Global Domains Division - Consensus Policy Implementation Framework (Updated INSERT DATE)

I. **Goals and Objectives:** ICANN Organization's (org's) Consensus Policy Implementation Framework is designed to support predictability, accountability, transparency, and efficiency in the Consensus Policy implementation process.

II. **Working Principles:**

A. ICANN org's implementation of GNSO Consensus Policy recommendations[1] must be transparent throughout the project lifecycle. ICANN org's communications regarding the status of an implementation—including to the Implementation Review Team and the GNSO Council—are a central component of the implementation lifecycle from beginning to end.

B. ICANN org strives to follow the letter and the intent of GNSO Consensus Policy recommendations when implementing Consensus Policy recommendations. ICANN org is accountable to the GNSO Council (or its agent, such as an Implementation Review Team) for ensuring that the implementation of policies is consistent with the policy recommendations and the reasoning underlying the policy recommendations as outlined in the Final Report. Where there is uncertainty surrounding the intent underlying a policy recommendation, GDD staff will consult with the IRT to clarify that intent.

C. ICANN org will use the Consensus Policy Implementation Framework as a guide when implementing Consensus Policy recommendations. GDD Staff will follow an implementation checklist, outlined below, to ensure that all necessary steps are followed during each implementation phase before contracted parties must implement a Consensus Policy.

D. The implementation process must ensure that the integrity of Consensus Policy recommendation(s) is maintained as these are transformed into implementable processes, systems, and standards. The implementation process must enable staff to plan and manage the capacity and resources required to package, build, test, and deploy a release into production and establish the service(s) and support structure.

E. ICANN org will follow a formal transition process (GNSO Policy Team to GDD, GDD implementation, and GDD to Contractual Compliance) for use by project sponsors as each new implementation project is executed.

F. Policy implementation activities should follow a life cycle according to standardized implementation phases or windows. To support contracted parties' implementation efforts, the policy implementation activities should be coordinated as much as possible according to deployment cycles and implementation deadlines, taking into account factors such as other related activities or events with conflicting or simultaneous timelines.

G. Any change or release that is required due to immediate security and stability issues will be deployed in an expedited manner, per Consensus Policies and temporary policies specifications within the Registry Agreements and the Registrar Accreditation Agreement. In such cases, ICANN org will collaborate with the community and consider throttling back on other implementations in the pipeline to ease the burdens of emergency changes.

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[1] More information about the GNSO Consensus Policy Development Process is available at http://gnso.icann.org/en/basics/consensus-policy/pdp.

H. ICANN org will continually review the implementation framework and related materials to encapsulate additional best-practices or to adjust the steps as a result of lessons learned with previous Consensus Policy projects. The current version of this framework is available on ICANN org's implementation status webpage at www.icann.org/policy/implementation.

III. **Roles and Responsibilities**

A. GNSO Council: The GNSO is responsible for developing and recommending to the ICANN Board substantive policies relating to generic top-level domains. Once policies are adopted by the Board, the GNSO Council serves as a resource for staff who have questions about the background or intent of the policy recommendations during its implementation. The GNSO Council may continue to provide input on the implementation of a policy, for example, if the GNSO Council believes that the implementation is inconsistent with the policy.

B. ICANN Organization ("ICANN org"): ICANN org focuses staff and resources on: policy development support, event management, registrar and registry support, community support, contract compliance, IANA functions, outreach and capacity building, external services for the broader community, and internal staff services. ICANN org implements the community's recommendations at the direction of the Board and under the supervision of the CEO.

C. GNSO Policy Staff: The Policy staff support the GNSO in its policy development activities. As such, the Policy staff are responsible for handing off GNSO policies for implementation to the GDD staff once the policies are approved by the Board. Policy staff can also serve as a resource for GDD staff should questions arise surrounding the intent or history of a policy recommendation.

D. Global Domains Division (GDD) Staff: The GDD staff are responsible for the entire implementation lifecycle, from creating an implementation plan, engaging the Implementation Review Team (IRT) (if there is one), consulting with relevant ICANN org staff and any outside parties that are required, and conducting outreach surrounding the implementation, including communicating with the public and relevant stakeholders regarding the progress of implementation.

