

Agenda and draft Resolutions
ccNSO Council Meeting 163
21 May 2020
Noon (12.00) UTC

1. Welcome and roll call

2. Minutes, Action Items & To-Do's

Minutes of the 16 April 2020 meeting have been distributed on 13 May 2020.

Action items and To-do's

Action Item 157-01

Call to review charters, pending

Action Item 161-01

Chair, with assistance from Secretariat, built Council Chair “knowledge base”. Ongoing

162-01:

Secretariat to send consent/assign Patricio Poblete to ccPDP-RM mailing list, webpage, etc. – Completed

162-02:

Secretariat to circulate Activity Overview and Work Plan documents to mailing list – Completed.

162-03

Further discussion from Council (small group) on developing a way forward in “shaping ccNSO strategy” and possibly present to the community

162-04:

Plan/coordinate a virtual ccNSO Council Workshop – prior to ICANN68
Suggest timing

To-do:

Stephen Deerhake to provide a summary (CCWG Auction Proceeds)

Done

3. Intermeeting ccNSO Council decisions & Actions (since 16 April 2020)

- Comments updated Guideline: ccNSO Board Seat 11 & 12 Nomination Process

4. ccPDP 3

a. Part 1 Retirement – Update

Informational: Public comment has been opened on 5 May 2020 and will close 10 July 2020. Feedback if any on webinar to solicit public comment.

- b. **Part 2 Review Mechanism –Update**
Informational

5. IDN ccTLD related work items

a. ccPDP4 Issue Report

For decision: adoption of the Issue Report ccPDP4

Draft Resolution to Initiate ccPDP4

Background

In September 2013 the ccNSO submitted the IDN country code policy development process (ccPDP2) Board Report to the ICANN Board of Directors. The recommended policy ccPDP2 contains two parts:

- Proposals (at a high level) for the criteria and requirements for the IDN ccTLD string selection and activities, roles, and responsibilities of the actors involved in the string selection and string evaluation processes and procedures.
- Proposals to enable the inclusion of IDN ccTLDs in the ccNSO.

By mutual understanding, the ccNSO Council and the ICANN Board allowed the Fast Track Process to evolve, to test and gain experience with the policy aspects pertaining to the introduction of IDN ccTLDs under the Fast Track Process. The aim was to further inform the overall policy, specifically with results of the different reviews of the Fast Track process¹. The latest step in the evolution of the Fast Track Process was the introduction of the community developed Guideline with regard to the Risk Mitigation Panel and related process.

In March 2019 the ccNSO Council tasked a team (Preliminary Review Team or PRT) to review ccPDP2 in light of the impact of the following related processes on the recommended policies:

- The evolved Fast Track Process,
- The request of the ICANN Board of Directors with respect to IDN Variants and
- Other relevant developments such as retirement of the (IDN) ccTLDs
- The short term need to allow IDN ccTLD Managers to become members of the ccNSO.

The PRT was requested to advise the Council on whether or not to launch an additional Policy Development Process to address open issues, if any, or take other steps.

Based on its high-level analysis, the PRT identified various issues with the recommended policy for the selection of IDN ccTLD strings and advised Council to launch a ccNSO Policy Development Process (ccPDP4) to address the various

¹ See: <https://www.icann.org/en/system/files/files/idn-ccTLD-implementation-plan-28mar19-en.pdf>, general introduction page 4.

issues it had identified, including the de-selection of IDN ccTLD strings. With respect to the recommendations in ccPDP2 pertaining to the inclusion of IDN ccTLDs, the PRT did not identify any issues and therefore advised the ccNSO Council to request a change of Article 10 of the ICANN Bylaws and Annex B.

At its meeting on 22 August 2019, the ccNSO Council adopted the recommendations of the PRT. To implement these recommendations, the ccNSO Council requested the ICANN Board of Directors to agree to take no additional steps with respect to ccPDP2 and to stop the evolution of the Fast Track Process². In October 2019, the ICANN Board confirmed and agreed with this approach³.

