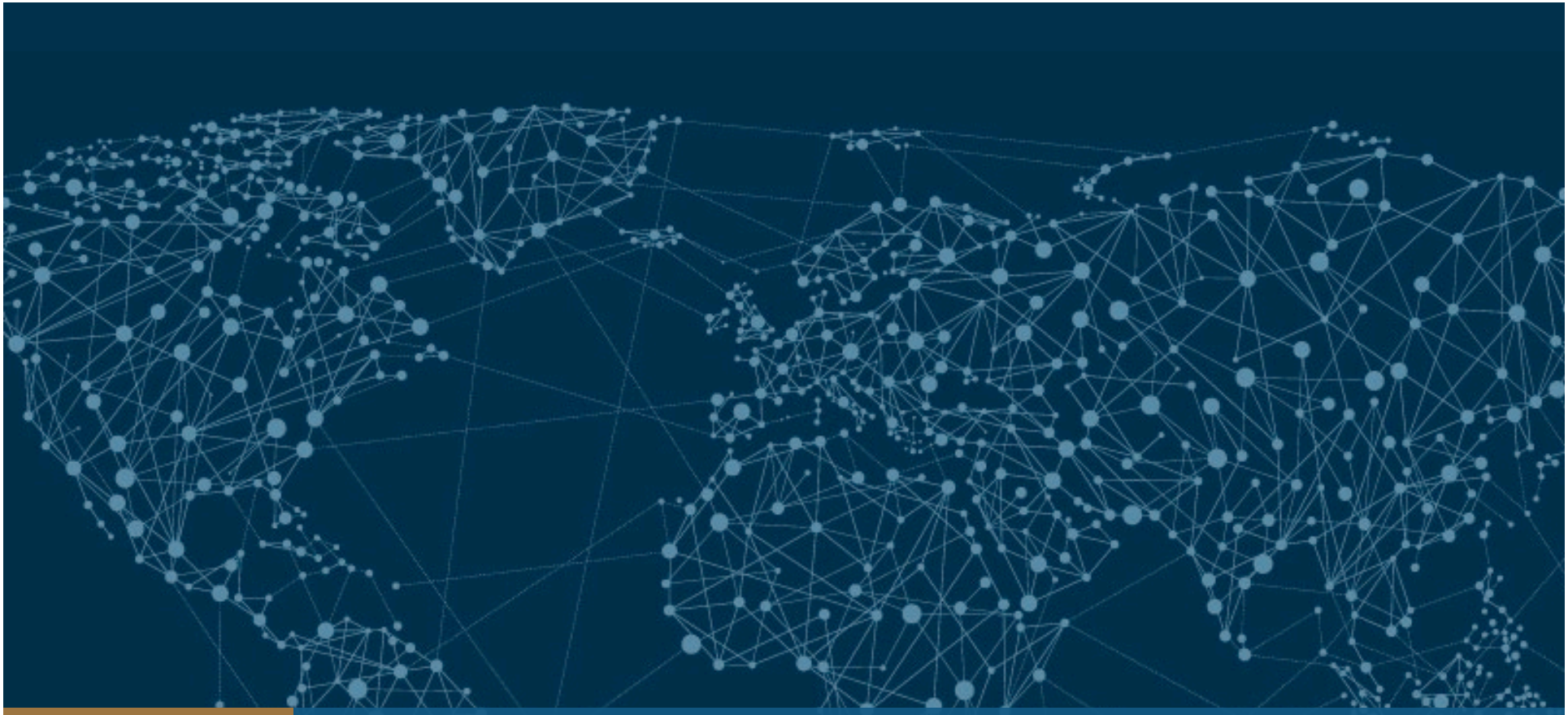

# GNSO Public Council Meeting

ICANN53| 24 June 2015

# 1. Administrative Matters

1.1 Roll Call

1.2 Updates to Statement of Interest

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 meeting of 11 February, 19 March,16 April, 21 May 2015 will be posted as approved on 28 June 2015.

