

Guideline: ccNSO Actions Respecting the Customer Standing Committee

Draft Version #1

Date of adoption by the ccNSO Council:

1 Introduction and Background

ICANN has established a Customer Standing Committee (“CSC”) (Article 17 of the ICANN Bylaws) to monitor the performance of the Post Transition IANA entity under the IANA Naming Function Contract and IANA Naming Function Statement Of Work (SOW).

The mission of the CSC is to ensure continued satisfactory performance of the IANA naming function for the [direct] customers of the naming services. The [primary] customers of the naming services are top-level domain registry operators, but also include root server operators and other non-root zone functions.

The CSC will achieve this mission through regular monitoring of the performance of the IANA naming function against the IANA Naming Function Contract and IANA Naming Function SOW and through mechanisms to engage with PTI to remedy identified areas of concern.

According to Article 17, the ccNSO shall appoint two (2) members of the CSC and has to (use language from ICANN bylaws as to role of ccNSO)

2 Purpose of the Guideline

The purpose of this guideline is to document processes and procedures pertaining to the ccNSO’s discharge of its rights and responsibilities respecting the composition (members and liaisons) of the CSC as set forth under Article XVII of ICANN bylaws. Interaction between the CSC and the ccNSO other than on CSC composition is not within the scope of this Guideline.

3 General Information

3.1 Term of Appointment

The term for the initially appointed members are:

- for member 1 – two (2) years,
- for member 2 – three (3) years.

After the initial appointment the regular term of appointment shall be two (2) years. A member can be appointed for 2/3 consecutive terms (check Bylaws / charter).

David McAuley 22/4/2016 14:58

Comment [1]: Recognizing that bylaws will not be “final” until late May, I suggest that the Title should be a bit broader in light of ccNSO’s additional rights under Art. 17. It can appoint members (17.2.(a)(ii)), allow for an additional member (non-GNSO or ccNSO TLD member (17.2.(b)), approve liaisons (17.2.(d)), remove/replace its members (17.2.(f)), and fill vacancies (17.2.(h)). Maybe the Title could be: Appointing, Approving, and Other Actions Respecting Members and Liaisons of the Customer Standing Committee

Bart Boswinkel 25/4/2016 11:47

Comment [2]: liked Katrina’s shorter title;

Katrina Sasaki 22/4/2016 14:58

Comment [3]: I would prefer something shorter. How does this sound?

Bart Boswinkel 25/4/2016 11:42

Comment [4]: The “terms” of CSC members are really just one year as bylaw 17.2.(d) talks of annual slates

Katrina Sasaki 22/4/2016 19:29

Comment [5]: Must be checked

3.2 Statement of ...

Membership of the CSC shall be open to individuals from all ccTLDs, members and non-members of the ccNSO.

Katrina Sataki 22/4/2016 19:29

Comment [6]: something...

3.3 Conflict of Interest

If a Councillor intends to become a member of the CSC, then this Councillor shall not be involved in the appointment process due to a direct conflict of interest. A Councillor may also declare a conflict of interest at any stage for other reasons, for example, a Councillor and nominee may be working for the same ccTLD manager. After such a declaration this Councillor ceases to be involved in the appointment process.

4 Initial Appointment

Katrina Sataki 22/4/2016 19:29

Comment [7]: Need to add about Regular appointment

4.1 Timeline

What/who triggers the events?

Bart Boswinkel 25/4/2016 11:43

Comment [8]: As to what "triggers" the CSC, ICANN establishes it (17.1.), presumably as soon as PTI is up and running and then the CSC is a standing committee without end as long as PTI is there, as I understand it;

4.2 Call for Volunteers

The ccNSO Council shall appoint two individuals representing ccTLD managers (ccTLD registry operators) as members of the CSC.

The ccNSO Council will instruct the Secretariat to issue the call for volunteers for membership of the CSC to the ccNSO members and other relevant ccTLD community email lists, which will include a request to the Regional ccTLD Organisations to issue the call for volunteers on their email lists. This call for volunteers shall include a wiki space address and a specific closing date. The template for the call for volunteers is included in Annex A.

Mirjana Tasic 24/4/2016 20:40

Comment [9]: This statement is, in my opinion, in conflict with 3.2

The call for volunteers will include the set of requirements ...

How much time to submit applications???

4.3 Information Received from Volunteers

The first working day after the closure of the call for volunteers, the Secretariat will send the information received from the interested community members to non-conflicted Councillors individually and also to the non-conflicted representatives from the Regional Organizations.

