16 September 2026

GNSO Council Strategic Planning Session Report

To: Tripti Sinha
Chair, ICANN Board of Directors

Dear Tripti,

On behalf of the Generic Names Supporting Organization (GNSO) Council, we would like to share the Council's 2026 Strategic Planning Session (SPS) Report with the ICANN Board. The GNSO Council met in January 2026 in Barcelona, Spain for this recurring strategic meeting, which focused on the following objectives:

1. Based on a shared understanding of the history of incremental improvements made to the PDP over time, conduct detailed review of the board readiness recommendations and propose next steps for each;
2. Ensure that Councilors are familiar with the Council's role (as a whole) and the Council liaison role through the PDP continuum, with a particular focus on the policy implementation phase;
3. Ensure Councilors understand the existing PDP management and planning tools and determine if improvements or changes are needed;
4. Align, where possible, on the Council's recommendation to the Board on next steps for SSAD recommendations;
5. Continue the discussion on the best mechanism to prioritize Council's workload; and
6. Ensure that Councilors are familiar with upcoming challenges and openly discuss the best way to proceed in potentially challenging or uncharted PDP and IRT territory.

In the interest of comprehensiveness, we have included the agreed outcomes below; however, we would like to draw your particular attention to Outcome 1, which references board readiness - an important topic of shared interest between the Board and GNSO Council.

This report provides further details on the discussions, agreements, and action items that were developed, discussed, and agreed to during the 2025 GNSO Council Strategic Planning Session. Here is a list of the main outcomes:

Board Readiness

- The Council reiterated its thanks to the Board Readiness Small Team and noted the work that went into producing the recommendations. The Council also noted that many of the recommendations have been covered by existing improvements. The SPS Report provides detail on all of the recommendations and the Council's corresponding analysis.

SSAD Recommendations

- Councilors agreed that Supplemental Recommendations should be developed in months, not years, i.e., the work should be completed in a timely manner.

Council Role in Policy Implementation and Role of Council Liaisons

- To avoid situations of policy language ambiguity, Working Groups should endeavor to provide a rationale statement for each proposed recommendation to assist the Community, Council, Board, and ICANN org in reading the intent behind the recommendation. In instances where there is ambiguity during policy implementation, and a potential interpretation could have a material impact on the ICANN community, the Council encourages ICANN org to refer those questions to the GNSO Council for guidance, pursuant to the Council's defined role in the CPIF.

Prioritization

- The Council agrees that the current Action Decision Radar is an appropriate tool to assist in objectively assessing future decisions and is flexible enough to allow the Council to pivot to different work efforts when needed. However, a prioritization model more generally can complement the ADR, since the ADR is not, itself, a prioritization mechanism. The Council requested Support Staff to provide an updated prioritization document based on the discussion.

GNSO Council Tools

- Councilors believe the current tools are helpful; however, newer councilors believe additional training could be beneficial to get more out of the tools.

We hope you find this helpful in understanding the GNSO Council's focus, priorities, and commitments for the upcoming year. We wanted to extend the Council's appreciation for the participation of the GNSO-appointed Board members to the ICANN Board, Chris Buckridge and Greg DiBiase. The Council welcomed the opportunity to engage with the two of them during this meeting and greatly benefitted from their input and suggestions.

The Council continues to appreciate the informal communications with the Board and wishes to continue this momentum of effective two-way communication. Should you have any questions or would like to discuss any aspects of the report further, please do not hesitate to let us know.

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

Sincerely,

Susan Payne
GNSO Chair

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Generic Names Supporting Organization

GNSO Council 2025-2026 Strategic Planning Session

Status of This Document

This is the outcome document from the eighth Generic Names Supporting Organization's Council Strategic Planning Session that took place in Barcelona, Spain on 14-15 January 2026.

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Executive Summary

I. Background

Beginning in 2018, the GNSO Council has held an annual Strategic Planning Session (SPS). The SPS is the Council's dedicated meeting designed to (i) understand and review the GNSO's portfolio of work for the coming year, (ii) align on the GNSO's work priorities for the coming year, (iii) consider whether the GNSO Council has the correct resources and tools to conduct its work as manager of the PDP efficiently, effectively, and comprehensively, and (iv) discuss how to best prepare for emerging and upcoming challenges the Council could face in the coming year and beyond. This year's SPS was held in Barcelona, Spain on 19-20 January 2026.

The GNSO Council used its 2025-2026 SPS to focus on improvements to the Policy Development Process continuum. During Day 1, discussions centered around the incremental improvements made to the PDP over time through previous efforts such as the PDP Improvements Group, PDP 3.0, and ad hoc adjustments. Having this background allowed the Council to have a detailed discussion on next steps for the recommendations from the Council's Board Readiness Small Team.

Because the Council had the advantage of having both GNSO-appointed Board members present, a portion of Day 1 was devoted to discussing next steps for the GNSO policy recommendations for a Standardized System for Access/Disclosure ("SSAD" or "SSAD recommendations").

During Day 2, the Council discussed its role during the policy development phase and policy implementation phase, which included a detailed discussion of the role of GNSO Council liaisons to PDP Working Groups and Implementation Review Teams and potential improvements to the clarity of those roles. Following this discussion, Council Leadership led a discussion of hypothetical examples of recent policy-related challenges that the Council has been presented with or may soon be presented with.

The Council concluded Day 2 by having a discussion about strategies for prioritizing its work; this included a discussion about methods used in the past and ideas from Councilors about how to improve these methods while recognizing that work prioritization is inherently difficult due to competing priorities within the groups that make up the GNSO.

Nearly all GNSO Councilors attended the meeting, with active and vocal participation from all GNSO Stakeholder Groups and Constituencies. Both GNSO-appointed board members also actively participated in the discussions.

Here is a list of the main outcomes:

Topic: **Council Tools**

High-level Outcome: Councilors believe the current tools are helpful; however, newer councilors believe additional training could be beneficial to get more out of the tools.

Action Items:

1. Near term:

a. Support staff to provide existing detailed training on tools (in the form of existing recordings) to Council.

b. Council Leadership to reserve time during the wrap-up session at AGM (or sooner, if requested) for deeper dive into the Projects List, led by a Council volunteer.

c. When an upcoming action is known (e.g., voting on a motion), Support Staff to provide that level of detail in the ADR to facilitate SG/C coordination.