E. Implementation Review Team (IRT): The Implementation Review Team, if convened by the GNSO Council, will serve as a resource to implementation staff on policy and technical questions that arise. An IRT will typically consist of, but will not be limited to, volunteers who were also involved in the development of the policy recommendations. As such, the IRT is expected to serve as a resource to staff on the background and rationale of the policy recommendations and return to the GNSO Council for additional guidance as required. Where relevant, the IRT should also include technical or subject-matter experts and contracted parties who can assist staff in the planning for the technical implementation of a policy change.

F. ICANN Supporting Organizations and Advisory Committees: SO/ACs may serve as a resource to ICANN org during implementation as specific projects require.

G. General Counsel's Office: Legal staff will review all amended policy language to ensure the changes are legally sound and that amendments will not create issues under any other policies or contracts.

H. Contractual Compliance: Contractual Compliance staff is involved in the implementation lifecycle to ensure that changes are implemented in a manner that creates clear and enforceable obligations on contracted parties (and also in a way that is efficiently tracked and enforceable for Compliance). Compliance enforces implemented Consensus Policies, as well as provides metrics and reports to enable post-implementation reviews of a Policy's effectiveness.

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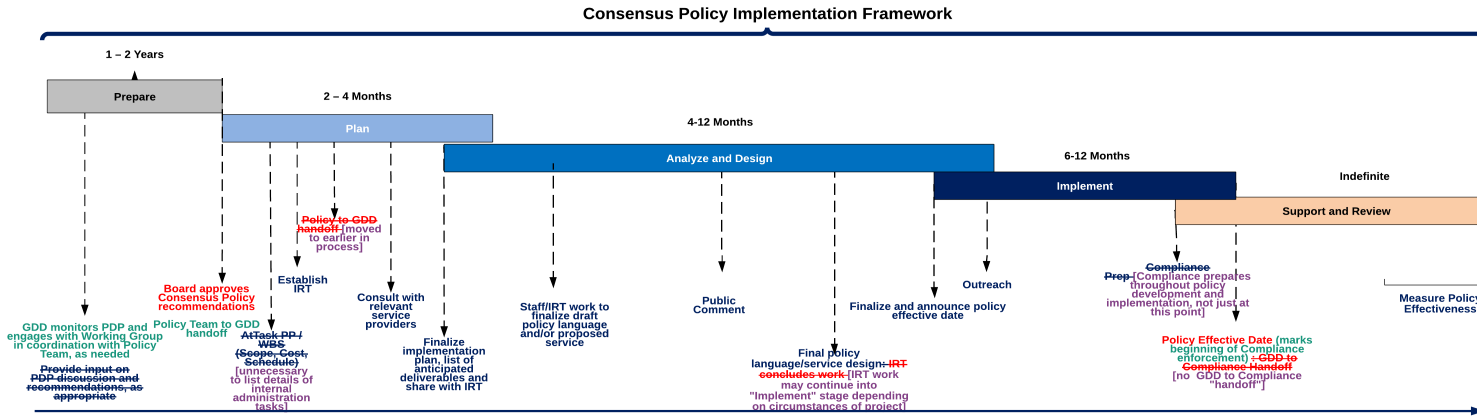Formatted: Font: (Default) Arial, Complex Script Font: Arial

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I. Enterprise Risk Management (ERM): ERM will assist as needed in facilitating a review of policies and new services to evaluate risks and mitigation.

J. Third-Party Service Providers: Contractors may carry out, offer, and/or support a service at ICANN org's direction. These contractors may be expected to provide recommendations on the feasibility of certain approaches or assist with proposed solutions to issues raised during implementation.

IV. Consensus Policy Implementation Framework (time ranges are estimated)

Consensus Policy Implementation Framework

- **Prepare:** A dedicated GDD staff member—hereafter the "Implementation Liaison"—will follow policy development activities to engage on implementation-related matters, as appropriate. Consideration and feedback to policy work products and Consensus Policy recommendations as it relates to implementation will occur through the various phases of the GNSO Policy Development Process. The Board's approval of Consensus Policy recommendations marks the formal endpoint of this phase.
- **Plan:** Policy and GDD staff arrange for the recruitment of the IRT at the beginning of this stage. Policy formally hands off the project to GDD for implementation. GDD staff will organize the activities required to implement Consensus Policy recommendations. A project plan with a

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complete work breakdown structure is the primary output, including a draft requirements document. GDD's initial contacts with relevant service providers and the IRT will occur during this stage. This phase is completed when the implementation project plan is posted.

