**Minutes of the GNSO Council Meeting held on 21 July 2016**[Agenda and Documents](http://gnso.icann.org/en/meetings/agenda-council-21jul16-en.htm)

Coordinated Universal Time: 21:00UTC:
[**http://tinyurl.com/zhymnek**](http://tinyurl.com/zhymnek)

14:00 Los Angeles; 17:00 Washington; 22:00 London; 00:00 Istanbul; 07:00 Hobart

 **List of attendees:**
**NCA – Non Voting** – Carlos Raúl Gutierrez
**Contracted Parties House**
Registrar Stakeholder Group: James Bladel, Jennifer Gore, absent - proxy Donna Austin, Volker Greimann –temporary alternate for Volker Greimann
gTLD Registries Stakeholder Group:

Donna Austin, Keith Drazek, - absent, apologies proxy to Rubens Kuhl, 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): Amr Elsadr, Stephanie Perrin, David Cake – absent, Stefania Milan, Edward Morris, Marilia Maciel

Nominating Committee Appointee (NCA):

Julf (Johan) Helsingius
**NCA – Non Voting** –

Carlos Raúl Gutierrez
GNSO Council Liaisons/Observers:
Olivier Crèpin LeBlond– ALAC Liaison
Patrick Myles - ccNSO Observer - absent
Mason Cole – GNSO liaison to the GAC

**ICANN Staff**
Marika Konings - Senior Policy Director
Mary Wong – Senior Policy Director
Julie Hedlund – Policy Director
Steve Chan - Sr. Policy Manager
Berry Cobb – Policy consultant
David Tait– Policy Specialist

Emily Barabas – Policy Analyst
Glen de Saint Géry - GNSO Secretariat
Nathalie Peregrine - Specialist, SO/AC Support (GNSO)

Terri Agnew - Specialist, SO/AC Support (GNSO)
Mike Brennan - Meetings Technical Services Specialist

[Adobe Connect Recording](http://audio.icann.org/gnso/gnso-council-21jul16-en.mp3)
[Adobe Chat Transcript](http://gnso.icann.org/en/meetings/transcript-chat-council-21jul16-en.pdf)
[Transcript](http://gnso.icann.org/en/meetings/transcript-council-21jul16-en.pdf)

**Item 1: Administrative matters**

1.1 – Roll call

1.2 – Updates to Statements of Interest
**Jennifer Gore** resigned from the GNSO Council on 14 July 2016.
**Volker Greimann** noted that the Registrar Stakeholder Group had asked him to continue in his role on the Council until a replacement has been elected thus he is acting as his own temporary alternate.

1.3 – Review/amend [agenda](http://gnso.icann.org/en/meetings/agenda-council-21jul16-en.htm).

**Heather Forrest** requested an issue referring to the Rights Protection Mechanisms Policy Development Process Working Group to be added under Item 9: Any Other Business.
**Susan Kawaguchi** requested that the Privacy and Proxy recommendations and the status of the Board consideration be added under Item 9: Any Other Business.

1.4 – Note the status of minutes for the GNSO Council meetings per the GNSO Operating Procedures:

[Minutes](http://gnso.icann.org/mailing-lists/archives/council/msg18931.html) of the GNSO Council Public Meeting on 30 June 2016 to be approved on 1 August 2016.

**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](http://gnso.icann.org/meetings/projects-list.pdf)and [Action List](https://community.icann.org/display/gnsocouncilmeetings/Action%2BItems)
**Transition Costs:**
A webinar is being scheduled where the community may raise any questions with ICANN staff and the Board Finance Committee.
**Phil Corwin** reported as co-chair of the Curative Rights Processes for International Governmental Organisations (IGOs) Working Group, that the working group had met earlier in the day and Staff informed the group that the Board had a call with the Government Advisory Committee (GAC) and it was indicated that the Board would soon be making public its views on this subject.