# 2. Opening Remarks / Review of Projects & Action List

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

# 3. Consent Agenda

# 4. Council Vote: Motion to Extend term of GNSO Liaison to the Government Advisory Committee

In September 2015 the GNSO Council passed a resolution to appoint Mason Cole as the GNSO Liaison to the Governmental Advisory Committee (GAC) as part of a one-year pilot project. The position was created as part of the recommendations of the GAC-GNSO Consultation Group to facilitate early engagement of the GAC in GNSO policy development processes. As the GAC-GNSO Consultation Group has determined that more time is needed to fully evaulate this pilot project, an extension was requested and granted for FY16. The GNSO Council will vote on having Mason Cole continue in the role of GNSO liaison to the GAC for FY16.

4.1 Presentation of the motion (Volker Greimann)
4.2 Discussion
4.3 Council vote

# 5. Council Vote: Motion to Adopt the Final Report and Recommendations from the Policy & Implementation Working Group

The GNSO Council chartered Working Group in July 2013 to develop recommendations on, among other matters, principles to underpin GNSO policy- and implementation-related discussions; processes and criteria for developing gTLD policy guidance (for creating policy other than "Consensus Policy"); and guidance on the operation and functions of GNSO Implementation Review Teams. The WG submitted its Final Report to the GNSO Council on 2 June 2015. Here the Council will te on whether to adopt the WG's Final Report and the recommendations contained therein.

5.1 Presentation of the motion (Amr Elsadr)
5.2 Discussion
5.3 Council vote

# 6. Council Vote: Motion to Adopt the Final Report & Recommendations from Translation & Transliteration PDP Working Group

The GNSO Council initiated this PDP in June 2013, and the WG was chartered in November 2013 to develop policy recommendations on whether or not it would be desirable to translate or transliterate gTLD contact information into a single common language or script (as applicable), and if so who should bear the cost burden of doing so. The PDP WG submitted its Final Report to the GNSO Council on 12 June 2015. Here the Council will vote on whether to adopt the WG's Final Report and the recommendations contained therein.

6.1 Presentation of the motion (Amr Elsadr)
6.2 Discussion
6.3 Council vote

# 7. Council Vote: Motion to Request an Issue Report Preceding a Potential Policy Development Process on new gTLDs in Subsequent Rounds

The GNSO Council created a New gTLDs Subsequent Rounds Discussion Group in June 2014 to discuss experiences gained during the current expansion round of new gTLDs, and identify possible subjects for future policy work that might result in changes to application procedures. The Discussion Group co-chairs notified the Council at the Council's May meeting that the Group has completed its Issues/Recommendations Matrix and would be recommending that the Council request an Issue Report – a mandatory step preceding a possible Policy Development Process (PDP) – to further scope out the topics that have been identified by the Discussion Group as potential issues for a PDP.

7.1 Presentation of the motion (Bret Fausett)
7.2 Discussion
7.3 Council vote

# 8. Council Vote: Motion to Adopt the Proposal from the Cross Community Working Group regarding the transition of IANA stewardship on naming related functions

The GNSO is one of the chartering organizations for the Cross Community Working Group that was tasked to develop a proposal on Naming Related Functions for the IANA Stewardship Transition (CWG-Stewardship). A draft proposal was published for community comment on 1 December 2014, with a revised timeline and update provided for discussion at ICANN52 in Singapore. The CWG-Stewardship's updated proposal was subsequently published for public comment (ending on 20 May), following which its Final Report was submitted on 11 June 2015 to all its chartering SO/ACs for discussion during ICANN53. The aim is that an approved final proposal will then be submitted to the IANA Stewardship Coordination Group (ICG) for consolidation with the other proposals from the Numbering Resources and Protocol Parameters communities, for submission to the NTIA.

As a chartering organization of the CWG-Stewardship the GNSO will need to approve the group's final proposal. Here the Council will review the GNSO community's deliberations on the issue, and vote on whether or not to adopt the final proposal, which is conditional on the completion and adoption of the work on Work Stream I from the CCWG-Accountability (see further below).

