‘thick’ Whois PDP WG

Items for Review

Items for Review

- Policy Development Process
- WG Charter
- GNSO WG Guidelines

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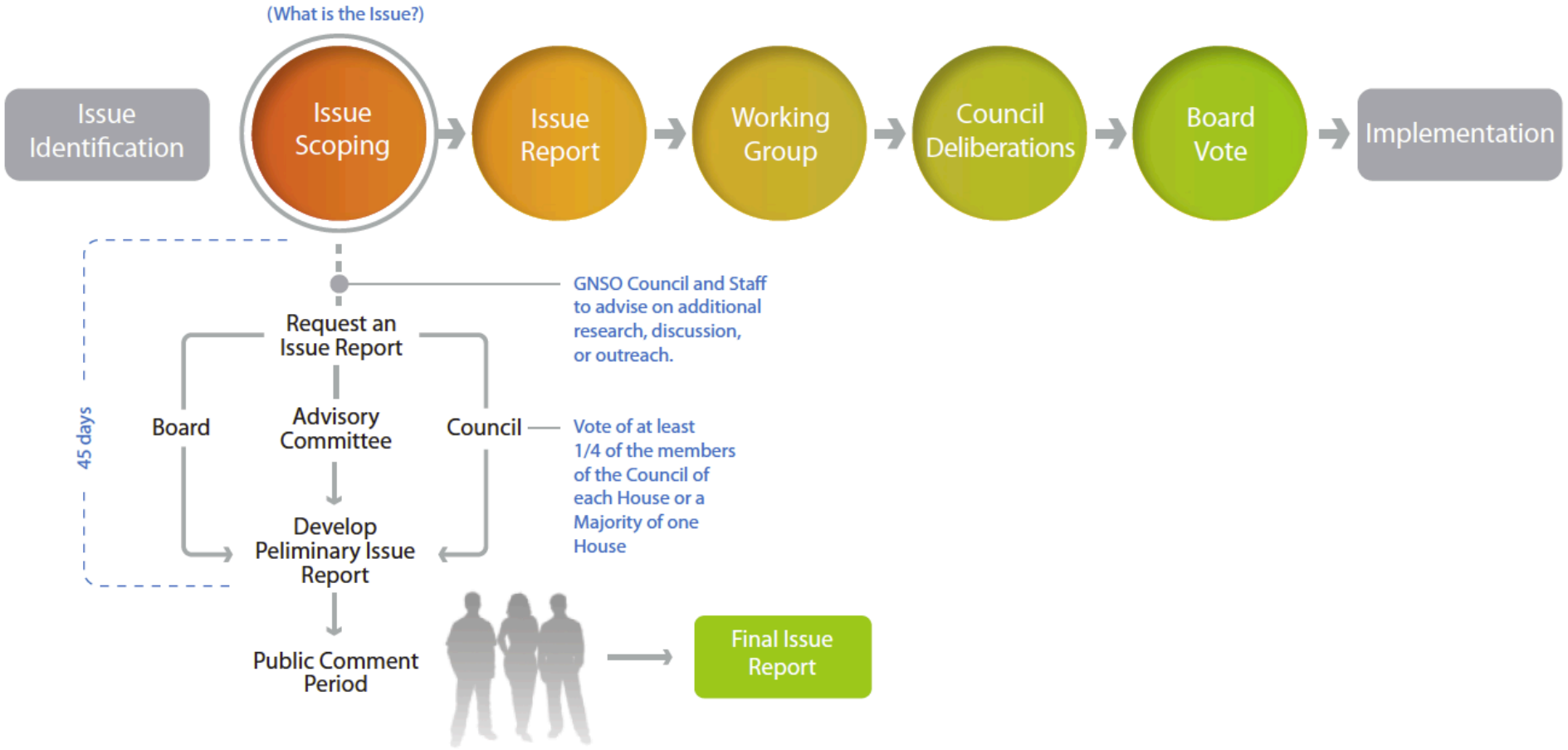
GNSO Policy Development Process

