ICANN 61
COMMUNITY FORUM

SAN JUAN
10–15 March 2018

GAC Operating Principles
15 March 2018

Goals and Expectations

- Provide GAC membership with background and update regarding recent operating principle efforts

- Share recommendations

- Obtain direction on next steps

Background

- The GAC sets its own Operating Principles

- First Operating Principles created in 2004

- Current Operating Principles date back to 2011

- Minor amendments in last 3 years:
  - Buenos Aires in 2015 to allow for 5 Vice Chairs
  - Johannesburg in June 2017 to allow for electronic voting

- New Structure Proposed – March 2017

- Preliminary Mapping Conducted – July 2017

- Detailed GAC Discussion – Abu Dhabi – November 2017

The Challenge/Opportunity

- Current Operating Principles are not aligned with any organizational structure – simple list of 54 principles

- Recent changes to Principles have been tactical and not strategic – focused on short term needs and not comprehensive examination of the principles.

- Absence of structure – opportunity for "gaps"

- Simple mapping/gap analysis reveals … gaps

- More structured approach necessary in a changing ICANN environment

Impetus For Work

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- ICANN 3.0 – Empowered Community

- New Organizational accountabilities and responsibilities

- Clarity for new participants

- Organizational continuity

New Structure Concept - 2017

Proposed New Organizational Structure for discussion:

Scope – what the GAC is and does (including reference to ICANN Bylaws)

Membership –
- Commitment to outreach
- Members
- Observers
- Representation

Conducting the work of the GAC
- Commitment to transparency
- Commitment to participation by all members
- Quorum
- Face to face meetings
- Working online
- Working Groups

GAC Leadership (roles and responsibilities)
- GAC Chair
- Vice Chairs
- Working group chairs/co-chairs
- Topic Leads

Election of GAC Chair and Vice Chairs
- Terms of office
- Election rules

Meetings
- Agenda
- Minutes
- Record Keeping

Working Groups
- Formation
- WG Chairs/co-chairs
- Membership
- Activities
- Closure

GAC Advice to the ICANN Board
- Consensus
- Communicating GAC Advice
- Tracking GAC advice

Interaction with the ICANN Community
- Appointments (to CCWGs and Review Teams, etc)
- Roles and responsibilities of GAC appointees
- Provision of GAC input
- Seeking community input
- SO/AC Liaisons to GAC

GAC Participation in Empowered Community Secretariat

Revision of Operating Principles

Mapping Effort - 2017

Taking existing principles and aligning them with new structure:

Mapping of Operating Principles to new structure v1 20170725/ON

1. Scope – what the GAC is and does (including reference to ICANN Bylaws)

Whereas:

1. The functions and responsibilities of the Internet Assigned Numbers Authority (IANA) are being transferred to a new private not for profit corporation, the Internet Corporation for Assigned Names and Numbers (ICANN).

2. ICANN's functions and responsibilities will affect the functioning of the global Internet.

3. ICANN's Articles of Incorporation establish that the corporation shall operate for the benefit of the Internet community as a whole and shall pursue the charitable and public purposes of lessening the burdens of government and promoting the global public interest in the operational stability of the Internet by performing and co-ordinating functions associated with the technical management of Internet names and addresses.

4. a) The Articles of Incorporation and Bylaws establish that ICANN shall carry out its activities in conformity with relevant principles of international law and applicable international conventions and local law. b) ICANN is committed to carrying out its activities based on the principles of stability, competition, private bottom-up coordination, and representation.

5. ICANN's Bylaws, Article XI Advisory Committees, Section 2.1 provide for a Governmental Advisory Committee The Governmental Advisory Committee should consider and provide advice on the activities of ICANN as they relate to concerns of governments and where they may affect public policy issues. The Advice of the Governmental Advisory Committee on public policy matters shall be duly taken into account by ICANN, both in the formulation and adoption of policies.

6. Meetings

6.1. Agenda

Principle 12
A proposed agenda for the meeting shall be communicated to GAC Members and Observers prior to the meeting.

Principle 13
Requests for items to be included in the agenda of a forthcoming meeting shall be communicated to the GAC Chair in writing, which may include by email

Principle 50
The meetings of the GAC shall ordinarily be held in private. The Chair may decide that a particular meeting, or part of a particular meeting, should be held in public.

Principle 51
After a private meeting has been held, the Chair may issue a communiqué to the Media, such communiqué having been approved by the GAC beforehand.

6.2. Minutes
6.3. Record Keeping

Principle 49
Records of the meetings of the GAC shall be recorded in an appropriate form and be available online, except under exceptional circumstances.

7. GAC Advice to the ICANN Board

7.1. Consensus

Principle 47
The GAC works on the basis of seeking consensus among its membership. Consistent with United Nations practice [1[1]], consensus is understood to mean the practice of adopting

Gap Areas Identified (2017)

- No language on commitment to outreach

- No language on commitment to transparency

- No language on commitment to confidentiality/privacy

- No language on commitments to member participation

- No Vice Chair duties or expectations

- No WG Chair Guidance

- No topic lead guidance

- No language on GAC interaction with rest of the ICANN community

  o Standards for appointments to CCWGs or review teams

  o Nothing on roles and responsibilities of appointees

- No direction or guidance for role and responsibilities of SO-AC liaison function

Agreed In Abu Dhabi

- Confirmed need and desire for further work;

- Limited input on potential parameters regarding scope and timing of work; but

- Confirmed need for discussion of options and ideas about any further work

Preliminary Recommendations - Scope

- Latest effort needs to provide a comprehensive framework

- Effort can be addressed in stages – allocated over time

- Conducted by interested member volunteers focusing on specific areas.

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Preliminary Recommendations - Approach

- Volunteer Effort:
    - Determine level of member interest in formation of volunteer effort to take responsibility for this effort
    - Seek expressions of areas of interest from GAC representatives

- Focus on targeted areas of initial focus (limited scope and timeline of work) from which lessons can be learned – produce by ICANN62

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Next Steps

- Assess/Process any ICANN61 GAC member feedback.

- Re-issue Mapping document – applying March 2017 structure to the current principles (renumbering, etc.)

- Identify gaps

- Invite volunteers based on gap analysis

- Prioritization - explore what gaps should be filled first

- Set expectations – explore scope and extent of potential work.

- Develop action plan for addressing, reviewing, approving and updates

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Revision of Operating Principles

Discussion/Guiding Questions

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- What areas would you like to see covered in the GAC Operating Principles that are not covered now?

- What level of details are you interested in exploring – fundamental vs operational vs details?

- What is the best vehicle for this effort (task force, working group, commissioned staff effort, etc.)

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Thank You