

GAC – GNSO Consultation Group (CG) Recommendations concerning Early Engagement of the GAC in the GNSO policy Development Process – Issue Scoping Phase

The GNSO Policy Development Process can be divided into 5 different phases:

- Issue scoping
- Initiation
- Working Group
- Council Deliberations
- Board Vote

In order to focus its conversations and prioritize early engagement, the GAC – GNSO CG has focused its deliberations on the Issue Scoping phase to date. Based on those conversations, the GAC-GNSO CG would like to put forward the following preliminary recommendations to the GAC and GNSO for their consideration and input. Please note that a number of specific questions have been identified in relation to these recommendations (see below). Following the feedback received during ICANN 52, the GAC-GNSO CG aims to finalize these recommendations and recommend the implementation of these recommendation as a pilot so that these can be tried for the next GNSO PDP that is initiated. In addition the GAC-GNSO CG will consider the other stages of the PDP to determine whether additional recommendations would also be appropriate for these other stages. Please note that these recommendations should be viewed in conjunction with the existing PDP as outlined in Annex A of this document. See also Annex B for a high level as well as detailed flow chart of how the proposed recommendations are expected to integrate with the existing PDP.

Preliminary Recommendations

The core of these preliminary recommendations is the formation of a GAC Quick Look Mechanism Committee. The GAC-GNSO CG is of the view that the creation of such a committee would allow for an early indication in the PDP of whether the issue is of specific interest to the GAC which on the one hand will ensure that the GNSO is aware of this interest and can make arrangements accordingly, for example through ensuring regular updates via the GNSO Council liaison to the GAC, as well as allow for the GAC to put the necessary processes in place to be in a position to provide substantive input when a PDP WG commences its deliberations (following the Final Issue Report).

Preliminary Recommendation #1.

As part of a request for an Issue Report, the requestor is encouraged to identify whether there is any standing GAC advice on the topic on which an Issue Report has been requested, if known to the requester. As such the template for a request for an Issue Report template should be modified to include a field related to this information.

Preliminary Recommendation #2.

The CG recommends that a GAC Quick Look Mechanism Committee is created. The GAC leadership group (GAC Chair and Vice-Chairs) may assume this responsibility as a start. The GAC may decide later whether other GAC members should be added or whether a new dedicated committee should be created.

Preliminary Recommendation #3.

It is the responsibility of the GAC Quick Look Mechanism Committee following notification of a request of an Issue Report by the GNSO Liaison to the GAC and/or GNSO Secretariat to develop a recommendation on whether the issue:

- a) Has public policy implications and the GAC will commence preparations to provide input on the issue to the PDP WG;
- b) May have public policy implications and the GAC will consider further whether to provide input on the issue to the PDP WG;
- c) Is unlikely to have public policy implications, but the GAC reserves the right to provide input on the issue to the PDP WG should it determine at a later stage that there are public policy implications, e.g. in view of developments in the WG (one-pagers could serve to facilitate following developments for the GAC).

Preliminary Recommendation #4.

Within a proposed time period of 15 days, the GAC Quick Look Mechanism Committee is expected to forward its recommended response (a, b or c) to the full GAC for consideration.

Preliminary Recommendation #5.

Within a proposed time period of 20 days, the GAC reviews the GAC Quick Look Mechanism Committee recommended response and decides whether to agree or disagree (this could include referring issue back to Quick Look Mechanism Committee or the GAC deciding as a whole on a response).

Preliminary Recommendation #6.

If the recommended response is agreed to, this response is communicated by the GAC secretariat on behalf of the GAC Chair to the GNSO Council liaison to the GAC who communicates this information to ICANN Staff responsible for developing the Issue Report as well as the GNSO Council and/or submitted to the public comment forum.

Preliminary Recommendation #7.

The response from the GAC is incorporated in the Final Issue Report which is prepared following public comment on the Preliminary Issue Report and submitted to the GNSO Council for its consideration.

