

GNSO Empowered Community Roles and Responsibilities – GNSO Operating Procedures Templates and Guideline Development

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Briefing to ccNSO Guidelines Review Committee
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Background

- January 2018: Adoption by the GNSO Council of revised voting thresholds in ICANN Bylaws and Operating Procedures;
- May 2018:
 - Adoption by the ICANN Board of Directors of the proposed modifications to the ICANN Bylaws;
 - Staff outlined additional proposed steps to be taken to ensure preparedness as well as facilitate the ability for the GNSO Council to act in relation to the new roles and responsibilities outlined in the post-transition Bylaws;
 - GNSO Council was requested to review the proposed next steps and to provide feedback whether it is supportive of these proposed next steps or whether modifications should be considered;
- June 2018: Revised Bylaws and GNSO Operating Procedures published, following 30-day review by Empowered Community;

Current Status

- ⦿ Staff has developed first drafts of templates and suggestions for where guidelines might be needed;
- ⦿ GNSO Drafting Team established in January 2019 to draft final guidelines and templates;
- ⦿ Drafting Team is developing draft documents;
- ⦿ Goal is to present final proposed guidelines and templates to the GNSO Council for consideration at its ICANN65 meeting;
- ⦿ Any changes to GNSO Operating Procedures will need to be posted for public comment and then formally approved by the GNSO Council.

Drafting Team Members

	Member	Affiliation
1	Maxim Alzoba	RySG
2	Erica Varlese	RySG
3	David McAuley	RySG
4	Heather Forrest (chair)	IPC
5	Steve DelBianco	BC
6	Wolf-Ulrich Knoblen	ISPCP
7	Stephanie Perrin	NCSG
8	Farzaneh Badii	NCSG
9	Juan Manuel Rojas	NCSG
10	Tatiana Tropina	NCSG

Note: The RrSG's representative recently had to resign and we are seeking a replacement.

Actions Needing Templates and/or Guidance

- ⦿ **Article 4 (Accountability and Review): 4.3 Independent Review Process (IRP) for covered ICANN actions; Annex D: EC Mechanism: 4.2 Community IRP** - initiating an IRP, representation and payment, and decision to make the claim for Council consideration
- ⦿ **Section 18.12 Special IANA Naming Function Reviews (IFRs)** -- *proposed process for revising the procedures and outcomes and a consultation process developed with the ccNSO on whether to initiate the IFR*
- ⦿ **Section 1.3 approval action community forum and 2.3 rejection action community forum** – proposed process for input
- ⦿ **Section 2.2 petition process for specified actions** – rules for submitting petitions and identify representative
- ⦿ **Section 3.1 Nominating Committee Director removal process and section 3.3 Board recall process** -- representation, participation, and communication

18.12 Special IFRs

Per Section 18.12 of the ICANN Bylaws:

(a) A Special IFR may be initiated outside of the cycle for the Periodic IFRs to address any deficiency, problem or other issue that has adversely affected PTI's performance under the IANA Naming Function Contract and IANA Naming Function SOW [under] the following conditions:

(i) The Remedial Action Procedures of the CSC set forth in the IANA Naming Function Contract shall have been followed and failed to correct the PTI Performance Issue and the outcome of such procedures shall have been reviewed by the ccNSO and GNSO according to each organization's respective operating procedures;

(ii) The IANA Problem Resolution Process set forth in the IANA Naming Function Contract shall have been followed and failed to correct the PTI Performance Issue and the outcome of such process shall have been reviewed by the ccNSO and GNSO according to each organization's respective operating procedures.

18.12 Special IFRs – ccNSO/GNSO Coordination

- ⦿ Jointly determine the criteria for determining the trigger for an IFR:
 - How to determine/agree that the Remedial Action Procedures of the CSC set forth in the IANA Naming Function Contract shall have been followed and failed to correct the PTI Performance Issue;
 - How to determine/agree that the IANA Problem Resolution Process set forth in the IANA Naming Function Contract shall have been followed and failed to correct the PTI Performance Issue;
- ⦿ How to agree to jointly initiate an IFR;
- ⦿ How to communicate the joint IFR.