



Global Public Interest (GPI) Framework



Background on the GPI Framework

In June 2020, the ICANN Board, in consultation with the community, developed a proposed global public interest (GPI) framework.

The Board asked ICANN org to test the framework as a pilot with two case studies: the System for Standardized Access/Disclosure (SSAD) recommendations and the New gTLD Subsequent Procedures (SubPro) recommendations.

The goal of the pilot was two-fold: to determine the framework's use and utility for the Board and to demonstrate how the community could use the framework to evaluate relevant public interest considerations within a given issue.

The pilot has since been completed, and the framework below reflects the changes resulting from the pilot.

The ICANN community is encouraged to leverage the framework during the policy development process as a way to help structure and guide its discussions on the GPI.

For previous versions of the framework and for the pilot report, please visit the [GPI wiki](#).

Expectations for the Framework

	What the framework IS:	What the framework is NOT:
How to use the framework	<ul style="list-style-type: none"> ✓ The framework is a tool that can be used as the community ascertains the relevant public interests on a given decision and on a case-by-case basis. ✓ It is meant as a tool that could help the community in its efforts to ascertain which decisions are in the public interest and how a particular decision is anchored in the mission and Bylaws. ✓ Ultimately, any determination of the public interest is made through the bottom-up multistakeholder community. 	<ul style="list-style-type: none"> ✗ The framework is not meant to replace existing processes, including the bottom-up multistakeholder processes. ✗ The framework is not to be formalized as part of existing processes. ✗ It is not meant to be used as a standalone. ✗ The framework is not intended as a tool to pre-empt or pre-determine the outcome of the bottom-up multistakeholder processes. ✗ The framework is not meant to complicate or lengthen the bottom-up multistakeholder process.
When to use the framework	<ul style="list-style-type: none"> ✓ The community, through the bottom-up multistakeholder processes, should determine which decisions, if any, may warrant the use of the framework. ✓ As with any tool, it can be used when it is considered relevant by the stakeholders making the recommendation or giving the advice. ✓ The Board may use the framework as an evaluative tool when appropriate. The community can also use the tool when evaluating its recommendations and advice. ✓ Given the nature of the Bylaws and ICANN's accountability mechanisms, the Board considers the GPI frequently. In the case of the Board, the framework would be considered in Board actions. ✓ When reviewing the community's recommendations and advice, the Board will consider if there was a community determination of the GPI (i.e., if the community elected to use the framework and make such a determination). 	<ul style="list-style-type: none"> ✗ The Board does not seek to impose or prescribe which processes should make use of the framework. ✗ The framework is not regimented - it is a tool that would be used by the ICANN Board and Org and that the community is invited to use. ✗ The framework can evolve and be modified as experience is gained in its use.

Expectations for the Framework

	What the framework IS:	What the framework is NOT:
Balancing	<ul style="list-style-type: none"> ✓ The community is invited to give the Board its view on how to balance considerations when applying the GPI. ✓ When submitting recommendations and advice, community groups would be encouraged to discuss how the different and potentially opposing views could be balanced in light of the various GPI perspectives. 	<ul style="list-style-type: none"> ✗ It is not expected that the community will identify a single definitive Bylaws anchor in determination of the GPI; indeed several Bylaws anchors could be used to explain how the community would recommend balancing among those anchors.

A Proposed Framework

Note - not each category/question will be relevant to each policy. It should also be noted that these are for discussion and that the details of the framework would need to be worked out with the community.

This framework is anchored in the Articles and Bylaws. The terms in the first column are intended to help categorize the considerations within the context of ICANN's work. The terms in the middle column either derive from or come directly from the Bylaws; they are not meant to encapsulate every category relating to the public interest, only those that are clearly related to ICANN's Bylaws. The questions in the third column use language directly from the Bylaws; italics is used to indicate quoted language.

Note that the Bylaws are not quoted in full in this framework. Communities seeking to use this framework are encouraged to refer to the full ICANN Bylaws to support their recommendations.

This tool shall only be used only after a determination is made that the issue under consideration is within ICANN's mission. The Board recognizes that the framework can be used to justify or support different interpretations of the GPI and that any single decision may positively affect some GPI categories, but negatively affect other categories. The responsibility to balance the various GPI elements in the various deliberations rests with the respective groups, and any decisions and rationales provided should capture this notion of balancing.¹

1 For more context on the notion of balancing, see the [WorkStream 1 Accountability Report](#): "Balancing or Reconciliation Test 137: The CCWG-Accountability recommends modification to the 'balancing' language in the ICANN Bylaws to clarify the manner in which this balancing or reconciliation takes place. Specifically: These Commitments and Core Values are intended to apply in the broadest possible range of circumstances. The Commitments reflect ICANN's fundamental compact with the global Internet community and are intended to apply consistently and comprehensively to ICANN's activities. The specific way in which Core Values apply, individually and collectively, to each new situation may depend on many factors that cannot be fully anticipated or enumerated. Situations may arise in which perfect fidelity to all Core Values simultaneously is not possible. In any situation where one Core Value must be reconciled with another, potentially competing Core Value, the balancing must further an important public interest goal within ICANN's Mission that is identified through the bottom-up, multistakeholder process." (pp.27-28)

