|  |  |  |
| --- | --- | --- |
| **GNSO Input Process** | **GNSO Guidance Process** | **GNSO Expedited PDP** |
| 1. **GNSO Input Process (GIP) Manual – Introduction**   A GIP is the process through which the GNSO provides input on matters that may not involve gTLD policy, for example in response to a request from the ICANN Board or in response to a public comment forum as further described in this GIP Manual. Any such requests should include as much information as possible.  A GIP may be initiated by the GNSO Council at any time it considers appropriate, for example, when a request for GNSO input is received from the ICANN Board or other entity that does not involve the creation of new obligations for ICANN contracted parties and does not relate to a topic otherwise suitable for a GNSO Policy Development Process or GNSO Guidance Process, for example providing GNSO Input to a public comment forum. | 1. **GGP Manual – Introduction**   These guidelines and processes supplement the requirements for GGPs described in Annex D of the ICANN Bylaws [include link]. A GGP may be initiated by the GNSO Council when a request for input relating to gTLDs (either a new issue or in relation to previous policy recommendations) has been received from the ICANN Board or a gTLD issue has been identified by the GNSO Council that would benefit from GNSO Guidance, and it has determined that the intended outcome is not expected to result in new contractual obligations for contracted parties (in which case a PDP would need to be initiated). | 1. **GNSO EPDP – Applicability**   These guidelines and processes supplement the requirements for the EPDP described in Annex E of the ICANN Bylaws [include link]. An EPDP may be initiated by the GNSO Council only in the following specific circumstances: (1) to address a narrowly defined policy issue that was identified and scoped after either the adoption of a GNSO policy recommendation by the ICANN Board or the implementation of such an adopted recommendation; or (2) to provide new or additional policy recommendations on a specific policy issue that had been substantially scoped previously, such that extensive, pertinent background information already exists, e.g. (a) in an Issue Report for a possible PDP that was not initiated; (b) as part of a previous PDP that was not completed; or (c) through other projects such as a GGP.  For the avoidance of doubt, the following sections of the PDP Manual shall not apply to an EPDP:  Section 2 (Requesting an Issue Report);  Section 4 (Recommended Format of Issue Report Requests);  Section 5 (Creation of the Preliminary Issue Report);  Section 6 (Public Comment on the Preliminary Issue Report); and  Section 7 (Initiation of the PDP)  Except as otherwise expressly modified or excluded herein, all other provisions of the PDP Manual shall apply in full to an EPDP, including without limitation the publication of an Initial Report for public comments. In the event of a conflict in relation to an EPDP between the provisions of the PDP Manual and the specific provisions in this EPDP Manual, the provisions herein shall prevail. |
| 1. **Planning for Initiation of a GIP**   The GNSO community and staff are encouraged to provide advice, where possible in advance of a decision on the initiation of a GIP, specifying any additional research, discussion, or outreach that should be conducted prior to or immediately following the decision on the initiation of a GIP. In cases where it concerns a specific request from the ICANN Board or any other SO/AC, the requestor is expected to make available a point of contact to provide further information or clarification in relation to the request for input if needed.  The GNSO Council should take into full account the resources available, both volunteers and staff, when making its decision on whether or not to initiate a GIP. | 1. **Planning for Initiation of a GGP**   Consistent with ICANN’s commitment to fact-based policy development, the GNSO and Staff are encouraged to provide advice in advance of a vote on the initiation of a GGP specifying any additional research, discussion, or outreach that should be conducted prior to or immediately following the vote on the initiation of a GGP. In cases where it concerns a specific request from the ICANN Board or any other SO/AC, the requestor is expected to make available a point of contact to provide further information or clarification in relation to the request to inform a vote on the initiation of a GGP if needed.  The GNSO Council should take into full account the resources available, both volunteers and staff, when making its decision on whether or not to initiate a GGP. | 1. **Planning for Initiation of an EPDP**   Consistent with ICANN’s commitment to fact-based policy development, the GNSO and staff are encouraged to provide advice in advance of a GNSO Council vote on the initiation of an EPDP, specifying any additional research, discussion, or outreach that should be conducted prior to or immediately following the vote.  The GNSO Council should take into full account the resources available, both volunteers and staff, when making its decision on whether or not to initiate a EPDP. |
| 1. **Minimum requirements for a GIP Initiation Request**   To initiate a GIP, a GNSO Council member must submit a request to the GNSO Council that includes at a minimum the following information:   * Name of Council member (SG/C) * Origin of issue (e.g., Board request) * Scope of the effort (description of the issue or question that the GIP is expected to address) * Proposed GIP mechanism (e.g. WG, DT, individual volunteers – hereinafter referred to as the “GIP Team”) * Method of operation, if different from GNSO Working Group Guidelines * Decision-making methodology for the GIP Team, if different from GNSO Working Group Guidelines * Desired completion date and rationale for this date   Any additional information that can facilitate the work on the GIP, such as information that should be considered and/or other parties that should be consulted, is encouraged to be provided as well. | 1. **Minimum requirements for a GGP Initiation Request**   The request to initiate a GGP, a GNSO Council member must submit a motion accompanied by a GGP scoping document to the GNSO Council, which is expected to include at a minimum the following information:   * Name of Council member / SG / C * Origin of issue (e.g. board request) * Scope of the effort (detailed description of the issue or question that the GGP is expected to address) * Proposed GGP mechanism (e.g. WG, DT, individual volunteers) * Method of operation, if different from GNSO Working Group Guidelines * Decision-making methodology for GGP mechanism, if different from GNSO Working Group Guidelines * Desired completion date and rationale for this date   Any additional information that can facilitate the work on the GGP, such as information that should be considered and/or other parties that should be consulted, is encouraged to be provided as well. | 1. **Minimum requirements for a EPDP Initiation Request**   The request to initiate an EPDP, a GNSO Council member must submit a motion accompanied by an EPDP scoping document, to the GNSO Council which is expected to include at a minimum the following information:   1. Name of Council member / SG / C 2. Origin of issue (e.g. previously completed PDP) 3. Scope of the effort (detailed description of the issue or question that the EPDP is expected to address); 4. Description of how this issue meets the criteria for an EPDP, i.e. how the EPDP will address either (1) a narrowly defined policy issue that was identified and scoped after either the adoption of a GNSO policy recommendation by the ICANN Board or the implementation of such an adopted recommendation; or (2) new or additional policy recommendations on a specific GNSO policy issue that had been scoped previously as part of a PDP that was not completed or other similar effort, including relevant supporting information; 5. If not provided as part of item 4, the opinion of the ICANN General Counsel regarding whether the issue proposed for consideration is properly within the scope of the ICANN’s mission, policy process and more specifically the role of the GNSO. In determining whether the issue is properly within the scope of the ICANN policy process, General Counsel’s opinion should examine whether the issue:    * Is within the scope of ICANN's mission statement, and more specifically the role of the GNSO;    * Is broadly applicable;    * Is likely to have lasting value or applicability, albeit with the need for occasional updates;    * Is likely to enable ICANN to carry out its commitments under the Affirmation of Commitments;    * Will establish a guide or framework for future decision-making;    * Will implicate or affect an existing ICANN policy. 6. If not provided as part of item 4, the opinion of ICANN staff and their rationale as to whether the Council should initiate the EPDP on the issue; 7. Proposed EPDP mechanism (e.g. WG, DT, individual volunteers); 8. Method of operation, if different from GNSO Working Group Guidelines; 9. Decision-making methodology for the proposed EPDP mechanism, if different from GNSO Working Group Guidelines; 10. Desired completion date and rationale for this date.   The request for an EPDP may also include a proposed EPDP Team Charter, which the Council may consider at the same time as the EPDP Initiation Request. If no such Charter is provided, or if the proposed Charter is not approved, Section 8 of the PDP Manual, with the exception of the provision on the voting threshold required for adoption of the Charter, will apply to the drafting of the EPDP Team Charter. Adoption of a Charter drafted in accordance with Section 8 of the PDP Manual requires an affirmative Supermajority Vote of the Council..  Any additional information that can facilitate the work on the EPDP, such as information that should be considered and/or other parties that should be consulted, should be provided as well. |
| 1. **Initiation of a GNSO Input Process**   Any Council member can request that a GIP is initiated following the steps in section 3. A Council vote is not required to initiate a GIP, except in the situation where one or more GNSO Council members object to the initiation. In such an instance, the GNSO Council may initiate the GIP if the default threshold to pass a GNSO Council motion (a simple majority vote of each House) in favor of initiating the GIP is achieved. | 1. **Initiation of a GNSO Guidance Process**   Any Council member can request that a GGP is initiated following the steps in section 3. The Council may initiate a GGP as follows:  The Council may only initiate the GGP by a vote of the Council. Initiation of a GGP requires a vote as set forth in Article X, Section 3, paragraph 9.[X] in favor of initiating the GGP.  As part of its decision on the initiation of a GGP, the GNSO Council may include consideration of how ICANN’s budget and planning can best accommodate the GGP and/or its possible outcomes, and, if applicable, how the proposed PDP is aligned with ICANN’s Strategic Plan. | 1. **Initiation of an EPDP**   At the request of any Council member duly and timely submitted and seconded as a motion, the Council may initiate the EPDP by a Supermajority vote of the Council in favor of initiating the EPDP. A motion which fails to carry a Supermajority vote of Council may be resubmitted at the same Council meeting as a motion to initiate a GNSO Guidance Process. |
| 1. **GIP Outcomes and Processes**   Upon initiation of the GIP, the GNSO Council will form the GIP Team as outlined in the GIP request. The GIP Team is required to review and become familiar with the GNSO Working Group Guidelines, if applicable, as well as this GNSO Input Process Manual.  Once formed, the GIP Team is responsible for engaging in the collection of information. If deemed appropriate or helpful by the GIP Team, the GIP Team may solicit the opinions of outside advisors, experts, or other members of the public. The GIP Team should carefully consider the budgetary impacts, implementability, and/or feasibility of its proposed information requests and/or subsequent recommendations.  The GIP Team is encouraged to solicit input from each Stakeholder Group and Constituency in the early stages of the GIP. Stakeholder Groups and Constituencies should be provided sufficient time to provide input from the moment that the input is requested by the GIP Team, noting that in certain circumstances such as an external deadline that affects the GIP Team’s ability to complete its work, this timeframe may be short.  