



GNSO IMPROVEMENTS REPORT

Roberto Gaetano
BGC Chair

14 February 2008



GNSO Review, Improvements

- Part of ICANN's ongoing commitment to its evolution and improvement, which includes a comprehensive schedule for independent review of ICANN's structures, as well as of the Board.
- Reviews are intended to ensure an independent examination of the role and operation of key elements of ICANN.
- Subsequent development of recommendations to improve structures are guided by the Board Governance Committee (BGC) with extensive public input.



BGC GNSO Review Working Group (BGC WG)

- Members: Raimundo Beca, Vittorio Bertola, Susan Crawford, Tricia Drakes, Roberto Gaetano (Chair), Rita Rodin, Vanda Scartezini.
- Charter: Board charged BGC WG with recommending a comprehensive proposal to improve the effectiveness of the GNSO, including its policy activities, structure, operations and communications.
- Recommendations were developed after extensive consultation with community, GNSO constituencies, GNSO Council leaders, others.
- Report provides set of recommendations and details next steps for Board efforts to improve the GNSO.



Status, Next Steps

- GNSO Improvements Report was submitted to the full BGC and posted for public information on 4 February 2008 (See <http://icann.org/topics/gnso-improvements/>)
- The BGC acknowledged that the GNSO Review WG fulfilled its charter and forwarded the Report to the Board for action.
- On 15 February 2008, the Board will consider a resolution acknowledging receipt and requesting public comment.



BGC WG Objectives

- Maximizing the ability for all interested stakeholders to participate in the GNSO's processes.
- Ensuring recommendations can be developed on gTLD "consensus policies" for Board review, and that the subject matter of "consensus policies" is clearly defined.
- Ensuring policy development processes are based on thoroughly-researched, well-scoped objectives, and are run in a predictable manner that yields results that can be implemented effectively.
- Improving communications and administrative support for GNSO objectives.



Report's Key Recommendations

BGC WG achieved near consensus on comprehensive set of recommendations that addresses five main areas:

- Adopting a Working Group Model
- Revising the PDP
- Restructuring the GNSO Council
- Enhancing Constituencies
- Improving Communication and Coordination with ICANN Structures



Working Group Model

- Working group model should become the focal point for policy development and enhance the policy development process by making it more inclusive and representative, and – ultimately – more effective and efficient.
- Can be more constructive way of establishing areas of agreement than task forces, where membership is limited and discussion can become polarized along constituency lines.
- Enables key parties to become involved in the beginning and work together to address complex or controversial issues.
- Council appointment of skilled chairs and drafters, and proper scoping of the WG's objectives, will be key.
- Implementation requires developing appropriate operating principles, rules and procedures.



Policy Development Process

- PDP needs to be revised to make it more effective and responsive to ICANN's policy development needs.
- Should be brought in-line with time and effort actually required to develop policy, and made consistent with ICANN's existing contracts (including, but not limited to, clarifying the appropriate scope of GNSO "consensus policy" development).
- Procedure for developing "consensus policies" will need to continue to be established by the Bylaws as long as required by ICANN's contracts, GNSO Council and Staff should propose new PDP rules for the Board's consideration and approval that contain more flexibility.
- New rules should emphasize the importance of preparation before launch of a working group -- eg. public discussion, fact-finding, and expert research in order to define properly the scope, objective and schedule for a specific policy development goal, and the development of metrics for measuring success.



GNSO Council

- Council should move away from being a legislative body concerned primarily with voting towards becoming a smaller, more focused strategic entity.
 - Composed of four broad stakeholder groups
 - With strengthened management and oversight of the policy development process
 - Term limits for members of the Council
 - Elimination of weighted voting
 - Training and development curriculum for Council members

GNSO Council

- 19-person Council recommended consisting of 16 elected members, four from each of four stakeholder groups:
 - Two groups representing those parties “under contract” with ICANN -- registries (4 seats) and registrars (4 seats) -- referred to as “ICANN contracted parties.”
 - Two groups representing those who are “affected by the contracts” -- commercial registrants (4 seats) and non-commercial registrants (4 seats) -- referred to as “ICANN non-contracted parties.”
 - Three Councilors appointed by NomCom (pending conclusion of NomCom Improvement process).
- Current emphasis on formal voting should be significantly reduced.



GNSO Council

BGC WG Minority Views

- Explicitly recommend that "ICANN non-contracted parties" be apportioned into 5 seats for commercial registrants and 3 seats for non-commercial registrants.
- GNSO Council should have flexibility to propose alternative configuration of the stakeholder groups that comprise the "ICANN non-contracted parties" side, provided that such alternative is submitted with sufficient notice to permit the Board to vote on the proposal at the Paris ICANN meeting in June 2008. Conversely, if no alternative proposal is forwarded to the Board within this timeframe, the configuration proposed above should be implemented.



Enhancing Constituencies

- Constituency procedures and operations should become more transparent, accountable and accessible.
- Constituencies should work with staff to develop participation rules and operating procedures for all constituencies that set certain minimum standards regarding the importance of transparency and accountability.
- Criteria for participation in any ICANN constituency should be objective, standardized and clearly stated.
- Staff should work with each of the constituencies to develop global, targeted outreach programs aimed at increasing participation and interest in the GNSO policy process, including information on the option to self-form new constituencies.



Improving Communication and Coordination

- There should be more frequent contact and communication between the GNSO Council, GNSO constituencies and the members the Council elects to the Board, and among the Chairs of the GNSO, other Supporting Organizations (SOs) and Advisory Committees (ACs).
- Council and GNSO constituencies should consider additional ways in which the GNSO can further improve communication, cooperation and coordination with other ICANN structures.



BGC WG Aim: Balancing Interests to Benefit ICANN

- Report describes BGC WG recommendations and rationale in detail.
- Broad, strong support for changes in the functioning of the GNSO, based on input from GNSO participants and other members of the ICANN community; continued opposition to proposed stakeholder/constituency structure and allocation of Council seats.
- No magical set of proposals that could be received without controversy or opposition.
- Report provides BGC WG's best effort to balance all interests to formulate recommendations on the basis of what they believe can benefit the ICANN community as a whole.
- GNSO improvements process is evolutionary and is intended to reflect the importance of the GNSO to ICANN and to build upon the GNSO's successes to-date.



For more information, see:

www.icann.org/topics/gnso-improvements