In addition on 7 February 2020 the ccNSO Council requested the ICANN Board of Directors to change the ICANN Bylaws to enable IDN ccTLD to become members of the ccNSO⁴. The Board of Directors responded to first look at the proposals and then open a public comment period on the proposed changes.⁵

At its December 2019 meeting, and in accordance with Annex B section 1 of the ICANN Bylaws, the ccNSO Council appointed the Issue Manager and requested an Issue Report, which should address the following topics:

1. Whether or not the ccNSO should initiate the ccNSO Policy Development Process on the (de)selection of IDN ccTLD strings (ccPDP4) and other areas listed in the Final Report of the Preliminary Review Team and, with respect to the de-selection be guided by and build-upon the process for the retirement of ccTLDs.
2. Whether or not to convene a taskforce or use other method to address these issues.

On 14 May 2020, the Issue Manager, submitted the ISSUE REPORT to Council, including the opinion of ICANN's General Counsel, recommending that based on a review of the issues raised in the PRT Final Report, considering that the Threshold Criteria are met, and taking into account General Counsel's opinion, the Issue Manager recommends that the ccNSO Council initiates ccNSO Policy Development Process 4 to develop policy for the (de-)selection of IDN ccTLD strings.

In addition, the Issue Manager proposes to conduct ccPDP 4 by way of a chartered working group according to the proposed timeline (PDP Time Line).

² <https://ccnso.icann.org/sites/default/files/field-attached/sataki-to-chalaby-04sep19-en.pdf>.

³ <https://www.icann.org/en/system/files/correspondence/chalaby-to-sataki-31oct19-en.pdf>

⁴ <https://ccnso.icann.org/en/about/sataki-to-botterman-07feb20-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/botterman-to-sataki-14apr20-en.pdf>

Decisions

1. In accordance with Annex B section 3 and 4 of the ICANN Bylaws, the ccNSO Council decides to:
 - A. Initiate the development of policy recommendations on the (de-)selection of IDN ccTLD strings (ccPDP4) to address the issues identified in the Issue Report dated 14 May 2020, taking into account that:
 - a. the Threshold criteria to initiate a ccNSO Policy Development Process have been met as documented in the Issue Report;
 - b. ICANN's General Counsel's opinion that the development of policy for the selection and delegation of IDN ccTLDs is within the scope of the ccNSO and the ICANN policy process;
 - c. the recommendation of the Issue Manager to initiate a ccNSO Policy Development Process to develop and recommend a policy on the (de-)selection of IDN ccTLD strings.
 - B. To appoint one Working Group in accordance with the recommendations of the Issue Manager and adopt the charter, working method and schedule for such a Working Group.
3. The Secretariat is requested to send out a call for volunteers by mid-July 2020 (post ICANN68) for the WG, and invite other stakeholders listed in the charter, to participate in the WG in the manner most suited to them.
4. As required under Annex B, the Chair of the ccNSO is requested to formally inform the Chair of the GAC and ask the GAC to advise or provide an opinion.
5. The Secretariat is requested to publish this resolution as soon as possible. Upon publication of this resolution it becomes effective.

b. Progress Bylaw Change

Informational. No further progress to date, awaiting the response from ICANN Legal.

6. ccNSO Board Seat 12 Nomination process

a. Adoption Updated Guideline: ccNSO Board Seat 11 & 12 Nomination Process

For decision

Draft Resolution

Background

Following adoption of the Nomination Report at its meeting on 21 February 2020, the cNSO Council requested the ccNSO Guidelines Review Committee

to review the Guideline: ccNSO Nomination Process Board Seat 11 and 12, taking into account the recommendations and observations from the Nomination Manager (see https://community.icann.org/display/ccNSOCWS/14+February+2020?preview=/126422241/126425305/Nominationreport_boardseat11_14febr2019.pdf). In addition, other concerns have been addressed. The major changes are:

- A ccNSO member can only nominate one candidate; additional nominations are invalid, but will be published. A member may second as many candidates as wanted, with no impact.
- If majority of votes cast is “None of the Above”, nomination process will be terminated and start again with a new timeline and the appointment of the Nomination Process Manager.
- Terminology change: Nomination Manager has been changed to Nomination Process Manager

Decision

The ccNSO Council adopts the amended version 3.5 Guideline: ccNSO Nominations Process ICANN Board Seats 11 and 12. The Secretariat is requested to publish this decision and the amended Guideline as soon as possible on the ccNSO website. This decision becomes effective seven (7) days after publication.

b. Adoption Timeline Board Seat 12 Nomination Process & Appointment Nomination Process Manager.

