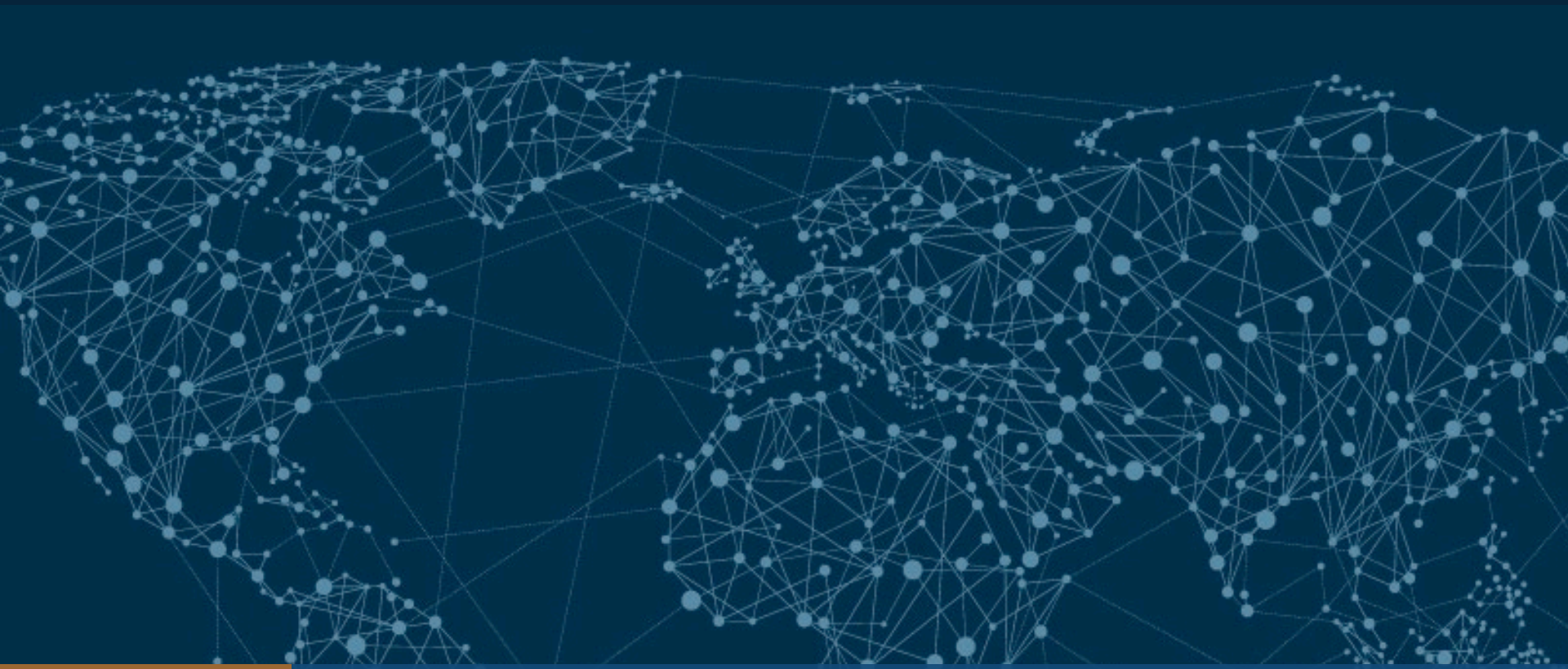

Introduction to GNSO Working Groups: Newcomer Open House Session

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Agenda – What do you want to learn more about?

1. **The GNSO Policy Development Process**
2. **ICANN Consensus Policy and the "Picket Fence"**
3. **The GNSO Working Group Guidelines**
4. **Questions**

