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Next Steps to Improve the Effectiveness of ICANN's Multistakeholder Model

Dear Eleeza ,

The Generic Names Supporting Organization (GNSO) Council welcomes the opportunity to provide input on the "Next Steps to Improve the Effectiveness of ICANN's Multistakeholder Model" document.

This statement is made on behalf of the GNSO Council. However, our comments are intended to complement, and not replace, any input that may be provided by individual GNSO Stakeholder Groups and Constituencies.

Throughout the "Next Steps to Improve the Effectiveness of ICANN's Multistakeholder Model" document, the work undertaken by the GNSO Policy Development Process 3.0 (PDP 3.0) initiative has been mentioned multiple times as a potential "solution" to address some of the issues facing ICANN's multistakeholder model. To help the ICANN community better assess whether our PDP 3.0 work sufficiently addresses those issues referencing PDP 3.0, we hereby provide a status update on the PDP 3.0 implementation, as well as details of our proposed approaches to tackle those issues.

PDP 3.0 Background

PDP 3.0 is a GNSO Council initiative aimed to enhance the efficiency and effectiveness of GNSO policy development processes. The initiative started in 2018, when over the course of several discussions, the GNSO Council identified a number of challenges and possible improvements related to GNSO PDP working groups. These challenges and opportunities were documented in a [staff paper](#), shared on 10 January 2018 and deliberated at the GNSO Council's 2018 Strategic Planning Session.

In order to engage the broader GNSO community in this discussion, the GNSO Council organized a [collaborative session](#) involving the PDP working group leadership and the broader community. On 11 May 2018, an [updated paper](#) was prepared, taking into account feedback received. The Council also solicited [additional input](#) from the GNSO Stakeholder Groups and Constituencies.

On 24 October 2018, the Council [resolved](#) to adopt the PDP 3.0 [Final Report](#). The Final Report recorded a total of seventeen (17) improvements. Fourteen (14) out of the seventeen (17) improvements received full support from the GNSO Council, and these are:

Improvement #1: Terms of participation for working group members

Improvement #2: Consider alternatives to open working group model

Improvement #3: Criteria for joining of new members after a PDP working group is formed or rechartered

Improvement #4: Capture vs. consensus playbook

Improvement #5: Active role for and clear description of Council liaison to PDP working groups

Improvement #6: Document expectations for working group leaders that outlines role & responsibilities as well as minimum skills / expertise required

Improvement #9: Provide further guidance for section 3.6 (Standard Methodology for Decision Making) and clarification of section 3.7 in the GNSO Working Group Guidelines

Improvement #11: Enforce deadlines and ensure bite size pieces

Improvement #12: Notification to Council of changes in work plan

Improvement #13: Review of working group leadership

Improvement #14: Make better use of existing flexibility in PDP to allow for data gathering, chartering and termination when it is clear that no consensus can be achieved

Improvement #15: Independent conflict resolution

Improvement #16: Criteria for PDP working group updates

Improvement #17: Resource reporting for PDP working groups

The GNSO Council developed a draft implementation plan for these fourteen (14) improvements. The [Implementation Plan](#), which details the proposed next steps, timing, and parties responsible for the implementation, has been converted into a live Google Document to help the Council keep track of its progress. In addition, the Council also agreed to trial some of the improvements in the Expedited Policy Development Process on the Temporary Specification for gTLD Registration Data Team (EPDP Team) in advance of other GNSO PDP working groups.

Implementation Status Overview

At the GNSO Council's January 2019 Strategic Planning Session, the Council decided that a [small team](#) of Councilors should be convened to support the implementation efforts. That small team first convened at ICANN64 in Kobe, Japan and has been meeting regularly since April 2019 -- biweekly before ICANN65 and weekly after ICANN65. Designated small team leads have been working with GNSO support staff to tackle the implementation of each improvement.

The PDP 3.0 implementation requires not only the completion of proposed documents, processes, and tools that carry out the improvements, but also the deployment of the improvements.

While the small team of Councilors are responsible for developing the proposed implementation for each improvement, the full GNSO Council must provide input and approval, and confirm the effective dates to deploy the implementation of the improvements. The Council aims to complete the implementation for all fourteen (14) adopted improvements by the 2020 Strategic Planning Session at the end of January 2020.

The small team decided to deliver the proposed implementation documents to the GNSO Council in an incremental manner. The improvements that shared a common theme or completion timeline are packaged together, as illustrated in the graphic below.