**Item 3: Consent agenda**There were no items on the Consent Agenda.

**Item 4: COUNCIL VOTE – Approval of Primary and Secondary Liaison Candidates for the Customer Standing Committee

Wolf-Ulrich Knoben**, seconded by **James Bladel** and as amended on 19 July 2016 proposed a motion to approve the GNSO primary and secondary Liaisons to the Customer Standing Committee

WHEREAS:

1. On 14 March 2014, the National Telecommunications and Information Administration (NTIA) of the United States Department of Commerce announced its intention to transition key Internet domain name functions to the global multi-stakeholder community and, as the first step, asked to convene global stakeholders to develop a proposal to transition the current role played by NTIA in the coordination of the Internet’s domain name system;

2. The IANA Stewardship Transition Coordination Group (ICG) was formed, comprising 30 individuals selected by 13 communities of both direct and indirect stakeholders, to coordinate and develop a unified proposal to be transmitted to the NTIA based on proposals developed by the Internet domain names community (through the CWG-Stewardship, the Internet numbering resources community (through the CRISP Team, and the Internet Protocol parameters community (through the IANAPLAN Working Group;

3. The IANA Stewardship Transition Proposal, combining the community proposal coordinated by the ICG and enhancements to ICANN’s accountability identified by the Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability), was transmitted to NTIA by the ICANN Board in March 2016;

4. The package of proposals that was developed by the community in relation to the IANA Stewardship Transition called for the creation of a new structure, the Customer Standing Committee (CSC) to provide operational oversight of the performance of the IANA naming function, a role currently performed by the United States government through the National Telecommunications and Information Authority (NTIA).

5. On 1 June 2016, ICANN sent a request to the ICANN Supporting Organizations (SOs), Advisory Committees (ACs) and Registry Stakeholder Group (RySG) to initiate their respective organization's processes and appoint candidates to serve as members and liaisons on the CSC.

6. As an ICANN Supporting Organization, the GNSO may appoint a liaison to the CSC, in addition to the two gTLD registry operator members to be selected by the RySG.

7. For the liaison, the GNSO may select a primary and a secondary candidate that meet the qualification requirements in the expression of interest, and are geographically diverse.

8. Liaison candidates are to be confirmed by 22 July 2016, and the final slate of CSC members and liaisons as determined by the ccNSO and GNSO Councils will be sent to ICANN not later than 10 August 2016.

9. On 02 June 2016, the GNSO Council confirmed a Selection Committee to evaluate the candidates for primary and secondary GNSO liaisons.

10. On 20 June 2016, the Selection Committee sent reminders to the GNSO Stakeholder Groups and Constituencies requesting Expressions of Interest from candidates to be submitted by 15 July 2016.

11. The Selection Committee has completed its evaluation of the GNSO liaison candidate and submitted the application and the following candidate for GNSO Council consideration: James Gannon.

RESOLVED:

1. The GNSO Council has reviewed the application and the candidate provided by the Selection Committee and approves James Gannon as the Liaison.

2. The GNSO Council requests that the GNSO Secretariat shall provide to ICANN the liaison name along with his Expression of Interest by the deadline of 22 July 2016.

3. The GNSO Council requests that the Selection Committee shall engage, if requested, with the ccNSO Selection Committee to evaluate the full slate of CSC members and liaisons.

4. The GNSO Council will consider the full slate of CSC members and liaisons either at a GNSO Council meeting, or a vote outside of a meeting, on 09 August 2016.

**The motion carried. David Cake was absent and did not vote.**[Voting Results.](http://gnso.icann.org/en/council/gnso-council-motion-recorder-21jul16-en.pdf)

**Julie Hedlund** provided Council with an overview of the [Selection Process](http://gnso.icann.org/en/council/op-procedures-16feb16-en.pdf)
It was noted that the current Liaison role incumbent should be requested to assist with reviewing the charter and finding a way of generating more interest for the position when the next selection process takes place.

**Action Items:**

* Staff to notify Mr. James Gannon of his selection as GNSO liaison to the CSC
* Staff to notify ICANN of the selection result

Timeline for Next Steps:

|  |  |
| --- | --- |
| **Friday 22 July** | GNSO Secretariat notifies ICANN of GNSO Liaison Candidate |
| **Saturday 23 July** | ICANN sends full slate of liaisons and members to ccNSO and GNSO Councils |
| **Sunday 24 July** | GNSO CSC Selection Committee meeting |
| **Tuesday 26 July** | Draft motion submitted by GNSO CSC Selection Committee (for Council vote) |
| **Tuesday 2 August** | ccNSO/GNSO Selection Committees joint meeting #1 |
| **Thursday 4 August** | ccNSO/GNSO Selection Committees joint meeting #2 (if needed) |
| **Saturday 6 August** | GNSO Council voting period opens on full slate of CSC liaisons and members |
| **Tuesday 9 August** | GNSO Council voting period closes |
| **Wednesday 10 August** | Deadline for ccNSO & GNSO Council approval of CSC liaisons and members |
| **Monday 15 August** | CSC is formally established |