2. Long term: During the next SPS or a Council meeting after the AGM, reserve time for "plain language" walk-through of the ADR to allow for better planning.

Topic: Next Steps for SSAD Recommendations

Outcome:

- Councilors had no objection to pursuing the recommendation from the RDRS Standing Committee, which is to suggest that the Board not adopt the 18 recommendations to allow for the Council to submit Supplemental Recommendations.
- Pending Board agreement on the above path, additional discussion is needed on the composition of the team responsible for submitting Supplemental Recommendations to the GNSO Council.
- Councilors agreed that Supplemental Recommendations should be developed in months, not years, i.e., the work should be completed in a timely manner.

Action Item: Council Leadership to plan the dialogue with the ICANN Board on SSAD next steps for the February GNSO Council meeting.

Topic: Next Steps for Board Readiness Recommendations

Outcome: The Council reiterated its thanks to the Board Readiness Small Team and noted the work that went into producing the recommendations. The Council also noted that many of the recommendations are accounted for in existing improvements.

Actions Items:

1. Leadership and Support Staff to take a first look at the flagged recommendations and review whether existing documentation, including GNSO Operating Procedures, accounts for these recommendations. If not, Council Leadership to take first pass at how the recommendations that are not currently accounted for could be implemented.
2. Noting the unanimous support for additional WG Chair training, Support Staff to:

   a. Review existing training materials for GNSO WG Chairs and share options with the Council.

   b. Look into what could be offered in the future and provide this information to the Council for feedback.

Topic: Overview Role of Council through PDP (by reviewing text of Aspirational Statement) and Hypothetical Scenario #1

Outcome: Councilors agreed that where possible, motion originators should circulate proposed language for motions, documents, etc., as early as possible to give an opportunity for Councilors to speak up with concerns early. Where concerns are not widely shared, Councilors noted there should be an opportunity to provide dissenting statements so that disagreements can be heard and registered while still allowing work to progress.

Commitments: Councilors recognized that sometimes last-minute interventions and changes are unavoidable; however, in recognition of both directed voting and time zone differences, Councilors agreed that:

> (i) Where a Councilor or group of Councilors believes a change to a motion or document is necessary, they should signal as early as possible that a change is forthcoming to avoid surprises shortly before a scheduled vote.
> (ii) Proposed changes to motions or documents should be submitted to the Council list AT LEAST 48 hours before voting in order to respect timezone differences and councilors who are subject to directed voting.

Action: Leadership and Support Staff to consider how these proposals can be formalized.

Topic: Overview of Role of Council During Implementation

Outcome: To avoid situations of policy language ambiguity, Working Groups should endeavor to provide a rationale statement for each proposed recommendation to assist the Community, Council, Board, and ICANN org in reading the intent behind the recommendation. In instances where there is ambiguity during policy implementation, and a potential interpretation could have a material impact on the ICANN community, the Council encourages ICANN org to refer those questions to the GNSO Council for guidance, pursuant to the Council's defined role in the CPIF.

Action Items:
1. To assist Council liaisons in performing their role, Council to consider providing a template or checklist (considering the different models) as a guide.
2. Leadership and Support Staff to produce the first draft of the template and, when ready, provide to the Council for additional feedback and discussion.

Topic: Prioritization

Outcome: Council discussed the prioritization document. Council discussed the approach on how to prioritize future work by either focusing on the ADR or conducting a prioritization exercise i.e. ranking the topics based on SG input. Councilors expressed agreement that current commitments (DNS Abuse, LD PDP, SSAD) are the right topics to work on at this time, noting the current mechanism (ADR with flexibility to tackle new/other work if needed) is working well. Councilors expressed concerns with the numerical ranking approach specifically for prioritization, but noted that a prioritization model more generally can complement the ADR, since the ADR can assist in prioritization but is not, itself, a prioritization mechanism. Councilors proposed a periodic review of priorities e.g. via Small Team.

Action:
1. Continue using ADR as the main tool for planning Council actions and decisions.
2. Staff to provide an updated prioritization overview document based on discussion.
3. Include the topic of prioritization for the upcoming Council meeting in February.

This SPS report provides more details on the outcomes, including how the Council arrived at these outcomes and importantly, the accompanying action items they agreed to in order to address the identified concerns and opportunities.

II. SPS Follow-up on Agreements and Actions

To check on the progress of the implementation of the above action items and allow for updates to be made, GNSO Support Staff will work with Council Leadership to schedule a post-SPS meeting in approximately six (6) months.

III. Terminology

Where there are references to the “Council” in this document, please note this refers to the GNSO Council. Similarly, references to “Working Groups” refer to Policy Development Process (PDP) working groups that have either been chartered by, or fall within the management of, the GNSO Council.

IV. Focus

The SPS took place over 2 days, and the proposed themes and objectives were as follows:

- Welcome and integration of new Councilors;
- Based on a shared understanding of the history of incremental improvements made to the PDP over time, conduct detailed review of the board readiness recommendations and propose next steps for each;
- Ensure that Councilors are familiar with the Council’s role (as a whole) and the Council liaison role through the PDP continuum, with a particular focus on the policy implementation phase;
- Ensure Councilors understand the existing PDP management and planning tools and determine if improvements or changes are needed;
- Align, where possible, on the Council’s recommendation to the Board on next steps for SSAD recommendations; and
- Ensure that Councilors are familiar with upcoming challenges and openly discuss the best way to proceed in potentially challenging or uncharted PDP and IRT territory.

V. High-Level Outcomes

This report provides further details on the discussions, agreements, and action items that were developed, discussed, and agreed to during the 2025-2026 GNSO Council Strategic Planning Session.

Detailed Outcomes and Associated Action Items

I. Council Tools

GNSO Support Staff provided an overview of the two main tools in the Council's project management suite - the Projects List and the Action-Decision Radar.

The Council's **Project List** is a comprehensive list of the Council's active projects, standing committees, and other work organized by the policy development process continuum. Each active project has a dedicated page, where councilors can quickly reference:

(i) a short description of what the project is about,
(ii) project status and health (in other words, is the project progressing in accordance with its committed timeline?),
(iii) key milestones or deliverables,
(iv) an update on what the group completed from the prior month, what the group is currently working on, and what is planned in the coming months, and
(v) any open issues or risks.