Structure

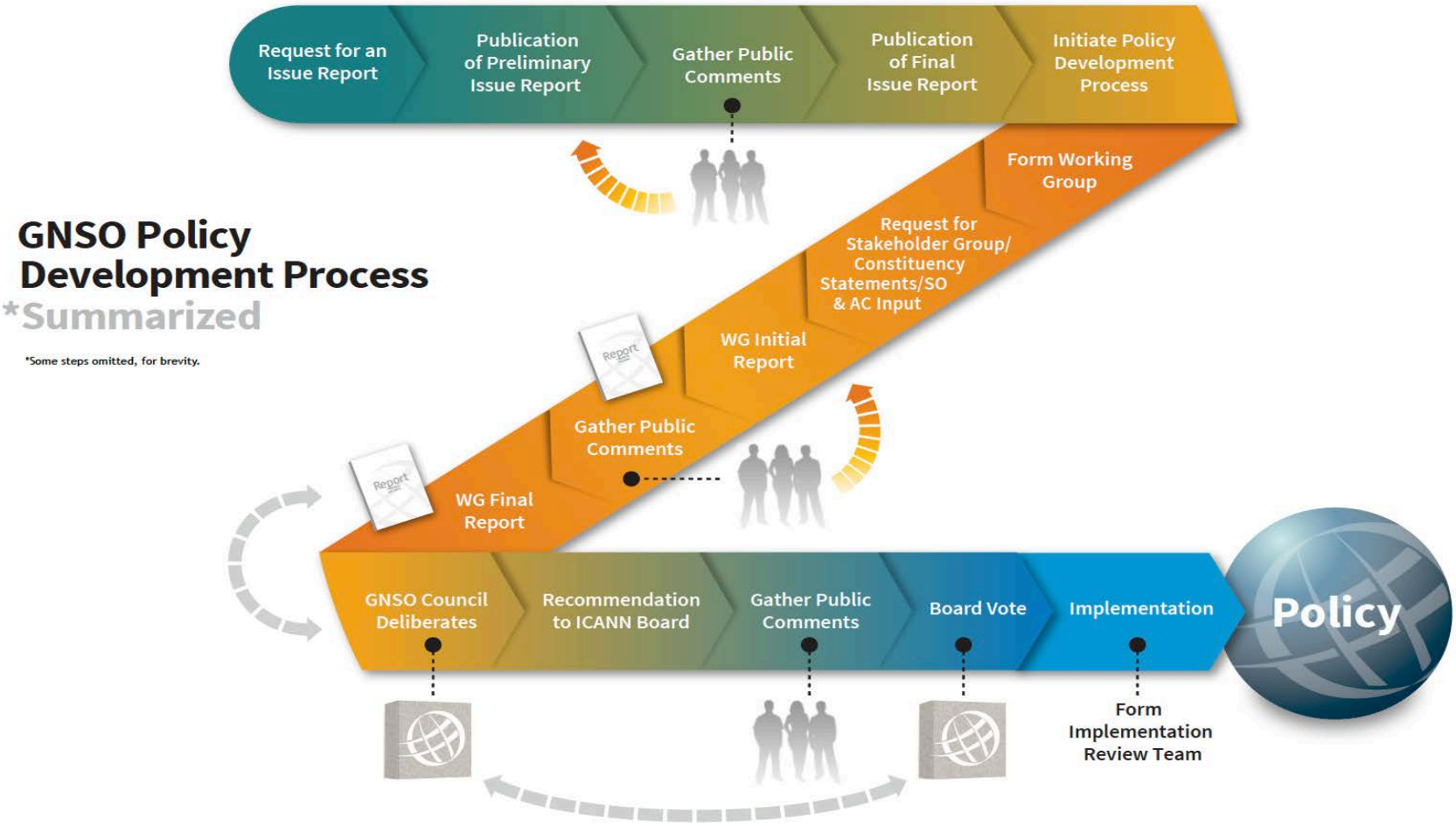
GNSO Council
ALAC
ccNSO
Stakeholder Groups
Registries
Registrars
NCA
NCA
Commercial Constituencies
Business
Intellectual Property
ISPCP
Non-Commercial Constituencies
NCUC / NPOC
NCA
Contracted Parties House
Non-Contracted Parties House
Voting
Non-Voting

GNSO Policy Development
Process

The Importance of the GNSO PDP

From the ICANN Bylaws: the GNSO *"shall be responsible for developing and recommending to the ICANN Board substantive policies relating to generic top-level domains"*

Stages in a PDP and the GNSO Council's role in a PDP



Privacy and Proxy Services Accreditation Issues PDP WG Timeline

1

Scoping

Request for Issue Report – **Oct 2011**
Preliminary Issue Report published – **Dec 2011**
Final Issue Report published – **March 2012**

