

**ccNSO Council Meeting  
22 August 2019**

**Attendees:**

**AF**

Biyi Oladipo, .ng  
Souleymane Oumtanaga, .ci  
Abdalla Omari, .ke

**AP**

Hiro Hotta, .jp

**EU**

Katrina Sataki, .lv  
Giovanni Seppia, .eu  
Nick Wenban-Smith, .uk

**LAC**

Alejandra Reynoso, .gt  
Demi Getschko, .br

**NA**

Byron Holland, .ca  
Stephen Deerhake, .as

**NomCom**

Laura Margolis  
Ajay Data

**Liaisons/Observers**

Miguel Ignacio Estrada  
Barrack Otieno

**ICANN Staff**

Bart Boswinkel  
Kim Carlson  
Joke Braeken

**1. Welcome and roll call**

Quorum was met

Apologies: Pablo Rodriguez, Philippe Fouquart, Maarten Simon

**Did not attend - no apology sent:** Jordan Carter, Young Eum Lee, Margarita Valdes, Jian Zhang

The Chair of the ccNSO Council opened the meeting – congratulated .PR on their 30<sup>th</sup> anniversary.

## **2. Minutes & Action Items**

Action Items from last meeting were reviewed – a few remain “ongoing”; minutes circulated with no comments from the Council.

## **3. Intermeeting decisions**

The following intermeeting decisions were reviewed:

- Appointment ccNSO delegate on NomCom FY2020
- Submission Council Statement Draft report 2nd ccNSO Review.
- Selection 3rd member IFRT (non-ccNSO member)
- Re-launch CSC Selection process
- ccNSO Statement on Streamlining Organisational Reviews
- ccNSO Statement on Fundamental Bylaw Change

## **4. Update “end of ccNSO membership” following transfer of management of ccTLD**

Report was reviewed (see background material)

## **5. Adoption FY 2020 NomCom Selection Report**

The Chair of the ccNSO Council discussed the upcoming selection process and thanked Pablo Rodriguez for his time with the NomCom and thanked Annebeth Lange for volunteering.

### ***RESOLUTION 153-01:***

The ccNSO Council adopts the FY 2020 NomCom Selection Report on the selection of the FY 2020 ccNSO appointed member to the NomCom. The Council congratulates Annebeth Lange with her appointment and thanks the previous appointee Pablo Rodriguez (.pr) for his two years of service on the NomCom and also thanks the other candidates who expressed interest to serve as appointee to the NomCom. The Secretariat is requested to publish the report on the ccNSO website.

Moved by Alejandra Reynoso

Seconded by Byron Holland

Passed unanimously

### **Action Item 153-01:**

The Secretariat is requested to publish the NomCom report on the ccNSO website.

### **6. Update ccNSO related ICANN Bylaw Change Repository**

Bart Boswinkel reviewed the repository table, noting additional items were added after discussion with the Guidelines Review Committee.

Stephen Deerhake mentioned “item 2” will likely be voted on at the upcoming Board retreat in LA {which will then trigger a Community Approval Forum at the Montreal meeting}.

### **7. Appointment ccNSO member RZERC**

The Chair of the ccNSO Council remarked on the RZERC appointment, noting Peter Koch stepped forward and is willing to continue serving on this committee.

### ***RESOLUTION 153-02:***

Following the call for expression of interest ( 15 July – 9 August 2019) Peter Koch (.de) volunteered to serve for a second term on the Root Zone Evolution Review Committee (RZERC) and was the only candidate. The ccNSO Council appoints Peter Koch as ccNSO appointee, and the chair is requested to ensure RZERC is informed accordingly.

Moved by Stephen Deerhake

Seconded by Ajay Data

Passed unanimously

### ***Action Item 153-02:***

The ccNSO Council requests the Chair to ensure RZERC is informed accordingly of appointment.