If the ccNSO Council is of the view that one or more candidates do not meet the *Selection Criteria* as defined above, the candidate(s) will be informed accordingly and the nomination will not be considered.

Martin Boyle 23/4/2016 05:34

Comment [10]: below

After receiving the self-nomination including the Expression of Interest, the name of the candidate will be listed at the designated wiki space address. Nominations received after the closing date will not be valid.

4.4 Selection Process

4.4.1. Selection Criteria

CSC members will be selected based on how well they match the following criteria:

- The candidates have a thorough and demonstrable understanding and interest in the issues;
- The candidates show the commitment to actively participate in the activities of the CSC on an on-going basis;
- The candidate has a good understanding of the operation of the IANA naming functions and of the needs of the customers;
- Where appropriate, the candidates solicit and communicate the views and concerns of individuals from the ccTLD community;
- The candidate is employed by a ccTLD that has supported the nomination and is willing for [and will require] the candidate to put in necessary effort to meet the requirements of the appointment;
- The candidates have excellent communication skills in order to represent ccTLD interests and to keep the ccNSO and broader ccTLD community informed on progress.

Further, and again in accordance with the call for volunteers, Councillors must take into account the diversity of the ccTLD community:

- Different geographic regions;
- Gender diversity;
- Diversity of registry experiences and types.

4.4.2. Initial Selection of Candidates

If same number or fewer expression of interests were received than the number of members to be appointed on the CSC, the selection will be voted upon by the Councillors eligible to vote, either by an email poll or at a phone call, no later than one week after submission of the candidate letters of nomination to the Councillors eligible to vote.

If more candidates apply than are needed, the Councillors who participate in the selection process will each compile **a list of their top 5 candidates**, based on the Selection Criteria. The lists of candidates should be sent to the Secretariat email address ccnsossecretariat@icann.org, or other email address agreed by the ccNSO Council, one week after submission of the list of nominees. Note that the Chair and Vice-Chairs of the ccNSO also receive the emails sent to the Secretariat's email.

Bart Boswinkel 25/4/2016 11:44

Comment [11]: As far as the "good understanding" selection criterion goes, just wanted to note that the bylaw language (17.2.(a)) is that CSC members "...must have direct experience and knowledge of the IANA naming function."

Martin Boyle 23/4/2016 05:39

Comment [12]: Not sure I understand this.

Based on the individual Councillor rankings, the Secretariat will prepare the overall ranking of all nominees and report the ranking to the ccNSO Council one business day after they have received the list of top 5 candidates from the Councillors.

If, after compiling the list, the number of members to be appointed can be selected, the selection process is closed.

4.4.3. Second Round of Selection (if required)

If, after compiling the list, two or more of the candidates rank equally and as a result it is not possible to choose the limited number of members envisioned, there will be a run-off ranking for those candidates, with a defined closing date.

4.5 Adoption of the Results

After closure of the selection process, the Secretariat will report the results to the ccNSO Council before the first regular ccNSO Council meeting following the selection process. The ccNSO Council will then appoint the CSC members at this meeting.

The Secretariat will also prepare a selection report documenting the steps followed for the ccNSO Council meeting, to be signed off by the Chair and Vice-chairs of the ccNSO Council and to be published on the ccNSO website.

The chair of the ccNSO Council shall provide written notice to the Secretary, and if appropriate a notification copy to the Chair of the CSC, following the ccNSO Council's appointment of the ccNSO member(s) on the CSC.

Must submit to ICANN.

5 Approval of Proposed Slate of CSC

The ccNSO and RySG should consult prior to finalizing their selections with a view to providing a slate of members and liaisons that has, to the extent possible, diversity in terms of geography and skill set

- For discussion: joint approval or separate approval.
- Note: according to draft bylaws only approval by ccNSO, however according to draft Stewardship proposal, first consultation between ccNSO and RySG, to be followed by GNSO and ccNSO consultation (note again ccNSO versus ccNSO Council)

Katrina Sasaki 22/4/2016 17:00

Comment [13]: I propose that the one who received the largest number of votes stays for 3 years, the other one - for 2. Alternatively - they decide between themselves

Martin Boyle 23/4/2016 05:46

Comment [14]: Do we need to say that selection against ranking will ensure that the two ccNSO appointees will not come from the same region?

Martin Boyle 23/4/2016 05:47

Comment [15]: Are we implying that ICANN can veto a ccNSO appointee?