8.1 Presentation of the motion (Jonathan Robinson)
8.2 Discussion
8.3 Council vote

# 9. Discussion for Potential Action: Cross Community Working Group on Enhancing ICANN Accountability – CCWG Accountability

In discussions around the IANA stewardship transition, the broader topic of the impact on ICANN's accountability was raised, given ICANN's historical contractual relationship with the United States government. The community concerns 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 has been done through the chartering of a Cross Community Working Group on Enhancing ICANN Accountability – CCWG-Accountability, of which the GNSO is a chartering organization.
The CCWG-Accountability developed two work streams, of which Work Stream 1 is intended to align with the timing of the CWG-Transition work and the overall NTIA objectives and timeline. Initial proposals for Work Stream 1 were published for public comment on 4 May 2015, with comments closing on 3 June. The CCWG-Accountability is reviewing all public comments received, and will conduct a face-to-face meeting on 17 & 18 July. Here the Council will review the CCWG's work to date and to discuss what, if any, issues will need to be addressed by the GNSO or Council at this critical stage.

9.1 Summary and status update (Thomas Rickert)
9.2 Discussion
9.3 Next steps

# 10. Council Action: GNSO Drafting Team on New ICANN Meeting Strategy

Following initial Council discussions on planning GNSO-related meetings at ICANN Public Meetings after implementation of the new ICANN meeting strategy, a Drafting Team comprising several Council members was created to develop an initial proposal for GNSO community discussion. The proposal has since been circulated to other SO/ACs for their consideration and feedback, in the hope that it would assist these groups with planning, especially in relation to their interactions with the GNSO and for Meeting "B". Here the Council will consider any feedback received from the community, and decide on next steps with implementing the GNSO planning proposal.

10.1 Update (Volker Greimann / Marika Konings)
10.2 Discussion
10.3 Next steps

# 11. Any Other Business

# 12. Open Mic

# Engage with ICANN

## Thank You and Questions

Reach us at:
Email: policy-staff@icann.org
Website: gnso.icann.org

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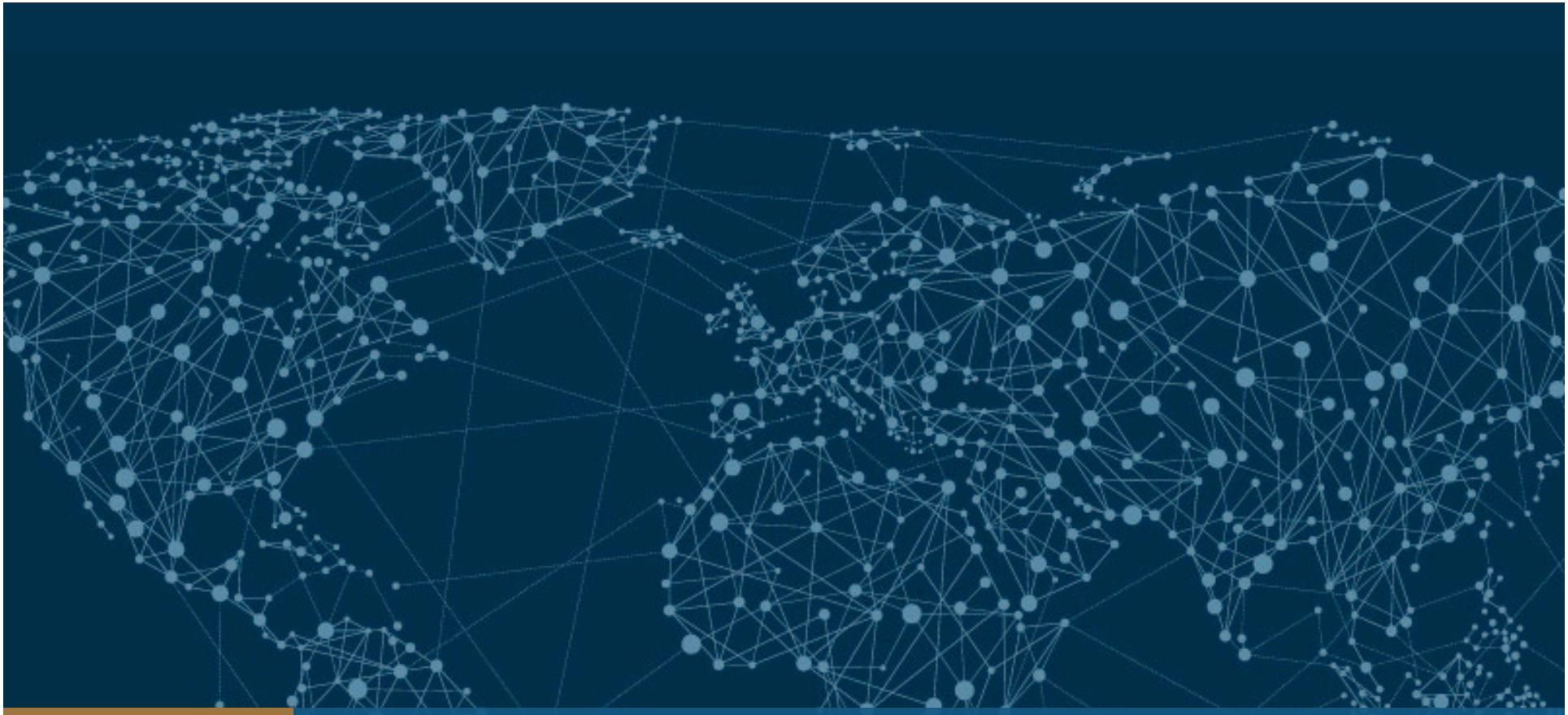