2

Initiation of PDP

Oct 2013 (after completion of negotiations of the new Registrar Accreditation Agreement, which was approved by the Board in June 2013)

3

Working Group Progress

Initial Report published – **May 2015**
Final Report completed – **Dec 2015**

4

GNSO Council approval

And preparation of Board Recommendations Report **- Jan–Feb 2016.**

5

Public comments

On final recommendations - **Feb–March 2016**

6

Board review

Mid/late 2016

PDP Working Groups - Basic Requirements

- **Scope of work** - defined by the PDP Charter
- **Community Input** - WG must seek views from GNSO Stakeholder Groups, Constituencies and other ICANN Advisory Committees and Supporting Organizations early on in the process
- **Feedback on recommendations** - Preparation of Initial Report and publish for Public Comment
- **Accountability** – WG to review all public comments received
- **Final Output** - Preparation of Final Report and submit to GNSO Council for adoption

  - *Following GNSO Council adoption, PDP recommendations sent on to ICANN Board for review and action*

“Consensus Policy” and the Picket Fence

What is ICANN “Consensus Policy”?

- All ICANN-accredited registrars and registries have contracts with ICANN that contain binding legal obligations: http://www.icann.org/en/general/agreements.htm
- In this context, ***“Consensus Policy”**** is a policy broadly supported by ICANN’s stakeholders, and which can bind ICANN-accredited registrars and registries

  - *Please refer to particular contracts for specific limitations and to the ICANN Bylaws for the overall context. Note that this presentation does not not constitute legal advice or a waiver or modification of any ICANN agreement*

Consensus Policy

In their contracts with ICANN, registries and registrars agree to comply with “consensus” policies adopted by ICANN; provided that (i) such policies do not unreasonably restrain competition, and

(ii) the policies relate to:

1) Issues for which uniform or coordinated resolution is reasonably necessary to facilitate interoperability, technical reliability and/or stable operation of the Internet or domain-name system;
2) Registry / registrar policies reasonably necessary to implement Consensus Policies relating to registrars/registries; and
3) Resolution of disputes regarding the registration of domain names (as opposed to the use of such domain names)

❖*Detailed topics subjected to “Consensus Policy” are also further defined in the gTLD Registry and Registrar Agreements*

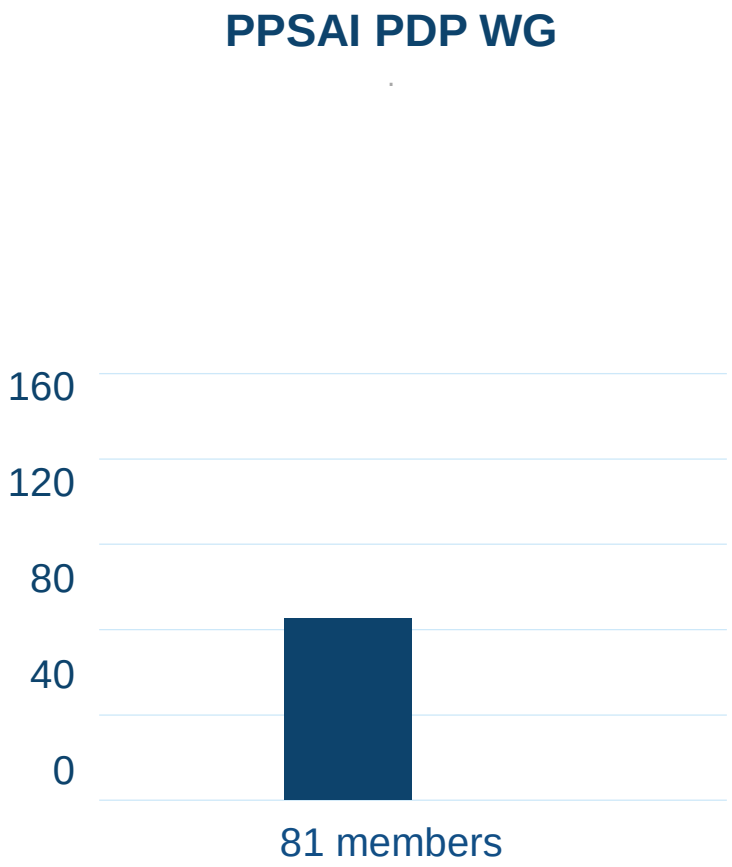
What is the “Picket Fence”?

