6. Global Policy Development

6.1. Authority

Under the provisions of Article ~~VIII~~ 9 of the Bylaws for ICANN, the ASO is responsible advising the ICANN Board with respect to policy issues relating to the operation, assignment, and management of Internet addresses. Under the provisions of the ICANN Address Supporting Organization MoU, the Address Council is tasked to perform this task.

6.2. Overview

Attachment A of the ASO MoU describes the policy development process for global Internet number policies. Section ~~5~~ 6 of the ASO MoU defines a global Internet number resource policy. The Address Council participates in this process during the Introductory Phase and the Ratification Phase. Between these two phases, the policy passes the RIR Discussion Phase wherein the proposal is discussed and ratified in each RIR policy forum. It is facilitated during this phase by the staff of the appropriate RIR. The Address Council will use the procedures described below to fulfill its responsibility in the global policy development process. In the event of a discrepancy between the Operating Procedures and the MoU, the ASO MoU Attachment A will take precedence.

6.3. Global Policy Proposal Facilitators

At the beginning of each ~~term~~ calendar year, the Address Council shall organize at least one (1) Policy Proposal Facilitator Team (PPFT) consisting of one council member from each of the regions. During the course of the year additional teams may be formed at the discretion of the council. The members of the PPFT will be responsible for the actions described in the procedures below.

6.4. Introductory Phase

A global policy may be introduced in one of three ways:

- Submitted to an RIR policy forum. The proposal is introduced into an RIR policy forum in accordance with its policy development process.
- Submitted to the Address Council. The proposal is submitted to the Address Council for consideration as global policy.
- The ICANN Board of Directors requests the Address Council to initiate a policy proposal.

6.4.1. Submitted to an RIR Forum

Within ten (10) days of the introduction of a global policy proposal in a particular region, the PPFT member of that region will notify the Chair of the Address Council of the introduction of the proposal. The Chair of the Address Council will notify the council of the proposal and will place the policy proposal on the agenda of the next regularly scheduled meeting of the Address Council as an information item. At this meeting the Address Council will examine the proposal to determine if it meets the definition of a global policy. If it does not then the PPFT member of the particular region will notify the appropriate RIR that the policy proposal that it does not meet the criteria of a policy proposal. The Address Council will take no further action. If on the other hand the proposal meets the criteria of a global policy proposal then the PPFT will within ten (10) days of the completion of the determination request to their respective RIR that the policy proposal be placed in the policy forum for their region for processing in accordance with the regional policy development process.

6.4.2. Submitted to the Address Council

Within ten (10) days of the submission of the proposal to the Address Council, the Chair of the Address Council will notify the council of the proposal and will place the policy proposal on the agenda of the next regularly scheduled

meeting of the Address Council as an information item. At this meeting the Address Council will examine the proposal to determine if it meets the definition of a global policy. If it does not then the Chair will notify the proposal author that the policy proposal that it does not meet the criteria of a policy proposal. The Address Council will take no further action. If on the other hand the proposal meets the criteria of a global policy proposal then the PPFT will within ten (10) days of the completion of the determination request to their respective RIR that the policy proposal be placed in the policy forum for their region for processing in accordance with the regional policy development process.

6.4.3. Requested by ICANN Board

The ASO MoU provides for the ICANN Board to request that the Address Council initiate a policy proposal. Any such request must include an explanation of the significant viewpoints that call for policy development and must meet the requirement of a global policy proposal. The Address Council will organize a policy proposal team consisting of one (1) member from each region. This team will work with the ICANN staff to draft such a proposal and will submit it to the ICANN board for concurrence before proceeding further. Once the language of the proposal is mutually agreed upon by the ICANN board and the Address Council the PPFT will request to their respective RIR that the policy proposal be placed in the policy forum for their region for processing in accordance with the regional policy development process.

6.5. RIR Discussion Phase

Once the global proposal has been introduced, the proposal author is expected to participate in each regional forum. Each RIR will work with the author as provided for in their respective policy development process. The Chair of the Address Council will notify by letter using the template in Annex (), the Chairs of the other ICANN Supporting Organizations and the Chairs of

the ICANN Advisory Committees that a global policy proposal is being discussed in the RIR policy fora. This letter will encourage participation by the constituents of these other organizations in the RIR policy fora. The PPFT will monitor the progress of the proposal and will report on this progress at each meeting of the Address Council until such time as the proposal is remanded to the Address Council for the ratification phase. (It should be noted that the ASO MoU provides for the staffs of the individual RIRs to reconcile the language between the RIRs.)

