

GNSO NCPH Inter-Sessional GNSO Futures?

February 2016

GNSO Review & structural changes

- Initially considered 'Out of Scope'
- Considered by structural review team to 'be working well'
- Strong reaction from NCPH and others
- Structural reform issue only added at a later stage

What the GNSO Review said on structural reform later

- More than 120 *'unsolicited comments'* in 360 degree survey and interviews
- Majority said *'overly complex'*
- Most common solution – *abolish two house structure*
- Others said – *structure immaterial to effectiveness*
- Review agrees structure is complex and measures are inefficient
- Review notes that complexity relates to achieving balance in voting between different groups
- Two House structure – *'vehicles for voting with life of their own'*

Views expressed to the review team

These included;

- *Do nothing*
- *Abolish Two House structure*
- *GNSO overloaded with issues so no change now*
- *Contracted parties have too much voting power*
- *Extend structure to three Houses –Voice for Registrants and Users*
- *Remove NCSG to merge with ALAC*
- *Abolish GNSO completely and restructure ICANN*

Additional points noted by Review Team

- Structural complexity
- Process complexity
- Both viewed as potential significant barriers for newcomers
- Some roles in GNSO perceived to protect '*an insiders game with high barrier to entry*'
- Some concern over '*lack of transparency*'
- GNSO works in 'Silos'
- GNSO obsession with voting = confrontational approach to decision making
- Current structure allows new Constituencies to form without changing voting balance between Houses

GNSO Review Conclusions

- *‘Not convinced another round of structural changes is warranted’*
- Review team considered life of current structure *‘short for people to be fully familiar with it’*
- Structure had been developed *‘with care to provide balance of voting’*
- Changing structure consumes time and energy
- Higher priority are PDP development and focus on representation and transparency (Review Recommendations)
- When full review does happens it should be broader than a single SO

Restructuring GNSO Council - BGC 7

- ***The Council should transition from being a legislative body to a strategic manager overseeing policy development.*** Among the Council's most important functions should be guiding the establishment of working groups and monitoring their progress. The Council should be responsible for launching a working group by deciding upon the appropriate mandate and timeline, and ensuring that it has an experienced and impartial Chair, who performs adequate outreach and has sufficient expertise. The Council should be available to provide guidance on any issues when they arise.
- *A working group should present its report and conclusions, including any minority views, to the Council for review...*
- *In forwarding the working group's report to the Board, the Council should indicate whether it agrees that the working group has fulfilled its mandate...*

*For this session lets try to determine
issues where we agree and those
where we have diverse
opinions.....*

*then try and agree a way forward for
Marrakech and beyond*

Key Questions and discussion -1

- Is the current GNSO structure broken to the degree that it requires urgent attention?
- What are the key drivers for change?
 - lack of balanced representation?
 - lack of balanced voting arrangements?
 - lack of efficiency and effectiveness?
 - stove pipe approach to policy development?

Key Questions and discussion -2

- Could we fix the current problems within the two House bicameral structure?
- Could we fix the current problems by restructuring the NCPH or the CSG/NCSG?

Key Questions and discussion -3

- Would stricter adherence to BGC 7 - *The Council should transition from being a legislative body to a strategic manager overseeing policy development* assist in resolving many issues?
- What does that mean for the role of Working Groups?
- If the need for formal voting was reduced would that alleviate some of the problems?
- Is that a realistic goal, how could it be achieved?
- Would the move towards 'strategic management' support dispensing with the two House approach?

Key Questions and discussion - 4

- Would using an increasing number of CCWGs assist (noting many issues require the GNSO to appoint reps to CCWGs)?
- Does the current limitation on GNSO appointments to CCWG's allow all parties equal representation?
- If not can that be fixed within the CCWG structures?
- Are there better ways of achieving that?

Key Questions and discussion - 5

- Will a reform of the GNSO achieve the best answer for ICANN or is timely to undertake a review of the whole ICANN structure and its working methods/relationships. Including the role of the AC's and GAC in policy development?
- Is now the time for this?
- What would that mean for the IANA transition?
- The need for By-law changes?
- Is it preferable to focus on each part of ICANN separately or promote a 'big bang' approach that would take longer and probably face stronger opposition?

Issues going forward

What are the 3 key challenges
facing ICANN?