

GNSO Operating Procedures v3.1

Annotated Guide to Revisions

16 February 2016

Background:

This is an annotated guide to the combined revisions as a result of GNSO Council actions occurring between 24 June 2015 and 21 October 2015, and following ICANN Bylaws changes posted on 16 February 2016.

1. Addition of the GNSO Expedited Policy Development Process and the GNSO Guidance Process

On 24 June 2015 the GNSO Council recommended that the ICANN Board of Directors adopt the new GNSO Processes as reflected in the Annexes D and E for the GNSO Guidance Process and Annexes F and G for the GNSO Expedited Policy Development Process as outlined in the Policy & Implementation Final Recommendations Report. See <http://gns0.icann.org/en/drafts/policy-implementation-recommendations-01jun15-en.pdf> and the motion at: <https://community.icann.org/display/gnsocouncilmeetings/Motions+24+June+2015>.

In addition, the GNSO Council recommended that the GNSO Expedited Policy Development Process and GNSO Guidance Process shall be available for use by the GNSO Council following adoption of any necessary changes to the ICANN Bylaws by the ICANN Board.

a. Revision of the ICANN Bylaws:

The revised ICANN Bylaws were completed and posted on 16 February 2016. The revisions in the Bylaws appear in Article X: Generic Names Support Organization, Section 3(9) with the new voting thresholds as follows posted at <https://www.icann.org/resources/pages/governance/bylaws-en#X>:

l. Initiation of an Expedited Policy Development Process (EPDP): requires an affirmative vote of a GNSO Supermajority.

m. Approve an EPDP Team Charter: requires an affirmative vote of a GNSO Supermajority.

n. Approval of EPDP recommendations: requires an affirmative vote of a GNSO Supermajority.

o. Approve an EPDP Recommendation Imposing New Obligations on Certain Contracting Parties: where an ICANN contract provision specifies that “a two-thirds vote of the council” demonstrates the presence of a consensus, the GNSO Supermajority vote threshold will have to be met or exceeded.

- p. Initiation of a GNSO Guidance Process (GGP): requires an affirmative vote of more than one-third (1/3) of each House or more than two-thirds (2/3) of one House.
- q. Rejection of initiation of a GGP requested by the ICANN Board: requires an affirmative vote of a GNSO Supermajority.
- r. Approval of GGP recommendations: requires an affirmative vote of a GNSO Supermajority.

The GNSO Expedited Policy Development Process and GNSO Guidance Process are added to the Bylaws as Annex A-1 at <https://www.icann.org/resources/pages/governance/bylaws-en#AnnexA1> and Annex A-2 at <https://www.icann.org/resources/pages/governance/bylaws-en#AnnexA2>.

b. Changes to the GNSO Operating Procedures:

The additional of Annex A-1 and A-2 necessitated changes to the GNSO Operating Procedures, APPENDIX 1: GNSO Council Voting Results Table to include the new voting thresholds as described above. In addition, the GNSO Expedited Policy Development Process and the GNSO Guidance Process are included in the GNSO Operating Procedures as Annex 4 and 5, respectively.

2. Addition of New Section in Section 4.3 Motion and Votes

As per the motion described in 1 above and approved by the GNSO Council on 24 June 2015, Section 4.3 Motion and Votes was amended to include 4.3.5, which adds a provision that clarifies that parallel efforts on similar/identical topics should be avoided as outlined in recommendation #3 of the Final Policy & Implementation Final Recommendations Report referenced above.

3. New Proposed Process for the Selection of Board Seat #13 by the Contracted Parties House

On 24 September 2015, in its Consent Agenda the GNSO Council adopted the addition to the GNSO Operating Procedures of a proposed process for the selection of Board seat #13 by the Contracted Parties House (per current rules in the Operating Procedures concerning the selection of Board seats by each House). See <http://gns0.icann.org/en/meetings/agenda-council-24sep15-en.htm>. The process has been added to version 3.1 of the GNSO Operating Procedures as Annex 6.

4. Revisions to Annex 1 GNSO Working Group Guidelines and Annex 2 Policy Development Process Manual per the Data and Metrics Working Group Recommendations

On 21 October 2015 the GNSO Council approved a motion to approve the Data and Metrics Working Group Recommendations (non-PDP) as detailed in the Final Report at: <http://gns0.icann.org/en/issues/dmpm-final-09oct15-en.pdf>. See the motion at <https://community.icann.org/display/gnsocouncilmeetings/Motions+21+October+2015>.

Some of the recommendations in the Final Report resulted in revisions to the GNSO Operating Procedures as follows:

- Recommendation 2 directs staff to update Annex 2 of the GNSO Operating Procedures, Policy Development Process Manual, Section 9, Outcomes and Processes, concerning early outreach in regards to audience scope and quantitative input.
- Recommendation 3 directs staff to create and publish new templates of the Issue Report, Charter, and Final Report templates in Annex 1 of the GNSO Operating Procedures, Working Group Guidelines, Section 5, Products and Outputs.
- Recommendation 6 directs staff to update Annex 2 Policy Development Process Manual, by adding a new Section 4.5 2 Metrics Request Decision Tree and Form.
- Recommendation 7 directs staff to import the Metrics Request Decision Tree found in Annex B and Metrics Request Form found in Annex C of the Final Report into Annex 1 Working Group Guidelines.

These recommendations resulted in the revisions included in version 3.1 of the GNSO Operating Procedures.