**GUIDELINES & MOTION TEMPLATES**

|  |
| --- |
| **Section 2.2 Petition Process for Specific Actions****Section 2.3 Rejection Action Community Forum****ANNEX D, ARTICLE 2 PROCEDURE FOR EXERCISE OF EC'S RIGHTS TO** **REJECT SPECIFIED ACTIONS** |

### 1. Introduction

Following the adoption by the GNSO Council of the revised GNSO Operating Procedures, as well as the proposed modifications to the ICANN Bylaws adopted by the ICANN Board of Directors on 13 May 2018, staff has outlined in the table below the additional proposed steps to be taken, including guidance and motion templates, 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. These steps fall within the GNSO’s existing processes and procedures.

### 2. Background

The processes set forth in this Article 2 of Annex D govern the escalation procedures for the EC's exercise of its right to reject the following (each, a "**Rejection Action**") under the Bylaws:

1. PTI Governance Actions, as contemplated by Section 16.2(d) of the Bylaws;
2. IFR Recommendation Decisions, as contemplated by Section 18.6(d) of the Bylaws;
3. Special IFR Recommendation Decisions, as contemplated by Section 18.12(e) of the Bylaws;
4. SCWG Creation Decisions, as contemplated by Section 19.1(d) of the Bylaws;
5. SCWG Recommendation Decisions, as contemplated by Section 19.4(d) of the Bylaws;
6. ICANN Budgets, as contemplated by Section 22.4(a)(v) of the Bylaws;
7. IANA Budgets, as contemplated by Section 22.4(b)(v) of the Bylaws;
8. Operating Plans, as contemplated by Section 22.5(a)(v) of the Bylaws;
9. Strategic Plans, as contemplated by Section 22.5(b)(v) of the Bylaws; and
10. Standard Bylaw Amendments, as contemplated by Section 25.1(e) of the Bylaws.

### Link to the graphics below: <https://www.icann.org/empowered_community_powers_file_download?file_name=download_english>

 

###

###

### 3. Bylaws and Additional Proposed Steps

### **A. ANNEX D, SECTION 2.2 PETITION PROCESS FOR SPECIFIED ACTIONS**

|  |  |  |
| --- | --- | --- |
| **2.2(b)** During the period beginning on the Rejection Action Board Notification Date and ending on the 21st day after the Rejection Action Board Notification Date, subject to the procedures and requirements developed by the applicable Decisional Participant, an individual may submit a petition to a Decisional Participant, seeking to reject the Rejection Action and initiate the Rejection Process (a “**Rejection Action** **Petition**”). | For this purpose, each GNSO Stakeholder Group and Constituency must develop clear rules for the submission of such petitions, including any requirements for the criteria to be included in a petition. These rules would be added to the GNSO Operating Procedures as an annex once available.GNSO Council action on the receipt, acceptance or rejection of a Rejection Action Petition will be put before the GNSO Council as a motion for consideration. The motion must be framed as a petition, and include the Bylaws-required rationale. Threshold for approval is a simple majority vote of each house, which per Section 11.3-I of the ICANN Bylaws is the default voting threshold and as such does not require any further change. | Staff to develop template for motion. Staff (to work with DT, if applicable) to develop proposed rules for submitting petitions. Staff would produce the initial draft of the rules, including the identification of specific issues / questions via a consultation with the Drafting Team and the Stakeholder Groups and Constituencies, to ensure consistencies in the rules. |
| **2.2(c)** A Decisional Participant that has received a Rejection Action Petition shall either accept or reject such Rejection Action Petition; provided that a Decisional Participant may only accept such Rejection Action Petition if it was received by such Decisional Participant during the Rejection Action Petition Period.(i) If, in accordance with the requirements of Section 2.2(c) of this Annex D, a Decisional Participant accepts a Rejection Action Petition during the Rejection Action Petition Period, the Decisional Participant shall promptly provide …written notice of such acceptance | The first part of this process is only triggered if the GNSO received a petition and accepts it according to its procedures. Notice of acceptance must include rationale, etc. as set forth in 2.2ciA. Then the GNSO will need to determine the process that it would follow to become a Supporting Decisional Participant if it receives notice of a petition from another DP. The GNSO will also need processes to identify its representative for the purpose of the petition to act as a liaison and how it will provide direction to that person. | Staff to develop template for motion as well as template for Rejection Action Supporting Petition. Staff (to work with DT, if applicable) to develop proposed processes to identify its representative for the purpose of the petition to act as a liaison and how it will provide direction to that person.It is expected that this process would fall under the GNSO’s existing processes and practices. |
| **2.2(d)** Following the delivery of a Rejection Action Petition Notice to the Empowered Community (EC) Administration pursuant to Section 2.2(c)(i) of this Annex D, the Rejection Action Petitioning Decisional Participant shall contact the EC Administration and the other Decisional Participants to determine whether any other Decisional Participants support the Rejection Action Petition. (i) If the Rejection Action Petitioning Decisional Participant obtains the support of at least one other Decisional Participant (a “**Rejection Action** **Supporting Decisional Participant**”) … the Rejection Action Petitioning Decisional Participant shall provide written notice, to include:(A) a supporting rationale in reasonable detail;(B) Contact information for at least one representative who has been designated by the Rejection Action Petition Decisional Participant who shall act as a liaison with respect to the Rejection Action Supported petition. (C) a statement as to whether or not the Rejection Action Petitioning Decisional Participant and/or the Rejection Action Supporting Decisional Participant requests that ICANN organize a conference call prior to the Rejection Action Community Forum for the community to discuss the Rejection Action Supported Petition;(D) a statement as to whether the Rejection Action Petitioning and Supporting Decisional Participants have determined to hold the Rejection Action Community Forum during the next scheduled ICANN public meeting.(E) a PDP Standard Bylaw Statement | The GNSO will need a process to draft the written notice and rationale (A)-(E) and approve it. | It is expected that this process would fall under the GNSO’s existing processes and practices. |

