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## **1. Consent Agenda:**

### **a. Approval of Board Meeting Minutes**

Resolved (2013.04.11.xx), the Board approves the minutes of the 28 February 2013 Special Meeting of the ICANN Board.

### **b. RSSAC Bylaws Amendments**

Whereas, in Resolution 2011.01.25.10, the Board approved the RSSAC review final report implementation steps and instructed the Structural Improvements Committee (SIC), in coordination with staff, to provide the Board with a final implementation plan to address the RSSAC review final recommendations and conclusions.

Whereas, in July and August 2012, a working group of RSSAC and SIC members was formed to draft a revised RSSAC charter in order to meet the requirements of the final RSSAC review recommendations. The RSSAC Charter is set forth within the ICANN Bylaws at Article XI, Section 2.3.

Whereas, on 4 December 2012, the SIC reviewed the proposed Bylaws revisions and recommended that the suggested changes to Article XI, Section 2.3 be posted for public comment. The Board approved the public comment posting on 20 December 2012, and the comment period was opened on 3 January 2013. No comments were received.

Whereas, on 28 March 2013, the SIC recommended that the Board adopt the changes to Article IX, Section 2.3 of the Bylaws.

Resolved (2012.10.xx.xx), the Board adopts the proposed changes to Article XI, Section 2.3 of the ICANN Bylaws that are necessary to modify the charter for the RSSAC in line with the recommendations arising out of the organizational review of the RSSAC.

***Rationale for Resolution 2013.04.11.xx***

These ICANN Bylaws amendments will clarify the continuing purpose of the Root Server Advisory Committee (RSSAC). They were recommended by the joint RSSAC-SIC Working Group formed to conclude the implementation of the RSSAC review WG final report: implementation steps [PDF, 448 KB], approved by the Board on 25 January 2011. The proposed Bylaws changes were posted for public comment, and no comments were received in response. The absence of public comment indicates that such amendments are desirable for the RSSAC to improve its effectiveness in the current environment. The Bylaws revisions are drafted to allow the RSSAC sufficient time to coordinate the new RSSAC member terms that are required under the Bylaws, with the first full term under the new Bylaws provision beginning on 1 July 2013.

The approval of these Bylaws revisions is an Organizational Administrative Function for which public comment was sought. While the approval of the Bylaws amendments has no budget implications per say, it is expected that the Bylaws revisions will induce RSSAC expenditures. Empowered by the revised Bylaws amendment, the RSSAC will contribute to strengthening the security, stability and resiliency of the DNS.

**c. Hub office in Istanbul, Turkey**

Whereas, the Internet Corporation for Assigned Names and Numbers, a legal entity duly incorporated and existing under the laws of the State of California and the United States of America, having its principle place of business at 12025 E. Waterfront Drive, Suite 300, Los Angeles, California USA 90094 ("ICANN"), has decided to establish a branch office in Istanbul, Turkey ("Branch Office").

Resolved (2013.04.xx.xx), David Olive, holding a United States passport numbered [REDACTED], is appointed as the representative of the Branch Office with each and every authority to act individually on

behalf of the Branch Office before, including but not limited to, any and all courts, private and public institutions.

Whereas, The ICANN Bylaws (Article X, Section 5.3) state, "Each [GNSO] Stakeholder Group shall maintain recognition with the ICANN Board."

***Rationale for Resolution 2013.04.11.xx***

ICANN is committed to continuing to expand its global reach and presence in all time zones throughout the globe. One of the key aspects of ICANN's internationalization is to establish offices in Turkey and Singapore. Another key aspect of ICANN's internationalization is to ensure that not all members of ICANN's senior management are located in the Los Angeles office. To that end, one of ICANN's officers, David Olive, has agreed to relocate to Istanbul and to be the designated branch representative.

In order to formally establish an office in Istanbul, ICANN must register to do business in Turkey. The registration to do business in Turkey requires a specific Board resolution establishing the branch and designating the branch representative, which is why the Board has passed this resolution.

This is an Organizational Administrative Function not requiring public comment.

