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06 February 2023

GNSO Council Strategic Planning Session Report

To: the ICANN Board

Dear Tripti,

On behalf of the GNSO Council, I would like to share the Council's 2023 Strategic Planning Session (SPS) Report with the ICANN Board. The GNSO Council met last November in Washington, DC for this recurring strategic meeting, which focused on the following objectives:

1. How can the Council (along with Support Staff) work together to make topics more digestible to ensure that every Councilor has a baseline understanding of the work in the Council's portfolio?
2. What are the best ways to ensure continued engagement from the GNSO Council as a whole (not just a few representatives)?
3. What does it mean to be the "Manager of the Policy Development Process (PDP)", and can the Council come away with a mutual understanding of this?
4. How can the Council assist in promoting a future-proof GNSO?

The attached report captures outcomes and related action items from our discussions. In the interest of comprehensiveness, I have included the agreed outcomes and actions below; however, I would like to draw your particular attention to Outcome 4, Action Item 4.3, Action Item 6.1, Outcome 7, and Action Item 7.1, which reference the ongoing cooperation between the Board and the GNSO Council.

Outcome 1: After reviewing the program/project management materials, Councilors agreed to reviewing its work in detail on at least a tri annual basis.

Action Item 1: During a session at ICANN79, Council to prepare for a careful review of work captured in the Program Management Tool (PMT) that will conclude or initiate prior to the next AGM, or continue beyond the next AGM. Paul McGrady to coordinate with staff to plan for this inaugural effort.

Outcome 2: Further clarity may be needed regarding the expectations for Council liaisons to GNSO Working Groups. In addition, there may be a need to provide additional resources to ensure that liaisons can perform their roles effectively.

Action Item 2.1: Staff to catalog all resources regarding the role of Council liaison to GNSO WGs.

Action Item 2.2: Staff to investigate whether the latest version of the GNSO Council Liaison to GNSO WGs – Role Description is up-to-date and if not, update.

Action Item 2.3: Once action items 2.1 and 2.2 are complete, Council to discuss whether gaps exist and changes are needed.

Outcome 3: Councilors agreed that it is helpful to have a common understanding of how outputs from the bottom-up multistakeholder model should be voted upon at the Council level.

Just like the ICANN Board, ICANN org, and ACs, the best time for SG/Cs and their Councilors to avoid "undesirable" outcomes is during the PDP process.

Action Item 3.1: Council to develop an aspirational (non-binding) statement to reflect that Councilors should not seek to undo bottom-up consensus-driven outcomes of GNSO WGs.

Action Item 3.2: Once action item 4.1 is complete, Councilors to leverage the aspirational statement to build awareness within their respective SG/Cs.

Outcome 4: *The Council agreed that it should seek to limit the likelihood of the Council approving PDP recommendations and the Board is unable to adopt the recommendations.*

Action Item 4.1: Staff to document existing steps and measures already in place throughout the PDP continuum that better ensure recommendations are able to be adopted by the ICANN Board.

Action Item 4.2: Council to review documented steps and measures and perform gap analysis.

Action Item 4.3: *Council to include Outcome 4 as an agenda item for the Council's joint meeting with the ICANN Board at ICANN79.*

Outcome 5: Recommendation Report format should be reviewed and if possible, amended in a manner that eliminates potential inconsistencies with the WG's Final Report.

Action Item 5.1: Staff to investigate origins of the format for Recommendation Reports and understand the process of making edits.

Action Item 5.2: Assuming edits are feasible, staff to propose edits (and Council to review) to meet the objectives captured in Outcome 4.

Outcome 6: Councilors observed that unplanned work generally comes from external sources.

Action Item 6.1: *Council to consider opportunities to engage in two-way communications with external parties (ICANN org, ICANN Board, SO/ACs) to promote an environment where relevant groups receive early warnings of potential surprises. For example, Council to consider a quarterly check-in with the Board to review and discuss items awaiting response from Board/Council.*

Outcome 7: *Council identified several potential gaps in policy development where there is not a clear process for addressing certain scenarios (e.g., modifying recommendations that are already accepted by the Board).*

Action Item 7.1: *Staff and Council to identify areas where ambiguity may exist and then consider next steps.*

Outcome 8: The Council agreed that updates from WG Chairs / Council liaisons should be more purpose driven.

Action Item 8: Staff to leverage existing format for prep-week webinars and propose a "checklist" of elements for WG Chairs to consider and address when providing updates to the Council. Council to then review staff outputs and amend as necessary.

Outcome 9: Some Councilors expressed concerns about how public comments are considered by PDPs.

Action Item 9: Staff to document existing processes and if applicable, propose additional mechanisms to better ensure that commenters understand how their comments were considered by the WG. Council to then review staff outputs and amend as necessary.

Outcome 10: In respect of small teams, Councilors present agreed that they remain an important tool and should be flexible and can be right-sized for a given effort.

Action Item 10.1: Staff to propose edits to the small team guidelines based on Council discussion.

Action Item 10.2: Councilors to leverage small team guidance document to cultivate better understanding of how small teams operate and to dispel misconceptions that may exist, and directly address concerns raised by their respective communities.

Outcome 11: The Council agreed that for requests for feedback, it is not necessary to establish formal rules. The Council will have a sense of which topics will require more review, including by appointing SG/Cs, and which are non-controversial, and accordingly, be able to set appropriate timelines for review. (No action items identified).

Outcome 12: Council appreciated the presentation from the Communications Small Team and agreed that further discussion is warranted at a future Council meeting.

Action Item 12.1: GNSO Support Staff to add Communications Small Team to upcoming meeting.

Outcome 13: Councilors observed that unplanned work generally comes from external sources. In respect of managing unplanned work, it is not possible to establish formal rules. Situations will need to be examined closely and the Council should feel empowered to consider each request on a case-a-case basis and determine the appropriate response based on the ask and available resources, i.e., Council could say no or not now. (No action items identified).

I hope you find this helpful in understanding the GNSO Council's focus, priorities, and commitments for the upcoming year.

I wanted to extend the Council's appreciation for the participation of the GNSO-appointed Board members to the ICANN Board, Becky and Chris. I also wanted to extend the Council's appreciation for the opportunity to speak directly with Tripti and Sally. The Council welcomed the opportunity to engage with the four of you during this meeting and greatly benefitted from your input and suggestions.

As you will note, one recurring theme of the report is how the Council has appreciated the recent informal communications with the Board and wishes to continue this momentum of effective two-way communication. During the Strategic Planning Session, Becky suggested an informal quarterly check-in between the Board and Council, during which Councilors and the Board can go over outstanding items from both groups to ensure important work is not inadvertently forgotten. The Council appreciates and welcomes this opportunity to engage with the Board in this manner.

Should you have any questions or would like to discuss any aspects of the report further, please do not hesitate to let me know. The Council anticipates discussing some of the topics identified in the report, particularly around the topic of "board readiness", further during our bilateral session at ICANN79.

Thank you very much, and I look forward to our continued discussions.

Sincerely,

Greg DiBiase
GNSO Chair