

Distribution	Public
Date	4 August 2020

Governmental Advisory Committee Comments Regarding Enhancing the Effectiveness of ICANN’s Multistakeholder Model – Next Steps

Introduction

The ICANN Governmental Advisory Committee (GAC) welcomes the opportunity to provide comments on the 4 June 2020 paper entitled **Enhancing the Effectiveness of ICANN’s Multistakeholder Model – Next Steps** (hereinafter “the Next Steps Paper”) released for public review and comment (see - <https://www.icann.org/public-comments/multistakeholder-model-next-steps-2020-06-04-en>).

The Next Steps Paper provides a thorough assessment of current community-wide work efforts that can be leveraged to effect potential improvements to the overall operations of the multistakeholder model (MSM) as practiced by the ICANN community. The Next Steps Paper suggests a number of “next steps” that will productively balance progress on that evolutionary effort with the current workload demands of community members.

I. General Overview Comments

The GAC appreciates the substantial time and attention that the ICANN org staff has devoted to this assessment and proposed work plan. The Next Steps Paper effectively articulates a reasonable plan of work that focuses on three top-priority work areas, describes the overall status of existing work efforts, and suggests a path toward addressing gaps in those areas - including proposed work processes or mechanisms, how they may be applied and which groups may be best positioned to lead those efforts. The GAC supports much of the assessment and gap analyses provided in the Next Steps Paper and in this brief document offers comments and observations that expand on and clarify that support.

The GAC generally supports the overall Work Plan concept proposed in the Next Steps Paper and acknowledges the value of directing current community energies to the top three priority areas identified. The GAC also supports the plan to continue to support other work areas defined by the community in the course of existing work at existing commitment levels.

Using a declarative bullet-point format that seems to have been effective in its previous community comments on this work effort, the GAC provides its views on how existing community, ICANN org and Board work efforts can be leveraged to address the Next Step Paper priorities.

II. Work Plan Feedback

- The GAC appreciates how the Next Steps Paper thoroughly identifies existing work efforts that are consistent with the MSM evolution. It is appropriate to recognize that relevant parts of the community will continue to engage in their current work efforts “which holistically lend themselves to addressing each of the priorities.” (see Next Steps Paper at page 7)
- The GAC agrees with the ICANN Board assessment that by limiting immediate “next steps” to three priority work areas and leveraging existing work efforts, a necessary workload balance can be achieved that will result in incremental evolutionary enhancements and improved efficiencies to the MSM, which will benefit everyone’s future work.
- The GAC agrees that the actions proposed in the Next Steps Paper should not unduly burden the community and could have a materially positive impact on evolving the MSM.
- The GAC supports the three Priority Work Areas identified in the Next Steps Paper as:
 - A. Prioritization of Work and Efficient Use of Resources
 - B. Precision in Scoping the Work
 - C. Consensus, Representation, and Inclusivity

A. *Prioritization of Work and Efficient Use of Resources*

1. Work Area Description:

- The GAC notes that while insufficient prioritization of work is not the cause of all observed community inefficiencies, if properly managed, overall prioritization of community work efforts can have a significant positive impact on the efficient use of resources to address the most important issues identified by the ICANN community (see Next Steps Work Paper at page 9).
- The GAC notes that a number of communities are very effective in developing their own internal priorities and work plans, but agrees that some measure of community coordination of various individual community priorities is necessary.
- GAC Members agree that there needs to be a process that more effectively engages all the resources of the volunteer community and gives community leaders the tools they need to effectively prioritize work and make trade-offs where necessary.
- The GAC agrees that sometimes even determining what is not a priority can be difficult and requires a thorough understanding of the issues. Without improved prioritization, ICANN org

and the ICANN community may have the tendency to try to do everything all at once - each valued with the same sense of urgency.

- The GAC agrees that progress in this work area can help to provide consistency and structure to community discussions to enable better prioritization of the work and efficient use of ICANN community resources.

2. Work Currently Underway:

- The GAC agrees that existing community and ICANN org work efforts can go a long way toward addressing elements of the prioritization structure that many envision.
- Rather than establishing a separate bureaucratic exercise, the GAC believes community prioritization guidance and direction should be incorporated into each year's annual operational planning effort by leveraging a number of existing work efforts already being managed by various aspects of the community.
- The GAC agrees that there are quite few existing community efforts that can provide valuable leverage in helping to gather the information needed to inform this annual prioritization effort under the umbrella of or related to the current Operational Planning Process managed by ICANN Org. These various efforts could include; SO/AC Leadership Engagement – the regular gathering of the SO-AC Chairs (managed by the Community and facilitated by ICANN Org); Board Prioritization Work (managed by the Board); CEO Goals and Cascading Goals (managed by ICANN Org); Improving Communications Between ICANN Org and the Community (managed by ICANN Org); and Improving ICANN Public Meeting Planning to Enhance the Effectiveness and Efficiency of Community Work (collaboratively managed by ICANN Org and the Community).