**d. NCSG Decision to Reject PIA-CC Application**

Whereas, The ICANN Board wants to encourage participation by a broad spectrum of existing and potential community groupings in ICANN processes and activities.

Whereas, the ICANN Board has established a Process for the Recognition of New GNSO Constituencies that includes objective eligibility criteria, encourages collaboration and puts the decisions regarding applications, in the first instance, in the hands of the

communities to be directly impacted by the potential new Constituency.

Whereas, the Cybercafé Association of India (CCAOI), submitted an application for formal recognition of a new GNSO Constituency called the “Public Internet Access/Cybercafé Ecosystem (PIA/CC)” within the GNSO’s Non-Commercial Stakeholder Group (NCSG).

Whereas, the Staff managed a 68-day Public Comment Forum for community review and reaction to the PIA/CC proposal.

Whereas, the NCSG Leadership and ICANN staff engaged in collaborative consultation and dialogue with the PIA/CC proponents.

Whereas the NCSG Leadership and ICANN staff have followed the process and the NCSG has advised the Structural Improvements Committee of the Board of its determination to deny the application because the application does not meet the criteria established by the Board.

Resolved (2013.04.11.xx) the decision of the NCSG to deny the PIA/CC application is ratified with the understanding that the decision is without prejudice and the Constituency proponents have the right to re-submit a new application.

Resolved (2013.04.11.xx) the Staff is directed to continue collaborative discussions with the PIA/CC proponents to further investigate and consider other options for community engagement within the ICANN community and its processes.

***Rationale for Resolution 2013.04.11.xx***

The process for the recognition of new GNSO Constituencies was designed to provide specific and objective application criteria and to place decisions on the recognition of new GNSO Constituencies, in the first instance, in the hands of the community groups in the best



position to evaluate those applications. In the present case, the process was followed and the NCSG has made its determination.

It is important to note that Board ratification of the NCSG decision to reject the PIA/CC application is without prejudice to the right of the proponents to resubmit a new application. The Board hopes that further discussions with the PIA/CC proponents can result in a course of action that will allow PIA/CC interests to be effectively incorporated into ICANN's activities and processes.

This action will have no immediate or substantial impact on ICANN's resources. This action is not expected to have any impact on the security, stability or resiliency of the DNS.

This action is an Organizational Administrative Function for which public comment was received.

#### **e. .CAT Cross-Ownership Removal Request**

Whereas, in December 2012, the Fundació puntCAT requested the removal of the cross-ownership restrictions reflected on the 23 September 2005 Registry Agreement signed between ICANN and Fundació puntCAT;

Whereas, the request followed the "Process for Handling Requests for Removal of Cross-Ownership Restrictions on Operators of Existing gTLDs" adopted by the Board on 18 October 2012;

Whereas ICANN conducted a competition review in accordance to the Board-approved process and has determined that the request does not raise significant competition issues;

Whereas, a public comment period took place between 22 December 2012 and 11 February 2013 and only one comment was received, which was in support of Fundació puntCAT's request.

Resolved (2013.04.11.xx), an amendment to remove the cross-ownership restriction in the Fundació puntCAT 23 September 2005 Registry Agreement is approved, and the President and CEO and the General Counsel are authorized to take such actions as appropriate to implement the amendment.

***Rationale for Resolution 2013.04.11.xx***

Why the Board is addressing the issue?

The cross-ownership removal for existing registries has been subject to extensive discussions by the board and the community. This is the first time and existing registry has made the request according the Board-approved process adopted 18 October 2012. However, the Board is likely to see additional requests in the further. Under the Board process adopted in October 2012, to lift cross-ownership restrictions existing gTLD registry operators could either request an amendment to their existing Registry Agreement or request transition to the new form of Registry Agreement for new gTLDs. Although Fundació puntCAT requested an amendment to its Registry Agreement, it still will be offered the opportunity to transition to the new form of Registry Agreement for the new gTLDs. Removal of the cross-ownership restrictions for .BIZ, .INFO and .ORG are being considered as part of their overall renewal negotiations. ICANN is also in preliminary discussions with .MOBI and .PRO on removal of the cross-ownership restrictions.

