Survey Results: Operational Design Phase + Operational Design Assessment
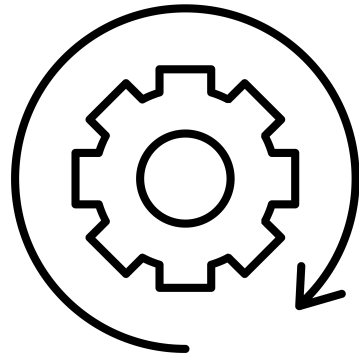
ICANN

Framing of Exercise: Council Feedback on the Operational Design Phase

Objective of Operational Design Phase ("ODP")

"As envisaged, the ODP will become part of the generic top-level domain (gTLD) policy implementation lifecycle and eventually be incorporated into the Consensus Policy Implementation Framework (CPIF). Before modifying the CPIF, **ICANN org will conduct a community consultation on the functionality of the ODP after a minimum of two ODPs have concluded, to ensure that the ODP operates effectively and fulfills the needs of the Board, the community, and ICANN org**" (p. 2 of ODP Process Paper)

Goal of Discussion

Goal for Discussion Today	
✅ Share feedback received through the survey to ICANN org on the general **functionality and process** of the ODP	❌ Air general grievances about the SSAD, SubPro recs, SubPro IRT

Overview of Operational Design Phase Goals and Principles

Objective of Operational Design Phase ("ODP")

The objective of the ODP is to "**perform an assessment of GNSO Council policy recommendations** in order to **provide the Board** with relevant information **to facilitate the Board's determination** […] on the **operational impact of the implementation** of the recommendations, including whether the recommendations are in the **best interests** of the ICANN community or ICANN" (p. 1 of ODP Process Paper)

Principles of ODP

The ODP WILL:

✓ Be **launched by the ICANN Board** [...] to **help inform the Board's deliberation** whether a given recommendation is in the **best interests** of the ICANN community or ICANN.

✓ Be conducted by ICANN org, **focusing on operational** and other relevant aspects of implementing the GNSO recommendations

✓ Rely on existing community structures and processes for consultation and feedback and **provide the Community with opportunities to provide feedback on the facts, figures, and assumptions that underpin ICANN org's assessment.**

✓ Provide a mechanism to **test ideas and assumptions regarding the operational impact of a recommendation without amending or changing their substance or intent.**

✓ Ensure the **Board remains involved** in the ODP process through **relevant status updates and potential engagement with GNSO Council/wider community**

✓ Ensure that the **Board has all information it deems necessary to make decisions** that are in the best interests of the ICANN community and ICANN.

Principles of ODP

The ODP WILL NOT:

✖ **Impose restrictions** on or limit the work of the **PDP or PDP WGs**.

✖ **Impact the GNSO Council's role** as manager of the PDP.

✖ Present an opportunity to **reopen or revisit policy questions** settled during a PDP.

✖ Allow for **any changes to the substance or intent of GNSO Council recommendations** that are before the Board.

✖ **Alter the roles and responsibilities of ICANN org and the Implementation Review Team** that is formed during the implementation process after the Board has adopted the GNSO Council recommendations.

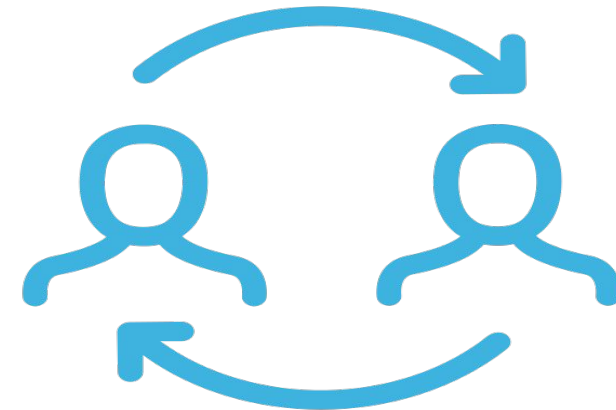# Survey Responses from GNSO Council Liaisons to the ODP Team
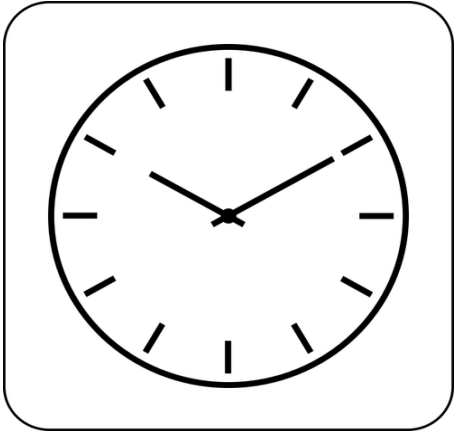
Janis Karklins, SSAD Liaison
Jeff Neuman, SubPro Liaison

Scope of Liaison Role

"The liaison will serve as the primary contact between ICANN org's ODP team and the GNSO Council on questions pertaining to the substance or intent of the GNSO Council recommendations. The liaison is expected to keep the GNSO Council informed about their engagement with ICANN org on these questions and should be empowered to convey relevant information from the GNSO Council to the ODP team." (p. 2, ODP Concept Paper)

Common Themes

- The ODP extended the time of an already long policy process and took longer than originally projected.

