

ICANN | GNSO

Generic Names Supporting Organization

GNSO PDP 3.0

Implementation Plan

Version 1 March 2019

BACKGROUND

In January 2018, the GNSO Council held an inaugural three-day Strategic Planning Session during which it, amongst other activities, reviewed the workload for the year ahead and identified potential milestones, noting that the current average timeline for delivery of an Initial Report has increased at least 2-4 times compared to previous PDPs.

The GNSO Council began identifying challenges being encountered in PDPs, informed by a staff discussion paper on optimizing increased engagement and participation while ensuring efficient and effective policy development.

In order to engage the broader GNSO community in this discussion, the GNSO Council organized a collaborative session involving the members of the current PDP Leadership Teams as well as the broader community to summarize key points from the Strategic Planning Session, elaborate on the challenges that PDPs presently face and identified, and begin to brainstorm possible solutions.

As a result of these discussions, staff was tasked to publish a discussion paper that synthesizes the challenges that were identified as part of these discussions as well as possible improvements — both immediate and longer term — that the Council and PDP Working Groups could consider implementing to enhance efficiency and effectiveness of GNSO policy development activities. This discussion paper was published on 8 May 2018 (see <https://gns0.icann.org/en/drafts/pdp-discussion-paper-11may18-en.pdf>).

GNSO Stakeholder Groups, Constituencies as well as other SO/ACs were invited to provide their input and feedback on the discussion paper. A summary report of the feedback received was shared with the Council on 10 September 2018 (see <https://gns0.icann.org/en/drafts/pdp-summary-feedback-10sep18-en.pdf>) followed by a dedicated webinar on 11 September 2018 to further review and discuss the input received (see <https://participate.icann.org/p1s5rcio69b/>).

Based on the input received as well as the subsequent webinar, Council leadership developed a proposed GNSO PDP 3.0 Final Report and Recommendations for Council consideration (see (<https://gns0.icann.org/sites/default/files/file/field-file-attach/pdp-increase-effectiveness-efficiency-23oct18-en.pdf>)).

The GNSO Council and broader community reviewed and discussed the GNSO PDP 3.0 Final Report and Recommendations during the GNSO Weekend Session at ICANN63 (Oct 2018).

During the Council meeting at ICANN63, the GNSO Council adopted the GNSO PDP 3.0 Final Report and Recommendations and instructed GNSO Support Staff to work with the incoming Council leadership on the roll out of the Implementation Plan. A first draft

of the GNSO PDP 3.0 Implementation Plan was shared with the Council for review in December 2018 (see <https://gnso.icann.org/en/drafts/pdp-implementation-plan-10dec18-en.pdf>).

RECENT DEVELOPMENTS

Per the Implementation Plan, the GNSO Council commenced its deliberations on a number of improvements during the 2019 GNSO Council Strategic Planning Session (see <https://gnso.icann.org/en/meetings/council-strategic-planning-session-final-25jan19-en.pdf>). It was proposed that a small team of Council volunteers would collaborate with staff and oversee the development of the implementation plan for each of the improvements. The small team currently consists of:

- Rafik Dammak (lead)
- Pam Little
- Arsène Tungali
- Darcy Southwell
- Marie Pattullo
- Elsa Saade

The small team commenced with a review of the implementation plan and has made updates accordingly to reflect the role of the small team as well as the desire to complete the implementation by ICANN66 (AGM) in November of 2019. The small team expects to work on the basis of consensus. However, should there be any disagreements, the small team will present to the Council the different points of views so that the Council can make a determination on the path forward. In any case, the small team expects to present updates on a regular basis and obtain sign off from the Council at the point an implementation for a certain improvement is considered complete. Its mailing list will be publicly archived with the ability for any interested observers to join. During ICANN64, the small team hopes to obtain further input from the Council on this proposed approach as well as the updated implementation plan (see hereunder).