3. Addressing the Work Area Gaps:

a) Gap in Community-Developed Processes for Prioritization and Retiring Work

- The GAC agrees that while the existing community work efforts identified in the Work Plan may address many of the concerns regarding this work area, some gaps remain and may require new or different approaches to address them (see Next Steps Paper at page 12).
- The GAC recognizes that, “It will be important for these community structures and groups to reach cross-community agreement on how to prioritize those projects and programs that affect multiple groups. The progress on such cross-community agreements will determine the degree to which this issue and gap are addressed.” (see Next Steps Paper at page 12)
- Frankly, the GAC has found that a number of cross-community efforts have worked well recently (e.g., New gTLD Subsequent Procedures and GDPR EPDP Phase 2 under the auspices of the GNSO) where any difficulties experienced regarding the timing of the work or the challenges of achieving consensus have been more the product of different community goals, positions and views rather than as a consequence of misaligned prioritization.

- GAC Members trust other communities to prioritize the issues, topics and work projects important to them within their own communities. All communities benefit from knowledge about the priorities of other communities and from collaborating to identify and agree on common priorities.
- The GAC agrees with the proposal to utilize the existing framework of SO-AC Leadership engagement to conduct regularly-scheduled meetings among the SO/AC Chairs and meetings, as needed, with ICANN org and Board leadership to discuss matter of prioritization (see Next Steps Paper at page 12). Leveraging this existing framework could feature an annual or biannual true-up process or clearinghouse for community leaders to share goals and work priorities. Such a framework would be of great value for inter community information sharing and would allow the Community, ICANN Org and the Board to identify and agree on the top priority matters that may require focused community efforts over the course of any given fiscal year.

b) Gap in Community Alignment on Cost Management and Budget Allocations

- The GAC agrees that it might be helpful for the community to look at ways to improve engagement between the community and with ICANN org as early as possible in the budget and planning process to facilitate a common understanding of needs and priorities. As suggested, this could also be managed through the existing SO-AC Leadership engagement structure.

B. Precision in Scoping the Work

- The GAC agrees that, “In the ICANN ecosystem, there is no current common, disciplined approach to scoping work. This contributes to the inefficient use of resources, delayed decision-making, and volunteer burnout.” (see Next Steps Paper at page 13).
- The GAC agrees that this MSM effort can “facilitate the creation of a consistent process for scoping by building on the work already underway and considering its impact with the actions suggested to address gaps” (see Next Steps Paper at page 13).

1. Work Currently Underway:

a) PDP3.0

- The GAC recognizes the value of the PDP 3.0 effort, but community experience with the recent EPDP Phase 2 (for example) underscores the “scoping” challenge. It seems that even when a PDP is chartered and the work is scoped, the different aspects of various sub-issues can unintentionally throw the process off track.

b) Streamlining Reviews

- In the area of reviews, scoping can be quite useful in narrowing the extent of inquiries, but it may or may not be advisable for independent organizational reviews to be restricted in the areas of their inquiries.
- The GAC agrees that, “The Bylaws-stated review scope is broad and open to interpretation; this often leads to debates within the review team and difficulty in developing a focused scope of work” and “currently, there is no incentive to limit the scope to pressing issues, leading to repercussions for workload, number of recommendations issued, and the need to prioritize the sizable inventory of implementation work” (see Next Steps Paper at page 14).

2. Addressing the Gaps:

- The GAC agrees with the ICANN Board plans to “streamline the way reviews will be conducted in the future, in alignment with the recommendations from the ATRT3 and community input, and guided by the existing Operating Standards for Specific Reviews” and understands that this is expected to include a process for collaborative prioritization of community recommendations (see Next Steps Paper at page 15). It is the GAC’s understanding that this approach would only impact how reviews are managed and would not implicate the periodic review periods for those reviews as they might otherwise be mandated by the Bylaws of the Affirmation of Commitments.
- The GAC agrees that the following suggested actions would substantially benefit the establishment and management of all review efforts going forward:
 - Develop a standard process to enable the SO/ACs to monitor the progress of the review team, as required in 3.7 of the Operating Procedures. This would also provide an opportunity for the SO/ACs to ask questions and/or provide input on the work as it develops, rather than later in the process. (see Next Steps Paper at page 16)
 - Review teams to categorize recommendations by high, medium, or low priority, as encouraged in 4.1 of the Operating Standards. (see Next Steps Paper at page 16)
 - The ICANN org Staff to provide an orientation briefing to each new review team on the Operating Standards as part of its project management support and facilitation duties at the start of the review. (see Next Steps Paper at page 16)
- GAC also agrees with operating standards for specific reviews including suggestions to enhance existing actions like:
 - Formally document acknowledgement that review team members are in receipt of, understand, and agree to be held accountable to the Bylaws-mandated Operating Standards (see Next Steps Paper at page 16); and to
 - Create a standard process for documenting and acknowledging when the review team has shared its defined scope of work, or any amendments to it, with the SO/AC leadership that appointed them. (see Next Steps Paper at page 16)

