
ALEJANDRA REYNOSO: Thank you, everyone, and welcome to our Council meeting 201 on the 21st of December 2023 at 21:00 UTC. Please, to all councilors, don't forget to add to your Zoom ID either the word Council, councilors, ccNSO Council so it's easier for us to look for you while we do some voting. Also, I'm going to paste in the chat the link to the wiki with all the documents for today's call. And with this, may I ask Bart if we are quorum?

CLAUDIA RUIZ: Bart, you're on mute, but I believe we are quorum.

BART BOSWINKEL: Yes, we are quorum. And I wanted to say we did receive apologies from Ali, Chris, Jenifer, and Olga as councilors, also from Desiree as a liaison. And from Patricio and Katrina who have a concurrent Board meeting. Back to you.

ALEJANDRA REYNOSO: Thank you very much, Bart. And with this, moving along. Does any councilor have any update to their Statement of Interest? Okay, hearing none. With this, I would like to encourage those councilors who have not yet submitted their Statement of Interest to please do so. The link to the form is in the agenda. So remember, we did approve that this was the way to go and we should lead by example. So as soon as possible, please submit yours.

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With this, we move to item number two which is the relevant correspondence that we received a letter that we will discuss later in the agenda. So let's move to minutes and action items.

The minutes were circulated on the 18th of December. We have three ongoing action items. One of it is on the IGLC being requested to gather information on what ccns are doing in respect to WSIS and provide simpler, more targeting messaging to ccTLDs. I would like to know if there's anyone from the IGLC who can speak to this to see if there's any update on this. If not, maybe, Joke, do you have any update? Yes, please.

JOKE BRAEKEN:

Thanks, Alejandra. So the IGLC met twice since ICANN78 and has been mainly discussing some administrative matters including continuation of membership, call for volunteers for new members. Also call for nominations for a new IGLC vice chair and also upcoming work items. One of the items on the list for IGLC is a session on Internet fragmentation. And that has been the focus of IGLC to date. The session will take place at ICANN79 in San Juan. The WSIS+20 discussion will be on the agenda of IGLC in January when they meet again. I believe that is around the 17th of January. Thank you.

ALEJANDRA REYNOSO:

Thank you very much, Joke. With this, the other ongoing action item that we have is ccNSO leadership conversation with the Registry Stakeholder leadership on exchange of liaisons. For this we agreed that we would try to meet at ICANN79 in person, including councilors and

others who are active in both groups such as Chris, Nick, and David McAuley. So this is still ongoing.

The other one is an item that is ongoing. It's the liaison to GAC to follow up regarding virtual joint meeting. I've been in touch with GAC chair, Miko, to restart the general liaison function again. I guess due to the end of the year and the holidays, there has not been time to get back to me. But we will follow up soon to see where we're at with this. With this, are there any questions regarding either the minutes or the action items? Everything else is completed.

I don't see any hands up. So moving along, we had four intermeeting decisions. The decision on comment to the revised Terms of Reference on the Pilot Holistic Review, the decision to support the GRC submissions regarding the Continuous Improvement Framework, and also the response on retirement of non-policy recommendations, and also the appointment of Sean as member of the Continuous Improvement Program. Any questions on the decisions? I see none. So moving along.

We have the item five, it's intermeeting decisions of Triage Committee. There have been none since our last call. So there's that, so we move along.

Now we are in the updates. All updates under 6, 7, 8, and 9 are written updates. If there any additional remarks or any questions, please raise your hand. Yes, Irina?

IRINA DANIELIA: Thank you, Alejandra. Hello, everyone. We have a question which I shared via e-mail and I can bring it now or leave it to the AOB section.

ALEJANDRA REYNOSO: Let's go do it now.

IRINA DANIELIA: As you may recall, the Public Comment period regarding ICANN FY25 Operating Plan and Budget has started. We earlier discussed the suggestion from ICANN to include Additional Budget Request in this period and not to have it as a separate period. But ICANN suggest that Additional Budget Request to be submitted as a public comment. So I just wanted to flag that it is time to do it now before the Public Comment period ends on February 12, first, whether we have any Additional Budget Requests from the ccNSO. And if so, will the Council or you, Alejandra, on behalf of the Council, submit such a request yourself? Or does Council expect Strategic and Operating Planning Committee included into its submission to public comments?

And the related question is that we as Council have supported simply that there's this change in Additional Budget Request process, but required ICANN to provide a template for Additional Budget Request. I expected that probably this template would be Bart somehow mentioned but submitted as a part of Planning document. I didn't find it. So if it is urgent, we may want to explicitly ask ICANN for such request. However, if we are not in a hurry and we do not plan to submit any request, then we may wait and give it too late. Thank you.

ALEJANDRA REYNOSO: Thank you very much, Irina, for the questions. I don't think we have any Additional Budget Request that we will like to make as of yet. But if we did, then I think it would be a Council decision. And I understand that we have until February. I do see Bart's hand up, so please, Bart.

BART BOSWINKEL: Just for clarity. The SOPC is probably the only committee working group that has been mandated to comment directly on any of the Public Comments documents. It's clearly in their Terms of Reference charter. The other groups have not been mandated to do this and always have to go through Council or it's initiated by Council. So I think that's something to consider, maybe a good thing to record in the minutes as well or as an action item and inform the others. If there is a budget request from one of the groups, it has to go through Council. And maybe also if you look at the two processes, so one is really the SOPC is commenting on the budget request. It's probably less powerful if the same group starts to ask and request additional budget on behalf of the ccNSO. But that's a matter of taste, of course, and that's a decision for Council. But in principle, if you look at the charters and everything else, no group is mandated to do so. And in the past, there was already a discussion around this. Thanks. Back to you.

ALEJANDRA REYNOSO: Thank you, Bart. And regarding the template, I think it would be a good idea that the SOPC reinforces what we already said that there is a need for this template, even though we don't have any request to do now.

It's just a matter of being coherent with what we already said. So it would be nice that the SOPC reinforces that this template should be there in case for not only us but anybody who wants to request an additional budget could use it. Does that answer your question, Irina?

IRINA DANELIA:

Yes. Thank you very much, Alejandra. Just keep in mind that, as you mentioned, we have time until February 12. So if we realize that we need to request any additional budget, we may do it before that date. Thank you.

