RECOMMENDATIONS 26, 27, 28, & 29: STAKEHOLDER GROUP AND CONSTITUENCY MEMBERSHIP AND STATEMENTS OF INTEREST	
STRATEGIC ALIGNMENT	
Part One – Which ICANN Objective does this meet	
Promote role clarity and establish mechanisms to increase trust within the ecosystem rooted in the public interest. Also, evolve policy development and governance processes, structures and meetings to be more accountable, inclusive, efficient, effective and responsive. See Strategic Plan main web page at: https://www.icann.org/resources/pages/strategic-engagement-2013-10-10-en.	
Alignment with Strategic Goals	
Goal	- Shared understanding by Board, staff and stakeholders of the allocation of responsibilities for design, development and implementation of policy and operational processes. - Shared understanding of the roles, responsibilities and accountability of the Board, staff and stakeholders. - Board, staff, and stakeholders use best practices and exercises appropriate behavioral norms.
Project/Recommendation	Recommendation 26: That GNSO Council members, Executive Committee members of Stakeholder Groups and Constituencies and members of Working Groups complete and maintain a current, comprehensive Statement of Interest on the GNSO website. Where individuals represent bodies or clients, this information is to be posted. If not posted because of client confidentiality, the participant's interest or position must be disclosed. Failing either of these, the individual not be permitted to participate. Recommendation 27: That the GNSO establish and maintain a centralized publicly available list of members and individual participants of every Constituency and Stakeholder Group (with a link to the individual's Statement of Interest where one is required and posted). Recommendation 28: That section 6.1.2 Membership of Chapter 6.0 Stakeholder Groups and Constituencies: Operating Principles and Participation Guidelines of the GNSO Operating Procedures be revised to clarify that key clauses are mandatory rather than advisory, and to institute meaningful sanctions for non-compliance where appropriate. Recommendation 29: That Statements of Interest of GNSO Council Members and Executive Committee members of all Stakeholder Groups and Constituencies include the total number of years that person has held leadership positions in ICANN.

SCOPE DESCRIPTION
Scope Statement
The GNSO Review Working Group to review current procedures in the GNSO Operating Procedures related to this recommendation and to work with staff on possible modifications, which are to be published for public comment followed by GNSO Council approval.
Out of Scope
The above scope is sufficiently clear.
Assumptions
That modifications may need to be incorporated into Chapter 5.0 Statements of Interest of the GNSO Operating Procedures and Chapter 6.0: Stakeholder Groups and Constituencies: Operating Principles and Participation Guidelines.
Deliverables
Revisions to procedures, if necessary.

OPTION ANALYSIS
None were considered or were necessary to be considered.
SOLUTION

Recommendation 26: Currently Chapter 5.0 Statements of Interest states that the definition of a "Relevant Party" to which the requirements apply includes: "the GNSO Council, or a work team, working group, *committee* [emphasis added] or other such policy development body formed by and under the supervision of the GNSO Council." Staff notes that although the phrase "executive committee" is not specifically called out as a Relevant Party, the word "committee" is listed that thus could be considered to include "Executive Committee" members. Staff further notes that the Statements of Interest of GNSO Council and Stakeholder Group and Constituency leadership are document on the GNSO site. See attachment A, below.

In addition, the current Chapter 5.0 states that the Statement of Interest must provide the following information, "Are there any arrangements/agreements between you and any other group, constituency or person(s) regarding your participation as a work team member? Please answer "yes" or "no." If the answer is "yes," please describe the arrangements/agreements and the name of the group, constituency, or person(s)." Thus, it is already a requirement that such relationships must be posted. As for the disclosure requirement of the recommendation, staff suggests that this is addressed with the responses to the following two questions:

5. Do you believe you are participating in the GNSO policy process as a representative of any individual or entity, whether paid or unpaid? Please answer "yes" or "no." If the answer is "yes," please provide the name of the represented individual or entity. If professional ethical obligations prevent you from disclosing this information, please so state.

6. Please identify any other relevant arrangements, interests, or benefits as requested in the following two questions:

   i. Do you have any type of material interest in ICANN GNSO policy development processes and outcomes? Please answer "yes" or "no." If the answer is "yes," please describe the material interest in ICANN GNSO policy development processes and outcomes.

