ccNSO Council Telephone Conference
21 September 2017

<u>Attendees:</u>

AF
Abdalla Omari, .ke
Abibu Ntahigiye, .tz
Souleymane Oumtanaga, .ci

AP
Debbie Monahan, .nz
Hiro Hotta, .jp

EU
Katrina Sataki, .lv
Nigel Roberts, .je, .gg
Peter Vergote,.be

LAC
Alejandra Reynoso, .gt
Demi Getschko, .br
Margarita Valdes, .cl

NA
Stephen Deerhake, .as
Byron Holland, .ca
Pablo Rodriguez, .pr

NomCom
Jian Zhang
Christelle Vaval
Ching Chiao

Liaisons/Observers
Wafa Dahmani, ccNSO liaison to ALAC
Ben Fuller, ccNSO liaison to GNSO
Maureen Hilyard, ALAC liaison to the ccNSO

Regional Organizations
Barrack Otieno, AfTLD
Peter Van Roste, CENTR

ICANN Staff

Bart Boswinkel
Kim Carlson
Joke Braeken

1 Welcome and Apologies

Apologies: Young Eum Lee, Pablo Rodriquez

The ccNSO Chair informed the Council because of coordination issues, the live captioning has been suspended indefinitely.

She also expressed well wishes to colleague who were impacted by recent weather related natural disasters.

2 Minutes and Actions

Minutes circulated to Council 14 September 2017

Action items: Completed

Action 132-01:

Council to review - within 1 week from now - the draft revised of the Guideline: ccNSO Council Election Procedure, before it will be sent to the community for public comments.

Completed, no comments received.

Action 132-02:

Study Group CTN Letter to be sent to the GNSO to request continued exclusion of country and territory names in subsequent new gTLDs rounds.

Secretariat to send out a reminder to the Council to review the letter.

Completed: see agenda item 3.

ACTION 132-03:

The Secretariat to send out a call for volunteers to draft the terms of reference for a ccNSO review of the ccNSO meeting format

Completed

Action 132-04:

The secretariat will ask Maarten Simon and confirm what is expected from this person on the IANA IPR Community Coordination Group (CCG) and whether he is willing to stay on. Completed: Maarten Indicated he is willing to serve one more year.

FAQ Document – additional Action Item was distributed by Bart Boswinkel shortly before start of call.

Action Items:

Councilors are again asked to provide comments to this document.

3 Overview inter-meeting Council decisions

The ccNSO Chair reviewed the following intermeeting decisions:

- Letter to GNSO on participation Work Track 5 (WT5) within the GNSO's New gTLD Subsequent Procedures PDP Working Group.
- Adoption Final Response EPSRP working party (effective as of 18 September)

She noted response was submitted to the ICANN Board and it's unclear when they will address this, most likely not until Abu Dhabi. The Chair then mentioned she was informed a ccNSO Member approached members of SSAC, noted they supported the SSAC and did not agree with the response from the ccNSO. She believes this is against the rules that are in place.

Ching Chiao thanked Council for allowing him to state his position and believes there is still much work to be done.

4 Update ccNSO Council Elections FY 2018 & Nomination to fill Board Seat 12 FY 2018

The ccNSO Chair reminded Councilors call for nominations for Board Seat 12 closes 11 October. Nominations and secondments are publicly available.

Joke Braeken noted the call for nominations to the ccNSO Council will open on 26 September. Deadline is 17 October.

5 Continuation co-chairmanship CCWG Auction Proceeds Ching Chiao post ICANN 60.

The ccNSO Chair stated Ching Chiao is currently the ccNSO appointed co-chair of the CCWG Auction Proceeds. After the next public meeting, he will be stepping down as a ccNSO Councilor but has agreed to continue his work on this working group.

In addition, Ching was appointed as Interim co-chair, so if Ching would stay on, the interim role should be transformed to regular co-chair.

Ching Chiao thanked his colleagues and Council for their support. There is no hard deadline, but there is a lot of work still to be done within this working group.

Background

In December 2016, the ccNSO Council decided to appoint Ching Chiao as ccNSO appointed interim co-chair to the CCWG Auction proceeds. On 2 November 2017, at the end of the ccNSO Council meeting in Abu Dhabi, Ching steps down as NomCom appointed ccNSO Councilor.

RESOLUTION 133-01:

The ccNSO Council appoints Ching Ciao as ccNSO appointed co-chair to the cross-community working group Auction Proceeds (CCWG Auction Proceeds) and requests the chair of the ccNSO to inform the other chartering organizations and the CCWG Auction Proceeds accordingly.