ALEJANDRA REYNOSO:

Thank you. Thank you very much, Irina. Any other comments or questions? Okay. I see none. With this, we move to item 10. It's the update of the OISC review. And for this, may I ask Nick to provide us with an update?

NICK WENBAN-SMITH:

Hi, Alejandra. Hi, everybody. Thank you. I think I reported the last meeting download of the meeting we had with the OISC in the Hamburg ICANN meeting, and that was very constructive. I think the spirit of the engagement I think was very positive. I've been writing up my notes from that meeting. I will need to make sure that the rest of the review group agrees. But I think where my mind is at, from where we've been at all the discussions that we've had before in relation to the review that we will recommend that the activities of the group are reconstituted in a way. We talked about before how the objectives of

the group remain relevant and important to the activities of the ccNSO. It was very unfortunate with the timing of COVID. The outreach activities, which they planned, were just not able to take place. But I think a reconstitution of that group with a narrower set of outreach activities, bearing in mind that some of the activities are carried out through other mechanisms within the ccNSO. So I'm writing that up and we will have a formal report in the new year.

ALEJANDRA REYNOSO: Thank you. Thank you very much, Nick.

NICK WENBAN-SMITH: I'm happy to answer any questions if there is anybody from the OISC here.

ALEJANDRA REYNOSO: Well, I have one. Would it be too optimistic to have something final for January?

NICK WENBAN-SMITH: Yeah. When is the Council meeting in January? Is that date been set yet?

ALEJANDRA REYNOSO: Yes. I think it's the 18th.

NICK WENBAN-SMITH: Okay. That is definitely possible.

ALEJANDRA REYNOSO: Okay. So looking forward to that. Thank you, Nick. Any questions for Nick, or comment? Okay, I see none. Thank you very much, Nick.

With this, we move on to item 11 and it's the update on the ad-hoc Council group on the GAP analysis. As you know, we are taking a deep and cautious dive into these matters that were triggered by the end of the delegation of .LB to the manager at the time, which initiated the caretaker situation and the letter from Kim Davies to us. By the way, it is my understanding that the Board that it's having its meeting now. The ICANN Board will look at the transfer of .LB today. So with this, we also need to remember that we had a workshop on this topic, and we did tell the community at ICANN78 that the Council will do this analysis and promise to consult with the community at the next ICANN meeting. So with this in mind, Jordan, could you please tell us the progress up to date?

JORDAN CARTER: Sure. Thanks, Alejandra. We decided after Hamburg to split our work into basically two channels. So the first up until about it now was to continue to be assessing any gaps and ways of addressing them, and I'll talk a bit more about that in a moment. And then the second bit of work was to plan the community engagements in San Juan. So we'll be starting that work after Christmas. So we're kind of at that transition point.

So the group has met a few times since the Hamburg meeting to better understand what the issues are with the policy framework, looked at possible gaps, and to think about how we can address them. It's quite an iterative process and it's a sensitive environment to be doing it and because there are some issues around ccTLD policy, as I'm sure we can all imagine that get a little bit sensitive. So we've been looking what we want to be able to do to the issues that were found as to work out whether nothing needs to be done, whether we can address the issue through implementation or practice, or whether indeed there's the need for policy.

So some of the things that the group has identified so far is that the point about there being no one place you could find all the policy and practice. So we've started to develop really complimentary shout-out to Bart here for his work on this, pulling together a document that brings all of the ccTLD-related policies and practices together in one place so you can find them easily. But by itself, that's been a useful output of this work. And I think we'll be in a position to share that with the Council next year before I send one. We know that we need to do a bit of a cleanup of RFC 1591 because some of the parts of that that are about ccns are obsolete, out of date. And the gaps in current practices, which might be policy or maybe the limitation, and the .LB case that kicked all this off is an example of those.

So we've been helping to explore the issues. And we know that there's a small group of us so we won't get all of the issues on the table, but we'll have a start to it. And then part of the community engagement in San Juan will be to test that list, maybe add some more issues and so on. The other thing that we've been doing is looking at various ways, the

repertoire of tools, if you like, that the ccNSO might have to deal with any of these issues, whether it's a PDP, doing nothing, having a study group, developing a guideline, whatever the answer is. I think where most of us anyway, coming from a point of view that it would be best to resolve any issues at the lowest and simplest possible level that you wouldn't do a PDP approach probably, unless there was no alternative to doing so because they're such a rigorous and defined and complicated process.

So our hope is that by the time we come along to the sessions at 79, we will have an initial list of issues identified and described. For each of those issues, we'll have a sort of recommended "If you were going to work on this, this is what you would do." So maybe with the case of a ccTLD manager withdrawing before there is one, this is just an example. Maybe there would need to be a guidance note for IANA and develop between IANA and the ccNSO to explain what to do in that situation consistent with the policy framework. Or maybe we'll end up recommending actually we need a PDP to write a policy for situations like that. I don't know what the answer there is yet. So the issue, a way to address it. And we hope we will have those issues listed in some kind of rough priority order as well. So the output will be all of that, as well as the overview of what is existing policy framework and so on.

So that is what we're doing. We'll be working, detailing further the aspects of that after the New Year shutdown, and getting ready to do some good thinking with the community at the meeting. In I think it's in Puerto Rico. I think I've heard that country name. That's it for me, Alejandra.

ALEJANDRA REYNOSO: Thank you. Thank you very much, Jordan. Any questions or comments for Jordan? No? Okay. I do think that this is—oh, Pablo?

PABLO RODRIGUEZ: More than a question. I just want to commend and congratulate all the work this group has done, especially Jordan, Bart, and rest of the team have done an exceptional amount of work. And the output of that work is going to be not only useful to the work at hand, but I'm confident that at some point, some of that work will be useful also to do inductions for the new councilors. Bart has prepared a tremendous amount of work that has organized pretty much a historical way of where we are, why we are, where we are, and what are the things that need to be done. And all of this work has taken a tremendous amount of effort from the part of all of them. So I want to commend you and I'm delighted to be part of this group. And I'm looking forward to what's after that. Thank you.