Preliminary Recommendation #8.

If the GAC response was a) (has public policy implications and the GAC will commence preparations to provide input on the issue to the PDP WG) or b) (may have public policy implications and the GAC will consider further whether to provide input on the issue to the PDP WG), the GAC will (in case of a) or should consider (in the case of b) create a committee that will review more detailed input to be provided to the GNSO PDP Working Group after its formation.

Specific questions for consideration by the GAC and GNSO:

- Is there support for the creation of a GAC Quick Look Committee?
- Are the timeframes proposed (see also Annex A) workable?
- Are there any objections to implementing this as a pilot so it can be tested and reviewed?
- Are there any other concerns or issues the GAC-GNSO CG should consider before finalizing these recommendations?

Annex A – Proposed GAC Quick Look Mechanism

Highlighted in blue are steps that are new compared to the current policy development process.

Step	What	When	Who	Comments
1	Request for Issue Report submitted to ICANN Staff, which should indicate whether there is standing GAC advice on the mentioned topic if known to the requestor	Day 0	GNSO Council / ICANN Board / Advisory Committee	
2	Communicate to the “GAC Quick Look Mechanism Committee” that an Issue Report has been requested, including information on the topic, and that a Preliminary Issue Report is expected to be published by X date (usually 45 days after transmission of request to ICANN staff)	Day 0 - 5	GNSO Liaison to the GAC	
3	Publication of Preliminary Issue Report for public comment, including information on any standing GAC advice on the topic, if available.	Day 45	ICANN Staff	Note, ICANN Staff has up to 45 days to prepare the Preliminary Issue Report but may ask for an extension if additional time is needed
4	Submit notification of publication of Preliminary Issue Report for public comment to the GAC	Day 45	GNSO Liaison to the GAC / GNSO Secretariat	
5	Convene Quick Look Mechanism Committee to review Preliminary Issue Report (by email and/or conference call)	Day 45 - 60	GAC Secretariat	

