ccNSO Special Council Telephone Conference
13 October 2016

<u>Attendees:</u>

AF
Abibu Ntahigiye, .tz
Souleymane Oumtanaga, .ci

AP
Debbie Monahan, .nz

EU
Peter Vergote, .be
Katrina Sataki, .lv

LAC
Alejandra Reynoso, .gt
Margarita Valdes, .cl

NA
Becky Burr, .us
Byron Holland, .ca
Stephen Deerhake, .as

NomCom
Christelle Vaval
Celia Lerman Friedman

Observers/Liaisons
Maureen Hilyard, ALAC Observer to the ccNSO

Regional Organisations
Barrack Otieno, AfTLD
Peter Van Roste, CENTR
Leonid Todorov, APTLD

ICANN Staff
Bart Boswinkel
Kim Carlson
Joke Braeken

Herb Waye, ICANN Ombudsman – Guest

Apologies

Apologies were noted from Demi Getschko, Ching Chiao, Nigel Roberts, Hiro Hota
Absent/no apologies received: Young Eum Lee

Introduction

The Chair began by stating this was the first ccNSO Council meeting post transition.

2 Update ICANN ombudsman

Herb Waye introduced himself, he took over in July and is attempting to attend as many Council and leadership calls as possible. His main focus coming in, is keeping the lines of communication open, wanting to spend more time with constituency groups and their leadership.

Expected standards of behavior is posted and will be promoting extensively – actively promoting respect, a harassment-free environment and fairness. He noted wanting to be available to those who need a voice, and he would like to speak out on their behalf.

The ccNSO is not a particularly troublesome group to the office of the Ombudsman.

Byron Holland asked in terms of drafting policies and rules, how is it addressed that this is a cross-cultural organization – how is this factored in?

Mr. Waye noted one of the key advantages to the organization is the diversity and the cultural diversity that goes with that, is to be seen as a strength. In addition to himself, the leadership needs to focus on how to deal with and conduct business in a diverse community.

3 Minutes and Actions

Minutes 1 September are published and available.

All action items are completed

4 Overview inter-meeting Council decisions

- ccNSO Council Statement / input public comment IANA Naming Functions Agreement (9 September 2016)
- Selection and Appointment EC Admin Committee: Stephen Deerhake members on CSC (30 September 2016)
- Approval to be included in Instruction Letter to ICANN with respect to IANA Intellectual Property Rights (30 September 2016)
- Decision to participate as ccNSO in CWG Auction Proceeds (30 September 2016), pending formal approval of charter
- Selection replacement Katrina Sataki ccNSO appointed RZERC: Peter Koch (4 October 2016)

5 IANA Stewardship transition and CCWG –Accountability

5.1 Update CCWG-Accountability WS 2

Becky Burr updated the Council – she stated the work on the various work streams is proceeding, some more active than others. Staff papers have been prepared and there will be a face to face meeting in

Hyderabad for WS2 issues

5.2 Closure of the CWG-Stewardship

The Chair thanked all those involved in this work.

Background

The ccNSO Council adopted the charter of the CWG-Stewardship in August 2014 ([https://ccnso.icann.org/workinggroups/draft-charter-ccwg-iana-stewardship-21aug14-en.pdf)](https://ccnso.icann.org/workinggroups/draft-charter-ccwg-iana-stewardship-21aug14-en.pdf).

With the effective IANA Stewardship Transition on 1 October 2016, the CWG-Stewardship considers its work completed and the co-chairs of the CWG informed the ccNSO Council accordingly. In order to close the CWG formally and according to its charter, the Chair of the ccNSO, as well as the Chair of the other chartering organizations need to notify the CWG-stewardship that it will now be dissolved.

RESOLUTION 122-01:

The ccNSO wholeheartedly welcomes the completion of the IANA Stewardship Transition on 1 October 2016, and congratulates the ICANN community, and in particular the membership and support staff of the CWG –Stewardship with this historic outcome and with this demonstration of the strengths of the multi-stakeholder process.