JORDAN CARTER: Thanks, Pablo. Can I just say, Alejandra, in my case, it's entirely the reflected glory of other people's work. I've just showed up to the meetings and shared them, sent the e-mail with some agenda thoughts, occasionally. I really want to pay tribute to Bart, in particular, for the excellent research and thinking that's done into this. And also, Kim Davies as well for some of the sharing of analysis information. So good work, group, and we've got more to do next year.

ALEJANDRA REYNOSO: Thank you. Thank you to everyone. With this, I don't see any hands up on this topic. So we move along on item 12. It's the update of the ccNSO website redesign. And for this, may I ask either Nick or Stephen to provide us with an update?

STEPHEN DEERHAKE: Nick, I'll defer that one to you because I've been pretty much out of the loop for a bit for while.

NICK WENBAN-SMITH: Thank you.

STEPHEN DEERHAKE: Merry Christmas.

NICK WENBAN-SMITH: Merry Christmas to you, too. I actually missed the meeting earlier this week so I don't have the latest update in terms of the activity.

ALEJANDRA REYNOSO: Maybe we can ask Bart?

STEPHEN DEERHAKE: I can step in briefly on that. Claudia can correct me on this. Mike and company are starting to really get an itch to go. We've got some work to

do, particularly with regards to fleshing out further their personas. Bart may be able to address that a bit. We are desperately trying to schedule a Doodle poll. We have a Doodle poll outstanding and it's closed meeting time on this, if I'm not mistaken. Bart, Claudia, can you correct me?

ALEJANDRA REYNOSO: Yes, Bart?

BART BOSWINKEL: I'll defer to Claudia with respect to the Doodle poll. But the ccNSO group was asked to develop requirements with a new website. The group decided to use a format which is called—yeah, you first build personas based on types of users, for lack of a better word, and then you start building user journeys. So how a persona would go about to find information on ccNSO website. And these personas, you develop a kind of scenario, it's a bit of a role play. And then you look at how the current ccNSO website would provide that information. And you definitely run across gaps and everything else. The requirements are, I would say, the way to address these gaps you've identified for these personas in looking for information.

Let me give you an example. If you have a newbie who wants to know something about DNS abuse, it's very hard to find something on the ccNSO website if you don't know that the DNS Abuse Community or DASC is working on it. If you just go for DNS abuse and you use the search function, you will hardly find anything. So that's clearly a huge gap in finding information for newbies on the ccNSO website.

So that's the process we're going through. The small group has done two of these personas they developed well. And once you run through them, what you will see is a lot of information that is similar. But then you know these are really, really high level requirements or priorities that need to be answered. One is clearly a good search to uncover information for newbies but also for people who are very familiar with what the ccNSO is always doing.

So that's the process we're in. And yeah, it's difficult and hard to find a perfect time slot as it's a diverse group of the people who are involved in the process. Thanks. Back to you, Alejandra.

ALEJANDRA REYNOSO:

Thank you very much, Bart and Stephen, Nick. Any questions or comments? I don't see any hands up. I do hope that we get to settle that meeting in January and to move forward because we need that new website as soon as possible.

With this, let's move on to the next item. I am looking at the chat and I see Claudia saying that we will have our next call in January. Next item is the update on chair, vice chairs, councilors, regional organizations, and secretariat.

BART BOSWINKEL:

Alejandra, you missed number 13.

ALEJANDRA REYNOSO: Oh, I'm so sorry. Yes, you're right. Let me go back then. It's the updates of the Bylaw change repository. We do maintain a repository of Bylaw changes. Recently, Article 18 and 19 were adjusted. In our previous call, we discussed a little bit on the issues on the Recommendation 7 of the Auction Proceeds Working Group. And also the Board resolution did provide some discussion on fundamental Bylaw changes, and one of the actions coming out of that discussion was the need to update this repository. For this, may I ask Bart to run us through the latest version, please?

BART BOSWINKEL: Thank you. Claudia, can you go to item number 13? Yeah. Thank you. So just scroll down. Scroll up a little bit. As you can see, it's green. So the next time you will not see it again. This was the composition of the Special IANA Function Review Team. It's now matched with the IANA Function Review Team. So there is no need to find a non-ccNSO member because that was the change. So that was part and parcel of the latest fundamental Bylaw change. I just wanted to capture this.

So change of reference to 4.3. Again, this is part of the PDP4 and also of the review mechanism. So the language needs to change for 4.3 and 4.2 as well. Can we scroll down? So it's part of the Board discussion on the changes.

Adjustment Frequency IANA Function Review. This was one of the submissions as part of the Bylaw changes. It needs further action if you want to proceed. Because there were some other voices in the community and not the cc community who wanted to increase the

frequency. So it's clearly something that needs to be discussed. Can we scroll down again? So that's number nine.

Then Adjustment Frequency CSC Effectiveness Review. Again, this was the outcome and adopted by you of the second CSC review, to be launched by Org. There needs to be an amendment of the CSC charter once the Article 17 has been changed. I know wearing a support hat of the CSC and of the second review team, this change will be forthcoming as well as the appointment of alternates. This will again result in a change of Article 17. Please note this is a fundamental Bylaw change. And there is a relative urgency to this one because if this doesn't change in time, so that's by June next year, you have to launch the third CSC Effectiveness Review. It's every three years. So the frequency is fairly high, I would say. But it's ongoing. So expect a Public Comment very soon. Next, can we scroll down? So alternate is also part and it also needs to be implemented in the CSC charter.

Then the final one is limitation of Bylaw provided accountability mechanism. So this was the result of the discussion by the Board and the community on the recommendations from the Auction Proceeds. As part of their decisions, you can read it. The Board will initiate a consultation on these fundamental Bylaw changes and on these changes at one point. So that's why it's recorded, and that's why it's updated. So this is a new item to be monitored. That's why we included this. Definitely important probably for the ccNSO as well. Thanks. That's all. Back to you, Alejandra.

ALEJANDRA REYNOSO: Thank you. Thank you very much, Bart. Any questions or comments for Bart regarding the repository of changes of the Bylaws? Yes, Nick?