The Council's **Action-Decision Radar** ("ADR") is a tool that highlights upcoming potential decision points or actions that need to be taken by the GNSO Council. It contains a series of range markers to alert Councilors of upcoming decision points, e.g., 0-1 month, 1-2 months, 3-6 months, and 6-12 months.

GNSO Support Staff noted that these tools are updated on a monthly basis and sent to the Council list approximately 9 days prior to the monthly GNSO Council meeting, which is shortly after the Council agenda is distributed. Councilors noted it may be helpful, to the extent possible, to clearly flag in the ADR if an upcoming decision involves a motion. This would allow groups to flag within their SG/C when voting is expected and to prepare their groups accordingly. Other Councilors expressed an appreciation for the previous Project List "deep dive" that was conducted in person and requested a similar session be held soon. Additionally, councilors noted that there should be a face-to-face session where the Council goes over the ADR in plain English at the beginning of the year (potentially the next SPS). Councilors also noted the Council wrap-up could be a time to do a deeper dive on the Project List or ADR given that other competing meetings and priorities will have concluded by then. Additionally, for the next Annual General Meeting (or AGM), councilors suggested a primer for the tools would be very helpful for new councilors, followed by a deeper dive during the SPS or another meeting.

High-level Agreement: Councilors believe the current tools are helpful; however, newer councilors believe additional training could be beneficial to get more out of the tools.

Action Items:

1. Near term:

a. Support staff to provide existing detailed training on tools (in the form of existing recordings) to Council.

b. Council Leadership to reserve time during the wrap-up session at AGM (or sooner, if requested) for deeper dive into the Projects List, led by a Council volunteer.

c. When an upcoming action is known (e.g., voting on a motion), Support Staff to provide that level of detail in the ADR to facilitate SG/C coordination.

2. Long term: During the next SPS or a Council meeting after the AGM, reserve time for "plain language" walk-through of the ADR to allow for better planning.

II. Next Steps for SSAD Recommendations

Because GNSO Board members were present for the SPS, the Council felt it would be beneficial to use face-to-face time to prepare for the upcoming Board dialogue regarding next steps for the SSAD recommendations. The Council began this discussion by revisiting the recommendation from the Registration Data Request Service ("RDRS") Standing Committee's Findings Report, wherein the RDRS Standing Committee recommended the GNSO Council to request the ICANN Board to not adopt the 18 SSAD recommendations in order to trigger the Supplemental Recommendation process outlined in Annex A, Section 9 of the ICANN Bylaws. Specifically, the RDRS Standing Committee recommended, "when the GNSO Council and ICANN Board engage in a dialogue, the Council should recommend that the ICANN board reject the SSAD recommendations (as a package) and send them back to the GNSO Council for further action and Supplemental Recommendation."

The GNSO Council noted some of the sensitivity around Board non-adoption, but participants in the Standing Committee who were present noted that the Standing Committee explored other procedural options, but felt that the path of non-adoption was a familiar path that was efficient and allowed for important representation.

Additionally, Council Leadership emphasized that the path of not adopting the recommendations is:

- The recommendation from the RDRS Standing Committee, a diverse committee that discussed the potential benefits and drawbacks of all available procedural paths;
- The beginning of a dialogue with the ICANN Board;

- An opportunity for the GNSO Council to provide Supplemental Recommendations, which would allow for important and necessary improvements to the existing SSAD recommendations; and,
- A procedurally efficient path that recognizes the ICANN Community's desire for this work to be completed in a timely manner.

Importantly, in discussing the path of not adopting the recommendations, Council Leadership noted that the path of not adopting the recommendations is NOT:

- A path to discard any SSAD recommendation, as the EPDP Team emphasized the interdependence of the 18 recommendations and noted that the package of 18 recommendations was a carefully-designed compromise;
- An opportunity to undo years of community work and relitigate carefully-crafted compromises;
- A signal that the Board will never adopt an SSAD.

Following additional discussion, the Council unanimously agreed that the preferred path would be Board non-adoption followed by the Council producing Supplemental Recommendations. There was additional discussion about the group who would be responsible for working on the Supplemental Recommendations. While a Small Team Plus (made of councilors + some subject matter experts in the Community) was suggested and encouraged by some councilors, other councilors had reservations. The Council ultimately agreed to continue this discussion around composition at a later time.

The Board members present noted the path recommended by the Standing Committee made sense, but emphasized that the full Board had not yet discussed and agreed to this path. However, the Board members present also noted the upcoming February Council meeting could be an opportunity for the Board and Council to continue a dialogue on this topic.

High-level Takeaway:

- Councilors had no objection to pursuing the recommendation from the Standing Committee, which is to suggest that the Board not adopt the 18 recommendations to allow for the Council to submit Supplemental Recommendations.
- Pending Board agreement on the above path, additional discussion is needed on the composition of the team responsible for submitting Supplemental Recommendations to the GNSO Council.
- Councilors agreed that Supplemental Recommendations should be developed in months, not years, i.e., the work should be completed in a timely manner.

Action Item: Council Leadership to start planning the dialogue with the ICANN Board on SSAD next steps for the February GNSO Council meeting.

III. PDP Improvements

GNSO Support Staff provided an overview of improvements made to the PDP over time with the goal of Councilors gaining a baseline understanding of the improvements made to the PDP through various initiatives before discussing the board Readiness Recommendations in greater detail.

The PDP improvements highlighted included:

1. **Addition of Draft Charter to Preliminary and Final Issue Report:** The draft charter is now included in both the preliminary and final issue report so that (i) the ICANN Community can provide feedback on the draft charter during the public comment process, and (ii) the Council can potentially vote to initiate a PDP and vote on the Charter shortly afterwards. This is designed to shorten the duration of a PDP and was suggested by the PDP Improvements Group from 2014.
2. **Addition of Important Assessments in the Charter:** All GNSO PDP charters now include a **Human Rights Impact Assessment (HRIA)**, a **Global Public Interest (GPI) Checklist**, and a **Consensus Policy confirmation** (or a question asking the PDP Working Group if they intend to modify existing consensus policies, and if so, which one(s))? These additions aim to ensure the Working Group performs important assessments prior to the Board's consideration of the recommendations, with the goal of improved PDP outputs.
3. **Consideration of Alternative WG models + Narrowly-scoped PDPs:** The Council now considers **alternative working group models**, including open, representative, representative + open, etc. In other words, working groups are no longer open by default. Additionally, the Council now aims to **limit the scope of GNSO PDP charters** in order to shorten the duration of a PDP and increase the likelihood of consensus. Both of these improvements came from PDP 3.0.
4. **Addition of Board and Org Liaisons:** Beginning with the EPDP on the Temporary Specification, GNSO Working Group Charters now include **liaisons from the ICANN Board and ICANN org** in the Working Group membership. This addition is designed to allow for real-time feedback from the Board and Org to ensure that important issues around implementability and operability are flagged, where possible, prior to the Working Group's publication of its Final Report.
5. **Proactive inclusion of non-GNSO groups in Working Groups:** Beginning with the EPDP on the Temporary Specification, the GNSO Council **extended invites for non-GNSO groups to participate** as members of a GNSO Working Group, e.g., ALAC, GAC, SSAC, etc. These invitations were extended to improve the outputs of GNSO PDP Working Groups by ensuring that important feedback is considered in real-time, potentially obviating the need for future advice.
6. **Clarified role of Council Liaisons to WGs:** The Council now has a more detailed description of the **role for Council Liaisons to Working Groups**. This recommendation came from PDP 3.0 and was designed to ensure the GNSO Council is made aware of any challenges or issues that it may need to address as the PDP manager.
7. **Addition of WG Statement of Participation:** Working Group members are now required to agree to a **Working Group Statement of Participation**. This improvement came from PDP 3.0 and was introduced as a level-setting and accountability tool - in other words, Working Group members go into the work knowing what is expected of them, and Working Group Leadership has the ability to revisit and enforce the Statement of Participation if there are instances of violation.

8. **Introduction of Consensus Playbook**: As part of a PDP 3.0 recommendation, the GNSO Council introduced the Consensus Playbook, which is a tool of best practices for building consensus, bridging differences, and breaking deadlocks. The playbook is a valuable resource for o Working Group leadership and WG members alike.
9. **Addition of Increased Project Management Accountability**: As a result of PDP 3.0, the GNSO Council introduced Council-required approval of proposed project timelines, mandatory project change requests (in the event timeline or scope change), and project situation reports to alert the Council of potential issues. This improvement introduced important accountability and transparency, and is designed to shorten the timeline of a PDP.
10. **Regular informal dialogue opportunities with ICANN Board:** The Council and ICANN Board began engaging in **regular informal dialogues** in order to flag concerns early in an effort to limit formal correspondence and surprises, where possible.
11. **Regular and targeted questions to WG leadership:** The Council introduced targeted questions to Working Group leadership to ensure the Council has an opportunity to hear a candid account of how the Working Group is progressing. The Council asks these questions in an informal webinar setting three times per year. This exercise allows the Council to be informed of issues (if any) and step in if needed.
12. **Introduction of new Initial and Final Report features to introduce clarity and policy impact:** Beginning with the Transfer Policy Review Working Group, the Initial Report and Final Report now include a **short rationale and policy impact indicator for each proposed recommendation**, while detailed deliberations are captured in an annex. This both shortens the body of the report and highlights the Working Group's rationale for each recommendation (in a short statement) and flags "high impact" recommendations to the ICANN Community, Council, and Board.
13. **ICANN org submission of public comment to Initial Report:** Beginning with the EPDP on the Temporary Specification, **ICANN org now submits a public comment on the Working Group's Initial Report.** ICANN org's public comment focuses on potential implementation-related challenges and allows the Working Group to consider possible challenges before submitting its Final Report. This is designed to improve PDP outputs.
14. **Streamlined Public Comment form:** Beginning with the EPDP on the Temporary Specification, the GNSO now uses an updated public comment submission form with targeted questions on recommendations (instead of one free-form response box) for more efficient public comment review.
15. **Introduction of Working Group Self-Assessments:** As a result of PDP 3.0, the GNSO Council conducts both an interim Working Group Self-Assessment and a Final Working Group Self-Assessment. The interim assessment is designed to allow for course correction in that PDP WG, where possible, while the final assessment is designed to provide feedback for the Council to consider as it charters new PDP work.

IV. Board Readiness Recommendations

Following the primer on existing PDP improvements, Council Leadership presented a refresher on the board readiness recommendations, and asked the Council to divide into smaller groups to have a detailed discussion on the following questions:

1. Is anything missing from the recommendations?
2. Is anything already adequately accounted for in existing PDP improvements, and accordingly, no need to further pursue?
3. Are there concerns about any recommendations, and accordingly, no need to further pursue?
4. For those recommendations to be pursued, is there order of prioritization?
5. What are the proposed next steps?

The board readiness recommendations are included below, along with the Council's agreed path forward.

Recommendation 1:

The PDP team and the Board should have the same set objectives, i.e., "walk in each other's shoes":
a. The PDPs must take on the Board's duty to ensure compliance with the Bylaws, implementability, and the Board's fiduciary duty to the organization, and
b. The Board must pay due deference to the hard-won results of the multistakeholder deliberations and consensus-based decisions.

Response: While imperfect, the Council noted that the addition of ICANN Board liaisons to PDP Working Groups endeavors to ensure this happens in real time. Additionally, the Council noted the addition of regular informal dialogues with the Board also allows for real-time concerns and candid conversation to occur more frequently.

Recommendation 2(a) The PDP team should have access to legal advice (independent or ICANN legal) during its deliberations to identify potential conflicts between the Bylaws and potential recommendations. This might be in the form of an ICANN staff Legal liaison.

The Initial (and, as an aside, Final) Report recommendations should have concurrence of an ICANN or independent legal advisor that they do not violate the Bylaws.

Response: The Council noted that Working Groups already have the ability to request additional resources from the GNSO Council as needed, e.g., legal advice, additional research requests, etc. Accordingly, the Council noted this recommendation is accounted for. Where possible, Working Groups can submit requests early in the process as soon as the need for resources becomes apparent. Additionally, Working Groups now include an ICANN org liaison, and this liaison works with a cross-functional team within ICANN org to draft the ICANN org public comment. This cross-functional team includes ICANN legal, who are able to flag issues during the public comment period.

Recommendation 2(b): The GNSO (Council or PDP team) and Board representatives should communicate on areas of potential concern during (rather than after) the PDP. Areas of concern might be identified by staff support or liaisons, or Board liaisons that report the sense of the Board.