**B. ANNEX D, SECTION 2.3 REJECTION ACTION COMMUNITY FORUM**

|  |  |  |
| --- | --- | --- |
| **2.3(f)** ICANN and any SO or AC may deliver to the EC Administration in writing its views and questions on the Rejection Action Supported Petition prior to the convening of and during the Rejection Action Community Forum.  | EC will need to decide on a process for receiving and processing submissions; however, this section is not about GNSO participation in the EC, it is about how the GNSO will develop its inputs (views and questions) for consideration at the Community Forum. Once that process is agreed, then whatever is produced is sent for information and posting.  The GNSO will use existing practices and processes for collecting views and questions. | Staff to develop template for motion. Staff (to work with DT, if applicable) on proposed process for how the GNSO will develop its inputs (views and questions) for consideration at the Community Forum. It is expected that this process would fall under the GNSO’s existing processes and practices. |

### 4. GNSO Rejection Action Petitions

This section details the procedures to be followed, who may submit a Petition, how to submit a Petition to the GNSO as a Decisional Participant, and how the GNSO intends to accept or reject such petitions. All references to “notices” and “notification” in this section mean written notice, either as formal correspondence or email.

#### 4.1 Who is eligible to submit a Rejection Action Petition to the GNSO Council?

The GNSO Council will consider petitions from the GNSO Stakeholder Groups and Constituencies.

#### 4.2 Rejection Action Petition Submission Period, Requirements, Publication, and Certification

##### 4.2.1 Rejection Action Petition Submission Period

Within the first ten (10) days after the start of a Rejection Action Petition Period, any constituent listed in section 4.1 above may submit a Rejection Action Petition to the GNSO Council.

##### 4.2.2 Requirements for a Rejection Action Petition

A Rejection Action Petition should include at least the following:

* Name and affiliation of the Petitioner,
* If the Rejection Action Petition relates to a Standard Bylaw Amendment, a statement, if applicable, that the Standard Bylaw Amendment is based solely on the outcome of a PDP, citing the specific PDP and the provision in the Standard Bylaw Amendment subject to the Board Notice that implements that PDP. Additionally, the Rejection Action Petition must include the name of the Supporting Organization that is a Decisional Participant that undertook the PDP,
* If the Rejection Action Petition relates to an ICANN budget, an IANA(PTI) budget, an Operating Plan or a Strategic Plan, the Rejection Action Petition shall also include a clarification that the rationale is based on one or more significant issues that were specifically raised in the applicable public comment period(s) and that these issues relate to perceived inconsistencies with the ICANN mission, purpose and role set forth in ICANN’s Articles and Bylaws, the global public interest, the needs of ICANN’s stakeholders, ICANN’s financial stability or other matter of concern to the community.

##### 4.2.3 Rejection Action Petition Review and Certification

On receipt of a Rejection Action Petition submitted by an eligible constituent per Section 4.1 of this Guideline, the GNSO Secretariat will promptly circulate the Rejection Action Petition to the GNSO Council via the mailing list.

