

## Minutes of the GNSO Council Meeting 19 January 2017

### [Agenda](#) and [Documents](#)

Coordinated Universal Time: 21:00 UTC

<http://tinyurl.com/zoci4py>

13:00 Los Angeles; 16:00 Washington; 21:00 London; (Friday 20 January 2017) 00:00 Istanbul; 08:00 Hobart

The meeting started at: 21:01 UTC

#### **List of attendees:**

**NCA – Non Voting** – Erika Mann

#### **Contracted Parties House**

Registrar Stakeholder Group: James Bladel, Michele Neylon, Darcy Southwell

gTLD Registries Stakeholder Group: Donna Austin, Keith Drazek, Rubens Kühl

Nominating Committee Appointee (NCA): Hsu Phen Valerie Tan

#### **Non-Contracted Parties House**

Commercial Stakeholder Group (CSG): Philip Corwin, Susan Kawaguchi, Wolf-Ulrich Knoblen, Tony Harris, Paul McGrady, Heather Forrest

Non-Commercial Stakeholder Group (NCSG): Amr Elsadr (absent – apology, proxy given to Stephanie Perrin), Stephanie Perrin, Stefania Milan, Ed Morris (present until the end of item 4– temporary

alternate: Martin Silva Valent), Marilia Maciel (absent), Rafik Dammak, Martin Silva Valent

Nominating Committee Appointee (NCA): Julf (Johan) Helsingius

#### **GNSO Council Liaisons/Observers:**

Cheryl Langdon-Orr– ALAC Liaison

Patrick Myles - ccNSO Observer – (absent)

Carlos Raul Gutierrez– GNSO liaison to the GAC

#### **ICANN Staff**

David Olive -Senior Vice President, Policy Development Support and General Manager, ICANN

Regional Headquarters- Istanbul,– absent apologies

Marika Konings - Senior Policy Director

Mary Wong – Senior Policy Director

Julie Hedlund – Policy Director

Steve Chan - Senior Policy Manager, Policy Development Support

Berry Cobb – Policy consultant

Emily Barabas – Policy Analyst

Nathalie Peregrine - Specialist, SO/AC

Terri Agnew - Secretariat Services Coordinator, GNSO

Josh Baulch - Senior Manager, Meeting Planning Operations, Meetings Team

Robert Hoggarth - Sr Director, Policy & Community Engagement, Policy Development Support

Ariel Liang - Policy Analyst, Policy Development Support

[MP3 Recording](#)

[Adobe Chat Transcript](#)

[Transcript](#)

#### **Item 1: Administrative matters**

1.1 – Roll call

1.2 – Updates to Statements of Interest

There were no updates to Statements of Interest.

1.3 – Review/amend [agenda](#)

There were no changes proposed to the agenda, which was considered adopted.

#### 1.4 - Observer status on the GNSO Council mailing list

The GNSO Council mailing list now has an observer feature available; Councilors were made aware of this and encouraged to circulate the information to their members.

1.5 - The draft [minutes](#) of the meeting of the GNSO Council on 15 December 2016 were posted as approved on 4 January 2017. The minutes of Part II Hyderabad ICANN57 have been posted and notification of the Council election results has been sent to the Board.

#### **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](#) and [Action List](#).

In reviewing the Project List, an overview was given of concluded Working Groups from a GNSO Council perspective and of groups currently in the implementation phase.

Updates on the Cross Community Working Group (CCWG) on new gTLD Auction Proceeds and the Curative Rights Protection IGO INGOs were provided by councilors, as was the project of a briefing webinar to the Governmental Advisory Committee (GAC) in the framework of the Red Cross/IGO INGO discussion. It was noted that updated information on the Cross-Community Working Group on the Use of Country and Territory Names as TLDs (CWG-UCTN) was circulated in a draft on the Council list.

Among the completed action items was the GNSO Review of the GAC Communiqué from ICANN57 and communication with the Board, namely the need for the GNSO Council to make clear when precise input is required and in what format. There is equally a need to increase the speed of the GNSO response rate. The idea of tracking an issue from its mention in the Communiqué to when it becomes a bigger topic was also raised to make for a clearer analysis.

