Minutes of the GNSO Council Meeting 28 June 2017

Agenda and Documents

Coordinated Universal Time: 11:00 UTC: http://tinyurl.com/yafc4np6
04:00 Los Angeles; 07:00 Washington; 12:00 London; 14:00 Istanbul; 21:00 Hobart

The meeting started at: 11:03 UTC

 List of attendees:
NCA – Non-Voting – Erika Mann
Contracted Parties House
gTLD Registrar Stakeholder Group: James Bladel, Michele Neylon, Darcy Southwell
gTLD Registries Stakeholder Group: Donna Austin, Keith Drazek, Rubens Kühl
Nominating Committee Appointee (NCA): Hsu Phen Valerie Tan
Non-Contracted Parties House
Commercial Stakeholder Group (CSG): Philip Corwin, Susan Kawaguchi, Wolf-Ulrich Knoben, Tony Harris, Paul McGrady, Heather Forrest
Non-Commercial Stakeholder Group (NCSG): Martin Silva Valent), Stephanie Perrin, Stefania Milan (apology, temporary alternate Avri Doria), Edward Morris, Marilia Maciel, Rafik Dammak, Avri Doria
Nominating Committee Appointee (NCA): Julf (Johan) Helsingius
GNSO Council Liaisons/Observers:
Cheryl Langdon-Orr– ALAC Liaison
Ben Fuller - ccNSO Observer
Carlos Raul Gutierrez– GNSO liaison to the GAC ICANN
Staff
David Olive -Senior Vice President, Policy Development Support and Managing Manager, ICANN Regional Headquarters- Istanbul
Marika Konings – Vice President, Policy Development Support - GNSO
Mary Wong – Senior Director, Special Adviser for Strategic Policy Planning
Julie Hedlund – Policy Director
Steve Chan - Senior Policy Manager, Policy Development Support
Amr Elsadr – Policy Manager
Berry Cobb – Policy consultant
Emily Barabas – Policy Analyst
Nathalie Peregrine - Specialist, SO/AC
Terri Agnew - Secretariat Services Coordinator, GNSO

MP3 Recording
Adobe Chat Transcript
Transcript

Item 1: Administrative matters

1.1 – Roll call

1.2 – Updates to Statements of Interest

There were no updates to Statements of Interest.

1.3 – Review/amend agenda
It was noted that Paul McGrady withdrew agenda item 5 to be added to the July Council meeting agenda as discussion item. Heather Forrest requested the addition of an item under Any Other Business (AOB). The agenda was adopted without further changes.

1.4 - The draft minutes of the meeting of the GNSO Council on 18 May 2017 were posted as approved on 8 May 2017.

Item 2: Opening Remarks / Review of Projects & Action List

2.1 – Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List.

Updates were provided regarding the Policy Development Process Working Groups (PDP WGs).

Action Item:
- Staff to communicate congratulatory note to Registration Directory Services Review Team (RDS RT) nominees.

Item 3. Consent Agenda (5 mins)
3.1 – Confirmation of leadership for the GNSO Standing Selection Committee (SSC)
 On 15 March 2017, the GNSO Council adopted the charter for the GNSO Standing Selection Committee (SSC), which was established on an interim basis to, upon request from the GNSO Council, select candidates for ICANN structures, such as review teams and related to the Empowered Community. The SSC has selected Susan Kawaguchi as its Chair and Johan Helsingius and Maxim Alzoba as Vice-Chairs. Here, the Council confirmed this leadership structure.

The motion was passed unanimously.

Vote results

Item 4: COUNCIL VOTE – Process and criteria for selection of the GNSO representative to the Empowered Community Administration (15 minutes)

Julf Helsingius and Susan Kawaguchi seconded by **James Bladel** proposed a motion outlining the criteria and processes for the selection of the GNSO representative to the Empowered Community Administration.

 WHEREAS,

1.   As stated in Section 1.1(a) of Article 6 of the new ICANN Bylaws, concerning the composition and organization of the Empowered Community (EC), "The Empowered Community ("EC") shall be a nonprofit association formed under the laws of the State of California consisting of the ASO, the ccNSO, the GNSO, the ALAC and the GAC (each a "Decisional Participant" or "associate," and collectively, the "Decisional Participants")."
2.   The sole purpose of the EC is to exercise its rights and perform its obligations under ICANN's Articles of Incorporation and the ICANN Bylaws, and the EC shall have no other powers or rights except as expressly provided in the ICANN Bylaws. The EC may only act as provided in these Bylaws. Any act of the EC that is not in accordance with these Bylaws shall not be effective.
3.   As outlined in section 6.3 of the new ICANN Bylaws, the GNSO, as a Decisional Participant, shall act through its respective chair or such other person as may be designated by the GNSO (collectively, such persons from all communities are the "EC Administration"). Each Decisional Participant shall deliver annually a written certification from its chair or co-chairs to the ICANN Secretary designating the individual who shall represent the Decisional Participant on the EC Administration.
4.   The GNSO Council confirmed in September 2016 that the GNSO Chair (currently James Bladel) will represent the GNSO as the Decisional Participant on the Empowered Community Administration on an interim basis and subsequently requested the GNSO Standing Selection Committee (SSC) to 'develop the criteria and the process for the selection of the GNSO Representative to the Empowered Community for GNSO Council consideration by its June 2017 meeting'.
5.   As part of its deliberations, the SSC obtained further information on the role and time commitment expected for the GNSO representative of the EC Admin and submitted its unanimous recommendations to the GNSO Council on 17 June 2017.