What is the proposal being considered?

An amendment to the 23 September 2005 Registry Agreement signed between ICANN and Fundació puntCAT.

Which stakeholders or others were consulted?

A public comment period took place between 22 December 2012 and 11 February 2013.

What concerns or issues were raised by the community?

Only one comment was received during the public comment period. The comment was in favor of the Fundació puntCAT request.

What factors did the Board find to be significant?

ICANN conducted a competition review in accordance to with the Board-approved process for handling requests of removal of cross-ownership restrictions in Registry Agreements. ICANN has determined that the request does not raise significant competition issues.

Are there fiscal impacts or ramifications on ICANN (strategic plan, operating plan, budget); the community; and/or the public?

There is no fiscal impact to ICANN.

Are there any security, stability or resiliency issues relating to the DNS?

There are no security, stability and resiliency issues identified.

Is this either a defined policy process within ICANN's Supporting Organizations or ICANN's Organizational Administrative Function decision requiring public comment or not requiring public comment?

This request followed the "Process for Handling Requests for Removal of Cross-Ownership Restrictions on Operators of Existing gTLDs" adopted by the Board on 18 October 2012.

<http://www.icann.org/en/resources/registries/removal-cross-ownership>.

## **f. Redelegation of the .GA domain representing Gabon**

Resolved (2013.04.06.xx), ICANN has reviewed and evaluated the request, and the documentation demonstrates the process was followed and the redelegation is in the interests of the local and global Internet communities.

***Rationale for Resolution 2013.04.11.xx***

As part of the IANA Functions, ICANN receives request to delegate and redelegate country-code top-level domains. ICANN Staff has reviewed and evaluated a redelegation request for this domain and has provided a report to the ICANN Board that proper procedures were followed in that evaluation. The Board's oversight of the process helps ensure ICANN is properly executing its responsibilities relating to the stable and secure operation of critical unique identifier systems on the Internet and pursuant to the IANA Functions Contract. Ensuring that the process is followed adds to the accountability of ICANN. This action will have no fiscal impact on ICANN or the community, and will have a positive impact on the security, stability and resiliency of the domain name system.

This is an Organizational Administrative Function not requiring public comment.

**2. Main Agenda:**

**a. IDN Variant TLD Root LGR Procedure and User Experience Study Recommendations**

Whereas, IDNs have been a Board priority for several years to enable Internet users to access domain names in their own language, and the Board recognizes that IDN variants are an important component for some IDN TLD strings;

Whereas, the Board previously resolved that IDN variant gTLDs and IDN variant ccTLDs will not be delegated until relevant work is completed;

Whereas, since December 2010 ICANN has been working to find solutions to ensure a secure and stable delegation of IDN variant TLDs, and the IDN Variant TLD Program benefited from significant community participation in developing the Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels and the Report on User Experience Implications of Active Variant TLDs.

Resolved (2013.04.11.xx), the Board directs staff to implement the Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels, including updating the gTLD Applicant Guidebook and IDN ccTLD Process to incorporate the Label Generation Rules for the Root Zone in Respect of IDNA Labels in the respective evaluation processes.

Resolved (2013.04.11.xx), the Board requests that, by 1 July 2013, interested Supporting Organizations and Advisory Committees provide staff with any input and guidance they may have to be factored into implementation of the Recommendations from the Report on User Experience Implications of Active Variant TLDs.

***Rationale for Resolution 2013.04.11.xx***

Why the Board is addressing the issue now?

IDN variant TLDs have been a subject of interest for several years to a number of IDN users. The IDN Variant TLD Program has been working with subject matter experts in the community to develop solutions to enable a secure and stable delegation of IDN variant TLDs. The Program has concluded the work on two key components of the solution: the Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels and the Report on User Experience Implications of Active Variant TLDs, hereinafter referred to as the Procedure. The Procedure is now ready for consideration for adoption as the mechanism, between other things, to evaluate potential IDN TLD strings and to identify their

variants (if any). The recommendations from Report on User Experience Implications of Active Variant TLDs are now ready to be implemented with any input and guidance that interested Supporting Organizations and Advisory Committees may have.

