

PDP-WT - Planning and Initiation - Survey Results

1. Respondent Details

- 1 Wolf-Ulrich Knoblen, ISPCP Constituency
- 2 James Bladel, GoDaddy.com (Registrar)
- 3 Liz Williams, BC
- 4 Zbynek Loebel, IPC
- 5 Greg Ruth, ISPCP
- 6 Avri Doria, NCA – GNSO council
- 7 Bertrand de la Chapelle, French Ministry of Foreign Affairs
- 8 J. Scott Evans, IPC
- 9 Paul Diaz, Network Solutions (Registrar Constituency)
- 10 Mike Rodenbaugh, BC
- 11 Margie, Liz and Marika, ICANN Staff
- 12 David W. Maher, Public Interest Registry
- 13 Brian Winterfeldt, IPC
- 14 Alan Greenberg, ALAC

Who has right to initiate a request for an issues report?

1. The current status, in which an issues report can be requested by the ICANN board, GNSO Council or an ICANN Advisory Committee, should be maintained.		
<i>answered question</i>		13
<i>skipped question</i>		1
	Response Percent	Response Count
Yes	76.9%	10
No	15.4%	2
No opinion	7.7%	1
If no, please provide further details (are there other bodies that should be able to request an issues report, which of the current bodies should not be allowed to request an issues report)		3
<p>However, some possibility for groups of actors (to be determined) to submit (rather than request)</p> <p>1. an issues report in a pre-determined format could be explored, in order to make this initial exploratory step more bottom-up.</p> <p>2. Mostly maintained, but with an increased threshold of support. This will help reduce the preponderance of narrow issues. One thought would be to consider that the Council or Board can initiate a report alone, but other SO/ACs must have the support of other SO/ACs or work in conjunction with the Council / Board</p>		

1. The current status, in which an issues report can be requested by the ICANN board, GNSO Council or an ICANN Advisory Committee, should be maintained.

3. As approved by the board upon the consensus report of the council restructuring group the creation of an issues report could be done by the 2 houses either together or separately.

2. The reference to the 'initiation of a PDP' with a request of an issues report should be removed from the by-laws, as the initiation of a PDP does not start with the request of an issues report.

		<i>answered question</i>	13
		<i>skipped question</i>	1
		Response Percent	Response Count
Yes		69.2%	9
No		7.7%	1
No opinion		23.1%	3
		Additional comments	4

- The question is meaningless as according to the current Bylaws, a PDP is initiated twice, one with the request of an Issues Report, and again with the Council vote. We need to use different terminology for these two steps. I don't care which step is the one called "initiation of the PDP" (if the first, then by definition, the PDP includes the Issues Report step; if the second, then the Issues Report is a step preceding the PDP).
- If the reference was removed from the Bylaws, I assume this WG will recommend replacement text that more accurately describes the process to launch some desired policy work?
 - Actually, it could be possible to make only a mention of the existence of a Policy Development process in the Bylaws and describe it in more detail in a separate document. In addition, suggestion was made to have two documents in the initial stage : an "issues paper" and a "staff recommendation" regarding the actual launch of a full PDP.
 - Well why not reword it to initiation of PDP process. this process can be cut short with a No vote on step 2, but the issues report is an integral part of the PDP process.

Procedures for requesting an issues report

1. Are the procedures outlined in the by-laws still relevant and efficient?			
	<i>answered question</i>		12
	<i>skipped question</i>		2
		Response Percent	Response Count
Yes		25.0%	3
No		41.7%	5
No opinion		33.3%	4
	If no, how should these procedures be updated?		7
<p>We have pretty much decided that the Task Force process is dead, so it needs to be removed. The rest of the process is probably still relevant, but I have not reviewed it in this context. The timings clearly need to be revised and made more flexible.</p> <p>1. More information needs to be provided at the time of request. Clarification might be needed on how/to whom a request needs to be submitted.</p> <p>2. At a minimum, the timelines need to be updated (what's the point of deadlines if they are NEVER met?)</p> <p>3. The main evolution is the move towards a working group model and a better community wide interaction during the early phases of "issue-scoping" and "goal-setting" that must happen before the actual PDP is launched.</p> <p>4. The timings need to be changed the vote of creating a task force should be changed to a vote on creating a charter.</p> <p>5. for the most part yes, but not as written. - issues report - need more info - do study - have enough info - vote on PDP - charter a WG - ...</p> <p>6. A request for an issues report should be accompanied by some explanation of the need for same.</p> <p>7. The procedures are still relevant. Their efficiency is strongly correlated with the management capabilities of the relevant working teams.</p>			

2. There are no requirements as to what information a request should contain. Would a template be helpful including items such as definition of issue, identification of problems, supporting evidence, why should the issue be considered for policy development?

	<i>answered question</i>	12
	<i>skipped question</i>	2
	Response Percent	Response Count
Yes	91.7%	11
No	8.3%	1
No opinion	0.0%	0
	Additional comments	8

A template would be useful, but as a guideline and not mandatory.