- **Analyze and Design:** GDD staff will work with the IRT, if convened, during this stage to develop and complete new Consensus Policy language (if required) and any new service that may be needed. Public comments regarding the implementation will also be solicited at this stage. This stage is completed when the final implementation and effective date is announced.
- **Implement:** GDD staff will announce final implementation details to the community and conduct targeted outreach to contracted parties during this phase. This phase is completed when the Consensus Policy goes into effect and Compliance begins its policy enforcement activities and reporting..
- **Support and Review:** GDD staff may serve as an internal resource as well as a resource for contracted parties in matters related to the implementation and interpretation of an implemented Consensus Policy. GDD staff may also review Consensus Policy implementations.

V.   Implementation Process and Milestones

Phase	Step	Responsible	Requirements
PREPARE	Provide input on staff Preliminary Issue Reports	GDD staff	A designated GDD staff member will monitor Policy staff's creation of Issue Reports and provide input on behalf of the team(s) as appropriate. This "Implementation Liaison" will monitor and coordinate GDD input on PDP work products, and will serve as the formal point of contact between PDP Working Groups and GDD staff.
PREPARE	Follow policy development projects with an eye toward implementation	GDD staff	The Implementation Liaison will monitor PDP activities with an eye toward implementation issues. The Liaison shall participate in PDP discussions as required to share an implementation perspective.
PREPARE	Provide input on GNSO PDP Initial Report	GDD staff	The Implementation Liaison will coordinate the teams' input on the GNSO PDP initial report.

PREPARE	Provide input on GNSO PDP draft Final Report	GDD staff	The Implementation Liaison will coordinate the teams' input on the GNSO PDP draft Final Report.
PREPARE	Provide input and prepare materials for Board consideration	GDD staff	The Implementation Liaison will coordinate the teams' input on materials to prepare the ICANN Board for their consideration of the Consensus Policy recommendations and other SO/AC advice, where necessary.

PLAN	Recruit Implementation Review Team (if applicable)	GNSO Policy staff, GDD staff	GNSO Policy staff, in consultation with GDD staff, will issue a call for IRT volunteers and create a listserv for the IRT.[2] GDD staff will consult with the IRT regarding meetings schedule and convene one or two ad-hoc sessions to establish agreement on the rules of engagement and deliverables of the IRT. At this stage, the project leader will organize all administrative activities pertaining to working with the IRT, including: - Establishment of a community wiki - Recruitment of staff-only Implementation Project Team (IPT) to assist in project planning and policy drafting - Secretariat services including meeting transcription, attendance, and note-taking - Collection of Statements of Interest from IRT members - Recruitment of GNSO Council liaison - Establishment of a group charter During initial call(s) with the IRT, the GDD project leader will review the IRT's role and operating principles. At a minimum, this review will cover: - The Consensus Policy Implementation Framework[3] - IRT Principles and Guidelines[4] - Standard Methodology for Making Decisions[5] - GNSO Policy and Implementation Working Group Final Recommendations Report[6] - GNSO Operating Procedures, including a review of the GNSO Input, Guidance, and Expedited Policy Development Process procedures[7]

[2] See ICANN Bylaws, at Annex A, Section 10, "The GNSO Council may, but is not required to, direct the creation of an implementation review team to assist in implementation of the policy."
[3] See https://www.icann.org/policy/implementation
[4] See https://www.icann.org/en/system/files/files/irt-principles-guidelines-23aug16-en.pdf
[5] See Section 3.6 of the GNSO's Working Group Guidelines at https://gnso.icann.org/en/council/annex-1-gnso-wg-guidelines-07apr11-en.pdf
[6] See https://gnso.icann.org/en/drafts/policy-implementation-recommendations-01jun15-en.pdf
[7] See https://gnso.icann.org/en/council/procedures

