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ICANN
ANNUAL GENERAL

66

MONTRÉAL

2–7 November 2019



GNSO Working Session



ICANN66
3 November 2019

Agenda

- 1) 09:00 - 09:10: Welcome by the Chair
- 2) 09:10 - 09:20: Update by IDN Scoping Team
- 3) 09:20 - 09:50: RPM Charter Update for IGO Protections Work Team
- 4) 09:50 - 10:15: Meeting with Finance
- 10:15 - 10:30: Coffee Break
- 5) 10:30 - 10:50: GDD Implementation Update
- 6) 10:50 - 11:15: ATRT3 Meeting with the Chairs
- 7) 11:15 - 11:30: EPDP Phase 1 Recommendation 27 and Prioritization of GNSO Council Work Plan on Other Impacted Policies
- 8) 11:30 - 12:15: Prep for ccNSO, GAC and Board Sessions
- 9) 12:15 - 13:15: Lunch Meeting with the Board
- 10) 13:20 - 14:00: PDP3.0 Update & Discussion with Brian Cute
- 11) 14:00 - 14:20: Update from Bylaws DT
- 12) 14:20 - 14:35: Q&A with GNSO Liaison to the GAC Candidate
- 13) 14:35 - 15:00: Q&A with GNSO Chair Candidate

09:00 - 09:10: Welcome by the Chair

Agenda Item #1

09:10 - 09:20: Update by IDN Scoping Team

Agenda Item #2

IDN Scoping Team

Edmon Chung

GNSO Council Meeting

3 November 2019



Background

- ⦿ The IDN Scoping Team was tasked by the GNSO Council to:
 - **Consider** the topic of IDNs holistically and accordingly, consider the likely issues that may require some form of resolution
 - **Consider** if the issues identified are well understood, researched, and analyzed, especially in existing in staff reports
 - **Make a recommendation** to the GNSO Council on the proper mechanisms(s) to address the issues
 - **Make a recommendation** to the GNSO Council on the preferred method for coordination with the ccNSO

- ⦿ The IDN Scoping Team has been meeting on a bi-weekly basis since August 2019 and has concentrated on reviewing two key documents:
 - **IDN Implementation Guidelines**
 - **IDN Variant TLD Recommendations**

Initial Findings: Two Groups of Issues

1

Operational Issues

- Potential differences between IDN Guidelines and RA
- Updating and evolving IDN tables

2

Policy Issues

- Process to update IDN Implementation Guidelines
- Second-level variant requirements, especially same-entity, and all of the accompanying impacts to other processes and policies (**string requirements, string similarity, transfers, RPMs, RA, EBERO, etc.**)

Some concerns expressed that there is insufficient expertise on the small team to properly understand the impacts to other processes and policies (e.g., RPMs).

Are other Councilors/GNSO community interested in joining? Is there need for SMEs during this scoping stage?

Preliminary Thinking

About the Staff Papers in General

The small team is largely in agreement with the findings and recommendations in the staff papers

However...

Policy development is needed, even if to codify staff recommendations;

Any subsequent PDP is not required to adopt staff recommendations



Mechanisms to Complete Work

The small team believes that two streams of work may be needed:

- 1) Direct interaction between ICANN org & affected parties for operational issues;
- 2) A policy development track

Coordination with the ccNSO

- ⊙ Because there is policy development for both the GNSO and ccNSO, **CCWG does not make sense.**
- ⊙ The GNSO/ccNSO scoping teams each already had **liaisons** and the small team believes **this practice should be maintained** if/when policy development is initiated.
- ⊙ While no agreement on coordination mechanism, at a minimum, **PDP leadership and/or liaisons could meet on a regular basis** (e.g., every two weeks) to coordinate.

09:20 - 09:50: RPM Charter Update for IGO Protections Work Team

Agenda Item #3

09:50 - 10:15: Meeting with Finance

Agenda Item #4

Introduction To Finance Team



Xavier Calvez
Chief Financial
Officer



Becky Nash
VP Finance



Shani Quidwai
Director of Finance

Agenda

- ⦿ FY19 Financial Results
- ⦿ Planning Process
- ⦿ FY21 Budget and FY21-FY25 Operating and Financial Plan: *Trends and Assumptions*
- ⦿ Q&A

- In the essence of time, we are happy to focus the presentation on a specific topic rather than reviewing all of the materials
- You will have access to all the slides as these materials will be emailed to you
- Please contact us at Planning@ICANN.org with any further questions

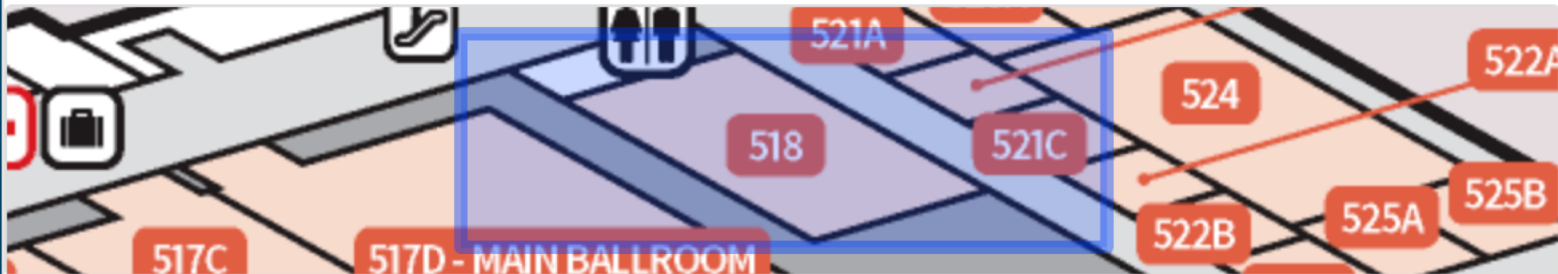
Finance Session at ICANN66

<https://66.schedule.icann.org/meetings/1116983>

FY21 Annual Operating Plan and Budget and 5-Year Operating and Financial Plan

🕒 13:30 – 15:00, Wed, Nov 6, 2019

📍 518



The ICANN Planning Team will discuss the timeline and process for the FY21 Operating Plan and Budget, and the FY21–FY25 Operating and Financial Plan. There will be an opportunity to ask questions.

Session Leader: Xavier Calvez

Staff Facilitator: Shani Quidwai

PARTICIPATION LINKS

Financial Accountability- Reporting

ICANN staff reports results to the community in support of commitment to accountability and transparency.

Throughout the year

- Quarterly Financial Reporting
- Publication of the CEO Report
- Accountability Indicators
- ICANN Meetings travel reports

Annually

- Independent Auditors Report ✓
- Annual Report ✓
- Board Expenses ✓
- ccTLD Contributions ✓
- Funding by Source ✓
- Operating Plan and Budget
- Tax Return (Form 990)
- Staff Remuneration Practices

Link to Accountability Indicators & Financials:

<https://www.icann.org/accountability-indicators>

<https://www.icann.org/resources/pages/governance/current-en>



Indicates that annual update has been published on ICANN.org

FY19 Results

FY19 Year End Financial Highlights

- ◎ ICANN Operations funding was \$3M higher than FY18 and \$1M lower than our budget
 - Funding was lower than budget mainly due to a slower than anticipated growth of the new TLDs registrations and a delay with the privacy proxy program
- ◎ We were successful in managing our FY19 expenses, \$1M lower than FY18 and \$8M lower than the budget
 - Expenses are lower than budget primarily due to lower than planned headcount
- ◎ ICANN Operations generated an operational excess of \$6M, actual funding of \$136M and cash expenses of \$130M

FY19 Expenses

USD in millions Unaudited	FY19 Actual	FY19 Budget	FY19 Actual vs. Budget		FY18 Actual	FY19 Actual vs. FY18 Actual	
Personnel	\$72.3	\$76.5	\$4.2	5%	\$69.3	(\$3.0)	-4%
Travel & Meetings	15.3	15.9	0.6	4%	15.7	0.4	3%
Professional Services	20.0	21.7	1.7	8%	22.6	2.6	11%
Admin and Other ⁽¹⁾	16.5	17.3	0.8	4%	17.7	1.2	7%
Capital	0.9	1.1	0.2	16%	2.4	1.5	61%
Contingency ⁽²⁾	5.0	5.2	0.2	4%	3.4	(1.6)	-46%
Cash Expenses	\$130.0	\$137.7	\$7.7	6%	\$131.2	\$1.1	1%

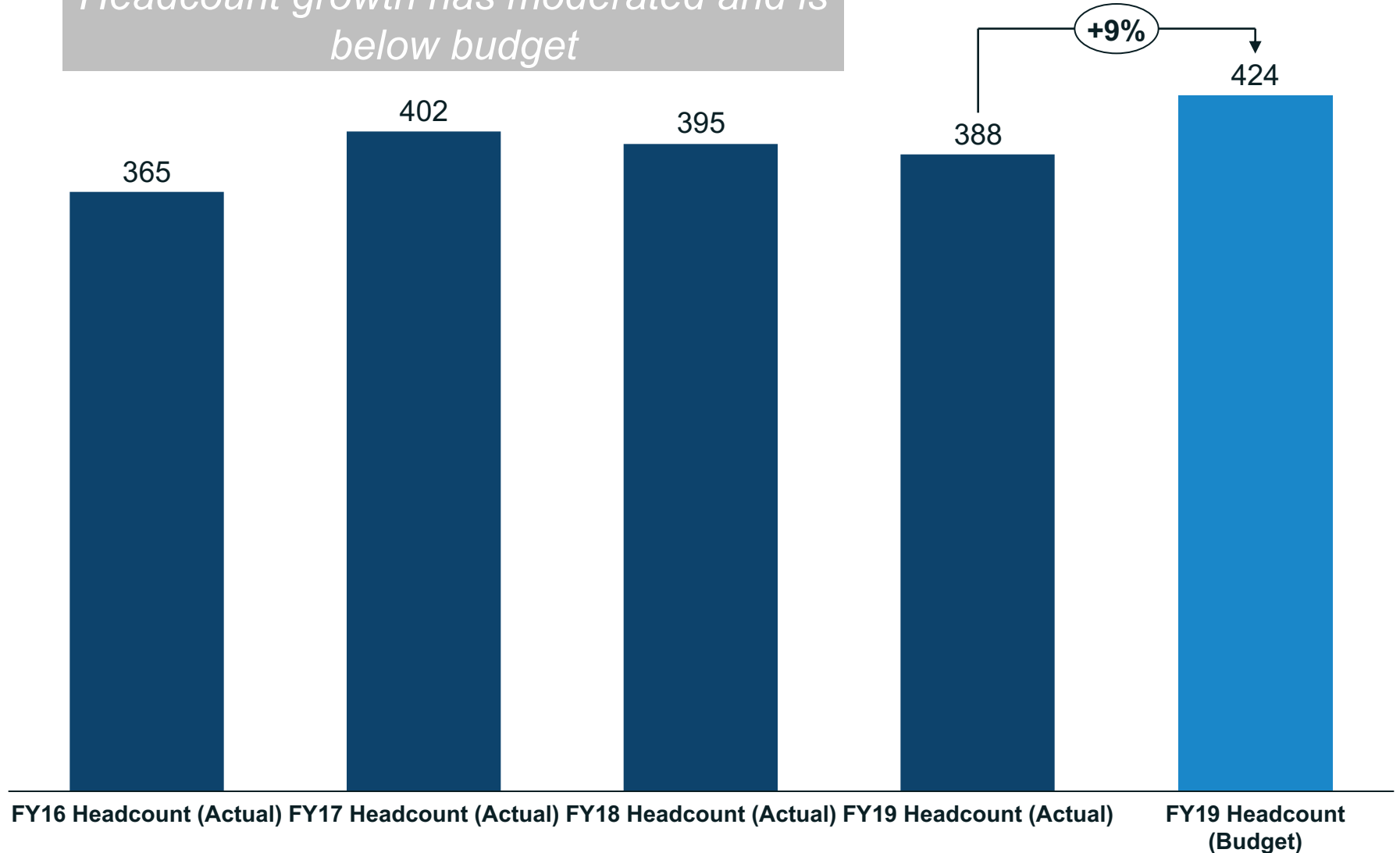
(1) Excludes depreciation, bad debt, investment (income)/ expense and (ii) historical development cost reimbursements from the New gTLD Program.

