

Community Input & Advice Function

In fulfillment of Accountability and Transparency Review Team Recommendation No. 6, a document was produced that specifically set forth the topics that are subject to policy development processes, and those that are generally within the ICANN Board level Organizational Administration Function. While Recommendation 6 has been completed, the work performed identified an area in which improvement is required – how the Board obtains the advice that it needs from the ICANN community beyond the traditional public comment process. Recently, issues have surfaced where the Board has sought in-depth input or advice from the community, and has specifically requested portions of the community to come together for that purpose.

Each of ICANN's Supporting Organizations has its own policy development process. ICANN's Advisory Committees also have internal processes for provision of advice to the ICANN Board. However, there may be topics or issues for which the Board requests community input or advice that are not suitable or required to be addressed through PDPs and/or formal advice mechanisms.¹

There is no formal procedure in place whereby the ICANN Board can request this type of input or advice from the broader ICANN community. To date, the Board has made these requests through Board resolution or by letter, but neither process is sufficiently formal to ensure that the relevant SOs or ACs are fully aware of the request or address/provide the input or advice requested. This raises the question whether it would be beneficial to develop a more formalized process for requesting and developing community advice or input that does not require the implementation of a formal PDP and for which the public comment mechanism is not sufficient.

As the frequency of use of this function increases, ICANN is now initiating conversation among the community to help formalize this process. A workshop is scheduled at the ICANN Meeting in Toronto to inform this work.

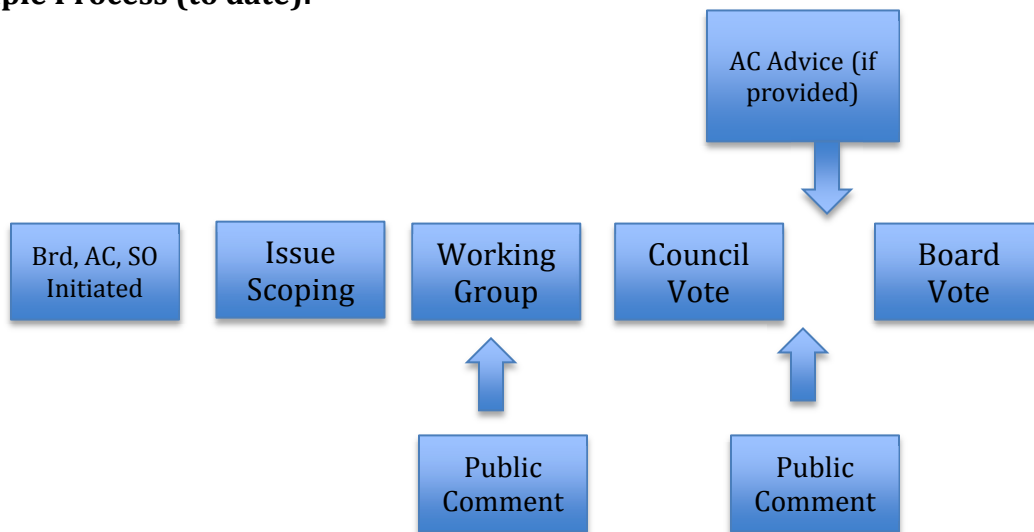
Questions:

In order to clarify this function, here are some initial questions for community discussion:

¹ For example, some SOs have used ad-hoc procedures to provide this kind of advice to the Board (e.g. the GNSO constituted the STI to develop recommendations in relation to trademark protections for new gTLDs) while others have formal procedures in place (e.g. ccNSO Guidelines [<http://ccnso.icann.org/about/guidelines-ccnso-statements-procedures-jun11-en.pdf>] which was used for example to provide input on NTIA Further Notice of Inquiry [<http://ccnso.icann.org/node/26039>] or on ICANN's Draft Statement of its SSR remit [<http://ccnso.icann.org/node/33855>]).

- Should standardized processes be created for the Board's receipt of community input and advice?
- If so, should such a procedure be standardized across ICANN SOs/ACs, aligned with the current existing procedures, or should there be some flexibility among the SOs/ACs (certain parts are required for all, while other parts may be developed by the respective SOs/ACs).
- How should the Board request this input and advice?
- What is most effective and efficient method to deal with the issue topic identified? Should it be a working group, could current procedures be used? Who determines which method will be used?
- Should working groups be chartered for each initiative?
- How are different parts of the ICANN community expected to work together in these efforts?
- What minimum public consultation requirements, if any, should be required within this function?
- Are there any topics that should not be subject to this function?
- Who within ICANN lead this effort?

Sample Process (to date):



Used For:

Circumstances where the outcome generally impacts the broader ICANN community, and the Board identifies that community input or guidance may be of use in further refinements or gathering expert opinion. An SO recommendation for a binding Consensus Policy (one that becomes applicable immediately through ICANN's contracts) cannot be developed through this Process.

Some examples of where this Function has already been used within ICANN:

- Development of implementation guidelines to clarify, modify, or fill in gaps in newly adopted policies, such as the work of the Special Trademark Issues (STI) team and the Limited Public Interest Objection working group for the New gTLD Program
- Cross-community Working groups such as the Joint Applicant Support Working Group and joint work on single character internationalized domain names
- The ICANN Board's call for community input on the definition, measures and targets for the promotion of competition, consumer trust and consumer choice to help guide further work under the Affirmation of Commitments