Maarten Simon 23/4/2016 05:48

Comment [16]: I would say separate approval as foreseen in the bylaws. We of course need to find a way to realise the goal and have a meaningful way to try to do that in cooperation with the RySG/gNSO. But I do not think that it would be appropriate if the gNSO could block our choice of candidates.

Martin Boyle 23/4/2016 05:48

Comment [17]: I agree with Maarten here

Martin Boyle 23/4/2016 05:49

Comment [18]: I think this was more about diversity than any veto or input on the other's nominations

a. Initial approval

Procedure for joint approval

b. Annual approval of full slate on going basis

6 Removal of ccNSO Appointed Members

Removal by ccNSO: Any CSC member selected and appointed by the ccNSO Council may be removed and replaced at any time and for any reason or no reason by the ccNSO Council

Removal at request chair of the CSC

A. Non attendance ((i) for not attending without sufficient cause a minimum of nine CSC meetings in a one-year period (or at least 75% of all CSC meetings in a one-year period if less than nine meetings were held in such one-year period) or (ii) if such member or liaison has been absent for more than two consecutive meetings without sufficient cause; or

B. for grossly inappropriate behavior.

Consultation mechanism

- Any concerns regarding the behaviour or non-attendance of a ccNSO Appointed CSC Member should firstly be raised with that Member.
- If the issue is not satisfactorily resolved, a formal complaint should be raised with the Chair of the ccNSO, who will attempt to mediate a resolution.
- If that is not possible, or if the complaint is sufficiently serious in nature, the Chair of the ccNSO is empowered to temporarily restrict the participation of the Member with a view to resolve the issues. However, if in the view of the chair the continued participation of the Member in the CSC would not be appropriate and/or would seriously disrupt the CSC from conducting its business, the Chair of the ccNSO shall raise the issue with the Vice-Chairs of the ccNSO Council or their designate(s), who will review the matter and then decide. The ccNSO Council, Chair of the CSC, CSC Member and Secretary shall be informed accordingly.

Martin Boyle 23/4/2016 05:50

Comment [19]: Annual?

Bart Boswinkel 25/4/2016 11:42

Comment [20]: The "terms" of CSC members are really just one year as bylaw 17.2.(d) talks of annual slates

Bart Boswinkel 25/4/2016 11:45

Comment [21]: I agree it would be odd if GNSO could block ccNSO appointments, and vice versa, but the language at 17.2. is that while each "appoints" its members the two together "shall approve" the initial and subsequent slates, including liaisons. (17.2.(d))

Martin Boyle 25/4/2016 00:06

Comment [22]: I really do wonder what this implies! It would seem to me to be appropriate for the ccNSO Council to justify such a decision, at least to the member it is removing. Arbitrary and unjustified decisions seem to me to risk the credibility of candidates and of the Council

Mirjana Tasic 25/4/2016 00:06

Comment [23]: I have the same feeling as Martin.

Bart Boswinkel 25/4/2016 11:46

Comment [24]: While I think Martin and Mirjana have a reasonable point in being concerned with arbitrary removal of CSC members by ccNSO, I come down on the other side. First, the bylaw (17.2.(f)) allows for removal for any reason or no reason, and, second, CSC is critical and as between the freedom of movement of the ccNSO and the interest of an individual in serving on the CSC I defer to ccNSO. It should not have to make a case, that is toom time consuming and subject to challenge. It is not likely to act without one, but should not have to make it, in my personal opinion.

Martin Boyle 23/4/2016 05:55

Comment [25]: I assume that thisis verbatim from the CWG proposal?

7 Vacancy

For purposes of this Guideline, a vacancy on the CSC shall be deemed to exist in the event of the death, resignation or removal of a ccNSO Council appointed member on the CSC. This vacancy shall be filled by the ccNSO Council using the selection procedure as described above in this Guideline (section 3) and shall be for the duration of the term of the member who is replaced. The chair of the ccNSO Council shall provide written notice to the Secretary, with a notification copy to the Chair of the CSC, following the ccNSO Council's appointment to fill a vacancy. The ccNSO Council shall use its reasonable effort for filling such vacancy, within one month after the occurrence of such vacancy, however the procedure set forth in this Guideline shall take precedence.