6.6. Ratification Phase

The Ratification Phase begins when the Number Resource Organization (NRO) Executive Council (EC) transmits the final global policy proposal to the Address Council. A global policy proposal is finalized once it has been ratified in each RIR policy forum and any language reconciliation has been completed. The Ratification Phase consists of two (2) segments, the Address Council Review segment and the ICANN Board Ratification segment.

6.6.1. Address Council Review Segment

When the NRO EC transmits the policy proposal to the Address Council for ratification, it will establish a calendar start time. Within sixty (60) days of this start time the Address Council will conduct a final review the proposal and either:

- Pass it to ICANN for ratification as a global policy;
- Advise the NRO Executive Council that the Address Council has concerns as an outcome of its review and that the proposal requires further review within the public policy development process; or
- Request the NRO Executive Council for an extension of time to complete the review of the proposal.

Upon receiving a global policy proposal from the NRO EC the members of the PPFT for that proposal will produce a report using the template described in

~~Annex ().~~ This report will consist of a statement that the published policy development process of each of the RIRs was or was not followed. If it is determined that the published policy process was not followed, the report will provide detailed information where, when, and how the process was not followed.

Upon completion of its final review, the Address Council will, by majority vote then take one of the three actions identified earlier and described below.

6.6.1.1. Pass the proposal to ICANN for ratification as a global policy

If the Address Council determines that the policy proposal has met the review requirements, it will authorize the Chair of the Address Council to transmit the proposal to the Secretary of ICANN for ratification by the ICANN Board of Directors. The Address Council will also establish the expected calendar start time of the ICANN ratification period. ~~The letter of transmittal will use the template described in Annex ().~~ The minutes of the meeting authorizing the transmittal of the proposal to ICANN will note the expected calendar start time of ICANN Board Ratification period. Upon receipt by the Chair of the acknowledgement of receipt by the ICANN Secretary, the Chair will confirm the calendar start time of the ICANN ratification period.

6.6.1.2. Advise the NRO Executive Council that the Address Council has concerns as an outcome of its review and that the proposal requires further review within the public policy development process.

If as a result of its review of the proposed global policy, the Address Council has concerns regarding whether each region's PDP was followed, the Chair of the Address Council will so notify the Chair of the NRO EC of these concerns and if appropriate, request that the proposal be returned to the regional policy fora for further consideration.

6.6.1.3. Request the NRO Executive Council for an extension of time to complete the review of the proposal.

If in the opinion of a majority of members of the entire Address Council, the review of the policy proposal cannot be completed in the prescribed time, the Chair of the Address Council will so notify the Chair of the NRO EC and will request an extension of time to complete its review.

6.6.2. ICANN Review and Ratification

6.6.2.1. ICANN Board Actions

The ICANN Board may review the policy proposal and may ask questions and otherwise consult with the ASO Address Council and/or the RIRs acting collectively through the NRO. The ICANN Board may also consult with other parties as the Board considers appropriate. Within 60 days of receipt of the proposed policy, including any consultation, the ICANN Board may either:

- Accept the proposal by a simple majority vote; or
- Reject the proposed policy by a supermajority (2/3) vote; or
- By a simple majority vote request changes to the proposed policy;
- Take no action in which case the policy will be considered ratified as it was presented to ICANN.

6.6.2.2. ICANN Board Acceptance and Ratification

When the ICANN Board accepts the proposal as presented it will so notify the Address Council. The Chair of the Address Council will so notify the Chair of the NRO EC. The NRO EC will notify the RIRs who in turn will implement the policy.

6.6.2.3. ICANN Board Rejection

If the ICANN Board rejects a proposal it will provide the Address Council with it specific concerns regarding the policy proposal. The Address Council will work with the NRO EC to examine the concerns and make an effort to resolve them with the ICANN Board. If the concerns cannot be met without changing

the substance of the policy proposal, the proposal will be returned to the RIR fora with the ICANN comments. The Address Council will then await a re-transmittal of the proposal by the NRO EC.

6.6.2.4. ICANN Board Change Request

If the ICANN board requests changes to the policy language the Address Council will provide this request to the NRO EC. The NRO EC will consult with the RIRs. If one of the RIRs objects to the proposed language change, then the proposal will be returned to the RIR PDP fora and the Address Council will await a re-transmittal of the proposal by the NRO EC. If all of the RIRs accept the proposed changes, the NRO EC will so notify the Address Council who will in turn notify ICANN who will then take the action prescribed in the ASO MoU.

6.6.2.5. Notice of Rejection

In the event that the ICANN Board rejects a proposal transmitted as described in paragraph 6.6.2.4 above, the Address Council will so notify the NRO EC who will in turn take action as prescribed in the ASO MoU.