 **Item 5: COUNCIL VOTE – Approval of Implementation Mechanism for the Adopted Recommendations from the 2014 GNSO Organizational Review**

**Wolf-Ulrich Knoben** seconded by **James Bladel** proposed a motion to adopt the GNSO Review Working Group Charter

WHEREAS,

1. The second independent review of the GNSO commenced in 2014.

2. The Final Report of the independent examiner was published on 15 September 2015 (see <https://www.icann.org/en/system/files/files/gnso-review-final-15sep15-en.pdf>) and contained 36 recommendations in the areas of: participation & representation, continuous development, transparency and alignment with ICANN's future.

3. The GNSO Council adopted the GNSO Review Recommendations Feasibility and Prioritization analysis (see:http://gnso.icann.org/en/drafts/review-feasibility-prioritization-25feb16-en.pdf) on 14 April 2016 with the modification of Recommendation 21, that the council recommends staff working with the GNSO to institute methods of information sharing of highly relevant research related to gTLDs to help the GNSO community members increase their knowledge base (low priority).

4. On 25 June, the ICANN Board accepted the Final Report from the independent examiner, taking into account the GNSO Working Party's Feasibility and Prioritization Analysis of the GNSO Review Recommendations, adopted with modifications by the GNSO Council, the Board adopts thirty-four (34) recommendations of the Final Report (i.e. all recommendations excluding recommendations 23 and 32).

5. Furthermore, the Board requested that the GNSO Council convene a group that oversees the implementation of Board-accepted recommendations. An implementation plan, containing a realistic timeline for the implementation, definition of desired outcomes and a way to measure current state as well as progress toward the desired outcome, shall be submitted to the Board as soon as possible, but no later than six (6) months after the adoption of this resolution.

6. The GNSO Council requested that ICANN policy staff prepare a discussion paper that outlines the possible options for dealing with the implementation of the GNSO Review recommendations following adoption by the ICANN Board taking into account the past implementation of the GNSO Review as well as existing mechanisms such as the SCI, the GNSO Review Working Party and other applicable best practices and lessons learned from past reviews. This discussion paper was submitted to the GNSO Council on 20 June 2016 (see <http://gnso.icann.org/en/drafts/review-implementation-recommendations-discussion-paper-20jun16-en.pdf>).

7. The GNSO Council reviewed and discussed next steps during the ICANN meeting in Helsinki where it was proposed to repurpose the SCI as a Working Group to develop the requested implementation plan as outlined in the staff discussion paper.

8. A proposed charter for a GNSO Review Working Group was submitted to the GNSO Council for consideration <http://gnso.icann.org/en/drafts/gnso-review-charter-11jul16-en.pdf>

RESOLVED

1. The GNSO Council adopts the charter for the GNSO Review Working Group.

2. The GNSO Council directs the Standing Committee on Improvements Implementation (SCI), to complete the two tasks assigned to it by the GNSO Council and submit the proposed revisions for approval at the GNSO Council meeting by 01 September 2016. Upon completion of these tasks, any new requests will revert to the GNSO Review Working Group for consideration. Following the completion of these two tasks, the SCI will be disbanded as its work will have been superseded by the GNSO Review Working Group.

3. The GNSO Council requests ICANN staff to issue a call for volunteers, both to solicit Stakeholder Group and Constituency appointed members and alternates as well as participants from the GNSO and broader community.

4. The GNSO Council directs the GNSO Review Working Group to submit the proposed implementation plan to the GNSO Council for approval at the latest by the ICANN57.

**The motion carried. David Cake was absent and did not vote**
[Voting results](http://gnso.icann.org/en/council/gnso-council-motion-recorder-21jul16-en.pdf)

It is noted that there were two options in the motion for once the Standing Committee on Improvements Implementation had completed the two tasks assigned to it by the GNSO Council.
Council approved Option one: Upon completion of these tasks, any new requests will revert to the GNSO Review Working Group for consideration. Following the completion of these two tasks, the SCI will be disbanded as its work will have been superseded by the GNSO Review Working Group.