The GIP Team is also encouraged to seek the input of other ICANN Advisory Committees and Supporting Organizations, if deemed relevant and as appropriate, that may have expertise, experience or an interest in the issue under consideration in the GIP. Solicitation of opinions should be done in the early stages of the GIP.  At the end of its deliberations, the GIP Team shall develop proposed GNSO input relating to the topic for which the GIP was initiated. At the same time, the GIP Team may also conclude that no input is desirable or needed.  The Staff Manager[[1]](#footnote-1) is responsible for coordinating with the Chair(s) of the GIP Team to supervise and to carry out the GIP activities as necessary or appropriate, including, without limitation, making available the standard technical resources for the GIP Team, scheduling and attending GIP meetings, drafting GIP reports, and providing expertise where needed. | 1. **GGP Outcomes and Processes**   Upon initiation of the GGP, the GNSO Council will form the GGP Team as outlined in the GGP scoping document. The GGP Team is required to review and become familiar with the GNSO Working Group Guidelines as well as the GNSO Guidance Process Manual.  Once formed, the GGP Team is responsible for engaging in the collection of information. If deemed appropriate or helpful by the GGP Team, the GGP Team may solicit the opinions of outside advisors, experts, or other members of the public. The GGP Team should carefully consider the budgetary impacts, implementability, and/or feasibility of its proposed information requests and/or subsequent recommendations.  The GGP Team should formally solicit statements from each Stakeholder Group and Constituency in the early stages of the GGP. Stakeholder Groups and Constituencies should ideally have 35 days at a minimum to complete such a statement from the moment that the statement is formally requested by the GGP Team. However, in certain circumstances such as an external deadline that affects the GGP Team to complete its work, this timeframe may be shorter.  The GGP Team is also encouraged to formally seek the opinion of other ICANN Advisory Committees and Supporting Organizations that may have expertise, experience or an interest in the GGP issue, as appropriate. Solicitation of opinions should be done in the early stages of the GGP.  The GGP Team is encouraged to establish communication in the early stages of the GGP with other departments, outside the policy department, within ICANN that may have an interest, expertise, or information regarding the implementability of the issue. The GGP Staff Manager[[2]](#footnote-2) is responsible for serving as the intermediary between the GGP Team and the various ICANN departments. The GGP Team Chair may escalate to the Vice President of Policy if the GGP Team is of the opinion that such communications have been hindered through the involvement of ICANN policy staff. ICANN Staff may perform additional distinct roles for a GGP Team as requested and appropriate (see GNSO Working Group Guidelines for further details).  This section illustrates the types of outcomes that are permissible from a GGP. GGP Teams may make recommendations to the GNSO Council regarding, but not limited to:   1. Advice to the ICANN Board 2. Advice to other Supporting Organizations or Advisory Committees 3. Best Practices 4. Implementation Guidelines 5. Agreement terms and conditions 6. Technical Specifications 7. Research or Surveys to be Conducted 8. Budget issues 9. Requests for Proposals 10. Recommendations on future guidance or policy development process activities   At the same time, the GGP Team may also conclude that no recommendation is necessary.  The GGP Staff Manager is responsible for coordinating with the Chair(s) of the GGP Team to supervise and to carry out the GGP activities as necessary or appropriate, including, without limitation, making available the standard technical resources for the GGP Team, scheduling and attending GGP meetings, drafting and publishing GGP reports for public comment, and providing expertise where needed. | 1. **EPDP Processes and Outcomes**   Section 9 of the PDP Manual (Outcomes and Processes) shall apply fully to an EPDP, with the exception that in relation to the soliciting of statements from GNSO Stakeholder Groups and Constituencies in the early stage of an EPDP, the GNSO Council may, either of its own accord or at the request of the EPDP Team, direct that the time period for such statements be less than the 35 days recommended by the PDP Manual. In no event, however, shall such time period be less than [21] days. |
| 1. **Preparation of Proposed GNSO Input**   After collection and review of information, the GIP Team and staff are responsible for producing the Proposed GNSO Input. At a minimum, this should include the proposed recommendation(s), if any. Additionally, the following information may be provided, if available and if the GIP Team considers it desirable to do so:   * Compilation of Stakeholder Group and Constituency Statements (where these were sought and provided) * Compilation of any statements received from any ICANN Supporting Organization or Advisory Committee (where these were sought and provided) * Statement of level of consensus for Proposed GNSO Input * Information regarding the members of the GIP Team * A statement on the GIP Team discussion concerning the impact of the proposed input which could include areas such as economic impact, competition, operations, privacy and other rights, scalability and feasibility.   If available or deemed desirable, these elements may be included as part of the Proposed GNSO Input or by reference to information posted on an ICANN website or wiki (such as through a hyperlink).  The Proposed GNSO Input should be delivered to the GNSO Council for its consideration. This may be done in the form of a motion for the Council’s action. | 1. **Publication of Proposed GNSO Guidance Recommendation(s) Report**   After collection and review of information, the GGP Team and Staff are responsible for producing a Proposed GNSO Guidance Recommendation(s) Report. This report should include at a minimum:  Main body   * Executive Summary * GNSO Guidance Recommendation(s) * Statement of level of consensus for recommendation(s) * A statement on the GGP Team discussion concerning the impact of the proposed recommendations which could consider areas such as economic, competition, operations, privacy and other rights, scalability and feasibility.   