ICANN | GNSO
Generic Names Supporting Organization

# Motions

GNSO Public Council Meeting| ICANN53| 24 June 2015

# Motion 1

## Motion to extend term of GNSO Liaison to the Governmental Advisory Committee

Made by: Volker Greimann; Seconded by: Carlos Raúl Gutiérrez and Osvaldo Novoa

**Whereas**:
1. As part of the discussions within ICANN between the GNSO and GAC, on how to facilitate early engagement of the GAC in GNSO policy development activities, the option of appointing a GNSO liaison to the GAC was proposed as one of the mechanisms to explore and implemented as a one-year pilot program in FY15 on the recommendation of the GAC-GNSO Consultation Group.
2. The GAC and GNSO Council agreed that additional time was needed to fully evaluate this pilot program and as such requested, and received, support for continuing the pilot program in FY16.
3. Mason Cole has been fulfilling the role of GNSO Liaison to the GAC and has indicated that he is willing to continue in this role for FY16.
4. This mechanism will be evaluated at the end of FY16, by both the GNSO Council and the GAC, to determine whether or not to continue in either in the same form or with possible adjustments based on the feedback received.

**Resolved**:
1. The GNSO Council hereby extends the term of Mason Cole to the role of GNSO Liaison to the Governmental Advisory Committee until 30 June 2016.
3. The GNSO Council Leadership Team will co-ordinate with Mason Cole as well as the GAC-GNSO Consultation Group on the continued implementation of this role.

# Motion 2

GNSO Council Motion on Adoption of the GNSO Policy and Implementation Working Group Final Report and Recommendations

Made by: Amr Elsadr; Seconded by: Stephanie Perrin

**Whereas**:

1. On 17 July 2013, the GNSO Council approved the charter for a GNSO non-PDP Policy and Implementation Working Group (http://gnso.icann.org/en/council/resolutions#201307) tasked to provide the GNSO Council with a set of recommendations on:

a) A set of principles that would underpin any GNSO policy and implementation related discussions, taking into account existing GNSO Operating Procedures.
b) A process for developing gTLD policy, perhaps in the form of "Policy Guidance", including criteria for when it would be appropriate to use such a process (for developing policy other than "Consensus Policy") instead of a GNSO Policy Development Process.
c) A framework for implementation related discussions associated with GNSO Policy Recommendations.
d) Criteria to be used to determine when an action should be addressed by a policy process and when it should be considered implementation.
e) Further guidance on how GNSO Implementation Review Teams, as defined in the PDP Manual, are expected to function and operate.