Response: While imperfect, the Council noted that existing improvements, including the addition of ICANN Board liaisons to PDP Working Groups and the addition of regular informal dialogues with the Board already accounts for this recommendation. Specifically, these additions endeavor to ensure that Board feedback can be given in real time (where possible) or, where not possible, as early in the process as possible (prior to the publication of the Final Report).

Recommendation 2(c): Most PDPs do not require ODPs. Whatever financial / operational information that is needed to weigh the efficacy of policy recommendations should be available to the PDP teams as well as to the ICANN staff and Board. When needed, the PDP team should have financial corroboration that recommendations are not fiscally irresponsible and are in concert with the Board's fiduciary duty by having access to:

1. relevant elements to today's Operational Design Phase, and
2. an ICANN staff financial liaison that can obtain cost analyses and historical cost data, and provide insight into the Board's fiduciary duties.

Response: The Council noted that Working Groups already have the ability to request additional resources from the GNSO Council as needed, e.g., legal advice, additional research requests, financial assessments, etc. Accordingly, if the Working Group believes a financial analysis is critical to its work, it has the ability to request this analysis from the GNSO Council. Additionally, Working Groups now include an ICANN org liaison, and this liaison works with a cross-functional team within ICANN org to draft the ICANN org public comment. This cross-functional team includes ICANN finance, who are able to flag issues during the public comment period.

Recommendation 2(d): The Board comment or response to the Initial Report should indicate the recommendations that, if not amended, the Board will reject (or "pend"). The comment should include the rationale for the rejection and a suggested path for developing an acceptable version (e.g., a Board-PDP collaboration of some type, a reference to certain documentation, the opinion of an appropriate expert). Put another way, move Board consideration from the Final Report to the Initial Report on any matters possible (particularly with regard to Bylaw compliance and the Board's fiduciary duty).

Response: The Council noted that the Working Group has the ability to request a board public comment, as was done in the Subsequent Procedures PDP. However, the Council expressed concerns and noted that a formal board public comment may not always be necessary, but could be considered on a case-by-case basis. The Council additionally noted that feedback from the Board liaison, while not necessarily as part of a formal public comment, should be flagged during the review of the public comments so that if there are recommendations that concern the Board, i.e., likely to be rejected or pended, the Working Group is made aware of this before the Final Report is submitted. Lastly, the Council suggested that where Working Groups believe their recommendations may raise concerns around fiduciary duty, they consider extending the public comment period from 40 days to 60 days to add an additional "pause" for the Board to discuss and provide feedback to the Board liaison.

Recommendation 2(e): The PDP and Board might form a collaboration (e.g., small team) to work on issues raised by the Board in the Initial Report public comment.

Empower and require the Board liaison to the PDP to coordinate or ensure availability of the steps listed above.

Response: The Council noted that Working Group Leadership could recommend areas of work for potential small teams or separate work tracks, but this review could also be done in plenary meetings.

Recommendation 2(f): The PDP team and Board should make decisions based on identical sets of information by:

1. Making staff reports to the Board during the PDP (before and after publication of the Initial Report) available to the PDP team, and

2. Sharing other information and discussion points the Board receives during the PDP through the Board liaison.

Response: The Council discussed having a library of shared documents of PDP WG information; however, the Council did note it is probably unrealistic to assume the Board and the WG will receive identical sets of information, and this should not be required. Where possible, though, the Working Group and Board should share resources. Additionally, where possible, the Board liaison is encouraged to share concerns with the WG early and regularly.

Recommendation 4: In a separate section, Initial and Final Reports should anticipate (or react to) GAC Advice and (when available) provide detailed reporting of the discussion that addressed GAC issues and included GAC liaison participation. The Board should take that additional information on board and perhaps use it in its decision making to avoid the initiation of a lengthy discussion on the same issues.

Response: The Council had major concerns with this recommendation and did not agree to further pursue this. Specifically, Councilors noted that Working Groups now invite GAC participation, and GAC-related concerns can be flagged. Councilors noted that anticipating GAC Advice overcomplicates the PDP process and is outside of the Council's remit.

Recommendation 5:
- (a) In cases where there is existing policy, indicate whether we are adjusting existing policy to address a new set of conditions or taking a fresh look at (a de novo review of) the policy.
- (b) Where the charter is necessarily broad, consider splitting the work into two or more PDPs so that the team expertise and representation can be tailored to the task.
- (c) Embed a requirement to consider costs and legal (Bylaw) constraints, keeping in mind that PDPs will require varying amounts of this type of analysis, from substantial to none.

Response: The Council noted that 5(a) is now covered within each GNSO charter with the addition of the "Consensus Policy Confirmation." The Consensus Policy Confirmation explicitly requires GNSO Working Groups to consider if the recommendations are meant to impact or supersede existing Consensus Policies. By way of example, in the current Latin Diacritics PDP, the Working Group is required to answer, "If a solution is needed to this issue, will it have any impact on existing Consensus Policies?" The introduction of this charter question came from lessons learned from the EPDP on the Temporary Specification.

The Council also noted 5(b) is broadly covered under existing PDP 3.0 requirements, where the Council is asked to consider chartering PDPs for success, including narrowly tailoring the GNSO charters to both reduce the timeline of the PDP and encourage consensus. In the Council's most recent PDP, for example, the work on DNS abuse has been narrowly tailored and divided into phases. Similar considerations are required for future PDP scoping.

The Council also discussed 5(c)) and noted that similar to the response to Recommendation 2(d), the Council suggested that where Working Groups believe their recommendations may raise concerns around finances or fiduciary duty, they should strongly consider extending the public comment period from 40 days to 60 days to add an additional "pause" for the Board to discuss and provide feedback via the Board liaison.

Recommendation 5(d): (d) Avoid prescriptive outcomes, i.e., requiring a specific solution. In cases where a specific solution is described, allow the PDP to determine its practicality vis-à-vis other solutions.

5(e) Include provisions allowing for two-way communications between the Board and PDP team to address issues such as the need for fiscal responsibility and Bylaw adherence but emphasise the independence of the PDP and explicitly permit community disagreement with the anticipated Board reaction to the recommendations.

Response: The Council noted the importance of 5(d) when drafting charters and has taken this improvement into account with the recent DNS Abuse PDP. Additionally, the Council noted that 5(e) has been an area that has greatly improved over time due to the addition of more informal interactions between the ICANN Board and GNSO Council, where concerns can be discussed openly and timely as they arise.

