Agenda and draft resolutions
ccNSO Council Meeting 193

16 March 2023, Block 3 | 13:15 - 14:30, 18.15 – 19.30 UTC

1. **Welcome and roll call**

2. **Relevant Correspondence** (https://ccnso.icann.org/en/about/statements.htm)
   - Submission of the ccPDP3 Final Report Review Mechanism to Council by the cPDP3 Issue Manager.
   - Invitation to Chair of the GAC for GAC to provide input and advise on the ccPDP3 Final Report Review Mechanism.

3. **Minutes & Action Items**
   1. *Minutes Meeting 192:* Circulated 8 March 2023 to Council

   2. *Action items and/or To-Do's:*

   Action Item 192-01:
   ccNSO appointed liaison to the GNSO: informational webinar followed by call for volunteers. **Deferred to Post ICANN76**

   Action Item 192-02:
   Triage committee is requested to reach out to various committees and working groups to improve planning and scheduling. The committees and working groups are requested to take note of suggestions from the workshops **Ongoing**

   Action Item 192-03:
   Chair is requested to request the ccPDP3 Review Mechanism Working group and ccPDP4 working group to conduct a self-evaluation following the submission of the final report to Council. **Completed**

   Action Item 192-04
   In addition the chair is requested to ask the GRC to develop a framework for self-evaluation. **Completed**

   Action Item 192-05:
   Secretariat to create Google documents with meeting topic leads and session assignments **Completed**

   Action Item 192-06:
   Chair to invite Theresa Swinehart (with full board copied), Lars Hoffman and Marika Konigs to the Governance session and/or ccNSO-Board related session at ICANN76. **Completed**

   Open Action items previous meetings

   189-08: Chair and/or Secretariat to reach out to Peter Koch regarding mentorship/succession plan. (Pending awaiting preparation of succession planning session, see item 189-09). **Completed**

189-09: Council to discuss a succession plan in a broader context around the roles and responsibilities – possibly a workshop or at ICANN76 (Pending preparation of ICANN76 workshop). **Completed**

189-13: Stephen Deerhake to reach out to the Tech Working group regarding a possible presentation from RSSAC to the cc community. **Addressed and closed**

4. **Intermeeting Decisions (since meeting 192, 16 February 2023**
   - Appointment of additional members to IGLC: Beth Njau (.ke, KENIC) and David McAuley (.cc, Verisign).

<u>Item 5-10 Updates and Q&A</u>

5. **Update ECA, CSC, CSC RT**

6. **Update WGs taken** (written updates or taken from the meeting)
   1. *IGLC* (meeting during ICANN 76)
   2. *GRC* (meeting during ICANN 76)
   3. *SOPC* (meeting during ICANN 76)
   4. *OISC (no meeting since ICANN 74, travel funding subgroup met)*
   5. *TLD-OPS* (meeting during ICANN 76)
   6. *DASC* (meeting during ICANN 76)
   7. *Technical WG* (meeting during ICANN 76)
   8. *MPC (*meeting during ICANN 76)
   9. *Triage Committee*
   10. *IRP Panel selection*
   11. *CCG WS 2 Implementation*
   12. *Prioritization Framework group* *(recently announced new round of discussions)*

7. **Updates Update IDN ccPDP4** (taken from the meeting)

8. **Update liaisons** (written updates)
   1. *Update ALAC Liaison*
   2. *Update GNSO Liaison (see item 13)*

9. **Update ccNSO Website redesign**
   Deferred to next meeting

10. **Update Chair, Vice-Chairs, Councillors, RO's and Secretariat**
    Invitation to participate in Trend exercise, together with SOPC. Date has to be set, expected to be early April 2023

<u>Administrative matters for discussion and/or decision during the meeting</u>
(items 11 – 15)

11. **Chair and Vice-Chair Election**
    According to the Guideline: ccNSO Council Roles and Responsibilities (https://ccnso.icann.org/sites/default/files/field-attached/roles-responsibilities-council-26feb18-en.pdf) the ccNSO Council elects is chair and vice-chairs annually, at the first ICANN meeting of the calendar year. The chair will be elected first and the vice-chairs selected afterwards. The section of the meeting where the Chair gets elected shall be chaired by Vice-Chair who is not

standing for chair. According to the Guideline the chair and vice-chairs need to be from different ICANN regions.