(2) Contingency actuals have been extracted from their respective cost categories and aggregated on this line. Contingency budget of \$5.2M is spread over six months beginning January 2019.

- Personnel expense is lower than budget driven by open positions. End of period headcount is 36 lower than budget and average headcount is 32 lower than budget.
- Travel and Meetings expenses are \$0.6M lower than budget, primarily driven by lower ICANN meeting related expense: ICANN63 \$0.2M and ICANN64 \$0.3M.
- Professional Services are \$1.7M lower than budget with favorability across many functions

Headcount Trending (End of Period)

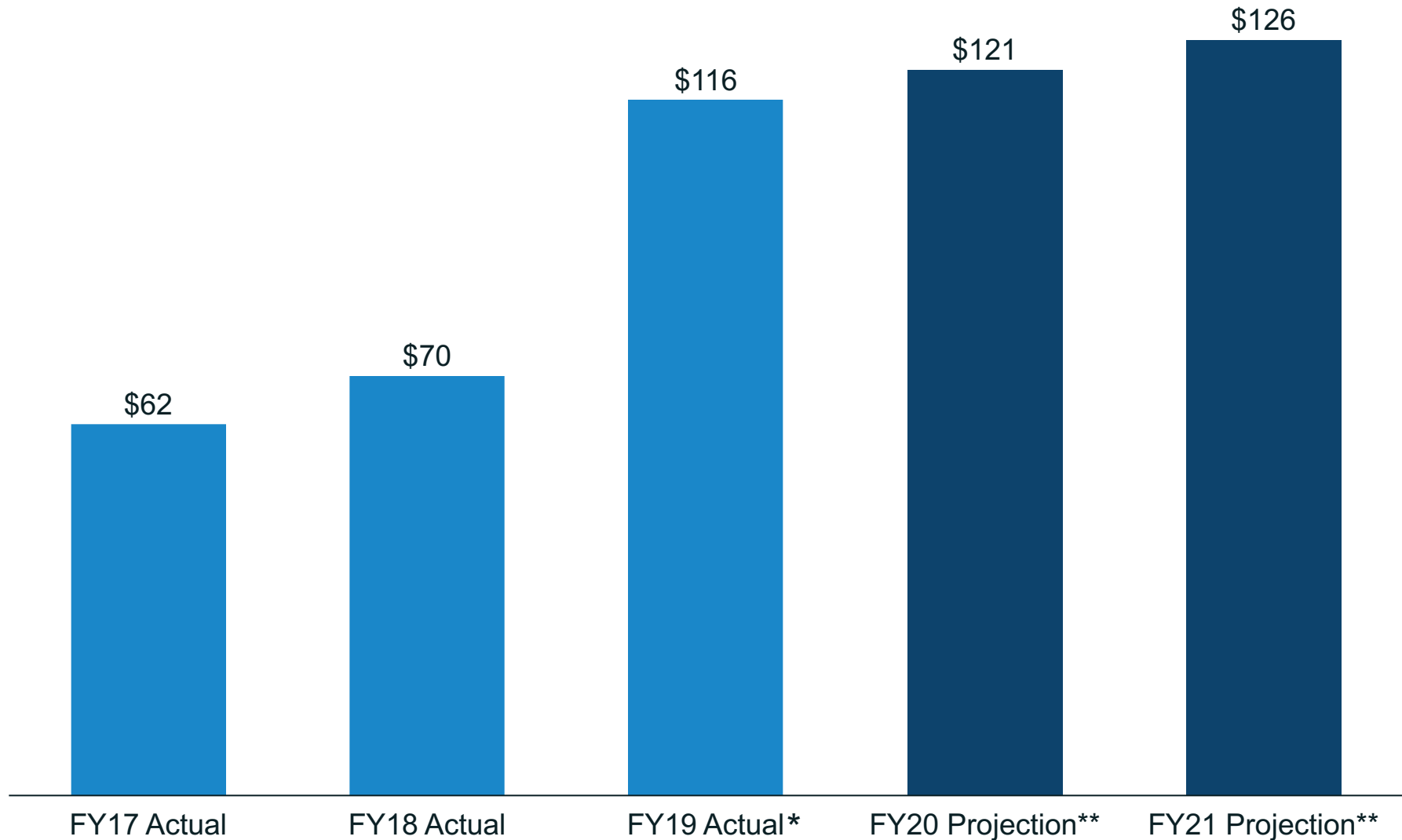
Headcount growth has moderated and is below budget



Reserve Fund Replenishment Strategy

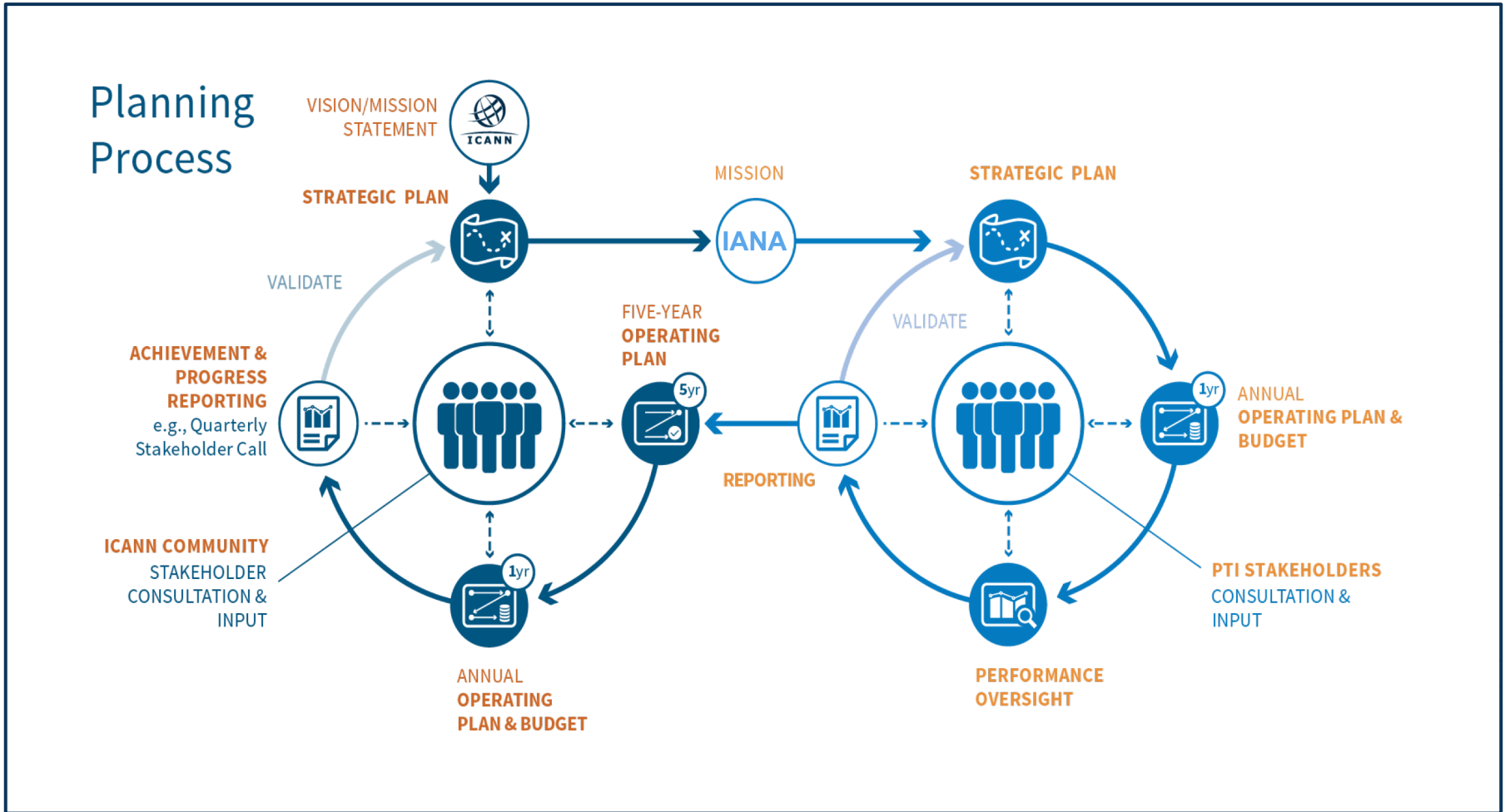
- The Reserve Fund is a crucial component in ensuring ICANN's long-term financial accountability, stability, and sustainability. The Reserve Fund was depleted in recent years to cover for exceptional expenses incurred during the IANA stewardship transition.
- ICANN org collaborated with the Board and community to develop a strategy to replenish the Reserve Fund.
- The Board approved an eight-year plan to replenish the Reserve Fund to an amount that would equal approximately one year of Operating Expenses.
- The org has made significant progress in replenishing the Reserve Fund and is tracking ahead of the replenishment plan approved by the Board.
- The balance in the Reserve Fund was \$116 million which is an increase of \$47 million as compared with the prior year, primarily resulting from a transfer of \$36 million from Auction Proceeds and a contribution from operational surpluses.
- ICANN org plans to continue increasing the Reserve Fund on an annual basis.