Improvement #	Objective & Description (Per PDP 3.0 Final Report)	Possible Implementation Steps (Per PDP 3.0 Final Report)	Proposed Next Steps	Who / Timing
#1. Terms of participation for WG members	<p>Ensure that WG members are committed to working together to find consensus, respecting the ICANN standards of behavior</p> <p>Require those joining a WG to sign up to a WG member terms of participation outlining the commitment expected from WG members as well as the expectation with regards to multi-stakeholder, bottom up, consensus policy development. This could also include, in certain cases, expected knowledge / expertise required to participate (with options being provided to those not having the requested knowledge / expertise to obtain relevant knowledge / expertise). Different levels of commitment could be attributed to full membership versus observer status.</p>	<p>Further develop the EPDP Team Statement of Participation in consultation with ICANN Ombudsman to produce a template for seeking affirmative commitment from WG members before they can participate in a WG.</p>	<ul style="list-style-type: none"> Review EPDP Statement of Participation and consult with EPDP Team / leadership what impact, if any, the statement of participation has had Consult with existing PDP Chairs whether the introduction of such a statement of participation would be deemed helpful, either for existing or future efforts Consult with ICANN Ombudsman on mechanisms / measures to seek affirmative commitment from WG members Review small team conclusions and proposed implementation of this improvement 	<p>Smallt Team / March 2019</p> <p>Small Team / April 2019</p> <p>Small Team / April 2019</p> <p>GNSO Council / May 2019</p>
#2. Consider alternatives to open WG model	<p>Identify and document the basic characteristics of various model(s) (including current open model, EPDP Team</p>	<p>Council to identify and consider the various model options documented when commencing new PDP to</p>	<ul style="list-style-type: none"> Develop overview of different model options that have been used to date in the context of PDPs 	<p>Staff / Dec-Jan 2018/2019</p>

	<p>Composition, Review Teams) that balance representation, inclusivity, expertise, empowerment, accountability and participation.</p> <p>The PDP Manual provides the flexibility to consider different types of PDP Team structures, for example, reference is made to working group, task force, committee of the whole or drafting team. To ensure representation as well as empowerment of WG members, different team structures should be considered, for example, having members designated by SO/AC/SG/Cs while individuals can join as participants or observers. This model has worked efficiently in recent Cross-Community Working Groups. At the same time, there may not be a one-size fits all model, so different alternatives should be explored so that the best fit approach for each PDP can be utilized.</p>	<p>determine which best fits a particular PDP effort.</p>	<p>or other.</p> <ul style="list-style-type: none"> ● Review overview of different models and brainstorm whether other model options should be added to the list (see Council SPS 2019 report for further details) ● Prepare a comparison table for the proposed Working Group models, which could include several factors: membership eligibility, operating procedures, decision-making, communicating decision-making, urgency/timing (e.g., prioritization). Consider creating pros/cons as well. (action item coming out of Council SPS 2019) ● Consider criteria that could be used to determine which option to apply ● Consider whether the structure of any existing PDP would need to be reconsidered. ● Review small team conclusions and proposed implementation of this improvement 	<p>Council / SPS 2019 and beyond</p> <p>Staff / March 2019</p> <p>Small Team / SPS 2019 and beyond</p> <p>Small Team / SPS 2019 and beyond</p> <p>GNSO Council / May 2019</p>
<p>#3. Criteria for joining of new</p>	<p>Limit disruption as a result of members joining after the WG</p>	<p>Document a set of basic template of requirements for</p>	<ul style="list-style-type: none"> ● Develop draft template of requirements for upskilling 	<p>Staff / April 2019</p>