The GNSO leadership will determine within two (2) days after circulation of the Rejection Action Petition whether the Rejection Action Petition meets the requirements as set forth above and in Annex D Section 2.2 (c) (i) (A-B). If the GNSO Council leadership determines the Rejection Action Petition does not meet these requirements, the petitioner and the GNSO Council will be informed promptly in writing. The petitioner may revise and resubmit the Rejection Action Petition, however, the updated petition must be re-submitted no later than ten (10) days into the Rejection Action Petition Submission period (as defined in section 4.2.1 above).

If the GNSO Council leadership determines that a Rejection Action Petition meets the requirements for a Rejection Action Petition, the leadership will promptly inform the GNSO Council and request that the GNSO Secretariat publish the Rejection Action Petition and its certification on the GNSO website/wiki page. Once published, the GNSO Secretariat shall inform the Stakeholder Groups and Constituencies accordingly via the GNSO Council and the Stakeholder Group and Constituency mailing lists.

After closure of the Rejection Action Petition submission period (as defined in section 4.2.1 above), the GNSO Council Secretariat will publish on the GNSO website/Wiki all Rejection Action Petitions that did not satisfy the requirements set out in section 4.5.2 above, and the findings of a Rejection Action Petition Review Committee with respect to the certification of the Rejection Action Petition.

If no Rejection Action Petition has been submitted, or no Rejection Action Petition is certified at the closure of the submission period, the GNSO Council Chair will inform the GNSO Council, the Stakeholder Groups and Constituencies, and the GNSO’s representative to the EC Administration accordingly.

##### 4.2.4 GNSO Community Feedback on Certified Rejection Action Petition(s)

Upon publication of a certified Rejection Action Petition, the GNSO Stakeholder Groups and Constituencies will be asked to provide feedback, opinions or comments on the merits of the Rejection Action Petition. However, this feedback period will close on the fifteenth (15) day into the Rejection Action Petition Period. The GNSO support staff will categorize and summarize any comments received, and promptly post them to the GNSO Council list. The GNSO Secretariat shall promptly post the Rejection Action Petition Manager’s summary to the GNSO website/wiki.

##### 4.2.5 GNSO Council Decision on whether to accept a Rejection Action Petition

The GNSO Council shall meet either in person or via tele-conference no later than on the twentieth (20th) day of the Rejection Action Petition Period to decide whether or not to accept or reject the Rejection Action Petition(s). The decision shall be made by a simple majority vote.

Any Rejection Action Petition submitted by a GNSO Stakeholder Groups and Constituencies that has not been certified by the Rejection Action Petition Review Committee as meeting the requirements set forth in Annex D, Section 2.2(c)(i)(A-B) of the ICANN Bylaws shall not be considered by the GNSO Council.

In its meeting, the GNSO Council shall decide whether to support or reject the Rejection Action Petition(s).

In taking its decision the GNSO Council shall consider:

* the feedback, views and input received from the GNSO Stakeholder Groups and Constituencies regarding the Rejection Action Petition(s), if any;
* the importance of the matter for the GNSO Stakeholder Groups and Constituencies and other factors deemed relevant by the GNSO Council.

If the GNSO Council decides to support the Rejection Action Petition, it must decide:

* whether to request ICANN to hold a public conference call prior to the Rejection Action Community Forum; and
* whether to request that ICANN hold a Rejection Action Community Forum.

The GNSO Secretariat shall publish the GNSO Council decision on the GNSO website and/or wiki directly after it has been taken and inform the Stakeholder Groups and Constituencies accordingly via the Stakeholder Group and Constituency mailing lists. Additionally, the GNSO Secretariat shall inform the GNSO’s representative to the EC Administration.

If the GNSO Council has not reached a decision with respect to a submitted and certified Rejection Action Petition(s) by the end of the twentieth (20th) day of the Rejection Action Petition Period, the GNSO Council is deemed to have rejected the proposed Rejection Action Petition and the matter will be considered closed. The GNSO Secretariat shall inform the Stakeholder Groups and Constituencies accordingly via the GNSO Council and the Stakeholder Group and Constituency mailing lists, as well as publish it on the GNSO website and/or wiki. Additionally, the GNSO Secretariat shall inform the GNSO’s representative to the EC Administration.

##### 4.2.6 Informing the Community, other Decisional Participants and the EC Administration of Acceptance of the Rejection Action Petition

After the GNSO Council decides to accept the Rejection Petition(s), the GNSO Secretariat will promptly provide a Rejection Action Petition Notice to the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary. In accordance with the Bylaws (section 2.2(a)(i)(A)-(E)) the Rejection Action Petition Notice must include:

1. The Council Decision, and the rationale for their decision to accept the Rejection Petition.
2. The Rejection Petition and the rationale for the Petition.