Reserve Fund- Historical and Projected Balance



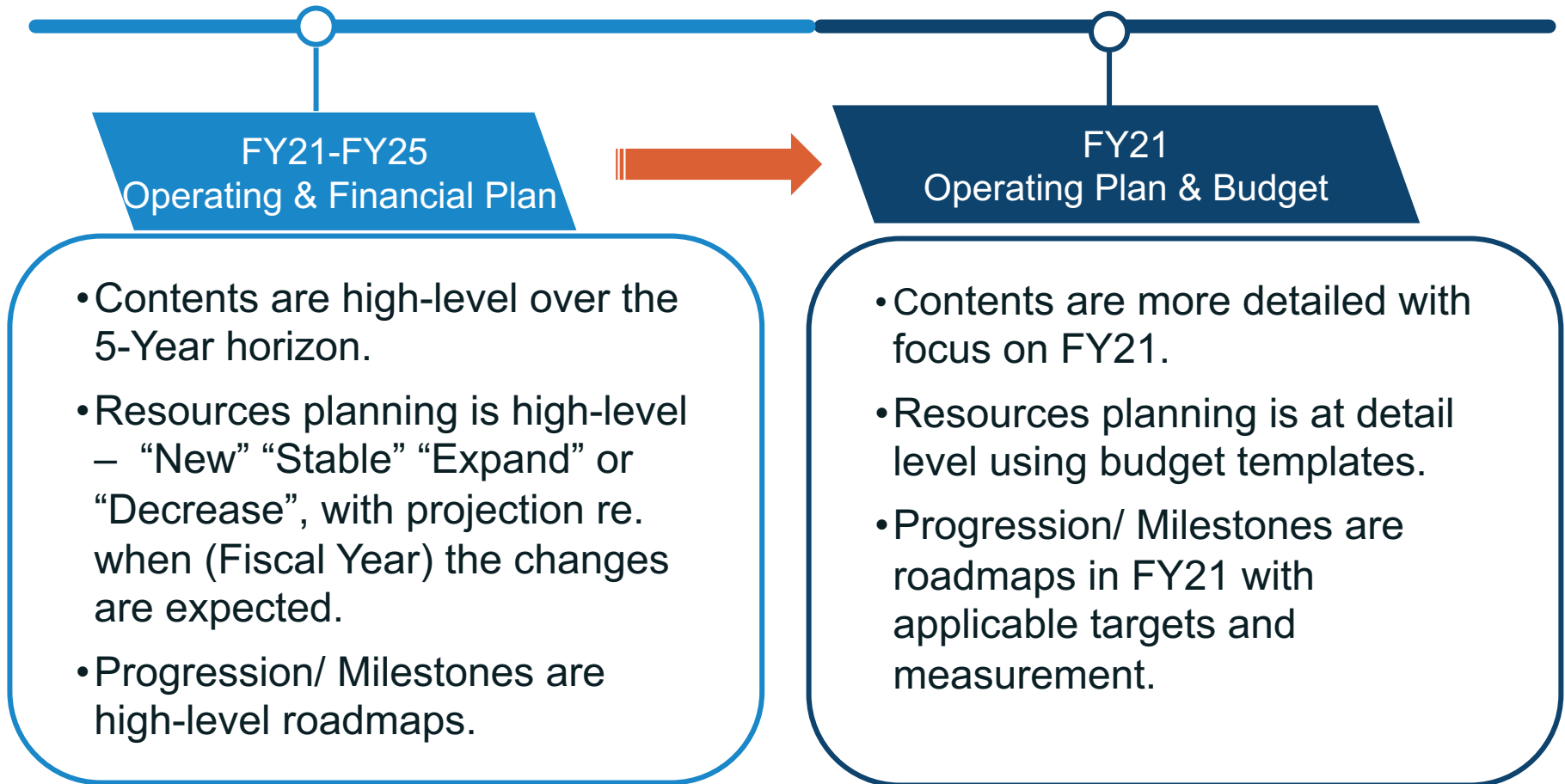
ICANN Planning Process

Process Overview: Planning Process Steps

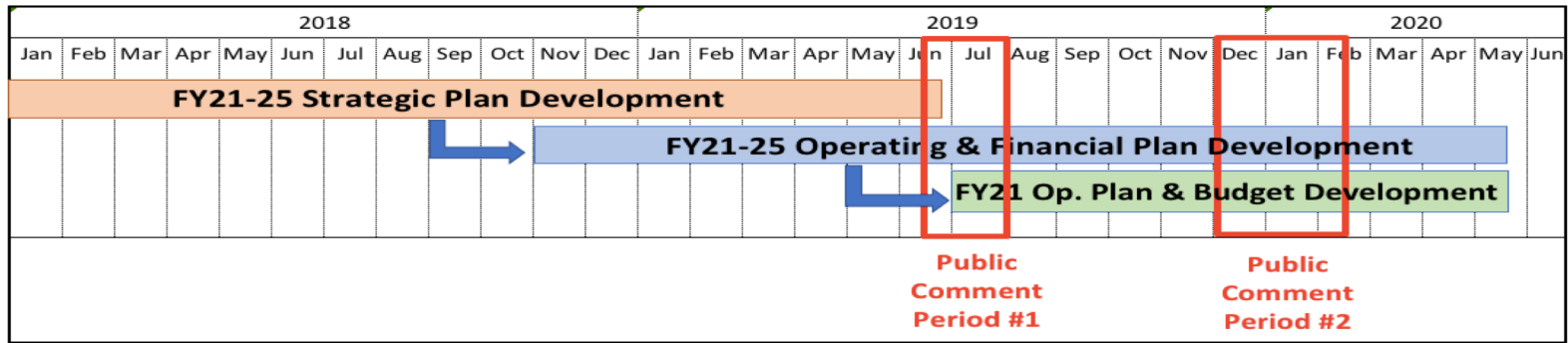


FY21-FY25 O&FP vs. FY21 OP&B

Both describe the work of the organization – purpose, activities, connection to the Strategic Plan, resources, considerations (risks, dependencies, challenges) and progression/ milestones.



FY21-25 O&FP and FY21 OP&B- Progress Update



What	Who	When
✓ FY21-25 O&FP Public Comment Period #1	Community	14 Jun – 5 Aug 2019
✓ Overview of FY21-25 O&FP development and Public Comment #1 materials	Community	Pre-ICANN65 Webinar on 17 June 2019
✓ Review Public Comment #1 inputs and plan development of both FY21-25 O&FP and FY21 OP&B	Board	Board Workshop Sep 2019
Review draft FY21-25 O&FP for Public Comment #2	Board	ICANN66 Nov 2019
Review draft FY21OP&B for Public Comment	BFC	Early Dec 2019
FY21-25 O&FP Public Comment Period #2 FY21 OP&B Public Comment Period	Community	Dec 2019 – Feb 2020
Review Public Comment inputs and finalize development of both FY21-25 O&FP and FY21 OP&B	Board & Community	ICANN67 Mar 2020
Review for Plan adoption of both plans	Board	Board Workshop May 2020
Empowered Community Period	Community	May – Jun 2020