### **8. ccNSO Selection procedure Boards seat 11**

#### **8.1 Adoption Guideline: ccNSO Selection procedure Boards seats 11 and 12**

The Chair of the ccNSO Council reviewed the need to approval the Guideline, taking into account the situation that only one candidate is nominated and given the requirement that members should be able to express that they do not support a candidate (none of the above).

Bart Boswinkel reviewed the redline version of the Guideline, including language suggested by ICANN Legal. There is also a provision of a deadline for the appointment of a Board member – needs to be six months before the conclusion of the Annual Meeting, when the person steps down.

### ***RESOLUTION 153-03:***

Background

At its meeting on 26 June 2019 the ccNSO Council conditionally adopted the Guideline: ccNSO Nominations process ICANN Board seats 11 and 12, as presented (version – Draft Final May 2019), provided and conditional that ICANN Org’s legal department checks section 3.5 and do not raise any legal concerns with respect to the proposed section 3.5 of the Guideline. After checking section 3.5, ICANN Org’s legal department did NOT raise any legal concerns, however, did suggest some clarifications to the language (see email chair to Council). To ensure the schedule is aligned with the relevant sections of the ICANN Bylaws, a reference to the relevant section in the Bylaws is now included. In addition, the ccNSO Council and community agreed to include the option in the ballot “None of the above” following the Board selection process for Seat 12 in 2017, which is now included in the Guideline. Finally, a general procedure is included (section 3.9) to deal with the termination and re-launch of the nomination process.

#### Decision

The ccNSO Council adopts the amended Guideline: ccNSO Selection procedure Boards seats 11 and 12, which will become effective seven (7) days after publication on the ccNSO Website. The Secretariat is requested to publish the amended Guideline as soon as possible on the ccNSO Website and inform the ccNSO members accordingly.

Moved by Stephen Deerhake  
Seconded by Alejandra Reynoso  
Passed unanimously

#### **Action Item 153-03:**

The Secretariat is requested to publish the amended Guideline as soon as possible on the ccNSO Website and inform the ccNSO members accordingly.

#### **8.2. Adoption of the Timeline and appointment of Nomination Manager**

What is preferred option? The Chair of the ccNSO Council reviewed the two options below:

Interview in Montreal or Cancun?

The ccNSO Council was presented 3 options for the Board Seat 11 nomination process:

- *Option 1 A: The call for volunteers will be followed by the background check. In parallel with the background check all candidates will be subject to the Q& A session in Montreal (ICANN66), to be followed by the selection process by the members. This schedule does not comply with the Guideline (the background check is not completed before the Q& A with candidates), however the full process including the selection by the members will be concluded well before the 22 April 2020 deadline. Given the circumstances, the impact of the guideline could be considered unreasonable, and hence the Chair of the ccNSO Council may decide upon any issue ( Section 5.2 Guideline).*
- *Option 1 B: In accordance with the Guideline the call for volunteers will be followed by the background check. After closure of the background check, the Q&A session would be conducted*

*in Cancun (ICANN67) to be followed by the member selection process. The schedule of this procedure is fully compliant with the Guideline however, with a high risk of overrunning the 22 April deadline (breaching the ICANN Bylaws). To run the nomination process according to this schedule will most likely breach the ICANN Bylaws.*

*• Option 2: The call for volunteers will be followed by Q&A session in Montreal (ICANN66), to be followed by the selection process by the members. The background check will follow the selection process by the members and limited. Depending on the duration of the background check, this schedule will be concluded just before 22 April 2019. This schedule does not follow the Guideline in at least 3 instances:*

*i. the background check is not completed before the Q& A with candidates and*

*ii. nor before the selection process by the members and*

*iii. not all candidates – if 2 or more – are expected to be subject to the background check,*

*It is expected that under option 2 the full process - including the selection by the members will be concluded before 22 April 2020 deadline. Given the circumstances, the impact of the Guideline could be considered unreasonable, and hence the Chair of the ccNSO Council may decide upon any issue (Section 5.2 Guideline).*

The Chair of the ccNSO Council noted the need to allow the community the opportunity to question all candidates – reminding Council of the deadline date of 22 April 2020. The deadline is in place because according to the Bylaws, the ccNSO cannot appoint both Directors from the same region – similar limitation for other SO/ACs. This leaves time for the Nomination Committee to review the composition requirements such as diversity. The Chair also reviewed requirements if the deadline is not met and if one of the Directors steps down. She also noted there was discussion on costs of vetting all candidates.