Chair election
After nomination and secondment, a candidate has to accept her/his nomination. If only one candidate stands, the Councillors will appoint the candidate by a public vote. If two or more candidates have accepted the nomination, the Councillors will elect the Chair by a secret vote.

Draft Resolution
Decision

In accordance with the procedure to select its chair and vice-chairs, as include in the Guideline ccNSO Roles and Responsibilities (https://ccnso.icann.org/sites/default/files/field-attached/roles-responsibilities-council-26feb18-en.pdf) adopted on 26 February 2018, [insert name] was duly nominated and seconded as Chair of the ccNSO , and accepted her /his nomination and the ccNSO Council elects [insert name] to serve as its chair starting at the end of the Council meeting of ICANN76 until the end of ICANN79.

The secretariat is requested to inform the ICANN secretary accordingly and post an announcement on the ccNSO Website. This resolution becomes effective upon publication.

Vice-Chair elections
To be nominated as vice-chairs the following procedural requirements are relevant: The candidates should not be from same ICANN regions nor from the Chair's ICANN Geographic region, Has been nominated and seconded, and has accepted her/his nomination.

If there are as many valid candidates as there are open Vice-chair seats and each candidate is from a different ICANN Geographic Region, the Vice-chairs will be appointed by a public vote.

a. **The *Vice-Chair 1 Election***
    Draft Resolution
    Decision
    In accordance with the procedure to select its chair and vice-chairs, as include in the Guideline ccNSO Roles and Responsibilities (https://ccnso.icann.org/sites/default/files/field-attached/roles-responsibilities-council-26feb18-en.pdf) adopted on 26 February 2018, [insert name] was duly nominated and seconded, and accepted her/ his nomination. It is noted that the chair, and vice-chairs are all residing in different ICANN regions. The ccNSO Council elects {insert name] to serve as its Vice-Chair starting at the end of the Council meeting of ICANN76 until the end of ICANN79.

    The secretariat is requested to inform the ICANN secretary accordingly and post an announcement on the ccNSO Website. This resolution becomes effective upon publication.

b. ***Vice-Chair 2 Election***
    Draft Resolution
    Decision
    In accordance with the procedure to select its chair and vice-chairs, as include in the Guideline ccNSO Roles and Responsibilities

(https://ccnso.icann.org/sites/default/files/field-attached/roles-responsibilities-council-26feb18-en.pdf) adopted on 26 February 2018, [insert name] was duly nominated and seconded, and accepted her/ his nomination. It is noted that the chair, and vice-chairs are all residing in different ICANN regions. The ccNSO Council elects {insert name] to serve as its Vice-Chair starting at the end of the Council meeting of ICANN76 until the end of ICANN79.

The secretariat is requested to inform the ICANN secretary accordingly and post an announcement on the ccNSO Website. This resolution becomes effective upon publication.

12. **Roles and responsibilities of Councillors**
    For information and decision following the 12 March 2023 Council Workshop

    Draft Resolution
    Background
    At the 12 March 2023 Council Workshop the ccNSO Council agreed that as part of its succession planning process the roles and responsibilities of Councillors and others in key areas will need to be reviewed and possibly be updated. Council members present also agreed that the current assigned roles and responsibilities will be carried forward until May 2023 and the Council will establish an ad-hoc group to continue the review and suggest these to Council at a follow-up meeting during ICANN77.

    Decision
    The ccNSO Council decides to maintain the 2022 scheme of assigned roles and responsibilities (https://ccnso.icann.org/sites/default/files/field-attached/roles-responsibilities-council-21apr22-en.pdf) until the formal Council meeting during ICANN77. The ccNSO Council requests its Chair to take on the responsibility to oversee the membership application process until a new Councillor is assigned to that role.

    The ccNSO Council requests its Chair, Irina Danelia, Sean Copeland, Biyi Oladipo, and Chris Disspain to continue the review of the current roles and responsibilities in key areas for the ccNSO and present their findings during a Council session during ICANN 77.