Recommendation 5(f): Members (one or more) of the Charter Drafting team must be part of the PDP team to provide clarifications and provide an incentive to write the Charter clearly.

Recommendation 5(g): Some critical review of the Charter must take place at the PDP outset. It is likely that the PDP members are the only ones motivated to examine the Charter in the requisite detail.

Response: The Council noted that 5(f) is a good guideline, but should be changed from a MUST to a SHOULD. In particular, the Council noted that the Council liaison to the PDP Working Group can serve in this capacity and can work with Working Group Leadership to consult relevant councilors who were involved in the charter drafting if needed. The Council agreed that 5(g) is an important guideline for all Working Groups - specifically, the Council noted it should encourage Working Group Leadership, with the assistance of the GNSO Council liaison, to discuss the charter and agree on terms and working definitions from the outset of the work.

Recommendation 6(a): Teams must include broad ICANN community representation, both by constituency and by expertise. If outside experts must be brought into the team to provide sufficient breadth of expertise, there must be a schedule by topic so that the team makes efficient use of the outside experts' time. In addition, neutral outside expertise might be helpful in areas where the team already has expertise (e.g., legal advice).

Response: The Council noted this recommendation is covered by existing improvements, including the invitation to include non-GNSO groups into GNSO Working Groups. The GNSO Council also proactively notes the skills recommended for Working Group members are included in the call for membership sent to all SG/Cs. In instances where outside guidance is needed during the duration of the PDP, Working Group leadership has the ability to make a request to the GNSO Council for outside expertise, e.g., legal guidance.

Recommendation 6(b): Chairs: Should be selected based upon a set of criteria developed for each PDP but the requisite skill set should always include:

- (i) the ability to work with the Board and Board liaison to identify areas of difference between the Board and PDP team and develop a resolution path,
- (ii) the ability to facilitate discussion to ensure equal opportunities to present a viewpoint and manage those who seek to dominate it, and
- (iii) neutrality. In certain instances, an outside, independent chair should be considered. In addition, formalized training by a qualified entity should be considered in order to have a panel of qualified, independent chairs available.

Response: The Council discussed the importance of Working Group leadership in all areas referenced above. Some councilors noted, however, the language in this recommendation could be seen as too prescriptive and could potentially be seen as restricting or dissuading new and emerging leaders. The Council did, however, unanimously agree that investing in chair training is critical for the success of GNSO PDPs.

Action: GNSO Support Staff to look into the training content that is (i) currently available and (ii) consider additional training (potentially in person) and report back to the GNSO Council for additional discussion and feedback.

Recommendation 6(c): Team composition should be a tool for achieving consensus and compromise in a timely manner while ensuring all those in the ICANN community and those affected by the PDP's work have an avenue for making meaningful contributions. Team design is an important and difficult aspect of the PDP process that merits attention and due care at the outset of each PDP.

Response: The Council noted this recommendation is covered by existing improvements, including the consideration of alternative working group models with an eye toward chartering the PDP for success.

High-level Takeaway: The Council reiterated its thanks to the Board Readiness Small Team and noted the work that went into producing the recommendations. The

Council also noted that many of the recommendations have been covered by existing improvements.

Actions:

1. Leadership and Support Staff to take a first look at the flagged recommendations and review whether existing documentation, including GNSO Operating Procedures, accounts for these recommendations. If not, Council Leadership to take first pass at how the recommendations that are not currently accounted for could be implemented.
2. Noting the unanimous support for additional WG Chair training, Support Staff to review existing training materials for GNSO WG Chairs and look into what could be offered in the future and provide this information to the Council for feedback.

V. Council Role in Chartering and Scoping (Hypo 1)

During the previous SPS, Councilors found it beneficial to talk through potential challenges using hypothetical scenarios that touch on what the Council has faced or may face in the near future.

The Council began by discussing a hypothetical scenario designed to tease out the Council's role in scoping and chartering PDPs for success. For reference, the first hypothetical, the ICAN Picket Fence PDP, is provided below.

1. ICAN Picket Fence PDP

The **I**nternational **C**arpentry **A**ssociation of the **N**orth (**ICAN**) discovered ICANN during a routine online search and was intrigued by the multi-stakeholder model. ICAN is in the process of setting up a project to construct a large picket fence (the largest of its kind ever to be constructed, to be exact). For the record, this picket fence, which is an actual picket fence, should not be confused with ICANN's proverbial picket fence. ICAN has decided to emulate the GNSO's PDP to ensure the varied and strongly-held opinions of the carpentry community can be heard before the charter for the Picket Fence PDP is voted on by ICAN's **G**enuine **N**orth **C**arpentry **O**rganization (**GNCO**) Council.

The picket fence has been an important and contested topic in the carpentry community for over a decade, but the various stakeholders do not agree on how to prioritize the topics within the Picket Fence PDP charter. Additionally, it's important to note that the permit to build the picket fence is set to expire in twelve months, so the ICAN community is operating under a critical deadline to produce the recommendations (or risk losing the ability to construct any picket fence at all).

The Association agrees that the following stakeholder interests are important, but are not in agreement on how to prioritize:

- the type of trees selected,
- the nails,
- the height of the fence,
- the width of the slats,
- color of fence,
- the addition (or not) of a gate, and
- the ideal construction tools that are needed.

After employing a small team of experts who were tasked with recommending the topics of priority, the small team recommended the GNCO prioritize three topics: construction tools, the type of trees selected, and the height of the fence.

Based on the small team's recommendations, one councilor submitted a motion to the Council, recommending the prioritization of the topics in the order in which the small team recommended. Some members of the GNCO did not agree to that prioritization. Additionally, some councilors believed the motion should explicitly refer to specific carpentry experts, while others believed the motion should specifically call out the important issue of carpenter working conditions. Another councilor noted that the charter should specifically call out the working conditions and fair treatment of the carpenters who will construct the fence. Accordingly, seven councilors submitted seven separate amendments to the original motion. Three of the amendments were submitted approximately 10 minutes before the vote was to take place. {This resulted in the GNCO Support Team attempting (somewhat frantically) to prepare the eight versions of the motion to be ready just in case.}

Questions for Small Group Discussion – Hypo 1:

1. How should a group distinguish between genuinely new issues and concerns that could have been addressed earlier?
2. How can a process remain open to input while still providing closure and predictability?
3. How can governance processes encourage concerns to be raised early and in open forums, rather than late and informally?
4. What mechanisms could help ensure that previous consensus and documented agreements are not inadvertently reopened without clear justification?
5. What impact does last-minute questioning of months of collective effort and agreed outcomes have on community trust and willingness to participate, and the perception of Council's effectiveness?
6. What shared norms should exist around good-faith participation, especially near decision points?

