

Motions 17 December 2015

1. Motion on the Initiation of a Policy Development Process (PDP) on New gTLD Subsequent Procedures

Made by: Donna Austin

Seconded by: Valerie Tan

as amended by Donna Austin (in bold)

WHEREAS:

1. In June 2015 the GNSO Council had requested an Issue Report on the topic of analyzing a set of subjects that may lead to changes or adjustments for subsequent New gTLD Procedures;
2. The GNSO Council's request for an Issue Report followed the work completed by the Discussion Group on New gTLD Subsequent Procedures, which was requested by the GNSO Council in June 2014;
3. ICANN staff published the Preliminary Issue Report on New gTLD Subsequent Procedures in a public comment forum that opened on 31 August 2015, and closed on 30 October 2015;
4. The amended closing date for the public comment forum was the result of a GNSO Council request in September 2015;
5. ICANN staff have reviewed the public comments received, published a Report of Public Comments and updated the Issue Report accordingly;
6. The Final Issue Report on New gTLD Subsequent Procedures was published on 4 December 2015 at <http://gns0.icann.org/en/issues/new-gtlds/subsequent-procedures-final-issue-04dec15-en.pdf>; and,
7. The Final Issue Report recommends that the GNSO Council proceed with a Policy Development Process (PDP) in order to consider the issues discussed in the report, and the General Counsel of ICANN has indicated the topic is properly within the scope of the ICANN policy process and within the scope of the GNSO.

RESOLVED:

1. The GNSO Council hereby initiates a PDP to consider and analyze issues discussed in the Final Issue Report on New gTLD Subsequent Procedures to determine whether changes or adjustments to the existing policy recommendations in the Final Report on the Introduction of New Generic Top-Level Domains are needed. The outcome of the PDP may lead to (i) amending or overriding existing policy principles, recommendations, and implementation guidelines; (ii) developing new policy recommendations, and/or (iii) supplementing or developing new implementation guidance; and,
2. The GNSO Council requests that the PDP Working Group be convened as soon as possible **after the adoption of the PDP-WG Charter** to fulfill the requirements of this PDP.

2. Motion on the Approval of a charter for the PDP working group on New gTLD Subsequent Procedures - deferred to January 2016

Made by: Donna Austin

Seconded by: Valerie Tan

WHEREAS:

1. The GNSO Council has resolved (see [INSERT LINK]) to undertake a GNSO policy development process (PDP) to consider and analyze issues discussed in the Final Issue Report on New gTLD Subsequent Procedures to determine whether changes or adjustments to the existing policy recommendations in the Final Report on the Introduction of New Generic Top-Level Domains are needed; and,
2. The GNSO Council has reviewed the draft Working Group Charter embedded in Annex A to the Final Issue Report which was delivered to the GNSO Council on 4 December 2015.

RESOLVED:

1. The GNSO Council approves the Charter and appoints [INSERT NAME] as the GNSO Council liaison to the New gTLD Subsequent Procedures PDP Working Group (WG);
2. The GNSO Council directs ICANN staff to issue a call for volunteers for the PDP WG no later than seven days after the approval of this motion; and
3. Until such time as the WG selects a chair for the WG and that chair is confirmed by the GNSO Council, the GNSO Council liaison to the WG shall serve as the interim chair.

3. MOTION FOR GNSO COUNCIL ADOPTION OF THE FINAL REPORT OF THE PPSAI PDP WORKING GROUP – 7 DECEMBER 2015 - deferred to January 2016

Made by: James Bladel

Seconded by:

Whereas:

1. On 31 October 2013, the GNSO Council chartered a Working Group for a Policy Development Process (PDP) on Privacy and Proxy Services Accreditation Issues (PPSAI) [see <http://gns0.icann.org/en/council/resolutions#201310>] and tasked the Working Group to develop policy recommendations to guide ICANN's implementation of an accreditation program for privacy and proxy service providers;

2. This PDP has followed the prescribed PDP steps as stated in the Bylaws, resulting in a Final Report delivered to the GNSO Council on 7 December 2015;
3. The PPSAI PDP Working Group has reached Full Consensus (as described in the GNSO Working Group Guidelines) on all the recommendations in the Final Report; and
4. The GNSO Council has reviewed and discussed these recommendations.

