

The Registrar Stakeholder Group (RrSG) welcomes this initiative of looking into ICANN's Multistakeholder Model and the opportunity to comment on the issues that are currently impacting it.

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ISSUE	PRIORITY LEVEL:	PRIORITY CONSIDERATIONS					COMMENT AND EXAMPLES ON HOW THE ISSUE HAMPERS THE EFFECTIVENESS OF THE MULTISTAKEHOLDER MODEL
		Issues that, if they are constructively addressed and solutions can be found, would have the greatest impact in making the multistakeholder model more effective and efficient.	Issues that have interdependencies that you are prioritizing. That is to say, for issue "A" to be addressed a solution for issue "B" must be addressed as well to achieve improvements in the effective functioning of the multistakeholder model.	Issues that could favorably impact the effectiveness of the multistakeholder model at a potentially lower cost	Issues that could favorably impact the effectiveness of the multistakeholder model without introduction of unnecessary layers of process or bureaucracy	Issues that could be combined or consolidated because their nature is so similar? When considering consolidating issues, carefully consider whether there are any interdependencies that argue against consolidation.	
1. ISSUE: Timing of decision-making: Our processes take too long	HIGH		13, 16, 17, 19				Lengthy decision making processes hamper innovation and can have a detrimental effect on new business models which could benefit users or address problems: lose-lose for everyone. The time commitment needed for lengthy policy development processes effectively means that the same small pool of volunteers are available/called upon as many businesses/orgs cannot commit to resources over an extended period of time. Examples of excessively long PDPs include Thick Whois, which started in 2012, was followed by an IRT in 2016, but which is still not implemented due to GDPR implications and the Registration Data Working Group, which started in 2009 and still ongoing. Newcomers are rightfully daunted by the prospect of taking on such a time commitment. Additionally, the issue under discussion may have even shifted over the course of the discussion with new dynamics that cannot be captured as they were not within the original scope (as we have seen with Privacy & Proxy, which initially continued its work knowing it would be impacted by GDPR, but has subsequently had to be paused). The spread of issues that can be addressed by ICANN at any one time is limited because all resources are focused on a small number of issues that are occupying minds and time. The ICANN Model also favours those who are accustomed to working within this status quo and decision making processes are able to be slowed down too easily by an individual's issues. So until now there continues to be a timeliness issue in decision making unless external factors force a more rapid addressing of an issue (as was the case with NTIA/IANA and GDPR).
2. ISSUE: Complexity	MEDIUM		3, 6, 8, 13, 16				On particularly complex matters, external expert resources should be called in to assist and advise. GDPR/EPDP has been an example case study where the community has needed and has benefited from outside expertise. Sound judgement calls should be made as to when to call in advisory experts as delays can lengthen and complicate the policy development process. Having such expertise on hand would enable a wider range of community participants to engage in policy development processes without feeling that they need to be subject matter experts on all issues. This is particularly the case when complex legal matters with cross-jurisdictional considerations are in play. Other external expert services that could be considered and offered include mediation services and drafting services. However, whilst an effort should be made to simplify the community's dealing of complex matters (ie through expert advice), the subject matters themselves will necessarily remain as complex as they are, because that is the technical nature of the domain name system.
3. ISSUE: Culture	HIGH		1, 2, 6, 14, 18			18	Combative culture within ICANN can be intimidating for some participants and is not conducive to an open work environment that works for all cultures. As we have seen recently with the RPM WG, this can escalate to someone needing to actually be removed from a WG for not following the participation guidelines. This is compounded by the silo nature of the community model. Participants with deep history and knowledge of the community tend to be at an advantage which makes newcomer engagement more challenging and typically results in the same people moving across group & PDP leadership positions. Although some groups, like the RrSG, may have a lot of industry knowledgeable members, but with limited volunteer time to devote outside of their full time jobs, others may have time, but less people with the relevant expertise on this very particular and technical industry.
4. ISSUE: Prioritization of Work	MEDIUM		10, 12, 16, 17				Work should be prioritised in a way that makes sense, depending on urgency and also considering available resources. A clear problem definition needs to be part of that discussion, as well as a justification for action. Long term strategic plans can address top line issues but near term priority items should be identified and reviewed on a regular basis. For example, whilst the EPDP is now being well prioritised, initially, in spite of there always being a clear deadline, GDPR was not initially sufficiently prioritised. This led to a lot of pressure, stress and scrambling across the entire ICANN community, with the Temporary Specification needing to be a rushed and top-down project. Work prioritisation certainly needs to be done (at least) once per year.
5. ISSUE: Demographics	HIGH*					6,7,8,17,21	
6. ISSUE: Recruitment	HIGH*		3			5, 6, 7,8,17,21	