**Fourteen (14) PDP 3.0 Improvements****1**

- #1 Terms of participation for WG members
- #2 Alternatives to open Working Group model
- #3 Criteria for joining of new members
- #6 Expectations for Working Group leaders

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- #11 Enforce deadlines & ensure bite size pieces
- #12 Notification to Council of change in work plan
- #14 Criteria to evaluate request for data gathering
- #16 Criteria for PDP Working Group updates

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- #13 Review of working group leadership
- #5 Active role for and clear description of Council liaison to PDP Working Groups

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- #9 Provide further guidance for section 3.6 and clarification of section 3.7
- #15 Independent Conflict Resolution

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- #17 Resource reporting for PDP Working Group
- #4 Capture vs. consensus playbook

As of today, the GNSO Council has received proposed implementation documents for eight (8) out of fourteen (14) PDP 3.0 improvements from the small team. Package 1 improvements (#1, #2, #3, #6) -- which are related to the expectations and requirements for PDP working group members and leaders -- were delivered to the GNSO Council on [13 August 2019](#). Package 2 improvements (#11, #12, #14, #16) -- which are related to the project management of PDP working groups -- were delivered on [25 September 2019](#).

Implementation for the rest of the six (6) improvements are in the pipeline with various levels of progress. The Council expects the small team to deliver the proposed implementation documents for improvements #5, #9, #13, and #15 before ICANN66 and to finish improvements #4 and #17 before the 2020 GNSO Council Strategic Planning Session. See the target dates for package delivery in the graphic below.

Target Dates of Package Delivery



Proposed Implementation Details

The “Next Steps to Improve the Effectiveness of ICANN’s Multistakeholder Model” document notes that GNSO PDP 3.0 is developing solutions that may help address issues 2, 3, 5, and 7. In the following sections, we would like to highlight the related PDP 3.0 improvements for each of these issues, as well as their proposed implementation (if already delivered to the GNSO Council). We hope this information will help the ICANN community assess whether the PDP 3.0 implementation work sufficiently addresses those issues.

Issue 2 - Precision in Scoping Work

The following PDP 3.0 improvements are related to this issue:

#11 Enforce deadlines and ensure bite size pieces: *Ensure clear expectations concerning deliverables as well as a manageable scope of work. A PDP should have a narrow scope and, in those cases where a subject is broad, it needs to be broken into manageable pieces to make the deadline pressure more understandable and achievable. This may require a more regular use of a drafting team to prepare a charter for Council consideration. There is a need for pressure, but it must be coupled with limited scope, so that pressure for data and dependency would be able to produce results. This would also require the Council to regularly review PDP working group work plans.*

#12 Notification to Council of changes in work plan: *Enhance accountability of PDP working groups and oversight by GNSO Council; require PDP working groups to notify the Council when a work plan, and in*

particular the expected delivery dates for the different PDP milestones, are revised with a rationale for why these changes were made and how this impacts interdependencies.

#16 Criteria for PDP working group updates: *Ensure standardized set of information provided by PDP working groups. GNSO Council to provide criteria for information that needs to be provided by PDP working group leadership teams as part of their updates to be in a position to closely track progress and identify issues at an early stage. This would include a requirement for a PDP working group to provide early warning as well as identify potential risks that could hamper progress.*

The GNSO Council is currently reviewing the following proposed implementation elements for those improvements:

GNSO project work product catalog (a list of staff-managed work products to help document and guide the progress of a working group from start to finish):

<https://docs.google.com/document/d/16eBQcZeM6kQTcqdcanhLch7Kx2jtEqBOgG9Wzzjd3pY/edit?usp=sharing>

Next generation project list (a tool to help the GNSO Council evaluate the appropriate health of Council-managed projects in terms of their schedule, tasks, activities, action items, and risks):

https://drive.google.com/a/icann.org/file/d/1nS3wll_wwK_QdUd_lfPmCMaFNxglv_zr/view?usp=sharing

Project status and condition change procedure (a process to assist working group and Council leadership in assessing the state of a project and determining when disruptions require Council attention):

https://docs.google.com/document/d/1naGzZPVTiqG0uj0voKfveOys1CYmVAZ6N_zeMbJvOQI/edit?usp=sharing and **Flowchart:**

https://drive.google.com/a/icann.org/file/d/1AIRs7ZSz9tG2zbAP0V-JJ_Cw9iCaxKWJ/view?usp=sharing

Project change request form (a formal request to the GNSO Council to modify any deliverable or baseline delivery date of a working group): https://docs.google.com/document/d/1nV2F1vbNoworkinggroupszJvoJQ0JzXslvJFXOtCbVworkinggroup0apX_DiQ/edit?usp=sharing

Please note that the above proposed implementation is not limited to GNSO PDP working groups. These documents, tools, and processes are intended to apply to the GNSO Council-managed projects widely, including scoping teams, drafting teams, non-PDP working groups, etc.