NICK WENBAN-SMITH: Just a quick question on this thing about the Auction Proceeds because I saw that there might be a suggestion, I think, particularly from the IPC, that they were going to ask for a review of that in the sense that it seems to be an overarching limitation to the accountability mechanisms. Is there something that we're particularly concerned with or not concerned with? I mean, obviously, accountability is an important sort of topic. I couldn't really work out between the different arguments whether the Board seemed to be justified in asking to get a Bylaw change to remove some of the accountability mechanisms in certain circumstances. So I think it's a situation where essentially they have these auction proceeds, people can apply for them. They are unsuccessful, say, and then they launch some sort of complicated review mechanism. And effectively, the Board I think thinks that that would clog up the whole process, and then they would wish to seek to remove the possibility for unsuccessful applicants for auction proceed grants to have that. I think I can understand the rationale. I'm just not really sure about the way that it was implemented and terms of whether that was an overreach or unintended or intended at the way that the accountability mechanism is supposed to work. I don't think when the accountability mechanisms were put into place, they didn't really anticipate this sort of situation that ICANN will be handing out more than \$100 million of cash and that there would inevitably be disputes or claims of unfairness in the way that that was done. And I just wondered whether that was something that we needed to get a bit

more involved with or just basically park it as something that that's for the gTLDs to get involved with. But obviously, when it comes to reviews, we're one of the decisional participants. And so in terms of the whole ecosystem of how the checks and balances work into place, we form an important part. I just wondered what other thoughts were there.

ALEJANDRA REYNOSO: Okay. Thank you, Nick. I will follow the queue on the Zoom. So I have Jordan first.

JORDAN CARTER: Thanks, Alejandra. Good questions, Nick. My understanding of what happened here is that the CCWG that designed auction proceeds said that the decisions about grant should be excluded from the IRP process by means of a Bylaw change. What's happened is that trying to write a Bylaw change that was narrow enough to just cover that proved to be impossible. So ICANN has decided to implement that restriction in a contractual way. So when people apply for a grant, they are signing up to excluding themselves from being able to access those mechanisms as a preferable way to achieve the same outcome. And I think that's what there's been some back and forth about. Other people probably know more.

I too wondered whether this was something we should get involved with as a systemic part of the ICANN system and its accountability. But in the end, given that the reason for choosing the contractual route was that the other exclusion of the accountability mechanisms would have been too big, A, so they narrowed the possibilities for evading the

accountability mechanisms, and B, given that the CCWG was very clear about these sorts of decisions definitely being excluded from such accountability mechanisms. And my overall sense was that it was all right, for what it's worth.

ALEJANDRA REYNOSO: Thank you, Jordan. Tatiana?

TATIANA TROPINA: Hi, everybody. My understanding of this situation is more or the same as Jordan's. And frankly, I would have never thought of that in my life. I would sort of partially support in spirit the request from the IPC, the Intellectual Property Constituency.

Jordan, as you are, I don't have much problem with the mechanism itself. As far as I understood you, maybe I go too wrong. I think what is actually happening is not only what was done, but in a way how it was done, how ICANN actually engage, how they listen to the community. And while I have no idea if we have bandwidth to engage with this, but I do hope that we might have bandwidth to think about it and to see the problem from this angle, not this particular case and the outcome of what Board has done. But in the general scheme of things, I'm just thinking every crack in the accountability system, every crack in any system of some responsibility, starts with the small things when we say, "Well, yeah, it doesn't concern us. I'm okay with the outcome no matter what." And I think it would be good to think are we okay with how this outcome was achieved? I'm not ccNSO member, I'm not a ccTLD manager, so I don't feel like I can provide any thoughts here because my

perspective is purely accountability perspective. But I want you to be sure that when you consider this problem from the angle of accountability and mistakes in the system, that might lead to the situation “when they came for us, there was nobody to protect us,” from that point of view. If we don’t think that the consequences, if you don’t seek the ccTLD managers, the consequences from this somehow detrimental to the accountability system, then probably nothing should or could be done. I’m personally fine with either outcome, but I think that instead of looking at the substance of the problem and the substance of this request in relation to auctions, I think that we also have to look at the process and whether we are happy with a grudge in that sense. I hope that I made it clear. Thank you so much.

ALEJANDRA REYNOSO: Thank you, Tatiana. Bart?

BART BOSWINKEL: I just want to recall that you discussed this on the previous Council meeting, because then it came up. And again, like Jordan said, there was no real issue with the substance in this particular case. Again, there was some concern about the process itself, how it went, and that’s the reason to include number 12 in this repository as well. So it’s something to monitor and keep your eyes on, so what is happening? So try to separate the two issues. One is the implementation of Recommendation 7, I believe it was called, and the other one is really how this came about. One other argument is the Auction Proceeds, the initial recommendation was adopted, then it proved to be very difficult

to implement. You could also argue the recommendation was not analyzed thoroughly at the time it was proposed to the Board. So yeah, there are different perspectives on what happened. I think like Tatiana, it's very good to keep this in the back of our mind and to monitor what is going on and understand what's going on. Thanks. Back to you, Alejandra.

ALEJANDRA REYNOSO: Thank you, Bart. So with this, Nick, do you have an answer to your question?

NICK WENBAN-SMITH: Yeah, I think so. I mean, I'm totally okay with a contractual limitation. So if you apply for a grant to this big fund, then if you're unsuccessful, then essentially, you don't have recourse to the very complex and expensive and very lengthy, like the multi years of bogging ICANN down in litigation. So that seemed to be a reason ... Let's face it. Okay. This auction proceed thing has been going on now for more than one decade. So they didn't want it to be drawn out into years and years of arguments about whether grants were made correctly or incorrectly. I could see that done. When you applied for a grant, you've waived your right to invoke the accountability mechanisms. I wasn't really sure ... And I think this is the point of the IPC's intervention and request for a review that the Bylaws amendment was a disproportionate response to the problem. They chose the ultra conservative, most complicated. It is ICANN, obviously. So maybe that's sort of the nature of the beast. But I just thought sort of we need to bear in mind stepping back from this

specific issue is that these are other alliances and constituencies who we would seek to rely on their support, because the way that the accountability mechanisms work is that multi parties within the Empowered Community need to come together. So if we ever want to invoke their support for something, I don't know, some sort of IANA function type thing, which is important to us, then we need to be present and to make a conscious decision whether or not ... The thing is some thoughtful people made some quite powerful interventions, and I'm just trying to work out whether or not they had some basis or not. And even if they didn't have some basis, whether or not we needed to make some more clarity, more clear reasoning, why not only was this not our monkey in the circus, but this is why we didn't think that it was relevant to the overall accountability mechanisms, because these are the same sort of mechanisms that we've discussed previously where we might want to get the support of other people who don't really have an interest in our specific interests but we might lead them to support us if we ever needed to invoke the accountability mechanism. I think I've said enough, but you get the point.