##### 4.2.7 Solicitation of Support from other Decisional Participants

Immediately upon submission of the Rejection Action Petition Notice to the EC Administration and the other Decisional Participants as defined in the ICANN Bylaws, the GNSO’s Representative to the EC Administration, now acting on behalf of the GNSO as the Rejection Action Petitioning Participant, will contact the other Decisional Participants to invite other Decisional Participants to support the GNSO Rejection Action Petition.

The GNSO Secretariat shall post all correspondence between the Rejection Action Manager and other Decisional Participants, the ICANN Corporate Secretary, and the EC Administration on the GNSO website/or wiki space.

##### 4.2.8 Supported GNSO Rejection Action Petition

If the GNSO receives support for its Rejection Action Petition(s) from at least one other Decisional Participant within seven (7) days after closure of the Rejection Action Petition Period, the GNSO-initiated Rejection Action Petition shall be known as a Rejection Action Supported Petition. Within twenty-four (24) hours of receiving this support, the GNSO’s representative to the EC Administration will inform the GNSO Council, the GNSO Stakeholder Groups and Constituencies, the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary of having received the required support.

Additionally, the GNSO Representative to the EC will formally submit the Rejection Action Supported Petition to the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary. This submission will conform to the requirements set forth in Annex D Section 2.2(d)(i)(A-E) of the ICANN Bylaws and will include at a minimum the following:

* A supporting rationale in reasonable detail;
* Contact details for the Rejection Action Petition Manager;
* A statement as to whether a publically available conference call prior to the Rejection Action Community Forum is requested;
* A statement whether a Rejection Action Community Forum is requested; and
* A statement whether or not the Rejection Action Community Forum, should one be requested, be held during the next scheduled ICANN public meeting.

##### 4.2.9 No Support for GNSO Rejection Action Petition

If, at the end of the seventh (7th) day following the expiration of the Rejection Action Petition Period no other Decisional Participant has expressed support for the GNSO Rejection Action Petition(s), the process ends. The GNSO Representative to the EC shall notify the EC Administration of the lack of support for the Rejection Action Petition. Additionally, the Rejection Action Petition Manager shall inform the GNSO Council and the GNSO Stakeholder Groups and Constituencies that the Rejection Action Petition cannot go forward due to a lack of support from other Decisional Participants. The GNSO Secretariat will publish this information to the GNSO mailing lists and on the GNSO website/wiki.

**Timeline:** The following timeline per the ICANN Bylaws may assist the GNSO Council in its actions as a Decisional Participant with respect to Rejection Action Petitions.

*Note:*

* *Maximum date means the absolute last day certain action must occur*
* *Day 0 = the date when the GNSO Council has received the Rejection Action Board Notification*

|  |  |
| --- | --- |
| **Maximum Date** | **Action** |
| Day 0 | **Rejection Action Petition Submission Period starts** - Rejection Action Board Notification received |
| GNSO Secretariat schedules Special Meeting of the GNSO Council to occur no later than Day 20; the meeting is cancelled if the GNSO Council does not receive a Rejection Action Petition  |
| Day 10 | Petitioner submits Rejection Action Petition to Council |
| Day 12 | GNSO Council determines whether petition meets requirements and informs petitioner and Council (within 2 days of receipt of petition) |
| GNSO Secretariats requests feedback from GNSO Stakeholder Groups and Constituencies  |
| Day 15 | Deadline for Stakeholder Groups and Constituencies to provide feedback |
| Day 20 | GNSO Council meets to decide whether to accept or reject a petition |
| If the GNSO Council accepts a petition, the GNSO’s representative to the EC Administration invites other Decisional Participants to support the GNSO petition |
| Day 21 | **Rejection Action Petition Period expires at 11:59 PM PST** |
| Day 28 | Other Decisional Participant decides whether to support GNSO's Rejection Action Petition |

#### 4.3 Procedures for the GNSO Actions for Supporting a Rejection Action Petition from another Decisional Participant

This section details the procedures for when another Decisional Participant solicits the support of the GNSO to support a Rejection Action Petition(s). The period to seek support ends at the seventh (7th) day following the Rejection Action Petition Period (twenty-eight (28) days after the Rejection Action Board Notification Date). All references to “notices” and “notification” in this section mean written notice, either as formal correspondence or email.

##### 4.3.1 Scheduling of GNSO Council Meetings

Upon receipt of the Board Notification of a Rejection Action, the GNSO Chair will schedule a GNSO Council meeting to be held no later than the twenty-seventh (27th) day at 23:59 UTC after the Rejection Action Board Notification Date. The purpose of this meeting is for the GNSO Council to make a decision whether or not to support a Rejection Action Petition from another Decisional Participant.