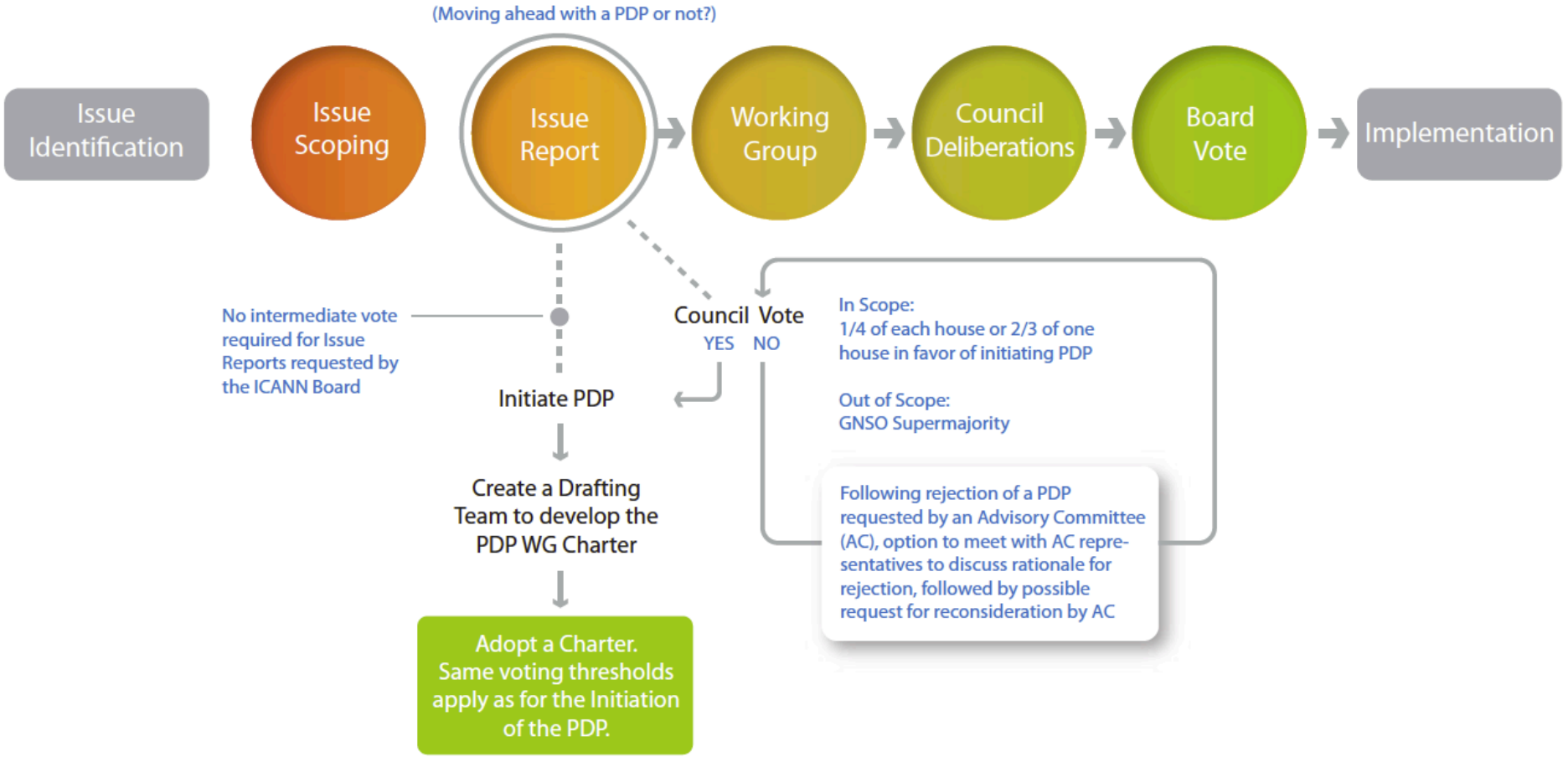
Background

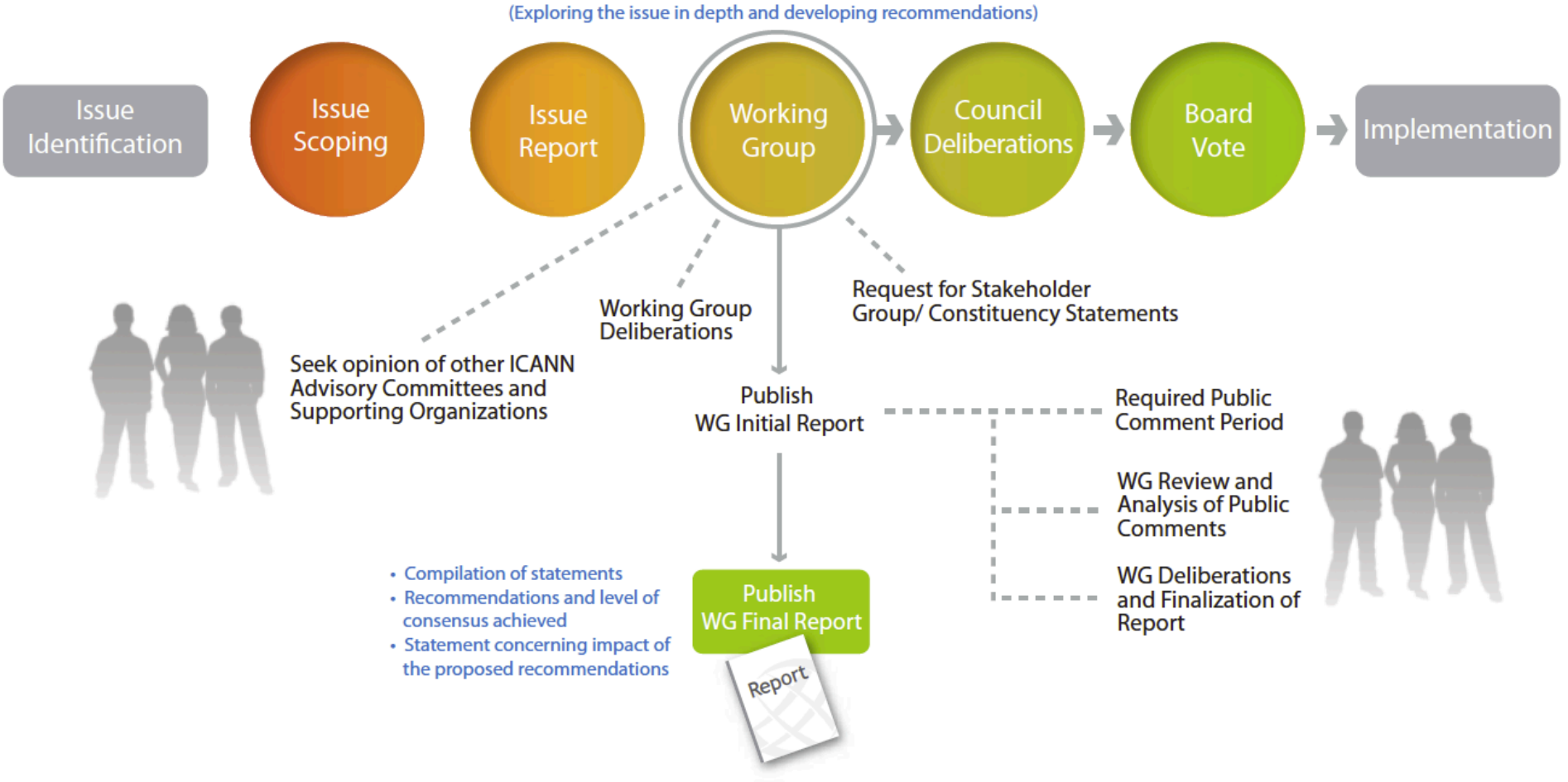
- As part of GNSO Improvements: GNSO Council tasked to develop 'a new GNSO policy development process that incorporates a working group approach and makes it more effective and responsive to ICANN's policy development needs'
- Revised PDP Adopted by the ICANN Board in December 2011
- Revised PDP rules now applicable to all ongoing and new PDPs

