

**Main changes in the PDP-WT Updated Final Report (28 September 2011)  
compared to the Final Report (31 May 2011)**

Updated Final Report	Reason for Change
Edits to mark status of report and explanation of process used to develop the Updated Final Report	Publication of updated version of report
Consistent use of fractions instead of percentages	In response to public comment received <sup>1</sup>
Added footnote to clarify that once the new PDP has been adopted, ICANN Staff will develop graphics, which are intended to be descriptive of the approved process and serve to facilitate understanding of the approved process	In response to public comment received
Recommendation 6 – Creation of an Issue Report. Added following sentence: ‘In addition, the WT also recommends that changing ‘Staff Manager’ to ‘ICANN Staff’ because it recognizes that both the determination of “in scope” as well as whether a PDP should be initiated involves a number of different persons and departments within ICANN’. Also updated in Annex A, Section 3.	In response to public comment received
Recommendation 23 – Mode of operation for a PDP. Modified last sentence to read: ‘Any <del>such</del> new working methods <b>or groups</b> must contain each of the mandatory elements set forth in the ICANN Bylaws and PDP Manual. Also updated in PDP Manual.	In response to public comment received
Recommendation 29 – Guidance on Public Comment Periods. Removed one word: ‘The PDP-WT recommends providing further guidance in the PDP Manual on how to conduct public comment periods and review public comments received. Such guidance should include the expectation that public comments are carefully considered and analyzed by the WG; encouraging WGs to explain their rationale for agreeing or disagreeing with the <del>different</del> comments received and, if appropriate, how these will be addressed in the report of the WG, and; other means to solicit input than the traditional public comment forums such as surveys’. Also updated in PDP Manual.	In response to public comment received
Recommendation 37 – Timing of consideration of Final Report. Removed one word: ‘The PDP-WT recommends modifying clause 10 – “Council	In response to public comment received

<sup>1</sup> For further details regarding public comments received and WT response to those comments, please see [public comment review tool](#).

<p>Deliberations of Annex A” of the ICANN Bylaws to reflect current practice and requirements in the rules of procedure to consider a report if it is received at least eight (8) days in advance of a Council meeting, otherwise the report shall be considered at the next Council meeting. In addition, the PDP-WT recommends adding language to codify the current practice that any <del>voting</del> Council member can request the deferral of the consideration of a final report for one Council meeting’. Also updated in PDP Manual.</p>	
<p>Recommendation 38 – Consideration of Working Group Recommendations. Added additional wording: The PDP-WT recommends providing additional guidance to GNSO Council in the PDP Manual on how to treat Working Group recommendations, especially those that have not received full consensus and the expected / desired approach to adoption of some, but not all, or rejection of recommendations. PDP WGs should be encouraged to indicate which, if any, recommendations are interdependent so the GNSO Council can take this into account as part of their deliberations. The Council should be <b>cautious and is strongly discouraged</b> from separating recommendations that the PDP WT has identified as interdependent <b>and should not take any decisions to do so lightly</b>. The PDP-WT would like to express its concern about the GNSO Council ‘picking and choosing’ or modifying recommendations, but recognizes that this is the <b>GNSO Council’s</b> prerogative. The PDP-WT would like to encourage the GNSO Council that where it does have concerns or would propose changes to recommendations, it passes these concerns and/or recommendations for changes back to the respective PDP Working Group for their input.</p>	<p>In response to public comment received.</p>
<p>Recommendation 40 – Voting Thresholds. Updated wording: ‘The PDP-WT discussed whether the voting thresholds currently in place might need to be reviewed (see also overarching issues) but agrees that this issue should be <del>covered as part of the next overall review of the GNSO</del> <b>addressed by the GNSO when deemed appropriate and/or necessary</b>. The WT does note that it has proposed two new voting thresholds in relation to the adoption of the WG Charter (see recommendation 18), as well as a new voting threshold for the termination of a PDP (see</p>	<p>In response to public comment received</p>

<p>recommendation 36), and the definition of “Supermajority Vote” (see recommendation 47)’.</p>	
<p>NEW Recommendation 48 – Simplify Section 3.9 Of Article X. Added new recommendation: <b>‘In the last sentence of section 3.9 Article X of the ICANN Bylaws, it should be sufficient to say ‘the GNSO Supermajority vote threshold will have to be met or exceeded’ as the clause ‘with respect to any contracting party affected by such contract provision’ is irrelevant. As a result, the WT recommends that this provision is updated accordingly’.</b></p>	<p>In response to public comment received</p>
<p>Section 3 – Overarching Issues. Added clarification: <b>‘It should be noted that this section contains the deliberations of the WT on these issues, which did not all result into recommendations for the new Annex A or PDP Manual (it has been indicated in the text where the deliberations specifically relate to one of the recommendations in section 2)’.</b></p>	<p>In response to public comment received</p>
<p>Section 3 – Timing of the consideration of Final Issue Report by the GNSO Council. Updated language: <b>‘At the request of any Council member, for any reason, consideration of the Final Issue Report may be postponed by not more than one (1) meeting, provided that the Council member details the rationale for such a postponement. Consideration of the Final Issue Report may only be postponed for a total of one (1) meeting, even if multiple Council members request postponement’.</b></p>	<p>Updated to ensure consistency with other sections of the report</p>
<p>Section 3 – Consideration of Final Report by GNSO Council / PDP Manual. Updated language: <b>‘The GNSO Council is strongly encouraged to allow sufficient time for Stakeholder Group, Constituency and Councillor review of the Final Report prior to a motion being made to formally adopt the Final Report. However, the GNSO Council is also encouraged to take formal action on a Final 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 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 Report may only be postponed for a total of one (1) meeting, even if multiple Council members request postponement. (See Recommendation 37)’.</b> Also updated in PDP</p>	<p>Updated as a result of additional deliberations of the WT inspired by some of the comments received</p>

Manual.	
Section 3 – Consideration by the ICANN Board. Updated language: <b>‘The Board should meet to discuss the GNSO Council recommendation(s) as soon as feasible, but preferably not later than the second meeting after receipt of the Board Report from the Staff Manager’</b> . Also updated in Annex A, Section 8, Board Approval Process.	In response to public comment received
Section 3 – Translation. Updated language: ‘Public comments should be received in other languages and where feasible <b>and when that occurs</b> , these comments should also be translated <del>back</del> into English’.	In response to public comment received
Section 3 – Voting Thresholds: Added sentence to h): <b>‘However, in the end, the WT did not consider it within its remit to dictate timeframes that apply to Board and opted not to include a proposed timeframe in the new Annex A’</b> .	In response to public comment received
Section 3 – Voting Thresholds: Added clarification to l): <b>‘It should be noted that this specific provision is not included as part of the proposed new Annex A’</b> .	In response to public comment received
Annex A – Section 3 – Requesting an Issue Report. Added language to Board Request: <b>‘In the event the Board makes a request for an Issue Report, the Board should provide a mechanism by which the GNSO Council can consult with the Board to provide information on the scope, timing, and priority of the request for an Issue Report’</b> .	In response to public comment received