Appendices   * Information regarding the members of the GGD Team * Compilation of Stakeholder Group and Constituency Statements * Compilation of any statements received from any ICANN Supporting Organization or Advisory Committee * GGD analysis of public comments   The Appendix elements may be included in full in the appendices or may be referenced to information posted on an ICANN website or wiki (such as through a hyperlink)within the main body of the report .  The Proposed GNSO Guidance Recommendation(s) Report should be delivered to the GNSO Council and posted for a public comment period of not less than 30 days. If such a public comment period would coincide with an ICANN Public Meeting, the GGP Team is strongly encouraged to extend the public comment period for a minimum of seven (7) days. The GGP Team is encouraged to explore other means to solicit input than the traditional public comment forum such as, for example, the use of a survey which might allow for asking more targeted questions. |  |
| 1. **Preparation of Final GNSO Input**   This Section 7 applies where Proposed GNSO Input has been posted for public comment at the direction of the GNSO Council.  At the end of the public comment period, the Staff Manager will prepare a summary and analysis of the public comments received for the GIP Team. Such a summary and analysis should be provided at the latest 2 weeks after the closing of the public comment period, absent exigent circumstances. The GIP Team shall review and take into consideration the public comments received. The GIP Team may update the Proposed GNSO Input Report if there are any recommendations that require modification to address the public comments received. The GIP Team is not obligated to include all comments received during the comment period in the updated Proposed GNSO Input Report, including comments made by any one individual or organization.  The GIP Team is expected to deliberate as appropriate to properly evaluate and address concerns raised during the public comment period. This should include the careful consideration and analysis of the public comments, explaining the rationale for agreeing and disagreeing with the different comments received, and, if appropriate, how these will be addressed in the Final GNSO Input. Following the review of the comments received and any additional deliberations, the GIP Team is expected to produce the Final GNSO Input for transmission to the Council. The GIP Team’s analysis of the public comments is expected to be included or referenced as part of the Final GNSO Input.  While the Final GNSO Input that is prepared (following a public comment period on the Proposed GNSO Input) is not required to be posted for further public comment, the GIP Team should consider whether the report should be posted for public comment as Draft Final GNSO Input, with the goal of maximizing accountability and transparency with regard to the GIP, especially when substantial changes have been made to the contents of the Proposed GNSO Input.  When posted for public comment, staff should consider translating the executive summaries (if any) of the Proposed GNSO Input and Draft Final Input into the six UN languages, to the extent permissible under the ICANN translation policy and the ICANN budget, though the posting of any version in English is not to be delayed while translations are being completed. Upon completion of the public comment period, if any, and incorporation of any additional comments identified therein, or if no further comment period is deemed necessary, the GIP Team shall forward the Final GNSO Input to the GNSO Council.  In addition to any public comment periods as described herein, the GIP Team may seek public comment on any item that the GIP Team believes will benefit from public input. The GIP Team does not have to seek approval from the GNSO Council to seek public comment on interim items. The minimum duration of a public comment period that does not concern the Proposed GNSO Input is twenty (21) days. | 1. **Preparation of Final GNSO Guidance Recommendation(s) Report**   At the end of the public comment period, the Staff Manager will prepare a summary and analysis of the public comments received for the GGP Team. Such a summary and analysis should be provided at the latest 21 days after the closing of the public comment period, absent exigent circumstances. The GGP Team shall review and take into consideration the public comments received. The GGP Team may update the Proposed GNSO Guidance Recommendation(s) Report if there are any recommendations that require modification to address comments received through public comment. The GGP Team is not obligated to include all comments received during the comment period in the updated Proposed GNSO Guidance Recommendation(s) Report, including each comment made by any one individual or organization.  The GGP Team is expected to deliberate as appropriate to properly evaluate and address comments received during the public comment period. This should include the careful consideration and analysis of the public comments; explaining the rationale for agreeing and disagreeing with the different comments received, and, if appropriate, how these will be addressed in the report of the GGP Team. Following the review of the comments received and, if required, additional deliberations, the GGP Team is expected to produce a Final Report for transmission to the Council. The analysis of the comments by the GGP Team is expected to be included or referenced as part of the Final GNSO Guidance Recommendation(s) Report.  While the Final Recommendation(s) Report is not required to be posted for public comment, in preparing the Final Recommendation(s) Report, the GGP Team should consider whether the Final Recommendation(s) Report should be posted for public comment as a [Draft] Final Recommendation(s) Report, with the goal of maximizing accountability and transparency with regards the GGP, especially when substantial changes have been made compared to the contents of the Proposed Recommendation(s) Report. When posted for Public Comment, Staff should consider translating the executive summaries of the Proposed Recommendation(s) Report and Draft Final Recommendation(s) Report into the six UN languages, to the extent permissible under the ICANN translation policy and the ICANN budget, though the posting of any version in English is not to be delayed while translations are being completed. Upon completion of the Public Comment period, if any, and incorporation of any additional comments identified therein, or if no further comment period is necessary, the Final Recommendation(s) Report is to be forwarded to the GNSO Council to begin the GNSO Council deliberation process.  