

NOTES | ccNSO Council 204 | 18 April 2024, noon UTC

1. Welcome and roll call

Wiki: <https://community.icann.org/pages/viewpage.action?pageId=320405661>

a. *Establish whether meeting is Quorate*

Yes.

Bart: formal apologies from Jordan Carter, Tatiana Tropina, Sean Copeland, Wafa Dahmani

b. *Update Statement of Interest*

Peter: I now completed mine.

Administrative matters

2. [Relevant Correspondence](#)

a. Letter from Tripti Sinha to consider input Recommendation 7 CCWG-Auction Proceeds report (Letter dated 2 March 2024) to be discussed under item 16.

3. Minutes & Action Items

a. *Minutes Meeting 202: Taken from transcript*

b. Action items

Long list. Going through those that are ongoing

- Council meeting 198. Establishing liaisons with GAC. For discussion during last agenda item today
- Ad hoc succession planning, external roles. It is almost done. Roles and Responsibilities were adopted. What is still pending is the external appointments. Challenging in a volunteer environment. The chair and vice-chairs will review the current appointments and make suggestions to complete the roster by the May meeting.
- IGLC messaging to ccTLDs regarding WSIS+20: they are working on this. Was deferred, pending ICANN action. Considered completed. Can be closed
- Exclusion IRP: see item 17 on agenda. Consider this closed
- GRC to review processes: board nomination process, voting process. GRC is aware. Suggestion to remove this from action list, and add as agenda items once they report back.
- Future elections: 2 separate resolutions for chair and vice chair. Secretariat to add to "to do" list, for next election
- World cafe: see item 19 today.
- Publication notes OST session on wiki. Completed, confirms Kim

Olga: regarding WSIS+20. What is happening in the ccTLD-world? Perhaps some of us are on site?

Alejandra: IGLC is dealing with IG-related matters. We do not expect a report, but they gather info on what ccTLDs are doing. They are organising a session, or maybe webinars. But we do not expect a report.

4. Intermeeting decisions Triage Committee

New: now they are numbered. In light of the website re-design. We will number them with the previous meeting number, followed by letters.

- a. 203-A Decision confirming not to participate in PIC's/RVCs Consultation
- b. 203-B Actions in response to letter from Katrina Sataki and Patricio Poblete on events ICANN79.

5. Intermeeting decisions Triage Committee

None

Updates

6. Update ECA, IFRT & CSC (see written updates)

heads-up regarding the CSC:

We will be asked shortly to start the election process of a new member and alternate. Brett Carr's 3rd and final term will end in October and we will need to select a new member. The term of the alternate is one year.

Secondly, we will also need to discuss with the RySG how we want to handle the 3rd CSC review, which is supposed to start in October. Shall we put this on the agenda for our May meeting to have enough time for discussion (to prepare)?

Council is in support.

7. Update WGs (written updates)

- a. IGLC
- b. GRC
- c. SOPC
- d. OISC (no meetings pending Review)
- e. TLD-OPS
- f. DASC
- g. Technical WG
- h. MPC

- i. UAC
- j. Registrant capacity ad-hoc group
- k. IRP Panel selection

- l. CCG WS 2 Implementation
- m. New: CIP-CCG
- n. Prioritization Framework group

April edition of the written

updates: <https://docs.google.com/document/d/16HdxKIHd6H76ATQxq38KjUjrxo5c-BeTTZrG55pFEZs/edit?usp=sharing>

8. Update liaisons (written updates)

- a. Update ALAC Liaison
- b. Update GNSO Liaison
- c. Update UASG Liaison

9. Update ccNSO Website redesign

High meeting frequency. Final requirement session foreseen for 8 May. As a next step, the team will prepare the wireframes based on our requirements.

Stephen and Nick: good hopes. There is progress

10. Update Triage Committee

a. Re-Confirmation ccNSO Purpose and Goal Statement

The Triage committee requests review of the 2023 Purpose and Goal statement of the ccNSO. This statement defines the scope of the activities the ccNSO considers within its remit. The Triage Committee suggests no changes.