C. Consensus, Representation, and Inclusivity

1. Work Area Description:

- The GAC agrees that achieving consensus is a critical step in ICANN’s multistakeholder model to produce policies and other work in an effective, efficient, and timely manner.
- GAC members acknowledge that community input throughout this process has indicated that, on occasion, for a number of reasons, the ICANN community has had difficulty reaching consensus in policymaking and other work processes. These various reasons can include - lack of incentives for stakeholders to compromise; participants not having authorization to compromise, a lack of understanding of consensus, the skills of working group Chairs, and their ability to address capture tactics, as well as a zero-sum game approach to policymaking and other work. (see Next Steps Paper at page 17)
- The GAC also acknowledges that “the community has struggled at times with the concept of representation and inclusiveness, and in allowing as many voices as possible to be heard in a process while also advancing the work in a timely manner.” (see Next Steps Paper at page 17)
- The GAC agrees that “the development of an approach or solution to clarify how representation and inclusivity can be effectively applied and how consensus can be more effectively facilitated is critical to improving the effectiveness and efficiency of ICANN’s multistakeholder model.” (see Next Steps Paper at page 17)

2. Work Under Way:

- Among the various initiatives the Next Steps Paper identifies as “currently underway”, the GAC believes that each represents a piece of an overall existing community framework that can, collectively, play a role in improving the effectiveness and efficiency of the ICANN MSM.
- The GAC is committed to its own Workstream 2 (Accountability and Diversity) implementation efforts that should help the committee increase participation and engagement within its own operations while improving the information sharing with other communities through improved accountability and transparency.
- The GAC acknowledges that while work still needs to be done, the PDP 3.0 effort is beginning to show a payoff on the investments made to the effort through improved clarity of working group expectations, streamlined processes and helping participants to achieve clarity in their shared goals, regardless of the topic being explored. GAC Members also look forward to collaborating with the GNSO to share the benefits of the new Consensus Playbook’s knowledge base within the GAC and to a wider audience of their governmental colleagues.
- The GAC also generally supports further bolstering of existing efforts by the NomCom Implementation Working Group and the ICANN Fellowship Program that will expand global promotion of the ICANN multistakeholder community to wider audiences by informing and

encouraging talented people around the world to join the ICANN community and contribute to its work in various ways.

- Finally, the GAC recognizes the strong knowledge and content foundation that has been created by the ICANN Learn platform. That platform has created a solid base from which additional materials, curriculum and content can be developed to help inform, engage and deepen informed community participation in ICANN’s work.

3. Addressing the Gaps:

- The GAC agrees that plans should be developed for how to individually and collectively leverage the GNSO PDP 3.0 effort, the new Consensus Playbook and the ICANN Learn platform in a coherent manner to help educate community members about the information, content and materials that are already available so that they can be used more broadly.
- Some combination of general information and targeted community “in-reach” should also be explored, and potentially planned and tracked by the SO-AC Leadership Group.

III. Remaining Work Areas

A. Complexity of the Tools to Access Information and Data and Content

- The GAC believes the seven information and data platforms and current work efforts identified in the Next Steps Paper offer a substantial set of options and resources that can be used to leverage opportunities to streamline and clarify existing information, data and content streams while considering new approaches to help improve the scope, depth and clarity of information available to community members and others.

B. Culture, Trust, and Silos

- GAC Members have observed that the recent openness exhibited by the ccNSO and GNSO to adopt working methods that increased opportunities for cross community participation in working groups managed by those groups can substantially improve information and communication between all ICANN communities.
- Efforts by individual communities, like the GAC, to engage in collaborative dialogue with other communities (e.g., the ALAC, ccNSO and GNSO) further demonstrate that proactive outreach can improve trust and help to foster a culture of information exchange and collaboration.

C. Roles and Responsibilities of ICANN Board, Org, and Community

- In addition to bilateral and multilateral exchanges between community groups, the GAC has seen substantial value in bilateral discussions with ICANN org senior executives as well as Board members through the Board GAC Interaction Group. These exchanges continue to pay

dividends through increased communications flow and information exchange that help clarify roles and responsibilities of all parties.

IV. Conclusion

The Next Steps Paper provides an excellent assessment of the next step priorities for this important MSM evolution effort and offers a useful inventory of existing ICANN initiatives that can be leveraged to help forward the strategic work. The GAC appreciates the Board's sensitivities to the workload demands on the community and appreciates the thoughtful approach outlined in the Next Steps Paper, which offers a way forward that balances progress with ongoing community workload demands.

#