**GNSO Council Minutes 21 April 2010**

Proposed [agenda and documents](http://gnso.icann.org/meetings/agenda-21apr10-en.htm)

The meeting started at 11:04UTC.

**List of attendees:**

Andrei Kolesnikov NCA – Non Voting - Absent Apologies

**Contracted Parties House**

Registrar Stakeholder Group: Stéphane van Gelder, Tim Ruiz, Adrian Kinderis

gTLD Registries Stakeholder Group: Chuck Gomes, Caroline Greer, Edmon Chung - joined after roll call

Nominating Committee Appointee (NCA): Terry Davis joined after roll call

**Non-Contracted Parties House**

Commercial Stakeholder Group (CSG): , Wolf-Ulrich Knoben, Jaime Wagner, David Taylor, Kristina Rosette

Mike Rodenbaugh - absent; Zahid Jamil - absent, apologies

Non Commercial Stakeholder Group (NCSG): Rafik Dammak, Wendy Seltzer, William Drake, Mary Wong, Debra Hughes

Rosemary Sinclair - absent

Nominating Committee Appointee (NCA): Olga Cavalli

**GNSO Council Liaisons/Observers**
Alan Greenberg – ALAC Liaison
Han Chuan Lee – ccNSO Observer - absent

**ICANN Staff**
David Olive - Vice President, Policy Development
Kurt Pritz - Senior Vice President, Services
Olof Nordling - Director, Services Relations and Branch Manager, Brussels office
Craig Schwartz - Chief gTLD Registry Liaison
Liz Gasster - Senior Policy Counselor, ICANN Policy Support
Margie Milam - Senior Policy Counselor
Marika Konings - Policy Director
Julie Hedlund - Policy Director
Rob Hoggarth - Senior Policy Director
Glen de Saint Géry - GNSO Secretariat

**Invited Guests:**
Ken Bour - Consultant

For detailed information of the meeting, please refer to:

* [MP3 recording](http://audio.icann.org/gnso/gnso-council-20100421.mp3)

**Item 1: Administrative Items**

**1.2 Update any Statements of Interest**

No updates  **1 3 Review/amend the agenda**http://gnso.icann.org/meetings/agenda-21apr10-en.htm

* No changes

**1.4. Note the status of minutes for the following Council meetings per the new Council Operating Procedures:**

\* [1 April meeting – approved on 16 April 2010](http://gnso.icann.org/meetings/minutes-council-01apr10-en.htm)
http://gnso.icann.org/meetings/minutes-council-01apr10-en.htm

**Item 2: GNSO Improvements**

**Julie Hedlund** provided an overview of OSC Communication & Coordination (CCT) Work Team recommendations
http://gnso.icann.org/correspondence/presentation-osc-cct-recommendations-21apr10-en.pdf

**Chuck Gomes**, seconded by **Olga Cavalli** proposed a motion to accept the [GNSO Improvements OSC CCT Report](http://gnso.icann.org/drafts/cct-consolidated-report-final-09apr10-en.pdf) and initiate a comment period

WHEREAS, in October 2008, the GNSO Council established a framework (see GNSO Council Improvements Implementation Plan;
http://www.icann.org/en/topics/gnso-improvements/gnso-improvements-implementation-plan-16oct08.pdf)
for implementing the various GNSO Improvements identified and approved by the ICANN Board of Directors on 26 June 2008
(http://www.icann.org/en/minutes/resolutions-26jun08.htm#\_Toc76113182
<http://www.icann.org/en/minutes/resolutions-26jun08.htm> );

WHEREAS, that framework included the formation, in January 2009, of two Steering Committees, the Operations Steering Committee (OSC) and the Policy Process Steering Committee (PPSC), to charter and coordinate the efforts of five community work teams in developing specific recommendations to implement the improvements;

WHEREAS, the OSC established three work teams, including the Communications and Coordination Work Team (CCT), which was chartered to focus on one of the five operational areas addressed in the BGC Report recommendations;

WHEREAS, the CCT completed its deliberations and forwarded its Consolidated Final Recommendations to the OSC on 9 April 2010;

WHEREAS, the OSC approved the CCT's Consolidated Final Recommendations
http://gnso.icann.org/drafts/cct-consolidated-report-final-09apr10-en.pdf

and forwarded the report to the GNSO Council on or before 12 April 2010;

NOW THEREFORE, BE IT:

RESOLVED that the GNSO Council accepts the deliverable of the CCT as its final set of recommendations and directs Staff to commence a twenty-one (21) day public comment period on the CCT's report.

