

RECOMMENDATIONS 26, 27, 28, & 29: STAKEHOLDER GROUP AND CONSTITUENCY MEMBERSHIP AND STATEMENTS OF INTEREST

STRATEGIC ALIGNMENT

Part One – Which ICANN Objective does this meet

Promote role clarity and establish mechanisms to increase trust within the ecosystem rooted in the public interest. Also, evolve policy development and governance processes, structures and meetings to be more accountable, inclusive, efficient, effective and responsive. See Strategic Plan main web page at: <https://www.icann.org/resources/pages/strategic-engagement-2013-10-10-en>.

Alignment with Strategic Goals

Goal	<ul style="list-style-type: none"> - Shared understanding by Board, staff and stakeholders of the allocation of responsibilities for design, development and implementation of policy and operational processes. - Shared understanding of the roles, responsibilities and accountability of the Board, staff and stakeholders. - Board, staff, and stakeholders use best practices and exercises appropriate behavioral norms.
Project/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>

SCOPE DESCRIPTION
Scope Statement
The GNSO Review Working Group to review current procedures in the GNSO Operating Procedures related to this recommendation and to work with staff on possible modifications, which are to be published for public comment followed by GNSO Council approval.
Out of Scope
The above scope is sufficiently clear.
Assumptions
That modifications will need to be incorporated into Chapter 5.0 Statements of Interest of the GNSO Operating Procedures and Chapter 6.0: Stakeholder Groups and Constituencies: Operating Principles and Participation Guidelines.
Deliverables
Revisions to procedures.

OPTION ANALYSIS
None were considered or were necessary to be considered.

SOLUTION
<p><u>Recommendation 26</u>: Currently Chapter 5.0 Statements of Interest states that the definition of a “Relevant Party” to which the requirements apply includes: “the GNSO Council, or a work team, working group, committee or other such policy development body formed by and under the supervision of the GNSO Council.” Thus, Executive Committee members of Stakeholder Groups and Constituencies are not included in the requirement to complete and maintain a current, comprehensive Statement of Interest on the GNSO website. In addition, the current Chapter 5.0 does not specifically state that 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. However, the Statement of Interest must provide the following information, “Are there any arrangements/agreements between you and any other group, constituency or person(s) regarding your participation as a work team member? Please answer “yes” or “no.” If the answer is “yes,” please describe the arrangements/agreements and the name of the group, constituency, or person(s).” The GNSO Review Working Group should review the current language and determine whether it should be revised. Per the recommendation, Chapter 5.0 would need to be revised to include “Executive Committee members of Stakeholder Groups and Constituencies” in the definition of “Relevant Party.” Staff can provide draft language for the Working Group to consider.</p> <p>SOIs of Council & SG/C leadership are documented on the GNSO Site (links direct users to the GNSO Wiki):</p> <ul style="list-style-type: none"> • GNSO Council - https://gns0.icann.org/en/about/gns0-council.htm • Commercial Stakeholder’s Group - https://gns0.icann.org/en/about/stakeholders-constituencies/csg <ul style="list-style-type: none"> ○ CBUC - https://gns0.icann.org/en/about/stakeholders-constituencies/csg/cbuc

- IPC - <https://gnso.icann.org/en/about/stakeholders-constituencies/csg/ipc>
- ISPCP - <https://gnso.icann.org/en/about/stakeholders-constituencies/csg/isp>
- Non-Commercial Stakeholder's Group - <https://gnso.icann.org/en/about/stakeholders-constituencies/ncsg>
 - NCUC - <https://gnso.icann.org/en/about/stakeholders-constituencies/ncsg/ncuc>
 - NPOC - <https://gnso.icann.org/en/about/stakeholders-constituencies/ncsg/npoc>
- Registrars Stakeholder Group - <https://gnso.icann.org/en/about/stakeholders-constituencies/rmsg>
- Registries Stakeholder Group - <https://gnso.icann.org/en/about/stakeholders-constituencies/rysg>
- Working Group member SOIs are also stored on the GNSO Wiki:
 - All SOIs - <https://community.icann.org/display/gnsosoi/New+SOIs>
 - Each WG maintains SOI links of participants, for example RDS - <https://community.icann.org/pages/viewpage.action?pageId=56986659>

Recommendation 27: 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) exists, however, members of SOs/ACs, SGs/Cs are not required to have SOIs unless participating in WGs and/or Leadership positions.. The GNSO Review Working Group should consider where to include a requirement for such a list. For example, Chapter 6.0: Stakeholder Groups and Constituencies: Operating Principles and Participation Guidelines could be modified to include a requirement for Stakeholder Groups and Constituencies to provide access to ICANN to their membership lists for aggregating into a comprehensive central list. Staff can provide draft language for the Working Group to consider.

