# Agenda Item 11: Meeting with Generic Name Supporting Organisation (GNSO)

## Issues

Agendas for GAC bilateral meetings of this type tend to change up until the last minute for a range of reasons. However, the following issues are likely to be raised:

1. Introduction to the role of the GNSO and its Policy Development Processes (PDPs), including possible incremental improvements to how PDPs operate (“PDP 3.0”).
2. Next steps on the ICANN Temporary Specification for GDPR Compliance.
3. GNSO PDP on New gTLD Subsequent Procedures: Progress in Work Tracks 1-4 and Work Track 5.

## GAC action required

1. **Introduction to the role of the GNSO and its PDPs**

GAC members, particularly those less experienced in the ICANN multistakeholder model, may wish to note the information on its role provided by the GNSO and seek clarification and further discussion as necessary.

The GAC has recently been briefed (Attachment A) on an internal “PDP 3.0” discussion paper aimed at improving the efficiency and effectiveness of GNSO PDP Working Groups. . The GNSO Liaison to the GAC has confirmed that GAC feedback on this would be welcome.

The GAC may wish to seek GNSO Council member views on the following:

* Given interdependencies across ICANN work, it would be helpful for discussion of the issues raised in the paper to be open to all community members.
* Organising PDP Working Groups on the CCWG model, with designated members from relevant SOs/ACs and others participating as individuals (Recommendation 2), would encourage: (a) improved accountability, efficiency and transparency; (b) a genuine community-wide perspective within PDPs; and (c) better and more informed GAC engagement with PDPs.
* In fact, some GAC members see this Recommendation as a precondition for meeting many of the other challenges noted (quality of discussion, consensus-building) as it would allow a group to gauge the level of support for particular positions in the wider community as opposed to those who turn up to a call.
* The measures proposed in the paper for better training of, and resources for, WG leaders and participants are helpful and sensible, and could build on the very good support already provided by GNSO staff.
1. **Next steps on the ICANN Temporary Specification for GDPR Compliance.**

The GNSO Council is considering options to provide a longer-term policy framework for the issues covered by the ICANN [Temporary Specification for gTLD Registration Data](https://www.icann.org/resources/pages/gtld-registration-data-specs-en). The most likely option is an Expedited Policy Development Process (EPDP). This is supported by the ICANN Board as the appropriate policy process under ICANN Bylaws. At the time of preparing this brief, the GNSO had not formally initiated the EPDP, nor determined if and how other SOs/ACs might participate.

This information will be updated closer to the meeting, as it is subject to continuing discussions among a range of parties.

1. **GNSO PDP on New gTLD Subsequent Procedures: Progress in Work Tracks 1-4 and Work Track 5.**

See separate briefing for Agenda Item 6.

The GAC may wish to ask GNSO Council members:

* Do they have a view on any link between the timelines for this PDP and ICANN initiating a new gTLD round?
* Could Work Track 5 (Geographic Names) holding its working sessions as open cross-community sessions at this ICANN meeting be seen as a test of this format for future meetings?

## Current Position

The GAC normally meets with the Chair and other members of the [GNSO](http://gnso.icann.org/en/index.htm) (Generic Names Supporting Organisation) Council at each ICANN meeting to discuss issues of common concern and identify methods for better co-operation. The current Chair of the GNSO Council is Dr Heather Forrest. Vice Chairs are Ms Donna Austin and Mr Rafik Dammak.

The GNSO Liaison to the GAC is Mr Johan (Julf) Helsingius.

The GNSO is one of the largest Supporting Organisations within the ICANN framework. It develops and revises policies for gTLDs (for example .com, .org, .hotel). Further information about the GNSO and its policy development process are available at <http://gnso.icann.org/en/about>.

The GNSO is a “federation” of different stakeholder groups. It comprises two “Houses”, one for parties contracted to ICANN (Registries and Registrars) and one for other parties (Commercial and Business Users, Intellectual Property, Internet Service Providers and Non-Commercial Stakeholders).