ALEJANDRA REYNOSO: Thank you, Nick. Tatiana?

TATIANA TROPINA: Sorry, it's me again. I think it's interesting because I think the request was submitted by the IPC. But I think the Registries and Registrars are also discussing this. Is there any point of reaching out to them, maybe like Chris, Jordan, Nick and others—Chris is not on the call—to ask how

much they are unhappy about it and whether there is any explanation as to how in the future it can enhance collaboration and support between the communities and whatever? So I think that the group submitting the request is not only a group that could potentially be unhappy and stand by it, if you know what I mean. So is there any chance to have some informal conversation with Registries from the G side of this world?

ALEJANDRA REYNOSO:

Well, I believe that would be specifically the role for the liaison that we are seeking to have soon. But I don't know if we would like to start that conversation right now. I think that was a question for Jordan maybe. Or maybe I misinterpreted Tatiana.

TATIANA TROPINA:

No. Sorry for interrupting. No, I was just responding to Nick's point. And I think Nick made a very good point. Like the decision we're taking today about supporting or not supporting might reflect on the future possibilities for those groups to support what we want in the future. So how critical is this for, let's say, Registries and Registrars, from the GNSO and whatever. And if they say, "You know what, this is a very pressing issue for us and we really, really desperately need your support," then the question is, well, maybe ... I mean, commenting on what Nick just said. Nick, maybe I misinterpreted you as well. But I think we have to consider it in the context of what can happen in the future and how critical this issue is for them. And if this is very critical, if this is

not only the IPC issue but the broader community of registries or registrars' issue, there might be a second thought to it. That's it.

ALEJANDRA REYNOSO:

Thank you, Tatiana. Now I understand it better. Well, right now we're not deciding on anything because this is something that we observed last meeting that happened, as seeing the decision that was made by the Board. And we are not requested to make any as of right now. So on the hypothetical that we're asked to do something, then that's something else. But right now there's no position to be taken. We're just, as Bart told us, we are monitoring how this will evolve. And when there is something that we can do about it, then I think it would be the time to cross the bridge and to think what we should do. But right now I believe that there's nothing to be done as of now, but something to be kept in our thoughts on future work. With that, I don't see any more hands up on this topic. I would like to continue with our agenda.

So now we do arrive to the item 14 which is the updates of chair, vice chairs, councilors, and regional organizations, and the secretariat. We have three already there for you, it's the Listening Session with the ICANN Board Ombuds Search Committee, the meeting with the interim CEO, and the upcoming in-person roundtable.

So I will give you a brief summary on those three. In the Listening Session, there was a conversation regarding the requirements and the need of this role. And in short, what is wanted, it's for this person to create a safe environment to not only the person but the office, because there's a thought of increasing the strength or strengthening

that office to create a safe environment, to be more proactive, not only reactive. Also that competence and confidentiality are important. Awareness of cultural and linguistic diversity, it was something that was really brought up by the community. And something else that was mentioned, which I found very interesting, is that there was an ask on having description of processes and the roles of communities and everyone involved, like making guidelines on how to handle complicated situations that would involve the Ombuds office.

So that was the summary. I don't know if Biyi or Jordan would like to say something else regarding that. Nope? Okay.

With that, there was also, a few hours ago, we had a call with Sally. The notes will be circulated when we have them. But just to have a very brief summary, we were talking about looking towards the upcoming roundtable, and specifically on the topics of the WSIS+20, and the role of the SO/AC chairs group. So with that, I will move into the upcoming in-person roundtable that will happen in Washington from the 9th to the 11th of January. Major topics are what goes well, what needs to be improved in relation between the Board and the Community, and the Organization and the Community. Also, responsibility and mutual expectations around this group, the SO/AC chairs group, and the scope, mandate, and what this group is all about, and the coordination efforts regarding WSIS+20, plus other shared priorities that we have in common.

Biyi, would you like to say anything else regarding the one on one? Or does anyone have any other update on this?

BIYI OLADIPO: Nothing more. Just that. The only thing I could just add to it is the fact that we, from our side and from Sally's side, actually discussed the need to have that conversation on the WSIS+20 and how people need to understand, people from the community need to understand the importance of it and how it affects our [patience] and things around the ICANN ecosystem. And also the fact that issues around the Internet is not just about technical things, but also every other thing that surrounds it so that people can see, and that's why conversation in Washington is going to be around that. And quite a bit of time will be spent to discussing those issues.

ALEJANDRA REYNOSO: Thank you, Biyi. Jiankang, you're asking when the new CEO will be decided. I don't have that information. But if anyone does, please share it in the chat. I believe that they're still searching so there's no date yet. I don't see any hands up for any more updates. So I will move forward with item 15, it's the Council Election and Board Nomination Process Reports.

So in July, we launched the Council or Board nomination processes by setting the dates, and recently the elections of the Board and the Council candidates by the ccNSO members were concluded. We are now in a position to review and formally close both processes. We will first focus on the Board nomination process and then on the Council elections. And in both cases, I will first give the floor to Joke to report on her observations and introduce her recommendations, if any, as a

process manager. And then I'll open the floor for questions and then we will make our decision. So with that, we will start with the Board Nomination Process Report. So Joke, please, can you tell us about it?

