Appendix 5: Summary of recommendations

Recommendation 1: The Council has made a significant contribution to other ICANN core values such as outreach, bottom-up consensus based policy development, geographical diversity and transparency. It has endeavoured to make good use of the ICANN meetings to conduct outreach activities with other ICANN organizations and with the broader internet community. The Council should plan to expand and enhance these activities.

Recommendation 2: The appointment of liaisons is a good step in building links with other parts of the ICANN structure. Again consideration needs to be given to the best way that these liaisons can be used to raise awareness of Council issues. The crafting of a "role description" or "partnership agreement" may assist with setting clear expectations and maximizing outcomes.

Recommendation 3: While it is healthy that the Council has representation from four of the ICANN regions, the Council should develop a plan for increasing representation so that all regions are covered.

Recommendation 4: Furthermore, consideration needs to be given to ways in which people from non-English speaking backgrounds can participate more actively in Council. This may involve making greater use of face to face time at ICANN meetings (where communication is easier) in addition to telephone conferences. The availability of translations of key documents would also assist, but this would need careful consideration as it could easily become a very expensive exercise.

Recommendation 5: The Council should seek approval from the Board for a revised policy Development Process. The alternative process should have the following elements:
- Scoping phase (history of the issue, key questions, contractual issues, terms of reference, timelines, milestones including deliverables and check points for legal opinion) which should be done as quickly as feasible, probably within the timeframe of the current issues report
- Policy work (including research, consultation with constituencies, periods for public comment) with timelines set in the scoping phase according to the complexity of the task
- Regular reporting to Council on milestones as established in the scoping phase
- A final report and public comment period as in the current PDP
- A Council vote as in the current PDP

Recommendation 6: The Council should develop a formal process for seeking input from other ICANN organizations for each of the policies it is developing.

Recommendation 7: In addition to these changes, the Council should consider other measures to speed up the consensus process, including the greater use of time at ICANN meetings to discuss issues face to face, and possibly the use of facilitators to move more quickly to understanding of issues and building of consensus.

Recommendation 8: ICANN should move to put in place a high calibre staff policy support person at the earliest possible opportunity.

Recommendation 9: The Chair of the GNSO Council and VP Supporting Organizations should oversee an effective handover from the current staff support person to ensure that lessons learnt over the past year are not lost.

Recommendation 10: The Chair of the GNSO Council and the VP Supporting Organizations should establish a service level agreement between the GNSO Council and ICANN management that specifies the amount and type of support that is to be provided. Where possible, this should include measures (eg turnaround times for legal opinion, delivery of reports by agreed dates, minutes posted within a certain number of days) The Chair should consult the Council to ensure the targets meet the needs of the Council and its taskforces. The VP Supporting Organizations and Chair of GNSO Council should meet quarterly to review performance measures and report these to the President.

Recommendation 11: The Council should work with the ICANN General Counsel to establish clear communication channels for the request for and provision of legal opinion. At a minimum this should include detailed legal input at the scoping phase of each PDP. Wherever possible, "check points" for further legal input should be established as part of the scoping study.

Recommendation 12: The Council needs to ensure the viability of implementation of each of the policy recommendations that it makes to the Board.

Recommendation 13: ICANN needs to put in place a compliance function to monitor compliance with policies.

Recommendation 14: The Council needs to work with ICANN operational staff to develop a compliance policy with graded penalties.

Recommendation 15: Council needs to have a built in review of the effectiveness of policies in the policy recommendations that it makes to the Board

Recommendation 16: The GNSO Council should utilize the Ombudsman and any reports produced by the Ombudsman as source of systematic analysis of complaints and therefore of issues that may need to be addressed through the PDP.

Recommendation 17: The Council should continue to explore ways in which the Nominating Committee members can add value to the Council process.

Recommendation 18: The Council should draft "role descriptions" for the Nominating Committee which describe the skills, expertise (especially technical expertise) and attributes that are needed for the Nominating Committee members to be optimally effective members of the Council.

Recommendation 19: The Council is working well with three representatives from each constituency. No one who is involved with the Council perceives that having three representatives hinders the workings of the Council. The Board should change the bylaws to put in place three representatives from each constituency.

Recommendation 20: The GNSO Council should overhaul the website so that it better meets the needs of all who are interested in the work of the GNSO.