With the completion of the Transition, the ccNSO Council also agrees with the CWG-Stewardship that the work of the CWG has been completed, and in accordance with the CWG-charter requests the chair of the ccNSO to thank and congratulate the membership of the CWG-Stewardship, in particular the ccNSO appointed members and participants from ccTLD community for their enormous efforts and the result, and to notify the CWG – Stewardship that form a ccNSO perspective the CWG may be dissolved.

Moved by: Stephen Deerhake

Seconded by: Alejandra Reynoso

No abstentions or comments.

5.3 Closure of ccNSO Committees

- ### Closure of ISTACC

RESOLUTION 122-02:

With the completion of the Transition, the ccNSO Council decides to close the IANA Stewardship Transition and Accountability Coordination Committee (ISTACC) as suggested in its charter. The ccNSO Council want to thank all past and current members of the ISTACC for their contributions and efforts to achieve the Transition. The chair of the ccNSO is requested to inform the members of ISTACC group accordingly and the secretariat is requested to take all necessary steps to close ISTACC.

Moved by: Peter Vergote

Seconded by: Byron Holland

No abstentions or comments

- *Closure of ISTC*

RESOLUTION 122-03:

With the completion of the Transition, the ccNSO Council decides to close the IANA Stewardship Transition Coordination Committee (ISTC). The ccNSO Council want to thank all past and current members of the ISTC for their contributions and efforts to achieve the Transition. The chair of the ccNSO is requested to inform the members of ISTC group accordingly and the secretariat is requested to take all necessary steps to close ISTC.

Moved by: Byron Holland

Seconded by: Peter Vergote

No abstentions or comments.

The Chair congratulated members of both groups and thanked them for their efforts

ACTION 122-01:

Secretariat to archive ISTACC and ISTP - includes informing WG

5.4 Change of charter ccTLDWorld email list

The Chair noted in June 2014, the ccNSO Council agreed to create the ccTLD World list. Main reason was to make sure the ccTLDs, regardless of their membership to the ccNSO or to a regional organization, they are informed on the ongoing transition and accountability work. The idea was to limit the information on this list to transition and accountability topics. On the list are the primary contacts of the ccTLDs. Post transition, the Council must decide what to do with the list – could be used to inform the community regarding the Customer Standing Committee, RZERC, and other topics of common interest.

Byron Holland stated in terms of the CSC, it only just had one conference call – he believes the world list would likely be an effective tool to use. If the list is used sparingly, for important subjects relevant to all ccTLDs regardless of ccNSO affiliation, it could be useful.

Peter Vergote noted in chat: *As this is a well established mailing list I'm definitely in favor to keep on using it to inform all ccTLD managers on post transition items and certainly to report on CSC*

Agreement in chat from Alejandra Reynoso.

Stephen Deerhake noted in chat*: I concur with Byron. Very useful to have, and if the ECA ever is called into action, it will be very useful to be able to explain to the non-ICANN active ccTLD community what is going on...*

ACTION 122-02:

GRC and Secretariat to have a draft charter regarding the mailing list available to discuss and present in Hyderabad.

6 Adoption ccNSO Guidelines

ccNSO Guideline: Special Review teams

The Chair stated the Guidelines Review Committee prepared this guideline to fulfil requirements of new bylaws with respect to the special reviews. There are now the Security, Stability and Resiliency (SSR2) and Registry Directory Service (previously known as WHOIS) reviews coming. If the ccNSO ever decides to participate in the reviews, a member(s) will need to be appointed and this guideline will outline the process for selection and appointment.

Debbie Monahan asked when looking at 3.1, regarding eligibility, what does it mean that "it shall be open to individuals from all ccTLDs". Clarification and discussion is needed about what happens if a person's status within a ccTLD changes.

The Chair noted the maximum number of members on a review team is 21, there are 7 SO/ACs. Some communities may decide not to participate or appoint less than 3. If some SO/ACs decide not to appoint anyone or less than 3 people, then the community leaders may decide go with the existing number of members or can be decided to add members from other communities to fill in the open seats. The ccNSO Council will have the right to remove the members selected for the seats 1-3 but might not have an authority to remove those selected by SO/ACs leaders.

Debbie Monahan agreed the clause should allow for removal. She had an additional question regarding 4.3, "*If Councillors eligible to nominate are of the view that one or more candidates do not meet the Selection Criteria, (they'll be) informed accordingly and their response will not be considered*" – the way it's written, sounds like a veto power – does all the Councilors have to agree that the candidate doesn't? More clarification is needed.