It is further noted that the following [update](http://tinyurl.com/h8qerrs) ([**http://tinyurl.com/h8qerrs**](http://tinyurl.com/h8qerrs)**)** will be added to the charter as clarifying language:

For items that are submitted for review 'on request', the SCI expects to receive detailed input from the group affected by the process/operational change concerned. Either the GNSO Council or a group chartered by the GNSO Council can make such requests. The requester should provide the following information, if applicable, in order to have comprehensive information available to the SCI on the issue:

1. Which group do you represent? (E.g. Council, WG.)

2. To which rules or processes do you refer?

3. Please outline the problems

4. What specific changes do you propose to address the identified problems?

5. Do you have any additional suggestion for making the rules/processes easier to administer?

One member of the group that submitted the request should - if not already represented on the SCI - be nominated as an observer to the SCI until the review of the issue in question has been completed.

**Action Items:**

* Staff to update Charter to reflect Council decision that: (1) Option #1 was selected (Working Group will take up new requests following completion of implementation tasks and SCI will be disbanded); and (2) Working Group shall operate on Full Consensus for all recommendations relating to ICANN Bylaws and GNSO Operating Procedures
* Staff to note in Council meeting minutes that Option #1 was selected
* Staff to prepare notice of Council decision to SCI

**Item 6: COUNCIL VOTE – Response to GAC Communique from ICANN56**
[Motion](https://community.icann.org/display/gnsocouncilmeetings/Motions%2B21%2BJuly%2B2016) deferred to Electronic Ballot 6-9 August 2016. (To be held at the same time as Council vote on Customer Standing Committee (CSC) selection i.e. 6 – 9 August)

**Action Items:**

* Staff to amend last sentence in draft response on IGO protections issue, to reflect Board-GNSO discussions in Helsinki
* Councillors to provide feedback on amended draft response by Wednesday 27 July)
* Staff to work with Mason Cole (GNSO Liaison to the Government Advisory Committee (GAC) to ensure follow up communications with/from the GAC after formal response is submitted to the Board and cc’d to the GAC

**Item 7: COUNCIL DISCUSSION – Next Steps on Proposed Modifications to the Procedure to Address WHOIS Conflicts with National Law**

**Action Items:**

* Councilors to continue discussions via email with a view toward developing an agreed approach for the Council meeting in September 2016.

**Item 8: COUNCIL DISCUSSION – Proposed Schedule for ICANN57

James Bladel** provided Council with an overview of the draft [schedule](http://gnso.icann.org/en/drafts/meeting-c-schedule-11jul16-en.pdf) for ICANN57 based on lessons learnt.
**Phil Corwin** noted that the Rights Protection Mechanism Working Group decided based on anticipated low attendance numbers that it would not request a face to face meeting in Hyderabad. Other working groups are in the process of surveying their members to ascertain whether they will hold face to face meetings at ICANN 57.
**Action Items:**

* Councilors to continue review of proposed draft schedule
* Council to confirm selection of GNSO PDP Working Groups for face-to-face meetings at ICANN57 on 3 November as soon as possible (most likely candidates – RDS and New gTLD Subsequent Procedures)
* Clarification from Nick Tomasso on visas for India

**Item 9: Any Other Business (10 minutes)**9.1 – Update on Council representatives from the Registrars Stakeholder Group

* The Registrar Stakeholder group asked Volker Greimann to continue in his role on the Council until a replacement has been elected and elections are under way.

9.2 – Update on status of progress on the Drafting Team that is to identify new and additional rights and responsibilities for the GNSO under the revised ICANN Bylaws

* Councilors to send in their respective SG/C volunteers’ names by 22 July

9.3 - Continuing disruptive behaviour of a Rights Protection Mechanisms Policy Development Process Working Group (RPM WG) Observer –

* Council Chairs to work with WG co-chairs and ICANN staff to consult with ICANN Legal

**James Bladel** adjourned the GNSO Council meeting and thanked everyone for their participation.

The meeting was adjourned at 23:20 UTC.

The next GNSO Council Teleconference will take place on Thursday, 1 September 2016 at 12:00 UTC.
For other places see: **http://tinyurl.com/hlb76mv**