What is the proposal being considered?

The Procedure describes how to populate and maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels, which is expected to become a key component in processing IDN TLD applications. The Procedure requires participation from the relevant communities as a central component. The Procedure includes safeguards to ensure maximum community participation of a given linguistic community and avoid dominance of a single interested party, and requires technical experts involvement to ensure technical and linguistic accuracy on the contents of the Rules. The Report on User Experience Implications of Active Variant TLDs includes a series of recommendations to enable a good user experience with IDN variant TLDs.

What Stakeholders or others were consulted?

The development of the Procedure and the Report included full participation of several members from the community. Both documents also went through two public comment processes and a number of public presentations where feedback was gathered.

What concerns or issues were raised by the community?

There were concerns raised about the idea that variants in general are inappropriate in the root zone, though, allowing that some specific case might be acceptable. There were also concerns about conflict resolution and governance of the Procedure. However, by having a requirement of consensus within and between panels the conflict resolution issue would seem to be mitigated. With regards to the governance of the Procedure, it is foreseen that having the

integration panel under contract with ICANN will allow removing a panelist that could be behaving in a non-constructive manner. There were concerns regarding the issues raised in the Report may frightens readers away from supporting variants and the report does not highlight the risks (problems and security issues) if variants are not supported or activated. However, we felt that in order to ensure a secure, stable and acceptable experience, these issues needs to be called out for the respective parties to work on, also the need for variants is well articulated by the individual issues reports, so we consider it outside the scope of the current study.

What significant materials did Board review?

A Board paper and Reference Materials detailing the proposal, the Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels, and the Report on User Experience Implications of Active Variant TLDs.

What factors the Board found to be significant?

That the Label Generation Rules for the Root Zone in Respect of IDNA Labels will improve the current process to evaluate IDN strings by using a pre-approved, deterministic process to define which code points are allowed in the root. The rules being a key component to consistently identify the variants of applied-for IDN strings. The Procedure has the participation of the relevant communities as a core feature. The Recommendations aim to enable a good user experience in regards to IDN variant TLDs.

Are there Positive or Negative Community Impacts?

Adopting the Procedure and consequently the Label Generation Rules for the Root Zone in Respect of IDNA Labels will benefit future TLD applicants by enabling future applicants to check whether the string they are intending to apply for is allowed. The Rules will also allow the deterministic identification of IDN variants for the applied-for strings.

Implementing the Recommendations will enable a good user experience with IDN variant TLDs.

Are there fiscal impacts/ramifications on ICANN (Strategic Plan, Operating Plan, Budget); the community; and/or the public?

No fiscal impacts/ramifications on ICANN are foreseen by adopting this resolution.

Are there any Security, Stability or Resiliency issues relating to the DNS?

The adoption of the Rules and the implementation of the Recommendations is expected to have a positive impact on the Security of the DNS by having a technically sound process with multiple checkpoints, including public review, of the code points and their variants (if any) that will be allowed in the root zone and the deployment of measures avoid user confusion regarding IDN variant TLDs.

Is this either a defined policy process within ICANN's Supporting Organizations or ICANN's Organizational Administrative Function decision requiring public comment or not requiring public comment?  
This is an implementation activity, not a policy process.

**b. Any Other Business**



**2013-04-11-01a-Minutes of 02-28-2013 Board  
Meeting.docx**



A Special Meeting of the ICANN Board of Directors was held telephonically on 28 February 2013 at 21:00 UTC.

Steve Crocker, Chair, promptly called the meeting to order.

In addition to the Vice Chair the following Directors participated in all or part of the meeting: Sébastien Bachollet, Fadi Chehadé (President and CEO), Bertrand de La Chapelle, Chris Disspain, Bill Graham, Olga Madruga-Forti, Erika Mann, Gonzalo Navarro, Ray Plzak, George Sadowsky, Mike Silber, Bruce Tonkin (Vice Chair), and Kuo-Wei Wu. Judith Vazquez sent apologies.