#### **Item 3: Consent agenda**

There were no items on the consent agenda for this meeting.

#### **Item 4. COUNCIL VOTE – Endorsement of GNSO Representatives to the Second Security, Stability & Resiliency Review Team (SSR-2 RT)**

**James Bladel** seconded by **Ed Morris** proposed a motion to confirm the endorsement of GNSO Representatives to the Second Security, Stability and Resiliency Review Team (SSE- 2 RT) Amendment by James Bladel on the 19 January 2017 {INSERT LINK HERE} was accepted as friendly by the seconder.

Highlights of the conversation were approval of the amendment content and timing as well as focus on lack of gender diversity.

Whereas,

1. On 30 June 2016, ICANN launched a call for volunteers seeking individuals interested in serving as a Volunteer Review Team Member on the SSR2RT (see [https://www.icann.org/news/announcement-3-2016-06-30-en\[icann.org\]](https://www.icann.org/news/announcement-3-2016-06-30-en[icann.org])).
2. Under the new Bylaws, each SO/AC participating in the Specific Review may nominate up to 7 members to the review team, for consideration by the SO/AC leadership, for a review team of no more than 21 members. Any SO/AC nominating up to 3 individuals are entitled to have those nominees selected as members to the review team, so long as the nominees meet the applicable criteria for service on the team.
3. The GNSO Council formed a small team to review the candidates that requested GNSO endorsement (see [https://community.icann.org/x/xRqsAw\[community.icann.org\]](https://community.icann.org/x/xRqsAw[community.icann.org])) taking into account the criteria outlined in the call for volunteers as well as the desire to ensure a RT that is balanced for diversity and expertise. The small team submitted its findings to the GNSO Council on [date].
4. The GNSO Council considered the findings of the small team.

Resolved,

1. The GNSO Council nominates (in alphabetical order): James Gannon, Denise Michel, Emily Taylor as its primary three candidates for the SSR2RT, noting that these candidates under the new ICANN Bylaws are entitled to be selected. Furthermore, the GNSO nominates (in alphabetical order): Howard Eland, Scott McCormick, Rao Naveed bin Rais, Norm Ritchie to be considered for inclusion in the SSR 2-RT by the SO-AC Chairs should additional places be available.
2. Noting the lack of diversity (gender, geographic) of the applicants, the GNSO Council encourages Staff to explore ways to encourage gender and geographic diversity in applications for future review teams.
3. The GNSO Council instructs the GNSO Secretariat to communicate resolved #1 and #2 to the staff supporting the SSR2-RT.
4. The GNSO Council instructs the GNSO Secretariat to inform the applicants that have received endorsement that the GNSO Council expects that, if selected for the SSR2-RT, the applicant will represent the views of the entire GNSO community in their work on the SSR2-RT, and provide regular feedback as a group on the discussions taking place in the SSR2-RT, as well as the positions being taken by GNSO Review Team Members.
5. The GNSO Council requests staff supporting the SSR2-RT and application process to send a response to those applicants who did not receive endorsement (if any), thanking them for their interest. The response should also encourage them to follow the SSR2-RT work, and participate in Public Comments and community discussions.

**The councilors present unanimously accepted the motion on the consent agenda (one councilor being absent with no proxy)**

[Voting results](#)

**Action items:**

- Policy staff to notify candidates selected (including alternates) and send names to ICANN's Multi-Stakeholder Strategy & Strategic Initiatives (MSSI) Department staff supporting the SSR-2 RT
- Council to review process for selection of RT representatives, particularly the ability of candidates to be endorsed by more than one SO/AC, and not just those applicants that sought a particular SO/AC's endorsement
- Council leadership, Susan Kawaguchi and Ed Morris to continue work on finalizing proposal regarding selection process for RT and other GNSO appointments for Council consideration

**Item 5. COUNCIL DISCUSSION – Proposal for a Facilitated Discussion between the GAC and the GNSO to Resolve Outstanding Differences in GAC Advice and GNSO Policy Recommendations concerning Second Level Protections for International Governmental Organization (IGO) Acronyms and Certain Names and Acronyms of the Red Cross Movement**