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7. ISSUE: Representativeness	HIGH*					5,6,8,17,21	Although it is laudable to encourage all to participate in PDPs rather than designated representatives for constituencies, this can lead to meetings with dozens of participants that all want to have their opinion heard (even if it is essentially the same as other representatives). This can lead to additional cost and delay for PDPs, without any measurable improvement in the final output.
8. ISSUE: Inclusiveness	HIGH*		1, 15, 19			5,6,7,17,21	Not every matter needs to be fleshed out in front of the entire community, and efficiency gains could be seen in some of the ICANN processes. This could be the case for some matters of a contractual nature for ICANN and registries/registrar which do not have a material impact on end users. Furthermore, complex PDPs could also be phased in such a way that particular stakeholder groups are invited in for focused discussions, which are then aired in front of a wider audience. The RrSG looks forward to this and the representativeness issue being addressed in PDP 3.0
9. ISSUE: Consensus	HIGH		1, 11, 12, 14				Constraints of the consensus model can hamper the decision-making process and speed of progress. Lack of understanding of or acceptance for what the consensus model really means in practice undermines the value of this concept in ICANN. There needs to be more buy-in from participants, coupled with increased accountability for decisions and transparency. ICANN decision making is not a zero-sum game, and all participants/constituencies need to be willing to compromise to achieve workable consensus. ICANN's reliance on "consensus" has also hampered its ability to make meaningful decisions. ICANN used to have "task forces" that were representative, and could vote. But since the 2008 GNSO reform, the "working group model" with its emphasis on consensus has produced lower quality results, along with a GNSO Council that no longer makes policy but "manages the policy process." This creates a mechanism/model where only the Board has authority to make decisions.
10. ISSUE: Precision in Scoping the Work	MEDIUM						ICANN needs to be sure that the scope of PDPs is well-defined for a particular issue, but not too broad to allow scope creep. An example includes the Internationalized Registration Data Working Group, which had scope in 2009 to review "internationalizing registration data". It was ultimately determined that another PDP was needed to determine whether this meant "translation" or "transliteration". The implementation of the subsequent PDP is still ongoing a decade later.
11. ISSUE: Accountability	LOW					12, 13	
12. ISSUE: Transparency	MEDIUM		11, 13, 14			11, 13	Transparency in decision-making and representation is essential to ensuring the efficacy of the multi-stakeholder model. Clear justification for work projects and how different initiatives feed into policy processes is needed. For example, there was initially both confusion and misunderstanding around the formation and mandate of the Technical Study Group. Continued scrutiny of costs of the ICANN organisation is also essential as a matter of accountability. The many months that it took ICANN Org to provide initial estimate, then subsequent cost breakdown, of the proposed PPSAI accreditation model, when combined with news of negative financial situation of ICANN, led to a lot of concern and distrust regarding the entire cost of the program. Too many critical issues are presented to the Community as a fait accompli, with Public Comments then treated as a check-the-box exercise that does not alter the decision. It is clear that most important issues are being resolved behind closed doors by a small group of influencers (or just Staff), and then sent through community processes to achieve legitimacy.
13. ISSUE: Costs	MEDIUM		1, 11, 12, 14, 19			11, 12	Continued scrutiny of costs of the ICANN organisation is essential as a matter of accountability and to build trust.
14. ISSUE: Trust	LOW		18				
15. ISSUE: Roles and Responsibilities	MEDIUM						
16. ISSUE: Efficient Use of Resources	HIGH					17	

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17. ISSUE: Volunteer Burnout	HIGH*					5,6,7,8,16,21	The large member turnover between EPDP Phases 1 and 2, were in large part due to time commitment and pace. Despite a number of participants in Phase 2 indicating that the pace needs to slow, others outside of the EPDP have advocated an unrealistic timeline to address complex issues. Language is also a barrier to participation and undoubtedly prevents people knowledgeable on a subject from contributing, therefore putting further pressure on those who both understand the issues and can communicate them properly in the working language of English. Volunteer burnout is a longstanding issue at ICANN, however there does not appear to be any steps to address the issue.
18. ISSUE: Silos	HIGH		1, 3, 14, 19			3	The GNSO House model encourages silos which have not been broken through with existing cross-community efforts. Cross-community efforts are not working or sustained throughout the year in any meaningful way, leading to friction during policy development processes and adding to the length of time that these processes take to conclude. Additional silos between ICANN community and ICANN org can lead to distrust and increased frustration (eg different interpretations between Org and Contracted Parties and the suspicious timing of PPSAI costs estimates aligning with ICANN Org budget issues)
19. ISSUE: Work Processes	HIGH		1, 4, 9, 10, 13, 16, 17, 18				The increasing variety of workstreams and modes of communication are adding complexity and causing confusion (eg the Technical Study Group working outside of the PDP process and blog posts containing important messages). This also makes it difficult for newcomers to track issues and to participate in a meaningful way. It can also be the case that processes are allowed to drag on for such a length of time that there is a loss of focus and relevance (eg privacy/proxy work). Volunteer fatigue and work overload is a frequent complaint that remains untackled.
20. ISSUE: Holistic view of ICANN	LOW						
21. ISSUE: Terms	HIGH*					5,6,7,8,17	
ISSUE: 5,6,7,8,17 & 21	HIGH*					5,6,7,8,17,21	**Joint comment for Issues 5,6,7,8,17 & 21. The RrSG is proposing these issues for consolidation as they are all essentially structural issues that disproportionately affect regions outside of North America (NA) and Europe (EU). There is a known lack of representation from these regions, for various reasons around language, culture, industry activity and time zones. For example, both the EPDP & GNSO Council only have a few members from the Asia Pacific (APAC) region (2 out of 25 in the EPDP, both from Egypt, & 3 out of 21 in GNSO Council). Although geographic diversity is technically being met, such small numbers mean that they do not actually reflect the cultural diversity of a region that spans from Egypt to Australia. One of the risks with ICANN activities (including PDPs) moving to the representative model, as is used currently in the EPDP, is that the status quo of dominant NA & EU participation will be perpetuated. There is a clear need to bring in more new people from the non NA & EU regions and sufficiently support their development within ICANN so that they are actually able to meaningfully participate in, and contribute to, ICANN activities.