

# Agenda 10 April 2013

## Proposed Agenda for the GNSO Council Public Meeting in Beijing 10 April 2013

This agenda was established according to the GNSO Council Operating Procedures approved 13 September 2012 for the GNSO Council and updated. <http://gns0.icann.org/en/council/gns0-operating-procedures-13sep12-en.pdf>

For convenience:

- An excerpt of the ICANN Bylaws defining the voting thresholds is provided in Appendix 1 at the end of this agenda.
- An excerpt from the Council Operating Procedures defining the absentee voting procedures is provided in Appendix 2 at the end of this agenda.

[Meeting Times 07:15 UTC](http://tinyurl.com/cu3adns)  
<http://tinyurl.com/cu3adns>

Coordinated Universal Time 07:15 UTC  
00:15 Los Angeles; 03:15 Washington; 08:15 London; 09:15 Paris; 19:15 Wellington

Dial-in numbers will be sent individually to Council members. Councilors should notify the GNSO Secretariat in advance if a dial out call is needed.

### 15:15 - 18:30 Council Public Forum

#### Presentations by Stakeholder Groups and Constituency Leaders (50 minutes)

- Registries Stakeholder Group – Keith Drazek
- Registrars Stakeholder Group – Matt Serlin
- Non Commercial Stakeholder Group – Robin Gross
- Non Commercial Users Constituency (NCUC) – Bill Drake
- Commercial and Business Users Constituency (BC) – Elisa Cooper
- Intellectual Property Constituency (IPC) – Kristina Rosette
- Internet Service Providers and Connectivity Providers (ISPCP) – Tony Holmes
- Not-for-Profit Operational Concerns Constituency – Alain Berranger

#### Break (10 minutes)

#### Item 1: Administrative matters (10 minutes)

- 1.1 Roll Call
- 1.2 Statement of interest updates
- 1.3 Review/amend agenda
- 1.4. Note the status of minutes for the previous Council meeting per the GNSO Operating Procedures:

Draft Minutes of the GNSO Council meeting 14 March 2013 approved on 30 March 2013.  
<http://gns0.icann.org/en/meetings/minutes-council-14mar13-en.htm>

- 1.5. GNSO Projects List <http://gns0.icann.org/meetings/projects-list.pdf> & Action items
  - Review main changes.
  - Comments and/or questions.

#### Item 2: Opening Remarks from Chair (10 minutes)

Review focus areas and provide updates on specific key themes / topics  
Include brief review of [Projects List](#) and [Action List](#)

#### Item 3: Consent agenda ([0] minutes)

TBC.

#### Item 4: MOTION – The Trademark Clearing House "Strawman Solution" (10 minutes)

Link to motion  
<https://community.icann.org/display/gnsocouncilmeetings/Motions+10+April+2013>

- 4.1 Reading of the motion (Maria Farrell).
- 4.2 Discussion of motion.
- 4.3 Vote.

#### Item 5: MOTION – Policy Concerns Regarding the Registrar Accreditation Agreement (10 minutes)

Link to motion  
<https://community.icann.org/display/gnsocouncilmeetings/Motions+10+April+2013>

- 5.1 Reading of the motion (Wendy Seltzer).
- 5.2 Discussion of motion.
- 5.3 Vote.

#### Item 6: UPDATE & DISCUSSION - Initiation of a Policy Development Process (PDP) on the Translation and Transliteration of Contact Information (10 minutes)

A Final Issue Report translation and transliteration of contact information was submitted to the GNSO Council on 21 March 2013 (see <http://gns0.icann.org/en/library>).

The Final Issue Report recommends that the GNSO Council should initiate a Policy Development Process (PDP) limited to the issues discussed in this report but delay the next steps in the PDP until the Expert Working Group on gTLD Directory Services completes its recommendations, in May 2013 with a possible extension, in order to ensure that the resulting policy recommendations would be consistent with any new model or approaches to contact data that may result from the Expert Working Group's deliberations;

As recommended by the WHOIS Policy Review Team the Final Issue Report also recommends that ICANN should commission a study on the commercial feasibility of translation or transliteration systems for internationalized contact data, which is expected to help inform the PDP Working Group in its deliberations;

ICANN's General Counsel has confirmed that the topic is properly within the scope of the ICANN policy process and within the scope of the GNSO.