    The Council request the secretariat to publish this resolution. This resolution becomes effective upon publication.

13. **Updates & Adoption ccNSO Internal Procedures** (taken from the meeting)
    Informational

    1. *Update Guideline: ccNSO SoI and CoI*
       For Information

    2. *Update Implementation policy*
       For information

14. **Update Charters, Terms of Reference**
    Recurring until review of all Charters and Terms of Reference has been completed.
    No updates pending

15. Appointments to Working Groups and Committees

For Information

- **2nd IFRT.** ICANN org will start with the call for expression of interest for membership of the 2nd IANA Function Review Team in April 2023. The ccNSO Council is expected to select three (3) members from the ccTLD community (Members and non-members of the ccNSO. Note that section 18.7 of the ICANN Bylaws has been adjusted and no longer requires the appointment of a representative for non-ccNSO related ccTLD Manager.

- **Appointments**
  Draft Resolution
  The ccNSO Council appoint the following persons:
    o **DASC. Marianne Georgelin (AFNIC, .FR) as member of the DNS Abuse Standing Committee (DASC)**
    o **IGLC. Tamara Zylbersztejn (.ar) and Pablo Rodriguez (.pr) as members of the Internet Governance Liaison Committee (IGLC):**
    o **GRC. Pablo Rodriguez (.pr) as member of the Guideline Review Committee (GRC).**
  The Secretariat is requested to inform the respective Chairs and appointees accordingly and take all steps necessary to subscribe the new members to the working groups and to publish this resolution as soon as possible. This resolution becomes effective upon publication.

Items for discussion and/or decision during the meeting (items 16-19)

16. Council Deliberations and decision on recommended policy for a review mechanism (ccPDP3 Review Mechanism)

In accordance with section 10 and 11 of Annex B of the ICANN Bylaws, the ccNSO Council is expected to decide whether it will make a Council Recommendation supporting the proposed policy to introduce a review mechanism pertaining to IFO decisions on the delegation, transfer, revocation and retirement of ccTLDs. The Council shall seek to act by consensus.

Draft Resolution
Background
In December 2015, the ccNSO Council discussed the need to launch a formal ccNSO Policy Development Processes to address the lack of policy with respect to retirement of ccTLDs and to introduce a Review Mechanism on issues pertaining to the delegation, transfer, revocation, and retirement of ccTLDs. This discussion was grounded in the need to ensure the predictability and legitimacy of decisions with respect to the delegation, transfer, revocation, and retirement of ccTLDs.

In March 2017, and in accordance with Annex B section 3 and 4 of the ICANN Bylaws, the ccNSO Council decided - among others – to initiate the third (3rd) ccNSO Policy Development Process with the initial focus on developing a policy for Retirement of ccTLDs (Part 1), and only after the substantive work on that topic would have been concluded, focus on the development of policy recommendations for a Review Mechanism pertaining to decisions on delegation, transfer, revocation and retirement of ccTLDs (Part 2).

In April 2017 the Retirement Working Group (WG) started its work. The ccPDP3 Review Mechanism WG began its work in March 2020, after the Retirement WG completed its Initial Report.

As it became apparent that the envisioned advantages of combining the two topics into one (1) ccNSO Policy Development Process have become obsolete, both the Retirement and Review Working Groups, supported by the community at large, proposed to separate Part 1 (Retirement) and Part 2 (Review Mechanism). On 04 June 2021 the ccNSO Council decided to split up ccPDP3 accordingly and the decision became effective on 11 June 2021.

As stated the RM working group began its work in March 2020, and met 63 times to date (as of March 2023). This work included the participation of PTI staff at all and ICANN Legal staff at a number of these meetings.
The RM working group presented updates to the community on its work at all ICANN meetings since ICANN 71, including seeking feed-back on the proposals from the ccTLD community at the ICANN 71, 74 and 75 sessions. Presentations to the community, including to the intersessional update in May 2021 and at ICANN75 to the GAC, can be found on the wiki-space of the group.

The RM held a formal public comment on its proposed policy from 29 November 2022 to 26 January 2023. To introduce the Initial Report to the broader community a webinar was held, which was attended by members of the ccTLD community and members of the GAC. Based on the submissions from the public comment the WG did not identify any issues, questions or proposals that would require a need to modify the proposed policy.