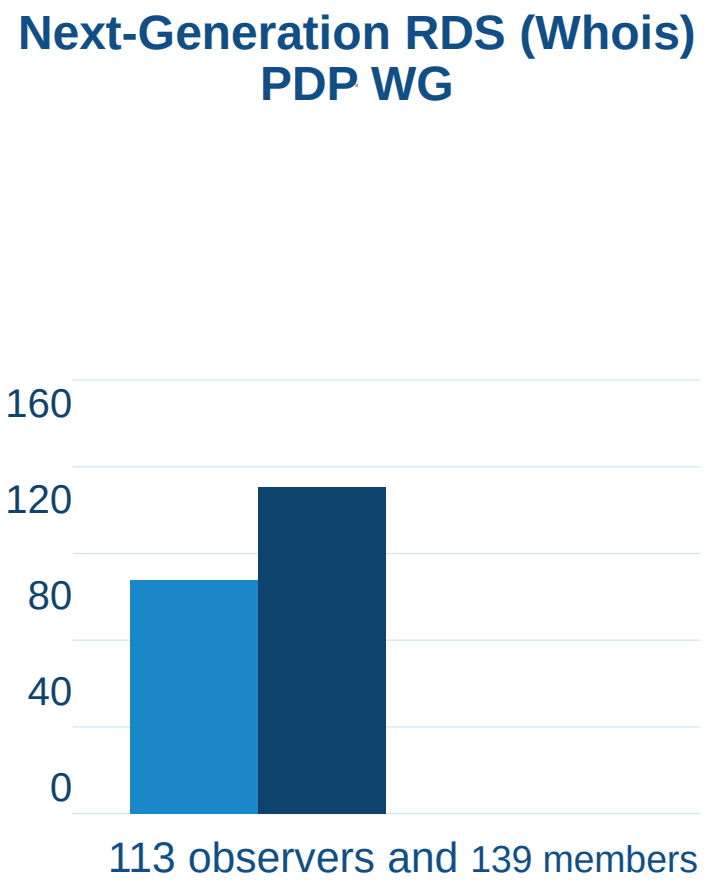
What is the Picket Fence?

- The “picket fence” has been included in the Registrar Accreditation Agreement (RAA) and the Registry Agreement (RA) since ICANN’s creation in 1998.
- It is the “basis of the bargain” between ICANN and a contracted party.
- The picket fence describes the topics that can be the subject of “Consensus Policies” - policies that can be imposed on ICANN contracted parties with or without their agreement so long as they have been developed by the ICANN names community (the GNSO) through the “bottom up” process described in the ICANN Bylaws.

