

Attachment A

Global Policy Development Process

Definitions:

"Global policy" is described in Section 6 of the ASO MoU.

"ASO Address Council" is described in Section 4 of the ASO MoU.

Process Description:

1. A proposed global policy can be submitted either to one of the RIR policy fora (via mail lists or public policy meeting) or to the ASO Address Council directly. If it is presented to one of the RIR policy fora a member of the ASO Address Council from that region will notify the Chair of the ASO Address Council within ten days of the introduction of the proposal. If it is presented to the ASO Address Council the members of the Address Council will notify their respective RIRs within ten days of the introduction of the policy proposal to the Address Council.

The Chair of the Address Council will place the global policy proposal on agenda of the next Address Council meeting as an information item.

2. The proposer has the duty to assist relevant communities within each regional policy forum to make them aware of the deliberations of their peers in the other regional policy forums.

The members of the Address Council will request that the global policy proposal be placed on the agenda for next open policy meeting in each region, in accordance with the applicable policy process.

In those cases where the advocate of the proposed policy cannot travel to a particular RIR public policy meeting, then the RIR shall appoint a person to present the proposal at the meeting.

3. It is recognized that the outcomes of consideration of a proposed global policy may differ in terms of specific language and detail from region to region. The staff of the RIRs will work with each other, and with the policy proposer to document the common elements of such outcomes.
4. This common text will be ratified by each RIR, by methods of its own choosing.
5. This ratified common text is the proposed global policy proposal that is forwarded to the ASO Address Council.
6. The ASO Address Council shall review the process followed by the RIRs in terms of reaching a position of common agreement and a common text to describe the proposed global policy, and the Address Council shall undertake measures in accordance with an adopted procedure to assure itself that the significant viewpoints of interested parties were adequately considered.

Within sixty days after the NRO Executive Council has advised the Address Council that global policy proposal has been adopted by all of the regions the Address Council shall either:

- a. pass it to ICANN for ratification as a global policy (the process continues to Step 7), or
 - b. 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
 - c. request the NRO Executive Council for an extension of time to complete the review of the proposal.
7. The ASO Address Council shall forward the proposed policy to the ICANN Board as a consequence of Step 6 (a).
 8. 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.
 9. Within 60 days of receipt of the proposed policy, including such consultation as may occur in Step 8, the ICANN Board may either:
 - a. accept the proposal by a simple majority vote; or
 - b. reject the proposed policy by a supermajority (2/3) vote; or
 - c. by a simple majority vote request changes to the proposed policy; or
 - d. take no action.
 10. If the ICANN Board takes no action (that is, fails to take actions (a), (b) or (c) in Step 9) within the 60-day window, the proposed policy is deemed to be accepted by the ICANN Board and it becomes global policy. In case Step 9 (c), should at least one of the RIRs agree that changes need to be made, the status of the proposed policy reverts to Step 1. If none of the RIRs accept the case for changes, then the proposed policy continues to Step 11.
 11. If the ICANN Board rejects the proposed policy (following Step 9(b)), it must deliver to the ASO Address Council a statement of its concerns with the proposed policy, including in particular an explanation of the significant viewpoints that were not adequately considered during the regular RIR process, within 60 days of the Board action.
 12. The ASO Address Council, in conjunction with the RIRs and working through agreed procedures, shall consider the concerns raised by the ICANN Board, and engage in a dialogue as appropriate with the ICANN Board.
 13. If the NRO Executive Council indicates that there is agreement from all RIRs, the ASO Address Council may forward a new proposed policy (either reaffirming the previous proposal or a modified proposal) to the ICANN Board. Alternatively, the

NRO Executive Council may indicate that the policy proposal shall be reconsidered by the RIRs, and the proposed policy reverts to Step 1.

14. The resubmitted proposed policy then becomes a global address policy unless, by a supermajority (2/3) vote, the ICANN Board rejects this resubmitted proposal within 60 days of receipt of the new proposed policy, in which case it does not become a global addressing policy.
15. If the resubmitted proposed policy is rejected for a second time by ICANN, then the RIRs or ICANN shall refer the matter to mediation using an agreed procedure to resolve the matter.

Considerations:

16. Through the provisions of an agreement to be executed between the RIRs and ICANN, it is recognized that the ICANN Board has the ability to request that the ASO Address Council initiate a policy development process through the RIRs, using the policy development procedure described above. Any such request must include an explanation of the significant viewpoints that call for policy development. This provision, and the similar provision in Step 10 of the policy development procedure described above, are intended to ensure that the ICANN Board acts in these circumstances only with substantial, credible, and defensible support from the community.
17. In bringing a policy proposal to the regional policy forums it is expected that the ICANN Board will nominate a presenter of the ICANN proposal.
18. All global policies in full force and effect on the day this agreement is executed shall continue in full force and effect until specifically superseded by global policy outcomes from the process described here.
19. All global policies adopted will be published in the NRO and the ICANN web sites.
20. Global policies adopted previous to this MOU will also be published in these sites, with a clear indication that they were adopted prior to the current policy procedure.