members after a PDP WG's formation	<p>has already been engaged in deliberations for quite some time but allow for flexibility in case new volunteers bring new perspectives or are currently underrepresented in the WG.</p> <p>Consider how to efficiently and effectively upskill new PDP WG members joining after the PDP has commenced its work.</p>	<p>upskilling new members newly joining after the PDP's formation with a view to preventing disruption of PDP progress and re-opening settled issues.</p>	<p>new members newly joined after PDPs formation</p> <ul style="list-style-type: none"> ● Obtain input from current PDP Chairs ● Review and update/adjust template as needed ● Review small team conclusions and proposed implementation of this improvement 	<p>Staff / April 2019</p> <p>Small Team / May 2019</p> <p>GNSO Council / June 2019</p>
#4. Capture vs. Consensus Playbook	<p>Empower WG Chairs with additional tools and support to ensure effective and efficient leadership</p> <p>A playbook or expansion of the GNSO Working Group Guidelines to help WG leaders, members, or participants identify capture tactics as such, along with a toolkit of possible responses to help the WG get back on track without escalating the situation. Example: "Die in the ditch" test - is this a position you are willing to die in a ditch for or is it just an opinion that you are expressing, and you are happy to move on if no one else supports that opinion?</p>	<p>Drafting team (include current and former PDP WG leadership) to review existing provisions of the GNSO WG Guidelines for gap analysis and develop amendments to WG Guidelines or a standalone playbook for future PDPs.</p>	<ul style="list-style-type: none"> ● Consider submitting a request as part of the ABR process to obtain funding for a third party with expertise in this area to put a first draft together? – ABR Request submitted in Jan 2019. Awaiting response. 	
#5. Active role for and clear	<p>Ensure optimal use of GNSO Council liaisons to PDP WGs</p>	<p>Develop clear role description</p>	<p>COMPLETED – see here</p>	

<p>description of Council liaison to PDP WGs</p>	<p>Ensure that there is a clear understanding with regards to the role of the Council liaison and how he/she can assist the WG leadership. This may require PDP WG leadership teams to actively involve the liaison in leadership / preparatory meetings.</p>	<p>Council to evaluate whether this updated role description is fit for purpose in light of concerns around Chair neutrality and multi-phase PDP structures.</p> <p>Develop a briefing document for new Council liaisons including the role description and highlighting relevant provisions of GNSO Procedures on the role and responsibilities of the liaison.</p> <p>Build into PDP timeline milestones at which the WG leadership team should consider how to best utilize the Council liaison.</p> <p>Support staff to include liaison in scheduling PDP WG leadership team meetings.</p> <p>Exiting Council liaisons to conduct handover with incoming Council liaisons, and report to Council that this has taken place before the next Council meeting.</p>	<p>Discuss whether role description is fit for purpose in light of concerns around Chair neutrality and multi-phase PDP structures</p> <p>Prepare first draft of briefing document for new Council liaisons, with input from existing liaisons</p> <p>Develop list of proposed PDP milestones at which the WG leadership team should consider how to best utilize the Council liaison.</p> <p>Inform existing PDP leadership teams of this new requirement and include liaison accordingly in scheduling of meetings</p> <p>Ongoing – confirm that these handover meetings have been scheduled</p> <p>Consider whether Consensus Policy Implementation Framework (CPIF) needs to be reevaluated as it relates to guidance for Council liaisons to</p>	<p>Council / SPS 2019</p> <p>Staff / Jan 2019</p> <p>Small team consisting of current & former liaisons / TBD</p> <p>Staff / Dec 2018</p> <p>Staff / Dec 2018</p> <p>Small Team / May 2019</p>
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			<p>IRTs, avoiding re-litigation of policy issues, and escalation of issues (noting that the Policy & Implementation recommendations adopted in 2015 state that the recommendations, including the CPIF, should be evaluated after at most 5 years). (action item from 2019 SPS)</p> <p>Review small team conclusions and proposed implementation of this improvement</p>	GNSO Council / June 2019
<p>#6. Document expectations for WG leaders (Chairs/Co-Chairs/Leads) that outlines role & responsibilities as well as minimum skills / expertise required</p>	<p>Ensure clear understanding of what the role of a WG chair entails as well as what are considered some of the qualifying skills and criteria. The GNSO WG guidelines provide a general description of the role of a WG chair, but this is not generally considered in WG Chair selection processes. WGs would benefit from a more detailed description of the role and responsibilities, including expected time commitment of a WG chair. This could then be coupled with a list of skills and expertise that would also be desirable. This would be helpful for WG selection of, and potential</p>	<p>Review GNSO Operating Procedures to evaluate and amend, where appropriate, the role and responsibilities descriptions of PDP Chair. Develop a briefing document and/or training for newly appointed PDP Chairs highlighting relevant provisions of GNSO Procedures on the role and responsibilities of WG Chairs that can be tailored for working groups.</p>	<p>Develop list of roles and responsibilities descriptions of PDP Chair derived from GNSO Operating Procedures (completed but not yet shared)</p>	Staff / Jan 2019
			<p>Develop a briefing document for newly appointed PDP Chairs highlighting relevant provisions of GNSO Procedures on the role and responsibilities of WG Chairs that can be tailored for working groups.</p> <p>Translate briefing document into GNSO Learn Training module</p>	<p>Small team consisting of current / former chairs / TBD</p> <p>Staff / TBD</p>

