

Guideline ccNSO procedures for ccNSO Statements

Version 2 A: Update August 2012

The Guideline has been updated (version 2, September 2012) to reference the appointment of ccNSO Councillors with the responsibility to note and alert the ccNSO Council of potential requests for comments meriting a response by the ccNSO community, in particular requests through the ICANN public comments. It also includes now some changes suggested by Vika and responses on his comments.

Section 1. Introduction

The purpose of this Guideline is to document the processes and procedures generally used in developing statements reflecting the views of the ccNSO or ccNSO Council. The Guideline, and in particular the specified timelines, may be modified by the Chair of the ccNSO based on the specific circumstances in which such statements are being developed. This guideline does not address the manner in which a drafting team should conduct its business, which is to be determined by the relevant drafting team.

Section 2. ccNSO Statements

To the extent possible, statements issued in response to specific requests, broadly distributed requests for comments, events, or statements by third parties should reflect the broadest possible support of the ccNSO community. The following procedure is designed to secure that support wherever circumstances permit.

- Initiating Event:** When, for the purpose of this guideline, the appointed ccNSO Councillors identify an ICANN public comment request that merits a ccNSO response or statement or the Chair of the ccNSO receives or becomes aware of a request for comments or another event meriting a response by the ccNSO community, the appointed Councillors or the Chair will notify the ccNSO Council using the ccNSO Council e-mail list. The notification will seek councillors' views as to whether or not to initiate the process to develop a ccNSO response or statement (each, a "Statement"). If the Council supports development of a ccNSO Statement, the Chair will inform the Council and seek a volunteer from the Council to lead the effort. (Normally this will be the Councillor who is responsible for formally managing the process of drafting and adoption of ccNSO position papers.)
- Formation of drafting group.** The ccNSO councillor designated to lead the drafting effort will seek volunteers from the ccNSO community to participate in a drafting group. Ideally, drafting teams will consist of 4-6 members, including at least two with drafting experience and at least two with subject-matter expertise. The designated councillor will convene an initial briefing as part of the formation process, and will notify the ccNSO Council of the drafting team members upon formation of the team. Under normal circumstances, a drafting team should be in place within 7 days of the date a councillor is designated to lead the effort. The designated councillor will inform the Council of any delay in this timeframe and, if needed, suggest appropriate steps to be

Bart Boswinkel 21/8/12 13:19

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Bart Boswinkel 20/9/12 12:04

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Vika Mpisane 29/8/12 09:34

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Vika Mpisane 29/8/12 09:37

Comment [1]: I think this sentence is vague & grammatically incomplete: it seems the aim is to say:

"When, for the purposes of this guideline, the appointed ccNSO Councillors identify an ICANN public comment request meriting (or that merits) a ccNSO response or statement, or the Chair of the ccNSO...."

Bart Boswinkel 20/9/12 12:06

Comment [2]: Amended as suggested.

Bart Boswinkel 21/8/12 13:16

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Bart Boswinkel 21/8/12 13:17

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Vika Mpisane 29/8/12 09:38

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taken by the council (for example requesting an extension of the deadline for a public comment).

3. **Drafting Initial Document.** The designated councilor will submit the draft Statement (an “Initial Draft Statement”) to the Council no later than 14 days after the drafting team is formed, requesting comments and feed-back by a specified date. The designated councilor will inform the Council in the event of any delay in this schedule and, if needed, suggest appropriate steps to be taken by the Council.
4. **Council response and update of the Initial Document.** Unless otherwise specified, members of the Council should provide feedback on the Initial Draft Statement no later than 7 days after it is circulated to the Council. Council members should submit feedback and comments via the Council email within the specified period. The drafting team will update the Initial Draft Statement, taking into consideration all comments received.
5. **Feedback and input from the ccNSO membership.** The designated councilor will circulate the updated draft (the “Revised Draft Statement”) to all ccNSO members (including council members), seeking feedback from the membership. Unless otherwise specified, ccNSO members should provide feedback and comments via the ccNSO email list no later than 7 days after the Revised Draft Statement is circulated. The drafting team will update the draft and prepare a new draft (the “Final Draft Statement”), taking into consideration all of the comments received.
6. **Adoption of ccNSO Statement.** The designated councilor will submit the Final Draft Statement to the ccNSO members, including councilors, seeking an indication of the members’ support for the Final Draft Statement. If members indicate sufficient support the Final Draft, it will be submitted to the Council as a Proposed ccNSO Statement. If sufficient membership support cannot be demonstrated, the document will be submitted to the Council as a Proposed ccNSO Council Statement. Council members will be asked to vote by return email on the adoption of the Statement within 3 days after submission by the designated councilor.
7. **Submission of ccNSO Response or Statement.** After the Proposed Statement is adopted by the ccNSO Council, the Chair will arrange for its submission and inform the ccNSO council and members and the wider ccTLD community accordingly.

The overall timeline for this procedure is included in Annex A. These timelines may be adjusted by the designated councilor in consultation with the Chair of the ccNSO, keeping in mind the objective of securing the broadest possible support of the ccNSO community.