Move? Olga
Second? Chris
Questions? None
Adopted

b. Updates portfolio of Activities 2025-2026: what to expect

Nick: We were pleased with the prioritisation and activities that stood the test of time. No changes. The prioritisation is no surprise. Same priorities: the normal machinery of the ccNSO. Those activities fall into the main areas of activities by ccNSO

Bart: portfolio needs to be adopted on a yearly basis. This was the first year we work with a project management tool. Deep dive is not needed, but nonetheless useful for council to have a better understanding. Suggestion is to have a working session with the council, prior to ICANN80. Present this to the membership in Kigali, and adopt the full plan at the Kigali Council meeting. Forward-looking part of the portfolio of activities itself. In time, the triage started discussing resourcing in a broad sense. That requires more prep time. That requires a deep dive into resourcing, facilitated by the Triage Committee. Needs to be in person, at its earliest in Istanbul.

Nick: the 1 pager with the high level activities. Would be good to socialise that more widely. Everything we do is derived from that.

Alejandra: are you considering inviting the chairs of the working groups and committees to the session where the portfolio is being developed?

Nick: good point. For consideration.

Alejandra: resources, some people overlap etc. there is enough time to plan, as we are doing this earliest at ICANN 81

Bart: there is the resourcing and capacity. But also, Council needs to adopt the portfolio. Suggestion to have a first run-through what's happening in the next 2-3 years, to check if the activities are captured. The resourcing is a different type of discussion. First have the workshop prior to ICANN80, and run through what Triage is expecting in terms of activities next year. Sanity check. The next step would be the discussion regarding resourcing and capacity.

11. Update Chair, Vice-Chairs, Councillors, RO's and Secretariat

a. 1-on-1 ICANN CEO and ccNSO leadership

Topics we discussed:

- WSIS+20 Plenary

- IDN ccPDP + UA Day + Grant Program
- Policy Gap session: content + logistics

Alejandra: i gave an update together with Bart to LACTLD, regarding ccPDP4. Was a good opportunity.

Kim: after 9 years, I am leaving the ccNSO and the policy team, starting 1 July. Slow transition, I am moving to the meetings team. Design and production. Ensuring zero service disruption for the ccNSO. I am working with Bart and others in the policy team on the transition. Appreciate working with you. Not leaving ICANN.

Alejandra: we will miss you and appreciate what you did.

Chris: How dare you, after all these years ;-)

Stephen: you are welcome at our ccNSO events

Kim: this is recorded!

Chris: depending on the number of tickets

12. Progress GAP Analysis: Preparing for Kigali

Chris: Kim D started preparing a topic area list. We spent a lot of time discussing. We also looked at an experimental overview that Jordan prepared. We will be working on that in the next few weeks. Regarding the session in Kigali, over to Bart

Bart: work in depth, follow-up from San Juan. What are the gaps? What is policy?

Interpretation? Guidance? Incidental? And related: what are the messages to address it.

Thirdly, introduce the general overview. Where to find the relevant docs and implementation info. Also, next steps. The small team runs into the limits of what can be explored without a formal mandate.

Kim: That session is scheduled for Weds | 12 June 10:45-12:15 local (block 2)

13. Update and Closure 2nd Councillor 360 feed-back process

Alejandra: thanks to all who completed the survey. I was one of the councillors being reviewed. I found it very useful to know how you see me. Only 12 responses. That is not much. This is a very useful tool, especially if many of us use it

Olga: very useful for NomCom appointees. This completes a cycle. It is useful for Council, for the appointee and for NomCom.

Chris: agree. Seems like a big task, but it does not take that long. Encourage all to participate

Alejandra: soon we will have another evaluation round. Starting in July. to be reviewed: Biyi, Jordan, Nick, Demi and Pablo

Ai-Chin: After I got 360 survey result, Chair and I had a half-hour talk, it was helpful to me and I now know where I can focus on improving.

Administrative Matters & Decisions

14. Results Members Vote ccPDP4

The ccPDP4 vote is now closed, voting closed 17 April 23:59 UTC. The quorum was met, and the vote is valid.