JOKE BRAEKEN:

Yeah, happy to do so. Board Nomination Report was shared on the Council mailing list already this week. And it includes all information regarding the need to have this nomination procedure, when was it launched, when will it be close, what are the results. And the same for the election bit, following the closure of the call for nominations. For both sections, both for the nomination part and for the election part, I've added some observations. Regarding the nominations for instance, there were two observations, minor ones, just noting, pointing out something that happened without too much impact on the process. There was one recommendation, though, regarding nomination observation number two, that is about the eligibility to nominate or to second candidates. When looking at the ccNSO guideline regarding the Board nomination procedure, it is not very clear who is eligible to nominate and second candidates for the ICANN Board. And my recommendation would be that councilors advise to request the Guideline Review Committee to verify if and how the ccNSO guidelines should be adjusted to ensure alignment across all nomination procedures, so alignment with, for instance, nominations for the ccNSO Council. Then the report also contains information about start and end of the due diligence verification, the question and answer session that was held at ICANN78, and also of course the elections. The election results are included there. There are some observations regarding the accuracy of emissaries, for instance. Also there are some placeholders

still included in the ccNSO guideline. And again, there is a recommendation that GRC should look in to those placeholders and suggest procedures in the guideline for the Board nominations. That concludes my update. I'm happy to answer any questions.

ALEJANDRA REYNOSO: Thank you very much, Joke. Are there any questions for Joke, or comments? I don't see any. Yes, Pablo?

PABLO RODRIGUEZ: Thank you, Alejandra. No question from my part. Only I want to take this opportunity to thank Joke for all the work and commitment that she always puts in these efforts. Thank you.

ALEJANDRA REYNOSO: Thank you, Pablo. Agreed. So with this, we have a resolution in front of us. May I have a mover? I see Irina's hands up and Pablo seconds. Thank you very much. Sorry, Demi and Stephen. I saw cameras first. For the next one.

Okay. With this, the decision is that "The ccNSO Council adopts the Nomination Report which concludes the 2024 Board Seat 12 ccNSO nomination process. By adopting the Nomination Report, the ccNSO Council also supports the recommendation of the Nomination Process Manager to request the Guideline Review Committee to verify if and how the ccNSO guidelines should be adjusted to ensure alignment across all nomination procedures."

“The chair is requested to inform the ECA and ICANN secretariat of the nomination of Katrina Sasaki as the ccNSO nominated candidate for Board Seat 12 to take her seat at the end of the 2024 AGM. The chair is also requested to inform the ccNSO GRC of their recommendation. This decision becomes effective immediately upon publication. The ccNSO Council thanks Joke Bracken for her work as Nomination Process Manager.”

Are there any questions regarding the resolution? I don't see any hands up. So with this, please let's take a vote. Use your green ticks if you're in favor, or your red crosses in case you object or abstain.

Okay. Noted that Sean is abstaining on GRC grounds. Thank you all. Just for good measure, is anyone else abstaining or objecting? Okay. No more hands up. With this, this has been approved. Thank you very much.

Now we will move on to the adoption of the Council Election Process Report. For this, again, please, Joke, can you tell us your observations and, if any, recommendations?

JOKE BRAEKEN:

Thanks, Alejandra. So again, there was a report regarding the procedure, the Council Election Procedure for 2024, which includes the details regarding the nominations, the elected councilors, and the elections. So, in terms of the nominations, there's details about the launch and closure of the procedure, also about the results of the nomination. There have been a few observations. They were also

included in the chapter regarding the nomination results that there should be a reference to those observations.

One of the observations was regarding self nominations. There have been some self nominations, not necessarily by the representative of the ccTLD. manager. There is a requirement in the guideline that mentions that nominations need to be submitted by the ccTLD representative. Also, some nominations or secondments were revoked following submission into the public archive. So all of that has been listed in the Nomination Report.

Again, there's also an observation regarding the eligibility to nominate or to second. As I mentioned before, there is this new requirement that the representative is the one that is eligible to nominate and second, and this is a new element that was introduced in the guideline. The guideline was adopted in 2022. But it's the first time that it's being used for Council elections. And as Election Process Manager, when the nominations were ongoing, I sought guidance from the ccNSO leadership team regarding how to proceed with the nominations or secondment submitted by non-representatives. And the suggestion at the time was to contact the representatives and make sure that they have explicit confirmation of the validity of the nomination or the secondment. And for some situations, this explicit confirmation was indeed submitted. Some, it was not. And all of this is listed in the Nomination Report.

Then regarding the election itself, so for the African, Latin American, Caribbean, and North American regions, there was only one candidate nominated, seconded that accepted their nominations. So for those

regions, no elections needed to be held. For the European and Asia, Australia, Pacific regions, there were more than one candidate. So in that case, there were elections. There's details about the launch of the elections, the closure as well, and of course the results.

And then the report continues with the election observation. So they are mainly focused around quorum, noting that the quorum requirements are being specified in three different instances in the guideline, so the operating procedure, but also in the internal membership rules of the ccNSO and in the ICANN Bylaws. As per the ccNSO internal rules, governance of the ccNSO is based on these three different sources, and in the event of conflict, they are ranked in order of preference. So the ICANN Bylaws are on top of the list. The ICANN Bylaws specify that the quorum requirement is the majority of the emissaries eligible to vote. So that was indeed the quorum requirement that was used in this election round.

Regarding the quorum, it was not easy for the Asia, Australia, Pacific region to reach quorum. Quorum was only reached one day prior to closure of the elections. There were several efforts to ensure that the emissaries participated in the voting procedures and noting that there was this difficulty in reaching quorum.

Related to that, there is an observation that the guideline does not specify what to do when quorum is not being met. So not ICANN Bylaws nor the CCNSO Council election guideline, they provide guidance regarding what needs to happen when quorum cannot be reached. So the recommendation would then be for Council to request the Guidelines Review Committee again to verify if and how the guideline

would be adjusted to make sure that in the event that this scenario happens in future, there is a way forward.

Also noting that one of the eligible emissaries mentioned to the Election Process Manager that they are not self identifying with the Asia, Australia, Pacific region, and they launched the process of reassignment to a different region.

Then the report has a conclusion regarding who are the elected candidates. It is my understanding that by adopting the report and informing all relevant parties about the results that this procedure has been concluded. Thank you.

ALEJANDRA REYNOSO:

Thank you very much, Joke. Are there any questions or comments for Joke? Okay. I don't see any hands up or hear anything. Thank you very much.