## Further Information

[GNSO website](https://gnso.icann.org/en/)

[GNSO Council e-mail public archive](https://mm.icann.org/pipermail/council/)

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## Document Administration

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# ATTACHMENT A: GAC Inter-Sessional Brief: GNSO PDP 3.0 (circulated to GAC 25 May 2018)

## Issues

1. Problems with ICANN policy-making for generic top-level domains (gTLDs).
2. Possible improvements being considered by the Generic Name Supporting Organisation (GNSO).
3. Possible GAC input to this process.

## Policy-making for gTLDs

ICANN policy-making tends to focus on gTLDs, which are applied on a global level, compared with ccTLDs where policies are largely locally developed. ICANN Bylaws and structural arrangements set out a gTLD Policy Development Process that is managed by the GNSO through Working Groups.

The GNSO Council has initiated a review process of GNSO efficiency and effectiveness and ICANN staff have prepared a [discussion paper](https://mm.icann.org/pipermail/council/attachments/20180511/2435d825/GNSOPDP3.0-8May2018-0001.pdf) (“PDP 3.0”) for consideration by the various GNSO Constituencies and Stakeholder Groups.

The paper identifies several challenges for the current PDP Working Group structure:

* PDP Working Group dynamics: WGs are growing in size but have uneven effort across participants; There is less effort toward group goals; ‘Consensus by exhaustion’ results from lack of incentives to finalise the work; Finding a balance between WG meeting outputs and e-mail, chat etc. is a problem.
* WG Leadership – Skill requirements and expectations are growing, as are demands on time.
* Complexity of subject matter: There are interdependencies with other work across ICANN; Preparing for calls and keeping up with complex discussions and drafting are issues.
* Consensus building – This is an art, which can be taught but currently is not.
* Role of GNSO Council – This is always challenging, as the GNSO is a federation of groups and interests whose positions often diverge.

## Possible improvements

The discussion paper also proposes a number of “potential incremental improvements.” These are detailed in the paper, and can be summarised as:

**Better structuring of Working Groups**

* Formal commitment of participants at the outset to consensus-building and statements of their knowledge and expertise.
* Alternatives to the “open to all” model. For example, having members designated by SOs/ACs + individual participants + individual observers (similar to the current CCWG model).

**Incentives for best WG leadership**

* Guidelines for WG leaders on building consensus and avoiding capture.
* More detailed job description for WG leaders.
* Regularly reviewing the performance of WG Chairs.

**Better handling of complex subject matter**

* Creation of ‘cooperative teams’ of more active members within WGs to assist others less able to attend all meetings.
* A mechanism for newcomers to observe and learn before getting involved in active PDPs.

**Incentives for consensus-building**

* More guidance for WGs on consensus decision-making and resolving disputes.
* Clarifying the different positions of participants at the outset to identify common ground.

## Possible GAC input

It is not yet clear whether other SOs/ACs will have a formal opportunity to provide comments on the PDP 3.0 paper. However, the GAC could use the opportunity of its meeting with GNSO Council at ICANN 62 to pursue the following suggested talking points:

* GAC members see the paper as both timely and helpful.
* Given interdependencies across ICANN work, it would be helpful for discussion of the issues raised in the paper to go beyond just GNSO member.
* The GAC remains committed to involvement in PDPs to the extent that public policy issues are being dealt with.
* A policy process that is determined by, in effect, anyone who volunteers and/or turns up to calls/meetings, is always going to be problematic for getting relevant expertise, a focus on problem-solving and simple project management, especially as the subject matter becomes more complex.
* Organising PDP Working Groups on the CCWG model, with designated members from relevant SOs/ACs and others participating as individuals, would encourage: (a) improved accountability, efficiency and transparency; (b) a genuine community-wide perspective within PDPs; and (c) better and more informed GAC engagement with PDPs.
* The measures proposed in the paper for better training of, and resources for, WG leaders and participants are helpful and sensible, and could build on the very good support already provided by GNSO staff.

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