##### 4.3.2 Receipt and Publication of a Request from another Decisional Participant to Support a Rejection Action Petition

Upon receipt of a request from another Decisional Participant to support a Rejection Action Petition(s), the Rejection Action Petition Manager shall notify the GNSO Council, and have the request posted on the GNSO website/wiki, and inform the community accordingly.

##### 4.3.3 Solicitation of Community Feedback

During a three (3) day period directly following the receipt of the request to support a Rejection Action Petition, GNSO Stakeholder Groups and Constituencies may submit their opinion on the merits of the GNSO becoming a Rejection Action Supporting Decisional Participant. Immediately upon the conclusion of this community feedback solicitation period, the GNSO leadership will have the comments received, if any, categorized and summarized, and post the summary to the GNSO Council list.

##### 4.3.4 GNSO Council Decision with Respect to Becoming a Rejection Action Supporting Decisional Participant

The GNSO Council shall convene either in person or via tele-conference no later than the twenty seventh (27th) day at 23.59 UTC from the date of the Rejection Action Board Notification Date to take a decision whether or not to support the Rejection Action Petition(s) from another Decisional Participant.

In making its decision, the GNSO Council will consider:

* any feedback, views, and input received from the GNSO Stakeholder Groups and Constituencies regarding the specific Rejection Action Petition;
* the importance of the matter for the GNSO Stakeholder Groups and Constituencies and other factors deemed relevant by the GNSO Council.

If the GNSO Council supports the Rejection Action Petition from another Decisional Participant, it must decide:

* whether to request ICANN to hold a publically available conference call prior to the Rejection Action Community Forum;
* whether to request ICANN to hold a Rejection Action Community Forum.

Whether the GNSO Council decides to support or not support the Rejection Action Petition from another Decisional Participant, the GNSO Secretariat shall inform the Stakeholder Groups and Constituencies GNSO Council’s decision accordingly via the GNSO Council and the Stakeholder Group and Constituency mailing lists, as well as publish it on the GNSO website and/or wiki. Additionally, the GNSO Secretariat shall inform the GNSO’s representative to the EC Administration.

##### 4.3.5 Notification to ICANN, other Decisional Participants, and the EC Administration

Within twenty four (24) hours of the GNSO Council’s decision to support the Rejection Action Petition of another Decisional Participant, the Rejection Action Petition Manager by written notice will inform the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary of the GNSO Council’s decision. In accordance with Annex D, Section 2.2 (d) (i) (A-E) the notice must include the following:

* A supporting rationale in reasonable detail;
* Contact details for the Rejection Action Petition Manager;
* A statement whether a publically available conference call prior to the Rejection Action Community Forum is requested;
* A statement as to whether a Rejection Action Community Forum is requested; and
* A statement as to whether the Rejection Action Community Forum, should one be requested, be held during the next scheduled ICANN public meeting.

**Timeline:** The following timeline per the ICANN Bylaws may assist the GNSO Council in its actions with respect to Rejection Action Petition from another Decisional Participant.

*Note:*

* *Maximum date means the absolute last day certain action must occur*
* *Day 0 = the date when the GNSO Council has received the Rejection Action Board Notification*

|  |  |
| --- | --- |
| **Maximum Date** | **Action** |
| Day 0 | **Rejection Action Petition Submission Period starts** - Rejection Action Board Notification received |
| GNSO Secretariat schedules Special Meeting of the GNSO Council to occur no later than Day 27; the meeting is cancelled if the GNSO Council does not receive a request for support from another Decision Participant for a Rejection Action Petition |
| Day 21 | GNSO receives the request to support another Decisional Participant's Rejection Action Petition |
| **Rejection Action Petition Period expires at 11:59 PM PST** |
| Day 24 | GNSO Stakeholder Groups and Constituencies submit feedback, if they wish to do so (within 3 days of receipt of request) |
| Day 27 | GNSO Council meets to decide whether to support another Decisional Participant’s Rejection Action Petition |
| GNSO Secretariat informs the Stakeholder Groups and Constituencies the Council decision accordingly and publishes it on the GNSO website and/or wiki |
| Day 28 | Rejection Action Petition manager informs the EC Administration, Decisional Participants, and the ICANN Corporate Secretary of the GNSO Council’s decision |

### 5. Developing Input to the Rejection Action Community Forum

#### 5.1 Rejection Action Community Forum

Following the ICANN announcement of convening the Rejection Action Community Forum, the GNSO’s representative on the EC Administration will inform the GNSO Council on the details of the Community Forum.

