
Agenda Item 4: GAC Engagement with PDPs and CCWGs

Issue

How to ensure that the benefits of GAC participation in Policy Development Processes (PDPs) and Cross Community Working Groups (CCWGs) are maximised for GAC and the ICANN community.

GAC Action Required

1. Seek feedback from GAC participants in PDPs and CCWGs (see Attachment 1) on what is working and what is not with regard to how their participation advances public policy objectives.
2. Seek feedback on whether the current guidelines for GAC participation in CCWGs are working effectively.
3. Raise with other SOs/ACs in scheduled bilateral meetings with the GAC whether there are community-wide issues

Current Position

PDPs are a more formal type of “bottom up” cross-community policy development within ICANN. They are specified in the Bylaws for the GNSO¹ and ccNSO² and subject to detailed operating procedures (in the case of the GNSO, very detailed).

CCWGs are a more recent type. They are not specified in the Bylaws, but some common practices have developed, including drafting of a Charter by a team, commitment by SOs and ACs as Chartering Organisations and procedures for reaching agreement on recommendations.

GAC participation in PDPs and CCWGs

The GAC engages with cross-community work that has public policy implications for several reasons:

- a) GAC advice and inputs over the period of the last round (2012-16) may still be relevant but this needs to be regularly checked against new developments.
- b) New issues, perspectives and proposals are being raised, some based on experience with the recent round and others that are emerging.
- c) Previously GAC had engaged with policy development after the PDP stage, through formal advice to and dialogue with the Board, comments on drafts of the Applicant Guidebook and ad hoc input.

This is without prejudice to the GAC's formal role under the Bylaws to “consider and provide advice on the activities of ICANN as they relate to concerns of governments, particularly matters where there may be an interaction between ICANN's policies and various laws and international agreements or where they may affect public policy issues.”

¹ Article 11 and Annex A

² Article 10 and Annexes B-C

Levels of GAC Participation

A list of GAC participants in major PDPs and CCWGs is at Attachment 1.

GAC members continue to express concern that growing work pressures and reduced resources make it increasingly difficult for them to participate inter-sessionally in CCWG and PDP calls.

The following table shows potential and actual GAC attendance at selected CCWG and PDP meetings between 1 September 2017 and 18 February 2018. This is simply attendance for the record. Active GAC engagement in discussions is more difficult to quantify.

	GAC MEMBERSHIP	AVERAGE GAC ATTENDANCE
CCWG-Accountability Work Stream 2 Plenary	19	5
CCWG-Accountability: Diversity Sub-Group	8	2
CCWG Accountability: Jurisdiction Sub-Group	9	3
PDP New gTLD Subsequent Procedures PDP Plenary	7	1
PDP New gTLD Subsequent Procedures: Work Track 5 (Geographic Names)	16	5
CCWG on New gTLD Auction Proceeds	5	2

GAC Guidelines for participation in CCWGs

The GAC has adopted guidelines for participation in CCWGs, which include promotion of agreed GAC positions and reporting regularly to the GAC on key developments and upcoming decisions. However, it is not clear how successful these have been in promoting better GAC understanding of current policy issues.

There are no GAC guidelines for participation in PDPs. Unlike CCWGs, participation in a PDP Working Group is (in theory) on an individual basis rather than any formal SO/AC alignment. In practice, GNSO PDPs tended to be dominated by commercial interests who have both the motivation and the resources to engage in the work. Outcomes are determined by varying levels of agreement.

A community-wide issue?

During January and February 2018 several calls of PDP Work Tracks, CCWG-Accountability Sub-Groups and some other reviews (eg the Competition, Consumer Trust and Consumer Choice Review) have been cancelled due to lack of numbers or lack of things to discuss, or have proceeded with very small numbers.

The GAC, in its bilateral meetings with GNSO, ccNSO and ALAC, may wish to raise this and explore whether known community-wide issues such as volunteer burn-out and lack of renewal by new volunteers are increasing.

Further Information

[Guidelines for GAC Participation in CCWGs](#)

[CCWG-Accountability WS2 Dashboard](#)

[PDP on New gTLD Subsequent Procedures](#)

Document Administration

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Attachment 1: GAC Participation in PDPs and CCWGs

As at 7 February 2018.

Note: "Members" here means membership of the PDP or CCWG, not GAC membership

GNSO PDP: IGO-INGO Access to Curative Rights Protection Mechanisms	<p>Members: None. Observers: WIPO. (Former GAC members Alice Munyua (AUC) and Gary Campbell (Jamaica) are also listed as "GAC".)</p>
<p>GNSO PDP: New gTLD Subsequent Procedures: Plenary</p> <p>Work Track 1: Overall process/support/outreach Work Track 2: Legal/Regulatory Work Track 3: String Contention/Objections & Disputes Work Track 4: IDNs/Technical Work Track 5: Geographic Names</p>	<p>Members: Argentina; Pakistan; Switzerland; Iran; Peru; India; Cambodia; ACIG (Tom Dale). Former GAC member Nick Shorey (UK) is also listed as "GAC." Observers: Dominican Republic; Argentina; United States; Canada; Chinese Taipei. Former GAC member Sabine Meyer (Germany) is also listed as "GAC."</p> <p>Members: Cook Islands; Switzerland; ACIG.</p> <p>Members: Switzerland; Peru; Cook Islands; ACIG. Observers: Switzerland Members: Pakistan; ACIG. Members: Argentina (Co-Lead); Brazil; Burundi; Canada; Colombia; Georgia; India; Iran; Nepal; Nigeria; Pakistan; Rwanda; Switzerland; Thailand; United States (x3); WBU. Observers: Australia; Azerbaijan; Cameroon; Colombia; Dominican Republic (x2); France; Guyana; Italy; Jamaica; Japan (x3); Korea; Malaysia; Mexico (x2); Morocco; Namibia; Peru; Russia; Senegal; Singapore; Sudan; Switzerland (x2); Tunisia; Uganda; Ukraine; United States; Uruguay; Vietnam; Zimbabwe; CTU.</p>
GNSO PDP: Review of All Rights Protection Mechanisms in All gTLDs	<p>Members: WIPO; Colombia; UK. Observers: Switzerland</p>
GNSO PDP: Next generation gTLD Registration Directory Services to Replace WHOIS	<p>Members: Europol (x2), Colombia (x2), India. Former GAC members Nick Shorey (UK) and Wanawit Ahkuputra (Thailand) are also listed as "GAC". Observers: New Zealand; Switzerland (x2); United States. Former GAC member Alice Munyua (AUC) is also listed as "GAC".</p>
ccNSO PDP: Retirement (of ccTLDs)	<p>None</p>

	Observers: None
CCWG: Auction Proceeds	Appointed Members: Argentina, AUC (Alice Munyua – no longer a GAC member), India, Iran. Participants: Egypt, Cook Islands, ACIG. Observers: CTU, United States
PTI Customer Standing Committee	Norway
CCT Review Team	European Commission, US FTC