2. The GNSO Policy and Implementation Working Group published its Initial Recommendations Report for public comment on 19 January 2015 (see https://www.icann.org/public-comments/policy-implementation-2015-01-19-en).
3. The GNSO Policy and Implementation Working Group reviewed the input received (see public comment review tool) and updated the report accordingly.
4. The Final Recommendations Report (see http://gnso.icann.org/en/drafts/policy-implementation-recommendations-01jun15-en.pdf), which contains a number of recommendations that will require changes to the ICANN Bylaws, has obtained the full consensus support of the GNSO Policy and Implementation Working Group. The Final Recommendations Report was submitted to the GNSO Council for its consideration on 2 June 2015.

# Motion 2

GNSO Council Motion on Adoption of the GNSO Policy and Implementation Working Group Final Report and Recommendations

Made by: Amr Elsadr; Seconded by: Stephanie Perrin

**Resolved (1/2)**

1. The GNSO Council adopts the GNSO Input Process as outlined in Annex C of the Final Recommendations Report and instructs ICANN staff to post the new version of the GNSO Operating Procedures, effective immediately upon adoption.
2. The GNSO Council recommends that the ICANN Board of Directors adopt the new GNSO Processes as reflected in the Annexes D and E for the GNSO Guidance Process and Annexes F and G for the GNSO Expedited Policy Development Process as outlined in the Policy & Implementation Final Recommendations Report (see http://gnso.icann.org/en/drafts/policy-implementation-recommendations-01jun15-en.pdf).
3. The GNSO Council recommends that the GNSO Guidance Process and GNSO Expedited Policy Development Process shall be available for use by the GNSO Council following adoption of any necessary changes to the ICANN Bylaws by the ICANN Board. The GNSO Input Process, which does not require any Bylaw changes, will be available for use upon adoption by the GNSO Council.
4. The GNSO Council adopts the recommendation to add a provision to the GNSO Operating Procedures that clarifies that parallel efforts on similar/identical topics should be avoided as outlined in recommendation #3 of the Final Recommendations Report. The GNSO Council instructs ICANN staff to post the new version of the GNSO Operating Procedures immediately upon adoption by the ICANN Board of the GNSO Guidance Process and GNSO Expedited Policy Development Process per resolved clause 3.
5. The GNSO Council adopts the 'Policy & Implementation Principles / Requirements' as outlined in section 4 of the Final Recommendations Report and recommends that the ICANN Board of Directors also (a) adopts these principles / requirements and (b) instructs ICANN staff to follow these accordingly to help guide any future GNSO policy and implementation related work.

# Motion 2

GNSO Council Motion on Adoption of the GNSO Policy and Implementation Working Group Final Report and Recommendations

Made by: Amr Elsadr; Seconded by: Stephanie Perrin

**Resolved (2/2)**

6. The GNSO Council adopts recommendation #4 of the Final Recommendations Report to modify the PDP Manual to require the creation of an Implementation Review Team following the adoption of the PDP recommendations by the ICANN Board, and instructs ICANN staff to post the new version of the GNSO Operating Procedures immediately upon adoption.
7. The GNSO Council adopts the 'Implementation Review Team Principles & Guidelines' as outlined in Annex L of the Final Recommendations Report and recommends that (a) the ICANN Board of Directors also adopts these principles & guidelines and (b) instructs ICANN staff to follow these accordingly to guide GNSO policy related implementation efforts
8. The GNSO Council thanks the Policy & Implementation Working Group for its efforts and recommends that the working group is formally closed upon adoption by the ICANN Board of these recommendations while still allowing the working group to provide input to the GNSO Council and implementation staff should any questions or issues arise before or after that time
9. The GNSO Council recommends that a review of these recommendations is carried out at the latest five years following their implementation to assess whether the recommendations have achieved what they set out to do and/or whether any further enhancements or changes are needed.