Resolved:

1. The GNSO Council adopts, and recommends that the ICANN Board of Directors adopt, all the PPSAI PDP Working Group's final recommendations in the Final Report.
2. Should the PDP recommendations be adopted by the ICANN Board, the GNSO Council directs ICANN staff to convene a Privacy and Proxy Services Accreditation Implementation Review Team. The Implementation Review Team will be tasked with assisting ICANN staff in developing the implementation details for the PDP recommendations, evaluating the proposed implementation of the recommendations as approved by the Board, and working with ICANN staff to ensure that the resultant implementation conforms to the intent of the approved recommendations. The Implementation Review Team shall operate in accordance with the Implementation Review Team Principles and Guidance approved by the GNSO Council in June 2015.
3. The GNSO Council requests that, following the adoption by the ICANN Board of the PDP recommendations, ICANN staff issue a call for volunteers for the Implementation Review Team, to be circulated at a minimum to the members of PPSAI PDP Working Group.

4. Motion on the endorsement of GNSO Applicants for the Competition, Consumer Trust and Consumer Choice Review (CCT)

Made by: James Bladel

Seconded by:

Whereas,

1. Under the Affirmation of Commitments (AoC) <<https://www.icann.org/resources/pages/affirmation-of-commitments-2009-09-30-en>>, ICANN launched a process to review the extent to which the introduction of gTLDs has promoted Competition, Consumer Trust and Consumer Choice (CCT Review). This AoC mandated review will also assess the effectiveness of the application and evaluation processes, as well as the safeguards put in place by ICANN to mitigate issues involved in the introduction or expansion of new gTLDs.
2. To conduct this review, a Competition, Consumer Trust, and Consumer Choice Review Team will be formed in late 2015. Once formed, the Review Team will independently plan its work and schedule.
3. A call for volunteers was launched on 1 October 2015 (see <https://www.icann.org/resources/pages/call-volunteers-cct-rt-2015-10-01-en>). Those applying to serve as a volunteer member, were asked to identify the name of the Supporting Organization or Advisory Committee they wish to represent. 26 applicants identified the GNSO as the Supporting Organization they wished to represent (see <https://community.icann.org/x/FoRIAw>).
4. Following its meeting on 19 November 2015, the GNSO Council agreed to follow up with all 26 applicants to request additional information required to reach its decision on endorsement (see <http://gnso.icann.org/mailling-lists/archives/council/msg17695.html>).
5. The GNSO Council has reviewed the information received from the applicants requesting GNSO endorsement (see <https://community.icann.org/x/FoRIAw>).

Resolved,

1. The GNSO Council endorses the following applicants: [TBC] and expects the selectors for this Review Team to weigh this endorsement as an important factor in their selection process.
2. The GNSO Council instructs the GNSO Secretariat, on behalf of the GNSO Council and Chair, to inform the CCT selectors in writing of the outcome of this process. The selectors should also be advised to consider the specific consideration to the role of the GNSO regarding the New gTLD implementation and ensure that all relevant GNSO stakeholders shall be represented on the CCT RT.
3. The GNSO Council instructs the GNSO Secretariat to inform the applicants that have received endorsement that the GNSO Council expects that, if selected for the CCT, the applicant will represent the views of the entire GNSO community in their work on the CCT, and provide regular feedback as a group on the discussions taking place in the CCT, as well as the positions being taken by GNSO Review Team Members.
4. The GNSO Council instructs the Secretariat to send a response to those applicants who did not receive endorsement (if any), thanking them for their interest. The response should also encourage them to follow the CCT RT work, and participate in Public Comments and community discussions.

5. Adoption of the GNSO Review of GAC Communiqué for submission to the ICANN Board

motion deferred from 19 November 2015

Made by: Stphanie Perrin

Seconded by:

Whereas,

1. The Governmental Advisory Committee advises the ICANN Board on issues of public policy, and especially where there may be an interaction between ICANN's activities or policies and national laws or international agreements. It usually does so as part of a Communiqué, which is published towards the end of every ICANN meeting.
2. The GNSO is responsible for developing and recommending to the ICANN Board substantive policies relating to generic top-level domains.

3. The GNSO has expressed a desire to provide feedback to the ICANN Board on issues in the GAC Communiqué as these relate to generic top-level domains to inform the ICANN Board as well as the broader community of past, present or future gTLD policy activities that may directly or indirectly relate to advice provided by the GAC.
4. The GNSO Council developed a template to facilitate this process, which was completed following the publication of the Dublin GAC Communiqué by a volunteer and shared with the GNSO Council for its review
5. The GNSO hopes that the input provided through its review of the GAC Communiqué will further enhance the co-ordination and promote the sharing of information on gTLD related policy activities between the GAC, Board and the GNSO.

Resolved,

1. The GNSO Council adopts the GNSO Review of the Dublin GAC Communiqué and requests that the GNSO Council Chair communicate the GNSO Review of the Dublin GAC Communiqué to the ICANN Board.
2. Following the communication to the ICANN Board, the GNSO Council requests that the GNSO Council Chair informs the GAC Chair as well as the GAC-GNSO Consultation Group of the communication between the GNSO Council and the ICANN Board.