- Instead of a separate ODP, ICANN org should consider an ongoing and active feedback loop throughout the policy process, particularly around the feasibility of pending policy recommendations.

- The GNSO Council is likely not the appropriate group to respond/confirm the liaison's feedback to the ODP Team as it is likely not intimately familiar with the Working Group's deliberations. This is another reason why it is preferable to have an active feedback loop as part of the PDP process.

- The costs noted in the ODA seemed very inflated; "if the ODA proposal was a car model, ICANN org built a Porsche, instead of a Fiat."

- Third parties who do system builds and similar implementations for a living should be consulted for more realistic cost assessments.

- ICANN org made inaccurate assumptions regarding policy recommendations. These assumptions should have been communicated to the liaison and tested in the ODP to avoid unfortunate surprises in the ODA.
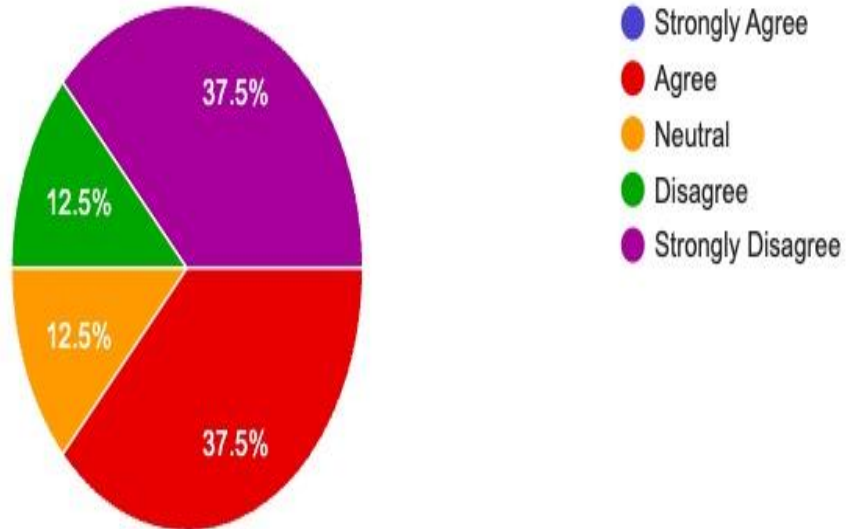
Survey Responses from GNSO Council ODA Small Team Members
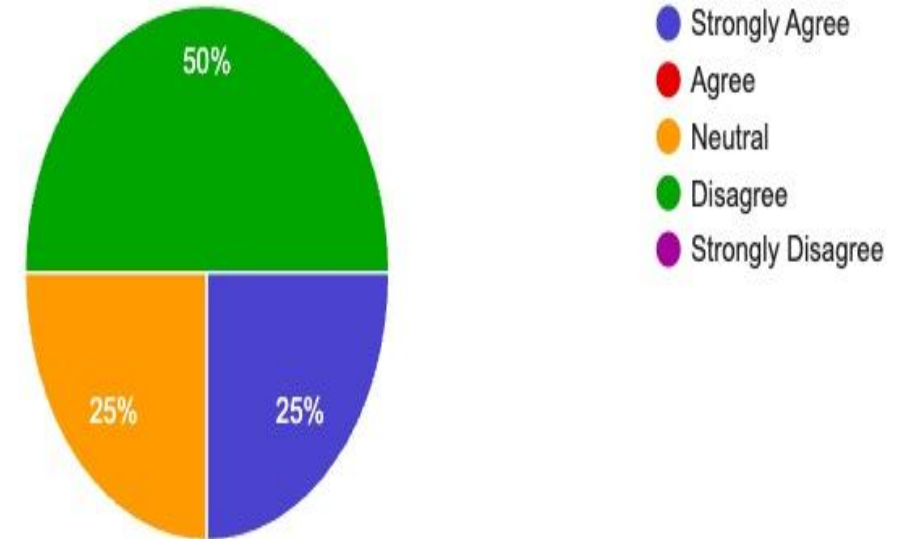
Small Team Feedback Varied Greatly

15. All in all, I am satisfied with the SSAD ODA.

8 responses

- Strongly Agree
- Agree
- Neutral
- Disagree
- Strongly Disagree

15. All in all, I am satisfied with the SubPro ODA.

4 responses

- Strongly Agree
- Agree
- Neutral
- Disagree
- Strongly Disagree

Common Themes/Suggestions

- The Council should always evaluate the creation of small teams on a case-by-case basis, but for the ODA analysis, the small team's work was a successful collaboration between the GNSO council, the ICANN board, and former members of the WG. It was a good solution to the challenging questions raised by the ODA report.

- The Small Team helped to move the work forward even when the ODA missed the mark.

- An ODP should not be a requirement for every PDP - it may be more time efficient to gather feedback from ICANN org during the PDP Process.

- It appeared as if the financial assumptions were not based on the goal of finding pragmatic and cost efficient solutions. The assumptions were not based on outside expertise.

- It will ultimately be up to the Board to determine if the ODA assisted it in its evaluation of the policy recommendations.

- In the end, this process took a lot of time and it's unclear what was ultimately gained through this exercise.