An exchange was held concerning the facilitated discussion being proposed on this topic for the Governmental Advisory Committee (GAC) and the GNSO, whether it is a solution and if so, who should be part of it, as well as its topics. Questions were raised about the Board's objectives and the roles and weights, of the GAC and GNSO respectively in the policy making process. Concerns were expressed about the possibility of the GAC being able to call a Board vote upon disagreement with the GAC. A definition of precedent was proposed as being the discussion the GAC and the GNSO might have prior to Policy Development Process (PDP) recommendations being forwarded to the Board and GAC advice on an issue being forwarded to the Board. A key point here is that it is a community developed process.

Pre-draft documents have already been circulated on the CR IGO INGO discussion group mailing list.

**Action items:**

- Staff to confirm availability of Thomas Rickert (Chair, original IGO-INGO PDP), and Philip Corwin and Petter Rindforth (Co-Chairs, IGO-INGO Curative Rights PDP), to serve as GNSO representatives (along with GNSO Council leadership and the GNSO Liaison to the GAC) for the facilitated discussion
- Subject to their confirmation, Thomas, Phil, Petter and Carlos to be added by staff to the new Board-GAC-GNSO Representatives' Discussion Group
- Staff to send links to the new Discussion Group to Council mailing list
- Staff to notify the GAC and Board members of the Discussion Group, and Bruce Tonkin (facilitator) of GNSO appointments

**Item 6. COUNCIL DISCUSSION – Letter from Thick WHOIS Implementation Review Team on Privacy Issues relating to Implementation of the Thick WHOIS Consensus Policy Recommendations**

The discussion surrounding the letter (<https://gnso.icann.org/en/correspondence/irt-to-gnso-council-15dec16-en.pdf>) sent by Thick WHOIS Implementation Review Team (IRT) focused on recent EU data protection developments, and a past legal review, which the Council would need to be kept abreast of. The implications of these developments would warrant the letter being sent to the new gTLD Registration Data Services (RDS) PDP Working Group leadership.

**Action items:**

- Staff to post legal review document referred to in the letter to the Council mailing list
- Following receipt of the legal review document, Erika Mann and Michele Neylon to work with staff to develop possible responses to the IRT letter for the Council's consideration, based on further legal developments relating to the topics noted in the letter
- Council to continue discussion on the mailing list, to see if there is a need to respond to the IRT
- Staff to share IRT letter with RDS WG leadership as the subject concerns all registries and registrars using a thick model and is not limited to the specific issue of transition from thin to thick WHOIS

**Item 7: COUNCIL DISCUSSION – Community Budget Requests for Financial Year 2018**

ICANN Staff Senior Policy Director Robert Hoggarth went over the Community Budget Request processes reminding the councilors of the opportunity for special targeted activities which they could bring back to their community members. This would also encompass Council work specifically for councilors.

**Action item:**

- Council leadership to work with staff to develop possible draft proposals for Council consideration

**Item 8: COUNCIL DISCUSSION – Planning for ICANN58**

Concern is to have overlapping sessions in situations of clashes kept to a minimum, with no overlap of groups. Councilors were reminded that the GNSO Council recurring sessions are GNSO community aimed and not merely the GNSO Council and were encouraged to avoid scheduling Stakeholder Group and Constituency meetings against GNSO sessions where possible.

It was also noted that the EU Data Protection session is tentatively scheduled and that the Data Protection Commissioners are seeking endorsement from the GAC and the GNSO.

Next step is to communicate with the SO/AC Planning community and get the GNSO block schedule confirmed.

**Action items:**

- Council to continue discussion on mailing list
- Council leadership to suggest adding session on data privacy to Day 3 schedule

**Item 9: ANY OTHER BUSINESS**

There were no other items of business.

**James Bladel**, GNSO Council Chair, adjourned the GNSO Council teleconference and thanked everyone for participating.

The meeting was adjourned at 00:09 UTC, Friday 20 January 2017

The next GNSO Council Meeting will take place on Thursday 16 February 2017 at 12:00 UTC  
For other places see: <http://tinyurl.com/gpnsqbw>