56 % of the Emissaries voted. 97% of the votes cast were in support of the ccNSO Council recommendation to adopt the proposed ccPDP4-IDN policy

There are no issues to report. A vote report with all observations is currently being drafted. You may expect that by end next week

Alejandra: good that long processes come to a happy end. Thanks for voting

Next steps

- Election report coming soon
- Will be included in the Board Report
- Board consideration will include a public comment period, and Board will also seek GAC advice

15. Appointment Members to Committees and Working Groups, if any

a. *Federica Tortorella (LACTLD): observer IGLC, observer DASC.*

For decision

Move? Olga

Second? Stephen

Questions regarding the resolution? None

Green-red marks in Zoom
Adopted

16. ccNSO Membership application Internet Society Lebanon ([ISOC.LB](#)) (.lb)

We have received a ccNSO membership application from the Internet Society Lebanon ([ISOC.LB](#)) to become a member of the ccNSO. The application was reviewed, including the usual IANA review and no issues were identified with the application.

Move? Demi
Second? Olga
Questions regarding the resolution? None
Green-red marks in Zoom
Adopted

Substantive Matters & Decisions

17. Response to letter Tripti Sinha on amendment recommendation 7 ccWG-Auction Proceeds

Alejandra: We received a letter from Tripti early March, we deferred discussion to today and we have until mid-May to respond. I propose we discuss the letter today, to set the direction of travel of our response. And we use the results of our discussion to draft a letter next week. The final letter will be signed off by the Council as always.
My understanding:

First part

- The CCWG-AP's Recommendation 7 sets out limitations on the use of ICANN accountability mechanisms (namely, the Independent Review Process, IRP, and Reconsideration process) to challenge decisions made on individual applications within the Grant Program. The CCWG-AP offered this recommendation to minimize

use of the proceeds for purposes other than grants, such as administrative costs or legal fees.

Existing ICANN accountability mechanisms such as IRP or other appeal mechanisms cannot be used to challenge a decision from the Independent Project Applications Evaluation Panel to approve or not approve an application. Applicants not selected should receive further details about where information can be found about the next round of applications as well as any educational materials that may be available to assist applicants. The CCWG recognizes that there will need to be an amendment to the Fundamental Bylaws to eliminate the opportunity to use the Request for Reconsideration and Independent Review Panel to challenge grant decisions.

Chris: 2 things are related. What the Auction Process WG intended was that no-one should be able to use ICANN's accountability mechanism, to question a decision regarding grant allocation. The issue on the current drafting of the recommendation is that the board will not only be involved in giving grants, but also overseeing the process. Changes, to ensure there is clarity on that.

Alejandra: do we agree to remove that sentence?

Chris: our response needs to be as a whole. The second part is to me more troubling. What the board chose as a way forward is not something i feel comfortable with. But i agree with changing the principle of the first part (removing it)

Alejandra: no harm in removing it, the first part.

Second part

- Full implementation also requires the ICANN Empowered Community to approve the Fundamental Bylaws Amendments to Article 4, Section 4.1 of the ICANN Bylaws. That proposed amendment, initiated by the Board:

<https://www.icann.org/en/public-comment/proceeding/proposed-bylaws-updates-to-limit-access-to-accountability-mechanisms-27-02-2024> (27.Feb - 15.Apr)

<https://itp.cdn.icann.org/en/files/governance/proposed-updates-to-article-4-for-community-agreement-to-restrict-access-to-accountability-mechanisms-27-02-2024-en.pdf>

The amendment creates a procedure for the ICANN community to limit or make unavailable the Reconsideration Request process or the Independent Review Process (IRP) set forth at Article 4, Sections 4.2 and 4.3 of the ICANN Bylaws.

If a community recommendation is made through the proposed process, and the Board approves that recommendation, the implementation of any limitation can then occur without requiring a specific Fundamental Bylaws Amendment process to embed that change within the ICANN Bylaws.

The proposed threshold for establishing broad community support is that all three of the following conditions be met:

The recommendation for use of the amendment stems from a Cross-Community Working Group chartered by at least five of the seven Supporting Organizations and Advisory Committees (SO/ACs).

