

15 January 2009

Dear Community Members:

Email originally addressed to: council@gnso.icann.org; liaison6c; Cheryl Langdon-Orr; Alan Greenberg; Janis Karklins; Bertrand de La Chapelle

Staff would like to share another draft Stakeholder Group Petition/Charter Template (attached) to support and inform discussions on this matter. This compliments the draft template provided in October 2008.

Recognizing that we are all operating in uncharted territory, our collective thinking continues to evolve concerning Stakeholder Groups and how they might be optimally constructed, especially in the formative stages of the GNSO Improvements implementation. After considering some initial ideas and models, we found ourselves gravitating toward a less encumbered structure. The result is the attached template that we are circulating to the GNSO and broader community in hopes that it will be useful as discussions on forming four Stakeholder Groups move forward.

Underscoring our latest thinking is the following quotation from the BGC Report on GNSO Improvements, adopted by the Board, which states that (page 33), "The stakeholder groups may function only as a 'caucus,' bringing together like-minded stakeholders to elect representatives to the Council who can represent them. This structure would be fluid enough to accommodate new constituencies or the formation of new interest groups. It will be important for the implementation team to consider how to implement this flexibility within the overall stakeholder structure set forth in these recommendations. Our goal is definitely not to create a new layer of bureaucracy (*emphasis added*), as we heard concerns about at the San Juan Meeting."

This revised draft template emphasizes the constituency's continued preeminence within the GNSO and, at the same time, establishes a Stakeholder Group organization comprising minimal administrative and operational essentials until such time as our experiences may suggest a more elaborate design. In the bullets below, we have annotated where our first draft template was changed along with rationale where appropriate.

This streamlined approach also may be easier to implement in the June time frame (you'll recall that the Board needs to review and approve SG plans before a newly structured GNSO Council is seated in June 2009).

Staff stands ready to provide assistance and work with you in the construction of the Stakeholder Group organizations and charters. Please feel free to call upon us to discuss Stakeholder Group creation or to help with other restructuring matters -- policy-staff@icann.org.

Regards,

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Notes on changes to Staff's first draft template

1) Section 2.0 -- Organization and Membership

- a. Replaced sub-sections 2.2 and 2.3. Consistent with the current Bylaws, new constituency petitions are sent to the Board (also copied to the GNSO Council and publicly posted for comment) for formal approval including final placement within a particular Stakeholder Group. Until the Bylaws are amended, we propose that these functions be stipulated within the SG charter and re-evaluated at a future date.
- b. Added sub-section 2.4 to differentiate and emphasize constituency rights and responsibilities from those of the SG.

2) Section 3.0 -- Leadership

- a. Consistent with the BGC guidance, we amended sub-section 3.1 to add the option to structure an informal leadership caucus (e.g. of Constituency Chairs) vs. formally elected officers.
- b. Original section 4.0 - Stakeholder Group Functions was edited and absorbed into sub-section 3.3. The principal functions of the SG remain substantially as they were originally conceived.
- c. Sub-sections 3.4 and 3.5 were edited for additional clarity and 3.6 was removed on the basis that, to further reduce SG administrative tasks, membership lists should continue to be maintained by constituencies until such time as the GNSO has a master database containing GNSO participants (as recommended in the BGC Report).