	<p>candidates for, leadership positions. WG Chair(s) would be expected to sign off on this job description and agree to the role & responsibility as outlined, and would also serve as a means to hold the Chair accountable to the WG. Similarly, it could be indicated whether there are any incompatibilities that should be considered such as whether someone can be in a leadership role in multiple PDPs at the same time.</p>			
<p>#9. Provide further guidance for sections 3.6 and clarification of section 3.7 (Appeal Process) (Standard Methodology for decision making)</p>	<p>Ensure there is clarity around how consensus is established and what tools can be used in that regard.</p> <p>Provide further guidance for WG Chairs and WG membership with regards to what is consensus, how consensus designations are made and what tools can or cannot be used. Similarly, further guidance may be welcome in case there is an appeal under section 3.7 that would result in a faster response to allow a WG to move forward more efficiently</p>	<p>Staff should develop material for familiarizing members of PDP WG regarding the “consensus” in the PDP at the beginning of the process.</p> <p>Add clarification to GNSO OP to indicate a 3.7 appeal does not stop ongoing work</p>	<p>Develop briefing document as well as slides to explain concept of “consensus” in the PDP</p> <p>Review current language of GNSO OP in relation to section 3.7 and put forward proposed clarification to indicate a 3.7 appeal does not stop ongoing work. Also consider whether further detail is needed in relation to appeal process?</p> <p>Review small team conclusions and proposed implementation of this improvement</p>	<p>Staff / March 2019</p> <p>Small team / TBD</p> <p>Council / TBD</p>

	during and after the appeal process. Lessons could potentially be learned from other organizations applying consensus as a decision-making methodology or techniques learned during the ICANN leadership academy program concerning mediation and consensus building.			
#11. Enforce deadlines and ensure bite size pieces	Ensure clear expectations concerning deliverables as well as a manageable scope of work. A PDP should have a narrow scope and, in those cases where a subject is broad, it needs to be broken into manageable pieces to make the deadline pressure more understandable and achievable. This may require a more regular use of a drafting team to prepare a charter for Council consideration. There is a need for pressure, but it must be coupled with limited scope, so that pressure for data and dependency would be able to produce results. This would also require the Council to regularly review PDP WG work plans.	<p>At the outset of the PDP, the Council or Council leadership meets with the PDP WG to brief the PDP WG on the charter and its expectations. This would allow for any clarifications and/or confirmations at the outset of the process.</p> <p>Council to review PDP WG charters and determine what works well and what doesn't. This could include discussions with current PDP leadership teams to establish what helped PDP WGs in their efforts and what did not.</p> <p>PDP WG leadership should engage with GNSO Council in post-PDP evaluation for lessons learnt and sharing experiences.</p>	<p>Create check-list for items that need to happen at the outset of PDP which includes Council / Council leadership to meet with the PDP WG to brief the PDP Team on the charter and its expectations.</p> <p>Conduct review of PDP WG charters and set up conversations with current PDP Leadership team to establish what helped PDP WGs in their efforts and what didn't? Based on the outcome, develop guidance for future charter drafting efforts.</p> <p>Review WG self-assessment and determine whether this should be updated and/or adapted to include post-PDP</p>	<p>Staff / April 2019</p> <p>Small team / TBD</p> <p>Small team /TBD</p>

