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ICANN73 GAC Discussion on the Global Public Interest Framework

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Guest speaker: Avri Doria, ICANN Board

7 March 2022
16:30 UTC

Agenda

1. Introduction on the GPI process
2. Board GPI Framework
3. ICANN73 Plenary session purpose and objectives
4. *Discussion:* Assessment of the GPI Framework and Exploration of potential GPI Framework process within the GAC

1. The Global Public Interest Process

Background - Current and Historic Documents

The global public interest (GPI) is central to many of ICANN's historic and current primary governance documents.

Operationalizing GPI remains a challenge, despite years of attempts to understand and define it within ICANN.

Bylaws
(June 2018)

"[...] ensure that the bottom-up, multistakeholder policy development process is used to ascertain the global public interest."

Articles of
Incorporation
(Aug 2016)

"[...] global public interest may be determined from time to time. Any determination of such global public interest shall be made by the multistakeholder community through an inclusive bottom-up multistakeholder community process."

Affirmation of
Commitments
(Sept 2009)

"[...] ensure that the outcomes of its decision-making will reflect the public interest and be accountable to all stakeholders."

Bylaws
(Dec 2002)

"Core values [...] Introducing and promoting competition in the registration of domain names where practicable and beneficial in the public interest."

GPI process and Framework

- General Public Interest - ICANN's primary governance documents
- 2019 - reflection started on a [framework](#) to incorporate the GPI into ICANN Board decision-making
- GPI framework - designed to focus on specific contexts/issues that require a decision of the ICANN Board.
- SSAD (ODA) was used as a pilot case
- Challenge - render the GPI framework operational
- FY23: “[The ICANN] community to decide whether the proposed [global] public interest framework can be used to demonstrate how specific recommendations, advice, and Public Comments are in the global public interest. Pilot to be completed in FY23.”

2. The Global Public Interest Framework *(Avri Doria, ICANN Board)*

Pilot Framework for Global Public Interest

Why

- Difficult to explicitly define GPI
- Requirement for Board decision making
- Requirement for Bottom Up Multistakeholder GPI determination
- Need for systematic method

What

- Use of implicit definition
- Links
 - To Article of Incorporation
 - To Bylaws
 - Historical context
- Community involvement
- No change to PDP process
- Still early in pilot

How

- Board use in decisions
- Org analysis in ODP
 - SSAD
 - SubPro
- Collection and analysis of community views
- Board discussion and consideration
- Evaluation after each use

Request to the Community

- Review and comment on the Framework
- Try using it and see how it fits into your processes
- Comment on its utility

Comments that refer to Framework categories would be most welcome and helpful.

3. ICANN73 Plenary Session: The *Global Public Interest Framework: Is it Useful?*

Objectives of the ICANN Plenary

- Understand how the GPI framework can be used by the ICANN Board and community in ICANN processes
- Discuss the SSAD pilot case
- Consider whether and how the framework could or should be adjusted

Overarching questions for GAC

- What are the pros and cons of the GPI Framework?
- How it could be improved?
- How the GPI framework could be applied in our GAC work?

Discussion

4. GPI Framework - Assessment and Exploration of the potential GPI Framework process within the GAC

QUESTIONS FOR DISCUSSION

- Pros and cons of the General Public Interest (GPI) Framework
- Does it respond to the Community needs? Do we need it? What for?
- How the GPI Framework could be improved or clarified ?
- Should it be mandatory?
- Is there a wider use of the Framework?
- Does the GAC see a benefit in using it? How we could apply it?
- How does it help meeting the requirements of the Articles of Incorporation? *“The “determination” of the “global public interest” shall be made “by the multistakeholder community through an inclusive, bottom-up, multistakeholder community process” (Aol 2.II)*
- What lessons could be learnt from the SSAD ODP Pilot?

Useful Reading

- [GPI Framework](#)
- [Appendix 2](#) of the SSAD ODP
- [GAC briefing paper](#) (log in)
- [Pre-ICANN72 update](#)