Definitely, the GRC will need to review these recommendations if we do agree on doing. For this, we do have a resolution in front of us. So may I have a mover? I see Demi and Stephen. So thank you. Demi moves, Stephen seconds. I will read just the decision.

It's "The CCNSO Council adopts the Council Election Report as proposed, which closes the 2024 Council election process. The Council congratulates Ali Hadji, Jiankang, Peter, Jennifer, and Sean with their election and wholeheartedly thanks Sami, Irina, and Nicklas for standing. The Council thanks Joke Braeken for her work as Election

Process Manager, and this decision becomes effective upon publication.”

Any questions on the decision? I see none. So with this, please let’s go for the vote. If you’re in favor, use your green ticks. If you abstain or object, use your red crosses.

Sean is abstaining again. Noted. I see only green ticks. Thank you very much. Just for good measure, is anyone objecting? I don’t see any hands up. So thank you all. Thank you all the candidates. Welcome to the future councilors. Welcome, Katrina, again to Board Seat 12. With this, we conclude this item.

With that, now we move to item 16. It’s the update on the 360 review of Councilors. In January, we adopted the first version of the Terms of Reference of the ccNSO Council internal 360 review procedure. Following the procedure, the first 360 review was conducted in April, May. And after we conclude this review, the Council evaluated the procedure, including the questions in Annex A, and agreed to limit the number and order of the questions. Last time, the draft was sent for review for the Council, and Sean gave us some suggestions. Sean, would you like to speak to those a little bit?

SEAN COPELAND: I can’t remember my suggestions at the top of my head.

ALEJANDRA REYNOSO: You suggested the order of the questions.

SEAN COPELAND:

Oh, right. Yes. Thank you. The reason I talked about the order was when I was going through the questions, I saw them as instead of focusing down, they start to focus and then they went wide and then they focus down again. I thought that if we were to look at the questions more in a flow, that answering them would become easier to do. Because it just seemed that the questions being out of order and then nullified the next couple of questions after it. And that's where I was going with that.

ALEJANDRA REYNOSO:

Okay. Thank you. I appreciate this helps also the people evaluating to have a better train of thought while doing so. In my personal view, I don't think there's an issue with that. Do we have any questions or comment regarding the new proposal that was circulated? Okay. I don't see any hands up.

We do have a resolution in front of us. May I have a mover? I see Tatiana. And a seconder, I see Pablo waving his hand in the camera. Thank you.

The decision is "The ccNSO Council adopts version two of the Terms of Reference of the ccNSO Council internal 360 review procedure, the document that was circulated on the 18th of December. And the amendment procedure becomes effective upon publication of the resolution and procedure on the ccNSO website."

Are there any questions regarding the resolution? I don't see any. Let's vote, please. Use again your green ticks if you're in favor, or your red

crosses in case you abstain or object. Okay. I see only green ticks. Just for good measure, I will ask are there any objections or abstentions? Hearing none, thank you very much. This has been approved.

With this, I would like to give you a heads up that we will start the next review soon. On our next Council meeting in January, we will need to decide on the timeline and the start date that should be at the end of January or early February for the next round.

With that, we are now in item 17. It's appointment to working groups and committees. We do have two appointments. One of them, it's the appointment of Jenifer Lopez to the SO/AC, to the Fellowship Program mentor. We reached out to Jenifer and she was willing to continue her role. Are there any questions on this appointment? No?

If you don't mind, for the sake of time, would it be okay if we also take the other decision together to appoint Wafa as a ccNSO Council appointed by the NomCom as the member of the IGLC and the SOPC? So we make one decision for the two appointments. Okay. I don't see any objections with that. With this, may I have a mover for both decisions? I see Jordan. Thank you. And I see Sean as seconder. Stephen, your hand came later. But thank you.

With this, the decision would be that "The ccNSO Council appoints Jenifer Lopez as fellowship mentor for the calendar year 2024. And the secretariat is requested to inform the relevant ICANN staff. This resolution becomes effective upon publication and also the ccNSO appoint Wafa Dahmani as member of the ccNSO task IGLC and SOPC for the duration of her appointment as NomCom appointee to the Council.

The secretariat is requested to inform the relevant committees. This resolution becomes effective upon publication.”

Any questions regarding the decision? No? Okay. With this, let’s go to the vote. Again, please, green ticks if you approve, red cross is if you object. I will note already that Wafa will abstain from her own decision. Okay. I see only green ticks. For good measure, anyone objects or abstain? I see none. Thank you all. This has been approved. And thank you, Jenifer and Wafa, for your contribution to these groups. With that, may I ask everyone to lower your green ticks just in case we will need them again. I don’t think so. But I do see them in some of you.

With that, we’re on the last three items. Item 18 is the participation and/or comments of the ccNSO or the Council on the community consultation for the Public Interest Commitments, Registry Voluntary Commitments. We received a letter from Tripti to seek input from the ccNSO on the Framework document, which proposes a path for implementing the Public Interest Commitments and Registry Voluntary Commitments in the New gTLD Program, the Next Round, and to submit a written input to questions related to the Framework document.

In the past, we’ve abstained of giving any comment regarding these procedures since they’re not directly ccNSO in particular, though we do promote this information to the ccTLD community for anyone else who wishes to participate and submit their own comments and feedback on these matters. With this, I would like to know whether you think we should participate in ccNSO Council or if we should remain as we’ve done so far and just reply that we will abstain on doing so even though

we will communicate this information to the rest of the community.
Thoughts anyone? Yes, Irina?

IRINA DANIELA: Thank you, Alejandra. I don't think we as a Council should be involved. I suggest we remain abstained.

ALEJANDRA REYNOSO: Thank you, Irina. Stephen?

STEPHEN DEERHAKE: I concur with Irina. That's exactly what I was going to say. Continue keeping our head down.

ALEJANDRA REYNOSO: Okay. With that, then that's what we shall do. I will draft a letter to reply to Tripti regarding this. Thank you very much.

Moving along, we are now in the item 19. It's the tentative bulk schedule. May I ask Claudia, please, to bring that up? Thank you. This is a very early draft on what's been thought for ICANN79. The highlights are the gap analysis on IANA policies and procedures. As we discussed previously, there's the ccTLD news on Internet fragmentation. There will be IANA-CSC update. And there's some time for the various committees and groups if they wish to address the committee and gather feedback.