1. I think that suggested outcomes should be included (although clearly not always relevant or even appropriate).
2. so long as it is not required, but merely recommended
3. The template should be a suggestion, not necessarily a requirement. If the requestor can't address any of the template questions, then it's likely the issue is not ripe for policy work. That said, in some cases there may not be good definitions, supporting evidence, etc. - that's part of the purpose/outcome of policy work by a multi-stakeholder team.
4. Definitely a major improvement.
5. Generally templates mean - one size fits all - and if you better fill in every blank - even if it is irrelevant.
I tend to think that a set of guidelines of things to be considered might be useful, but would avoid anything as bureaucratic as a template.
6. Yes, but the template (information required) should be flexible - one size does not fit all.
7. A template can include recommended data sources or subject matter experts, and could help define (rather than restrict) the issues under study. Template can also reference any existing policies that are relevant.
8. It could help as a guideline for creating a request.
But I have some doubts whether all kinds of request could be pressed in a formal template.

3. If you have answered yes to the previous question (nr 2), are you of the opinion that the completion of such a template should be a mandatory step in requesting an issues report?			
	<i>answered question</i>		12
	<i>skipped question</i>		2
		Response Percent	Response Count
Yes		58.3%	7
No		41.7%	5
No opinion		0.0%	0
	Additional comments		6
<p>1. As noted above.</p> <p>2. must retain flexibility and not impose rigid requirements as to format or content</p> <p>3. see above</p> <p>4. But this should not become an excessive preliminary exercise where requesting an issues report (I would prefer "requesting a preliminary inquiry") becomes a process in itself, adding to the vast amount of paperwork. The template should be very concise.</p> <p>5. Mostly yes, but this should not be a barrier to good-faith efforts to initiate a report. So, a subsection of mandatory information must be submitted, with other (more detailed) information considered optional.</p> <p>6. It shouldn't be a precondition for accepting the request.</p>			

4. Is requesting an issues report the same as initiating a PDP?			
	<i>answered question</i>		12
	<i>skipped question</i>		2
		Response Percent	Response Count
Yes		0.0%	0

4. Is requesting an issues report the same as initiating a PDP?		
No		83.3% 10
No opinion		16.7% 2
Additional comments		5
<p>1. See earlier question on "initiating". It is an arbitrary decision whether we include the IR stage as part of the PDP. We just need to make our definition clear and CONSISTENT.</p> <p>2. If the requestor cannot fully define the issue and provide credible supporting evidence, further policy work may be needed BEFORE a full-blown PDP can be initiated.</p> <p>3. No, but it amounts to requesting a "preliminary inquiry". The whole process should lower the barriers to entry in the Agenda setting, to let issues emerge early, with the possibility of easily dismissing abusive requests.</p> <p>Tricky word game. It is the same as initiating the PDP process, and should be part of the defined process.</p> <p>4. How else do ACs have the ability to force consideration of an issue if the Issues report is not a bylaws mandated part of the PDP process. Whether it is part of the PDP, per se, seems to be an academic semantic differentiation.</p> <p>5. To my understanding the issues report is the basis for initiating a PDP. Please advise if I'm wrong.</p>		

5. If you have answered no to the previous question (nr 4), should Advisory Committees be allowed to initiate a PDP?		
<i>answered question</i>		12
<i>skipped question</i>		2
		Response Percent Response Count
Yes		41.7% 5
No		50.0% 6
No opinion		8.3% 1
Additional comments		5

5. If you have answered no to the previous question (nr 4), should Advisory Committees be allowed to initiate a PDP?

1. Unclear what you mean. AC should be able to request and IR as noted in one of the earlier questions.
The question is ambiguous. If it means that ACs have the right to submit a request for the preliminary stage, the answer is of course Yes. If it means that an AC should have the right to "order" the launch of a formal PDP (like the Board currently does), this is an issue to be discussed. There are pros and cons, but it's certainly worth considering.
2. Again word games.
3. they should be able to initiate a PD Process. Is this the PDP or a prot-PDPd or just the first step in a provisional PDP that can be terminated after this first sep is I beleive a semantic detail.
4. Not alone. They should work with the GNSO Council and/or Board.
5. ACs can trigger the initiation of a PDP by requesting and cooperating on an issues report.

6. Should more details be provided on how an Advisory Committee can request an issues report (currently the by-laws do not provide any details on how such a request should be made or processed)?