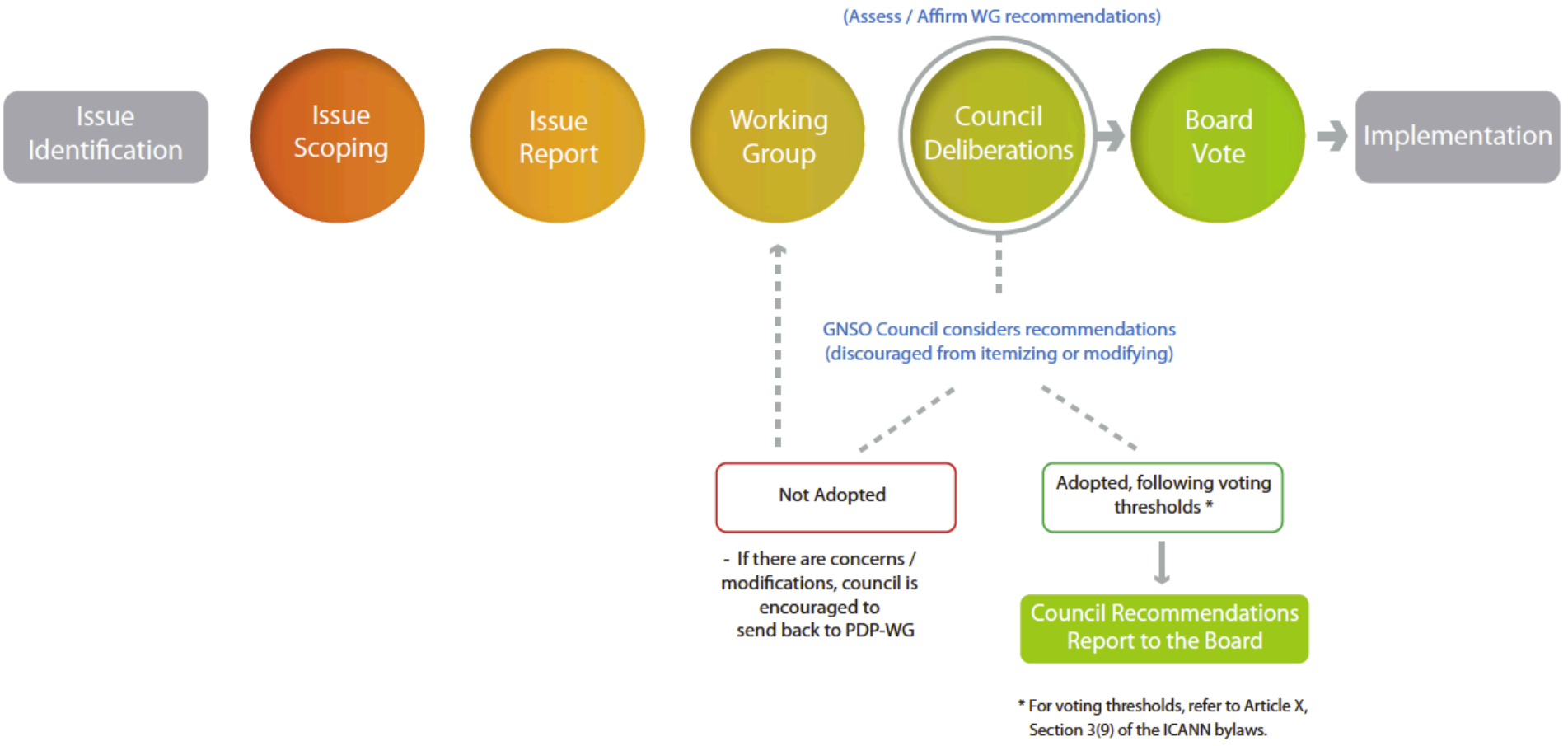

Issue Identification
Issue Scoping
Issue Report
Working Group
Council Deliberations
Board Vote
Implementation