In addition to any required public comment periods, the GGP Team may seek public comment on any item that the GGP Team notes it will benefit from further public input. The GGP Team does not have to seek approval from the GNSO Council to seek public comment on interim items. The minimum duration of a public comment period that does not concern the Proposed Recommendation(s) Report is twenty (21) days.  Each recommendation in the Final Report should be accompanied by the appropriate consensus level designation (see section 3.6 – Standard Methodology for Making Decisions in the GNSO Working Group Guidelines). |  |
| 1. **Council Deliberations**   The GNSO Council is encouraged to take action on the Proposed and/or Final GNSO Input (as applicable) in a timely manner, and preferably no later than the second GNSO Council meeting after the input is presented.  Approval of the GIP recommendations submitted to the Council does not require a Council vote, except in the case where one or more GNSO Council members object to the adoption of the report. In such an instance, the GIP recommendations may be adopted only by the default threshold to pass a GNSO Council motion (a simple majority vote of each House), as set forth at Article X, Section 3-9 of the ICANN Bylaws. The outcome of the vote should be recorded and provided together with the results of the GIP to the entity that initially requested the input. | 1. **Council Deliberations**   The GNSO Council is strongly encouraged to allow sufficient time for Stakeholder Group, Constituency and Councilor review of the Final GNSO Guidance Recommendation(s) Report prior to a motion being made to formally adopt the Final Recommendation(s) Report. The GNSO Council is required to take formal action on a Final Recommendation(s) Report in a timely manner, and preferably no later than the second GNSO Council meeting after the report is presented. At the request of any Council member, for any reason, consideration of the Final Recommendation(s) Report may be postponed for no more than one (1) meeting, provided that such Council member details the rationale for such a postponement. Consideration of the Final Recommendation(s) Report may only be postponed for a total of one (1) meeting, even if multiple Council members request postponement. The GNSO Council may, if deemed appropriate, schedule a separate session with the GGP Team to discuss the Final Report and ask any clarifying questions that might arise.  The GNSO Council is expected to vote on the recommendations contained in the Final Recommendation(s) Report. Approval of the GGP recommendations contained in the Final Recommendation(s) Report requires an affirmative vote meeting the thresholds set forth at Article X, Section 3(9) [X].  In the event that the Final Recommendation(s) Report includes recommendations that did not achieve the consensus within the GGP Team, the GNSO Council should deliberate on whether to adopt them or remand the recommendations for further analysis and work. Although the GNSO Council may adopt all or any portion of the recommendations contained in the Final Recommendation(s) Report, it is recommended that the GNSO Council take into account whether the GGP Team has indicated that any recommendations contained in the Final Report are interdependent. The GNSO Council is strongly discouraged from itemizing recommendations that the GGP Team has identified interdependent or modifying recommendations wherever possible. In the event the GNSO Council expresses concerns or proposes changes to the GGP recommendations, it must pass these concerns or recommendations for changes back to the respective GGP Team for input and follow-up. |  |
| 1. **Transmission of the Outcome of the GIP**   The GNSO Council shall transmit the results of a GIP, including any recommendations adopted by the GNSO Council, to the entity that originally requested the input as soon as practicable following the Council’s decision pursuant to Section 8 above. | 1. **Preparation of the Board Report**   If the GNSO Guidance Recommendations contained in the Final Recommendation(s) Report are approved by the GNSO Council, the GNSO Council may designate a person or group responsible for drafting a Recommendations Report to the Board. If feasible, the Draft Recommendations Report to the Board should be submitted to the Council in time for consideration at the next GNSO Council meeting following adoption of the Final Recommendation(s) Report. Staff should inform the GNSO Council from time to time of the format requested by the Board. These GNSO Council Reports supplement any Staff Reports that may highlight any legal, implementability, financial, and other operational concerns related to the GNSO Guidance recommendations contained in the Final Recommendation(s) Report. In order to enhance ICANN’s accountability and transparency, Staff is encouraged to publish its Staff Reports with minimal redactions wherever possible, without jeopardizing information that may be protected under attorney/client or other legal privileges. |  |