	<i>answered question</i>	12
	<i>skipped question</i>	2
	Response Percent	Response Count
Yes	66.7%	8
No	25.0%	3
No opinion	8.3%	1
	Additional comments	6

1. The procedures for the AC are its business. If the GNSO tries to restrict how an AC can act, it is serving potentially crippling the AC. An earlier question already suggested that there could be guidelines/templates for the IR request.
2. It probably wouldn't hurt to have a Staff Advisory that explains the process ACs have used in the past to request an Issues Report (i.e. with the support of GNSO Councilors). I'm not convinced this needs to be enshrined in the Bylaws, though.
3. The objective is to have very concise formulations in the Bylaws and possible annexed "working

6. Should more details be provided on how an Advisory Committee can request an issues report (currently the by-laws do not provide any details on how such a request should be made or processed)?

methods". Excessive precisions creates documents that are hard to understand.

- 4. Not in the by-laws. but a guideline to considerations might be useful.
- 5. An explanation (flexible template) should be required
- 6. The bylaws or rules of procedure should clearly outline how the request should be processed. A flowchart would be very helpful.

Issues Scoping

1. In theory, there is currently no limit on the issues that can be raised as there is no requirement for the issue to be 'within scope' (i.e. within ICANN's mission and linked to gTLDs). This assessment is carried out as part of the issues report. Should an initial assessment take place when an issue is raised?

		<i>answered question</i>	12
		<i>skipped question</i>	2
		Response Percent	Response Count
Yes		58.3%	7
No		25.0%	3
No strong view either way		16.7%	2
		Additional comments	4

- 1. Staff should be willing to do an initial assessment *IF* requested by the body that is thinking of requesting the IR.
- 2. Requesters need to be encouraged to submit issues that are narrow and defined so that the scope determination can be made.
- 3. In line with the above comment, the objective is to lower the bar for raising an issue (ie : a very bottom-up agenda-setting) but have simple modalities to dismiss abusive requests should the topic be out of scope. some independent precess (not only ICANN's legal counsel) should provide an appeal mechanism in case of dispute regarding the scope.

1. In theory, there is currently no limit on the issues that can be raised as there is no requirement for the issue to be 'within scope' (i.e. within ICANN's mission and linked to gTLDs). This assessment is carried out as part of the issues report. Should an initial assessment take place when an issue is raised?

4. Assuming you mean doing this in the issues report.

2. Should the requestor identify the desired goal/outcome of a PDP?

		<i>answered question</i>	12
		<i>skipped question</i>	2
		Response Percent	Response Count
Yes		66.7%	8
No		16.7%	2
No strong view either way		16.7%	2
		Additional comments	7

1. Optionally. Not always known or relevant.

2. Requestors should be encouraged to identify their desired goal/outcome, otherwise the community could be overburdened with multiple policy initiatives that (barely) meet the threshold requirements to get started but don't have widespread support and will be seen as a waste of time.

3. Yes, but this should not be binding. The purpose is to help actors evaluate what is the expected amplitude of the issue. In that respect, a clear typology of outcomes (guidelines, consensus policy, decision, and general policy are 4 possible categories) would be helpful.

4. Sometime it might just be - there is an issue here that needs to be looked at.

5. Yes, to the extent that it can be determined.

6. And define what problem a PDP is designed to resolve.

7. Possibly, if this can be done without biasing the participants of the WG. And it could identify desired outcomes that are beyond ICANN's remit and/or impractical to implement.

3. What actions are needed in order to ensure a precise and narrow definition of an issue?		
	<i>answered question</i>	10
	<i>skipped question</i>	4
		Response Count
		10
1.	Discussion with the requesting group prior to the request. I do not see any way of doing it in a more formal way given the wide range of possible subjects.	
2.	Workshops, templates, BOF, Community Discussion	
3.	None, there need not be a 'precise' or 'narrow' definition of an issue.	
4.	TBD (there is no "one size fits all" answer to this question), but it seems likely that a more robust definition will be developed if more than one vocal/persuasive Council is driving the issue.	
5.	The question may not be a narrow definition but rather an agreed concise formulation that encompasses the different dimensions of the issue : it is the purpose of the very initial stages to help participants define "issues of common concern or interest" and "agreed goals" (ie the purpose of the PDP. In many cases, the problem is not the absence of a narrow definition of the issue but the lack of clarity regarding the different dimensions and the actual objective pursued.	
6.	At the issues report level - Policy Staff should be able to ask clarifying questions.	
7.	I don't think we can prescribe this - it will vary from case to case.	
8.	Early and frequent consultation between affected parties	
9.	Understand the appropriate role of ICANN and organizations within the ICANN community in affecting an issue.	
10.	providing issue related information as comprehensive as possible squeeze the initiator for providing information set criteria against which you can question	

4. Should an initial assessment be foreseen whether GNSO policy development is the appropriate response to the issue raised or whether other alternatives are deemed more efficient to achieve the desired outcome?		
	<i>answered question</i>	12
	<i>skipped question</i>	2

4. Should an initial assessment be foreseen whether GNSO policy development is the appropriate response to the issue raised or whether other alternatives are deemed more efficient to achieve the desired outcome?