Additional Budget Request: FY21 Key Dates

Community Kick off and
Submission period

11 November 2019- 31 January 2020

SO/AC Consultations
at ICANN 67

7 March 2020-12 March 2020

Notify SO/ACs of Publication

6 May 2020- 12 May 2020

Publication on Website

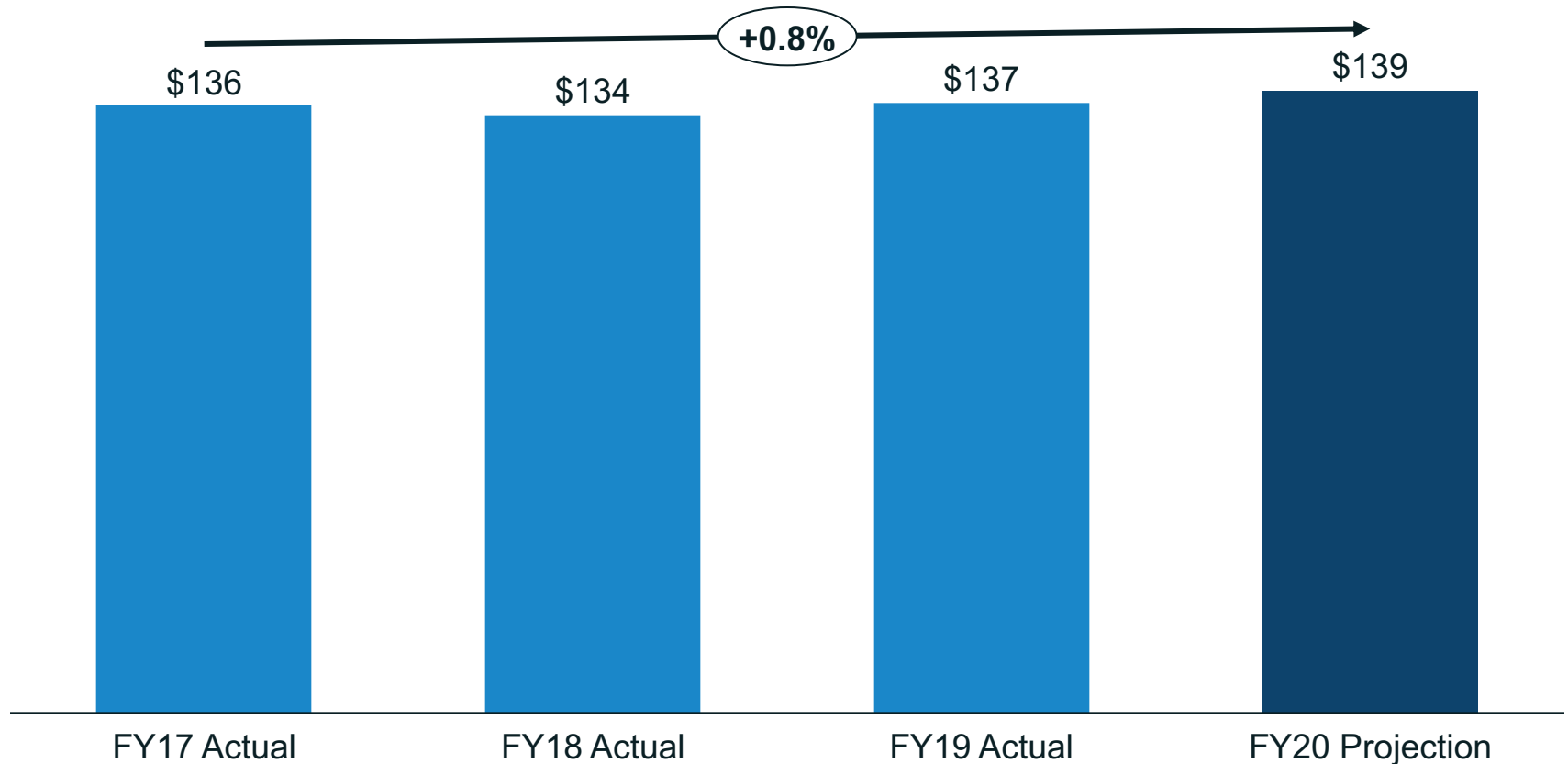
12 May 2020

FY21 Budget and FY21-FY25 Operating and Financial Plan

Trends & Assumptions

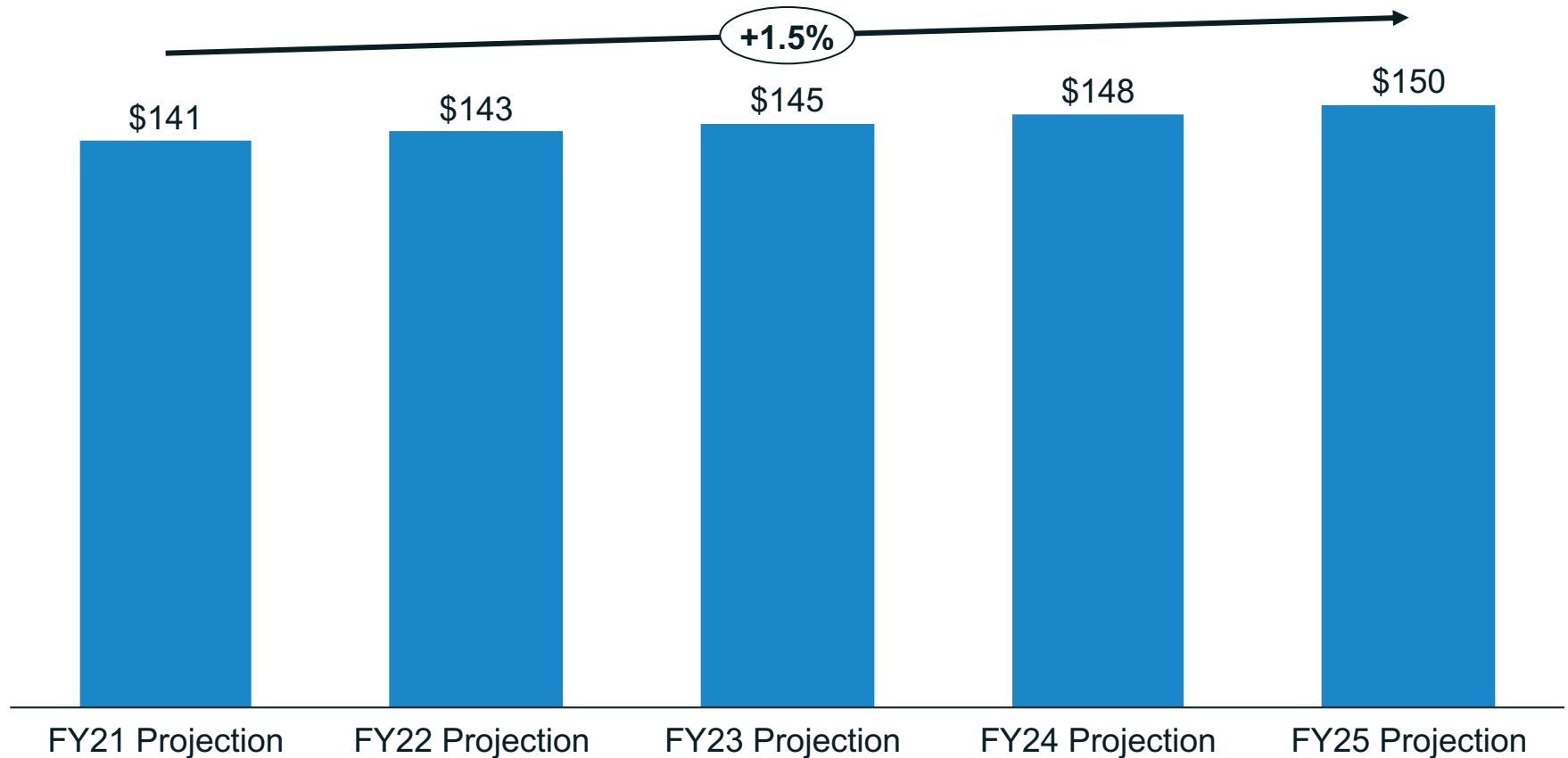
Recent Funding Trends

- Funding has stabilized and is growing at a very modest rate, this directly impacts our Budget



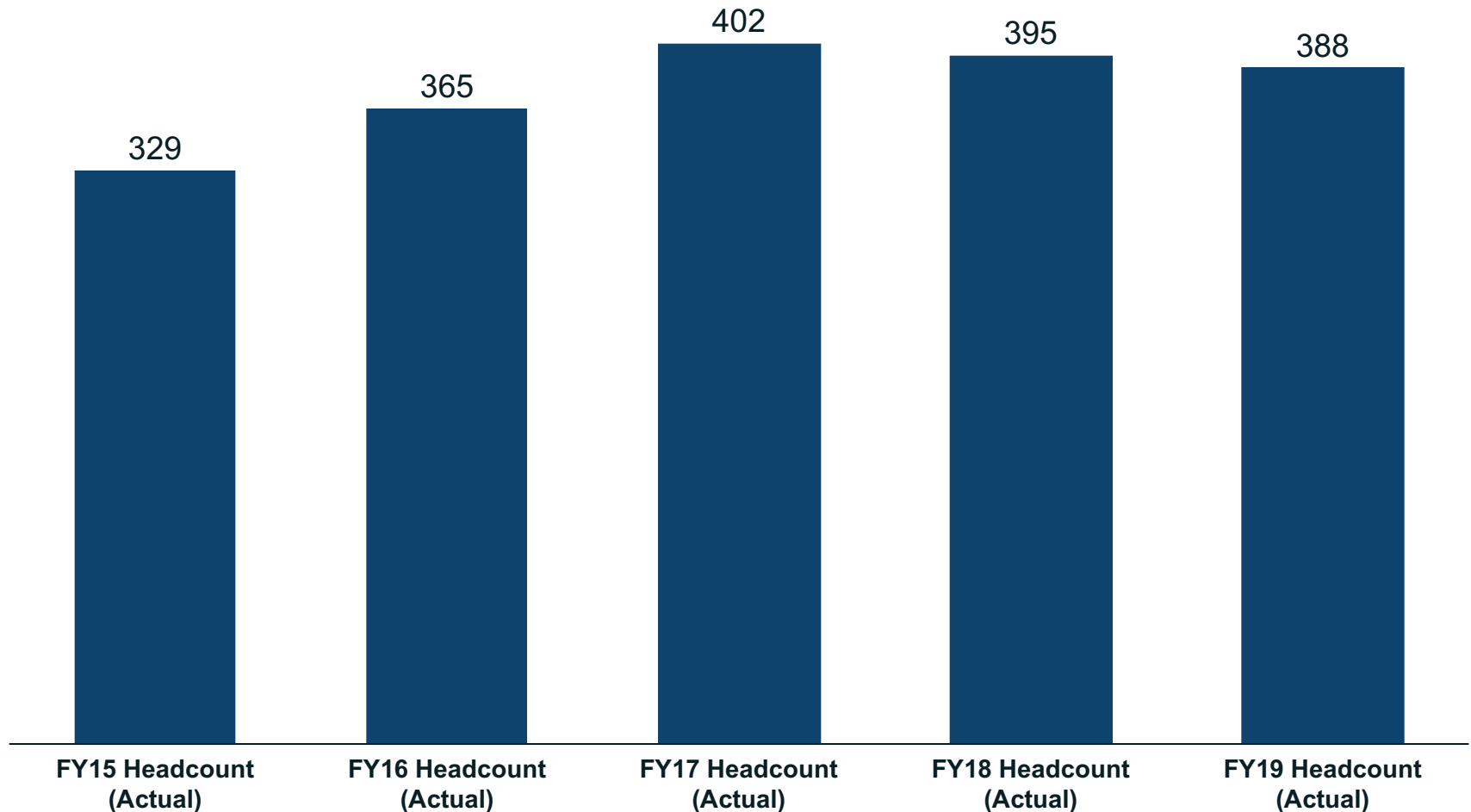
5 Year Funding Projections

- We expect the trend of moderate growth to continue; our base case 5-Year Funding projections suggest that growth will be less than inflation



Headcount Trending (End of Period)

- ICANN headcount has begun to stabilize in alignment with our Funding growth



Planning Expense Assumptions

- ICANN organization's activities and projects result directly or indirectly from Bylaws requirements, and from decisions made by the Board based on community-led policies or recommendations
 - At this time, we are not including implementation work from future Board decisions that have yet to be approved
 - The Budget will include contingency funding for unplanned work that has yet to be approved
- The FY21 draft budget and 5 Year plan will include a planned contribution to the Reserve Fund
- Headcount is expected to remain relatively stable
- The FY21 draft budget and 5 Year plan will be a balanced budget where expenses plus a planned contribution to the reserve fund will not exceed funding



Thank You and Questions

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10:30 - 10:50: GDD Implementation Update