# Motion 3

Motion to Request a Preliminary Issue Report on New gTLD Subsequent Rounds

Made by: Bret Fausett; Seconded by: Avri Doria

Whereas (1/2),

1. In 2005, this Council of the Generic Names Supporting Organization (GNSO) began a policy development process to consider the introduction of new gTLDs, which resulted in the creation of certain policy recommendations for the launch of a new gTLD application process; and,
2. In September 2007, this Council adopted the policy recommendations from the GNSO policy development process and forwarded them to the ICANN Board of Directors; and,
3. The Final Report stated that " This policy development process has been designed to produce a systemised and ongoing mechanism for applicants to propose new top-level domains."
4. In June 2008, the ICANN Board adopted the GNSO's policy recommendations for the introduction of new gTLDs and directed staff to develop an implementation plan for a new gTLD introduction process; and
5. In June 2011, the ICANN Board approved an Application Guidebook ("AGB") for new gTLDs and authorized the launch of the New gTLD Program; and,
6. In June 2012, the first round application submission period closed; and,
7. In June 2014, this Council created the New gTLD Subsequent Procedures Discussion Group (DG) to discuss experiences gained and lessons learned from the 2012 New gTLD round and identify subjects for future issue reports, that may lead to changes or adjustments for subsequent procedures; and,
8. In August 2014, the DG began deliberations, focusing primarily on the identification of issues that members experienced in the 2012 New gTLD round; and,

# Motion 3

Motion to Request a Preliminary Issue Report on New gTLD Subsequent Rounds

Made by: Bret Fausett; Seconded by: Avri Doria

**Whereas (1/2),**

1. In 2005, this Council of the Generic Names Supporting Organization (GNSO) began a policy development process to consider the introduction of new gTLDs, which resulted in the creation of certain policy recommendations for the launch of a new gTLD application process; and,
2. In September 2007, this Council adopted the policy recommendations from the GNSO policy development process and forwarded them to the ICANN Board of Directors; and,
3. The Final Report stated that " This policy development process has been designed to produce a systemised and ongoing mechanism for applicants to propose new top-level domains."
4. In June 2008, the ICANN Board adopted the GNSO's policy recommendations for the introduction of new gTLDs and directed staff to develop an implementation plan for a new gTLD introduction process; and
5. In June 2011, the ICANN Board approved an Application Guidebook ("AGB") for new gTLDs and authorized the launch of the New gTLD Program; and,
6. In June 2012, the first round application submission period closed; and,
7. In June 2014, this Council created the New gTLD Subsequent Procedures Discussion Group (DG) to discuss experiences gained and lessons learned from the 2012 New gTLD round and identify subjects for future issue reports, that may lead to changes or adjustments for subsequent procedures; and,
8. In August 2014, the DG began deliberations, focusing primarily on the identification of issues that members experienced in the 2012 New gTLD round; and,

# Motion 3

Motion to Request a Preliminary Issue Report on New gTLD Subsequent Rounds

Made by: Bret Fausett; Seconded by: Avri Doria

**Whereas (2/2)**,

9. In November 2014, the ICANN Board provided initial input on areas for possible policy work in Annex A related to a resolution on Planning for Future gTLD Application Rounds.
10. The DG developed a matrix which attempts to associate identified issues with a corresponding principle, policy recommendation or implementation guidance from the 2007 Final Report on New Generic Top-Level Domains, or to note that the issue may warrant new policy work. Furthermore, the DG developed a draft PDP WG charter that identifies subjects, divided into provisional groupings, for further analysis in a potential Issue Report and potential PDP; and,
11. The DG recommends that its set of deliverables serve as the basis for analysis in a single Issue Report.

**Now therefore, it is resolved:**

1. The GNSO Council requests a single Issue Report that will analyze subjects that may lead to changes or adjustments for subsequent New gTLD Procedures. The Preliminary Issue Report should at a minimum consider:

- The subjects that the New gTLD Subsequent Procedures Discussion Group identified in its deliverables (i.e., issues matrix and draft charter);
- Global Domains Division Staff input to the deliberations of the DG, and;
- The ICANN Board Resolution Annex A regarding Initial Input on Areas for Possible Policy Work

2. In addition to covering the required elements of an Issue Report, ICANN Staff is also requested to provide options on how the subjects may be organized and worked through in a potential future PDP.