	Response Percent	Response Count
Yes	50.0%	6
No	16.7%	2
No strong view either way	33.3%	4
Additional comments		7

1. As above. This can be part of the staff response IF it is asked. The answer does not affect the ability to still request the IR.
2. Policy Development can have multiple outcomes so it does not need to be restricted.
3. This may not need to be a requirement, but it seems folly to forge ahead with PDPs that are deemed largely out of scope by Staff and don't have widespread support at the Council level (i.e. Fast Flux) - better to develop more knowledge first and make a better informed decision whether the issue really lends itself to policy work.

The policy development process can actually cover a broad range of issues and outcomes. It is part of the initial assessment (ie preliminary phase) to verify, collectively, that the issue is indeed
4. important, that there is an agreed goal and the nature of the desired outcome. This should be reported in the staff-produced recommendation at the end of the preliminary phase. We should avoid multiplying ex ante checks and base the process on the assumption that people will use it fairly.
5. Might be useful as long as it is not binding on the council.
6. This "assessment" is just a recommendation.
7. Are there examples for alternatives?

Creation of an issues report

1. Current requirements for content of an Issues Report are pre-defined in the by-laws. Are they still relevant?

<i>answered question</i>	12
<i>skipped question</i>	2

1. Current requirements for content of an Issues Report are pre-defined in the by-laws. Are they still relevant?			
		Response Percent	Response Count
Yes		33.3%	4
No		16.7%	2
No strong view either way		50.0%	6
If no, please provide further details on how these requirements should be updated.			4
<p>1. Relevant, but as is now the practice, this list should not limit what the IR contains.</p> <p>2. Will depend on the outcome of the discussions re. pre-request phase</p> <p>As indicated previously, there should be a distinction between initial issue papers (two to three pages)</p> <p>3. and staff-produced recommendations (in a secretariat function) regarding the launch of an actual PDP. the content of these documents is too precise a level of detail to be in the Bylaws.</p> <p>4. Another template is necessary for this so it can be populated with relevant information and a checklist for completion should also be included along with a proposed timeline.</p>			

2. Is an Issues Report still the desired outcome of the planning / initiation phase?			
	<i>answered question</i>	12	
	<i>skipped question</i>	2	
		Response Percent	Response Count
Yes		75.0%	9
No		8.3%	1
No strong view either way		16.7%	2
If no, what should be the desired outcome of the planning and initiation phase?			2

4. Should a 'Birds of a Feather' type meeting be part of the planning and initiation stage?		
	Response Percent	Response Count
Yes, but only optional	75.0%	9
Yes, as a requirement	8.3%	1
No	0.0%	0
No strong view either way	16.7%	2
Additional comments		4
<p>1. In virtually all cases that I am aware of, the request for IR is preceded with a variety of previous actions/workshops/reports. There is no need to add a new mandatory step.</p> <p>2. Could lend additional credence to the necessity of a PDP</p> <p>Such a type of meeting should even take place before the initial phase, in order to catalyze interest for a given issue. The objective is to facilitate agenda-setting and to make the general process smoother and more community-wide. Special time slots could be made available during physical ICANN meetings for the self organization of such BOF sessions, something that is clearly missing today.</p> <p>3. Could be considered as part of a Workshop, Drafting Team or other "Pre PDP" activities.</p>		

What can the end result of a PDP be?

1. Current perception is that the only outcome of a PDP is a recommendation for policy changes. How should this be addressed?	
<i>answered question</i>	11
<i>skipped question</i>	3
Response Count	
	11
<p>1. This perception is wrong, as has been confirmed by staff a number of times. Outcomes can include advice to the Board, suggestions of staff actions (which the Board could make mandatory), best practices, etc.</p>	

1. Current perception is that the only outcome of a PDP is a recommendation for policy changes. How should this be addressed?

2. Better information and training for WG participants at the outset of a PDP process
3. That perception is changing as a result of frequent statements from Staff and Councilors that a PDP is not the only possible outcome. We should just continue emphasizing that.
4. The decision to launch a PDP should be based on the belief that this issue merits a potential policy change. If, however, the participants in the policy work determine that something short of new rules (i.e. best practices) are most appropriate, the process should be open to that outcome.
5. It should clearly be stated that a recommendation of no policy change is an acceptable outcome
6. See above the notion of a typology of outcomes: guidelines (non-binding), consensus policies (within picket fence), decisions (enforceable), and general policy frameworks (example : the new gTLD policy). The initiation phase should clearly define the type of expected outcome.
7. As a simplification. Even stating no change in formal Policy but recommend that the following process be initiated is a policy action.
8. We need more latitude. The outcome could be "no change". It could also be are recommended "best practice" (non-binding)
9. Either a binding contractual change (a PDP) or an expert advisory on an issue.
Confirm non-policy outcomes could include:
10. * Clarification of existing policy.
* Recommendations for Best Practices.
* Recommendations for further study.
11. I think the outcome of a PDP shouldn't be only a recommendation rather than a board decision about a policy (change) leading to measures to be taken by ICANN and others

The role of ICANN staff

1. On paper, the role of ICANN's General Counsel is limited to providing input for the staff recommendation which is part of the Issues Report. Should other consultations be foreseen e.g. at the request stage?