6.   The GNSO Council has reviewed this recommendation.

RESOLVED,

1.   The GNSO Council hereby confirms that one member of the GNSO leadership team (GNSO Chair and Council Vice-Chairs) will be tasked to serve as the GNSO Representative to the Empowered Community Administration. This confirmation will be according to the following steps:

a)   GNSO Chair election takes place at ICANN Annual Meeting

b)   Noting that the Vice-Chair cannot be from the same Stakeholder Group as the Chair, Vice-Chairs may be confirmed prior to the Chair Election only if there is a single Chair candidate or all Chair candidates are from the SG. Otherwise, confirmation of Vice-Chairs may happen after the Chair election.

c)   GNSO Chair is confirmed by the GNSO Council upon election as the interim representative to the EC Admin, until such time as the GNSO leadership team has had an opportunity to meet and decide who is taking on this role. In case the GNSO Council fails to select a Chair, the existing representative to the EC Admin will remain in that role until such time as a Chair has been elected.

d)   As soon as possible upon confirmation of the GNSO leadership team, the GNSO leadership team will meet to decide who is to be designated as GNSO Representative to the EC Admin. Following this determination, this decision is to be confirmed by the GNSO Council as part of the agenda. The decision on the designation of the permanent representative to the EC Admin is then communicated to the ICANN Secretary and EC Admin.

e)   Should at any point during the term of the Chair and/or Vice-Chairs there be a change (for example, a resignation or a change in circumstances which may mean the representative is no longer able to perform in this role), the leadership team will communicate this to the GNSO Council as soon as possible together with the name of the individual on the leadership team who will take on this role so that a new designation can be made.

f)   As part of the designation, it will be made clear that in case of absence or conflict, another member of the leadership team may step in to substitute for the representative on the EC Admin.

    2. The GNSO Council confirms that this process will take effect immediately and requests the current GNSO Leadership Team discuss and agree at the latest in time for the next GNSO Council meeting who will serve as the GNSO representative to the EC Admin. Until that time, the GNSO Chair will continue to serve as the interim representative to the EC Admin.

    3. The GNSO Council requests that this process is included in the GNSO Operating Procedures at the next opportunity for revision.

    4. The GNSO Council thanks the SSC for its work and recommendations.

It was noted that there had been discussion on the mailing list about the use of the consent agenda or the main agenda, and that this had been resolved in a friendly amendment to the language of the motion. Councilors voted on the latest version of the motion.

The motion was passed unanimously.
Vote results

Item 5. COUNCIL VOTE – Initiation of a Drafting Team to Consider Changing the Name of the GNSO

Paul McGrady submitted a motion to initiate a Drafting Team to consider changing the name of the GNSO.

WHEREAS, the domain names promulgated by ICANN are available globally and are not sponsored by any particular government ("Global Domains");

WHEREAS, the term "generic" has several meanings within various portions of the ICANN Community;

WHEREAS, since the advent of .brand top level domain names, the use of the term "generic" in relationship to Global Domains has become increasingly confusing;

WHEREAS, the ICANN Organization has already adjusted its nomenclature and has named the division of the organization dealing with non-ccTLD domain names the "Global Domains Division"

Resolved,

The GNSO Council requests ICANN staff to issue a call for volunteers to form a Drafting Team to consider a possible change from "Generic Names Supporting Organization" to "Global Names Supporting Organization", including a proposed implementation plan if such a change is recommended. The scope of the Drafting Team is limited to considering whether or not to change the name of the Generic Names Supporting Organization to the "Global Names Supporting Organization" and to identify changes to the ICANN By-laws, Operating Procedures, and current PDP Charters necessary to effectuate such a renaming, if recommended. The drafting team will not have scope to consider any other changes including, but not limited to, the ICANN By-laws, the GNSO operating procedures, or any current PDP charters. The Drafting Team is expected to publish its proposed recommendations and if applicable proposed implementation plan for public comment prior to submitting it to the GNSO Council for its consideration.

The GNSO Council appoints [name] as the Council liaison to the drafting team.

This motion was withdrawn.