The following Board Liaisons participated in all or part of the meeting: Heather Dryden (GAC Liaison), Ram Mohan (SSAC Liaison); and Suzanne Woolf (RSSAC Liaison). Francisco da Silva (TLG Liaison) and Thomas Narten (IETF Liaison) sent apologies.

The following ICANN staff participated in all or part of the meeting: Akram Atallah, Chief Operating Officer; John Jeffrey, General Counsel and Secretary; David Olive, Vice President, Policy Development Support; Geoff Bickers, Megan Bishop, Michelle Bright, Samantha Eisner, Kim Davies, Elise Gerich, Dan Halloran, Jamie Hedlund, Jeff Moss, and Diane Schroeder.

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## **1. Consent Agenda**

The Chair provided an overview of the Agenda before the Board. The Chair introduced the items on the consent agenda and called for a vote. The Board then took the following action:

Resolved, the following resolutions in this Consent Agenda are approved:

### **a. Approval of Board Meeting Minutes**

Resolved (2013.02.28.01), the Board approves the minutes of the 2 February 2013 Special Meeting of the ICANN Board.

### **b. Action from Board Compensation Committee**

Whereas, the retention of high calibre staff is essential to ICANN's operations and ICANN desires to ensure competitive compensation for staff.

Whereas, the Board recently appointed David Olive as an ICANN Officer (see <http://www.icann.org/en/groups/board/documents/resolutions-02feb13-en.htm#1.e>).

Whereas, independent market data provided by independent compensation experts indicates that the current compensation for David Olive, ICANN's Vice President, Policy Development Support, falls within ICANN's target of the 50th to 75th percentile based on market data supplied by ICANN's independent compensation experts.

Whereas, the Compensation Committee and the full Board have confirmed that they are not conflicted with respect to the Vice President, Policy Development Support's compensation package.

Resolved (2013.02.28.02), the Board adopts the current compensation of Officer David Olive, Vice President, Policy Development Support, as reasonable based on the market data and recommendations from the independent compensation experts.

***Rationale for Resolution 2013.02.28.02***

Attracting and retaining high calibre staff by providing a competitive compensation package is crucial to the organization. In adopting as reasonable the compensation for ICANN's Officer, David Olive, the Compensation Committee and the Board reviewed and accepted the market analysis and recommendations from the independent compensation experts, and by taking this action are confirming that they are not conflicted as to David Olive's compensation package.

This decision will have no fiscal impact on the organization or the community, and it will not have an impact on the security, stability and resiliency of the domain name system. This is an Organizational Administrative Function not requiring public comment.

**Fourteen members of the Board voted in favor of Resolutions 2013.02.28.01 and 2013.02.28.02. Erika Mann and Judith Vazquez members were unavailable to vote on the Resolutions. The Resolutions carried.**

After completion of the vote on the Consent Agenda, Bertrand de La Chapelle made an inquiry regarding the status of an item that was previously proposed for inclusion on the Board's agenda. The item was the application for the creation of a Cyber Café constituency in the non-contracted parties' house of the GNSO.

Ray Plzak provided a brief update on the issue and informed the Board that the matter is being re-considered by the Structural Improvements Committee. Updated information will be provided to the Board for consideration at the next regularly scheduled meeting of the Board.

## **2. Main Agenda:**

### **a. Arab Center for Dispute Resolution's Proposal to Serve as UDRP Provider**

The Chair pulled this item 2.a. from the Consent Agenda to the Main Agenda. The Chair introduced the topic and began the discussion, focusing on a method to reach final resolution on the issue.

Samantha Eisner noted that while the changes made within the ACDR's application were not of a substantive enough nature to lead to a recommendation that further public comment was required prior to the Board's consideration, if the sense of the Board is that further public comment is advisable, then there is no objection to take this item out for further comment. Staff would then bring the summary of those further comments back to the Board.