With this, we are again in the time that we need to seek whether we will have joint meetings. So far with the GNSO Council, they're thinking

about not having a meeting every single ICANN meeting, but maybe to have two meetings a year, maybe one virtual. This has not been decided yet, but we'll see how things go. If we will set up a relationship with the Registry Stakeholder Group, then the dynamics may change a little bit. So this is ongoing. Also meeting with the GAC, we have no progress yet. But we'll see how this goes, as I told you at the beginning of the meeting. Also, we do have scheduled the meeting with the ccNSO related Board members as we decided a while back.

For this, I want you to think about the topics, the format, what we want to get out of it. If you have anything on the top of your head right now, that will be great if you want to share it. If not, I'll follow up on e-mail because we do need to plan for it. Sean, would you like to say what you've put in the chat?

SEAN COPELAND:

I was just saying you'll see the GRC has got another two blocks first thing Saturday morning. And we are looking at doing another Continuous Improvement type session, a different format perhaps. I know a lot of other flights arriving in are coming in a little bit late if you are coming in. If there's any way for you to be a little bit earlier, it probably would be a good idea. Because we'd like to see you bright and early on Saturday morning.

ALEJANDRA REYNOSO:

Thank you for the marketing.

SEAN COPELAND: Advertisement?

ALEJANDRA REYNOSO: Yes. Pablo?

PABLO RODRIGUEZ: Complementing what Sean is saying, for those of you that can come earlier, we can do something to make it worthwhile to you so that you can be bright and early Saturday.

ALEJANDRA REYNOSO: Teasing. Thank you, Pablo. With that, remember, this is just a very early, early draft. But we want you to have a sense of what's coming your way. We will have a Council working session on the policy gap analysis, we will have a Council working session on Succession Planning and Roles And Responsibilities, and of course our Council meeting, as usual.

With that, let's go back to the agenda. Now we have the closure of the 20th anniversary. Here I would like to review very quickly what went well, what did not go well, or any comments that you have regarding the activities that we had for the 20th anniversary. Any lessons learned? Anything you want to share? Yes, Pablo?

PABLO RODRIGUEZ: Thank you. I believe that the 20th anniversary from its beginning in Cancún, all the way to Hamburg, was a very enriching set of activities. As most of you may know, in Cancún we had the opportunity to

exchange many memories and talk about different things that we can do to increase participation and so on. As we moved on to Hamburg and when we concluded in Hamburg, the activities that we performed in Hamburg opened a new set of possibilities of what can we do to have more interactive meetings, meetings that energize people. It can also provide opportunities to see how can we improve not only this type of event but other meetings as well using the same approach. I think that went very well. I think that we should continue to explore how can we use this type of approach in other activities that may energize people and bring people to the table and make people willing to express how they feel about things and offer the various recommendations and suggestions. So I think that went very well.

The online, we need to continue to look for how can we get people involved. I believe it was a little bit difficult because it's coming around the beginning of January, and January is complicated. December. Apologies. December is a complicated month for many of us. But I think that went well as well. It can be improved and we will continue to seek how else and what else can we do to improve this type of opportunities. Thank you.

ALEJANDRA REYNOSO: Thank you very much, Pablo. Nick?

NICK WENBAN-SMITH: Thank you. Just very quickly, I thought it was an amazing series of events. I suppose I feel like I'm a relative newcomer. And a lot of it seemed to be understandably looking backwards to things before I was

involved. That's interesting. I just thought it was very nice in lots of ways. Lovely content, lovely celebrations. I suppose I was a bit unclear as to when exactly was the 20th anniversary because I had, I think, three bad hangovers this year, each of which claimed to be the responsibility of the 20th anniversary of the ccNSO. So we seem to have celebrated it three times, which is fine. But I guess just when we look forward to the 30th anniversary, maybe we should make sure we understand which meeting is the actual one, because we seem to claim it across all of the three meetings of the year, which is fine. It was very nice. But I suppose just for relative newcomers to help explain a bit of context and things. They're very, very nice. I enjoyed all of it, looking forward to the 30th and the 40th and the 50th anniversary celebrations.

ALEJANDRA REYNOSO:

Thank you. Thank you, Nick. Yes. It's in June, the true anniversary, but it was decided to have a year of celebrations. Because not everyone attends all the meetings so they could celebrate with us at any point that they join us.

With this, thank you for your comments. The outcome of the World Café that was the last activity that was looking forward had lots of recommendations. The very raw notes have been shared with you. Something we need to analyze and discuss how to address them and to plan for the next seven years. Hopefully, the new ISC could take care of many of those. Something to think about.

With this, I want to close the ad-hoc group. I want to thank everyone who have been involved in the 20th anniversary activities. Thank you so

much for your contributions, your ideas, your creativity, and your time. Also, thank you for preparing the celebration in coordination with our sponsors, with NIC Mexico, with GoDaddy, DENIC, EURid. And I thank everyone that was involved, councilors, staff, everyone. A big applause. With this, we conclude the 20th anniversary activities. We have celebrated big as we should. With that, we are a little bit over time, but I know that Stephen may have an AOB. He promised it would be short. Stephen?

STEPHEN DEERHAKE:

Thank you, Katrina. For those of you who are wondering the background on—thank you, Alejandra— Katrina’s update on the Board review mechanism, there are two takeaways. The first is that the GAC is no longer a factor in the outcome of the Board’s ultimate decision regarding the proposed review mechanism. And the second, in my role as chair of the PDP3 Working Group, I just want to say that I am happy with the subject matter experts who will be consulted as necessary during the course of Legal’s review. She mentioned those in her report. And that’s all I want to say on that matter. So I yield back to you, Alejandra.

ALEJANDRA REYNOSO:

Thank you very much, Stephen. Thank you all for joining the last call of the year. I wish you all happy holidays. Enjoy it with your close ones. Please be kind. Stay safe. See you next year. Bye.

UNIDENTIFIED FEMALE: Bye, everyone. Thank you.

PABLO RODRIGUEZ: Happy holidays, everyone.

[END OF TRANSCRIPTION]