Moved by Peter Vergote

Seconded by Stephen Deerhake

Abstained Ching Chiao

Young Eum-Lee sent her apologies but noted her support for all three resolutions to be voted on by Council today

6 Adoption updated charter TLD-Ops Standing Committee

The ccNSO Chair explained the TLD-OPS Standing Committee is a very active and important group and its work has evolved.

Background

The TLD-OPS Standing Committee has reviewed its charter. The current Charter was adopted in August 2015. Since 2015 the TLD-OPS and role of the TLD-Ops Standing Committee has evolved. This is now reflected in the updated charter.

RESOLUTION 133-02:

The ccNSO Council adopts the amended version of the TLD-Ops Standing Committee, and request the secretariat to adjust the revision number and publish the updated version charter. 3

Action Item 133-01:

Secretariat is asked to inform the working group on adoption of charter revision

Passed unanimously

7 Review NomCom appointment to ccNSO Council

Council agreed to move this discussion to end of meeting, to allow Byron Holland to recuse himself from this discussion

Nigel Roberts stated he feels Bryon Holland should recuse himself from this discussion, but does not believe he needs to leave the call.

The Chair offered background on NomCom appointments to the ccNSO Council. Once a year NomCom appoints 1 person to the Council, this year the appointee is currently a Board member of CIRA, the ccTLD manager for .ca. Post ICANN 60 this will result in two Councilors from the same ccTLD manager (CIRA).

In 2008, the NomCom appointee was employed by a ccTLD manager (which did not have another member on Council). At the time, and independent of the qualities of the appointee, the Council sent a letter to the Board (see: https://ccnso.icann.org/workinggroups/minutes-council-call-16sep08.pdf). The ccNSO Council is diverse and the role of the NomCom is to appoint people who is not associated with ccTLD manager and can add to this diversity/add different perspective.

Guideline to the NomCom clearly advises them not to appoint someone associated with a ccTLD manager. The recent appointment fails to comply with the long-standing criteria.

Proposed course of action is for the ccNSO Council to send a letter to the Board, and or NomCom re-iterating the arguments made in 2008 and the criteria from 2012.

Nigel Roberts proposes giving the Chair the discretion to write the letter.

Debbie Monahan added she believes the NomCom should update their procedures to include additional considerations and eligibility (considering current make-up of the Council).

Stephen Deerhake noted this is the third time NomCom has erroneously appointed someone to the ccNSO Council and they along with the Board, need a bit of a "nudge".

Peter Vergote agreed with the disapproval of the NomCom and the drafting of a letter. He however warned the letter should be carefully worded.

Nigel Roberts added, while Debbie Monahan is correct, the criteria were addressed in 2012, and seemingly ignored. Regarding Peter Vergote' s statement, while true, the ccNSO cannot veto an appointment however there are conflict of interests (perceived) to be considered.

Margarita Valdes stated one of the duties of the representative to the NomCom is to make sure the set criteria are being followed and to "fight" if necessary to maintain the necessary diversity.

Nigel Roberts furthered the discussion on using the word "unacceptable".

Peter Vergote clarified he is fine using the work "unacceptable" regarding how the appointment was made, but Council should not use that word to describe the candidate as there would be legal repercussions.

Background

In November 2008 the NomCom appointed an employee of a ccTLD manager that had no representative on the ccNSO Council at the time of appointment. Independent of the qualities of the appointee, the ccNSO Council decided to send a letter to the Board (see: https://ccnso.icann.org/workinggroups/minutes-council-call-16sep08.pdf) to convey the view of the ccNSO Council on the role of NomCom appointees and the role of NomCom in seeking and appointing Councilors. In addition, in order to assist the NomCom, the ccNSO Council developed criteria for suitable candidates.

In 2012, the Chair of the NomCom at that time confirmed that the NomCom would be "avoiding any member already belonging to the cc management participating in the cc constituency" (Chair of the NomCom email to Chair of the ccNSO). In addition, the Chair of the NomCom 2013 requested input on additional requirements from a ccNSO perspective for appointing Councillors to the ccNSO Council. The Council re-iterated the earlier criteria: "To maintain the current balance the ccNSO Council strongly advises the Nominating Committee not to appoint members who are directly or indirectly associated with a ccTLD manager (either as a Board member, employee or advisor) nor Board member or employee of a Regional Organisation" (https://ccnso.icann.org/about/nomcom-appointee-requirements-21dec12-en.pdf)

The 2017 prospective Nominating Committee appointee to the ccNSO Council is a Board Member of the Canadian Internet Registry Association (CIRA). The proposed appointment fails to comply with the above quoted long standing criteria. Our concern is aggravated by the additional fact that the relevant ccTLD manager is already represented on the ccNSO Council by a Member unanimously elected by ccNSO members from that particular region.