For decision

Resolution

Background

In accordance with the Guideline, the ccNSO Council needs to appoint the Nomination Process Manager, to manage the Board Seat 12 Nomination Process.

The first term of Nigel Roberts (Board Seat 12) ends at the end of the ICANN FY 22 AGM in October 2021. The ccNSO Council is required to select a candidate in accordance with the relevant ICANN Bylaws and internal rules of the ccNSO applicable at the time of the call for nominations. Under the current Guideline the timing and duration of the background check need to be considered and taken into account before the Q&A session and before the selection by the ccNSO Members. Also, to be considered is the Bylaws provision when ECA needs to be informed about the candidate (28 April 2021) and the Bylaws provision that internal rules and procedures of the ccNSO are required to be consistent with the ICANN Bylaws (section 10.3 (k)). The ccNSO Council was informed (see: item 6b 21 May 2020 Timeline Nomination Board 12) that in order to meet all the relevant deadlines, the call for nominations would need to be sent out by 9 June and close on 30 June 2020.

Decisions

1. The ccNSO Council appoints Joke Braeken (ccNSO Secretariat) as the Nomination Process Manager, in accordance with the relevant Guideline.
2. The ccNSO Council adopts the timeline and sequence of call for nominations, background check, Q&A session with the candidate(s), and selection by the members of the ccNSO according to the Guideline amended at the 21 May 2020 meeting and as proposed. The Secretariat is requested to publish this resolution on the ccNSO website as soon as possible. This resolution becomes effective seven (7) days after publication.

7. NomCom Related Matters

a. Review Implementation: Letter Chair of the Review WP

For discussion and approval

See: proposed response at:

<https://docs.google.com/document/d/1u4yapu0rW72gg4vCzxIGkxIWfTZF4Rg2QcboDfMxSU/edit?usp=sharing> [docs.google.com]

Draft Resolution

The ccNSO Council supports the response to the Nominating Committee review implementation questionnaire as proposed and request the Chair of the ccNSO Council to inform the Nominating Committee accordingly.

b. Selection ccNSO appointee NomCom FY 21

For Decision

Draft Resolution

Background

The ccNSO was requested to select a member for the FY 2021 Nominating Committee (NomCom), as the term of Annebeth Lange ends. Annebeth Lange is not term limited.

The Secretariat has prepared a timeline for the call for volunteers:

- Launch call for volunteers 26 May 2020 and closing 9 June 2020
- Start Council Selection procedure 10 June 2020 and ending 17 June 2020.

On 18 June 2020 the secretariat will circulate overview of level of support per candidate. Candidate receiving highest level of support is selected

The procedure and call for volunteers is detailed in the Selection Process ccNSO Member NomCom FY 2021.

Decision

The ccNSO Council adopts the proposed timeline, selection procedure and call for volunteers as detailed in the Selection Process ccNSO Member NomCom FY 2021. The ccNSO Council requests the Secretariat to launch call for volunteers accordingly.

8. Closure of follow-up discussion CSC Effectiveness Review on potential gap between remit of CSC and RZERC.

For decision

The CSC Effectiveness Review Team suggested that the ccNSO Council would follow up with ICANN org regarding a question by a representative from one of the ccNSO members. The ccNSO has contacted and ICANN Org asked for further clarifications. The chair of the Council contacted the representative and despite numerous follow-up queries for over a period of one year, no response from the ccTLD representative has been received. Proposal is to close the query as it has lost its relevancy and urgency.

Draft Resolution

Background

The CSC Effectiveness Review Team suggested that the ccNSO Council would follow up with ICANN org regarding a question by a representative from one of the ccNSO members on clarifying the remit of RZERC and the CSC and potential gap between these remits. The ccNSO Council has forwarded the question to ICANN Org and ICANN Org asked for further clarifications. The chair of the Council contacted the representative and despite numerous follow-up queries for over a period of one year, no response from the ccTLD representative has been received.