Agenda Item #5

GDD Update to GNSO

Implementation status of adopted GNSO policy recommendations

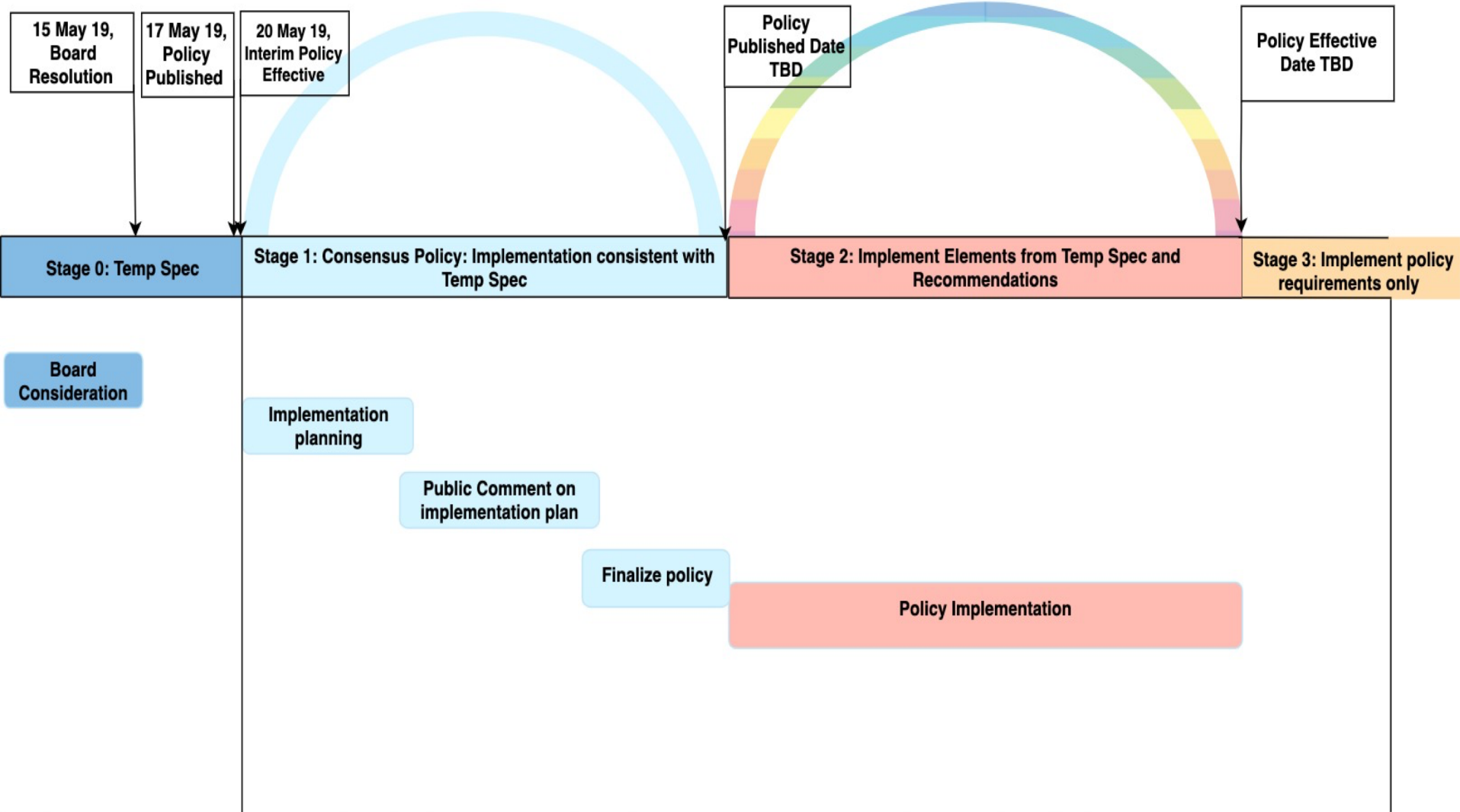


ICANN66
3 November 2019

Registration Data Policy Implementation

1. The Board adopted the EPDP Phase 1 Final report on 15 May 2019 (two exceptions)
2. Implementation team working with *Pre-IRT* published the [Interim Registration Data Policy](#) on 17 May 2019
3. IRT convened 29 May 2019: 35 members, 36 observers
4. Currently engaged in analysis of the recommendations to determine the work plans, implementation requirements, policy languages, and estimate the implementation tasks.
 - a. Rec 27 work plan shared with GNSO Council
 - b. Rec 15 reports were provided to EPDP Phase 2 Team
5. Project timeline will be determined upon completion of the analysis and design of the implementation approach
6. Two IRT meetings scheduled at ICANN66
 - a. 8:30 - 10:15 Wednesday, 6 Nov 2019
 - b. 8:30 - 10:15 Thursday, 7 Nov 2019

Stages of the RegDataPolicy



Translation and Transliteration of Contact Information

Facilitates entry of contact information into domain name registration data and directory services by non-English speakers and users of non-ASCII scripts.

- GDD and IRT convened July 2016, created preliminary draft of policy (see [Wiki](#))
- **T/T Recommendation 7:** Implementation of the policy recommendations should be “coordinated with other WHOIS modifications where necessary and...implemented and/or applied as soon as a WHOIS replacement system that can receive, store and display non-ASCII characters, becomes operational.”
- **T/T Recommendations added to EPDP Recommendation 27 analysis** to ensure policy and implementation consistency as it relates to registration data directory services (RDDS)

Privacy and Proxy Services Accreditation

Will replace requirements for registrars accredited under the 2013 Registrar Accreditation Agreement (RAA) on privacy and proxy registrations offered through affiliates and resellers

- ICANN org's implementation of the Privacy and Proxy Accreditation Program is suspended pending completion of the EPDP Phase 2 work.
- ICANN org informed the GNSO Council of the pause in the [05 September 2019 letter](#) from Cyrus Namazi to the GNSO.
- In addition to preserving limited Org and Community resources, several aspects of the EPDP Team's work are critical to the implementation of a comprehensive policy for the treatment of Privacy and Proxy services.

Phase 1 work includes defining relevant set of data for collection, transfer, escrow, and retention, as well as creating relevant data protection arrangements between and among ecosystem partners.

Phase 2 will consider whether to recommend a policy governing disclosure of redacted data elements to authorized users.

Thick WHOIS

Requires all gTLD registrations to be "thick," with consistent labeling and display of WHOIS outputs

- Published the two Consensus Policies on 1 February 2017
- **Consistent Labeling and Display – Implementation Completed**
Policy Effective Date: 1 August 2017
- **Transition from Thin to Thick for .COM, .NET and .JOBS**
Policy Effective Date: 1 May 2018
 - submit all new domain name registrations as Thick WHOISPolicy Effective Date: 1 February 2019
 - migrate all data required for Thick WHOIS services for existing domain namesContractual compliance enforcement has been deferred by the Board to 31 May 2020 and 30 Nov 2020 respectfully

Protection of IGO/INGO Identifiers in All gTLDs

Addresses issues related to the New gTLD Program and whether certain international (non-) governmental organizations (IGOs/INGOs) should receive special protection for their names in top- and second-level domains in new gTLDs

- Published the Consensus Policies on 16 January 2018
- **Protection by Reserved Names - completed**
Policy Effective Date: 1 August 2018
- **Protection by Claims Notification - in process**
Policy Effective Date: 12 months from the release of the Claims system specification
The claims system development may include other identifiers in addition to the currently required INGO Identifiers

Protection for Certain Red Cross Names in All gTLDs

- This is a policy amendment to the published policy for the Protection of the IGO & INGO Identifier for All gTLDs.
- The Reconvened PDP WG developed a list of specific names of 191 Red Cross Names as well as a limited, defined set of variants for these names to be added to the reserved names list.
- The Board adopted the recommendation on 27 Jan 2019.
- On 23 Oct 2019, the Implementation Team opened [public comment](#) for the implementation plan that includes over 7000 DNS Labels
- **The public comment closes on 12 Dec 2019**
- Target date for the policy publication is 1 Feb 2020 with 1 Aug 2020 effective date

Engage with ICANN



Thank You and Questions

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10:50 - 11:15: ATRT3 Meeting with the Chairs

Agenda Item #6

Third Accountability and Transparency Review Team (ATR3)

Update to the Community @ ICANN66



November 2019

Overview of Presentation

1. Background on Accountability and Transparency Reviews (ATRTs)
2. Background on ATRT3
3. Sources of information for the topics to be assessed
4. ATRT2 recommendations and Implementation reports
5. ATRT3 survey
6. Accountability indicators
7. Prioritization

... continued on next slide

Overview of Presentation

8. Reviews

9. Diversity on the Board

10. Public consultations

11. Policy Development Processes (PDPs)

12. Summary

13. Public consultation on ATRT3 draft report

14. Questions

15. Conclusion

Background on Accountability and Transparency Reviews

New Operating Standards for Specific Reviews

- After a fulsome process new Operating Standards for Specific Reviews were introduced in June 2019 which were immediately applicable to any ongoing (at the choice of the RT) or future Specific Reviews.
- The most important changes made were with respect to the requirements for Specific Reviews making recommendations.

New Requirements for Recommendations

- Identification of Recommendation
- Definition of desired outcomes, including metrics used to measure whether the recommendation's goals are achieved
- Initial identification of potential problems in attaining the data or developing the metric
- Suggested timeframe in which the measures should be performed

New Requirements for Recommendations

- Definition of current baselines of the issue and initial benchmarks that define success or failure
- Data retained by ICANN
- Industry metric sources
- Community input
- Surveys or studies
- Consensus on Recommendation

ATRT2 Recommendations

- ATRT2 completed its work in December 2013 proposing 12 recommendations with 46 distinct components.
- The majority of recommendations focused on the Board and the GAC.
- Implementation of ATRT2 recommendations began in 2014 and was reported as completed in 2018.
- ATRT3 was mandated to review the implementation and effectiveness of these.

Background on ATRT3

ATRT3 Background

- ATRT3 held its first meeting on April 1st, 2019 and must complete its work by March 30th 2020 (originally scheduled to launch in January 2018 per the Bylaws but delayed due to the Transition).
- ATRT3 was originally composed of 18 members as follows:
 - 4 from ALAC
 - 1 from the ccNSO
 - 1 from the GAC
 - 7 from the GNSO
 - 1 from RSSAC
 - 3 from SSAC
 - 1 from the ICANN Board

ATRT3 Strategy on Recommendations vs Suggestions

- ATRT3 has opted to make both recommendations and suggestions (in some cases strong suggestions) in its final report due to the new requirements for recommendations.
- ATRT3 will limit making recommendations to topics which it believes are of critical importance.

Sources of Information for the Topics to be Assessed

- ATRT2 Recommendations & Implementation
- ATRT3 Survey
- Accountability Indicators

ATRT2 Recommendations & Implementation

- The ICANN.org implementation report of October 2018 noted that all ATRT2 recommendations had been implemented.
- ATRT3's assessment is:
 - 53% were completely implemented
 - 29% were partially implemented
 - 18% were not implemented

ATRT3 Survey

ATRT3 Survey: General Information

- ATRT3 conducted two surveys, one for individual respondents and one for Structures (SO/ACs, including GNSO constituent bodies and RALOs) from August 20th to September 23rd, 2019.
- The survey for Community Structures was essentially the same survey that was proposed to individuals but with the possibility to input text comments on a number of questions.
- 15 of 17 SOs, ACs, GNSO constituent bodies and RALOs responded to the Structures survey (2 GNSO constituent bodies did not respond).
- 88 individuals responded to the survey but only about 50 answered all the questions.

ATRT3 Survey: Summary of Responses

The strongest responses were in relation to the following topics for questions:

- Prioritization
- Specific and Organizational Reviews
- Diversity of Board members
- Public comment process
- Support for Board decisions

ATRT3 Survey: Main Issues of Interest for ATRT3

- Given the strong support for Board decisions it was not included as an issue for ATRT3 to consider.
- ATRT3 did add the issue of GNSO policy development based on its assessment of the ATRT2 recommendations and other input.
- The list of priority topics:
 - Prioritization
 - Specific and Organizational Reviews
 - Diversity of Board members
 - PDPs
 - Public comment process

Accountability Indicators

Accountability Indicators

- ATRT3 is reviewing the accountability indicators

Prioritization

Prioritization

- In response to the ATRT3 survey question “Should the ATRT3 make recommendations about prioritization and rationalization of ICANN activities?” 73% of Individuals and 92% of Structures responded Yes.
- There was a similar focus in responses to the public comment on evolving the Multistakeholder Model.

Prioritization

- ATRT3 is currently awaiting further information from the Board to pursue this topic

Reviews

Reviews: Specific Reviews

- ATRT3's consideration of Specific Reviews comes at a time when:
 - ICANN, for the first time in its history has rejected some of the recommendations from such a Review (CCT)
 - ICANN has significantly increased the requirements for Review Teams wishing to make recommendations with the new Operating Standards for Specific Reviews.

Reviews: Specific Reviews

- In response to the ATRT3 survey question “How would you rate the effectiveness of the specific reviews (ATRT, SSR, RDS, etc.) as they are currently structured in the ICANN Bylaws?” 49% of Individuals found them effective while only 16% of Structures found them Very Effective or Effective.
- In a companion question asking “ should Specific Reviews (ATRT, SSR, RDS, etc.) be reconsidered or amended” 78% of Individuals and 90% of Structures responded Yes.