Proposed Framework Categories

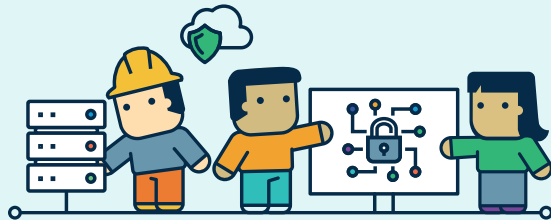
ICANN's technical coordination

Stable
Secure
Open
Resilient
Interoperable



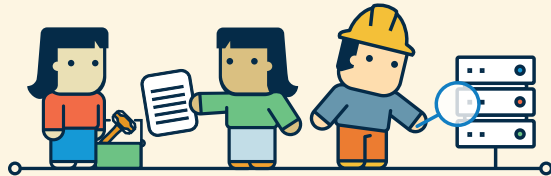
ICANN's role in the DNS marketplace

Fair
Trusted
Supportive of competition
Innovative



Benefit to the Internet community

Beneficial
Inclusive
Supportive of underserved communities
Supportive of human rights



ICANN's global multistakeholder community and policy development processes

Diverse Transparent
Respectful Open
Inclusive Balanced
Innovative Accountable



ICANN's financial operations

Fiscally responsible
Sustainable



Proposed Framework

Overall ICANN Categories	Public Interest Categories	Bylaws Considerations
ICANN's technical coordination	Stable Secure Open Resilient Interoperable	<ul style="list-style-type: none"> ✔ Will it preserve and enhance the administration of the DNS and the operational stability, reliability, security, global interoperability, resilience, and openness of the DNS and the Internet? (Commitment a.i) ✔ Will it maintain the capacity and ability to coordinate the DNS at the overall level and work for the maintenance of a single, interoperable Internet? (Commitment a.ii) ✔ Will it, to the extent feasible and appropriate, delegat[e] coordination functions to or recogniz[e] the policy role of, other responsible entities that reflect the interests of affected parties and the roles of bodies internal to ICANN and relevant external expert bodies? (Core value b.i.)
ICANN's role in the DNS marketplace	Fair Trusted Supportive of competition Innovative	<ul style="list-style-type: none"> ✔ Will it, where feasible and appropriate, depen[d] on market mechanisms to promote and sustain a competitive environment in the DNS market? (Core value b.iii) ✔ Will it introduc[e] and promot[e] competition in the registration of domain names where practicable and beneficial to the public interest as identified through the bottom-up, multistakeholder policy development process? (Core value b.iv)
Benefit to the Internet community	Beneficial Inclusive Supportive of underserved communities Supportive of human rights	<ul style="list-style-type: none"> ✔ Will it operate in a manner consistent with these Bylaws for the benefit of the Internet community as a whole? In performing its Mission, ICANN must [operate in this manner], carrying out its activities in conformity with relevant principles of international law and international conventions and applicable local law, through open and transparent processes that enable competition and open entry in Internet-related markets. (Commitments a) ✔ Will it, within the scope of its Mission and other Core Values, respec[t] internationally recognized human rights as required by applicable law [?] This Core Value does not create, and shall not be interpreted to create, any obligation on ICANN outside its Mission, or beyond obligations found in applicable law. This Core Value does not obligate ICANN to enforce its human rights obligations, or the human rights obligations of other parties, against other parties. (Core value b.viii)

Proposed Framework

Overall ICANN Categories	Public Interest Categories	Bylaws Considerations
<p>ICANN’s global multistakeholder community and policy development processes</p>	<p>Diverse Respectful Inclusive Innovative Transparent Accountable Open Balanced</p>	<ul style="list-style-type: none"> ✔ Will it respect the creativity, innovation, and flow of information made possible by the Internet by limiting ICANN’s activities to matters that are within ICANN’s Mission and require or significantly benefit from global coordination? (Commitment a.iii) ✔ Will it employ open, transparent and bottom-up, multistakeholder policy development processes that are led by the private sector (including business stakeholders, civil society, the technical community, academia, and end users), while duly taking into account the public policy advice of governments and public authorities [?] These processes shall (A) seek input from the public, for whose benefit ICANN in all events shall act, (B) promote well-informed decisions based on expert advice, and (C) ensure that those entities most affected can assist in the policy development process. (Commitment a.iv) ✔ Will it remain accountable to the Internet community through mechanisms defined in these Bylaws that enhance ICANN’s effectiveness? (Commitment a.vi) ✔ Will it see[k] and suppor[t] broad, informed participation reflecting the functional, geographic, and cultural diversity of the Internet at all levels of policy development and decision-making to ensure that the bottom-up, multistakeholder policy development process is used to ascertain the global public interest and that those processes are accountable and transparent? (Core value b.ii) ✔ Will it striv[e] to achieve a reasonable balance between the interests of different stakeholders, while also avoiding capture? (Core value b.vii) ✔ Will it, while remaining rooted in the private sector (including business stakeholders, civil society, the technical community, academia, and end users), recogniz[e] that governments and public authorities are responsible for public policy and duly taking into account the public policy advice of governments and public authorities? (Core value b.vi)
<p>ICANN’s financial operations</p>	<p>Fiscally responsible Sustainable</p>	<ul style="list-style-type: none"> ✔ Will it operat[e] with efficiency and excellence, in a fiscally responsible and accountable manner and, where practicable and not inconsistent with ICANN’s other obligations under these Bylaws, at a speed that is responsive to the needs of the global Internet community? (Core value b.v)