According to its charter the RM WG has the following goal:
"The goal of the working group (WG) is to report on and recommend a policy for a review mechanism with respect to decisions pertaining to the delegation, transfer, revocation and retirement of the delegated Top-Level Domains associated with the country codes assigned to countries and territories listed in the ISO 3166-1 and within the framework of the ccNSO Policy Development Process."
The CCPDP3WG-RM charter also listed the following questions:
- *Which decisions and/or actions should be subject to a review mechanism?*
- *Whose decisions and/or actions should be subject to a review mechanism?*
- *Should a Review Mechanism be open and applicable to all ccTLDs?*
- *What will be the result / scope of the review decision?*
- *What powers will be bestowed upon the review panel?*
- *Who will have standing at a review?*
- *What are the grounds (for a review)?*

In addition, in July 2022, the ccNSO Council requested the Working Group specifically recommend and/or advise on the need for clarification of the scope of ICANN Bylaws Sections 4.2 (d) (i) and 4.3 (c) (ii).

On 03 March 2023 the Issue Manager submitted the recommended Review Mechanism Policy to the ccNSO Council for their consideration and decision-making The Proposed Policy is contained in the Final Paper of the Review Mechanism Working Group sections 2-6 and section 9. As required under Annex B of the Bylaws the Chair of the ccNSO requested the GAC to provide an opinion or advise.

Decision
The ccNSO Council adopts the Recommended Policy as contained in the Final Report of the ccPDP3 Review Mechanism Working Group section 2-6 and section 9 and as submitted to the Chair of the ccNSO Council on 03 March 2023. The adopted recommendations shall be conveyed to the Members of the ccNSO as the Council Recommendation to vote upon.

The ccNSO Council Recommendation addresses the issues pertaining to the introduction of a Review Mechanism as identified in the February 2017 as adopted by the ccNSO Council in March 2017.

The Issue Manager is requested to compile the Members Report taking this resolution into account.

In accordance with the adopted timeline the Members vote on the Council Recommendation will start on Tuesday 18 April 2023, 00.01 UTC and end 09 May 2023 at 23.59 UTC. The ccNSO Council appoints Joke Braeken as voting process manager, and request her to take all steps necessary to organize the members vote and report on the result of the ccNSO members vote to Council at its May 2023 meeting.

The ccNSO Council wholeheartedly thanks the members and other participants of the Review Mechanism Working Group for their hard work and prolonged effort to and propose the review mechanism and conclude the ccPDP3 policy endeavor. In particular the Council thanks the chair and vice-chair of the working group Stephen Deerhake (.as) and Eberhard Lisse (.na) and Bernard Turcotte, Kimberly Carlson and Joke Braeken for their unwavering support and hard work. The secretariat is requested to inform the WG membership and broader community.

This resolution becomes effective upon publication.

17. **Adoption Roadmap ccNSO & UA and next steps**
For Decision

Draft Resolution
Background
Various stakeholders requested the ccNSO Council to initiate the discussion on the role of the ccNSO with respect to Universal Acceptance. Starting at ICANN75 ccTLD managers and others explored the potential role of the ccNSO, suggesting 15 activities the ccNSO could undertake, complementary to already existing work in this area.

In two successive workshop the proposals were further detailed and assessed by Councillors and community members, and, as final step, prioritized (following the standard method of an impact/effort analyses. These results were presented to Council at its April meeting and to the community at ICANN76.

The ccNSO & UA Roadmap
The ccNSO & UA roadmap suggest the following staged approach to define the role and responsibilities of the ccNSO with respect to Universal Acceptance:

Step 1 - activate UASG liaison

The ccNSO has appointed a liaison to the UASG. This liaison will regularly inform the ccNSO through its Council what is happening in the UASG and vice-versa.