- 6.1 Update from staff (Julie Hedlund and Steve Sheng)
- 6.2 Discussion
- 6.3 Next steps

#### **Item 7: UPDATE & DISCUSSION – Final Issue Report on Uniformity of Reporting (20 minutes)**

At its October meeting last year the GNSO Council requested an Issue Report on the current state of uniformity in the mechanisms to initiate, track, and analyse policy-violation reports. ICANN Staff is also explicitly requested to provide its recommendation(s) on how this issue can be further addressed outside of a PDP if recommendations in relation to this issue do not require consensus policies to implement.

This Report is designated as "preliminary" to allow for community input and dialogue prior to the publication of the Final Issue Report.

The Preliminary Issue Report will be updated to reflect community feedback submitted through this forum. A [Final Issue Report](#) will then be presented to the GNSO Council for its consideration.

- 7.1 Presentation of the [Report](#) (Berry Cobb).
- 7.2 Discussion of the Report and next steps.

#### **Item 8: UPDATE & DISCUSSION – Policy vs. Implementation (15 minutes)**

Recent issues highlight an ongoing broader issue regarding the boundary between policy development and implementation work as well as the effective integration of policy development and integration work from the outset.

In addition, the Council is increasingly asked to consider issues for policy guidance and may well need to look at the evolution of its own work and processes to accommodate this type of request.

ICANN Staff published a [paper](#) intended to facilitate further community discussions on this topic. Discussions on the Council mailing list and at subsequent meetings indicate that this is an area of fundamental interest to the Council.

Following further community discussion in Beijing the Council is to discuss the current position and to consider next steps from a GNSO Council perspective.

- 8.1 Update from Staff (Marika Konings)
- 8.2 Discussion
- 8.2 Next steps

#### **Item 9: UPDATE & DISCUSSION – Template to request an Issue Report (10 minutes)**

One outcome from the Operations and Organisation meeting that GNSO Council Leadership held with ICANN staff in Amsterdam earlier this year, was to develop an online template to complete the request for an Issue Report.

The objective of this tool is to encourage requestors to gather as much information as possible and engage in early discussions with others prior to submitting a request for an Issue Report. The intended outcome is that by encouraging completion of all the information requested in the template, it will be possible to identify what information may still be needed and encourage collaboration between different interested parties at an early stage.

The template (<https://community.icann.org/x/GQIIAg>) can be completed by either by following the instructions or by downloading the word template from the same page. Once completed, Council members will be able to either create a PDF and submit that together with a motion to the Council mailing list, or insert the relevant wiki link in the motion. Please note that this template is tailored to requests for Issue Reports as defined in the PDP Manual.

The template is still in draft form and the Council is to discuss its usefulness, consider accepting it for future issue reports and consider also where similar templates could be used elsewhere.

- 9.1 – Discussion
- 9.2 – Next steps

#### **Item 10: Any Other Business (5 minutes)**

#### **Item 11: Open Microphone**

#### **Appendix 1: GNSO Council Voting Thresholds (ICANN Bylaws, Article X, Section 3)**

9. Except as otherwise specified in these Bylaws, Annex A hereto, or the GNSO Operating Procedures, the default threshold to pass a GNSO Council motion or other voting action requires a simple majority vote of each House. The voting thresholds described below shall apply to the following GNSO actions:

- a. Create an Issues Report: requires an affirmative vote of more than one-fourth (1/4) vote of each House or majority of one House.
- b. Initiate a Policy Development Process ("PDP") Within Scope (as described in [Annex A](#)): requires an affirmative vote of more than one-third (1/3) of each House or more than two-thirds (2/3) of one House.