RESOLVED FURTHER that the GNSO Council shall take action on the CCT's recommendations as soon as possible after the end of the public comment period.

Motion carried unanimously by voice vote.

**Item 3: Prioritization of GNSO work**

**Olga Cavalli,** the drafting team chair, provided an overview of the recommendations.
http://gnso.icann.org/correspondence/presentation-wpm-21apr10-en.pdf

**Olga Cavalli** seconded by **Jaime Wagner** with friendly amendments by **Kristina Rosette** proposed a motion on the GNSO Work Prioritisation Process

WHEREAS, the ICANN Policy Staff prepared and delivered to the GNSO Council a 2008-2009 Work Team Attendance Study which confirmed that volunteer participation has been suffering and languishing.

WHEREAS, the GNSO Council, considering the advice of Staff, organized a Drafting Team at the Seoul ICANN meeting for the purpose of developing a GNSO Work Prioritization model and procedure;

WHEREAS, the Work Prioritization Model Drafting Team (WPM-DT) has completed its deliberations and developed a written procedure recommended for inclusion in the GNSO Operating Procedures as Chapter 6 plus an accompanying ANNEX
(http://gnso.icann.org/drafts/wpmg-section-6-and-annex-09apr10-en.pdf)

WHEREAS, the WPM-DT has developed a timeline of activities (see below) that it recommends be adopted in order that the first Work Prioritization effort can be completed by the ICANN Brussels meeting;

NOW THEREFORE, BE IT:

RESOLVED, that the GNSO Council accepts the deliverable of the WPM-DT, thanks the team for its efforts, and approves the use of Chapter 6 and the ANNEX

(http://gnso.icann.org/drafts/wpmg-section-6-and-annex-09apr10-en.pd)f
for conducting its first Work Prioritization effort.

RESOLVED FURTHER, that the GNSO Council directs Staff to commence a twenty-one (21) day public comment period on this amendment to the GNSO Operating Procedures and reserves the right to modify the procedures described in Chapter 6 and the ANNEX
(http://gnso.icann.org/drafts/wpmg-section-6-and-annex-09apr10-en.pdf)
after the conclusion of both the public comment period and the first Work Prioritization effort.

RESOLVED FURTHER, that the GNSO Council supports the recommended timeline (see below) for conducting the first Work Prioritization effort and directs the GNSO Secretariat to make arrangements consistent with its dates and activities.

RESOLVED FURTHER, that the GNSO Council take action on Chapter 6 and the ANNEX
(http://gnso.icann.org/drafts/wpmg-section-6-and-annex-09apr10-en.pd)
with regard to the GNSO Operating Procedures as soon as possible after completion and analysis of the first Work Prioritization effort and after a second public comment period.

TIMELINE FOR FIRST WORK PRIORITIZATION EFFORT

Dates

\*Activities (per proposed ANNEX to Chapter 6
http://gnso.icann.org/drafts/wpmg-section-6-and-annex-09apr10-en.pdf

**26-30 April**

ANNEX Step 1: Staff prepares its recommendations for Eligible and Non-Eligible Projects and their associated classifications

**30 April**

Staff distributes recommended Project Lists to GNSO Council and all relevant GNSO structures (e.g. Stakeholder Groups, Constituencies, ALAC).

**3-19 May**

Chair asks for Council approval (via email list) to adopt or modify Staff’s recommendations

**20 May Council Meeting**

Eligible Projects List approved by Council

**21 May - 7 June**

ANNEX Step 2: Individual Councilor ratings completed (extended to 17 calendar days) and delivered to Staff

**8-15 June**

ANNEX Step 2.3: Staff consolidates ratings and analyzes for commonality; prepares for Step 3.

**19 June (or 20 June)**

ANNEX Step 3: Group Session (2 hours) to determine Value ratings

**23 June Council Meeting (Brussels)**

EX Step 4: Approve final ratings/priorities and direct that results be published at gnso.icann.org.

The motion carried with a simple majority in each house as summarized below.

**Contracted Parties House:**
**4 Votes in favour**: Chuck Gomes, Edmon Chung, Caroline Greer, Terry Davis
**3 Votes against**: Adrian Kinderis, Tim Ruiz, Stéphane van Gelder

**Non Contracted Parties House:**
**10 votes in favour**: Jaime Wagner, Wolf-Ulrich Knoben, Kristina Rosette, David Taylor, Debbie Hughes, Wendy Seltzer, Rafik Dammak, Bill Drake, Mary Wong, Olga Cavalli.