Member's lists of SO/ACs & GNSO SGs/Cs have existed since at least FY15, if not earlier:

- AtLarge - <https://atlarge.icann.org/alses/>
- CCNSO - <https://ccnso.icann.org/about/members.htm>
- GAC - <https://gacweb.icann.org/display/gacweb/GAC+Representatives>
- GNSO
 - CBUC - <http://www.bizconst.org/bc-membership-list>
 - IPC - <http://www.ipconstituency.org/current-membership>
 - ISPCP - <http://www.ispcp.info/members-of-the-ispcp>
 - NCSG - https://docs.google.com/spreadsheets/d/1o0n2H5xkTPmon8K8wbFg0dAZTouHWgkWjcyNsSs_YXw/edit#gid=0
 - NCUC - <https://www.ncuc.org/about/membership/>
 - NPOC - <http://www.npoc.org/about/members/>
 - RrSG - <http://icannregistrars.org/members-list/>
 - RySG - <https://www.rysg.info/rysg-membership-roster>
- RSSAC
 - RSSAC - <https://www.icann.org/groups/rssac>
 - Caucus - <https://community.icann.org/display/RSI/RSSAC+Caucus+Statements+of+Interest>

- SSAC - <https://www.icann.org/groups/ssac>
- ASO - <https://aso.icann.org/advisory-council/address-council-members/>

Recommendation 28: Section 6.1.2 Membership of Chapter 6.0 Stakeholder Groups and Constituencies: Operating Principles and Participation Guidelines of the GNSO Operating Procedures should be revised to clarify that key clauses are mandatory rather than advisory, and to institute meaningful sanctions for non-compliance where appropriate. Staff can provide draft language for the Working Group to consider.

To a degree sanctions and compliance monitoring do exist:

- Council & SG/C Leadership – Admin Support maintain the GNSO site for leadership changes and will collaborate with individuals to have their SOIs complete upon changes to leadership. While the SG/C leadership SOI requirements in the Op Procs are not authoritatively defined, past leadership(s) have always completed SOIs as posted on the GNSO site.
- WG Participation – at the start of each WG or new adds to existing WGs, members are required to meet SOI requirements for WG participation. After several weeks of non-compliance, a member will be reduced to observer until compliance is met. Lastly, each formal WG call or GNSO Council meeting, the first agenda item is to ask for any updates of SOIs.

Recommendation 29: Current Statements of Interest of GNSO Council Members and Executive Committee members of all Stakeholder Groups and Constituencies do not include the total number of years that person has held leadership positions in ICANN. Per the recommendation, Chapter 5.0 Statement of Interest would need to be modified to include the requirement to provide the total number of years that person has held leadership positions. Staff can provide draft language for the Working Group to consider.

Staff notes that this recommendation will be difficult to implement as the text is stated here. Perhaps staff can suggest, if there are changes to SOI forms, that a “Start Date” field be listed within the SOI. This way the system can calculate the total years from Current Date – Start Date = Current # of Years.

General:

Staff notes also that the SOI platform will migrate from the current wiki solutions to that of the Global Enrollment platform. This will allow for proper connection to individual’s profiles and when they enroll in WGs and better alignment of the SOI to the WG entry into the system. Unofficial target date for launch is FY19.

Working Group Determination:

The GNSO Review Working Group will review the proposed revisions and determine whether they implement the recommendations. If so the Working Group will direct staff to submit the modifications for public comment. Upon completion of the public comment process the Working Group will submit the modifications to the GNSO Council for consideration along with a draft motion.

KEY DEPENDENCIES

Incorporate into Chapter 5.0 of the GNSO Operating Procedures and Chapter 6.0: Stakeholder Groups and Constituencies: Operating Principles and Participation Guidelines. Changes to GNSO Operating Procedures must be submitted for public comment. The comments may require adjustments to the modifications. In addition, the GNSO Council must vote to approve the changes via a motion.

RISK IDENTIFICATION

None.

KEY PERFORMANCE INDICATORS

It is not clear to staff whether a KPI applies in the implementation of these recommendations.

NECESSARY TO PROCEED**Next Phase Activities/Resources**

None.

REVIEWERS

Name	Title	Date Sent
GNSO Review Working Group		

APPROVERS

Name	Title	Approval Status	Date
GNSO Review Working Group			
GNSO Council			

REVISION HISTORY

Date	Version	Description	Author
17 August 2017	V1	Original charter.	Julie Hedlund, Policy Director
28 August 2017	V2	Incorporated staff revisions.	Julie Hedlund, Policy Director

Attachments:

None