| 1. **Termination or Suspension of a GIP Prior to Final Report**   The GNSO Council may terminate or suspend a GIP at any time on the recommendation of the GIP Team or any Council member. Termination or suspension could be considered if events have occurred since the initiation of the GIP that have rendered the GIP moot, no longer necessary or another process such as a PDP more appropriate. | 1. **Termination or Suspension of a GGP Prior to Final Recommendation(s) Report**   The GNSO Council may terminate or suspend a GGP prior to the publication of a Final Recommendations Report on the recommendation of the GGP Team and a majority vote of the Council. Termination or suspension could be considered if events have occurred since the initiation of the GGP that have rendered the GGP moot, no longer necessary or another process such as a PDP is deemed more appropriate.  The GNSO Council will prepare a formal report on the proposed termination or suspension of a GGP outlining the reasons for the proposed action, current status of the GGP and expected next steps, if any. | 1. **Termination or Suspension of an EPDP Prior to Final Recommendation(s) Report**   The GNSO Council may terminate or suspend an EPDP prior to the publication of a Final Recommendations Report in accordance with Section 15 of the PDP Manual. In addition to the illustrative reasons contained in Section 15, termination or suspension of an EPDP may be considered if events have occurred since the initiation of the EPDP that have rendered the EPDP moot or no longer necessary.  Upon the request of any GNSO Council Member, the GNSO Council will prepare a formal report on the proposed termination or suspension of an EPDP outlining the reasons for the proposed action, current status of the EPDP and expected next steps, if any. |
| 1. **Miscellaneous**   This Manual may be updated by the GNSO Council from time to time following the same procedures as applicable to amendments to the GNSO Operating Rules and Procedures.  In the event of any inconsistencies between the ICANN Bylaws or this Manual, the terms of the ICANN Bylaws shall supersede. | 1. **Miscellaneous**   This Manual may be updated by the GNSO Council from time to time following the same procedures as applicable to amendments to the GNSO Operating Rules and Procedures.  In the event of any inconsistencies between the ICANN Bylaws or this Manual, the terms of the ICANN Bylaws shall supersede. | 1. **Miscellaneous**   These provisions for an EPDP, as incorporated into the PDP Manual, may be updated by the GNSO Council from time to time following the same procedures as applicable to amendments to the GNSO Operating Procedures.  In the event of any inconsistencies between the ICANN Bylaws or this Manual, the terms of the ICANN Bylaws shall supersede. |

**Proposed Bylaw Provisions (note, only applies to GGP and EPDP)**

|  |  |  |
| --- | --- | --- |
| **GNSO Input Process** | **GNSO Guidance Process** | **GNSO Expedited PDP** |
|  | The following process shall govern the GNSO guidance process ("GGP") until such time as modifications are recommended to and approved by the ICANN Board of Directors ("Board"). The role of the GNSO is outlined in Article X of these Bylaws. If the GNSO is conducting activities that are intended to result in a Consensus Policy, the Council should act through a Policy Development Process (see Annex A). | The following process shall govern the specific instances where the GNSO Council invokes the GNSO Expedited Policy Development Process ("EPDP"). The GNSO Council may invoke the EPDP in the following limited circumstances: (1) to address a narrowly defined policy issue that was identified and scoped after either the adoption of a GNSO policy recommendation by the ICANN Board or the implementation of such an adopted recommendation; or (2) to create new or additional recommendations for a specific policy issue that had been substantially scoped previously such that extensive, pertinent background information already exists, e.g. (a) in an Issue Report for a possible PDP that was not initiated; (b) as part of a previous PDP that was not completed; or (c) through other projects such as a GGP. The following process shall be in place until such time as modifications are recommended to and approved by the ICANN Board of Directors. Where a conflict arises in relation to an EPDP between the PDP Manual (se Annex 2 of the GNSO Operating Procedures) and the procedures described in this Annex E, the provisions of this Annex E shall prevail.  The role of the GNSO is outlined in Article X of these Bylaws. Provided the Council believes and documents via Council vote that the above-listed criteria are met, an EPDP may be initiated to recommend amendment to an existing Consensus Policy; however, in all cases where the GNSO is conducting policy-making activities that do not meet the above criteria as documented in a Council vote, the Council should act through a Policy Development Process (see Annex A). |
|  | **Section 1. Required Elements of a GNSO Guidance Process**  The following elements are required at a minimum to develop GNSO guidance:   1. Formal initiation of the GNSO Guidance Process by the Council, including a GGP scoping document; 2. Identification of the types of expertise needed on the GGP Team; 3. Recruiting and formation of a GGP Team or other designated work method; 4. Proposed GNSO Guidance Recommendation(s) Report produced by a GGP Team or other designated work method; 5. Final GNSO Guidance Recommendation(s) Report produced by a GGP Team, or other designated work method, and forwarded to the Council for deliberation; 6. Council approval of GGP Recommendations contained in the Final Recommendation(s) Report, by the required thresholds; 7. GGP Recommendations and Final Recommendation(s) Report shall be forwarded to the Board through a Recommendations Report approved by the Council]; and 8. Board approval of GGP Recommendation(s). | **Section 1. Required Elements of a GNSO Expedited Policy Development Process**  The following elements are required at a minimum to develop expedited GNSO policy recommendations, including recommendations that could result in amendments to an existing Consensus Policy, as part of a GNSO Expedited Policy Development Process (EPDP):   1. Formal initiation of the GNSO Expedited Policy Development Process by the GNSO Council, including an EPDP scoping document; 2. Formation of an EPDP Team or other designated work method; 3. Initial Report produced by an EPDP Team or other designated work method; 4. Final EPDP Policy Recommendation(s) Report produced by an EPDP Team, or other designated work method, and forwarded to the Council for deliberation; 5. GNSO Council approval of EPDP Policy Recommendations contained in the Final EPDP Policy Recommendation(s) Report, by the required thresholds; 6. EPDP Recommendations and Final EPDP Recommendation(s) Report forwarded to the Board through a Recommendations Report approved by the Council]; and 7. Board approval of EPDP Recommendation(s). |