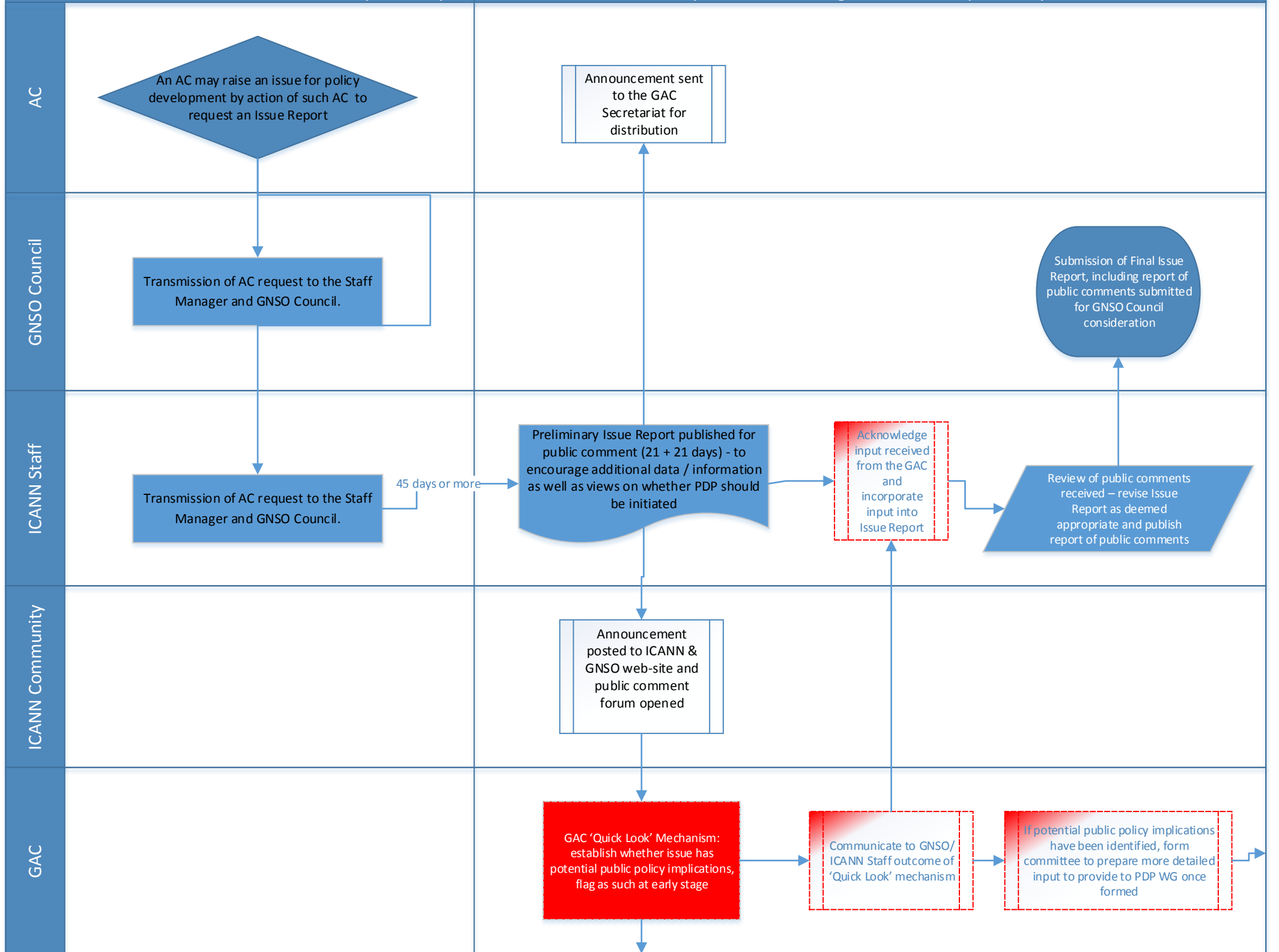
6	Quick Look Mechanism Committee communicates its recommended response to GAC	Day 60	Quick Look Mechanism Committee	<p>Recommended response options are:</p> <ul style="list-style-type: none"> d) Has public policy implications and the GAC will commence preparations to provide input on the issue to the PDP WG e) May have public policy implications and the GAC will consider further whether to provide input on the issue to the PDP WG f) Is unlikely to have public policy implications, but the GAC reserves the right to provide input on the issue to the PDP WG should it determine at a later stage that there are public policy implications, e.g. in view of developments in the WG (one-pagers could serve to facilitate following developments for the GAC)
7	GAC reviews Quick Look Mechanism Committee recommended response and decides whether to agree or disagree (this could include referring issue back to Quick Look Mechanism Committee or the GAC deciding as a whole on a response)	Day 60 - 80	GAC	In principle by email and/or teleconference, but in case of disagreement or need for further discussion, a decision could be escalated to a GAC F2F meeting.
8	Communicate outcome of quick look mechanism to the GNSO Council	Day 85	GAC Secretariat on behalf of the GAC Chair	

9	If outcome of quick look mechanism is option a or b, form a Drafting Team to develop input (option a) or consider whether input needs to be provided (option b) that can be provided to the PDP WG when it commences its deliberations	Day 85	GAC	Note: the PDP WG would be formed after the GNSO Council reviews the Final Issue Report and decides to initiate a PDP.
10	Closing of public comment forum on Preliminary Issue Report	Day 85	ICANN Staff	
11	Submit Final Issue Report, including outcome of GAC Quick Look Mechanism to the GNSO Council	Day 100 (estimated)	ICANN Staff	Note: this marks the conclusion of the first phase only (Issue scoping) of the five GNSO PDP phases.

GNSO PDP – Issue Scoping – Existing Engagement Opportunities

If IR is requested by AC

These steps are the same regardless of IR requested by Board, AC or GNSO Council



GAC Quick Look Mechanism - DRAFT

Phase