In discussing these questions, the Council noted the following potential improvements:

Where possible, motion originators should circulate proposed language for motions, documents, etc., as early as possible to give an opportunity for Councilors to speak up with concerns early.

Where concerns are not widely shared, Councilors noted there should be an opportunity to provide dissenting statements so that disagreements can be heard and registered while still allowing work to progress.

Many Councilors noted that the underlying issue is the lack of trust between Councilors, and instances of raising concerns at the eleventh hour disintegrates trust and good faith. Councilors did recognize that sometimes last-minute interventions and changes are unavoidable; however, in recognition of both directed voting and timezone differences, Councilors agreed that that:

1. Where a Councilor or group of Councilors believes a change to a motion or document is necessary, they should signal as early as possible that a change is forthcoming, even if they are unable to share specific details yet, to avoid surprises shortly before a scheduled vote.
2. Proposed changes to motions or documents should be submitted to the Council list AT LEAST 48 hours before voting in order to respect timezone differences and councilors who are subject to directed voting.

High-level Takeaway: Councilors agreed that where possible, motion originators should circulate proposed language for motions, documents, etc., as early as possible to give an opportunity for Councilors to speak up with concerns early. Where concerns are not widely shared, Councilors noted there should be an opportunity to provide dissenting statements so that disagreements can be heard and registered while still allowing work to progress.

Agreements:

Councilors recognized that sometimes last-minute interventions and changes are unavoidable; however, in recognition of both directed voting and timezone differences, Councilors agreed that:

(i) Where a Councilor or group of Councilors believes a change to a motion or document is necessary, they should signal as early as possible that a change is forthcoming to avoid surprises shortly before a scheduled vote.
(ii) Proposed changes to motions or documents should be submitted to the Council list AT LEAST 48 hours before voting in order to respect timezone differences and councilors who are subject to directed voting.

Action: Leadership and Support Staff to consider how these proposals can be formalized.

VI. Council Role in Policy Implementation and Role of Council Liaisons

In recent months, ICANN org has reverted to the GNSO Council for two separate policy implementation-related questions, i.e., Subsequent Procedures Implementation Review Team (IRT) and Curative Rights IRT. In responding to these questions, the Council noted some confusion regarding its precise role in policy implementation. In light of this, the Council spent a portion of Day 2 clarifying this confusion.

The role of the Council during the policy implementation phase is currently defined within two documents:

(i) the Consensus Policy Implementation Framework (or CPIF); and
(ii) the Implementation Review Team (IRT) Principles and Guidelines.

The CPIF outlines a five-stage process designed to make policy implementation predictable and transparent. Within the CPIF, the various parties' roles are specifically defined. The GNSO Council's role is defined as:

The GNSO is responsible for developing and recommending to the ICANN Board substantive policies relating to generic top-level domains. Once policies are adopted by the Board, the GNSO Council serves as a resource for staff who have questions about the background or intent of the policy recommendations during its implementation. The GNSO Council may continue to provide input on the implementation of a policy, for example, if the GNSO Council believes that the implementation is inconsistent with the policy.

The IRT's role is specifically defined as:

The Implementation Review Team, if convened by the GNSO Council, will serve as a resource to implementation staff on policy and technical questions that arise. An IRT will typically consist of, but will not be limited to, volunteers who were also involved in the development of the policy recommendations. As such, the IRT is expected to serve as a resource to staff on the background and rationale of the policy recommendations and return to the GNSO Council for additional guidance as required. Where relevant, the IRT should also include technical or subject-matter experts and contracted parties who can assist staff in the planning for the technical implementation of a policy change.

As noted in the language, the GNSO Council serves as an additional resource to ICANN org and the IRT regarding the background and intent of policy recommendations.

The IRT Principles and Guidelines also touches on the role of both the GNSO Council and the GNSO Council liaison to the IRT. First, the IRT Principles and Guidelines note that the GNSO Council is expected to designate a GNSO Council liaison to each IRT to "ensure a direct link to the GNSO Council if/when needed". This liaison, after consultation with ICANN IRT Support Staff, may be called on to resolve disagreements between ICANN org and the IRT and/or issues with individual IRT members and escalate matters to the GNSO Council if needed or requested.

Additionally, the Council talked about common themes for liaisons to both Working Groups and IRTs:

- Neutrality
- Staying up-to-date on the group's progress and reporting back to full Council on important milestones or potential roadblocks
- Being prepared to act if a liaison is needed

Many GNSO Councilors, who are current or past Council liaisons, noted a hesitation in understanding their specific role and requested additional guidance. Specifically, Councilors noted confusion as to the frequency and substance Council liaisons should be using to update the Council.

Council Leadership noted some high-level examples of when liaisons should provide updates includes:

- decisions reached (obviously decisions are subject to consensus call, public comment etc, but where is the WG landing)
- main topics of discussion
- any issues/conflicts/challenges
- concerns with meeting project plan timeline?
- changes to working practices in order to meet the agreed timeline?
- anything else of note

In discussing potential examples for updates, the Council agreed that a templated guide for Council liaisons would be a welcome resource and assist in clarifying the expectation for the role.

Following the primer on the CPIF, the IRT Principles and Guidelines, and the discussion of the role of Council liaisons, the Council looked at a hypothetical example of the Council being asked to provide guidance during the policy implementation phase.

North Pole EPDP

The North Pole EPDP had a difficult assignment: they were asked to review the updated (and long) specification for Santa Claus's working conditions in nine months - before Santa was to take flight on Christmas Eve. The specification defined criteria for Santa's "nice list" and "naughty list" - two groups the WG was very familiar with. In reviewing the specification, however, the WG identified a unique class of gift recipients: Santa's "nicest list". The WG agreed that every once in a while (every few years to be exact), there is a child *so nice* that they deserve special treatment. The WG spent time defining the criteria for Santa's "nicest list" and believed it entitled the children on this list to expedited gift delivery. The only problem was that in order to expedite delivery for these special recipients, Santa would have to change his entire route and enlist extra reindeer and elves to make the expedited delivery possible. Because Christmas Eve was approaching, the North Pole EPDP provided a policy recommendation that a shortened timeline for delivery of gifts to Santa's nicest list was to be considered during the implementation phase.