|  | **Section 2. GNSO Guidance Process Manual**  The GNSO shall maintain a GNSO Guidance Process (GGP Manual) within the operating procedures of the GNSO maintained by the GNSO Council. The GGP Manual shall contain specific additional guidance on completion of all elements of a GGP, including those elements that are not otherwise defined in these Bylaws. The GGP Manual and any amendments thereto are subject to a twenty-one (21) day public comment period at minimum, as well as Board oversight and review, as specified at Article X, Section 3.6 | **Section 2. Expedited Policy Development Process Manual**  The GNSO shall include a specific section(s) on the EPDP process as part of its maintenance of the GNSO Policy Development Process Manual (PDP Manual), described in Annex 2 of the GNSO Operating Procedures. The EPDP section(s) of the PDP Manual shall contain specific additional guidance on completion of all elements of an EPDP, including those elements that are not otherwise defined in these Bylaws. The PDP Manual and any amendments thereto are subject to a twenty-one (21) day public comment period at minimum, as well as Board oversight and review, as specified at Article X, Section 3.6. |
|  | **Section 3. Initiation of the GGP**    The Council may initiate a GGP as follows:  The Council may only initiate the GGP by a vote of the Council. Initiation of a GGP requires a vote as set forth in Article X, Section 3, paragraph 9.[X] in favor of initiating the GGP.  The request to initiate a GGP must be accompanied by a GGP scoping document, which is expected to include at a minimum the following information:   * Name of Council Member / SG / C * Origin of issue (e.g., board request) * Scope of the effort (detailed description of the issue or question that the GGP is expected to address) * Proposed GGP mechanism (e.g. WG, DT, individual volunteers) * Method of operation, if different from GNSO Working Group Guidelines * Decision-making methodology for GGP mechanism, if different from GNSO Working Group Guidelines * Desired completion date and rationale | **Section 3. Initiation of the EPDP**  The Council may initiate an EPDP as follows:  The Council may only initiate the EPDP by a vote of the Council. Initiation of an EPDP requires an affirmative Supermajority vote of the Council (as defined in these Bylaws) in favor of initiating the EPDP.  The request to initiate an EPDP must be accompanied by an EPDP scoping document, which is expected to include at a minimum the following information:   1. Name of Council Member / SG / C; 2. Origin of issue (e.g. previously completed PDP); 3. Scope of the effort (detailed description of the issue or question that the EPDP is expected to address); 4. Description of how this issue meets the criteria for an EPDP, i.e. how the EPDP will address either: (1) a narrowly defined policy issue that was identified and scoped after either the adoption of a GNSO policy recommendation by the ICANN Board or the implementation of such an adopted recommendation, or (2) new or additional policy recommendations on a specific GNSO policy issue that had been scoped previously as part of a PDP that was not completed or other similar effort, including relevant supporting information in either case; 5. If not provided as part of item 4, the opinion of the ICANN General Counsel as to whether the issue proposed for consideration is properly within the scope of the ICANN’s mission, policy process and more specifically the role of the GNSO; 6. Proposed EPDP mechanism (e.g. WG, DT, individual volunteers); 7. Method of operation, if different from GNSO Working Group Guidelines; 8. Decision-making methodology for EPDP mechanism, if different from GNSO Working Group Guidelines; 9. Target completion date. |
|  | **Section 4. Council Deliberation**  Upon receipt of a Final Recommendation(s) Report, whether as the result of a GGP Team or otherwise, the Council chair will (i) distribute the Final Recommendation(s) Report to all Council members; and (ii) call for Council deliberation on the matter in accordance with the GGP Manual.  The Council approval process is set forth in Article X, Section 3, paragraph 9 [X] as supplemented by the GGP Manual. | **Section 4. Council Deliberation**  Upon receipt of an EPDP Final Recommendation(s) Report, whether as the result of an EPDP Team or otherwise, the Council chair will (i) distribute the Final EPDP Recommendation(s) Report to all Council members; and (ii) call for Council deliberation on the matter in accordance with the PDP Manual.  Approval of EPDP Recommendation(s) requires an affirmative vote of the Council meeting the thresholds set forth in in Article X, Section 3, paragraphs 9(d) to (f), as supplemented by the PDP Manual. |
|  | **Section 5. Preparation of the Board Report**  If the GGP recommendations contained in the Final Recommendation(s) Report are approved by the GNSO Council, a Recommendations Report shall be approved by the GNSO Council for delivery to the ICANN Board. | **Section 5. Preparation of the Board Report**  If the EPDP Recommendation(s) contained in the Final EPDP Recommendation(s) Report are approved by the GNSO Council, a Recommendation(s) Report shall be approved by the GNSO Council for delivery to the ICANN Board. |
|  | **Section 6. Board Approval Processes**  The Board will meet to discuss the GNSO Guidance recommendation(s) as soon as feasible, but preferably not later than the second meeting after receipt of the Board Report from the Staff Manager. Board deliberation on the GGP Recommendations contained within the Recommendations Report shall proceed as follows:  a. Any GGP Recommendations approved by a GNSO Supermajority Vote shall be adopted by the Board unless, by a vote of more than two-thirds (2/3) of the Board, the Board determines that such guidance is not in the best interests of the ICANN community or ICANN. If the GNSO guidance recommendation(s) was (were) approved by less than a GNSO Supermajority Vote, a majority vote of the Board will be sufficient to determine that such guidance is not in the best interests of the ICANN community or ICANN.  b. In the event that the Board determines, in accordance with paragraph a above, that the proposed GNSO Guidance recommendation(s) adopted by a GNSO Supermajority Vote or less than a GNSO Supermajority vote is not in the best interests of the ICANN community or ICANN (the Corporation), the Board shall (i) articulate the reasons for its determination in a report to the Council (the "Board Statement"); and (ii) submit the Board Statement to the Council.  