			<p>evaluation related questions and sharing of experiences.</p> <p>Following completion of WG self-assessments, GNSO council to review post-PDP evaluations and engage with PDP WG leadership.</p> <p>Adapt fact sheet that is being used for EPDP Team to template so it can also be used for other efforts (staff is exploring possible integration with CRM / PM tools)</p> <p>Investigate set of project management tools to help WG leadership and Council for managing PDPs</p> <p>Review small team conclusions and proposed implementation of this improvement</p>	<p>Council & PDP WG leadership / post-PDP</p> <p>Staff / May 2019</p> <p>Staff / April 2019</p> <p>Council / June 2019</p>
#12. Notification to Council of changes in work plan	<p>Enhance accountability of PDP WGs and oversight by GNSO Council</p> <p>Require PDP WGs to notify the Council when a work plan, and in particular the expected delivery dates for the different PDP milestones, are revised with a rationale for why these</p>	<p>GNSO Council to review all current PDP WG work plans and advise PDP leadership teams that any changes to timeline for deliverables are expected to be communicated to the GNSO Council for approval, including a rationale for these changes.</p>	<p>Review all current PDP WG work plans</p> <p>Advise PDP leadership teams and Council liaisons that any changes to timeline for deliverables are expected to be communicated to the GNSO</p>	<p>Council / SPS 2019</p> <p>Council leadership, incl. liaisons / April 2019</p>

	changes were made and how this impacts interdependencies.	<p>Make better use of project management skills and expertise when developing the work plan</p> <p>Council to provide additional guidance and/or timeframe with regards to the expected delivery of milestones. The council or drafting team should add clear milestones that can be measured and assess progress.</p>	<p>Council for approval, including a rationale for these changes</p> <p>See previous item re. investigation set of project management tools</p> <p>Review charter template to see if additional sections should be included there to ensure that additional guidance and/or timeframe with regards to expected delivery of milestones is provided.</p>	Staff / April 2019
#13. Review of Working Group Leadership	<p>Allow for regular review of PDP leadership team to be able to identify early on potential issues</p> <p>Despite running possibly for multiple years, there is currently no system in place that allows for the regular review of the functioning of PDP WG leadership teams. The Council could run an anonymous survey amongst the PDP WG to obtain feedback on the WG Chair(s) on a regular basis to facilitate its role as a manager of the PDP. Similarly, there is no process in place that allows a WG to challenge</p>	Commence a practice of appointing WG leadership for a 12 month period, and require reconfirmation by the WG to continue for subsequent 12 month period/s.	<p>Review GNSO Operating Procedures and determine what changes, if any, need to be made to implement this practice</p> <p><i>Small group of Councilors to continue work of the SPS sub-group to make specific PDP 3.0 implementation recommendations.</i></p> <p>Inform WGs & WG leadership of this new requirement and the effective date.</p> <p>Consider whether further guidance / tools are to be provided to facilitate review of</p>	<p>Council / Jan 2019 and beyond</p> <p>Small team / April 2019</p> <p>Council leadership / May 2019</p> <p>Small Team / June 2019</p>