RESOLUTION 133-03:

Independent of the qualities of the recently NomCom appointed Council member, the ccNSO Council expresses its strong disappointment in the decision of NomCom that despite its earlier assurances it has appointed a person who is directly related with a ccTLD manager, which in addition already has a seat on the ccNSO Council. The Council re-iterates its grave concern that this appointment does not respect NomCom's role and mission to add independent people to the ccNSO Council. In addition, the ccNSO urges NomCom to indicate how they intend to assure that such an appointment will be avoided in future.

The ccNSO Council requests the Chair to draft a letter to the Chair of the Nominating Committee, the ICANN Board, and the appointee informing them of Council's views and that the proposed appointment is unacceptable to the ccNSO Council. This letter is to be adopted by Council before it is sent.

Action Item 133-02:

Chair is asked to draft letter to NomCom

Moved by Stephen Deerhake

Seconded by Alejandra Reynoso

Passed unanimously

8 Update PDP progress (Nigel)

Nigel Robert provided an update. Work continues on-pace. Because of connectivity issues, the last meeting was abbreviated. All Councilors are invited to join the next call.

9 Appointment volunteers Terms of reference ccNSO Review ICANN Meeting Strategy and Venue selection criteria

Background

Following the 24 August Council decision to start the preparation of the review of the ccNSO meeting strategy, the Secretariat sent out a call for volunteers, which closed Friday 15 September 2017. The following persons volunteered:

- Margarita Valdes (former member ICANN meetings strategy working group, LAC)

- Alejandra Reynoso (chair ccNSO programme WG, LAC)

- Jordan Carter (AP)

- Mira Fajriyah (AP)

- Giovanni Seppia (EU)

RESOLUTON 133-03:

The ccNSO Council appoints Margarita Valdes, Alejandra Reynoso, Jordan Carter, Mira Fajriyah and Giovanni Seppia to propose terms of reference for the evaluation of the ccNSO meeting Strategy to date, and request Margarita and/or Alejandra to provide regular updates to the Council on progress of the drafting team.

Moved by Demi Getschko

Seconded by Nigel Roberts

Passed unanimously

10 ICANN 60: meeting agenda (Abu Dhabi)

Alejandra Reynoso informed Council of changes and joint session scheduled.

Peter Van Roste asked about .cat and adding this discussion to the members meeting agenda.

It was suggested to address this at joint GNSO/ccNSO meeting.

Peter Vergote is in favor of adding this discussion. This should be added to the legal session at ICANN61.

Nigel Roberts believes this is of direct interest to ccTLDs and should be discussed further.

10.1 ICANN 60 Meeting schedule days and Tech day

10.2 Council meetings
- Prep meeting Council – Sunday, lunch
- Council meeting: Wednesday afternoon 17.00

10.3 ccNSO Cocktail update

The Chair stated the ccNSO Community Cocktail would be canceled in Abu Dhabi. The price has proven too inhibiting and thanks those who did pledge for their generous offers.

10.4 Topics for Board – ccNSO meeting

The ccNSO Chair reviewed topic suggestions.

11 CSC, RZERC and ECA update

11.1 CSC update (Byron)

Byron Holland noted service levels for PTI were at 100%. The CSC is developing the remedial action procedures and providing feedback to the CSC Charter Review team.

11.2 RZERC update

11.3 Empowered Community Administration update

Agenda topic 7 was discussed at this time

12 Council Updates

12.1 Chair Update

12.2 Vice-Chair Update

12.3 Councilors Update

12.4 Regional Organizations Update

12.5 Secretariat update

13 WG update

13.1 GRC update (Katrina)

13.2 CCWG Auction Proceeds (Ching)

13.3 CCWG Internet Governance (Young Eum)

13.4 CCWG Accountability WS 2

14 Liaison Updates

14.1 GNSO Update (written update).

14.2 ALAC Update (written update).

15 Next meetings

- • Thursday 18 October, 18.00 UTC

- • Wednesday 1 November, 17.00 local time.

16 AOB

Stephen Deerhake noted many missing or bad links on the ccNSO website.

Bart Boswinkel stated there is no systematic reason some links work and some don't. On the ICANN website, there are several broken links as well. Secretariat is unable to systematically review the website but happy to "fix" the links on an ad hoc basis.

Action Item 133-03:

Ongoing – Secretariat (Bart and Kim) is asked to repair missing/bad links on the ccNSO website on an ad hoc basis – focusing initially on the Council section.

The ccNSO Chair congratulated Jaap Akkerhuis on his induction to the Internet Hall of Fame.

The ccNSO Chair also asked about a gift to Steve Crocker.

Suggestion was made by Peter Vergote regarding a Belgium artist. He will send link to group for examples.

17 Closure