		<i>answered question</i>	12
		<i>skipped question</i>	2
		Response Percent	Response Count
Yes		41.7%	5

1. On paper, the role of ICANN's General Counsel is limited to providing input for the staff recommendation which is part of the Issues Report. Should other consultations be foreseen e.g. at the request stage?			
No		16.7%	2
No strong view either way		41.7%	5
If yes, please provide further details			5
1.	I think that the reference to General Council should be replaced by ICANN Staff. Who staff works with is not an issue for Bylaws or even PDP procedures.		
2.	A General Counsel recommendation that an issue is largely out of scope should not be easily dismissed by Councilors with an agenda and/or an ill-defined desire to "do something" about an issue.		
3.	The question is hard to answer as formulated. Discussion in the working team have shown that the expression "staff recommendation" is ambiguous. The outcome of the preliminary/initial phase is a recommendation elaborated by the group dealing with the topic with assistance from the staff as secretariat. It should be distinguished from a possible intervention from the staff and General Counsel directly to the President and CEO.		
4.	Why not, if it is useful. again no 'one size fits all'		
5.	General opinion on how the issue is covered and/or affected by existing policy, contracts, agreements, etc.		

2. Should there be a possibility to request a 'second opinion' if there is disagreement with the opinion of the General Counsel's office?			
		<i>answered question</i>	12
		<i>skipped question</i>	2
		Response Percent	Response Count
Yes		66.7%	8
No		0.0%	0

2. Should there be a possibility to request a 'second opinion' if there is disagreement with the opinion of the General Counsel's office?		
No strong view either way	33.3%	4
If yes, who would provide this 'second opinion' and what procedure should be followed?		8
<p>There have been a number of suggestions that the GNSO should have access to Counsel other than the ICANN Council. I don't know the right answer to this, and am hesitant to say it should go to the Board, but I strongly feel that there should be a way to question the ICANN Council opinion.</p> <p>The GC should not be prejudging whether a policy outcome is within scope. That determination should be made at the end, but of course should be raised as a potential issue that must be considered during the WG process.</p> <p>Not sure where a contestant would turn for a "second opinion" - perhaps the proposed Independent Review Tribunal? That could burden such a mechanism envisioned as a "last resort" to challenge Board (in) actions (as a "denied" PDP would not have reached the Board level).</p> <p>Hard to say at that stage. a matter of further discussion. But this is linked to the establishment of improved internal accountability and appeal mechanisms.</p> <p>From whom?</p> <p>Good question!</p> <p>The appropriate person could be the Board, or a consensus opinion of recognized legal experts within the ICANN community.</p> <p>What kind of disagreement could that be? If it is essential for the PDP question (yes or no) then it should be brought to the board for decision.</p>		

3. Should the role of ICANN staff in the planning and initiation phase be clarified?		
	<i>answered question</i>	12
	<i>skipped question</i>	2
	Response Percent	Response Count
Yes	58.3%	7
No	16.7%	2
No strong view either way	25.0%	3

3. Should the role of ICANN staff in the planning and initiation phase be clarified?

If yes, what should the role of ICANN staff be and how should this be clarified? 5

1. See question above on role of staff.
2. Role and responsibilities are clearly defined in the current by-laws re. issues report. Only if other elements are added to the planning and initiation phase, it should be further defined / changed.

If yes, should make clear if there is a difference of opinion among Staffers. Currently, Issues Reports are drafted by one person; it's not clear how the internal editing and review processes work. If certain
3. Staffers have a strong view (that is not uniformly shared), it should be spelled out. Understanding any such differences of opinion could help Councilors anticipate potential controversy/hurdles that would accompany a PDP.

As mentioned during the Work Team calls, there would be a benefit in distinguishing between different staff functions, namely : 1) expertise (including managing external consulting studies), 2)
4. neutral secretariat support (logistics and drafting help), 3) operational implementation of policies or decisions (day-to-day management, monitoring compliance, etc...) and 4) "gate-keeping" through new accountability and appeal mechanisms (including to guarantee respect of the Bylaws and respective competences and procedures).
5. It is critical that the Policy Staff be seen as an providing assistance to the GNSO, its council and its processes and that except in extremely rare occasion - specifically identified by the Board - that they have no role in advocacy or decision making and should refrain at all times from lobbying and from trying to influence the direction of policy making.

