

Comment on Design Phase Concept Paper wrt Operational Design Phase (ODP)

General

The Internet Service Providers and Connectivity Providers Constituency (ISPCP) with respect provides the following comment on the Design Phase Concept Paper from ICANNorg:

In principle

1. We acknowledge the outcome of any policy development process (PDP) and its implementation (the lifecycle) being dependent of each other
2. We welcome any initiative to filling gaps of information in the course of the policy development process (PDP) and its implementation

In many ICANN community discussions concerns were raised that PDPs and its implementations take too much time. Our concern is that any additional operational phase added to the cycle would even worsen this situation. This is to be avoided by implementing and managing the ODP appropriately. Insofar we'd prioritize the goal to "create a mechanism that complements existing processes".

ODP Principles

The Operational Design Phase should not create delays just in the overall timeline to Board consideration but shouldn't create delays in the lifecycle at all (see above).

ODP: Description of activities

According to the proposal the ODP should be initiated by a Board resolution. This should not exclude initiatives taken by GNSO or other ICANN structures and should be subject to Board approval. Timing of such a resolution is missing. In our opinion it should be passed as early as possible during the lifecycle meaning that it could even happen before the PDP has been finished. The content of the **ODA** (Operational Design Assessment) as suggested is fully accepted.

The creation of a **DFG** (Design Feedback Group) on community side seems not to be compelling taking the community knowledge represented in the PDP WG into consideration. According to the GNSO Procedures Annex 2 (PDP Manual) the WG at any time can "consider areas such as economic, competition, operations, privacy and other rights, scalability and feasibility". For this purpose it could also invite for external advice. Our request is that by turning out the activities described existing skills available by the PDP-WG should be taken into consideration as much as possible.

The process description slide on page 7 of the proposal is acceptable in principle but needs concrete timing. The “Feedback Group” could mainly be filled by members of the PDP-WG given the context shown before.

Finally, as the implementation of the ODP would impact the GNSO PDP in general we request that the document – after a first revision – should be put forward for official public comment of the community.

Thank you for your consideration.

Wolf-Ulrich Knoben

ISPCP Constituency Chair