Absent at time of vote: Mike Rodenbaugh, Zahid Jamil, Rosemary Sinclair.

**Stéphane van Gelder** clarified that the addition of second comment period in the motion caused the Registrars Stakeholder Group (RrSG) to vote against the motion. Had this amendment not been added, the RrSG would have voted in favour of the model proposed by the WG.

**Item 4: Whois Studies**

**Liz Gasster** provided a brief summary of the proposals for the Whois Study budget requests from the GNSO.

http://gnso.icann.org/issues/whois/whois-follow-up-discussion-05apr10-en.pdf

**Chuck Gomes** seconded by **Adrian Kinderis** proposed a motion for the WHOIS Studies Funding for FY11

Whereas:

In October 2007, the GNSO Council concluded that a comprehensive, objective and quantifiable understanding of key factual issues regarding the gTLD WHOIS system would benefit future GNSO policy development efforts
(http://gnso.icann.org/resolutions/)

Before defining the details of studies, the Council solicited suggestions from the community for specific topics of study on WHOIS. Suggestions were submitted
(http://forum.icann.org/lists/whois-comments-2008/)

and ICANN staff prepared a 'Report on Public Suggestions on Further Studies of WHOIS', dated 25-Feb-2008
(http://gnso.icann.org/issues/WHOIS-privacy/WHOIS-study-suggestion-report-25feb08.pdf).

On 5 November 2008 the GNSO Council formed a drafting team to solicit further constituency views assessing both the priority level and the feasibility
of the various proposed WHOIS studies, with the goal of deciding which studies, if any, should be assessed for cost and feasibility.

The Drafting Team determined that the six studies with the highest average priority scores should be the subject of further research to determine feasibility and obtain cost estimates.

On 4 March 2009 the GNSO Council requested that Staff conduct research on feasibility and cost estimates for those six WHOIS studies and following that assessment the Council would decide which studies should be conducted (http://gnso.icann.org/resolutions/#200903).

On 23 March 2010, staff provided its analysis to the GNSO Council of costs and feasibility for the first two study areas, and will continue to work on the remaining areas.

If funding becomes available, the Council will then decide which studies to fund, if any, provided that the Council’s recommendation of this amount is not to be taken as an indication that the Council will recommend any or particular studies be performed provided that the total ICANN budget for FY11 is not increased as a result of funding WHOIS studies.

Resolved, that the GNSO Council recommends that at least $ 400,000 be set aside in the ICANN Budget for FY 2011.

Resolved further, that the GNSO secretariat communicate this resolution to the ICANN Chief Financial Officer and the Board Finance Committee.

**The motion passed unanimously by roll call vote**

**Contracted Parties House:**
**7 Votes in favour:** Chuck Gomes, Edmon Chung, Caroline Greer, Terry Davis, Adrian Kinderis, Tim Ruiz, Stéphane van Gelder.

**Non Contracted Parties House:**
**9 votes in favour:** Jaime Wagner, Wolf-Ulrich Knoben, Kristina Rosette, David Taylor, Debbie Hughes, Wendy Seltzer, Rafik Dammak, Bill Drake, Mary Wong, Olga Cavalli.

Absent at time of vote: Mike Rodenbaugh, Zahid Jamil, Rosemary Sinclair. Olga Cavalli (Note that Olga had to leave the call at the time of the vote.)

**Item 5: Joint Supporting Organisation/Advisory Committee working group (SO/AC WG) to develop a sustainable approach to providing support to applicants requiring assistance in applying for and operating new gTLDs**

**Chuck Gomes** provided a brief status update to the Council.

* The joint SO/AC group formation has been initiated.
* Both the GAC and ALAC have expressed intentions to participate.
* Other SO's and AC's have been invited to participate
* Olof Nordling will be the lead New gTLD Implementation Team Staff person supporting this working group
* Stakeholder groups and constituents are encouraged to make their members aware of the opportunity to participate

**Item 6: Other Business**

**6.1 GNSO Comments regarding the FY11 Operating Plan and Budget**

Council members may submit statements when the draft budget is published on 17 May 2010.

**6.2 Add Grace Period (AGP) Policy questions**

**Craig Schwartz** provided the Council with the following Add Grace Period briefing:

ICANN Staff approached the Council via email in early April to engage them on the need/value of:
- continuing to provide semi-annual reports in light of the 99.7% decrease in excessive AGP deletes; and,
- having the Council consider doing additional work to define "extraordinary circumstances" and "reoccur regularly."