#### 5.2 Community Feedback

The GNSO’s representative on the EC Administration will request the GNSO Council to provide input and / or feedback from the Stakeholder Groups and Constituencies on support for, objection to, or abstention from the Rejection Action under consideration to inform the Rejection Action Community Forum. The input will be provided to the EC Administration by the GNSO’s representative to the EC Administration upon the decision of the GNSO Council via a vote of simple majority to approve the input. To determine the most appropriate course of action, the GNSO Council will take into account and will be guided by the matter for approval, the anticipated timelines, the importance of the matter under consideration for the GNSO community, and other factors deemed relevant by the GNSO Council.

#### 5.3 GNSO Council decision to support, object to or abstain from the Rejection Action

##### 5.3.1 Consultation Mechanism

Following the Rejection Action Community Forum and prior to taking a decision, the GNSO Council should consult the GNSO Stakeholder Groups and Constituencies via their representative GNSO Councillors. If such a consultation occurs, it will be announced on the GNSO Council list at least two (2) weeks before the scheduled date of the consultation, and in no event later than [replace it with “within”?] the 21-day Approval Action Decision Period per Section 2.4(a) of Annex D of the Bylaws.

##### 5.3.2 GNSO Council Decision and Informing the EC Administration

Section 2.4(a) of the ICANN Bylaws, DECISION WHETHER TO REJECT A REJECTION ACTION, states (as excerpted from the Bylaws):

1. Following the expiration of the Rejection Action Community Forum Period, at any time or date prior to 11:59 p.m. (as calculated by local time at the location of ICANN's principal office) on the 21st day after the expiration of the Rejection Action Community Forum Period (such period, the "**Rejection Action Decision Period**"), with respect to each Rejection Action Supported Petition, each Decisional Participant shall inform the EC Administration in writing as to whether such Decisional Participant (i) supports such Rejection Action Supported Petition and has determined to reject the Rejection Action, (ii) objects to such Rejection Action Supported Petition or (iii) has determined to abstain from the matter (which shall not count as supporting or objecting to such Rejection Action Supported Petition), and each Decisional Participant shall forward such notice to the Secretary for ICANN to promptly post on the Website. If a Decisional Participant does not inform the EC Administration of any of the foregoing prior to expiration of the Rejection Action Decision Period, the Decisional Participant shall be deemed to have abstained from the matter (even if such Decisional Participant informs the EC Administration of its support or objection following the expiration of the Rejection Action Decision Period).

Per the above section, the GNSO Council must decide and inform the EC Administration of its decision within twenty-one (21) days after the expiration of the Rejection Action Community Forum whether to support, object to, or abstain from the Rejection Action.

**Timeline:** The following is a suggested timeline to ensure that the GNSO Council is able to complete the above activities per the deadline. If the GNSO Council is unable to meet the deadline, its decision will automatically be recorded as an abstention.

*Note:*

* *Maximum date means the absolute last day certain action must occur*
* *Day 0 = the date when the Rejection Action Community Forum has expired.*

|  |  |
| --- | --- |
| **Maximum Date** | **Action** |
| Day 0 | **Expiration of the Rejection Action Community Forum**Schedule Special Meeting of the GNSO Council to occur within 14 days |
| Day 14 | Special Meeting of the GNSO Council to decide whether to support, object to, or abstain from the Rejection Action |
| GNSO Representative to the EC Administration conveys GNSO Council’s decision to the EC Administration and the ICANN Corporate Secretary |
| Day 21 | Deadline for decision by Decisional Participants to the EC to decide whether to support, object to, or abstain from the Rejection Action |

Within twenty-one (21) days after the expiration of the Rejection Action Community Forum, the GNSO Council will:

1. Take a decision via a simple majority vote on a motion whether to support, object to, or abstain from the Rejection Action;
2. Convey this decision to the EC Administration and the ICANN Corporate Secretary by the GNSO Representative to the EC Administration in writing.

In taking its decision, the GNSO Council shall consider: the feedback, views and input received from the GNSO Stakeholder Groups and Constituencies; the results of the Community Forum; the importance of the matter for the Stakeholder Groups and Constituencies, and other factors deemed relevant by the Council. GNSO Secretariat will publish the GNSO Council’s decision on the GNSO mailing lists and the GNSO website/wiki as soon as possible after it has been taken.

