GNSO Council Meeting 2015-09-03

PROPOSED AGENDA FOR THE GNSO COUNCIL TELECONFERENCE

3 September 2015 at 15:00 UTC

This agenda was established according to the GNSO Council Operating Procedures, approved and updated on 24 June 2015.

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: 15:00 UTC
http://tinyurl.com/ppl8p8h

08:00 Los Angeles; 11:00 Washington; 16:00 London; 18:00 Istanbul; 23:00 Perth
GNSO Council Meeting Audio Cast

To join the event click on the link:
http://stream.icann.org:8000/gnso.m3u

Councilors should notify the GNSO Secretariat in advance if a dial out call is needed.

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Item 1: Administrative matters (5 minutes)

1.1 – Roll call
1.2 – Updates to Statements of Interest
Donna Austin
1.3 – Review/amend agenda
1.4. – Note the status of minutes for the previous Council meeting per the GNSO Operating Procedures:

Minutes of the GNSO Council meetings of 24 June and 23 July 2015 will be posted as approved on xxxxxx 2015.

Item 2: Opening Remarks / Review of Projects & Action List (10 minutes)

2.1 – Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List
2.2 – Comments or questions arising

Item 3: Consent agenda (10 minutes)

3.1 – Adoption of timeline for election of the next GNSO Chair

3.2 – Approval of transmission of Recommendations Report to ICANN Board following public comments on the Council's recommendation that the Board adopt the Final Report from the Translation & Transliteration of gTLD Data Working Group

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Item 4: COUNCIL DISCUSSION & DECISION – Public Comment Period for New gTLDs Subsequent Procedures Preliminary Issue Report (15 minutes)

At its July 2015 meeting, the GNSO Council approved the staff request for an extension of the deadline for publication of the Preliminary Issue Report on New gTLDs Subsequent Procedures. The extension was viewed as necessary given the number of potential topics that had been identified by the New gTLDs Subsequent Procedures Discussion Group and the need to develop a proposed framework for handling those topics in a possible PDP. The Council had also discussed briefly the possible benefits of having an extended public comment period in view of the community interest in this matter. Here the Council will discuss the ramifications of extending the public comment period and decide whether or not to recommend moving forward with the idea.

4.1 – Update and presentation of possible timelines (Steve Chan)

4.2 – Council discussion

4.3 – Council decision and next steps

Item 5: COUNCIL DISCUSSION – Letter from ICANN Board Chair on Exclusive Registry Access for gTLD Terms representing Generic Strings (10 minutes)

On 27 July 2015 the ICANN Board Chair sent a letter to the GNSO Chair requesting that the GNSO specifically include the issue of exclusive registry access for generic strings serving a public interest goal as part of the policy work it is planning to initiate on subsequent rounds of the New gTLD Program. The GNSO was also asked to inform the Board on a regular basis with regards to progress on the issue. Here the Council will discuss the letter and decide on its response.

5.1 – Council discussion

5.2 – Next steps

Item 6: UPDATE & DISCUSSION – Protection for IGO Acronyms at the Second Level in All gTLDs (15 minutes)

At the July 2015 Council meeting, PDP Working Group co-chair Philip Corwin outlined for the Council certain concerns that the WG co-chairs shared regarding the timing and mechanisms for interactions between the WG and the IGO "small group" (comprising IGO and GAC representatives) that had been formed to formulate a substantive proposal for discussion with the GNSO. The final proposal is expected to be based on the Board's New gTLD Program Committee (NGPC) initial March 2014 proposal to the GAC, and as such is expected to address both so-called "preventative" (i.e. pre-registration) as well as "curative" (i.e. post-registration) protections for IGO acronyms. In respect of preventative protections, the NGPC had previously requested that the GNSO Council consider amending those of its adopted policy recommendations that are inconsistent with GAC advice. Following discussions with the NGPC, the Council had put the matter on hold pending further details regarding possible amendments from the NGPC.

Here the Council will receive an update on the status of the WG, GAC and IGO interactions on the topic if IGO protections, and discuss what, if anything, it might wish to do at this stage to facilitate progress in resolving any issues arising therefrom.

