

1. Scope of this paper

The scope of this paper is to facilitate a document for the revision of the bylaws of the ICANN Registrar Constituency (RC). The content of this paper merely discusses one possible way a policy developing process could look like and is by no means meant to be mandatory.

2. Two ways

The document has been written taking in account the new Policy Development Process (PDP) of the GNSO as described in the Annex A of the new ICANN bylaws:

<http://www.icann.org/general/bylaws.htm#AnnexA>

This process will make it necessary to define two ways of policy development which should be as similar as possible.

1. One way to deal with a request from the GNSO Council which is
 - a. represented by a task force of the GNSO Council
 - b. represented by the GNSO Council directly
2. A second way to deal with requests from inside the RC.

3. Raising an Issue

Members of the RC who want to raise an issue shall send an email to the RC secretary obeying to the following form:

- 1 Name of Person/Company requesting the issue.
- 2 Name of at least five Persons/Companies supporting the issue.
- 3 Optional date of first poll which must not exceed 35 days after submission of the request.
- 3 The content of the issue itself.

After receiving the request the RC secretary will check upon the form of the request and on correctness and then publish it on the RC website combined with a date for a first poll. If no date is given or the date exceeds 35 days after submission the date shall be set to a date 35 days after submission of the request. The requesting member shall be "chairing" the discussion as well as formulating the ballot to be voted on at the end of the discussion period.

If there is a request from the GNSO Council one of the RC Council representatives shall send an email to the RC secretary who will publish it without undue delay on the RC website combined with a date for the vote of the RC representative for this issue. After this action the RC PDP is invoked and nominations are possible.

4. The road towards a decision

Due to different needs it is impossible to unify the timescale of the two policy making processes a 100% but it is the authors opinion that unity where possible should be a guiding principal therefore the author believes

that the amount of time to be chosen for discussion until a first poll has to take place should be equal for both kinds of requests unless there is good reason to shorten this period and that the total length of both processes must not exceed 95 days.

In all polls, described in more detail below, except of straw pools the quorum shall be met at a participation of at least 50% of the RC members eligible to vote on the RC website . The single steps of the process are set forth below:

4.1 Steps for internal issues

Day

0 The issue is published on the RC website

1-25 Discussion on the topic chaired by the requesting member.
Straw polls shall be allowed to direct the discussion.

26-30 Formulation of the ballot by the requesting member. If after two formless polls no simple majority in favor of the ballot is reached it shall be the boards duty to formulate a final ballot in consideration of all voiced aspects.

31-35 First poll on the issue.

If on this first poll a 2/3 majority in favor of the issue is reached the issue shall be announced as policy. If a 2/3 majority is not reached the timeline for discussion shall be extended to a not to be shortened period of 25 days.

35-60 New discussion on the topic chaired by the requesting member
Straw polls shall be allowed to direct the discussion.

61-65 Formulation of the ballot by the requesting member. If after two formless polls no simple majority in favor of the ballot is reached it shall be the Boards duty to formulate a final ballot in consideration of all voiced aspects.

66-70 Second poll on the topic.

If on the second poll no simple majority is reached the issue shall be closed and therefore be subject of a new issue to be created. Otherwise the decision shall be put on a status of a "proposed policy" until 25 days after the poll. During this time parties opposing the "proposed policy" can draft a new policy paper, comparable to the "proposed policy".

71-90 Opposing parties draft a comparable new policy paper.

90-95 Poll on the opposing policy papers.

If no simple majority in favor of the opposing paper is reached the "proposed policy" is to be announced as final decision on the RC website and the topic shall be closed. If the opposing paper reaches a simple majority the this paper shall be announced as policy instead.

4.2 Steps for Council issues

Day

0 The issue is published on the RC website.

1-10 Nominations are taken and a representative is elected.

The elected representative shall chair all further development and be responsible for submitting the finished statement to the TF/Council.

11-20 Draft of a RC statement.

21-30 Vote on the RC statement and submission to the TF/Council.

If the RC reaches a supermajority on the given issue the decision will be published as RC consensus. If a supermajority is not reached all various aspects of the RC shall be incorporated into one final statement.

31-50 TF/Council produces a report.

51-65 Discussion of the TF/Council report and draft of a new RC statement.

66-70 Vote on the new RC statement and submission to the Council.

71-80 Council produces final report.

81-85 Vote on how to instruct the RC GNSO Representatives.

86-90 Vote of the GNSO Council on the final report.

91-95 Submission of the GNSO Council final report to the ICANN BoD.

I hope that this paper helps the constituency to move forward in a more effective manner.

Tom Keller Schlund + Partner AG

Day	RC internal	RC external	GNSO process TF	GNSO process C.
0	Policy issue raised	Policy issue raised	Policy issue raised	Policy issue raised
1	Discussion	Nomination Reps	Waiting for Reps + development of charter	Waiting for Reps
2				
3				
4				
5				
6				
7		Election of Rep + presentation to the Council		
8				
9				
10				
11	Discussion	Draft of RC statement	Waiting for Constituency Statements	Waiting for Constituency Statements
12				
13				
14				
15				
16				
17				
18				
19				
20				
21	Refinement of RC statement			
22				
23				
24				
25				
26	Defining ballot			
27				
28				
29				
30				
31	First poll. If 66% policy is accepted	Vote on RC Statement + Submission to the TF/Council		
32				
33				
34				
35				
36	Further discussion		Preliminary Task Force Report	Initial Report
37				
38				
39				
40				
41				
42			Final Task Force Meeting	
43				
44				
45				
46				
47				
48	Final Taskforce Report			
49				
50				
51				
52				
53				
54				
55				

56		Discussion of the Final Taskforce Report/Initial Report + Draft of new RC Statement	Comment Period	Comment Period
57				
58				
59				
60				
61				
62	defining Ballot			
63				
64				
65				
66				
67	Second Poll.If 51% issue becomes proposed policy	Vote on new RC Statement+ Submission to TF/Council		
68				
69				
70				
71				
72				
73				
74				
75				
76			Final Council Report	Final Council Report
77				
78				
79				
80	counterproposal can be created			
81				
82		vote on how to instruct Council Reps		
83				
84				
85				
86			Council votes on Final Report	Council votes on Final Report
87				
88		Council Reps vote as instructed		
89				
90				
91				
92	Vote on counterproposal if 51% the counterproposal is adopted if not the proposed policy is			
93			Submission to BoD	Submission to BoD
94				
95				