Section 3. ccNSO Council Statements

When a deadline for responding to a request makes it impracticable to secure the support of the ccNSO membership, the steps described in Section 2 **should apply**. Above that involve the solicitation of input and/or support from the membership may be omitted. Any statement or response issued using this procedure will be designated as a ccNSO Council Statement.

Vika Mpisane 29/8/12 09:48

Comment [3]: I suppose we could provide here that the Drafting Team should participate in the Council’s feedback process so that the DT may defend or justify some of its (Drafting Team’s) views & wording if the statement comes under criticism. This is because the DT may not be happy with some of the Council’s feedback & may want to defend its stance.

Or may there’s no need to state the obvious?

Bart Boswinkel 20/9/12 12:07

Comment [4]: Note that according to section 2 a ccNSO Councilor is designated to lead the drafting team and is therefore included in the feed-back loop and explain the position of the drafting team.

Vika Mpisane 29/8/12 09:48

Comment [5]: My comment above applies here as well

Vika Mpisane 29/8/12 09:50

Comment [6]: Knowing how difficult for most people to respond unless actively pursued, would it be a bad approach to allow a scenario where silence means consent? In that way, if no comment or objection is received by the deadline, then we assume the members approve the statement.

Vika Mpisane 29/8/12 09:52

Comment [7]: I don’t think this sentence is complete.

Vika Mpisane 29/8/12 09:58

Comment [8]: This is understandable, but we could consider a scenario where a ccNSO statement (not just council statement) can be developed in a fast-tracked manner because it always carry a heavier weight to have a statement as a ccNSO members’ statement than just a council statement.

May be we can have a fast-tracked process for developing a members statement as per section 2, but with shorter timelines, failing which then we should stick the council statement route. Section 4 already anticipates such a process, but only covers critical incidents. The fast-tracked process may need to cover those urgent developments that are not necessarily “critical incidents”.

Bart Boswinkel 20/9/12 12:01

Comment [9]: At the time the term critical was introduced to reflect the importance for the ccTLD community. By definition the fast- tracked process is used for urgent matters.

Section 4. ccNSO Critical Incident Statements

From time to time it is necessary or desirable to issue a Statement in a very short timeframe. This is typically the case if ICANN and/or another entity issues a statement or takes an action that may have a direct and major impact on ccTLDs (a Critical Incident), which merits an immediate response. The following procedure will be used in those circumstances.

- 1. Initiating Event.** The Chair of the ccNSO will notify the ccNSO Council and membership of the occurrence of a Critical Incident, and request immediate input from the Council as to whether or not to initiate the Critical Incident response procedure. The Chair will simultaneously seek volunteers from the ccNSO Council and membership to participate in a drafting team. The Chair of the ccNSO will notify the Council and membership in the event the majority of the ccNSO Council agrees to initiate the Critical Incident response procedure.
- 2. Drafting Initial Statement.** The Chair will arrange for circulation to the Council of an Initial Statement as soon as possible, consistent with the nature of the Critical Incident, requesting Council members' prompt comments and feedback. Unless the nature of the Critical Incident warrants a shorter period, members of the Council will be asked to respond within 12 hours of the circulation. At the end of that period, the Chair of the ccNSO will make arrangements to modify the Draft Initial Statement, taking into consideration all of the comments received.
- 3. Council Feed-back.** The Chair of the ccNSO will arrange for circulation of the Revised Draft Statement to ccNSO council for review and input, seeking support from the members of the Council. Where practicable, the Revised Draft Statement will be circulated to the ccNSO membership. Unless the nature of the Critical Incident warrants a shorter period, members of the Council will be asked to respond within 12 hours of the circulation. At the end of that period, the Chair of the ccNSO will make arrangements to modify the Revised Draft Statement, taking into consideration all of the comments received.
- 4. Adoption of Statement by ccNSO Council.** The Chair of the ccNSO will submit the Draft Final Statement to the ccNSO council for adoption. The council will vote by email on the adoption of the Draft Final Statement within 2 hours after submission.
- 5. Presenting the Statement.** After the Statement has been adopted by the ccNSO Council, the Chair of the ccNSO will submit or present the Statement, which will be designated a ccNSO Statement, and notify the ccNSO (Council and membership) and the wider ccTLD community that the ccNSO Statement has been issued.

Section 5. Omissions and Adjustments

Issues associated with the drafting and adoption of a ccNSO Statement or a ccNSO Council Statement that are not addressed in this guideline will be resolved by the councilor responsible for a drafting team in consultation with the ccNSO Chair. The chair of the DT will report on the issue and its resolution to the ccNSO Council.

Vika Mpisane 29/8/12 09:59

Comment [10]: It could be more transparent to have such issues resolved by the DT Chair/coordinator and ccNSO Chair in consultation with the Council.

Bart Boswinkel 20/9/12 11:21

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Section 6. Review of Guideline

This guideline will be reviewed annually, or adjusted as necessary based on experience. Such revisions will become effective upon adoption by the Council, and shall be published on the ccNSO website, with an adjusted version number and date of adoption.