

# ICANN | GNSO

Generic Names Supporting Organization

## Preliminary Issue Report on a Policy Development Process to [Issue Title]

### Status of This Document

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This Preliminary Issue Report has been drafted by ICANN Policy Support Staff and published for Public Comment. Staff will review all comments and, based on the feedback, make any necessary amendments in order to forward the Final Issue Report to the GNSO Council for its consideration.

### Preamble

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On [Date], the GNSO Council passed a motion, requesting ICANN's Policy Support Staff to draft a Preliminary Issue Report on [Issue]. The objective of this Preliminary Issue Report is for Staff to assess all relevant issues related to the GNSO Council request and, following Community Input during the Public Comment phase, to recommend a course of action to the GNSO Council. It remains the GNSO Council's prerogative to either follow Staff recommendations or to pursue alternative action.

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## 1 Executive Summary

### 1.1 Discussion of the issue

[Lay out the issues at hand, including why the Council requested a Preliminary Issue Report, and provide an overview of any related work efforts and documentation to-date.]

### 1.2 Staff recommendation

ICANN staff has confirmed that the proposed issue is within the scope of the GNSO's Policy Development Process [see Section XX].

[Provide summary of Staff Recommendations].

### 1.3 Next steps

In accordance with the GNSO PDP rules, the Staff Manager will publish the Preliminary Issue Report for public comment in order to allow for Community input on additional information, or the correction or updating of any information provided so far. Following review of the public comments, the Staff Manager will update the Preliminary Issue Report and submit a summary of the comments received together with the Final Issue Report to the GNSO Council for its consideration and potential action.

## 2 Procedural Foundation

### 2.1 Grounds for submission

This Preliminary Issue Report is submitted in accordance with Step 2 of the Policy Development Process described in Annex A of the ICANN Bylaws.<sup>1</sup>

### 2.2 The identity of the party submitting the request

[The GNSO Council / ICANN Board]

### 2.3 Support for the issue to initiate a PDP

On [date] the GNSO Council passed a resolution requesting that “[quote resolution].”<sup>2</sup>

### 2.4 How that party is affected by the issue

The [issue] has [direct/indirect] impact on the business operations of Registries and Registrars and provides [value/services/remedies/or similar] to Registrants because [insert reason]. Therefore, [issue] affects [all/most/many] of the GNSO’s Stakeholder Groups (SGs) and Constituencies (Cs). Recommendations that may be developed as a result of a GNSO PDP on [issue] may also be of interest to other ICANN Supporting Organizations (SOs) and Advisory Committees (ACs) because [insert reason is applicable].

### 2.5 Issue under consideration

[Summary of the Issue as put forward in the GNSO motion that requested this Preliminary Issue Report].

### 2.6 Legal scope to launch Policy Development Process

Based on the documentation above, the launch of a dedicated policy development process (PDP) to consider, at a minimum, the issues identified in this Preliminary Issue Report has been confirmed by ICANN’s General Counsel to be properly within the scope of the GNSO as well as the ICANN Policy Development Process.

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<sup>1</sup> See: <http://www.icann.org/general/bylaws.htm#AnnexA>.

<sup>2</sup> See [add link]



## 3 Discussion of Issues

### 3.1 Overview of Issues

This Section provides an overview of all relevant issues related to the GNSO Council request for this Preliminary Issue Report. In addition, it provides references to relevant documentation, ongoing and completed work efforts, and other applicable information.

#### 3.1.1 [Issue 1]

#### 3.1.2 [Issue 2]

#### 3.1.3 [Issue 3]

#### 3.1.4 Relevant Documentation and Reports

- Report 1
- Report 2
- Report 3

### 3.2 Potential issues to be considered in a PDP on [issue]

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#### 3.2.1 Issues to be considered

#### 3.2.2 Possible Impact on Human Rights

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[This section describes whether consideration of this issue is expected to impact human rights. For further information about ICANN and the ICANN Community's work on human rights, please see <https://community.icann.org/x/RAPCCw>. If the issue is expected to impact human rights, please provide further details on a\) the groups](#)

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expected to be impacted and b) the expected severity of the impact (high / medium / low).