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PLAN	Conduct GNSO Policy Team to GDD Implementation team turnover	GNSO Policy staff, GDD staff	Once the Board passes a resolution, the Registry/Registrar Services teams will designate a staff member to lead implementation. This GDD staff member will coordinate with GNSO Policy staff to complete the policy to implementation handoff. At handoff, GDD assumes responsibility for reporting and communicating on project status.
PLAN	Create draft implementation plan	GDD staff	GDD staff will define the project deliverables and will create a draft implementation plan[8]—including milestones, target dates, and descriptions of issues to be addressed—to present to the IRT, starting with a project plan template and making modifications as needed to accommodate the project.
PLAN	Create draft Consensus Policy language (if applicable) and service requirements (if applicable)	GDD staff, General Counsel's Office, Contractual Compliance	When a PDP requires changes to an existing consensus policy or the creation of a new consensus policy, GDD staff will create a draft consensus policy language proposal to kick off implementation discussions. When policy recommendations require the creation of a new service or changes to an existing service, GDD staff will also create draft requirements for systems and third party engagement for new/changed services. GDD will coordinate with affected ICANN org teams to prepare for operational readiness, as needed.

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[8] See ICANN Bylaws, at Annex A, Section 10, "Upon a final decision of the Board adopting the policy, the Board shall, as appropriate, give authorization or direction to ICANN staff to work with the GNSO Council to create an implementation plan based upon the implementation recommendations identified in the Final Report, and to implement the policy."

ANALYZE AND DESIGN	Engage Implementation Review Team	GDD staff, GNSO Policy staff, in consultation with IRT	Draft consensus policy language should be distributed to the IRT and call(s) should be held to clarify or improve the language consistent with the intent of the policy recommendations. If the IRT concludes that staff's planned implementation of Consensus Policy recommendations is inconsistent with the stated intent of the Consensus Policy recommendations, the IRT may consult with the GNSO Council, as outlined in the IRT Principles and Guidelines.[9]
ANALYZE AND DESIGN	Engage additional third parties as may be needed for implementation (service providers, technical experts, etc)	GDD staff, in consultation with IRT	If the implementation will require changes to existing services or the building of a new service, the implementation lead should consult service providers and tech experts as early as possible to ensure that these viewpoints are included from the outset of the implementation. This process could include issuing a RFI or RFP.
ANALYZE AND DESIGN	Solicit public comment on proposed policy language and implementation plan (if applicable)	GDD staff, in consultation with IRT	GDD staff, in consultation with the IRT (if applicable), will determine whether the proposed implementation should be posted for public comment (there is a strong presumption that items will be posted for public comment). If so, the proposed consensus policy language and/or details of the new service as well as the implementation plan will be posted for public comment.

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[9] See https://www.icann.org/en/system/files/files/irt-principles-guidelines-23aug16-en.pdf. This may include initiating a GNSO Input Process (GIP), GNSO Guidance Process (GGP) or Expedited Policy Development Process (EPDP) as appropriate to the issue at hand. Details on these processes can be found at https://gnso.icann.org/en/council/procedures

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Commented [MOU8R7]: @IPC: Similar to our comment above, this addition may over-simplify the Council's established role in determining how to proceed with an implementation. The GNSO may or may not opt to provide input or suggest one of the input/guidance procedures already noted in the footnote. Suggest keeping language as-is to avoid unnecessary complications.

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ANALYZE AND DESIGN	Draft final policy language (if applicable)	GDD staff, in consultation with IRT	GDD staff will adjust the proposed policy language based on public comments, in consultation with the IRT (if applicable).
ANALYZE AND DESIGN	Complete new proposed service (if applicable)	GDD staff, in consultation with IRT	GDD staff will complete all required elements of new proposed service based on public comments, in consultation with the IRT (if applicable) after consulting with relevant service providers.
ANALYZE AND DESIGN	Consult with IRT and relevant staff regarding draft final policy language and/or new proposed service	GDD staff, in consultation with IRT	The GDD staff will consult with relevant staff (as needed) and the IRT (or GNSO Council in cases where there is not an IRT) on final policy language and/or service.
ANALYZE AND DESIGN	Solicit additional public comments, if required	GDD staff	If the final policy language and/or proposed service is materially changed following the initial public comment period, the GDD staff will seek public comments on the updated language/service before it is implemented.
ANALYZE AND DESIGN	Complete policy language and/or new service	GDD staff, in consultation with IRT	Once all relevant staff, service providers and the IRT have reviewed the final policy language/service, the final product should be announced to the public and to relevant stakeholders. Translations of the final policy should be posted on ICANN website at this point or earlier.
ANALYZE AND DESIGN	Establish Policy Effective Date	GDD staff, in consultation with IRT	Define a reasonable date in which contracted parties can implement changes to become compliant with the intent of the Consensus Policy.