As part of the “trial run” for improvement deployment, the “next generation project list” has been presented to the GNSO Council during its September 2019 meeting. The next steps are for the Council to review those projects that are not “On-Schedule” or “On-Track”, as indicated in the project list, and determine a course of action to return them to a healthy status and condition. Such review should occur on a monthly basis.

In addition, the EPDP Team Phase 2 serves as a pilot for the “GNSO project work product catalog”, as they have already been using these [proposed work products](#) to keep track of their work.

Issue 3 - Efficient Use of Resources and Costs

The following PDP 3.0 improvements are related to this issue:

#14 Criteria to evaluate request for data gathering: *Make use of existing flexibility in PDP procedures to ensure that each PDP is set up for success from the outset, and provide regular opportunities for Council to evaluate a PDP's progress with the power to initiate termination if required. The existing PDP procedures provide for a lot of flexibility with regards to work that is undertaken upfront, such as data gathering to establish whether there is really an issue that needs to be addressed, chartering - creation of a charter drafting team to ensure that the charter questions are clear and unambiguous but also the ability to terminate a PDP in case of deadlock. As the manager of the PDP, the GNSO Council should make optimal use of this flexibility to facilitate its role as a manager of the PDP as well as setting up PDP teams as best as possible for success. Care should be taken that PDPs are not used to prove / disprove theories – such information should be gathered beforehand*

#17 Resource reporting for PDP working group: *Allow for resource tracking and oversight, enhancing accountability. Require PDP working groups to provide regular resource reporting updates to allow for a better tracking of the use of resources and budget as well as giving leadership teams the responsibility for managing these resources.*

The GNSO Council is currently reviewing the following proposed implementation elements for Improvement #14:

Checklist: criteria to evaluate request for data gathering (a tool to assist PDP working group in performing its due diligence before submitting a data gathering request to the GNSO Council):
https://docs.google.com/document/d/1NLk5GurwrVFAjY0foUGCNxfcaz_MfXYaBvZ-UdVgG5M/edit?usp=sharing

Regarding Improvement #17, the GNSO Council is expected to receive the proposed implementation shortly after ICANN66 Montreal. The small team needs to complete several actions, primarily around collecting information for budget and resource allocation to PDPs, which is expected to aid the Council in understanding its capacity and prioritizing its workload pipeline accordingly.

Issue 5 - Representation, Inclusivity, Recruitment, and Demographics

The following PDP 3.0 improvements are related to this issue:

#1 Terms of participation for working group members: *Ensure that working group members are committed to working together to find consensus, respecting the ICANN standards of behavior. Require those joining a working group to sign up to a working group member terms of participation outlining the commitment expected from working group members as well as the expectation with regards to multi-stakeholder, bottom up, consensus policy development. This could also include, in certain cases, expected knowledge/expertise required to participate (with options being provided to those not having the requested knowledge/expertise to obtain relevant knowledge expertise). Different levels of commitment could be attributed to full membership versus observer status.*

#2 Consider alternatives to open working group model: *Identify and document the basic characteristics of various model(s) (including current open model, EPDP Team Composition, Review Teams) that balance representation, inclusivity, expertise, empowerment, accountability and participation. The PDP Manual provides the flexibility to consider different types of PDP Team structures, for example, reference is made to working group, task force, committee of the whole or drafting team. To ensure representation as well as*

empowerment of working group members, different team structures should be considered, for example, having members designated by SO/AC/SG/Cs while individuals can join as participants or observers. This model has worked efficiently in recent Cross-Community Working Groups. At the same time, there may not be a one-size fits all model, so different alternatives should be explored so that the best fit approach for each PDP can be utilized.