Reviews: Organizational Reviews

- ATRT3's consideration of Specific Reviews comes at a time when SOs and ACs are increasingly dissatisfied with the results of these reviews (the ALAC rejected 8 of the 16 recommendations from its review).
- In response to the ATRT3 survey question “How would you rate the effectiveness of Organizational Reviews, those reviewing SO/ACs as they are currently structured in the ICANN Bylaws?” 41% of Individuals 42% of Structures found them Effective.
- In a companion question asking “ should Organizational Reviews be reconsidered or amended” 85% of Individuals and 82% of Structures responded Yes.

Reviews: Recommendation considerations by ATRT3

ATRT3 concludes that reviews as they are currently implemented have not been sufficiently effective for some of the following reasons:

- Lack of coordination and overlap between reviews sometimes results in conflicting recommendations
- Too many reviews
- Reviews have to compete for ICANN's resources
- Lack of time or lack of resources
- Failure to properly implement some recommendations and report this
- Difficulty to have a systemic and holistic view

Reviews: Recommendation considerations by ATRT3

The possibilities ATRT3 is considering to address this situation include:

- Constitute a single permanent entity in ICANN to coordinate reviews as they currently stand and independently assess implementation of recommendations
 - Could consider merging all reviews into 1 after 5 years
- Replace all Specific Reviews with one review and all Organizational Reviews with one review
- Replace all Specific Reviews and all Organizational Reviews with one review

Diversity on the Board

Diversity on the Board

- In response to the ATRT3 survey question “Do you consider the diversity amongst Board members satisfactory?” 48% of Individuals and 69% of Structures responded No.
- In a companion question regarding which diversity elements were missing:
 - Individual respondents identified Geographical/Regional representations (56%) and Stakeholder group or Constituency(56%)
 - Structures identified Gender (76%), Geographical/Regional representations (70%) and Stakeholder group or Constituency (52%)

Diversity on the Board

- Given the Bylaws specify how voting Board members are selected (SOACs and NomCom) it would be difficult for ATRT3 to recommend modifying this delicate balance without launching a major process to formally study this.
- As such ATRT3 is considering suggesting that SOs and ACs which nominate voting Board members voluntarily accept to alternate their nominations based on gender.

Public Consultations

- In response to the ATRT3 survey question “Please rate how effective the current system of Public Comment consultations is for gathering community input.”
 - Individual responses to the first question were 50% Effective or Very Effective vs 48% which rate it as Somewhat Ineffective or Ineffective.
 - Structure responses to the first question were 75% Effective or Very Effective vs 25% Somewhat Ineffective or Ineffective.

- In a companion question “Do you believe the concept of Public Comment, as currently implemented, should be re-examined?”
 - Individual responses were 88% in favor of re-examining the concept of public comments vs 12% against.
 - Structure responses were 54% in favor of re-examining the concept of public comments vs 46% against.

Public Consultations

- In response to the ATRT3 survey question “Would you respond more often to Public Comments if the consultation included short and precise questions regarding the subject matter in a Survey Monkey or similar format?”
 - Individual responses provide a very clear indication with 82% Agree or Strongly Agree vs 10% Disagree or Strongly Disagree
 -
 - The Structure results do not provide any indication given they are split 28% Agree or Strongly Agree, 43% No Opinion and 28% Disagree or Strongly Disagree

Public Consultations

- Obviously Individual respondents have identified that there is an issue for them with respect to public consultations.
- The notion of including “short and precise questions regarding the subject matter in a Survey Monkey or similar format” resonated with Individuals but the use of surveys in public consultations were rejected because they could be easily abused.
- The notion of ensuring that public comments include “short and precise questions regarding the subject matter” would go a long way towards addressing the issues brought up by these questions.

PDPs

- Under consideration by ATRT3

Summary & Public Consultation on ATRT3 Draft Report

Public Consultation on ATRT3 Draft Report

- ATRT3 is currently planning to publish its draft report for public consultation by mid-December 2019 and closing at the end of January 2020.
- ATRT3 is also aware of the fact that there will be a number of other important public consultations that will be held in parallel (Auction Proceeds....).
- In order to help mitigate the workload on the community and in line with its suggestion for public consultations ATRT3 will also include in its public consultation on its draft report an augmented executive summary as well as a list of questions it would appreciate feedback on from the community.



Thank You and Questions

ATRT3 wiki: <https://community.icann.org/x/QK7DAw>

Email (publicly archived): input-to-atrt3@icann.org

11:15 - 11:30: EPDP Phase 1 Recommendation 27 and Prioritization of GNSO Council Work Plan on Other Impacted Policies

Agenda Item #7

11:30 - 12:15: Prep for ccNSO, GAC and Board Sessions

Agenda Item #8

Discussion Topics Submitted to the ICANN Board

Given the unique role of the GNSO Council as the manager of the policy development process and in light of the ongoing consultation between the Board and the Council regarding the non-adoption of the two EPDP Phase 1 policy recommendations, the Council would like to propose “**Recommendation 12 of EPDP Phase 1**” as the topic for discussion with the Board.

We hope our discussion will focus on two main areas:

1. How to address the Board’s “security and stability” concern
2. The role of public interest considerations

With regard to #2 above, we note your recent letter referred to the ICANN Board’s Discussion Paper on Defining the Global Public Interest, which states: “...the intent of this framework is to use existing bottom-up multistakeholder processes and methods without change,...”.

However, the fact that ICANN Board did not fully adopt two EPDP Phase 1 recommendations and is now requesting the EPDP Team to determine whether Recommendation 12 is in the public interest seems to suggest a shift from the existing processes. As such, we hope our conversation will help the Council gain a better understanding of the Board’s expectation in this regard.

Discussion Topics Submitted to the ICANN Board (Cont.)

Community, Board and ICANN org readiness to implement the following three critical plans that will shape ICANN's future:

- (1) Strategic Plan FY 21-25
- (2) Operating & Financial Plan FY 21-25, and
- (3) Work Plan to improve the effectiveness of ICANN's multistakeholder model

GNSO-GAC Joint Meeting Discussion Topics

- ⦿ Discussion of Curative Rights Developments (including new RPM Charter)
- ⦿ Discussion of respective community interests involving the proceeding regarding ICANN's Evolving Multistakeholder Model (& PDP 3.0)
- ⦿ Update on New gTLD Subsequent Procedures Matters (including WT5);
- ⦿ Discussion of EPDP Phase 2 developments (if necessary and not adequately covered during other ICANN66 sessions)

Joint ccNSO-GNSO Council Meeting Agenda

1. Decision making on PTI SLA changes: SLA IDN tables processing time
2. Progress developing Joint procedure to initiate Special IAN Function Review (required under the Bylaws)
3. Coordination of policy development efforts pertaining to IDNs
4. CCWG Auction proceeds: progress to date and anticipation of next steps required under the charter from the GNSO and ccNSO (Councils)
5. Coordination comment efforts ICANN planning (FY21 Ops Plan and budget, other)
6. Evolution of the MSM: are there any anticipated next steps from ccNSO and/or GNSO Council?
7. AOB
8. Closure

12:15 - 13:15: Lunch Meeting with the Board

Agenda Item #9

Discussion Topics Submitted to the ICANN Board

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We hope our discussion will focus on two main areas:

1. How to address the Board’s “security and stability” concern
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However, the fact that ICANN Board did not fully adopt two EPDP Phase 1 recommendations and is now requesting the EPDP Team to determine whether Recommendation 12 is in the public interest seems to suggest a shift from the existing processes. As such, we hope our conversation will help the Council gain a better understanding of the Board’s expectation in this regard.

13:20 - 14:00: PDP3.0 Update & Discussion with Brian Cute

Agenda Item #10

PDP 3.0 Implementation Update & Discussion



GNSO Council Working Session
3 November 2019

Agenda

- ⦿ Progress Overview
- ⦿ Delivered Packages 1-3 of Improvements
- ⦿ Packages 4-5 Improvements
- ⦿ Linkage with Multistakeholder Model Evolution
- ⦿ GNSO & ICANN Community Consultation
- ⦿ Post ICANN66 – SPS 2020 Work Items

Progress Overview



Fourteen (14) PDP 3.0 Improvements

1

- #1 Terms of participation for WG members
- #2 Alternatives to open Working Group model
- #3 Criteria for joining of new members
- #6 Expectations for Working Group leaders

2

- #11 Enforce deadlines & ensure bite size pieces
- #12 Notification to Council of change in work plan
- #14 Criteria to evaluate request for data gathering
- #16 Criteria for PDP Working Group updates

3

- #13 Review of working group leadership
- #5 Active role for and clear description of Council liaison to PDP Working Groups

4

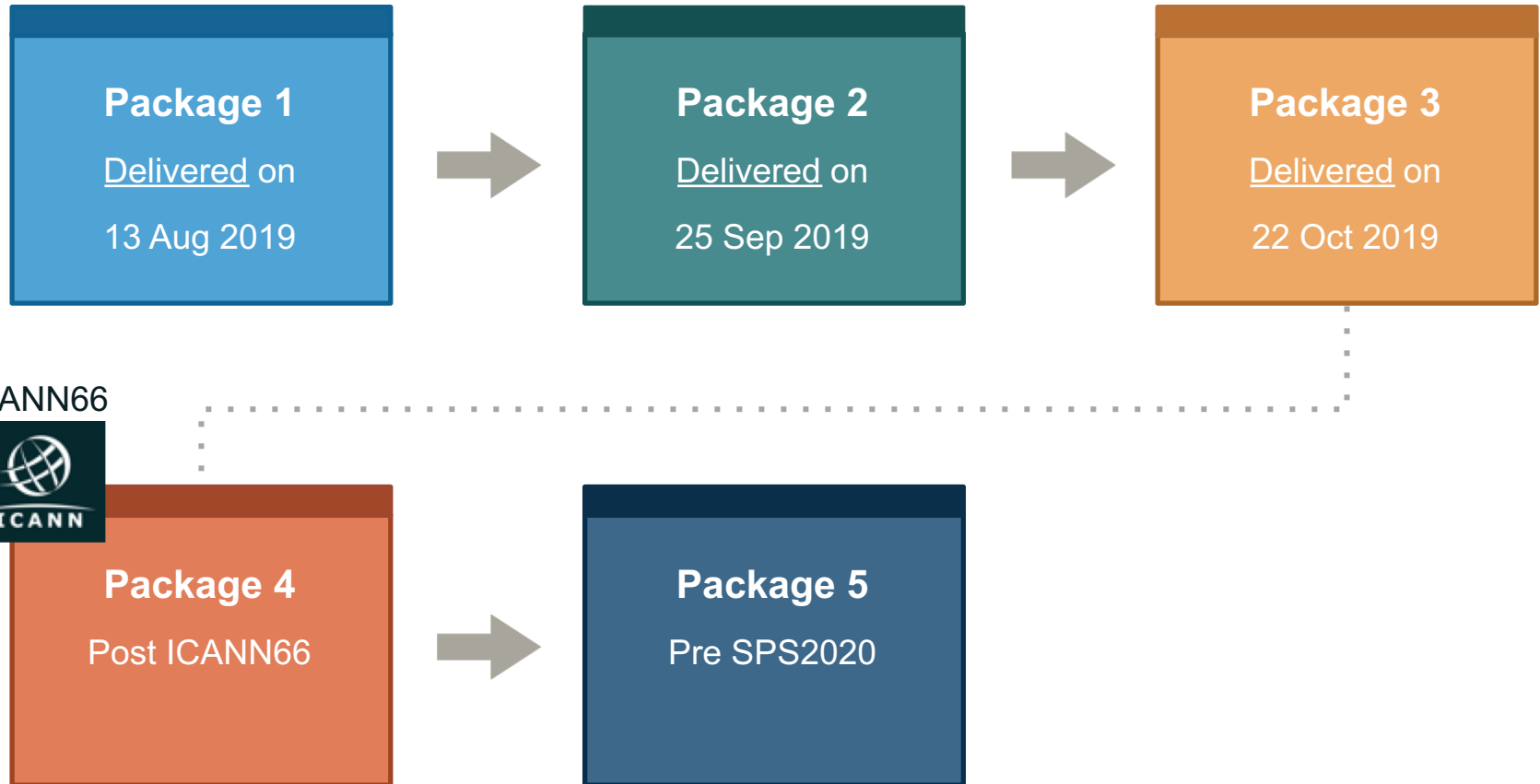
- #9 Provide further guidance for section 3.6 and clarification of section 3.7
- #15 Independent Conflict Resolution