# Motion 4

Motion on the Adoption of the GNSO Translation and Transliteration of Contact Information PDP Working Group Final Report and Recommendations

Made by: Amr Elsar; Seconded by: Volker Greimann, David Cake

**Whereas**

1. On 13 June 2013, the GNSO Council launched a Policy Development Process (PDP) on Translation and Transliteration of Contact Information [http://gnso.icann.org/en/council/resolutions#201306] addressing the following two Charter questions:

a) Whether it is desirable to translate contact information to a single common language or transliterate contact information to a single common script.

b) Who should decide who should bear the burden translating contact information to a single common language or transliterating contact information to a single common script.

2. This PDP has followed the prescribed PDP steps as stated in the Bylaws, resulting in a Final Report delivered on 12 June 2015;

3. The Translation and Transliteration PDP has reached consensus on one recommendation and full consensus on the six remaining recommendations in relation to the two issues outlined above;

4. The GNSO Council has reviewed and discussed these recommendations.

# Motion 4

## Motion on the Adoption of the GNSO Translation and Transliteration of Contact Information PDP Working Group Final Report and Recommendations

Made by: Amr Elsar; Seconded by: Volker Greimann, David Cake

**Now therefore be it resolved,**

1. The GNSO Council recommends to the ICANN Board of Directors the adoption of the recommendations (#1 through #7) as detailed in the Translation and Transliteration of Contact Information Final Report.
2. On 21 June, the Translation and Transliteration PDP Working Group Working Group notified the Council of a clerical error in the text of Recommendation #4 of the Final Report, which has been edited as follows: "The Working Group recommends that, regardless of the language(s)/script(s) used, it is assured that the data fields are consistent to standards in the Registrar Accreditation Agreement (RAA), relevant Consensus Policy, Additional Whois Information Policy (AWIP) and any other applicable polices. Entered contact information data are [~~verified~~] validated, in accordance with the aforementioned Policies and Agreements and the language/script used must be easily identifiable." The Recommendation with the corrected text has reached full consensus in the Working Group because the correction is needed to reflect the substance of Working Group's deliberations documented in the Final Report. The corrected Final Report has been posted to the GNSO Council and posted to the GNSO Website: http://gnso.icann.org/en/group-activities/active/transliteration-contact
3. The GNSO Council shall convene a Translation and Transliteration of Contact information Implementation Review Team to assist ICANN Staff in developing the implementation details for the new policy should it be approved by the ICANN Board. The Implementation Review Team will be tasked with evaluating the proposed implementation of the policy recommendations as approved by the Board and is expected to work with ICANN Staff to ensure that the resultant implementation fulfills the intentions of the approved policies. If the Translation and Transliteration of Contact Information Review Team identifies any potential modifications to the policy or new policy recommendations, the Translation and Transliteration of Contact Information Implementation Review Team shall refer these to the GNSO Council for its consideration and follow-up, as appropriate. Following adoption by the ICANN Board of the recommendations, the GNSO Secretariat is authorized to issue a call for volunteers for a Translation and Transliteration of Contact Information Implementation Review Team to the members of Translation and Transliteration of Contact Information PDP Working Group.

# Discussion of Motions (Motion 5)

Motion to Adopt the Final Transition Proposal of the Cross Community Working Group on Naming-Related Functions (CWG-Stewardship)

Made by: Jonathan Robinson; Seconded by: Thomas Rickert

**Whereas**: (1/2)

1. The National Telecommunications and Information Administration (NTIA) has requested that ICANN "convene a multistakeholder process to develop a plan to transition the U.S. government stewardship role" with regard to the IANA Functions and related root zone management.
2. On June 6 2014, ICANN proposed the creation of an IANA Stewardship Transition Coordination Group (ICG) "responsible for preparing a transition proposal reflecting the differing needs of the various affected parties of the IANA functions."
3. It was determined that the transition proposal should be developed within the directly affected communities (i.e. the IETF for development of standards for Internet Protocol Parameters; the NRO, the ASO, and the RIRs for functions related to the management and distribution of numbering resources; and the GNSO and ccNSO for functions related to the Domain Name System). These efforts would inform the work of the ICG, whose responsibility would be to fashion an overall integrated transition proposal from these autonomously developed components.
4. The GNSO, ccNSO, SSAC, GAC and ALAC chartered a Cross Community Working Group to develop an IANA Stewardship Transition Proposal on Naming Related Functions.