The only viable options that meet the 22 April deadline, are 1a and 2.

Nick Wenban-Smith added he appreciates the clarification on the Bylaws as it relates to the deadline. He expressed some concern having the Q&A in Montreal (a year before they would take their seat) would exclude some well-qualified candidates that wouldn't have been excluded if there had been more time to get them through the process.

Stephen Deerhake shared similar concerns as Nick – thinks efforts should be made to alert the Community as soon as possible.

Byron Holland stated he felt the cost concerns were unfounded. First, because there are usually only a limited number of candidates. Secondly, it's just "the cost of doing business". If ICANN wants to live up to the notion that there is a wide and diverse and varied background of folks who can participate, then this is simply the cost of doing business for the small number of dollars in the overall scheme of the ICANN Budget that this might require; the argument of

vetting costs by ICANN Legal is specious and unwarranted and Council should ignore it and just simply pick the right option.

A poll was conducted and 75% of the Council chose option 1A.

***RESOLUTION 153-04:***

Background

In accordance with the Guideline, the ccNSO Council needs to appoint the Nomination Manager, to manage the Board Seat 11 nomination process.

The term of Chris Disspain (Board Seat 11) ends at the end of the ICANN AGM in November 2020. To replace him, the ccNSO Council will be required to select a candidate in accordance with the relevant ICANN Bylaws and internal rules of the ccNSO applicable at the time of the call for expression of interest. Under the current Guideline the timing and duration of the background check need to be considered and taken into account before the Q&A session and before the selection by the ccNSO Members. Also, to be considered is the Bylaw provision when ECA needs to be informed about the candidate (22 April 2020) and the Bylaw provision that internal rules and procedures of the ccNSO are required to be consistent with the ICANN Bylaws (section 10.3 (k)).

The ccNSO Council was presented 3 options for the Board Seat 11 nomination process.

Decisions

1.The ccNSO Council appoints Joke Braeken (ccNSO Secretariat) as the Nomination Manager, in accordance with the relevant Guideline.

2.The ccNSO Council adopts the timeline and sequence of call for volunteers, background check, Q&A session with the candidate(s), and selection by the members of the ccNSO under option 1A. The Council requests the Chair of the ccNSO to invoke section 5.2 of the Guideline effective at the time of the call for nominations. The Secretariat is requested to publish this resolution on the ccNSO website as soon as possible.

Moved by Stephen Deerhake

Seconded by Ajay Data

Passed Unanimously

***Action Item 153-04:***

The Secretariat is requested to publish this resolution on the ccNSO website as soon as possible.

Added Item:

8.A Council Elections

For decision: Appointment Council Election Manager 2020 (Joke Braeken) and adoption Timeline Council election 2020.

### **RESOLUTION 153-05:**

#### Background

The term of the following ccNSO Councillors ends in March 2020:

- Souleymane Oumtanaga (AF region, .CI)
- Hirofumi Hotta (AP Region, .JP)
- Giovanni Seppia (EU Region, .EU)
- Alejandra Reynoso (LAC Region, .GT)
- Stephen Deerhake (NA Region, .AS)

In accordance with the Guideline ccNSO Council Election Procedure, the ccNSO Council needs to establish a timeline for the election of Councillors, which timeline allows for a Q & A session at the upcoming face -to -face meeting in Montreal (ICANN66). The proposed timeline Council Elections FY 2020 meets these requirements and was included in background material.