The Chair noted some of the concerns that had been brought to his attention related to the matter of how ICANN will assure uniformity among providers. The Chair would like this matter to be brought to a close.

Samantha confirmed that bringing the issue of provider uniformity to a close could be separated from the specific application from the ACDR's application, and that ICANN could draft a separate statement or document for public consumption on the uniformity issue. That would bring the work on community questions on provider uniformity to a close, while proceeding with consideration of the ACDR's application.

Bruce Tonkin requested an explanation of the framework in place to address situations where a UDRP provider was not performing its

obligations or there were quality control issues. Bruce also inquired about the worst-case scenario or related risk management issues in these situations.

Samantha noted that there have been very few actual allegations of UDRP provider misconduct brought to ICANN's attention, and those that have been brought were determined, after investigation, to be more of a claim that the complainant was unhappy with the decision reached. But when claims of misconduct are brought, ICANN reviews and investigates as appropriate. In the worst-case scenario of provider misconduct, ICANN has the ability to revoke the approval for the UDRP provider. Due to lack of complaints over the years, ICANN does not have a robust process for this type of complaint review and revocation, but one could be developed. It's also important to note that the UDRP Provider Approval Process has been partially identified as within the ambit of the GNSO's policy development process. Many years ago there was an opportunity for the GNSO to take up a specific issue dealing with UDRP providers and they chose not to. Recently, in the potential UDRP PDP, this is one of the items that could be included in there. That PDP is delayed for a period of time after the entry of new gTLDs into the root. Some of this work could be addressed through that policy process.

Bruce concurred that having some form of contract or publicly available process for review or revocation of providers within would be beneficial.

The General Counsel and Secretary noted that the competitive marketplace for dispute resolution services factors into ensuring that UDRP providers perform as expected. The proposal for formalizing a process for handling complaints against UDRP providers would be a good enhancement.

Bertrand de La Chapelle concurred with the proposal to better document the process of handing non-performing UDRP providers but did not believe it necessary to have another round of public comments on the ACDR application, as the consultation would likely result in comments similar to what has already been received.

The Chair noted that while he agreed with Bertrand on the likely outcome of further comment on the ACDR's application, the outreach that was received calling for the comment on the new version is of import. Whether or not public comment is received, it seems right for the Board to defer a decision on the ACDR's application for at least one meeting while the work to close the issue of uniformity of providers is closed.

Bruce confirmed that because the public had not seen the new documents. In the future, the need for further comment could be mitigated if there was at least the opportunity to post this type of document before the Board took action.

Bertrand supported the initiation of a comment period on the ACDR application at this time.

After taking the sense of the Board, the Chair directed staff to open an additional comment period on the ACDR's application, and also requested the Office of the General Counsel to present information to the community on the framework used to address non-performing or under-performing UDRP providers. No resolution was taken.

### **b. Redelegating of the .ML domain representing Mali**

After the Chair introduced the Resolution for consideration, Elise Gerich provided a brief history of the request for the redelegation of the ccTLD representing Mali and the process followed by the IANA Function Department in processing the current request for redelegation.

Kuo-Wei Wu then moved and Bill Graham seconded the proposed Resolution.

The General Counsel and Secretary made a small refinement to the proposed Resolution to refine the language.

Bertrand de La Chapelle reiterated a request he had previously made that ICANN revisit the language used within the resolutions on delegation and redelegation, as the review performed by ICANN may not always allow for ICANN to make the substantive judgment that the request is in the interests of the Internet community. Instead, the demonstration that the process was followed is part of the evaluation of criteria that support a judgment. This discussion can occur later.

Ray Plzak supported Bertrand's request.

The Chair requested that this item be taken up for further discussion with staff.

The Board then took the following action:

Resolved (2013.02.28.03), ICANN has reviewed and evaluated the request, and the documentation demonstrates the redelegation process was followed and is in the interests of the local and global Internet communities.