The IRT began its discussions around an expedited timeline for the nicest list, and some members of the IRT feared that a disgruntled elf could potentially add names to the nicest list without the ability for

Santa's workshop to authenticate who added the name to the list. Everyone agreed that authenticating the names on the nicest list was critical. [Additionally, it may be worth noting that Buffy the Elf, the head elf, had the special ability to remove names from the nicest list before Santa took flight if he believed that the children did not qualify or a local statute regarding air traffic around the North Pole prevented Santa from performing the expedited deliveries.]

In recognition of the need to authenticate the names on the nicest list, some members of Santa's workshop started working on a special system to authenticate the nicest list beginning with the children in Candy Land (where Santa typically begins his route). The IRT eventually agreed to a timeline for the nicest list (where the names on the list are authenticated); however, the IRT currently disagrees whether the use of the limited authentication system, which would permit a five-minute response time, would require additional policy work in order for Santa to require use of it. (There was no mention of authenticating names on the nicest list in the recommendation text.) Due to the different positions within the IRT, Santa has asked the GNSO Council to weigh in on the matter.

Hypo 2 - Questions for Small Groups

Policy vs. Implementation

1. How should implementation teams proceed when the policy text is silent on a dependency that materially affects obligations and timelines?
2. To what extent can an implementation team rely on inferred policy intent versus explicit policy language?
3. What documentation or guidance would help future groups distinguish acceptable implementation discretion from policy expansion?

Disagreement and Escalation

1. Were there clear internal mechanisms for resolving disagreements about scope before escalating to the GNSO Council?
2. What criteria should trigger escalation versus continued IRT deliberation?
3. What responsibility does the Council have to clarify intent (and how) when ambiguity only becomes apparent during implementation?

In discussing the above questions, the Council agreed that if the policy language is unclear and the resulting interpretation could have a material on the ICANN community, the language should be brought to the Council.

The Council also noted that Working Groups are encouraged to provide a clear rationale to accompany each policy recommendation as this will help ICANN org and the ICANN community understand the context of each recommendation. ICANN Support Staff noted that the recent Transfer Policy Review Final Report includes a short rationale statement and an estimated policy impact assessment/short explanation for each policy recommendation in an effort to make clear to the Council, Board, and eventually ICANN org as the implementing body why the Working Group proposed the recommendations it did. The Council noted that a similar format could be helpful for future working groups.

High-level Takeaway: To avoid situations of policy language ambiguity, Working Groups should endeavor to provide a rationale statement for each proposed recommendation to assist the Community, Council, Board, and ICANN org in reading the intent behind the recommendation. In instances where there is ambiguity during policy implementation, and a potential interpretation could have a material impact on the ICANN community, the Council encourages ICANN org to refer those questions to the GNSO Council for guidance, pursuant to the Council's defined role in the CPIF.

Action Item:

3. To assist Council liaisons in performing their role, Council to consider providing a template or checklist (considering the different models) as a guide.
4. Leadership and Support Staff to produce the first draft of the template and, when ready, provide to the Council for additional feedback and discussion.

VII. Prioritization

GNSO Support Staff introduced this topic and noted the origin of the Council's discussion on work prioritization. Specifically, the prioritization discussion began during a period where the GNSO had four large scale PDPs running concurrently, e.g., Registration Data Services (RDS), Rights Protection Mechanisms (RPMs) Phase 1, Subsequent Procedures (SubPro), and IGO/INGO Curative Rights. During this time, the Community, Council, and Org Support Staff were well over capacity. Still, there were topics of interest to various groups within the Community, and the Council felt it lacked adequate tools to determine whether and when it could potentially take on additional work.

As an answer to this request, GNSO Support Staff produced a spreadsheet that endeavored to capture an exhaustive (to the extent possible) catalogue of the Council's overall portfolio of work in one place. In using this spreadsheet tool, it became readily apparent that the existence of the tool, while helpful in capturing the sizable parking lot of potential upcoming work, did not address the underlying issue: prioritization is difficult when the groups that make up the GNSO do not have aligned priorities.

In recognition of this, the Council began using the ADR as a way to neutrally plan its upcoming work. While the ADR is not a prioritization tool, it does seek to neutrally sequence upcoming work based on the circumstances surrounding Council decisions, including Working Group recommendations, operational requirements, and external requirements. The ADR aims to show a snapshot of the Council's decision points in the coming twelve months, which can help inform the discussion of whether the Council could take on a specific topic. Additionally, when unique circumstances arise or the Community wishes to expedite a certain topic due to extenuating circumstances or need, the ADR does not prevent this from happening. This was evidenced most recently for the topic of DNS abuse. When the Community coalesced around DNS Abuse being a priority, the absence of existing DNS abuse-related line items in the ADR did not prevent the Council from agreeing to request an Issue Report. In other words, the ADR is flexible when needs arise.

Following this overview, the Council began discussing if the ADR, with built-in flexibility where needed, is the appropriate tool for prioritization, or if something else should be considered. The Council agreed that the current ADR is an appropriate tool to assist in objectively assessing future decisions and is flexible enough to allow the Council to pivot to different work efforts where necessary. The Council also agreed, however, that the ADR could coexist with a Council prioritization framework, as the tools serve different functions and accomplish different goals.

Other ideas discussed included:

- Including a visual timeline to the ADR so that the Council has a visual snapshot of when current projects are scheduled to complete/when there may be capacity for taking on additional work.
- ADR to include a parking lot of topics identified as priorities so these do not get lost.
- Potential voting and ranking from all SG/Cs to inform the updated Council prioritization framework.

High-level Takeaway: The Council agrees that the current ADR is an appropriate tool to assist in objectively assessing future decisions and is flexible enough to allow the Council to pivot to different work efforts when needed. The Council requested Support Staff to provide an updated prioritization document based on the discussion.

Action Items: Support Staff to produce updated prioritization overview document, based on the discussion during the SPS, and add this topic to the upcoming Council meeting.