Step 2 - Create ccNSO UA committee

The ccNSO should create a dedicated committee, to:

- Assist in organizing sessions on UA readiness and practices, e.g. at Tech Day or during ccNSO Members Meetings.
- Liaise with other relevant ICANN groups (e.g. UASG, GAC IDN WG, Board IDN/UA WG), and incorporate the role of the ccNSO appointed UASG liaison.
- Coordinate with interested ccTLDs to share IDN/UA readiness case studies and working models, to highlight and share knowledge on current practices in IDN support and UA readiness
- Provide a report repository on EAI adoption in ccTLD zones

This initiative does require an active role of the volunteers, at the same time it does provide an avenue for the community to interact across regions and with other groups under the ICANN umbrella.

Step 3 - Explore further actions

Once the committee is established and the activities are well underway, the next step would be to explore whether other proposed activities, which are not addressed through the initial activities, should be undertaken. Eexamples are to cooperate with local authorities on creating demand for IDN domain names and the use of local languages/scripts.

The exploration should include a community consultation and at a minimum the group should check whether the benefits of the proposed activities outweigh the efforts needed to implement and how activities can be maintained).

Decision
Taking into account the feed-back and support of the community for the proposed Roadmap ccNSO & UA, the ccNSO Council adopts the proposed roadmap ccNSO & Universal Acceptance. The Council expresses it gratitude for the members of the Council ad-hoc group, Ai-Chin Li, jiankang Yao, Jennifer Lopez, Pablo Rodrigues, and Biyi Oladipo, for their work.

The Council requests the members of the ad-hoc group to take the next step and develop the terms of Reference for the standing committee as proposed and present them to council by its May meeting for consideration.

The Council requests the secretariat to publish this resolution as soon as possible .This resolution becomes effective seven (7) days after publication.

18. **Start 360-review of Councillors**
    At its meeting in January 2023 the Council adopted its internal 360 review procedure. In order to start process it is proposed to start the review cycle with a review of:
    - NomCom appointee who's term ends at AGM in 2023 (Javier)
    - ccNSO Councillors who's term ends in March 2024 (Ali Hadji, Jiankang, Irina, Jennifer and Sean).

    Draft Resolution
    Background
    The ccNSO Council has adopted the ccNSO Council 360 degree feedback process at its meeting in January 2023. According to the Guideline the goal of the *process is to provide individual Councillors (both ccNSO elected members and NomCom appointees) regularly with anonymized feedback by their peers and members of the ccNSO secretariat on their performance to allow them to improve and develop work skills and behaviours.*

Further, *the 360-degree feedback process should not be a one-off event; once the process starts it is important to see the consequences of the process. Repeated feedback cycles allow to check progress both at an individual level, but also to improve the overall quality of the Council.*

To initiate the cycle of reviews it is proposed to start with the peer review of Councillors whose term ends by the AGM in 2023 (NomCom Appointee) and the Councillors whose term ends in March 2024.

Decision
In accordance with the Guideline: ccNSO Council 360 degree feedback process (https://ccnso.icann.org/sites/default/files/field-attached/ccnso-council-360-degree-feedback-process-19jan23-en.pdf), the ccNSO Council launches the process of the 360 degree feed-back for each of the following ccNSO Councillors elected by the ccNSO members:
- **Ali Hadji Mmadi**
- **JianKang Yao**
- **Iriana Danelia**
- **Jennifer Lopez**
- **Sean Copeland**

The ccNSO Council will also launch the process for the feedback for the NomCom appointee Javier Rua – Jovet.

The ccNSO Council appoints Bart Boswinkel as Feedback Process Manager. The Chair of the Council and the Feedback Process Manager, are requested to take all necessary steps in accordance with the aforementioned Guideline, with the goal that the Councillors subject to the review will be debriefed by the end of ICANN77. This resolution becomes effective upon publication.

19. ICANN76
Informational and discussion: Significant Outcomes

20. AOB

21. Next Council Meetings
- Meeting 194, 20 April – 18:00 UTC
- Meeting 195, 18 May – 12:00 UTC
- Meeting 196, June - ICANN 77 **TBD**
- Meeting 197, 20 July – 21:00 UTC
- Meeting 198, 17 August – 12:00 UTC
- Meeting 199, 21 September – 18:00 UTC
- **Meeting 200**, October – ICANN 78 **TBD**
- Meeting 201, 16 November – 12:00 UTC
- Meeting 202, 21 December – 21:00 UTC

22. Thank you and Welcome

23. Closure