###

### 6. Motion Templates

1. **Motion to Approve/Reject A Rejection Action Petition**

|  |
| --- |
| **Made by:****Seconded by:**Whereas:1. Per Section 2.2(b) of Annex D, during the period beginning on the Rejection Action Board Notification Date and ending on the 21st day after the Rejection Action Board Notification Date (the "Rejection Action Petition Period"), subject to the procedures and requirements developed by the applicable Decisional Participant, an individual may submit a petition to a Decisional Participant, seeking to reject the Rejection Action and initiate the Rejection Process (a "Rejection Action Petition").2. Per Section 2.2(c) of Annex D, a Decisional Participant that has received a Rejection Action Petition shall either accept or reject such Rejection Action Petition; provided that a Decisional Participant may only accept such Rejection Action Petition if it was received by such Decisional Participant during the Rejection Action Petition Period.3. Per Section 2.2(c)(i)(A) of Annex D, the Rejection Action Petition shall include the rationale upon which rejection of the Rejection Action is sought. 4. Per Section 2.2(c)(i)(B) of Annex D, where the Rejection Action Petition Notice relates to a Standard Bylaw Amendment, the Rejection Action Petition shall include a statement that the Standard Bylaw Amendment is based solely on the outcome of a PDP, citing the specific PDP and the provision in the Standard Bylaw Amendment subject to the Board Notice that implements such PDP ("PDP Standard Bylaw Statement") and the name of the Supporting Organization that is a Decisional Participant that undertook the PDP relating to the Standard Bylaw Amendment ("Standard Bylaw Amendment PDP Decisional Participant").5. The GNSO Council may waive the timeframes currently referenced in the GNSO Operating Procedures in relation to submission of motions with regard to Rejection Action Petition as well as scheduling of meetings to meet its obligations under the timelines outlined in the ICANN Bylaws as a Decisional Participant. 6. All Rejection Action Petitions submitted by an individual must be submitted through a GNSO Stakeholder Group or Constituency to the GNSO Council.7.In this instance, [Insert petitioner(s)’ name(s)] submitted a Rejection Action Petition through the [insert GNSO SG/C] to the GNSO Council during the Rejection Action Petition Period. 8. This Rejection Action Petition includes the rationale upon which rejection of the Rejection Action is sought OR the statement that the Standard Bylaw Amendment is based solely on the outcome of a PDP with the requested citation. Resolved:1. The GNSO Council determines to accept OR reject such Rejection Action Petition. 2. [If the GNSO Council accepts a Rejection Action Petition during the Rejection Action Petition Period] The GNSO Council requests the GNSO Representative to the EC Administration to promptly provide to the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary written Rejection Action Petition Notice of such acceptance.  |

**B. Motion to Approve/Reject A Rejection Action Petition as a Rejection Action Petitioning Decisional Participant**

|  |
| --- |
| **Made by:****Seconded by:**Whereas:1. Per Section 2.2(d) of Annex D, following the delivery of a Rejection Action Petition Notice to the EC Administration, the Rejection Action Petitioning Decisional Participant shall contact the EC Administration and the other Decisional Participants to determine whether any other Decisional Participants support the Rejection Action Petition. 2. Per Section 2.2(d)(i) of Annex D, if the Rejection Action Petitioning Decisional Participant obtains the support of at least one other Decisional Participant, the Rejection Action Petitioning Decisional Participant shall provide a written notice ("Rejection Action Supported Petition") of receiving the support of at least one Rejection Action Supporting Decisional Participant. 3. Per Section 2.2(d)(i)(A)(B)(C)(D)(E) of Annex D, such Rejection Action Supported Petition shall include: (A) a supporting rationale in reasonable detail; (B) contact information for at least one representative who has been designated by the Rejection Action Petitioning Decisional Participant who shall act as a liaison with respect to the Rejection Action Supported Petition; (C) a statement as to whether or not the Rejection Action Petitioning Decisional Participant and/or the Rejection Action Supporting Decisional Participant requests that ICANN organize a publicly-available conference call prior to the Rejection Action Community Forum for the community to discuss the Rejection Action Supported Petition; (D) a statement as to whether the Rejection Action Petitioning Decisional Participant and the Rejection Action Supporting Decisional Participant have determined to hold the Rejection Action Community Forum during the next scheduled ICANN public meeting; and (E) a PDP Standard Bylaw Statement, if applicable.4. The GNSO accepted a Rejection Action Petition submitted by [insert petitioner(s)’ name(s)] through the [insert GNSO SG/C] to the GNSO Council. 5. [insert Supporting Decisional Participant] provided written notice of providing support to the Rejection Action Petition. 6 . [insert the process for the GNSO to determine a) whether ICANN should organize a publicly-available conference call prior to the Rejection Action Community Forum for the community to discuss the Rejection Action Supported Petition, b) whether the Rejection Action Community Forum during the next scheduled ICANN public meeting should be held]. 7. [include the GNSO process that has led to the identification of the GNSO representative who would act as a liaison with respect to the Rejection Action Supported Petition].Resolved:1. The GNSO Council appoints [insert name] to be its liaison with respect to the Rejection Action Supported Petition. 2. The GNSO Council determines that a publicly-available conference call prior to the Rejection Action Community Forum for the community to discuss the Rejection Action Supported Petition is necessary / unnecessary. 3. The GNSO Council determines that the Rejection Action Community Forum during the [insert ICANN meeting] should be held. 4. The GNSO Council requests the GNSO Representative to the EC Administration to promptly provide the Rejection Action Supported Petition with all requested information to the EC Administration, the other Decisional Participants and the ICANN Corporate Secretary.  |

