

# 2023-05-25 CCOICI - Meeting #35

The call will take place on **Thursday, 25 May 2023 at 12:00 UTC for 60 minutes.**

For other places see: <https://tinyurl.com/yxycjzwf>



## PROPOSED AGENDA

1. Welcome

2. SOI Task Force Recommendations Report (see <https://mm.icann.org/pipermail/gnso-ccoici/2023-April/000317.html>): from the GNSO Framework for Continuous Improvement: "Where full consensus is not achieved, the report/recommendations to the GNSO Committee and/or GNSO Council should clearly outline the efforts that were undertaken to try and achieve full consensus and the reasons for why this was not achieved". The TF achieved full consensus on all but one essential element, namely whether there should be an exemption from disclosing who someone is representing in the case of professional ethical obligations that would prevent such disclosure.

a. CCOICI feedback:

- Any further questions/comments about current requirements and existing safeguards?
  - Any further questions/comments about SOI TF recommendations report and views on exemption provision?
  - What are we trying to solve for?

b. Discuss alternative proposal - WG members who choose the exemption might not be eligible to participate in the Consensus Process. Is this a possible path forward?

- If yes, what would this look like in practice (e.g. is this something that would be captured in the SOI, in the WG Charter, Operating Procedures
  - If no, which other alternatives should be considered?

b. Confirm next steps

3. Confirm next meeting – to be confirmed

## BACKGROUND DOCUMENTS



## PARTICIPATION

Apologies: Desiree Miloshevic

[Attendance](#)



## RECORDINGS

[Audio Recording](#)

[Zoom Recording](#) (including audio, visual, rough transcript and chat)

GNSO transcripts are located on the [GNSO Calendar](#)



## Notes/ Action Items

### HOMEWORK/ACTION ITEMS:

1. Staff to incorporate the compromise proposal language and related points into the draft Report to the Council, ideally before ICANN77.
2. Members to bring back to their groups and discuss further during ICANN77.

Notes:

1. Welcome

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Discussion:

- Marie, BC: Took this back to the BC – think that this is a problem that doesn't exist. Re: the compromise proposal -- Concern about balance since it's such a minute selection of members. Seems to be an unnecessary constraint.
- Manju, Chair: Should **not** be a problem in the representative model, which is most common lately.
- Marika, staff: What we've seen that most PDPs are a working group model, so not an issue. One potential approach is to explain in the report that the Council already can specify in the charter who can participate in a consensus call. Move this conversation to the chartering conversation. Also, the chair of the WG can go back to the Council. Don't seem to have a large number of WG members now who are invoking this. Could check back after the current large PDPs, such as RPMs.
- Manju, Chair: We already have existing safeguards in the chartering process; then there also is the review mechanism.
- Thomas, ISPCP: Think it's a good point with the charter; also may be different with ICANN Join. People could be representing many different groups. Might want to discuss the best place information can be disclosed. Goal is to remove ambiguity and also reduce the burden on the chair. Can write it into the charter that if you choose the exemption then you can't participate in the consensus call.
- Manju, Chair: We can differentiate with the two types of SOI – activity specific and general.
- Susan, IPC: Did consult my group but didn't get a huge reaction. One reaction was that wouldn't be comfortable with the chair determining non-participation in consensus calls unless the criteria was very clear and was applied across the board – applied to all who choose the exemption.
- Manju, Chair: Feel that we have the safeguards we need with the charter and chair discretion. Also note that there is no enforcement mechanism for the SOI – it is an honor system. On the alternative proposal: people don't seem to be strongly against this. What would this look like – included in the charter.

c. Confirm next steps

Suggested for the Report to Council:

1. Add text to the report: "WG members who choose the exemption might not be eligible to participate in the Consensus Process.";
2. Document the discussions;
3. Present the data collected;
4. Note that there is no enforcement;
5. Provide more details of how the alternative proposal would be applied – write into the charter/option the Council has available and include in the charter template;
6. Spell out some of the other safeguards – Council can review and take measures;
7. Could call out in the Operating Procedures, but that would provide for less flexibility – not sure it is a good fit;
8. Build in a review period/mechanism. Sooner rather than later – for example after five activities using SOIs.

#### ACTION ITEMS:

1. **Staff to incorporate the compromise proposal language and related points into the draft Report to the Council, ideally before ICANN77.**
2. **Members to bring back to their groups and discuss further during ICANN77.**

3. Confirm next meeting

- Meet at ICANN77 for initial feedback.
- Get a sign-up room (no remote access) for Thursday, 15 June at 15:30-16:30 EDT (local time), 19:30 UTC.