Decision

The ccNSO Council will take no further steps to seek clarification, and closes the query. The Council requests its chair to inform ICANN Org and the concerning representative from the ccNSO member.

9. Approval updated Terms of Reference Internet Governance Liaison Committee (IGLC)

For Decision

Draft Resolution

Background

The Internet Governance Liaison Committee reviewed its Terms of Reference, and suggest some changes. Specifically it has introduced a mechanism for the IGLC to select the chair of the committee, aligning it with the regular mechanism that the chair is appointed by the Council after being nominated by the group.

Decision

The ccNSO Council adopts the amended version of the Terms of Reference of the Internet Governance Liaisons Committee as proposed, and request the secretariat to publish the updated Terms of Reference and inform the Committee accordingly.

10. Update ECA & CSC

- a. **ECA**
Informational
 - b. **CSC**
 - i. *Update from CSC*
 - ii. *Appointment ccNSO Appointed Member on CSC, consultation with RySG and approval of full membership*
- For decision: adoption of Timeline and Mandate Selection Committee

Draft Resolution

Background

The ccNSO Council will be invited to select a member for the Customer Standing Committee, to replace Brett Carr, whose term ends on 1 October 2020. In accordance with the internal ccNSO Guideline: ccNSO Actions respecting the Customer Standing Committee (<https://ccnso.icann.org/sites/default/files/file/field-file-attach/2016-12/guidelines-ccnso-csc-16jun16-en.pdf>) the ccNSO Council will need to adopt a timeline for selection and to appoint the selection committee from among its members, that will consult with the RySG and GNSO and approve the full slate of CSC membership.

The proposed timeline is:

Action	Starting date	Closing date	Comment, if any
Council decision to launch call		21 May 2020	
Council decision to appoint Committee		21 May 2020	Advised to appoint committee mandated to consult and approve
Call for Nomination	2 June 2020	16 June 2020	
Selection Process by Council	22 June 2020	03 July 2019	
Consultation RySG	06 July 2019	17 July 2019	Depends on progress other selection committees
Council Decision to select member	20 July 2020	24 July 2020	ccNSO Council meeting
Approval full slate	2 August 2020	25 September 2019	
Discussion and Approval Selection Report by Council		September/October	Council Meeting

Decision

The ccNSO Council adopts the timeline as proposed for the selection of a ccNSO appointed member on the CSC, and request the Secretariat to launch the call for

volunteers at the time foreseen in the schedule and in accordance with the mechanism in the Guideline: ccNSO Actions respecting the Customer Standing Committee.

The ccNSO Council also confirms the appointment of the CSC selection committee: Katrina Sasaki, Margarita Valdes, Pablo Rodriguez, Ai-Chin Lu, Souleymane Oumtanage and Marie-Noemie Marques. The mandate of this Council committee will be to consult with the RySG and GNSO Council and approve the full slate of membership.

The Secretariat is further requested to inform the community as soon as possible on the upcoming CSC member nomination and selection process.

11. Council updates (Chair, Vice-Chairs, Councillors, Regional Organisations, Secretariat)

12. WG/Committee Updates

- a. GRC
- b. SOPC
- c. TLD-Ops
- d. Tech WG
- e. IGLC
- f. MPC
- g. CCWG Auction Proceeds

13. Update liaisons

- a. *Update ALAC Liaison (written update)*
- b. *Update GNSO Liaison (written update)*

14. Upcoming Meetings

- a. ***Update, if any, ICANN68***
 - i. Schedule ICANN68 meetings
 - ii. Joint Meeting with GNSO Council
- b. ***Council virtual workshop***
- c. ***Meeting with the GAC***

Webinar on update Policy development efforts & “DNS Abuse” and ccTLDs prior to ICANN68
- d. ***Schedule upcoming webinars***
- e. ***Next Council Meeting schedule***
 - *ICANN68 (Virtual): Wednesday 24 June 2020, Block 5 (23.00 UTC)*
 - August 20 – 12:00 UTC
 - September 17 – 18:00 UTC
 - *October @ICANN69*
 - November 19 – 12:00 UTC

- December 17 – 18:00 UTC

15. AOB

16. Closure