GNSO Working Group Guidelines

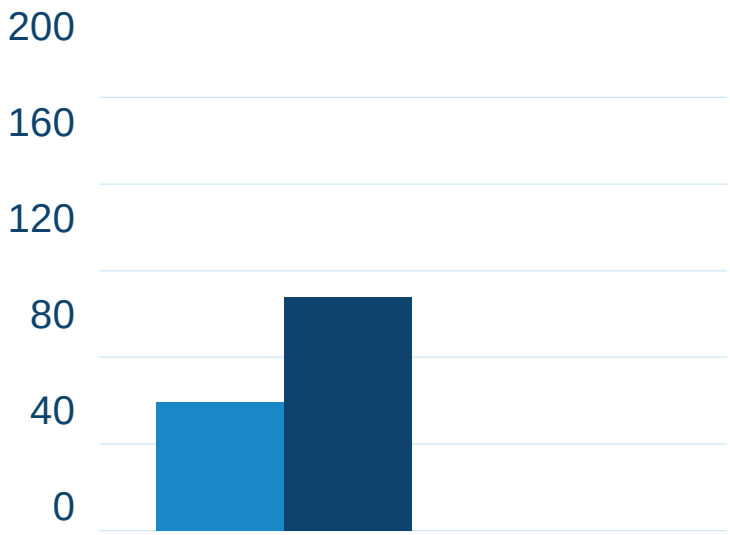
Working Group members





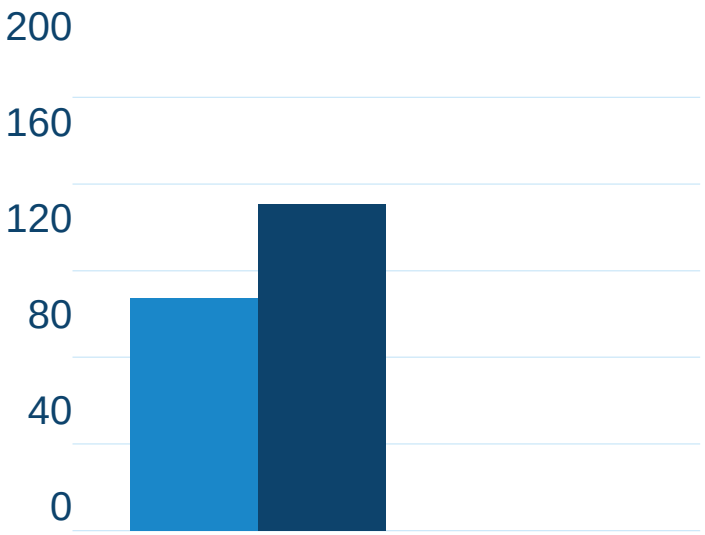
Working Group members (2)

New gTLD Subsequent Procedures PDP WG



49 observers and 107 members

RPMs Review in All gTLDs PDP WG



113 observers and 139 members

GNSO WG Guidelines

- Objective -> to facilitate the work of Working Groups and optimize their productivity and effectiveness

- Some main elements of importance:
  - ✓ Roles and responsibilities
  - ✓ Sub-teams, briefings and subject matter experts
  - ✓ Integrity
  - ✓ Methodology
  - ✓ Appeal
  - ✓ Respectful behaviour

- WG Guidelines, a personal perspective

A Standard Methodology for Decision-Making

The WG Chair is responsible for determining the level of support – an iterative process

- Current designations:
  - Full consensus
  - Consensus
  - Strong support but significant opposition
  - Divergence
  - Minority view

Additional tips

- Use the Acronym Helper – see GNSO home page
- Learn more about ICANN generally - http://learn.icann.org/
- Learn more about the GNSO - http://learn.icann.org/courses/gnso
- Find an experienced WG member, possibly from your SG/C
- Look up your fellow WG members' SOIs
- Use the WG mailing list to further develop discussions
- Be mindful of the conference call agenda & key points, don't diverge.
- Be flexible as to time zone rotation and respectful of other members' time
- Observe ICANN's Expected Standards of Behavior: https://www.icann.org/resources/pages/expected-standards-2012-05-15-en
- Contact the GNSO Policy Staff with any questions or concerns

Reference Documents

- Learn about the GNSO: http://gnso.icann.org and http://learn.icann.org/courses/gnso
- Review the GNSO's core processes - GNSO Operating Procedures (includes GNSO WG Guidelines and PDP Manual): http://gnso.icann.org/en/council/procedures
- Review GNSO 101 materials: http://gnso.icann.org/en/basics/101
- Review all current GNSO projects: http://gnso.icann.org/en/group-activities/active

Further Reading

- Annex A of the ICANN Bylaws describing the GNSO PDP - http://www.icann.org/en/about/governance/bylaws#AnnexA
- PDP Manual - http://gnso.icann.org/council/annex-2-pdp-manual-16dec11-en.pdf
- PDP Overview - http://gnso.icann.org/en/basics/consensus-policy/pdp
- GNSO Working Group Guidelines Summary - http://gnso.icann.org/council/summary-gnso-wg-guidelines-06apr11-en.pdf
- GNSO Working Group Guidelines - http://gnso.icann.org/council/annex-1-gnso-wg-guidelines-07apr11-en.pdf
- Further reading: http://gnso.icann.org/en/basics/consensus-policy/about

Engage with the GNSO

Thank You!

Reach us at:

Email: gnso-secs@icann.org
Website: gnso.icann.org

twitter.com/icann_gnso

facebook.com/icanngnso