	and/or replace its leadership team.		leadership by WG to help inform reconfirmation process. Review small team conclusions and proposed implementation of this improvement	Council / July 2019
#14. Make better use of existing flexibility in PDP to allow for data gathering, chartering and termination when it is clear that no consensus can be achieved.	Make use of existing flexibility in PDP procedures to ensure that each PDP is set up for success from the outset, and provide regular opportunities for Council to evaluate a PDP's progress with the power to initiate termination if required. The existing PDP procedures provide for a lot of flexibility with regards to work that is undertaken upfront, such as data gathering to establish whether there is really an issue that needs to be addressed, chartering - creation of a charter drafting team to ensure that the charter questions are clear and unambiguous but also the ability to terminate a PDP in case of deadlock. As the manager of the PDP, the GNSO Council should make optimal use of this flexibility to facilitate its role as a manager of the PDP as well as setting up PDP teams as best as possible for success. Care should be taken that PDPs	Council with support from staff should develop set of criteria to evaluate request for data gathering, and document this as a checklist to be used by a PDP WG.	Develop draft set of criteria to evaluate request for data gathering and document this as a checklist to be used by a PDP WG (not circulated yet)	Staff / March 2019
		Drafting teams should indicate in the charter if there is a possibility that data gathering may be required in order to respond to the charter questions	Review / finalize draft set of criteria and check-list	Small Team / April 2019
			Review charter template to see if additional sections/guidance is to be provided to reflect this point	Staff / April 2019
			Review small team conclusions and proposed implementation of this improvement	Council / May 2019

	are not used to prove / disprove theories – such information should be gathered beforehand.			
#15. Independent conflict resolution.	<p>Provide additional mechanisms for conflict resolution for those cases where existing tools have not delivered results.</p> <p>In those cases where conflict in WGs is preventing progress and/or existing conflict mechanisms have been exhausted, the Council should have access to independent conflict resolution and/or mediation experts.</p>	<p>Council liaison to be proactive in identifying potential issues / challenges at early stage that may need mitigation and Council attention.</p> <p>Council should consider the establishment of panel of volunteer mediators that can be called upon when appropriate.</p>	<p>See #5 – determine in that context if further guidance is to be provided to Council Liaisons.</p> <p>Consider the establishment of panel of volunteer mediators that can be called upon when appropriate.</p> <p>Review small team conclusions and proposed implementation of this improvement</p>	<p>Council / SPS 2019</p> <p>Small Team / TBD</p> <p>Council / TBD</p>
#16. Criteria for PDP WG Updates	<p>Ensure standardized set of information provided by PDP WGs</p> <p>GNSO Council to provide criteria for information that needs to be provided by PDP WG leadership teams as part of their updates to be in a position to closely track progress and identify issues at an early stage. This would include a requirement for a PDP WG to provide early warning as well as identify potential risks that could hamper progress.</p>	<p>Staff should develop a template for reporting with criteria and information to be shared in PDP WG updates such as issues, risks, progress against work plan</p>	<p>See #11 - Adapt fact sheet that is being used for EPDP Team to template so it can also be used for other efforts</p>	<p>Staff / May 2019</p>

#17. Resource reporting for PDP WGs	Allow for resource tracking and oversight, enhancing accountability Require PDP WGs to provide regular resource reporting updates to allow for a better tracking of the use of resources and budget as well as giving leadership teams the responsibility for managing these resources.	Staff should collect information regarding budget and resources to be allocated for PDP.	See #11 - Adapt fact sheet that is being used for EPDP Team to template so it can also be used for other efforts	Staff / May 2019
		Charter drafting team should identify the resources and needs during the chartering process	Review charter template to see if additional sections/guidance is to be provided to reflect this point	Staff / May 2019
		GNSO Council to work with ICANN Staff to adapt fact sheets used for review teams and EPDP to monitor and report on progress as well as resources for PDP WGs.	See #11 - Adapt fact sheet that is being used for EPDP Team to template so it can also be used for other efforts	Staff / May 2019
			Review fact sheet and provide input, as appropriate	Small Team / June 2019
			Review small team conclusions and proposed implementation of this improvement	Council / July 2019