6.1 – Update (Philip Corwin / Mason Cole / Mary Wong)

6.2 – Council discussion

6.3 – Next steps

Item 7: UPDATE ON EXPECTED COUNCIL ACTION – Final Report from the Data & Metrics for Policy Making Working Group (5 minutes)

The Data & Metrics for Policy Making Working Group was chartered to explore opportunities to review standard methodologies of reporting and metrics that can better inform fact-based policy development and decision-making, including how the community can collaborate with Contracted Parties and other service providers in the sharing of metrics and data. The WG published its Initial Report for public comment on 29 July 2015, and the public comment period will close on 7 September 2015. Here the Council will receive an update on the expected timeline for delivery of the WG's Final Report and note potential issues for Council consideration in the Final Report.

7.1 – Update (Jonathan Zuck)

7.2 – Council discussion

7.3 – Next steps

Item 8: UPDATE & DISCUSSION - Cross Community Working Group on Enhancing ICANN Accountability – CCWG Accountability (15 minutes)

In the course of discussions over the IANA stewardship transition, the community had raised concerns about ICANN's accountability, given ICANN's historical contractual relationship with the United States government. The community discussions indicated that existing ICANN accountability mechanisms do not yet meet some stakeholders' expectations. Considering that the US Government (through the NTIA) has stressed that it expects community consensus on the transition, this gap between the current situation and stakeholder expectations needed to be addressed. This resulted in the creation of a Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability) of which the GNSO is a chartering organization.

On 3 August, the CCWG-Accountability published its Second Draft Proposal for public comment. This second round of public consultation concerns significant changes made by the CCWG to its first proposal. The changes focus on outstanding issues, add details to the Work Stream 1 proposal(s), and include revisions to the original proposal(s) arising from the feedback received in the first public comment consultation period. Public comments may be sent in through 12 September. Here the Council will review the CCWG's status and progress, and discuss any specific issues that need to be addressed in view of the timeline of the CCWG and the connection between its work and the IANA stewardship transition.

8.1 – Summary and status update (Thomas Rickert)

8.2 – Council discussion

8.3 – Next steps

Item 9: DISCUSSION - Preparation for ICANN54 (15 minutes)

During the regular GNSO weekend working sessions at each ICANN Public Meeting, the GNSO Council and community meet with the ICANN Board, the GAC, staff from ICANN's Global Domains Division, and senior ICANN management. Here the Council will discuss suggested topics for those meetings at ICANN54, as well as receive an update on scheduling and planning for the meeting generally.

9.1 – Update (Volker Greimann / Marika Konings / Glen de St. Gery)

9.2 – Council discussion

9.3 – Next steps

Item 10: Any Other Business (15 minutes)

10.1 – Post-ICANN53 progress of the Cross Community Working Group on Use of Country and Territory Names as TLDs

10.2 – Brief update on the implementation of the new ICANN Meeting format particularly with regard to Meeting B.

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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.)

Reference (Coordinated Universal Time) UTC 11:00
Local time between March and October, Summer in the NORTHERN hemisphere
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California, USA (PDT) UTC-7+1DST 08:00
San José, Costa Rica UTC-5+1DST 10:00
Iowa City, USA (CDT) UTC-5+1DST 10:00
New York/Washington DC, USA (EST) UTC-4+1DST 11:00
Rio de Janiero, Brazil (BRST) UTC-3+0DST 12:00
Montevideo, Uruguay (UYST) UTC-3+0DST 12:00
Buenos Aires, Argentina (ART) UTC-3+0DST 12:00
London, United Kingdom (BST) UTC+0DST 16:00
Bonn, Germany (CET) UTC+1+0DST 17:00
Cairo, Egypt, (EET) UTC+2+0DST 17:00
Istanbul, Turkey (EEST) UTC+3+0DST 18:00
Ramat Hasharon, Israel(IDT) UTC+3+0DST 18:00
Perth, Australia (WST) UTC+8+1DST 23:00
Sydney/Hobart, Australia (AEDT) UTC+11+1DST 01:00 (next day)

DST starts/ends on last Sunday of October 2015, 2:00 or 3:00 local time (with exceptions)

For other places see http://www.timeanddate.com
http://tinyurl.com/ppl8p8h