Recommendation 27: A centralized publicly available list of members and individual participants of every Constituency and Stakeholder Group (with a link to the individual's Statement of Interest where one is required and posted) exists. In addition, lists of members and individual participants of every Constituency and Stakeholder Group have been publicly since at least Fiscal Year 2015, if not earlier. See Attachment B. These all are available in a centralized place on gnso.icann.org.

Recommendation 28: Section 6.1.2 Membership of Chapter 6.0 Stakeholder Groups and Constituencies: Operating Principles and Participation Guidelines of the GNSO Operating Procedures should be revised to clarify that key clauses are mandatory rather than advisory, and to institute meaningful sanctions for non-compliance where appropriate. With respect to the first part of this recommendation, "that key clauses are mandatory", staff notes that when these procedures were developed by the Operations Steering Committee (OSC) as part of the GNSO Improvements Implementation, the OSC members specifically used the terminology "should" instead of "must" in Chapter 6.0, but meant the term to be considered a mandate, as opposed to optional. Thus, it is not clear what must be changed in section 6.1.2 that would make key clauses mandatory as they are already considered to be so. For historical background see the OSC wiki at: https://community.icann.org/display/gnsoosc.

With respect to the second aspect of this recommendation Staff notes that to a degree sanctions and compliance monitoring do exist:

- Council and Stakeholder Group and Constituency Leadership – Administrative Support maintain the GNSO site for leadership changes and will collaborate with individuals to have their Statements of Interest complete upon changes to leadership. While the Stakeholder Group and Constituency leadership Statement of Interest requirements in the GNSO Operating Procedures are not authoritatively defined, leaders have always completed Statements of Inerest as posted on the GNSO site.
- Working Group Particpation – at the start of each Working Group or new additions to existing Working Groups, members are required to meet Statement of Interest requirements for Working Group particpation. After several weeks of non-compliance, a member will be reduced to observer until complance is met. Lastly, each formal WG call or GNSO Council meeting, the first agenda item is to ask for any updates of Statements of Interest.

Recommendation 29: Current Statements of Interest of GNSO Council Members and Executive Committee members of all Stakeholder Groups and Constituencies do not include the total number of years that person has held leadership positions in ICANN. Per the recommendation, Chapter 5.0 Statement of Interest would need to be modified to include the requirement to provide the total number of years that person has held leadership positions. However, Staff notes that this recommendation will be difficult if not impossible to currently implement as the text is stated here. Perhaps staff can suggest, if there are changes to the Statement of Interest forms, that a "Start Date" field be listed within the Statement of Interest. This way the system can calculate the total years from Current Date – Start Date = Current # of Years.

General:
Staff notes also that the Statement of Interest platform will migrate from the current wiki solutions to that of the Global Enrollment platform. This will allow for proper connection to individual's profiles and when they enroll in Working Groups and better alignment of the Statement of Interest to the Working Group entry into the system. Unofficial target date for launch is Fiscal Year 19.

Working Group Determination:

Recommendation 26: The GNSO Review Working Group has determined that this recommendation is implemented in the current GNSO Operating Procedures. In particular, the Working Group notes that GNSO Council members, Executive Committee members of Stakeholder Groups and Constituencies and members of Working Groups already do complete and maintain a current, comprehensive Statement of Interest on the GNSO website. Where individuals represent bodies or clients, this information also is posted. If not posted because of client confidentiality, the participant's interest or position must be disclosed as is already required in Chapter 5.0 of the GNSO Operating Procedures. Failing either of these, the as per the current Operating Procedures, the individual not be permitted to participate.

Recommendation 27: The GNSO Review Working Group determined that this recommendation has been implemented since there already exists a centralized publicly available list of members and individual participants of every Constituency and Stakeholder Group (with a link to the individual's Statement of Interest where one is required and posted).

Recommendation 28: The GNSO Review Working Group determined that this recommendation has been implemented because key clauses in section 6.1.2 Membership of Chapter 6.0 Stakeholder Groups and Constituencies: Operating Principles and Participation Guidelines of the GNSO Operating Procedures already are mandatory rather than advisory, and that meaningful sanctions for non-compliance where appropriate also exist.