Bart Boswinkel added that 4.3 is plural and it implied that it's all the Councilors or the majority. "If the majority of the Councilors eligible to nominate…" He understands she does not want blocking power by one or two (or one region). The reason the word "nominate" is due to the new bylaws, the Chairs of the SO/AC "select" or "appoint".

The Chair stated this should not be deferred because the call for volunteers for the Registry Directory Service is going out on the 28th of October.

Bart Boswinkel suggested taking this offline and use an email vote, adjusting the language – and ask the Councilors to note their concerns to the list.

ACTION 122-03:

Bart Boswinkel to circulate clarification of Special Review Team guideline, Council is asked to take this vote offline and express concerns on the email list – prior to call for volunteers.

7 CWG Auction Proceeds

The Chair noted, as a chartering organization, the ccNSO must appoint at least two members, and a maximum of five. The group will also be open to participants and observers. The Charter was supposed to adopt the charter, but there is some "fine tuning" still going on with the document – likely will be able

to discuss during face to face meeting.

ACTION 122-04:

Council to consider, does the ccNSO wants to appoint a co-chair?

8 Follow-up ccNSO Council Accountability discussion.

The Chair reminded Council at the Helsinki meeting, results of survey were presented. The main points that followed are: validity of survey, and suggestions on accountability and transparency.

Regarding the appointment to RZERC, currently there are 17 Councilors; only 9 Councilors voted after 3 reminders. Call for nomination to the Board seat 11, there was discussion on the mailing list. It could be claimed that this is "seasonal", but Council should figure out the root. One cause might be Council ignoring the requests or failed to communicate our position back to the community. From the discussion, it was clear the decisions do not seem transparent to the community. It could be the community is not reading the internal procedures (guidelines or correspondences) or maybe they are not given the opportunity to participate in the development of the procedures. All are welcome to participate in the Guidelines Review Committee and many times the community was invited to participate.

During a recent call of the GRC, it was discussed ways to ensure community involvement in the early stages of development of guidelines – this idea will be presented in Hyderabad.

Regarding the discussion on affiliation of ccNSO appointed Board members and Councilors – those appointed by ccNSO Members – what happens if a Board member or Councilor changes their position? The same concern should be extended to the appointed member to the working groups and review teams. Some concerns may be addressed easily/quickly but some may require changes to the bylaws.

There are things can be done now

- Publish draft agenda on Council wiki and advertise it actively on social media
- Send to mailing list – will garner early input

This is for the accountability discussion in Hyderabad.

Debbie Monahan acknowledged the great job the Chair did during the email discussion. Comments were excellent and exactly what was needed.

9 Follow-up FoI Advisory Team

The Chair noted this topic was discussed during the last call – Councilor(s) needs to take over the work started by Keith Davidson and Becky Burr. Becky Burr acknowledged she is willing to continue her work and Stephen Deerhake has also volunteered. The Chair hopes someone else will step forward as well.

10 Hyderabad meeting preparation

10.1 Update ccNSO meeting days/ Programme WG (Alejandra Reynoso)

Alejandra Reynoso updated the group on the 8 High Interest topics. The HIT are inter-community, and all are encouraged to attend if they are available.

Saturday – "How to do outreach within each SO/AC", "mitigation abuse gTLD", "WHOIS related activities"

Sunday – "Public interest within ICANN remit" – will be at the same time as the Q&A with ICANN Council and Board nominees.

Monday – Early start – joint session with ICANN Board at 8:30am; HIT on "Transparency on legal advice given to ICANN" by Jay Daly, Council meeting is at the same time as "HIT on underserved regions". At 18:30 there is an HIT on "internet governance"

10.1 WG meetings (Kimberley)
Meeting times, remote participation will be circulated via email later in the week

10.2 Meeting with GAC and Board

Meeting with GAC, Sunday 6 November 12.00-12.30 with potential to overrun.