ICANN Staff pointed out that the Council did not define these terms during their PDP on Domain Tasting nor did Staff during its development of the Policy implementation plan. Staff pointed out that of the 19 requests, just one has been from the same registrar and therefore there does not appear to be an issue with requests "reoccurring regularly."

Staff commented that in the 10-month period following implementation of the Policy on 1 April 2009, there have been 19 registrar exemption requests submitted representing about 25,000 names and disposition of the requests is as follows:
- 5 have been approved
- 2 have been partially approved
- 7 have been denied
- 3 were not appropriate as the registrar had not exceeded the monthly AGP deletes threshold
- 2 are not yet unresolved

Staff posed the following two questions that the GNSO did not have time to address on this call. The questions will be discussed at the next Council call.
- Should the Council consider modifying the AGP Limits Policy to no longer require semi-annual updates?
- Should the Council consider modifying the AGP Limits Policy by defining the terms “extraordinary circumstances” or “reoccur regularly?

Chuck Gomes handed the chair to Stéphane van Gelder.

6.3 The proposed motion from Mike Rodenbaugh regarding the VeriSign .net Registry Services proposal for a Domain Name Exchange service

**Stéphane van Gelde**r noted that since the motion did not have a second it could not be discussed and handed the chair back to **Chuck Gomes.** **Mike Rodenbaugh** was not present at the meeting.

**6.4 Reminder :** [**The Council motion passed on 18 February 2010**](http://gnso.icann.org/meetings/minutes-council-18feb10-en.htm) **included the following task: ‘the Affirmation of Commitments Review Drafting Team is requested to continue its work to develop a longer-term process for Council consideration in April’.**

**Bill Drake** provided Council with a status update:

* The Affirmation of Commitments Review Drafting Team has been slow to get started again.
* There are two proposals on the table,
1) drop the sixth open elected seat and simplify the process, or
2) have the Stakeholder Groups give endorsements but then pass along all names to the selectors to decide;

The drafting team requests an extension of the timeline to May to reach closure on a proposal, and might also want to suggest clarification of the language in the call for candidates.

**Council agreed to extend the timeline to May or June if needed.**

**6.5 Should the GNSO Council submit comments regarding ‘Report of Possible Process Options for Further Consideration of the ICM Application for the .XXX sTLD’ ?** (Note that comments are due by 10 May.)

It was suggested that this issue might provide an opportunity to identify the circumstances in which the Council, in general, comments on such matters.
However it is practically impossible to develop and vet a Council statement before the deadline for comments on 10 May 2010.
 **6.7 Any other business**

**Tim Ruiz** drew council's attention to the Affirmation of Commitments document

http://www.icann.org/en/documents/affirmation-of-commitments-30sep09-en.htm

part (e) which states: "assessing the policy development process to facilitate enhanced cross community deliberations, and effective and timely policy development"

and suggested that since the Policy Development Process is already being reviewed as a result of the GNSO Review, it would be more timely to wait until the next Accountability and Transparency Review takes place in three years so as to measure the results of the revised Policy Development Process once implemented.

It was suggested that since each Stakeholder group had a representative on the review team, it could be taken up by them.

Council members are encouraged to comment on the mailing list and these can be discussed at the next meeting.
 **Item 7:** [**Status updates**](http://gnso.icann.org/meetings/notes-council-21april10-en.htm)

Council members are reminded to review the [status updates](http://gnso.icann.org/meetings/notes-council-21april10-en.htm) and comment on the Council mailing list.
http://gnso.icann.org/meetings/notes-council-21april10-en.htm

**Item 8: The updated** [**GNSO Project Status List**](http://gnso.icann.org/meetings/pending-projects-list.pdf)

Council members are reminded to review the updated [GNSO Project Status List](http://gnso.icann.org/meetings/pending-projects-list.pdf) and comment on the Council mailing list.

http://gnso.icann.org/meetings/pending-projects-list.pdf

**8.1 Questions/comments**

There were no further comments or questions.

**Chuck Gomes adjourned the GNSO Council meeting and thanked everyone for their participation.
The meeting was adjourned at 13:10 UTC.

Next GNSO Council meeting will be on Thursday, 20 May 2010 at 15:00 UTC.**
See: [Calendar](http://gnso.icann.org/calendar/)