



**I C A N N**  
**ANNUAL GENERAL**

**60**

**ABU DHABI**

28 October–3 November 2017

# **GAC Operating Principles**

GAC Session #29

Tuesday, 31 October 2017

Rob Hoggarth

- Provide membership with background and update regarding recent operating principle efforts
- Confirm need and desire for further work
- Consider options and provide ideas about any further work
- Provide input on potential parameters regarding scope and timing of work
- Provide some direction on next steps

- The GAC sets its own Operating Principles
- First Operating Principles created in 2004
- Current Operating Principles date back to 2011
- Since that time – apparent different iterations of operating principles work efforts
- Minor amendments in last 3 years:
  - Buenos Aires in 2015 to allow for 5 Vice Chairs
  - Johannesburg in June 2017 to allow for electronic voting
- New Structure Proposed – March 2017
- Preliminary Mapping Conducted – July 2017

- Current Operating Principles are not aligned with any organizational structure – simple list of 54 principles
- Recent changes were tactical and not strategic – they focused on short term needs not comprehensive examination of the principles.
- Absence of structure - recipe for gaps
- Simple mapping/gap analysis reveals ... gaps
- More structured approach necessary in a changing ICANN environment

- No language on commitment to outreach
- No language on commitment to transparency
- No language on commitment to confidentiality/privacy
- No language on commitments to member participation
- No Vice Chair duties or expectations
- No WG Chair Guidance
- No topic lead guidance
- No language on GAC interaction with rest of the ICANN community
  - Standards for appointments to CCWGs or review teams
  - Nothing on roles and responsibilities of appointees
- No direction or guidance for role and responsibilities of SO-AC liaisons

- ICANN 3.0 – Empowered Community
- New Organizational accountabilities and responsibilities
- Clarity for new participants
- Organizational continuity

## Proposed New Organizational Structure for discussion:

**Scope** – what the GAC is and does (including reference to ICANN Bylaws)

**Membership** – who can join the GAC

- Commitment to outreach

- Members

- Observers

- Representation

**Conducting the work of the GAC**

- Commitment to transparency

- Commitment to participation by all members

- Quorum

- Face to face meetings

- Working online

- Working Groups

**GAC Leadership (roles and responsibilities)**

- GAC Chair

- Vice Chairs

- Working group chairs/co-chairs

- Topic Leads

**Election of GAC Chair and Vice Chairs**

- Terms of office

- Election rules

**Meetings**

- Agenda

- Minutes

- Record Keeping

**Working groups**

- Formation

- WG Chairs/co-chairs

- Membership

- Activities

- Closure

**GAC Advice to the ICANN Board**

- Consensus

- Communicating GAC Advice

- Tracking GAC advice

**Interaction with the ICANN Community**

- Appointments (to CCWGs and Review Teams, etc)

- Roles and responsibilities of GAC appointees

- Provision of GAC input

- Seeking community input

- SO/AC Liaisons to GAC

**GAC Participation in Empowered Community**

**Secretariat**

**Revision of Operating Principles**



## Taking existing principles and aligning them with new structure:

### Mapping of Operating Principles to new structure v1 20170725/ON

#### 1. Scope – what the GAC is and does (including reference to ICANN Bylaws)

Whereas:

1. The functions and responsibilities of the Internet Assigned Numbers Authority (IANA) are being transferred to a new **private** not for profit corporation, the Internet Corporation for Assigned Names and Numbers (ICANN).
2. ICANN's functions and responsibilities will affect the functioning of the global Internet.
3. ICANN's Articles of Incorporation establish that the corporation shall operate for the benefit of the Internet community as a whole and shall pursue the charitable and public purposes of lessening the burdens of government and promoting the global public interest in the operational stability of the Internet by performing and ~~co-ordinating~~ functions associated with the technical management of Internet names and addresses.
4. a) The Articles of Incorporation and Bylaws establish that ICANN shall carry out its activities in conformity with relevant principles of international law and applicable international conventions and local law. b) ICANN is committed to carrying out its activities based on the principles of stability, competition, **private** bottom-up coordination, and representation.
5. ICANN's Bylaws, Article XI Advisory Committees, Section 2.1 provide for a Governmental Advisory Committee The Governmental Advisory Committee should consider and provide advice on the activities of ICANN as they relate to concerns of governments and where they may affect public policy issues. The Advice of the Governmental Advisory Committee on public policy matters shall be duly taken into account by ICANN, both in the formulation and adoption of policies.

#### 6. Meetings

##### 6.1. Agenda

###### **Principle 12**

A proposed agenda for the meeting shall be communicated to GAC Members and Observers prior to the meeting.

###### **Principle 13**

Requests for items to be included in the agenda of a forthcoming meeting shall be communicated to the GAC Chair in writing, which may include by email

###### **Principle 50**

The meetings of the GAC shall ordinarily be held in **private**. The Chair may decide that a particular meeting, or part of a particular meeting, should be held in public.

###### **Principle 51**

After a **private** meeting has been held, the Chair may issue a communiqué to the Media, such communiqué having been approved by the GAC beforehand.

##### 6.2. Minutes

##### 6.3. Record Keeping

###### **Principle 49**

Records of the meetings of the GAC shall be recorded in an appropriate form and be available online, except under exceptional circumstances.

#### 7. GAC Advice to the ICANN Board

##### 7.1. Consensus

###### **Principle 47**

The GAC works on the basis of seeking consensus among its membership. Consistent with United Nations practice [1], consensus is understood to mean the practice of adopting



- Confirm preliminary gap analysis - produce exhaustive list of gaps
- Apply a general structure to the current principles (renumbering, etc.)
- Set expectations – explore scope and extent of potential work.
- Prioritization - explore what gaps should be filled first
- Step-by-step - develop action plan for addressing, reviewing, approving and updates (Principle 53)

- What areas would you like to see covered in the GAC Operating Principles that are not covered now?
- What level of details are you interested in exploring – fundamental vs operational vs details?
- What is the best vehicle for this effort (task force, working group, commissioned staff effort, etc.)
- What is the best approach to this effort – one time comprehensive or phased approach?

- Staff to seek member input on the overall questions over next two months – follow-up reminder and survey instrument
- Recommendations prepared for membership discussion and decision at ICANN61 – on scope, approach and timetable.

***THANK YOU!***