5

- #17 Resource reporting for PDP Working Group
- #4 Capture vs. consensus playbook

Progress Overview

Dates of Package Delivery



Delivered Packages 1-3 Improvements

1

#1, #2, #3, #6 | *Expectations, Requirements, Participation Methods for GNSO Working Groups Members and Leaders*

<u>Statement of participation</u>	A document that seeks affirmative commitment from working group members before they can participate in a working group
<u>A comparison table of working group models</u>	A document that identifies three policy working group models, notes aspects for consideration during working group formation, and lists elements of different models that can be mixed and matched
<u>Criteria for joining of new members</u>	A document that provides additional clarifications for the GNSO Working Group Guidelines and outlines factors that a working group should consider in determining whether to accept new members after the start of the effort
<u>Working group member skills guide</u>	A document that lists resources, tips, and suggestions that help ensure new members are sufficiently prepared for full participation in a working group
<u>Expectations for working group leaders</u>	A tool that facilitates the working group's selection and review of its leadership positions and helps a working group and the Council hold its leaders accountable

Delivered Packages 1-3 Improvements (cont.)

2

#11, #12, #14, #16 | *Project Management Related Improvements*

<u>GNSO project work product catalog</u>	A list of staff-managed work products that help document and guide the progress of a working group from start to finish
<u>Next generation project list</u>	A tool that helps the GNSO Council evaluate the appropriate health of Council-managed projects in terms of their schedule, tasks, activities, action items, and risks
<u>Project status and condition change procedure & flowchart</u>	A process that assists working group and Council leadership in assessing the state of a project and determining when disruptions require Council attention
<u>Project change request form</u>	A formal request for a GNSO working group to submit to the GNSO Council in order to modify any deliverable or baseline delivery date
<u>Checklist: criteria to evaluate request for data gathering</u>	A tool that assists PDP working group in performing its due diligence before submitting a data gathering request to the GNSO Council

Delivered Packages 1-3 Improvements (cont.)

3

#5, #13 | *Review of GNSO Council Liaison to PDP Working Groups and Working Group Leadership*

[New liaison briefing and liaison handover](#)

A tool that assists a new GNSO Council liaison to a PDP working group in getting up to speed with the liaison role and responsibilities generally, but also specific to the particular PDP

[GNSO Council liaison supplemental guidance](#)

A checklist that details job duties of a GNSO Council liaison to a PDP working group

[Regular review of PDP working group leadership by GNSO Council](#)

A process that helps the GNSO Council evaluate the performance of PDP working group leadership and address possible issues/opportunities identified

[PDP working group member survey on leadership performance](#)

An anonymous survey to be completed by PDP WG members and feed into the regular review of PDP working group leadership by the GNSO Council

Packages 4-5 Improvements

Coming soon...

4

#9, #15 | *Consensus Building & Conflict Resolution*

Briefing Document on the Concept of “Consensus” in the PDP

A briefing document that explains the concept of “consensus” and references experience with consensus building in the Internet Engineering Taskforce (IETF) (overtaken by Improvement #4)

Clarification to Complaint Process in GNSO Working Group Guidelines

A guideline document that provides detailed suggestions to improve the Section 3.7 complaint proceeding

Independent Conflict Resolution

A reference guide to conflict resolution resources

Coming soon...

5

#17, #4 | *Resource Reporting & Consensus Playbook*

Deliverables TBD

Deliverables TBD

GNSO & ICANN Community Consultation



PDP 3.0 Webinar
Wednesday, 27 November 2019



GNSO Community

- ❑ **GNSO Council:** Consider holding an additional meeting for incoming Councilors
- ❑ **GNSO Stakeholder Groups & Constituencies:** Invitation to provide input for PDP 3.0 implementation by Friday, 22 November
 - Share all implementation documents already delivered to the GNSO Council
 - SGs/Cs provide feedback via their Council representatives

&

Wider ICANN Community

- ❑ **Invitation to provide input for selected PDP 3.0 implementation by Friday, 22 November**
 - **#1** Terms of participation for working group members
 - **#2** Consider alternatives to open working group model
 - **#3** Criteria for joining of new members
- ❑ **How to provide feedback:**
 - ALAC/At-Large, ccNSO, and GAC via their respective liaisons
 - ASO/SSAC/RSSAC email gnso-secs@icann.org

Linkage with Multistakeholder Model Evolution

Issue 2 Precision in Scoping Work	Issue 3 Efficient Use of Resources and Costs	Issue 5 Representation, Inclusivity, Recruitment, and Demographics	Issue 8 Consensus
<p>#11 Enforce deadlines and ensure bite size piece</p> <p>#12 Notification to Council of changes in work plan</p> <p>#16 Criteria for PDP working group updates</p>	<p>#14 Criteria to evaluate request for data gathering</p> <p>#17 Resource reporting for PDP working group</p>	<p>#1 Terms of participation for WG members</p> <p>#2 Alternatives to open Working Group model</p> <p>#3 Criteria for joining of new members</p> <p>#5 Active role for and clear description of Council liaison to PDP Working Groups</p> <p>#6 Expectations for Working Group leaders</p> <p>#13 Review of working group leadership</p>	<p>#4 Capture vs. consensus playbook</p> <p>#9 Provide further guidance for section 3.6 and clarification of section 3.7</p> <p>#15 Independent Conflict Resolution</p>

Post ICANN66 – SPS 2020 Work Items

1

Complete Package 4 & 5 Improvements

2

Conduct GNSO & ICANN Community consultation

3

Incorporate feedback for proposed documents

4

Revise PDP Working Group charter template

5

Ensure consistency & linkage between related improvements

6

Dry run selected improvements

Deliver Final Report at SPS 2020

- Final documents & related work products for all 14 Improvements
- Confirmation of effective dates to deploy Improvements
- Planning for the next phase of PDP 3.0 (e.g., parking lot items, improvements not approved in ICANN63, etc.)

Questions?

14:00 - 14:20: Update from Bylaws DT

Agenda Item #11

GNSO Bylaws Drafting Team Update at ICANN66

Guidelines & Motion Templates:
GNSO's Responsibilities as an Empowered
Community member

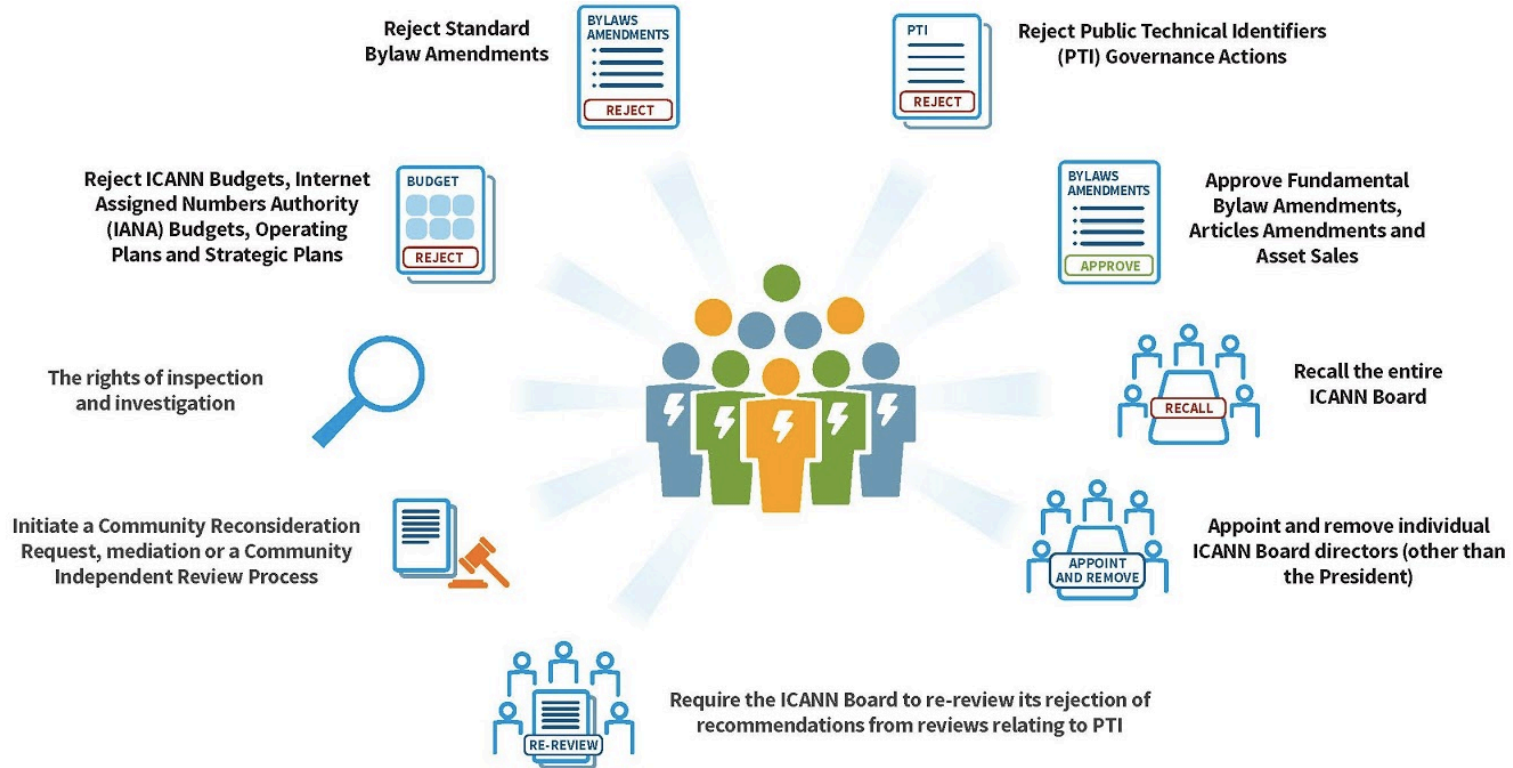
November 2019

Empowered Community Overview

WHAT ARE THE EMPOWERED COMMUNITY POWERS?