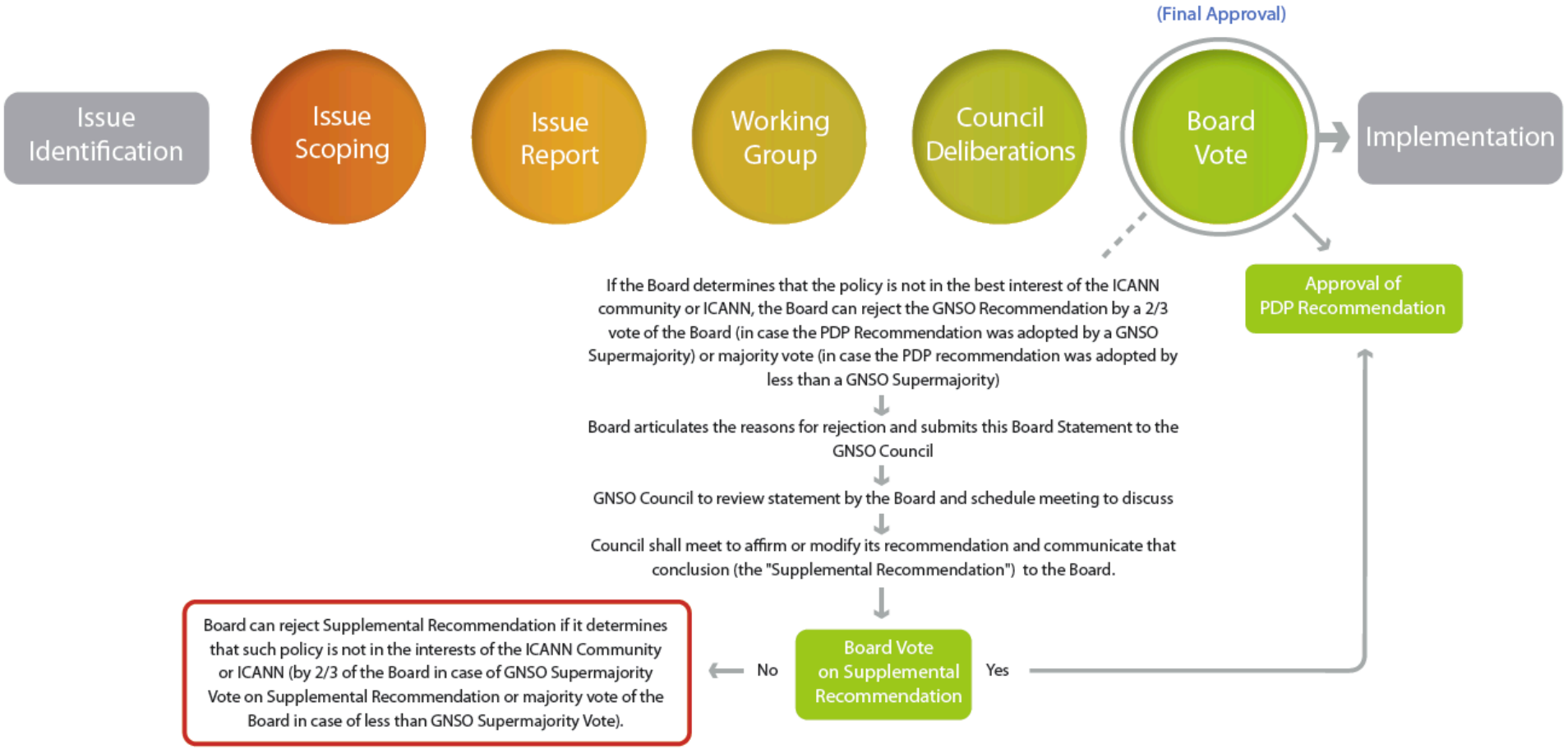

Issue Identification
Issue Scoping
Issue Report
Working Group
Council Deliberations
Board Vote
Implementation
Is this issue intended to result in consensus policy?
Yes
No
Follow other GNSO Process
Issues not intended to result in a Consensus Policy may be referred to another GNSO process by the GNSO Council.


(What is the Issue?)
Issue Identification
Issue Scoping
Issue Report
Working Group
Council Deliberations
Board Vote
Implementation
45 days
Request an Issue Report
Board
Advisory Committee
Council
GNSO Council and Staff to advise on additional research, discussion, or outreach.
Vote of at least 1/4 of the members of the Council of each House or a Majority of one House
Develop Peliminary Issue Report
Public Comment Period
Final Issue Report


(Moving ahead with a PDP or not?)
Issue Identification
Issue Scoping
Issue Report
Working Group
Council Deliberations
Board Vote
Implementation
No intermediate vote required for Issue Reports requested by the ICANN Board
Initiate PDP
Council Vote
YES
NO
In Scope:
1/4 of each house or 2/3 of one house in favor of initiating PDP
Out of Scope:
GNSO Supermajority
Following rejection of a PDP requested by an Advisory Committee (AC), option to meet with AC representatives to discuss rationale for rejection, followed by possible request for reconsideration by AC
Create a Drafting Team to develop the PDP WG Charter
Adopt a Charter. Same voting thresholds apply as for the Initiation of the PDP.


(Exploring the issue in depth and developing recommendations)
Issue Identification
Issue Scoping
Issue Report
Working Group
Council Deliberations
Board Vote
Implementation
Working Group Deliberations
Request for Stakeholder Group/ Constituency Statements
Seek opinion of other ICANN Advisory Committees and Supporting Organizations
Publish WG Initial Report
Required Public Comment Period
WG Review and Analysis of Public Comments
WG Deliberations and Finalization of Report
• Compilation of statements
• Recommendations and level of consensus achieved
• Statement concerning impact of the proposed recommendations
Publish WG Final Report
Report


(Assess / Affirm WG recommendations)
Issue Identification
Issue Scoping
Issue Report
Working Group
Council Deliberations
Board Vote
Implementation
GNSO Council considers recommendations
(discouraged from itemizing or modifying)
Not Adopted
- If there are concerns / modifications, council is encouraged to send back to PDP-WG
Adopted, following voting thresholds *
Council Recommendations Report to the Board
* For voting thresholds, refer to Article X, Section 3(9) of the ICANN bylaws.