Community input / How to incorporate public comments

1. Should there be a requirement to obtain public input at the stage of the request?

		<i>answered question</i>	12
		<i>skipped question</i>	2
		Response Percent	Response Count
Yes		25.0%	3
No		58.3%	7
No strong view either way		16.7%	2
		Additional comments	5

1. Should there be a requirement to obtain public input at the stage of the request?

1. but only optional, as a way to gather further input or information if this is deemed to be lacking at this stage.
2. Requests are almost always driven by some "public input." Councilors can be made aware of differences of opinion on certain issues. Requiring public input may unnecessarily add delays.

This is one of the functions of optional Birds of a Feather sessions before the actual request. But there should be at least one mandatory round of comments on the "recommendation" prepared at the end of the initial/preliminary phase. If the work has been done correctly (ie taking into account the different dimensions) and if the recommendation is sufficiently concise, the round of comments is likely to produce limited input.
3. Optional
4. Optional
5. Not a requirement, but if there are stakeholders identified in the Issues Report request, they should be allowed to submit comments/positions.

2. Is there a need to build in flexibility for public consultation in the preparation of an issues report there where further information is desirable to complete the report?

		<i>answered question</i>	12
		<i>skipped question</i>	2
		Response Percent	Response Count
Yes		50.0%	6
No		25.0%	3
No strong view either way		25.0%	3
		Additional comments	4

1. The Council or WG can request this, it ought not happen before then.
2. The current timeline for an Issues Report is completely unrealistic. Staff must have adequate time to consult with community experts, advocates and opponents to develop a more well-rounded Report.

Between an initial "issue paper" (2-3 pages detailing the issue and its expected dimensions) and the production of the "recommendation" detailing the proposed next steps, additional public consultations and/or studies should be possible, depending on the complexity of the topic. The Council could be tasked with deciding upon the desirability of such additional steps. Flexibility should both allow relatively straightforward issues to move rapidly into the pipeline (straightforward in terms of their
- 3.

2. Is there a need to build in flexibility for public consultation in the preparation of an issues report there where further information is desirable to complete the report?

relevance or framing, not necessarily in terms of finding the actual solution, which is the role of the PDP itself), and on the other hand more complex ones to be explored as thoroughly as needed before the launch of the PDP itself (in particular to clarify the common goal and the expected outcome).

I see the issues report as a clarification of the issue up until that time. It might be reasonable to gather

4. community opinion after the issue report has been released and before the next step in the PDP is taken.

3. Should constituencies be consulted at this stage e.g. their definition of the issue is and if/how it affects them?

		<i>answered question</i>	12
		<i>skipped question</i>	2
		Response Percent	Response Count
Yes		66.7%	8
No		25.0%	3
No strong view either way		8.3%	1
		Additional comments	6

1. IR requester can do this if desired.
2. With more time, constituencies can contribute to the Issues Report (they are the "experts" who provide needed public input). Making this a requirement, however, would delay the process as internal constituency rules will add significant time.
3. This is related to the composition of whatever group is constituted for the initial/preliminary phase. The important aspect is to make sure that the diversity of viewpoints is represented (in particular when a specific constituency is split on a given issue).
4. After the issues report yes.
5. Yes, if they are or could be impacted by the issue, and any resulting PDP
6. constituencies and/or stakeholder groups

4. How to incorporate community input at the planning / initiation phase?	
<i>answered question</i>	8
<i>skipped question</i>	6
Response Count	
	8
<ol style="list-style-type: none"> 1. See #3. 2. Workshop, BOF, public comment period, etc. - all information should be included and analyzed in the final product of the planning & initiation phase 3. Community input is inherent in this phase. A request would not be made without it, as the only people who can make a request are elected or appointed community representatives. 4. Well-publicized announcements seeking comments via mailing list and/or wikis should suffice. 5. See above : composition of the initial group and mandatory round of public consultation on the draft recommendation before it is adopted. 6. A comment period once the issues report is released might be worth considering. 7. Could have a BOF, or web-based comment 8. Consult with contracted parties if they are impacted. 	

Role of Workshops / Information Gathering events

1. Is there a role for workshops / information gathering events at the planning / initiation phase?		
<i>answered question</i>		12
<i>skipped question</i>		2
	Response Percent	Response Count
Yes	58.3%	7
No	25.0%	3
No strong view either way	16.7%	2

1. Is there a role for workshops / information gathering events at the planning / initiation phase?

If yes, how can this be build in? 7

1. Almost always already a step preceding requesting the IR.
2. Nice to have, but should not be a requirement.
3. Depending on the importance of the issue, awareness-raising and input-gathering workshops can be organized at physical meetings. But they should not be mandatory in all cases to avoid delaying issues that can move forward.
4. Post issues report, perhaps.
5. Again, it should be optional.
6. but not so it slows things down to snail pace.
7. This is a good parallel to BoF type meetings.