At least four of the CCWG's chartering SO/ACs are Decisional Participants within the Empowered Community.

Each of the chartering SO/ACs approves the CCWG's recommendation to limit or restrict access to one or more of the Accountability Mechanisms.

Alejandra: I have my concerns. But first i want to hear your input

Chris: it is clear that the recommendation from the CCWG AP involved a bylaw change. Was suggested. Could be dealt with in T&C. But that meant that only applicants would be blocked from using the accountability mechanisms. Not other community members. Hence the bylaw change. Difficult process for changing the bylaws. But this would mean that in future you could change the bylaws, if a CCWG recommended it, without needing to go through with the restructuring of ICANN with the empowered community. The only way the change should be possible: if there is a consensus reached by a cross-community group. A bylaw change group. Fundamentally flawed as a process, whilst it makes sense. Follow the existing process, to make that change. We agree the bylaw should be changed, but we do not agree to introduce a new process to make those changes.

Alejandra: Not sure I understood it that way. Public comment as a test regarding what the community wants? We want to do this, and we want to know whether you like us to do this

Chris: agree. There needs to be a more enrolled and developed process before it goes to a vote by the ECA. ccNSO is talking about it, but in silos. Change of a fundamental bylaw.

Should be taken in a process with consultation with all parts of the community

Alejandra: the discussion would happen when the bylaw process starts. There can be a community forum, as part of the process of the approval action

Bart: are you suggesting that the initial steps through this letter by the board lack process? This was discussed by ccnsso and board: what are the triggers for changing fundamental bylaws?

Chris: i think the change for the AP should be done. Do not deal with that at a meta-level. Also, the actual concept is flawed: it should not be possible for a PDP or a CCWG to come up with a recommendation to have a bylaw change, without going through the appropriate process. Removing the checks and balances is a bad idea.

Summary: yes to the AP, no to the bylaw change

Bart: what is the alternative?

Chris: the removal of the thing the board asked us, is right. We need to get a doc up and start drafting a possible response. That will make it easier for all to understand.

Alejandra: will do. We are discussing 2 things

- Process that led the board to suggest the bylaw change. Was discussed previously with board. No process. How does a fundamental bylaw change start? Related strictly to the process

- The proposed bylaw change. If any other CCWG wants to restrict these accountability mechanisms, the bylaw would already address that. But there is terminology that is not defined in the bylaws.

Peter: The letter seems not to be available on the 'statements' wiki page as linked from the PDF agenda?

Chris: If anyone can put forward a by-law change suggestion and that then triggers the empowered community process that is not a good thing....

our job is not to make things easy but rather to have a predictable defined process even if it is not easy

Alejandra: there are 3 parts

- Request in the letter: remove text from recommendation. Yes to that
- They proposed a bylaw amendment
- The process on how the bylaw amendments are being done

Bart: let's have a small team that prepares a draft, which will be circulated to council afterwards

Volunteers? Olga, Chris, Alejandra

Peter: <https://www.icann.org/en/system/files/correspondence/sinha-to-clemente-et-al-02mar24-en.pdf>

18. Results OISC review

The OISC review team has concluded its review and suggested, based on its findings, to change and limit the mandate of the OISC focusing on organising mentoring and on-boarding. I note that mentoring and on-boarding were also topics which emerged as priorities from the two world cafe session on making the ccNSO future proof.

Move? Jenifer

Second? Ali

Questions or comments regarding the resolution? None

Green-red marks in Zoom

Adopted

19. Discussion and decision on next steps outcome world cafés on keeping the ccNSO relevant next 7 years

In March we adopted the following process review and act upon the outcomes of the world cafes on keeping the ccNSO relevant:

- Step 1 - Some suggestions and topics are already within the remit of the working groups and committees, whether explicitly or emerging as a topic. Therefore it is suggested that first the Council assesses whether each and any of the suggestions is within the remit of the ccNSO and its strategic purpose.
- Step 2 - If a suggestion is within the remit of the ccNSO, the Council needs to determine whether the suggestion is within scope of the ccNSO Council or one of the existing ccNSO committees or working groups. If so, the group will need to be informed and should be asked to consider if and how it intends to include it as a work item, and report back to the community through the Council.
- Step 3 - If a suggestion is not within the scope of the Council, a committee or working group, the Council is expected to consider whether it needs to be further explored and included in the portfolio of the ccNSO.
- Step 4 - The Council is advised to report back to the community if and how the various suggestions have been incorporated in the portfolio of activities of the ccNSO.