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IMPLEMENT	Announce Policy Effective Date	GDD staff	A proposed policy effective should already have been scheduled/published, but this marks the formal milestone.
			Formal legal notice, as required under the Registry Agreements and the Registrar Accreditation Agreement, should be provided to contracted parties.
			Notice should be emailed to the contracted parties and posted on the ICANN website in the "Consensus Policies" section.
IMPLEMENT	Develop education and outreach materials	GDD staff	GDD staff will coordinate with Communications and Compliance to create any materials needed for socializing the policy changes across the contracted parties and general internet community. Items include webinars, FAQs, online documentation, service/compliance requests, etc.
IMPLEMENT	Conduct outreach	GDD staff	GDD staff will schedule a series of webinars to educate affected stakeholders on the pending policy changes (if needed). GDD staff also works with relevant parties to handle any unforeseen issues that may arise during the implementation of the policy.
IMPLEMENT	Send reminder notices	GDD staff	Reminder notices about the upcoming policy effective date should be sent to contracted parties 30 days before the effective date and on the effective date.
IMPLEMENT	Deploy Consensus Policy change	GDD staff	This milestone marks the end of GDD's implementation work. The implementation plan, any requirements documents, and/or project plans should contain a detailed schedule of sub-tasks and details associated with its execution. The Consensus Policy goes into effect and Compliance becomes responsible for policy monitoring and enforcement.

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SUPPORT AND REVIEW	Continuous improvement and measure of policy effectiveness	GDD staff, GNSO Policy staff, Compliance, contracted and third-parties as appropriate to data collection needs.	Measurement of the Consensus Policy effectiveness is important to understand if the policy changes met the objectives defined by the GNSO. To this end, a series of metrics should be defined and collected to measure the policy across ICANN services as soon as the policy becomes effective. Any relevant data and metrics should be included in the Compliance Annual Report and other reporting sources, and made available for the Post-Implementation Policy Status Report and any subsequent policy review.
SUPPORT AND REVIEW	Formal review (if applicable)	GDD staff, GNSO Policy staff	If a Consensus Policy has a scheduled formal staff review following its effective date, or if the GNSO Council or ICANN Board calls for a formal review, GDD and/or Policy staff will initiate this process.
SUPPORT AND REVIEW	Post-Implementation Policy Status Report	Compliance, GNSO Policy Staff	After there has been adequate time to generate data and metrics to evaluate implemented policy recommendations, Compliance and GNSO Policy Staff should provide a Post-Implementation Policy Status Report to the GNSO Council with sufficient data and metrics to assess the impact of the policy. Unless a data collection and reporting timeframe is specifically recommended by a Policy Development Process Working Group, generally the Policy Status Report should be provided within 18 to 24 months of the policy's effective date. The Policy Status Report may serve as the basis for further review and/or revisions to the policy recommendations if deemed appropriate.

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Commented [MOU10R9]: @RrSG: in response to our email discussion on being more specific about who's responsible for data provision and collection, we've modified this section to identify all relevant players in data provision and collection.

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@IPC: This additional sentence seems repetitive of the already existing final phrase, and may overly simplify the process for involving the GNSO in implementation. In the "IRT Priniciples and Guidelines" (section V.E), any issue with implementation must be channeled through and discussed with the IRT. In such a case, the IRT would work with the IRT's liaison to the Council to consider whether the issue should be forwarded to the Council (https://www.icann.org/en/system/files/files/irt-principles-guidelines-23aug16-en.pdf) We suggest keeping the language as-is to avoid unnecessarily minimizing the role of the IRT in working with the GNSO.

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IPC suggestion for additional sentence: "The membership of the IRT should fairly represent all constituencies and stakeholder groups that are willing to actively participate."

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@IPC: We recommend holding off on this change until a future round of amendments to the CPIF. The reason is there is currently no structure in place to recruit IRTs based on this criteria. For example, there is no requirement for SO/ACs to appoint representatives to IRTs (recruitment is based solely on a "call for volunteers"). This is an important issue, but one that merits more in-depth discussion on how IRTs should be constituted.

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