Efficiency and flexibility during planning / initiation phase

1. Current deadline of 15 days after receipt of a request is unworkable. How to build in sufficient flexibility to allow for additional research and consultation when needed, while being able to move forward quickly in those cases where additional work is not deemed necessary?

answered question 11

skipped question 3

Response Count

11

1. I could live with 30 days, but not any longer. I would like to keep the official period as short as possible with the procedures can allowing a longer period with the agreement of the requester.
Target dates could be included in the by-laws based on the current experience with PDP timelines, but with the flexibility for modification by the GNSO Council if it is deemed necessary to allow for extra time for research or consultation.
2. In addition, guidance could be provided on how much additional time should be needed for certain additional elements such as a workshop or public comment period at the initiation phase.
3. Leave this up to Council to decide on case by case basis, with input from Staff as to their current workload and estimate of time to complete each project.
4. A 45-day deadline should be sufficient. Staff already does most of the work in two weeks; the additional time will allow experts to share their views and data. Any more time suggests the issue is not really that pressing. Failure to collect meaningful input in this timeframe suggests the same

1. Current deadline of 15 days after receipt of a request is unworkable. How to build in sufficient flexibility to allow for additional research and consultation when needed, while being able to move forward quickly in those cases where additional work is not deemed necessary?

- conclusion. Staff's note on the level of input should be a factor in deciding whether the policy work should proceed.
5. Give a range and evaluate and let the timeline be driven by the complexity of the issue and within the date boundaries set out.

See answer to "flexibility" question above: the initial/preliminary phase starts with a short issues paper. A specific deadline by default is established for the production of the recommendation. It can either be uniform (in the bylaws) or set by the Council according to the complexity of the issue when the decision to launch this initial exploration is made. Capacity to request additional research or consultations would expand the timeline as needed.
 6. Ask Policy Staff for estimate. Set a maximum, perhaps of 60 days.
 7. Well, the staff could provide an estimate of the time required.
 8. Make a much longer deadline -- say 30 - 45 days.
- Two types of requests:
10. 1. Standard (queued behind existing requests / reports).
2. Expedited / Urgent: Moved to top of the request queue. This should have broad support of multiple SO/ACs and/or the Board or GNSO Council.
 11. A deadline is necessary but should be discussed in context with the entire PDP (flowchart)

2. Would a flexible timetable be an option i.e. in the request the submitting party with staff support develops a draft timeline which can consist of a number of phases that are pre-determined with a set timeframe?

	<i>answered question</i>	12
	<i>skipped question</i>	2
		Response Percent
		Response Count
Yes		66.7%
No		8.3%
No strong view either way		25.0%

2. Would a flexible timetable be an option i.e. in the request the submitting party with staff support develops a draft timeline which can consist of a number of phases that are pre-determined with a set timeframe?

Additional comments 5

1. Only if the total time allotted is no more than 45 days. Otherwise, advocates may try to "forum shop" to get a pet project accepted when that issue couldn't pass muster on its own.

See above. But here again, let's avoid over-engineering this by creating sub-sub-sub-procedures in too great a level of detail. In a nutshell : there is a general Policy Process. It starts with an initial/preliminary phase (before the actual PDP). This phase begins with an issue paper and closes with a recommendation for next steps, within a time frame set by the Council. In between, the Council can choose to extend as needed. Period.
2. That's is one way to go.
3. Manage a queue of requests, keep some deadline (not necessarily 15 days), but clock doesn't start until the issue moves to to the front of the queue.
4. To be discussed after having the total view (see above)

3. What flexibility should be foreseen for additional research or study at the initiation phase?

answered question 12

skipped question 2

	Response Percent	Response Count
Yes	25.0%	3
No	16.7%	2
No strong view either way	58.3%	7

Additional comments 9

1. The question does not seem to have a yes/no answer.
2. Flexibility should be retained, but research or study can typically occur after the initiation phase.
3. see above
4. All timelines should take into consideration that the need for additional research/study may be

3. What flexibility should be foreseen for additional research or study at the initiation phase?

required.

5. Let's not get into too much details. Anyway, this question is hard to answer by Yes or No :-)
6. there should be flexibility at all stages. Stage progression should be invariant for the most part, but the timing and content of what goes on in a stage should have flexible guidelines.
7. I think we ought to minimize (but not eliminate) the amount of research/study at this phase
8. question doesn't make sense.
9. maybe in some cases, but not in general

Economic impact analysis

1. Should a preliminary economic analysis be conducted, such as to evaluate market demands, impact to Community, ICANN staff costs, and other resources needed from ICANN, as part of the planning and initiation phase?

	<i>answered question</i>	12
	<i>skipped question</i>	2
	Response Percent	Response Count
Yes	25.0%	3
No	41.7%	5
No strong view either way	33.3%	4
	Additional comments	9

1. Can be included in the WG step if deemed needed.

It may not be practical to conduct such a study, especially at the outset of the issues report stage.

2. There could certainly be an important value down the road, which might be recommended by the proponent of the issue, or by staff, to be commissioned on a case specific basis.