(Final Approval)
Issue Identification
Issue Scoping
Issue Report
Working Group
Council Deliberations
Board Vote
Implementation
If the Board determines that the policy is not in the best interest of the ICANN community or ICANN, the Board can reject the GNSO Recommendation by a 2/3 vote of the Board (in case the PDP Recommendation was adopted by a GNSO Supermajority) or majority vote (in case the PDP recommendation was adopted by less than a GNSO Supermajority)
Approval of PDP Recommendation
Board articulates the reasons for rejection and submits this Board Statement to the GNSO Council
GNSO Council to review statement by the Board and schedule meeting to discuss
Council shall meet to affirm or modify its recommendation and communicate that conclusion (the "Supplemental Recommendation") to the Board.
Board can reject Supplemental Recommendation if it determines that such policy is not in the interests of the ICANN Community or ICANN (by 2/3 of the Board in case of GNSO Supermajority Vote on Supplemental Recommendation or majority vote of the Board in case of less than GNSO Supermajority Vote).
No
Board Vote on Supplemental Recommendation
Yes

- Optional - Formation of Implementation Review Team to assist ICANN Staff in developing the implementation details for the policy.
- ICANN Staff should inform the GNSO of proposed implementation of a new GNSO recommended policy.
- Implementation must conform to GNSO recommendation

PDP WG Requirements

- Constituency / Stakeholder Group Statements
- Formally seek the opinion of other ICANN Advisory Committees and Supporting Organizations early on in the process
- Development of Initial Report & Public Comment
- Review of Comments
- Final Report

Further Reading

- Annex A of the ICANN Bylaws - http://www.icann.org/en/about/governance/bylaws#AnnexA
- PDP Manual - http://gnso.icann.org/council/annex-2-pdp-manual-16dec11-en.pdf
- New PDP Overview - https://community.icann.org/download/attachments/31174557/New+PDP+Overview+-+25+January+2012.doc?version=1&modificationDate=1334243734850

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WG Charter

WG Charter

- The PDP Working Group is tasked to provide the GNSO Council with a policy recommendation regarding the use of 'thick' Whois by all gTLD Registries, both existing and future.

WG Charter

- As part of its deliberations on this issue, the PDP WG should, at a minimum, consider the following elements as detailed in the Final Issue Report:
  - response consistency;
  - stability; accessibility;
  - impact on privacy and data protection;
  - cost implications;
  - synchronization / migration;
  - authoritativeness;
  - competition in registry services;
  - existing Whois applications;
  - data escrow;
  - registrar Port 43 Whois requirements.

WG Charter

Should the PDP WG reach consensus on a recommendation that 'thick' Whois should be required for all gTLDs, the PDP WG is also expected to consider:

- Cost implications for gTLD registries, registrars and registrants of a transition to 'thick' Whois
- Guidelines as to how to conduct such a transition (timeline, requirements, potential changes to Registration Agreements, etc.)
- Are special provisions and/or exemptions needed for gTLD registries which operate a 'thick' Whois but provide tiered access, for example?

WG Charter

In addition, the PDP WG should take into account other ICANN initiatives that may help inform the deliberations limited to this specific topic such as;

- Registry/registrar separation and related developments with regards to access to customer data;
- Output from any/all of the four Whois Studies chartered by the GNSO Council, if completed in time for consideration by the WG;
- The 2004 transition of .ORG from thin to thick;
- The work being done concurrently on the internationalization of Whois and the successor to the Whois protocol and data model;
- Results of the RAA negotiations, and
- Recommendations of the Whois Review Team.

Other information

- Decision-making methodology
- Problem / Issue escalation & resolution processes
- Staffing and organization
- See https://community.icann.org/display/PDP/3.+WG+Charter

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GNSO Working Group Guidelines

GNSO WG Guidelines

- The objective of the GNSO Working Group Guidelines is to assist Working Groups to optimize productivity and effectiveness
- The main elements of importance to Working Group members covered are:
  - First meeting of the Working Group
  - Working Group Member Roles and Responsibilities
  - Use of sub-teams, briefings and subject matter experts
  - Participation and Representativeness
  - Process integrity, Behavior and norms
  - Standard Methodology for Making Decisions
  - Appeal process
  - Communication and collaboration tools
  - Products & Output

Further Reading

- GNSO Working Group Guidelines Summary - http://gnso.icann.org/council/summary-gnso-wg-guidelines-06apr11-en.pdf
- GNSO Working Group Guidelines - http://gnso.icann.org/council/annex-1-gnso-wg-guidelines-07apr11-en.pdf

Questions


Thank You