaison to the Working Group of each relevant GNSO PDP as a means of providing timely input.
Prioritization	Medium
Working Party Comments	Ongoing work. The Working Party encourages the ongoing work of the Consultation Group and suggests that it consider whether 'the GAC could appoint a non-binding, non-voting liaison to the Working Group of each relevant GNSO PDP as a means of providing timely input.' GNSO action item: Send a letter to the GAC expressing appreciation for the work of the Consultation Group, encourage continuation of the group and ask whether it might be worthwhile for the GAC to consider appointing 'a non-binding, non-voting liaison to the

	Working Group of each relevant GNSO PDP as a means of providing timely input.’ (An alternative approach here may be to first test this with the GNSO GAC liaison.)
STATUS	CONTINUE DISCUSSION IN PHASE 2

GNSO Council, Stakeholder Group, and Constituency Appointments, Members, Membership, Statements of Interest, Procedures, and Support

Recommendations 26, 27, 28, and 29	
Independent Examiner’s Final Recommendation	<p><u>Recommendation 26</u>: That GNSO Council members, Executive Committee members of Stakeholder Groups and Constituencies and members of Working Groups complete and maintain a current, comprehensive Statement of Interest on the GNSO website. Where individuals represent bodies or clients, this information is to be posted. If not posted because of client confidentiality, the participant’s interest or position must be disclosed. Failing either of these, the individual not be permitted to participate.</p> <p><u>Recommendation 27</u>: That the GNSO establish and maintain a centralized publicly available list of members and individual participants of every Constituency and Stakeholder Group (with a link to the individual’s Statement of Interest where one is required and posted).</p> <p><u>Recommendation 28</u>: That section 6.1.2 Membership of Chapter 6.0 Stakeholder Groups and Constituencies: Operating Principles and Participation Guidelines of the GNSO Operating Procedures be revised to clarify that key clauses are mandatory rather than advisory, and to institute meaningful sanctions for non-compliance where appropriate.</p> <p><u>Recommendation 29</u>: That Statements of Interest of GNSO Council Members and Executive Committee members of all Stakeholder Groups and Constituencies include the total number of years that person has held leadership positions in ICANN.</p>
Prioritization	High -- Recommendations 26 and 27
	Medium -- Recommendation 29
	Low – Recommendation 28
Working Party Comments	Adopt
STATUS	STAFF TO DEVELOP DRAFT CHARTER

Working Group Performance, Participation, Meeting Tools, Self-Evaluation, Outreach, Volunteers, and Leadership

Recommendation 6	
Independent Examiner's Final Recommendation	That the GNSO record and regularly publish statistics on Working Group participation (including diversity statistics).
Prioritization	High
Working Party Comments	Adopt
STATUS	STAFF TO DEVELOP DRAFT CHARTER