

# Agenda 7 November 2016 - part 1

## DRAFT AGENDA FOR GNSO COUNCIL PUBLIC MEETING (PART 1)

### ICANN57 HYDERABAD

7 NOVEMBER 2016 (as at 5 November 2016)

Please note that all documents referenced in the agenda have been gathered on a Wiki page for convenience and easier access: [https://community.icann.org/x/ww\\_sAw\[community.icann.org\]](https://community.icann.org/x/ww_sAw[community.icann.org])

This agenda was established according to the [GNSO Operating Procedures](#) v3.2, updated on 01 September 2016.

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.

Coordinated Universal Time: 08:15 UTC  
[http://tinyurl.com/zbh2z3m\[http://tinyurl.com/zbh2z3m\]](http://tinyurl.com/zbh2z3m[http://tinyurl.com/zbh2z3m])

00:15 Los Angeles; 03:15 Washington; 08:15 London; 11:15 Istanbul; 13:45 Hyderabad 19:15 Hobart

#### Main Meeting Page

[https://icann572016.sched.org/event/8cyy/gnso-council-public-meeting\[icann572016.sched.org\]](https://icann572016.sched.org/event/8cyy/gnso-council-public-meeting[icann572016.sched.org])

#### Item 1. Administrative Matters (5 mins)

1.1 - Roll Call

1.2 - Updates to Statements of Interest

1.3 - Review / Amend Agenda

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the meeting of the GNSO Council on 13 October 2016 and posted on 4 November 2016.

#### Item 2. Opening Remarks / Review of Projects & Action List (5 mins)

2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of [Projects List \[gnso.icann.org\]](#) and [Action List\[community.icann.org\]](#)

#### Item 3. Consent Agenda (5 mins)

##### See [motions](#)

3.1 – Adopt the GAC-GNSO Consultation Group on GAC Early Engagement in GNSO Policy Development Processes Final Status Report & Recommendations;

3.2 – Approve appointment of a GNSO Liaison to the Governmental Advisory Committee (Carlos Gutiérrez).

#### Item 4. COUNCIL VOTE – Adoption of Consensus Recommendations from the GNSO Bylaws Drafting Team (20 minutes)

On 30 June 2016, the GNSO Council created a Drafting Team (DT) to work with ICANN staff to identify the GNSO's new rights and obligations under the revised ICANN Bylaws, and prepare an implementation plan to address any needed changes by 30 September (<https://gnso.icann.org/en/council/resolutions#20160630-2>). On 29 September 2016, the Council received an update on the status of the DT's work and, pending the completion of the DT's work, the Council voted to appoint the GNSO Chair as its interim representative to the Empowered Community (EC) Administration. At its meeting on 13 October, the Council reviewed the DT's report and recommendations (Final Report: <https://gnso.icann.org/en/drafts/bylaws-drafting-team-final-report-12oct16-en.pdf>; Minority Statement: <https://gnso.icann.org/en/drafts/bylaws-drafting-team-minority-report-10oct16-en.pdf>). Here the Council will vote on whether or not to adopt the DT's consensus recommendations. Following the GNSO Council's review and approval of the DT's recommendations, the GNSO is expected to confirm its process for appointing its EC representative going forward.

4.1 – Presentation of the [motion](#) (James Bladel)

4.2 – Council discussion

4.3 – Council vote (voting threshold: simple majority)

**Item 5. COUNCIL VOTE – Next Steps for the GNSO as a Chartering Organization for the Cross Community Working Group on Internet Governance (20 minutes)**

The [Cross-Community Working Group on Internet Governance Charter](#) for the Cross Community Working Group on Internet Governance (CCWG-IG) was ratified by the ALAC and the ccNSO and GNSO Councils between September 2014 and April 2015. Under its Charter, the CCWG-IG is to “do whatever it deems necessary to facilitate and ensure engagement and participation of the ICANN community in the global Internet governance scene and multi-stakeholder decision-making processes”, including providing input to ICANN staff, Supporting Organizations and Advisory Committees on issues pertaining to Internet governance discussions and processes and informing the community about ICANN-related issues arising in Internet governance discussions and processes. As part of its Charter-mandated review of the work of the CCWG-IG, the GNSO Council in 2016 requested and received activity reports from the CCWG co-chairs. Here the Council will evaluate the appropriateness of continuing with the CCWG-IG in light of the deliverables prescribed under the Charter and in the context of the recently adopted [Uniform Framework of Principles for Cross Community Working Groups](#).

5.1 – Presentation of the [motion](#) (James Bladel)

5.2 – Council discussion

5.3 – Council vote (voting threshold: simple majority)

----- BREAK (15 MINUTES) -----

**Item 6: COUNCIL VOTE – Chartering of a New Cross Community Working Group on New gTLD Auction Proceeds (20 minutes)**

The 2012 New gTLD Program established auctions as a mechanism of last resort to resolve string contention. Although most string contention sets have been resolved through other means prior to reaching the stage of an auction conducted by ICANN's authorized auction service provider, it was recognized from the outset that significant funds could accrue as a result of several auctions. As such, any and all auction proceeds have been reserved and earmarked until the Board authorizes a plan for the appropriate use of the funds. The Board, staff, and community are expected to work together in designing the appropriate processes for addressing the use of the new gTLD auction proceeds. To this end, a cross-community Drafting Team (DT) was formed which has now submitted a proposed [Charter](#) for a cross-community working group to all SO/ACs for consideration.