The Empowered Community has nine powers to ensure the Internet Corporation for Assigned Names and Numbers (ICANN) Board and organization are accountable:



Empowered Community Overview (Cont.)

HOW DOES THE EMPOWERED COMMUNITY USE THEIR POWERS?

The Empowered Community has a process to raise concerns with an action or inaction made by the ICANN Board or organization. This escalation process gives ICANN's Supporting Organizations (SOs) and Advisory Committees (ACs) opportunities to discuss solutions with the ICANN Board.

Seven Core Steps in the Escalation Process



Escalation of a concern can be stopped at any point if a threshold is not met or if a solution is found.

What is the Empowered Community?

The Empowered Community is the mechanism through which ICANN's SOs and ACs can organize under California law to legally enforce community powers. The community powers and rules that govern the Empowered Community are defined in the **ICANN Articles of Incorporation** and **Bylaws**.



Who can participate in the Empowered Community?

All of ICANN's SOs, as well as the At-Large and Governmental ACs, can participate in the Empowered Community including: the Generic Names Supporting Organization, the Country Code Names Supporting Organization, the Address Supporting Organization, the Governmental Advisory Committee and the At-Large Advisory Committee.



Empowered Community Guidelines & Templates

DT developed guidelines and draft Council motion templates for carrying out the GNSO's responsibilities as a Decisional Participant in the Empowered Community: <https://community.icann.org/x/BYc2Bg>

- ⦿ Approval Action Community Forum & Decision Whether to Approve an Approval Action [Annex D, Art 1, Sections 1.3 and 1.4]
- ⦿ Petition Process for Specific Actions & Rejection Action Community Forum [Annex D, Art 2, Sections 2.2 and 2.3]
- ⦿ Nominating Committee Director Removal Process [Annex D, Art 3, Section 3.1]
- ⦿ SO/AC Director Removal Process [Annex D, Art 3, Section 3.2]
- ⦿ Board Recall Process [Annex D, Art 3, Section 3.3]
- ⦿ Independent Review Process (IRP) for Covered ICANN Actions & Community IRP [Art 4, Sections 4.2 and 4.3]

GNSO Council Agenda in ICANN66 Montreal

GNSO Council to review (and vote, if ready) on full set of Guidelines and Templates developed by the DT, which comprises:

- ⦿ Guidelines and Templates on the previous slide, plus
- ⦿ GNSO-ccNSO Joint Consultation Guidelines on the Initiation of a Special IANA Function Review [Art 18, Section 18.12]
 - Associated Guideline for GNSO Internal Review Process to satisfy Art 18, Section 18.12(a)(i)-(ii) of the ICANN Bylaws

Approval Action

- ⦿ An “Approval Action” is comprised of the process set forth in Annex D, Article 1 of the ICANN Bylaws that governs the escalation procedures for the Empowered Community to approve the following under the Bylaws:
 - Fundamental Bylaw Amendments, as contemplated by Section 25.2 of the Bylaws;
 - Articles Amendments, as contemplated by Section 25.2 of the Bylaws; and
 - Asset Sales, as contemplated by Article 26 of the Bylaws.
- ⦿ Guidance is provided to the GNSO concerning how:
 - the GNSO community provides feedback to the Community Forum for an Approval Action; and
 - the GNSO Council decides to support, object, or abstain from an Approval Action.
- ⦿ See the [flowchart](#) for additional details.

Rejection Action

- ⦿ A Rejection Action is comprised of the process set forth in Annex D, Article 2 of the ICANN Bylaws, which shall govern the escalation procedures for the Empowered Community to reject an action.
- ⦿ Guidance is provided to the GNSO concerning how:
 - an individual submits a Rejection Action Petition to the GNSO Council;
 - the GNSO community provides feedback on the Petition;
 - the GNSO Council decides to accept or reject a Petition, or support a Petition from another Decisional Participant;
 - the GNSO community provides feedback before and after a Community Forum for a Rejection Action; and
 - the GNSO Council decides to accept, reject, or abstain from a Rejection Action.
- ⦿ See the [flowchart](#) for additional details.

Board Director Removal (NomCom Selected)

Removal of a Board Director selected by the Nominating Committee (seat 1 through seat 8):

1. an individual submits a Nominating Committee Director Removal Petition to the GNSO Council;
2. the affected Director, the petitioner, the Board Chair/Vice Chair, and the GNSO Representative on the ECA conduct a dialogue;
3. the GNSO community provides feedback on a Petition;
4. the GNSO Council decides whether to accept or reject a Petition;
5. the GNSO community provides feedback before and after a Community Forum on the Nominating Committee Director Removal; and
6. the GNSO Council decides to support, object, or abstain from a Nominating Committee Director Removal.

Note:

- The GNSO needs support from at least one other Decisional Participant to escalate the Petition to Community Forum;
- The GNSO has the opportunity to decide whether to support a Petition from another Decisional Participant;
- See the [flowchart](#) for additional details.

Board Director Removal (GNSO Appointed)

Removal of a Board Director appointed by the GNSO (seat 13 or seat 14):

1. an individual submits a SO/AC Director Removal Petition to the GNSO Council;
2. the affected Director, the petitioner, the Board Chair/Vice Chair, and the GNSO Representative on the ECA conduct a dialogue;
3. the GNSO community provides feedback on a Petition;
4. the GNSO Council decides whether to accept or reject a Petition;
5. the GNSO community provides feedback before and after a Community Forum on the SO/AC Director Removal; and
6. the GNSO Council decides the level of support to remove the GNSO appointed Board Director.

Note:

- The GNSO does NOT need support from other Decisional Participants to escalate the Petition to Community Forum;
- There is an additional 7-day comment period following the Community Forum;
- GNSO Council voting thresholds for step 4 and step 6 are different;
- See the [flowchart](#) for additional details.

Board Recall (Entire ICANN Board)

Recall of the entire ICANN Board of Directors:

1. an individual submits a Board Recall Petition to the GNSO Council;
2. the GNSO community provides feedback on a Petition;
3. the GNSO Council decides whether to accept or reject a Petition;
4. the GNSO community provide feedback before and after a Community Forum on the Board Recall; and
5. the GNSO Council decides to support, object, or abstain from a Board Recall.

Note:

- The GNSO needs support from at least two other Decisional Participants to escalate the Petition to Community Forum;
- The GNSO has the opportunity to decide whether to support a Petition from another Decisional Participant;
- See the [flowchart](#) for additional details.

Community Independent Review Process

- ⦿ The Community Independent Review Process (IRP) is an accountability mechanism provided by the Article 4, Section 4.3 & Annex D, Section 4.2 of the ICANN Bylaws;
- ⦿ The IRP allows for third-party review of actions (or inactions) by the ICANN Board or staff that are allegedly in violation of the Bylaws or Articles of Incorporation;
- ⦿ Guidance is provided to the GNSO Council concerning whether and how it:
 - should decide to approve a petition to initiate a Community IRP;
 - support a Community (IRP);
 - become a Reconsideration Request requestor;
 - file an IRP Claim as a Claimant.
- ⦿ See the [flowchart](#) for additional details.

Special IANA Function Reviews

- ⦿ Joint Consultation Guidelines are developed for the ccNSO and GNSO in their consideration, under ICANN Bylaws Section 18.12(a), of whether their Councils should approve the initiation by the ICANN Board of a Special IANA Function Review (Special IFR);
- ⦿ The process for considering and initiating a Special IFR formally starts when the Customer Standing Committee (CSC) notifies the ccNSO and GNSO Councils that a performance issue remains unresolved following escalation to the ICANN Board;
- ⦿ Guidance is provided concerning:
 - the establishment of a Special IFR Coordination Team (SICT);
 - internal review process to consider the outcome of Remedial Action Procedure and IANA Problem Resolution Process (see the associated “Guideline for GNSO Internal Review Process”);
 - consultation with other Supporting Organizations & Advisory Committees;
 - a public comment period of the draft SICT recommendation;
 - ccNSO & GNSO Council votes on the SICT final recommendation.

14:20 - 14:35: Q&A with GNSO Liaison to the GAC Candidate

Agenda Item #12

GNSO Liaison to the GAC Annual Report 2019

In 2019 GAC involvement in PDP activities has been active, especially through the EPDP and the New gTLD Subsequent Procedures Work Track 5. This has helped raise awareness of PDP procedures among GAC members.

The shift in communication between GAC and GNSO that I identified in the 2018 report has continued, increasingly based on direct contact between the leaders. This has led to multiple parallel communication channels (leadership, support staff and liaisons) that are not always well coordinated. The GAC liaison role is still not fully incorporated in the established communication procedures, with copying the liaison being more of an afterthought (that sometimes gets overlooked) rather than established procedure.

While the GAC-GNSO Consultation Group (CG) on GAC Early Engagement in GNSO policy development activities reviewed the early engagement mechanisms and the liaison role in 2016 after the first two years, it might again be time to have a joint look at the mechanisms to see if any updates or changes are needed. In addition to this, it might be useful to look at the more efficient use of the joint GAC/GNSO meeting slots at the ICANN meetings. It might be useful to once per year have a dedicated session on informing new GAC members (in view of the high turnover) about the functioning of the PDP processes. Unfortunately webinars and other tools used to accomplish this have proven to be ineffective due to many GAC members being unable to dedicate sufficient time between the ICANN physical meetings.

GNSO Liaison to the GAC Annual Report 2019 (Cont.)

This year the scheduling at the physical meetings have been a special challenge. While it is extremely important for the GAC liaison to be present present at the GAC meetings to answer questions and provide additional information about ongoing PDP activities, but at the same time staying up to date with both GNSO Council and PDP activities (with meeting schedules that conflict with the GAC sessions) is also important. Especially the EPDP has presented intense time demands (with two days of face-to-face scheduled for the EPDP WG at ICANN65). Involvement in such a high-intensity PDP while holding the liaison role might not be very advisable going forward.

As stated in my previous report, it has been very convenient to have a designated contact both with the GNSO and GAC leadership, but in some instances it would be more expedient to be able to email the full GAC leadership directly. Unlike the case with gnso-chairs@icann.org, the liaison does not have direct email rights to gac-leadership@icann.org, so messages end up in the moderation queue.

14:35 - 15:00: Q&A with GNSO Chair Candidate

Agenda Item #13

Engage with ICANN – Thank You and Questions



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