[Voting results](#)

Action Items:
- Staff to add this item as discussion item to the agenda for the GNSO Council meeting on the 13 July 2017

Item 6: COUNCIL DISCUSSION – Updated Charter for the Cross Community Working Group on Internet Governance (CCWG IG)

Both the Board Working Group on Internet Governance and the ccNSO support a community entity engaging in the topic of Internet Governance. Concerns have been raised by the GNSO regarding the structure of the entity and the existing processes, whilst acknowledging the value of the group's work. Councilors discussed the need to study past structures to improve on the existing CCWG IG structure, and to provide the group with direction. The ISPCP confirmed support of the initiative whilst acknowledging the concerns raised. Councilors further exchanged on the GNSO withdrawing its support as Chartering Organization as first step to then endorse in a second step, a IG focused group with an improved structure.
Greg Shatan, member of the CCWG IG, explained the choice of the group to prioritize amending its charter to fully align with the current CCWG charter format, over working on a new structure.
Proposals was put forward to extend the group's timeline by a year to allow it to work on structure and to focus on improving the reporting structure. It was decided that the topic be closed either by a motion submitted in time for the GNSO Council meeting on the 13 July 2017 or by removal of the item on future GNSO Council meeting agendas.

Action Item:
Keith Drazek to draft a motion acknowledging the work of the CCWG IG whilst requesting that the effort be continued in a different format.

Item 7: COUNCIL DISCUSSION – Proposed Fundamental Bylaw Changes
On 27 June 2017 at ICANN59, the first Community Forum under the revised ICANN Bylaws was held to discuss the proposal to move the Board Governance Committee's reconsideration responsibilities to another Board Committee.
Councilors expressed that the BC, IPC and NCUC were in support of the proposal. Discussion then focused on the 21-day period starting at the end of ICANN59 by which all of the decisional participants

in the empowered community administration have to agree to the change. This is in addition to the 21-day window available to for rejection of Board approved draft budget proposal, rejection which would have to be first approved by the GNSO Council.

Decision was made to move the 20 July 2017 meeting to the 13 July 2017 to enable councilors to make a decision on any hypothetical rejection petitions that might arise, as well as the final acceptance of the fundamental bylaw change. If another decisional participant in the empowered community raises a petition to reject the budget, a placeholder meeting will be activated on the 20th.

Councilors then discussed the misalignment of the Bylaws timelines with those currently applicable in the GNSO Operating Procedures and the ensuing need for a general waiver for these specific types of actions to deviate from what is currently required under the operating procedures in relation to timing of meetings, announcement of meetings and submission of motions.

Action item:
- Staff to schedule and prepare GNSO Council meeting on the 13 July 2017 with a placeholder to a Special Issue meeting on the 20 July 2017 should there be rejections to the draft budget proposal.

Item 8: COUNCIL DISCUSSION – Cross Community Working Group on the Use of Country and Territory Names (CCWG UCTN)

Heather Forrest, one of the co-chairs of the CCWG UCTN provided an update on the CWG-UCTN's Final Report and explained why the CCWG was unable to come to final agreement regarding three letter codes. The agreement reached for the two letter codes was that they be reserved for the use of country code top level domains. Regarding next steps, the question discussed was whether an existing PDP WG (the new gTLD Subsequent Procedures PDP WG) or a new CCWG is the best structure to continue the work of the CCWG UCTN. Issues raised were:

CCWG are not specifically mandated within ICANN Bylaws to develop policies and that geographic names are not necessarily the prerogative of the GNSO solely.

Councilors exchanged on the role of the GNSO maintaining or guarding the exclusivity of the ability to regulate the use and development of GTLD domain names.

Jeff Neuman, co-chair of the new gTLD Subsequent Procedures PDP WG, proposed to create an additional track to the existing 4, specifically tailored just for geographic names, inviting one member from other communities to be leaders of the track. This was broadly supported by councilors whilst the need for further discussion was also noted.

Item 9. UPDATE – Initiation of the GNSO's Section 16 Process for Amending Approved GNSO Policy Recommendations Relating to Certain Red Cross Movement Names

James Bladel, in the absence of Thomas Rickert, provided an update to the councilor regarding the newly reconvened IGO INGO Protections PDP WG, highlighting the discussions held regarding membership of newcomers to the PDP and the strict scope of the PDP mandate.

Item 10: ANY OTHER BUSINESS (15 minutes)

10.1 – Update on Review Teams

10.1 – Susan Kawaguchi updated the councilors on the Registration Directory Services Review Team which has met informally and will commence weekly calls shortly.

Denise Michele provided an update on the work of the Second Security, Stability, and Resiliency Review Team (SSR2). Newsletters will be circulated to community members. Sub-topic work items have been identified and feedback from the Board received in terms of reference. Further updates will follow.

Susan presented an update on the SSC's work to date, including the current task of developing the criteria for the empowered community role for the representative from the GNSO Council (Slide deck), Susan noted that the role focusses more on communication than decision-making.

As additional item of AOB, Chuck Gomes, going into retirement on July 1st 2017, was recognized by the GNSO Council for his outstanding leadership skills and overall contribution to the GNSO.

10.2 – Open Microphone

James Bladel, GNSO Council Chair, adjourned the GNSO Council meeting and thanked everyone for participating.
The meeting was adjourned at 13:02 UTC, Wednesday 28 June 2017

The next GNSO Council Meeting will take place on 13 July 2017 at 21:00 UTC
For other places see: http://tinyurl.com/ydfg7c6q