

Policy/Implementation/ Executive Function - Recommendation 4

Implementation Briefing for the Third Accountability &
Transparency Review Team (ATRT3)

Recommendation 4

The Board should continue supporting cross-community engagement aimed at developing an understanding of the distinction between policy development and policy implementation. Develop complementary mechanisms whereby the Supporting Organizations and Advisory Committees (SO/AC) can consult with the Board on matters, including but not limited to policy, implementation and administrative matters, on which the Board makes decisions.

Implementation Status

Fully implemented as of February 2016. Executive summary and archives available at: <https://community.icann.org/display/attr/Rec+%234>

Deliverables

Recommendation 4 addresses supporting cross-community engagement aimed at developing an understanding of the distinction between policy development and policy implementation. A GNSO working group was formed to develop recommendations in relation to a set of principles that would underpin any GNSO policy and implementation-related discussions.

Deliverable	Responsible	Status
Working Group Initial Report posted for public comment	WG/ICANN org	✓
Close of public comment period		✓
Review of public comments	WG	✓
Submit Final Report to GNSO Council	WG	✓
GNSO consideration of recommendations	GNSO Council	✓
Public comment prior to Board consideration	ICANN org	✓
ICANN Board consideration	ICANN Board	✓
Implementation of recommendations	ICANN org	✓

Results and Implementation Details

GNSO Working Group on Policy and Implementation

Prior to the conclusion of the ATRT2 effort, the ICANN org's policy staff put together a discussion paper on policy versus implementation as a "result of discussions stemming from implementation related issues of the new gTLD program". [The paper](#) was published for public comment in 2013 and contained a number of questions for the community to consider. The community input demonstrated a broad interest in this topic and indicated support for developing a community-wide agreed framework for addressing implementation related issues. At ICANN46 in Beijing in April 2013, the GNSO Council decided to form a drafting team to develop a charter for a Working Group to address these issues.

The [Non-PDP Policy and Implementation Working Group](#) was formed in July 2013 and submitted its Final Report to the GNSO Council in June 2015 (<https://gns0.icann.org/en/issues/policy-implementation/pi-wg-final-recommendations-01jun15-en.pdf>), following the Working Group's review of public comments received in response to its Initial Report. The Final Report was adopted by the GNSO Council in June 2015, and includes a number of recommendations aimed at improving community understanding of the distinction between policy development and implementation work, such as:

- A set of clear principles to guide GNSO policy and implementation-related discussions;
- The standard creation of a community-based Implementation Review Team to work with the ICANN org in developing implementation plans for adopted consensus policies; and
- Three new standardized processes to supplement the GNSO Policy Development Process which provide transparent, documented opportunities to either clarify existing policy or conduct expedited policy work, viz.: GNSO Input Process (GIP); GNSO Guidance Process (GGP), and GNSO Expedited Policy Development Process (EPDP).

The ICANN Board [adopted](#) the GNSO's recommendations in September 2015, accompanied by Bylaws amendments implementing some of the recommendations. The Board noted that ATRT2 recommendation 4 was complete with its actions. The Board resolution also invited the future ATRT3 to review the GNSO's approved recommendations in light of the ATRT2 findings and recommendations. The new GNSO policy procedures are integrated into the ICANN Bylaws (Annex A-1, <https://www.icann.org/resources/pages/governance/bylaws-en/#annexA1>, and A-2, <https://www.icann.org/resources/pages/governance/bylaws-en/#annexA2>), GNSO Operating Procedures (<https://gns0.icann.org/en/council/procedures>) and ICANN's Consensus Policy Implementation Framework (https://www.icann.org/uploads/ckeditor/CPIF_v2.0_2019CLEAN.pdf).

Additional Initiatives

In addition to the progress made within the GNSO, the following initiatives and activities demonstrate improved communication with the Board on policy matters as well as enhanced participation by Board members in a number of community-based working groups that are not focused on policy development:

- Board members have been actively engaged in several cross-community working groups, such as the Cross Community Working Group on Auction Proceeds (with

Liaisons to both the charter drafting and recommendations phase of the work) and the CCWG on Enhancing ICANN Accountability.

- Board liaisons have been appointed to a number of community working groups, including in the policy realm, such as the GNSO's Expedited Policy Development Process on the Temporary Specification for gTLD Registration Data.
- Informal collaboration groups involving the Board have been used to develop Board inputs on policy development issues at an early stage, such as the Board-GNSO Council informal group that developed the Process Framework used to guide the chartering of the now-terminated Next-Generation RDS to Replace WHOIS PDP (in 2015).
- Improvements have been made to the format of Board interactions with each ICANN Supporting Organization, Advisory Committee and GNSO Stakeholder Groups at ICANN public meetings to facilitate more substantive interactions, including the exchange of questions for discussion in advance of the meeting to allow for better preparation, as well as identification of topics of mutual interest.
- Planning for ICANN public meetings is done increasingly with the involvement of SO/AC community leaders, especially for the selection of cross-community and high-interest topic sessions.
- An Advice Request Register has been developed by the ICANN org to track advice provided to the Board from the Advisory Committees as well as Board scorecard responses, follow-up correspondence and related actions.

Useful Links

Policy versus Implementation Draft Framework -

https://gns0.icann.org/sites/default/files/filefield_36239/policy-implementation-framework-08jan13-en.pdf (January 2012)

Non-PDP Policy and Implementation Working Group Wiki -

<https://community.icann.org/x/y1V-Ag>

GNSO Policy & Implementation Working Group Final Report (submitted on 2 June 2015) -

[English](#)

[العربية](#)

[简体中文](#)

[Español](#)

[Français](#)

[Русский](#)

[Português](#)

GNSO Adoption of the Final Report (24 June 2015) -

<http://gns0.icann.org/en/council/resolutions#20150624-2>

ICANN Board Resolution Text:

- Adopted on: 28 September 2015
- Summary: Resolved (2015.09.28.16), the Board approves the amendments to the ICANN Bylaws Article X, section 3-9 as posted for public comment addressing the new GNSO voting thresholds resulting from the GNSO Guidance Process (GGP) and GNSO Expedited Policy Development Process (EPDP).
- Resolved (2105.09.28.17), the Board approves the amendments to ICANN Bylaws Annex A as posted for public comment (see <https://www.icann.org/en/system/files/files/bylaws-proposed-amendments-gns-policy-implementation-31jul15-en.pdf> [PDF, 656 KB]), creating a new Annex A-1 that outlines the GNSO EPDP.
- Resolved (2015.09.28.18), the Board approves the amendments to ICANN Bylaws Annex A as posted for public comment (see <https://www.icann.org/en/system/files/files/bylaws-proposed-amendments-gns-policy-implementation-31jul15-en.pdf> [PDF, 656 KB]), creating a new Annex A-2 that outlines the GNSO GGP. (See <https://www.icann.org/resources/board-material/resolutions-2015-09-28-en#2.f> for further details).