c. The Council shall review the Board Statement for discussion with the Board as soon as feasible after the Council's receipt of the Board Statement. The Board shall determine the method (e.g., by teleconference, e-mail, or otherwise) by which the Council and Board will discuss the Board Statement.  d. At the conclusion of the Council and Board discussions, the Council shall meet to affirm or modify its recommendation, and communicate that conclusion (the "Supplemental Recommendation") to the Board, including an explanation for the then-current recommendation. In the event that the Council is able to reach a GNSO Supermajority Vote on the Supplemental Recommendation, the Board shall adopt the recommendation unless more than two-thirds (2/3) of the Board determines that such guidance is not in the interests of the ICANN community or ICANN. For any Supplemental Recommendation approved by less than a GNSO Supermajority Vote, a majority vote of the Board shall be sufficient to determine that the guidance in the Supplemental Recommendation is not in the best interest of the ICANN community or ICANN. | **Section 6. Board Approval Processes**  The Board will meet to discuss the EPDP recommendation(s) as soon as feasible, but preferably not later than the second meeting after receipt of the Recommendations Report from the Staff Manager. Board deliberation on the EPDP Recommendations contained within the Recommendations Report shall proceed as follows:  a. Any EPDP Recommendations approved by a GNSO Supermajority Vote shall be adopted by the Board unless, by a vote of more than two-thirds (2/3) of the Board, the Board determines that such policy is not in the best interests of the ICANN community or ICANN. If the GNSO Council recommendation was approved by less than a GNSO Supermajority Vote, a majority vote of the Board will be sufficient to determine that such policy is not in the best interests of the ICANN community or ICANN.  b. In the event that the Board determines, in accordance with paragraph a above, that the proposed EPDP Recommendations are not in the best interests of the ICANN community or ICANN (the Corporation), the Board shall (i) articulate the reasons for its determination in a report to the Council (the "Board Statement"); and (ii) submit the Board Statement to the Council.  c. The Council shall review the Board Statement for discussion with the Board as soon as feasible after the Council's receipt of the Board Statement. The Board shall determine the method (e.g., by teleconference, e-mail, or otherwise) by which the Council and Board will discuss the Board Statement.  d. At the conclusion of the Council and Board discussions, the Council shall meet to affirm or modify its recommendation, and communicate that conclusion (the "Supplemental Recommendation") to the Board, including an explanation for the then-current recommendation. In the event that the Council is able to reach a GNSO Supermajority Vote on the Supplemental Recommendation, the Board shall adopt the recommendation unless more than two-thirds (2/3) of the Board determines that such guidance is not in the interests of the ICANN community or ICANN. For any Supplemental Recommendation approved by less than a GNSO Supermajority Vote, a majority vote of the Board shall be sufficient to determine that the guidance in the Supplemental Recommendation is not in the best interest of the ICANN community or ICANN. |
|  | **Section 10. Implementation of Approved GNSO Guidance**  Upon a final decision of the Board adopting the guidance, the Board shall, as appropriate, give authorization or direction to ICANN staff to implement the GNSO Guidance. If deemed necessary, the Board may direct ICANN Staff to work with the GNSO Council to create a guidance implementation plan, if deemed necessary, based upon the guidance recommendations identified in the Final Recommendation(s) Report. | **Section 10. Implementation of Approved Policies**  Upon a final decision of the Board adopting the EPDP recommendations, the Board shall, as appropriate, give authorization or direction to ICANN staff to implement the EPDP Recommendations. If deemed necessary, the Board shall direct ICANN staff to work with the GNSO Council to create a guidance implementation plan, based upon the guidance recommendations identified in the Final EPDP Recommendation(s) Report. |
|  | **Section 11. Maintenance of Records**  Throughout the GGP, from initiation to a final decision by the Board, ICANN will maintain on the Website, a status web page detailing the progress of each GGP issue. Such status page will outline the completed and upcoming steps in the GGP process, and contain links to key resources (e.g. Reports, Comments Fora, GGP Discussions, etc.). | **Section 11. Maintenance of Records**  Throughout the EPDP, from initiation to a final decision by the Board, ICANN will maintain on the Website, a status web page detailing the progress of each EPDP issue. Such status page will outline the completed and upcoming steps in the EPDP process, and contain links to key resources (e.g. Reports, Comments Fora, EPDP Discussions, etc.). |
|  | **Section 12. Additional Definitions**  "Comment Site", "Comment Forum", "Comments For a" and "Website" refer to one or more websites designated by ICANN on which notifications and comments regarding the GGP will be posted.  "Supermajority Vote" means a vote of more than sixty-six (66) percent of the members present at a meeting of the applicable body, with the exception of the GNSO Council.  "GGP Staff Manager" means an ICANN staff person(s) who manages the GGP.  "GNSO Supermajority Vote" shall have the meaning set forth in the Bylaws. | **Section 12. Applicability**  The procedures of this Annex E shall be applicable from [date] onwards. |

1. As per the ICANN Bylaws: ‘1. A member of the ICANN staff shall be assigned to support the GNSO, whose work on substantive matters shall be assigned by the Chair of the GNSO Council, and shall be designated as the GNSO Staff Manager (Staff Manager)’. [↑](#footnote-ref-1)
2. As per the ICANN Bylaws: ‘"GGP Staff Manager" means an ICANN staff person(s) who manages the GGP)’. [↑](#footnote-ref-2)