GUIDELINES & MOTION TEMPLATES

Section 1.3 Approval Action Community Forum

ANNEX D, ARTICLE 1 PROCEDURE FOR EXERCISE OF EC'S RIGHTS TO

APPROVE APPROVAL 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

Per Annex D, Article 1 of the ICANN Bylaws, Procedure for Exercise of EC's Rights to Approve Approval Actions, Section 1.3 Approval Action Community Forum

a. ICANN shall, at the direction of the EC Administration, convene a forum at which the Decisional Participants and interested parties may discuss the Approval Action (an "**Approval Action Community Forum**").

b. If the EC Administration requests a publicly-available conference call by providing a notice to the Secretary, ICANN shall, at the direction of the EC Administration, schedule such call prior to any Approval Action Community Forum, and inform the Decisional Participants of the date, time and participation methods of such conference call, which ICANN shall promptly post on the Website.

c. The Approval Action Community Forum shall be convened and concluded during the period beginning upon the Approval Action Board Notification Date and ending at 11:59 p.m. (as calculated by local time at the location of ICANN's principal office) on the 30th day after the Approval Action Board Notification Date ("**Approval Action Community Forum Period**"). If the EC Administration requests that the Approval Action Community Forum be held during the next scheduled ICANN public meeting, the Approval Action Community Forum shall be held during the next scheduled ICANN public meeting on the date and at the time determined by ICANN, taking into account any date and/or time requested by the EC Administration. If the Approval Action Community Forum is held during the next scheduled ICANN public meeting and that public meeting is held after 11:59 p.m. (as calculated by local time at the location of ICANN's principal office) on the 30th day after the Approval Action Board Notification Date, the Approval Action Community Forum Period for the Approval Action shall expire at 11:59 p.m., local time of

the city hosting such ICANN public meeting on the official last day of such ICANN public meeting.

d. The Approval Action Community Forum shall be conducted via remote participation methods such as teleconference, web-based meeting room and/or such other form of remote participation as the EC Administration selects, and/or, only if the Approval Action Community Forum is held during an ICANN public meeting, face-to-face meetings. If the Approval Action Community Forum will not be held during an ICANN public meeting, the EC Administration shall promptly inform ICANN of the date, time and participation methods of such Approval Action Community Forum, which ICANN shall promptly post on the Website.

e. The EC Administration shall manage and moderate the Approval Action Community Forum in a fair and neutral manner.

f. 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 Approval Action prior to the convening of and during the Approval Action Community Forum. Any written materials delivered to the EC Administration shall also be delivered to the Secretary for prompt posting on the Website in a manner deemed appropriate by ICANN.

g. ICANN staff and Directors representing the Board are expected to attend the Approval Action Community Forum in order to address any questions or concerns regarding the Approval Action.

h. For the avoidance of doubt, the Approval Action Community Forum is not a decisional body.

i. During the Approval Action Community Forum Period, an additional one or two Community Forums may be held at the discretion of the Board or the EC Administration. If the Board decides to hold an additional one or two Approval Action Community Forums, it shall provide a rationale for such decision, which rationale ICANN shall promptly post on the Website.

j. ICANN will provide support services for the Approval Action Community Forum and shall promptly post on the Website a public record of the Approval Action Community Forum as well as all written submissions of ICANN and any Supporting Organization or Advisory Committee (including Decisional Participants) related to the Approval Action Community Forum.

3. Bylaws and Additional Proposed Steps

ANNEX D, SECTION 1.3 APPROVAL ACTION COMMUNITY FORUM

1.3(b) If the EC Administration requests a publicly-available conference call by providing a notice to the Secretary, ICANN shall, at the direction of the EC Administration, schedule such call prior to any Approval Action Community Forum, and inform the Decisional Participants of the date, time and participation methods of such conference call.	The GNSO Council may wish to consider the following item as inputs to the EC Administration: Does the GNSO believe that a conference call will be appropriate? If so, they can direct the EC Admin rep to request one. (community conversation should take place to determine how many members of the EC Admin are required to convene the conference call.)	Staff to develop motion template
1.3(f) ICANN and any SO or AC (including Decisional Participants) may deliver to the EC Administration its views and questions on the Approval Action prior to the convening of and during the Approval Action Community Forum.	This item is not about GNSO as a participant in the EC. This item is about how the GNSO will develop 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. This should not focus on any action by the EC Admin Rep.	Staff (to work with DT, if applicable) to identify or develop a proposed process for developing input, within the GNSO's existing procedures.

4. Motion to Request a Conference Call Prior to any Approval Action Community Forum [Annex D, Section 1.3(b)]

Made by: **Seconded by:** Whereas: 1. Per Section 1.3(b) of Annex D, if the EC Administration requests a publicly-available conference call by providing a notice to the Secretary, ICANN shall, at the direction of the EC Administration, schedule such call prior to any Approval Action Community Forum, and inform

the Decisional Participants of the date, time and participation methods of such conference call.

2. Per community consultation, [insert number] members of the EC Administration are required to convene the conference call.

Resolved:

1. The GNSO Council determines that a publicly-available conference call of the EC Administration prior to the Approval Action Community Forum is appropriate.

2. The GNSO Council requests the GNSO Representative to inform the EC Administration about the GNSO Council's request of convening the publicly-available conference call of the EC Administration.

5. Developing Input to the Approval Action Community Forum [Annex D, Section 1.3(f)]

Per the GNSO Operating Procedures, the GNSO Council may initiate a GNSO Input Process (GIP) per ANNEX 3 of the GNSO Operating Procedures to provide input to the EC Administration for the Approval Action Community Forum. See: https://gnso.icann.org/en/council/annex-3-input-process-manual-18jun18-en.pdf. Specifically:

"A GIP is the process through which the GNSO provides input on matters that may not involve gTLD policy, for example in response to a request from the ICANN Board or in response to a public comment forum as further described in this GIP Manual. Any such requests should include as much information as possible.

"A GIP may be initiated by the GNSO Council at any time it considers appropriate, for example, when a request for GNSO input is received from the ICANN Board or other entity that does not involve the creation of new obligations for ICANN contracted parties and does not relate to a topic otherwise suitable for a GNSO Policy Development Process or GNSO Guidance Process, for example providing GNSO Input to a public comment forum."

Per these procedures, once the GIP is completed the Council will consider whether to approve the GIP recommendations, noting the following:

"Approval of the GIP recommendations submitted to the Council does not require a Council vote, except in the case where one or more GNSO Council members object to the adoption of the report. In such an instance, the GIP recommendations may be adopted only by the default threshold to pass a GNSO Council motion (a simple majority vote of each House), as set forth at Article X, Section 3-9 of the ICANN Bylaws. The

outcome of the vote should be recorded and provided together with the results of the GIP to the entity that initially requested the input."

In addition, "The GNSO Council shall transmit the results of a GIP, including any recommendations adopted by the GNSO Council, to the entity that originally requested the input as soon as practicable following the Council's decision pursuant to Section 8 above."

The GNSO EC Representative shall deliver the input to the EC Administration and ICANN Secretary.