Topics proposed:

- Progress on PDP
- Closure of working group CWG-UCTN
- EPSRP final report

Meeting with Board, Monday 7 November 08.30 –09.30 am local time

Topics to date are: Topics Board – ccNSO meeting

QUESTIONS FROM THE BOARD TO THE ccNSO:

1. What do we (Board and ICANN organization) have to do to make the transition work for you?
2. What do we (Board, ICANN organization and community) need to do to advance trust and confidence in what we do?

Topics raised by the ccNSO for the BOARD:

1. Location for ICANN meetings: given all the trouble with visa for ICANN57, how will the Board address this to avoid this in future? Related: the choice of Abu Dhabi as a venue where women do not enjoy the freedoms of other places and where the females attending may have issues walking the streets by themselves etc.
2. What's next on protection on country and territory names now that CCWG is preparing their final report and will come to conclusion that it is not feasible to come up with an overall approach? Is the Board inclined to keep the status quo from the applicant guidebook or will it yield to the wishes of the GNSO?
3. Submission of EPSRP WG advise. Not suggested, but as informational: Board requested ccNSO to provide guidance on very specific issue following 3rd review Fast Track process. Request was also to consult community and in particular GAC and SSAC. WG created and submitted its advice to Council for adoption of final report and recommendations to the Board. GAC, ALAC and Verisign support advise. SSAC suggests Board not to adopt.

10.4 Council meetings Hyderabad
- o   Prep meeting, Friday 4 November, Lunch meeting

o   Meeting with ALAC, Friday 4 November 17.00 – 18.00 local time (topics TBD)
o   Meeting with GNSO, Saturday 5 November 2016, lunch meeting (local time)

Proposed topics for discussion

Joint management of groups

- CCWG Use of country and territory names as TLDs
- CCWG Square: Cross-community group to develop principles for cross-community wg.

Proposed Hot topics:

- Potential closure of CCWG CTN, change of nature of CCWG Internet Governance
- Current status CCWG Auction Proceeds and participation of the ccNSO in that group.
- Future scheduling of the ICANN meetings: High Interest Sessions, block schedule. Ensuring broad participation in HIT sessions. Specified time on schedule?
  o   Regular Council meeting Monday 7 November 17.00 Local

Topics to be circulated

11 Council Updates

11.1   Chair Update

11.2   Vice-Chair Update

11.3   Councilors Update

11.4   Regional Organizations Update

11.5   Staff Update, including update ccNSO Council Election and Board Nomination

12 WG updates

12.1 EPSRP Update (written update)

The Chair noted the final report has been submitted by the working group. The Board asked the ccNSO, in consultation with the GAC and SSAC, to provide guidance to the Extended Process Similarity Review Panel. Giovanni Seppia was Chair, with participants and observers from GAC, SSAC refused to participate – during public comment period, SSAC produced advice directly to the Board recommending not to adopt the recommendations of the Working Group. Positive comments and support was received from GAC, ALAC and Verisign.

ACTION 122-05:

Next steps to be provided by WG and Secretariat (description of process, background of Board request, assessment of comments received and recommended course of action)

Bart Boswinkel added the WG submitted its final report, now to produce advice or next steps for the Council. Question is whether or not to adopt, and if adopted whether or not knowing there are diverging views – SSAC on one side – GAC/ALAC/WG (and most likely the community) on the other side.

12.2 GRC update (Katrina)

The Chair noted the working group has worked very hard preparing for Hyderabad. Travel funding doc to

be completed by end of year. Work on IRP has been postponed.

12.3 CCWG Updates

Use of Country and territory names (written update ccNSO appointed co-chairs)

13 Liaison Updates

13.1   GNSO Update (Patrick Myles. Written update included in materials)

13.2   ALAC Update (Interim: Maureen Hilyard. Written update included in materials).

The Chair congratulated Maureen Hilyard on her reappointment.

14 Monthly Work plan

Monthly update work plan October 2016 will follow the meeting

Debbie Monahan stated it was agreed that the issues report on the PDP would be out for public comment prior to the face to face meeting. What is the status of the issues report?

Bart Boswinkel noted he hoped to have it soon, but before the face to face.

15 Next meetings

- -   7 November 2016, 17.00 Local (Hyderabad)
- -   15 December 2016, 11.00 UTC
- -   20 January 2017, 19.00 UTC

16 AOB

17 Closure