A temporary replacement may be appointed by the ccNSO Council for the duration of the selection procedure and until such time the replacement has been appointed. The Chair of the ccNSO Council shall notify the Secretary of such a temporary replacement, with a notification copy to the chair of the CSC. Such a notification should include the expected date of appointment of the replacement to fill the vacancy.

8 Miscellaneous

8.1 ccNSO Internal Guideline

This Guideline is an internal rule of the ccNSO in accordance with Article IX section 3.11 and Article IX section 4.2 of the ICANN Bylaws.

8.2 Omission in or Unreasonable Impact of the Guideline

In the event the Guideline does not provide guidance and/or the impact is unreasonable to conduct the business of the ccNSO or the ccNSO Council, the Chair of the ccNSO will decide.

8.3 Publication and Review of the Guideline

The Guideline will be published as part of the rules and guidelines of the ccNSO after adoption by the ccNSO Council.

The Guideline will be reviewed annually at the time of review of the Work plan, or adjusted when considered necessary. In order to become effective the updated Guideline must be adopted by the ccNSO Council and published on the ccNSO website.

Before publishing the updated Guideline, the Secretariat will adjust the version number and insert the date the Guideline was reviewed and adopted by the ccNSO Council.

Bart Boswinkel 25/4/2016 11:46

Comment [26]: I agree with Martin and Mirjana on minimizing a vacancy period with a standing list of volunteers to be at the ready.

Martin Boyle 25/4/2016 00:13

Comment [27]: Could we maintain a list of volunteers and be ready to appoint a successor from that list in the order of ranking from the assessment? This would allow us to minimise the period of the vacancy.

Mirjana Tasic 25/4/2016 00:13

Comment [28]: I support this proposal.

Annex A - Call for Volunteers

The ccNSO is seeking volunteers from the ccTLD community who might wish to be one of the ccTLD representatives on the CSC.

Candidates are expected to have:

- a thorough understanding of operating requirements of a ccTLD manager,
- a comprehensive and technically competent understanding and interest in the IANA naming function as developed from the perspective of a ccTLD
- a clear understanding of the multistakeholder model,
- a willingness to devote considerable time and energy to CSC with the support of their registry
- effective communication skills in order to represent views of ccTLD community

Candidates for this role are requested to provide the ccNSO (ccNSOsecretariat@icann.org) with the following:

- a recent curriculum vitae summarizing background and experience, including that in ccTLD operations,
- an Expression of Interest as described below,
- an indication of their affiliation, if any, with any Internet governance or DNS industry related organization,
- a letter signed by a member of candidate's organization's senior management confirming their support.

All interested candidates are required to submit an Expression of Interest that includes a statement of maximum 500 words addressing at a minimum the following matters:

- Why they are interested in becoming involved in the CSC.
- What particular skills they would bring to the CSC.
- Their knowledge of the IANA Functions.
- Their understanding of the purpose of the CSC.
- That they understand the time necessary required to participate in the CSC and can commit to this role.
- Their communication skills.
- comments.

Martin Boyle 23/4/2016 06:08

Comment [29]: This has to be criterion 1, doesn't it?

Martin Boyle 23/4/2016 06:08

Comment [30]: Oh and I find the "and interest in" clause a bit strange: I think they need technical competence, not an interest in the topic!

Martin Boyle 23/4/2016 06:03

Comment [31]: I don't object, but I'm not sure that this is a necessary condition. We are looking for people who can address issues of failure to meet service levels or a gradual reduction in service quality and who understand the relative priorities for the service

Martin Boyle 23/4/2016 06:04

Comment [32]: And this criterion 2

Martin Boyle 23/4/2016 06:05

Comment [33]: And this criterion 3

Ben Fuller 19/4/2016 14:06

Comment [34]: In keeping with Miejana's comment above, here is some modified text from the call for volunteers to the Stewardship transition committee. I like the structure where it sets out the criteria and then asked the candidates to provide some information on how they intend to participate. Again, we can modify as we please.

David McAuley 18/4/2016 21:57

Comment [35]: I like the skills Ben listed but offer this as well: Have a comprehensive and technically competent understanding and interest in the IANA naming function as developed from the perspective of a ccTLD.

Ben Fuller 19/4/2016 14:06

Comment [36]: David I agree, I have not seen the terms of reference for the CSC hence someone who has should feel free to add more. Also there is no need to keep all the criteria for applicants (I am thinking of the 500 word statement), as I put it in so we can look at everything.

IIRC there are statistics on the IANA workload which should give us some idea of the potential workload for the CSC and we may want to look at those stats.