#3 Criteria for joining of new members after a PDP working group is formed or rechartered: *Limit disruption as a result of members joining after the working group has already been engaged in deliberations for quite some time but allow for flexibility in case new volunteers bring new perspectives or are currently underrepresented in the working group. Consider how to efficiently and effectively upskill new PDP working group members joining after the PDP has commenced its work.*

#5 Active role for and clear description of Council liaison to PDP working groups: *Ensure optimal use of GNSO Council liaisons to PDP working groups. Ensure that there is a clear understanding with regards to the role of the Council liaison and how he/she can assist the working group leadership. This may require PDP working group leadership teams to actively involve the liaison in leadership/preparatory meetings.*

#6 Document expectations for working group leaders that outlines role & responsibilities as well as minimum skills / expertise required: *Ensure clear understanding of what the role of a working group chair entails as well as what are considered some of the qualifying skills and criteria. The GNSO working group guidelines provide a general description of the role of a working group chair, but this is not generally considered in working group Chair selection processes. working groups would benefit from a more detailed description of the role and responsibilities, including expected time commitment of a working group chair. This could then be coupled with a list of skills and expertise that would also be desirable. This would be helpful for working group selection of, and potential candidates for, leadership positions. working group Chair(s) would be expected to sign off on this job description and agree to the role & responsibility as outlined, and would also serve as a means to hold the Chair accountable to the working group. Similarly, it could be indicated whether there are any incompatibilities that should be considered such as whether someone can be in a leadership role in multiple PDPs at the same time.*

#13 Review of working group leadership: *Allow for regular review of PDP leadership team to be able to identify early on potential issues. Despite running possibly for multiple years, there is currently no system in place that allows for the regular review of the functioning of PDP working group leadership teams. The Council could run an anonymous survey amongst the PDP working group to obtain feedback on the working group Chair(s) on a regular basis to facilitate its role as a manager of the PDP. Similarly, there is no process in place that allows a working group to challenge and/or replace its leadership team.*

The GNSO Council is currently reviewing the following proposed implementation elements for improvements #1, #2, #3, and #6:

Statement of participation (a document seeking affirmative commitment from working group members before they can participate in a working group; the EPDP Team also serves as a pilot for this implementation): https://drive.google.com/a/icann.org/file/d/1bs_bQwIT0JvDIworkinggroupaj0FV2A_bbX02EptU/view?usp=sharing

A comparison table of working group models (a document that identifies three policy working group models, notes aspects for consideration during working group formation, and lists elements of different models that can be mixed and matched):

https://drive.google.com/a/icann.org/file/d/1N-U9dvu_IBkW1FvpGY_aGr0uW6VZTW9Y/view?usp=sharing

Criteria for joining of new members (a document that provides additional clarifications for the GNSO Working Group Guidelines and outlines factors that a working group should consider in determining whether to accept new members after the start of the effort):

<https://docs.google.com/document/d/1qp7rv4wB8TNzkPdi5yuKlpfijgt81CIOZsq4EcA5QEg/edit?usp=sharing>

Working group member skills guide (a living document that lists resources, tips, and suggestions that help ensure new members are sufficiently prepared for full participation in a working group):

https://docs.google.com/document/d/14uAsBg0_BnhJ6nqjitsHutm1AcFKhRsa4VAsR-WtMKI/edit?usp=sharing

Expectations for working group leaders (a tool to facilitate the working group's selection and review of its leadership positions and help a working group and the Council hold its leaders accountable):

https://docs.google.com/document/d/1DxRS7jYHh1i5USyrr0wP6dpJhQjRqrMnnT_xWuzhSqU/edit?usp=sharing

New liaison briefing and liaison handover (a tool to assist a new GNSO Council liaison to a PDP working group in getting up to speed with the liaison role and responsibilities generally, but also specific to the particular PDP):

<https://docs.google.com/document/d/1zXDPAjpl-S3bOHuNY4EnJhigHpJQzhNNAD4NcXIDC4o/edit?usp=sharing>

In mid October 2019, the GNSO Council is expected to review the proposed implementation for Improvement #13, as well as additional proposed document(s) for Improvement #5.

Regarding Improvement #13, the "Next Steps to Improve the Effectiveness of ICANN's Multistakeholder Model" document mentions that "The GNSO PDP 3.0 Implementation Plan aims to commence a practice of appointing working group leadership for a 12-month period, and require reconfirmation by the working group to continue for subsequent 12-month periods". While this practice is noted as a possible implementation step in the PDP 3.0 Implementation Plan, the small team of Councilors are still in the process of developing their suggested approach. Currently, they are working on a regular review process of PDP leadership by the GNSO Council, including a survey to be completed by working group members as part of the review.

Regarding Improvement #5, as part of the "dry run" for improvement deployment, the "new liaison briefing and liaison handover" document has already been used during the liaison handover call for the New gTLD Subsequent Procedures PDP and Review of All Rights Protection Mechanism for All gTLDs PDP. Currently, the small team is developing a list of PDP milestones at which the working group leadership should consider using the GNSO Council liaisons. They recently met with current and former GNSO Council liaisons to PDP working groups to gather input.