- c. Initiate a PDP Not Within Scope: requires an affirmative vote of GNSO Supermajority.
  - d. Approve a PDP Team Charter for a PDP Within Scope: requires an affirmative vote of more than one-third (1/3) of each House or more than two-thirds (2/3) of one House.
  - e. Approve a PDP Team Charter for a PDP Not Within Scope: requires an affirmative vote of a GNSO Supermajority.
  - f. Changes to an Approved PDP Team Charter: For any PDP Team Charter approved under d. or e. above, the GNSO Council may approve an amendment to the Charter through a simple majority vote of each House.
  - g. Terminate a PDP: Once initiated, and prior to the publication of a Final Report, the GNSO Council may terminate a PDP only for significant cause, upon a motion that passes with a GNSO Supermajority Vote in favor of termination.
  - h. Approve a PDP Recommendation Without a GNSO Supermajority: requires an affirmative vote of a majority of each House and further requires that one GNSO Council member representative of at least 3 of the 4 Stakeholder Groups supports the Recommendation.
  - i. Approve a PDP Recommendation With a GNSO Supermajority: requires an affirmative vote of a GNSO Supermajority,
  - j. Approve a PDP Recommendation Imposing New Obligations on Certain Contracting Parties: where an ICANN contract provision specifies that "a two-thirds vote of the council" demonstrates the presence of a consensus, the GNSO Supermajority vote threshold will have to be met or exceeded.
  - k. Modification of Approved PDP Recommendation: Prior to Final Approval by the ICANN Board, an Approved PDP Recommendation may be modified or amended by the GNSO Council with a GNSO Supermajority vote.
- l. A "GNSO Supermajority" shall mean: (a) two-thirds (2/3) of the Council members of each House, or (b) three-fourths (3/4) of one House and a majority of the other House."

**Appendix 2: Absentee Voting Procedures (GNSO Operating Procedures 4.4)**

4.4.1 Applicability

Absentee voting is permitted for the following limited number of Council motions or measures.

- a. Initiate a Policy Development Process (PDP);
- b. Approve a PDP recommendation;
- c. Recommend amendments to the GNSO Operating Procedures (GOP) or ICANN Bylaws;
- d. Fill a Council position open for election.

4.4.2 Absentee ballots, when permitted, must be submitted within the announced time limit, which shall be 72 hours from the meeting's adjournment. In exceptional circumstances, announced at the time of the vote, the Chair may reduce this time to 24 hours or extend the time to 7 calendar days, provided such amendment is verbally confirmed by all Vice-Chairs present.

4.4.3 The GNSO Secretariat will administer, record, and tabulate absentee votes according to these procedures and will provide reasonable means for transmitting and authenticating absentee ballots, which could include voting by telephone, e- mail, web-based interface, or other technologies as may become available.

4.4.4 Absentee balloting does not affect quorum requirements. (There must be a quorum for the meeting in which the vote is initiated.)

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 Local time between March and October, Summer in the NORTHERN hemisphere  
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Reference (Coordinated Universal Time) UTC 07:15  
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- California, USA (PST) UTC-8+1DST 00:15
- New York/Washington DC, USA (EST) UTC-5+1DST 03:15
- Rio de Janeiro, Brazil (BRST) UTC-3+1DST 04:15
- Montevideo, Uruguay (UYST) UTC-3+1DST 04:15
- Edinburgh, Scotland (BST) UTC+0DST 08:15
- London, United Kingdom (BST) UTC+0DST 08:15
- Abuja, Nigeria (WAT) UTC+1+0DST 08:15
- Bonn, Germany (CEST) UTC+1+0DST 09:15
- Stockholm, Sweden (CET) UTC+1+0DST 09:15
- Ramat Hasharon, Israel(IST) UTC+2+0DST 10:15
- Karachi, Pakistan (PKT ) UTC+5+0DST 12:15
- Beijing/Hong Kong, China (HKT ) UTC+8+0DST 15:15
- Perth, Australia (WST) UTC+8+0DST 15:15
- Wellington, New Zealand (NZDT ) UTC+12+1DST 19:15

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 The DST starts/ends on last Sunday of October 2013, 2:00 or 3:00 local time (with exceptions)  
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For other places see <http://www.timeanddate.com>  
<http://tinyurl.com/cu3adns>