#### Decisions

1. The ccNSO Council appoints Joke Braeken as the Election Manager for the FY 2020 ccNSO Council Elections
2. The ccNSO Council adopts the timeline Council Elections FY 2020 as proposed and requests the Secretariat to publish the timeline and start the procedure accordingly.

Moved by Alejandra Reynoso

Seconded by Abdalla Omari

Passed unanimously

### **9. Emoji SG Final report**

The Chair of the ccNSO stated the Emoji Study Group intends to submit its final report by the Council meeting of August for adoption – that was the original intent. There have been several recommendations and summarization has taken longer than expected.

Bart Boswinkel noted the Group needs to confirm the final report – just waiting for sign-off from the Chair who was on holiday.

### **10. IDN ccPDP related matters**

#### 10.1 Letter to the Board re IDN ccTLD overall proposed policy

The Chair of the ccNSO Council thanked the contributors to the letter drafting.

### ***RESOLUTION 153-06:***

The ccNSO Council adopts the letter as proposed as item 10.1 – letter to the Board re ending PDP 2 and request the Chair of the Council to send it to the Board on behalf of the ccNSO Council.

### ***RESOLUTION 153-07:***

The ccNSO Council adopts the final report of the IDN Preliminary Review Team and supports the recommendations contained in the report. The Council thanks the team for its expedient work.

Moved by Stephen Deerhake  
Seconded by Giovanni Seppia  
Passed unanimously

10.3 Next Steps: Actions to implement recommendations IDN PRT

For discussion

### **Action Item 153-05:**

The Secretariat is requested to propose next steps by the September Council meeting under assumptions of:

1. implementation of the recommendations of IDN PRT and
2. the Board accepting the proposal to conclude ccPDP 2 and the evolution of the Fast Track Process.

### **11. PDP 3 Part 1 Retirement – Update**

Stephen Deerhake provided an update of the working group, noting prep has already begun regarding the face-to-face meeting in Montreal.

### **12. Council Workshop Montreal (ICANN66)**

The Chair of the ccNSO Council discussed prep for the face-to-face Council workshop – using a Google document for collaboration

- a. Topics for Council Workshop,
- b. Organizing the workshop

### **13. Regular Agenda Montreal (ICANN66)**

Alejandra Reynoso reviewed the ccNSO-related sessions as well as the members meeting agenda.

The Chair of the ccNSO Council explained the reasoning for having a meeting in parallel with the GAC session, as well as the need to discuss how to shape the bilateral meetings with other SO/ACs [topic for the workshop?].

a. Council meetings

- i. Prep meeting
- ii. Council meeting
- iii. Joint meeting with GNSO Council
- iv. Joint meeting with ALAC

b. Tech Day & Members meeting

- i. Tentative agenda members meeting
- ii. Plenary topics

c. WG meetings

d. Joint meeting with the Board

e. Joint meeting with GAC

**14. Update ECA & CSC**

a. ECA – Stephen Deerhake provided an update on the anticipated adoption of the Fundamental Bylaw change which will then necessitate an Approval Action Community Forum in Montreal.

b. CSC – Byron Holland provided an update stating PTI met 100% of their metrics and continue to perform at a high level.

c. CSC Selection process (for information only)

**15. Update ccNSO Review**

**16. Updates chair, vice-chairs and Councillors, Regional Organisations, Secretariat.**

**17. Updates WGs.**

a. GRC – The Chair of the ccNSO Council provided an update noting that the GRC and Drafting Team from the GNSO are working on common procedure for the initiation of the special IANA Functions Review.

b. IGLC (progress to date)

c. SOPC

d. Meeting Programme Committee

e. Emoji Study Group

**18. Update liaisons**

a. Update ALAC Liaison (written update)

b. Update GNSO Liaison (written update)

**19. Next meetings**

- September 19
- October 17
- November -Montreal (2-7 November)
- December 19

**20. AOB**

**21. Closure**