Issue 8 - Consensus

The following PDP 3.0 improvements are related to this issue:

#4 Capture vs. consensus playbook: *Empower working group chairs with additional tools and support to ensure effective and efficient leadership. A playbook or expansion of the GNSO Working Group Guidelines to help working group leaders, members, or participants identify capture tactics as such, along with a toolkit of possible responses to help the working group get back on track without escalating the situation. Example: “Die in the ditch” test - is this a position you are willing to die in a ditch for or is it just an opinion that you are expressing, and you are happy to move on if no one else supports that opinion?*

#9 Provide further guidance for section 3.6 (Standard Methodology for Decision Making) and clarification of section 3.7 in the GNSO Working Group Guidelines: *Ensure there is clarity around how consensus is established and what tools can be used in that regard. Provide further guidance for working group Chairs and working group membership with regards to what is consensus, how consensus designations are made and what tools can or cannot be used. Similarly, further guidance may be welcome in case there is an appeal under section 3.7 that would result in a faster response to allow a working group to move forward more efficiently during and after the appeal process. Lessons could potentially be learned from other organizations applying consensus as a decision-making methodology or techniques learned during the ICANN leadership academy program concerning mediation and consensus building.*

#15 Independent conflict resolution: *Provide additional mechanisms for conflict resolution for those cases where existing tools have not delivered results. In those cases where conflict in working groups is preventing progress and/or existing conflict mechanisms have been exhausted, the Council should have access to independent conflict resolution and/or mediation experts.*

In late October 2019, the GNSO Council is expected to review the proposed implementation for Improvements #9 and #15. The small team of Councilors intend to tackle these two connected improvements together, taking into account the Council’s previous experience when Section 3.6 and Section 3.7 of the GNSO Working Group Guidelines were invoked. The small team is currently working on enhancing the PDP appeals process for working group members to challenge the chair’s consensus designation, as well as considering the possible establishment of a panel of volunteer mediators to deal with conflicts.

To implement Improvement #4, the small team [drafted](#) an Additional Budget Request (ABR) to obtain funding from ICANN org for an external expert to develop the “Consensus Playbook”. The Consensus Playbook will serve as a structured guidance that helps working group leadership carry out consensus building process in an effective manner. After the ABR approval, ICANN org launched a Request for Proposal, seeking potential vendors to conduct this work. It is now in the process of contracting with a potential vendor. Furthermore, the staff-drafted [briefing document](#) that explains the concept of “consensus”, which is part of the Improvement #9 implementation, will serve as a reference material for developing the Consensus Playbook. GNSO Council expects to receive the Consensus Playbook before its Strategic Planning Session in January 2020.

Consultation Mechanism

The GNSO Council is grateful to ICANN for this opportunity to share an update on the PDP 3.0 Implementation, and we trust you will find our information helpful in assessing whether PDP 3.0 sufficiently addresses the challenges facing ICANN's multistakeholder model.

We welcome feedback and input for the proposed implementation for PDP 3.0 improvements, and our consultation mechanism is threefold:

- 1. GNSO Council:** In addition to GNSO Councilors providing feedback via the Council mailing list after receiving each package of improvements, a special purpose webinar or an extraordinary Council meeting will be held after ICANN66. The goal of this webinar/Council meeting is to help GNSO Councilors, especially the incoming Councilors, get up to speed with the PDP 3.0 implementation and solicit their targeted input.
- 2. GNSO community:** We encourage GNSO Stakeholder Groups (SGs) and Constituencies (Cs) to read this GNSO Council statement. Members of the SGs/Cs are also welcome to provide their feedback for the proposed implementation to the GNSO Council via their Council representatives.
- 3. Wider ICANN community:** We plan to send outreach letters to other Supporting Organizations (SOs) and Advisory Committees (ACs), inviting community members outside the GNSO to provide input for selected improvements that will affect their participation in GNSO PDPs, but not the ones that are internal to the GNSO. Specifically, the PDP 3.0 improvements that we would welcome input from other SOs/ACs are:
 - Improvement #1:** Terms of participation for working group members
 - Improvement #2:** Consider alternatives to open working group model
 - Improvement #3:** Criteria for joining of new members after a PDP working group is formed or rechartered
 - Improvement #6:** Document expectations for working group leaders that outlines role & responsibilities as well as minimum skills / expertise required
 - Improvement #13:** Review of working group leadership

Finally, the GNSO Council is happy to answer any clarifying questions that you may have regarding the contents of this statement. We cordially invite the facilitator, Brian Cute, to meet with the GNSO Council during our working session at ICANN66 to further our dialogue on these two important, connected initiatives.

Yours sincerely,

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