**Fourteen members of the Board voted in favor of Resolution 2013.02.28.03. Erika Mann and Judith Vazquez were unavailable to vote on the Resolution. The Resolution carried.**

***Rationale for Resolution 2013.02.28.03***

As part of the IANA Functions, ICANN receives request to delegate and redelegate country-code top-level domains. ICANN Staff has reviewed and evaluated a redelegation request for this domain and has provided a report to the ICANN Board that proper procedures were followed in that evaluation. The Board's oversight of the process helps ensure ICANN is properly executing its responsibilities relating to the stable and secure operation of critical unique identifier systems on the Internet and pursuant to the IANA



Functions Contract. Ensuring that the process is followed adds to the accountability of ICANN. This action will have no fiscal impact on ICAN or the community, and will have a positive impact on the security, stability and resiliency of the domain name system.

This is an Organizational Administrative Function not requiring public comment.

### **c. Delegation of the .ukr domain representing Ukraine**

After the Chair introduced the Resolution for consideration, Elise Gerich provided a brief presentation on the proposed delegation of the ccTLD to Ukraine. Elise confirmed that the request met the requirements of the Fast Track Process and the process was followed.

Kuo-Wei Wu then moved and Bill Graham seconded the proposed Resolution.

The Board then took the following action:

Resolved (2013.02.28.04), ICANN has reviewed and evaluated the request, and the documentation demonstrates the delegation process was followed and is in the interests of the local and global Internet communities.

**Fourteen members of the Board voted in favor of Resolution 2013.02.28.04. Erika Mann and Judith Vazquez were unavailable to vote on the Resolution. The Resolution carried.**

#### ***Rationale for Resolution 2013.02.28.04***

As part of the IANA Functions, ICANN receives request to delegate and redelegate country-code top-level domains. ICANN Staff has reviewed and evaluated a delegation request for this domain and has provided a report to the ICANN Board that proper procedures were followed in that evaluation. The Board's oversight of the process

helps ensure ICANN is properly executing its responsibilities relating to the stable and secure operation of critical unique identifier systems on the Internet and pursuant to the IANA Functions Contract. Ensuring that the process is followed adds to the accountability of ICANN. This action will have no fiscal impact on ICANN or the community, and will have a positive impact on the security, stability and resiliency of the domain name system.

This is an Organizational Administrative Function not requiring public comment.

#### **d. New Approach to Process for ccTLD Delegation & Redelegations**

The Board and staff engaged in a discussion concerning the new approach to the process for Board consideration of ccTLD delegation and redelegation requests under the new IANA Functions Contract.

Bertrand de La Chapelle reiterated his request for a change of language of the Board uses when approving a ccTLD delegation or redelegation to make it clearer that the Board has an oversight role under the IANA Functions Contract, as opposed to making any substantive judgments in these matters.

Chris Disspain noted that the ccNSO's work on the Framework of Interpretation will take into consideration changes under the IANA Functions Contract. The FoI work could ultimately have an effect on how ICANN considers the criteria for ccTLD delegations and redelegations, but no changes in wording are currently required based on the FoI work.

Ray Plzak noted that the proposed changes to the wording of future resolutions represent an important movement of the Board into an oversight role. This takes the Board out of the position of making qualitative judgments on matters and makes the Board less of the legislative body that it has become. This is not a release of responsibility to

make sure that things are done correctly; rather, it strengthens the Board's position in assuring that processes are followed.

Chris agreed with Ray, noting that the fact that the Board is not having a policy-based discussion on an item does not mean that the Board's responsibility has been diminished in any way. The Board can focus on governance.

The Chair noted that further discussions could be had on this issue as necessary.

#### **e. Beijing Meeting Information Update**

Geoff Bickers and Jeff Moss made a brief presentation to the Board on the logistical security preparations for staff and Board for the Beijing meeting.

The Chair directed staff to schedule a more in-depth informational call with the Board on the security issues in advance of Beijing.

#### **f. Any Other Business**

Bertrand de La Chapelle gave a brief overview of the recent WSIS meeting at UNESCO in Paris.

The CEO and President provided a brief update on his meetings and travels over the prior weeks and thanked the Board members for helping to set up key meetings in their local jurisdictions.