**C. Motion to Approve/Reject A Rejection Action Petition as a Rejection Action Supporting Decisional Participant**

|  |
| --- |
| **Made by:****Seconded by:**Whereas:1. Per Section 2.2(d)(i) of Annex D, if the Rejection Action Petitioning Decisional Participant obtains the support of at least one other Decisional Participant, the Rejection Action Petitioning Decisional Participant shall provide a written notice ("Rejection Action Supported Petition") of receiving the support of at least one Rejection Action Supporting Decisional Participant. Each Rejection Action Supporting Decisional Participant shall provide a written notice to the EC Administration, the other Decisional Participants and the ICANN Corporate Secretary within twenty-four (24) hours of providing support to the Rejection Action Petition.3. Per Section 2.2(d)(i)(C)(D) of Annex D, such Rejection Action Supported Petition shall include: (C) a statement as to whether or not the Rejection Action Petitioning Decisional Participant and/or the Rejection Action Supporting Decisional Participant requests that ICANN organize a publicly-available conference call prior to the Rejection Action Community Forum for the community to discuss the Rejection Action Supported Petition; (D) a statement as to whether the Rejection Action Petitioning Decisional Participant and the Rejection Action Supporting Decisional Participant have determined to hold the Rejection Action Community Forum during the next scheduled ICANN public meeting. 2. The GNSO has received a notice from [insert Rejection Action Petitioning Decisional Participant] about a Rejection Action Petition. [insert Rejection Action Petitioning Decisional Participant] contacted the EC Administration and the other Decisional Participants to seeksupport of the Rejection Action Petition.3. [insert the GNSO process that has led to its decision to become a Supporting Decisional Participant]. 4. [insert the process for the GNSO to draft the notice of support and determine a) whether ICANN should organize a publicly-available conference call prior to the Rejection Action Community Forum for the community to discuss the Rejection Action Supported Petition, b) whether the Rejection Action Community Forum during the next scheduled ICANN public meeting should be held]. Resolved:1. The GNSO Council has determined to be a Supporting Decisional Participant for the Rejection Action Petition. 2. The GNSO Council determines that a publicly available conference call prior to the Rejection Action Community Forum for the community to discuss the Rejection Action Supported Petition is necessary / unnecessary.3. The GNSO Council determines that the Rejection Action Community Forum during the [insert ICANN meeting] should / should not be held.4. The GNSO Council requests the GNSO Representative to the EC Administration to promptly provide a written notice to the EC Administration, the other Decisional Participants and the ICANN Corporate Secretary of providing support to the Rejection Action Petition. The written notice also includes the GNSO Council’s determination on the publicly available conference call and the Rejection Action Community Forum.  |

**D. Motion to Support, Objection to, or Abstain from a Rejection Action**

|  |
| --- |
| **Made by:****Seconded by:**Whereas:1. Per Section 2.3(f) of Annex D, ICANN and any Supporting Organization or Advisory Committee (including Decisional Participants) may deliver to the EC Administration in writing its views and questions on the Rejection Action Supported Petition prior to the convening of and during the Rejection Action Community Forum. Any written materials delivered to the EC Administration shall also be delivered to the ICANN Corporate Secretary for prompt posting on the Website in a manner deemed appropriate by ICANN.2. The GNSO, as a Decisional Participation in the EC Administration, may elect to provide input to the Rejection Action Community Forum either to support, object to, or abstain from the Rejection Action [INSERT LINK TO REJECTION ACTION].Resolved:1. The GNSO Council [supports]/[objects to]/[abstains from] the Rejection Action.2. The GNSO Council requests the GNSO Representative to inform the EC Administration about the GNSO Council’s decision with respect to the Rejection Action. |