# Motion 5

Motion to Adopt the Final Transition Proposal of the Cross Community Working Group on Naming-Related Functions (CWG-Stewardship)

Made by: Jonathan Robinson; Seconded by: Thomas Rickert

**Whereas: (2/2)**

5. On 1 December 2014, the CWG-Stewardship published its first draft proposal for public comment. The CWG-Stewardship reviewed the comments, then received and updated its proposal accordingly, resulting in a second Draft Proposal which was published for public comment on 22 April 2015.
6. After closure of the public comment period on the second draft proposal, the CWG-Stewardship reviewed all comments received, and, where appropriate, prepared responses to the comments received and took the input as input for the deliberations to finalize the proposals (see https://community.icann.org/x/x5o0Aw).
7. Based on the second proposal and further discussion by the full CWG-Stewardship and Design Teams, taking into account the public comment analysis, the Final Proposal was developed and submitted to the chartering organizations for consideration on 11 June 2015.
8. As noted in the Final Proposal, the CWG-Stewardship proposal is significantly dependent and expressly conditioned on the implementation of ICANN-level accountability mechanisms by the Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability) as described below. The co-chairs of the CWG-Stewardship and the CCWG-Accountability have coordinated their efforts and the CWG-Stewardship is confident that the CCWG-Accountability recommendations, if implemented as envisaged, will meet the requirements that the CWG-Stewardship has previously communicated to the CCWG. If any element of these ICANN level accountability mechanisms is not implemented as contemplated by the CWG-Stewardship proposal, this Final Proposal will require revision.

# Motion 5

## Motion to Adopt the Final Transition Proposal of the Cross Community Working Group on Naming-Related Functions (CWG-Stewardship)

Made by: Jonathan Robinson; Seconded by: Thomas Rickert

**Resolved**;

1. The GNSO Council approves the CWG-Stewardship Final Proposal and its submission to the IANA Stewardship Transition Coordination Group.
2. The GNSO Council approval is provided on the basis that the CWG-Stewardship Final Proposal is conditional on the ICANN-level accountability mechanisms (Work Stream 1) being developed by the CCWG-Accountability and moreover that:
    a. Such mechanisms will need to be approved by the GNSO Council and;
    b. Such mechanisms will need to be approved by the ICANN Board and;
    c. All required bylaws amendments will need to be adopted before the transition and;
    d. All other required implementation will need to be completed before the transition or, if not implemented beforehand, that there will be irrevocable commitments of such implementation to be complete within a reasonable time period after the transition, not to exceed one year.
3. Following the submission of the Final Report of the CCWG-Accountability on Work Stream 1 and subsequent GNSO Council consideration, the GNSO Council will communicate the results of its deliberations on the CCWG-Accountability Final Proposal on Work Stream 1; including to the ICG, ICANN Board and NTIA, as necessary, and thereby confirm whether or not the conditionality requirements as set out in the CWG-Stewardship Final Proposal have been met from a GNSO perspective.
4. In the event that the CCWG-Accountability mechanisms fail to meet the conditions in the CWG Stewardship Final Report, the GNSO Council must formally reconsider any material revisions to the CWG-Stewardship Final Proposal that may be made as a result of such failure by the CCWG Accountability to meet the stated conditionality.
5. The GNSO Council thanks the CWG-Stewardship for all its hard work and recommends that the CWG-Stewardship is only formally closed upon submission by the ICANN Board of the final transition proposal to the NTIA, thus allowing the CWG-Stewardship to provide input to the ICG and/or GNSO Council should any questions or issues arise before that time.