Recommendation 29: The GNSO Review Working Group determined that while it is not currently feasible that Statements of Interest of GNSO Council Members and Executive Committee members of all Stakeholder Groups and Constituencies include the total number of years that person has held leadership positions in ICANN, it did agree with the staff recommendation that upon the next change to the Statement of Interest form it should require entry of a start date so that the number of years can be calculated, and notes also that upon migration to the Global Enrollment platform in 2019 a closer link will be enabled between Statements of Interest and user profiles.

KEY DEPENDENCIES

None identified.

RISK IDENTIFICATION

None.

KEY PERFORMANCE INDICATORS

It is not clear to staff whether a KPI applies in the implementation of these recommendations.

NECESSARY TO PROCEED

Next Phase Activities/Resources

None.

REVIEWERS

Name	Title	Date Sent
GNSO Review Working Group		

APPROVERS			
Name	**Title**	**Approval Status**	**Date**
GNSO Review Working Group			

REVISION HISTORY			
Date	**Version**	**Description**	**Author**
17 August 2017	V1	Original charter.	Julie Hedlund, Policy Director
28 August 2017	V2	Incorporated staff revisions.	Julie Hedlund, Policy Director
11 Nov 2017	V3	Incorporated staff revisions	Julie Hedlund, Policy Director

Attachments:

Attachment A: GNSO Council, Stakeholder Group, and Constituency Leadership Statements of Interest
Attachment B: Member Lists of Stakeholder Groups and Constituencies

Attachment A: GNSO Council, Stakeholder Group, and Constituency Leadership Statements of Interest

- GNSO Council - https://gnso.icann.org/en/about/gnso-council.htm

- Commercial Stakeholder's Group - https://gnso.icann.org/en/about/stakeholders-constituencies/csg

    - CBUC - https://gnso.icann.org/en/about/stakeholders-constituencies/csg/cbuc

    - IPC - https://gnso.icann.org/en/about/stakeholders-constituencies/csg/ipc

    - ISPCP - https://gnso.icann.org/en/about/stakeholders-constituencies/csg/isp

- Non-Commercial Stakeholder's Group - https://gnso.icann.org/en/about/stakeholders-constituencies/ncsg

    - NCUC - https://gnso.icann.org/en/about/stakeholders-constituencies/ncsg/ncuc

    - NPOC - https://gnso.icann.org/en/about/stakeholders-constituencies/ncsg/npoc

- Registrars Stakeholder Group - https://gnso.icann.org/en/about/stakeholders-constituencies/rrsg

- Registries Stakeholder Group - https://gnso.icann.org/en/about/stakeholders-constituencies/rysg

- Working Group member SOIs are also stored on the GNSO Wiki:

    - All SOIs - https://community.icann.org/display/gnsosoi/New+SOIs

    - Each WG maintains SOI links of participants, for example RDS - https://community.icann.org/pages/viewpage.action?pageId=56986659

- AtLarge - https://atlarge.icann.org/alses/
- CCNSO - https://ccnso.icann.org/about/members.htm
- GAC - https://gacweb.icann.org/display/gacweb/GAC+Representatives
- GNSO
    - CBUC - http://www.bizconst.org/bc-membership-list
    - IPC - http://www.ipconstituency.org/current-membership
    - ISPCP - http://www.ispcp.info/members-of-the-ispcp
    - NCSG - https://docs.google.com/spreadsheets/d/1o0n2H5xkTPmon8K8wbFg0dAZTouHWgkWjcyNsSs_YXw/edit#gid=0
    - NCUC - https://www.ncuc.org/about/membership/
    - NPOC - http://www.npoc.org/about/members/
    - RrSG - http://icannregistrars.org/members-list/
    - RySG - https://www.rysg.info/rysg-membership-roster
- RSSAC
    - RSSAC - https://www.icann.org/groups/rssac
    - Caucus - https://community.icann.org/display/RSI/RSSAC+Caucus+Statements+of+Interest
- SSAC - https://www.icann.org/groups/ssac
- ASO - https://aso.icann.org/advisory-council/address-council-members/