In preparation for this meeting staff have compiled an overview of all actions and a suggestion for assessment.

Bart briefly explains the document.

Alejandra: do you like the proposal

Only green ticks in Zoom

Alejandra: let's have a small team that completes the assessment and presents the results at the next Council meeting. Do you like the idea?

Green ticks

Volunteers? None

Alejandra: Let's take that offline.

Bart: I will circulate an email to the council, asking for volunteers.

Alejandra: will not be too time-consuming to complete.

20. ccNSO relevant meetings ICANN80 (10-13 June 2024)

Alejandra talks to the proposed block schedule

The joint meeting with GAC might be deferred to ICANN 81. The policy forum schedule is full, and it is a short meeting. Also, the GAC will have the HLG. good idea nonetheless to bring GAC up to speed - perhaps at ICANN 81- , also seen by the new GAC members, what the ccNSO is doing. Chairs of the various WG /Committee provide an overview of the work of the ccNSO in other areas that might be of interest to the GAC and GAC members, and identify areas for future bilateral meetings and/or capacity building. To be confirmed.

No ccNSO Cocktail at ICANN80. There will be an alternative program. Currently still work in progress, and more clarity to follow.

Alejandra further speaks to the proposed sessions at ICANN80.

a. Prep week ICANN80: 28-30 May 2024

b. Prep Council meetings

i. Working session (conference call)? Topic: July 2025-June 2027 portfolio of activities and combine with prep session Invite the chairs and vice-chairs

ii. Prep session

Possible dates 23 or 30 May (any preference), note regular council meeting 16.May

c. Joint Meetings

i. Meeting with GAC: need for topics

Suggestion to date: awaiting response from GAC

ii. Virtual meeting GNSO Council - 11 July 2024 13:00

UTC

d. Special Event: Tuesday 11 June 2024- block 5

e. Tentative Block Schedule

Alejandra: we need to meet prior to Kigali. Topics: prep for the council meeting and other sessions at ICANN80, and discuss the ccNSO Council portfolio. We will email possible suggested dates, and you can express your preference. 23 or 30 May

21. AOB

Alejandra: Katrina's heads up on the analysis of sections 2-6 of the ccPDP Review Mechanism Board Report. As we heard at the Q&A in San Juan and from the update, we will receive two set of questions:

- Questions for clarification: what was meant
- Request to confirm the interpretation of a recommendations

It is my understanding that we can expect the questions next week.

A few observations:

- It is a new procedure for all of us (ccNSO, ICANN org, Board)
- We are talking about ccNSO recommendations: recommendations approved initially by the working group, then the Council and finally by the membership
- Currently the Council is looking at related matters through the policy gap ad-hoc group
- We need careful consideration how we want to handle it

We can discuss how to handle the questions at our next meeting (16 May) or have an extraordinary call before (for example in two weeks - 2 May)
However, we don't have the question yet. This was not an item on today's agenda, since there was no time to prepare

Alejandra: I will follow up via email. This meeting is over time.

22. Next Council Meetings

- May 16 – 21:00 UTC (205)
- June 13 @ICANN80 (206) – time TBD
- July 18 – 12:00 UTC (207)
- August 22 (208) – 18.00 UTC (208), may be deferred
- September 19 – 12:00 UTC (209)
- October 17 – 21:00 UTC (210)
- November 14 @ICANN80 – (211) – time TBD
- December 12 – 12:00 UTC (212)
- January 16, '25 - 18:00 UTC (213)
- February 13, '25 - 12:00 UTC (214)

23. Adjourn