3. again this would prejudice outcomes

Depends on who does the analysis: internal Staff (with acceptable credentials), or external experts? If

4. the latter, how much will it cost, how long will it take, what are their credentials, etc.? As there's likely to be controversy about findings the "preliminary" aspect of the economic analysis should be

1. Should a preliminary economic analysis be conducted, such as to evaluate market demands, impact to Community, ICANN staff costs, and other resources needed from ICANN, as part of the planning and initiation phase?

stressed, and merely treated as another factor in whether to proceed with the policy work. Like Staff input, though, opposition to an issue should be carefully weighed to avoid wasting the community's limited time and resources.

No, unless it appears necessary. Then the Council would agree to request this additional research.

5. But of course, these elements should be kept in mind as part of the initial discussion. A list of topics such as this one could be established as a - non-binding - reminder for participants to consider.
6. If the questions is susceptible to reasonable economic analysis in short order, then maybe this can be useful in the initiation process. But this analysis should not be allowed to stall further work.
7. Not mandatory. Such an analysis could be conducted if the staff feels strongly about it.
8. Economic analysis should not be the catch phrase for change, for example, when there are consumer impacts that are nothing to do with economics.
9. depending on the case; not in general

Resources and Prioritization

1. Should there be a maximum of issues that can be taken into consideration at the same time taking into account ICANN staff time but also volunteer workload?

<i>answered question</i>		12	
<i>skipped question</i>		2	
		Response Percent	Response Count
Yes		58.3%	7
No		25.0%	3
No strong view either way		16.7%	2
If yes, how should the maximum be determined and by whom?			9
1.	I appreciate the overload on all parties but I cannot see a way to FORBID taking on a new issue if it is important.		
2.	By the Council with guidance from staff. It might be worth considering setting a restriction for the nr of PDPs that can be ongoing at the same time, unless there is a vote by the Council to overrule this		

1. Should there be a maximum of issues that can be taken into consideration at the same time taking into account ICANN staff time but also volunteer workload?

maximum.

- 3. The Council should prioritize and schedule its work each quarter.

I'm supportive of the concept, but am not sure how to determine the "maximum" number. Council needs to be aware of outstanding policy work, the number of people engaged, and the presumed

- 4. impact of new initiatives BEFORE taking up another issue. Some issues may be deemed so important that they are undertaken even when the community has a "full plate." Then again, the advocates should make a compelling case for added workload.

Yes, in general, there should be an effort not to have too many issues at the same time; this does not mean setting a specific number in abstracto, but rather establishing a mechanism to organize priorities. A better clustering of issues and the identification of Topic Areas could help organize staff and volunteer work better. The experience of IETF and W3C with their Area Managers and Domain

- 5. Managers should be studied in that respect. It would be the responsibility of these actors to make sure that sufficient resources are available on both sides (staff and volunteers) and to manage the corresponding schedule. Whether such Managers should be from staff, from volunteers or a combination of both is open for discussion. But the objective should be to develop ICANN towards a more issue-based organisation and not only a constituency-based structure.
- 6. There should be prioritization, but work load should not be useable as a blocking factor.
- 7. Policy makers (Council) should prioritize.
- 8. Maximum number of "active" issues, but no limit on the depth of the issue queue.
- 9. Just thinking practically: the (new) council should "manage" the process which includes priority setting. So this is one of their more delicate tasks

2. Should there be a fast-track procedure for 'emergency' issues?

		<i>answered question</i>	12
		<i>skipped question</i>	2
		Response Percent	Response Count
Yes		50.0%	6
No		25.0%	3
No strong view either way		25.0%	3

2. Should there be a fast-track procedure for 'emergency' issues?

If yes, how should such a procedure look?

8

1. Further research / discussion would need to be undertaken in order to develop such a procedure.
2. But the Council must retain the ability to change its priorities and schedule upon revelation of new issues, at any time.

3. Such issues should have a higher standard of demonstrated need, i.e. definitions, supporting evidence, impact analyses, etc. should be produced before launching policy work. Otherwise a fast track will be abused, making the label meaningless and raising doubt about the PDP process in general.

Good idea. Criteria are needed to determine whether an issue is deemed "urgent". The main criteria could be :

- 1) that the community clearly considers it so and expresses it in an explicit manner
 - 2) that the issue is clearly outlined and the common goal clearly identified (including the expected outcome)
 - 3) that the Council and the Board agree about this urgency.
4. In certain cases of particular urgency, it could be envisaged that the President and CEO himself makes this decision, pending ulterior appeal if the procedure was deemed inappropriately used.

More work on that is needed but worth exploring. The result could be to get immediately in the actual PDP, skipping the initial phase altogether, and to have similar accelerated processes in the PDP itself.

5. Seems worth considering.
Would need something like unanimity to define such an issue.
6. everything is always an emergency at ICANN.
7. Designating an issue as "urgent" should require broad support, or GNSO / Board designation.
8. I would say "yes". But it's one of the councils management tasks to decide upon