The proposed charter is the result of extensive community input and DT deliberations and the DT presented it in the belief that it represents a careful balance between the different viewpoints and perspectives, including from the DT members and the ICANN Board liaisons to the DT.

At its meeting on 29 September 2016, the GNSO Council received a briefing and update on the draft Charter and the work of the DT from Jonathan Robinson, the DT chair. As there were no substantive suggested edits to the draft Charter received consequently from the GNSO, the Council will here consider whether or not to become one of the Chartering Organizations for the proposed new CCWG.

6.1 – Presentation of [the motion](#)

6.2 – Council discussion

6.3 – Council vote (voting threshold: simple majority)

**Item 7. COUNCIL DISCUSSION – ICANN Board Letter regarding policy implications of the Final Report of the Internationalized Registration Data (IRD) Expert Working Group (15 minutes)**

On 11 May 2016, ICANN Board Chair Dr. Steve Crocker sent a letter to the GNSO Council following up on the Board's 10 March 2016 Resolution (see <http://gns0.icann.org/en/correspondence/crocker-to-bladel-11may16-en.pdf>). The Board's request was for the GNSO Council to “review the broader policy implications of the [IRD Final Report](#) as they relate to other GNSO policy development work on WHOIS issues, and, at a minimum, forward the IRD Final Report as an input to the GNSO PDP on the Next Generation Registration Directory Services to Replace WHOIS that is currently underway.”

The GNSO Council sought input from the co-chairs of the recently completed GNSO Policy Development Process on the Translation and Transliteration of gTLD Contact Data, requesting feedback on several specific points: (1) how certain recommendations in the IRD Final Report were considered, if at all, in the [Final Report](#) of the T&T PDP Working Group; (2) how those recommendations could potentially conflict with the T&T PDP Working Group's recommendations that have been adopted by the GNSO Council and the ICANN Board; and (3) What steps are recommended to the GNSO Council in considering the policy implications of the IRD Final Report. Here the Council will discuss the input received from a member of the T&T PDP Working Group (<https://gns0.icann.org/mailling-lists/archives/council/docxZ229qQH0Gm.docx>), and decide on next steps.

7.1 – Status update (GNSO Council chairs)

7.2 – Council discussion

7.3 – Next steps

**Item 8. Discussion - Results of GNSO Newcomer Survey (5 minutes)**

On 30 June 2016, the GNSO Council [directed](#) ICANN staff to develop a survey to “assess the familiarity that the community has with the different newcomer and training tools as well as their perceived usefulness”, as part of the permanent integration of successful Policy Development Process (PDP) pilot project improvements into the overall structure of PDPs. Here the Council will receive a report on the results of the survey (<https://gns0.icann.org/en/drafts/newcomer-tools-survey-04oct16-en.pdf>) and consider whether staff should proceed with implementing some of the suggested improvements following additional input (if any) from GNSO Stakeholder Groups and Constituencies.

8.1 – Summary and update (David Tait)

8.2 – Council discussion

8.3 – Next steps

#### **Item 9. Open Microphone (10 Minutes)**

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

#### **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\[icann.org\]](#)): 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\[gns0.icann.org\]](#))**

##### **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.)

Reference (Coordinated Universal Time) 08:15 UTC  
Local time between October and March Winter in the NORTHERN hemisphere

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California, USA ([PDT](#)) UTC-7+0DST 00:15  
San José, Costa Rica UTC-5+0DST 02:15  
Iowa City, USA ([CDT](#)) UTC-5+0DST 02:15  
New York/Washington DC, USA (EST) UTC-4+0DST 03:15  
Buenos Aires, Argentina ([ART](#)) UTC-3+0DST 09:00  
Rio de Janeiro, Brazil (BRST) UTC-3+0DST 09:00  
London, United Kingdom (BST) UTC+0DST 08:15  
Bonn, Germany (CET) UTC+1+0DST 09:15  
Cairo, Egypt, (EET) UTC+2+0DST 10:15  
Istanbul, Turkey (EEST) UTC+3+0DST 11:15  
Perth, Australia ([WST](#)) UTC+8+0DST 16:15  
Singapore (SGT) UTC +8 +0DST 16:15  
Sydney/Hobart, Australia (AEDT) UTC+11+0DST 19:15

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DST starts/ends on last Sunday of March 2017, 2:00 or 3:00 local time (with exceptions)

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For other places see <http://www.timeanddate.com>[[timeanddate.com](http://www.timeanddate.com)]  
<http://tinyurl.com/zbh2z3m>

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