### 3.2.3 Objectives of a possible PDP

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A potential [issue] Policy Development Process (RPM PDP) would, at a minimum, deal with [insert detailed objectives].

The outcomes of a potential [issue] PDP Working Group may include:

- Describe outcome
- Describe outcome
- Describe outcome

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### 3.2.4 Questions and issues to be analyzed in a possible PDP

[Provide summary and reasoning of questions that require answering/analysis. Bullet points, in case of a large volume of issues, could also feature].

- Issue 1
- Issue 2
- Issue 3

### 3.2.5 Other factors relevant to the decision whether to initiate a PDP

[Add any other issues that the GNSO Council might want/need to consider when deciding whether to launch a PDP].

## 4 Staff Recommendation

### 4.1 General Council recommendation

#### 4.1.1 Scope considerations

ICANN's General Council's office determined that the issue [issue] is within the scope of the ICANN policy process and the scope of the GNSO. In reaching that determination, the General Counsel's office and ICANN Policy Support Staff have considered the following factors:

#### 4.1.2 Whether the issue is within the scope of ICANN's mission statement

ICANN's mission statement states that ICANN should '[coordinate] the operation and evolution of the DNS root name server system; [and coordinate] policy development reasonability and appropriately related to these technical functions.'<sup>3</sup> The review of [issue] falls within the coordination function stated in ICANN's mission statement.

#### 4.1.3 Whether the issue is broadly applicable to multiple situations or organizations

[Issue] affects [Registries/Registrars], as well as other stakeholders such as [registrants, non-for-profit organizations/rights holders/businesses/internet connectivity providers/others].

Describe why/how they are affected.

Other ICANN Supporting Organizations and Advisory Committees will also likely be interested in the issue and the outcomes of a PDP, given the [likely/potential] impact of these policies and processes on Internet users and the general public.

#### 4.1.4 Whether the issue is likely to have lasting value of applicability

[Describe why and how the review of the issues will have lasting value. Potentially point out that future review might be useful/necessary].

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<sup>3</sup> <https://www.icann.org/resources/pages/governance/bylaws-en/#/>



#### 4.1.5 Whether the issue implicates or affects ICANN Consensus Policy

The review of [issue], would [affect/create] [existing/newly created ICANN Consensus Policy/Policies].

[Add how it would do so].

[Add whether it will establish a guide or framework for future decision-making].

#### 4.2 Policy Support Staff recommendations

ICANN Staff confirms that the issue of [issue] is within the scope of the GNSO's Policy Development Process as outlined in the ICANN Bylaws.

[Provide balanced reasoning why the launch of a PDP is or is not recommended].

[For various reasons, Staff may also recommend specific steps or solicit specific community feedback during the public comment period – these can be added here either in the same paragraph or under additional headlines/paragraphs].

## 5 Next Steps

In accordance with the GNSO PDP rules, Staff will publish the Preliminary Issue Report for public comment in order to allow for Community input on additional information, or the correction or updating of any information provided so far. Following review of the public comments, Staff will update the Preliminary Issue Report and submit a summary of the comments received together with the Final Issue Report to be forwarded to the GNSO Council for its consideration. The GNSO Council will then vote on the staff recommendations, as to whether or not to go ahead and initiate a PDP on [issue] and, if so, whether or not to adopt or amend (e.g. by forming a Drafting Team to review) the Charter appended to the Final Issue Report – a draft version of which can be found in Annex A of this Preliminary Issue Report. It should be noted that the GNSO Council is not bound by Staff recommendations, and, if it chooses to do so, may pursue alternative actions to those proposed in this Preliminary or indeed the Final Issue Report.

## 6 Annex A Preliminary Charter

[Insert Charter document here]