

Mapping of the CSC Procedures against constitutive documents

Constitutive documents

- CSC Internal Procedures document version 4
- ICANN Bylaws Article 17 CUSTOMER STANDING COMMITTEE
- Charter of the CUSTOMER STANDIGN COMMITTEE

In addition, the IANA NAMING FUNCTION CONTRACT between ICANN and PTI, reserve powers for the CSC.

Mapping

Each of the sections i.e part of sections is mapped against relevant sections of the ICANN Bylaw and Charter.

1 Introduction and Background

ICANN has established a Customer Standing Committee (“CSC”) to monitor the performance of the Public Technical Identifiers (PTI) entity under the IANA Naming Function Agreement and Statement of Work for Management of the DNS Root Zone as included in the IANA Naming Functions Agreement .

Relevant Document	Section/page nr.	Comment
ICANN Bylaws	Section 17.1 first and second paragraph	
Charter	Mission	

The role and responsibilities of the CSC is set out in Section 17 of the ICANN Bylaws, the IANA Naming Function Agreement, and the Charter of the CSC. The CSC conducts its affairs via meetings.

2 Purpose of the Guideline

This Guideline provides information on how CSC meetings are prepared, conducted and reported to the community and the description of the related procedures and processes. The Guideline also defines roles and responsibilities of those involved in the preparation and running of CSC meetings.

Relevant Document	Section/page nr.	Comment
ICANN Bylaws	Section 3.1	General Transparency Provision, ICANN and its constituent bodies (including the CSC as defined in section 17)
Charter	Meetings	The CSC shall meet at least once every month. This implies procedures to conduct meetings etc.
ICANN Bylaws	Section 17.4	ICANN Administrative and operational support
Charter	Secretariat	

3 General Information

CSC meetings are conducted regularly, in principle once per month as PTI performance reports are produced monthly. Additional meetings can be scheduled when needed. The CSC mailing list is used for information sharing, discussions and decision- making.

The CSC shall consist of:

Members:

- (i) Two individuals representing gTLD registry operators appointed by the Registries Stakeholder Group;
- (ii) Two individuals representing ccTLD registry operators appointed by the ccNSO; and
- (iii) If so determined by the ccNSO and GNSO, the CSC may, but is not required to, include one additional member: an individual representing top-level domain registry operators that are not considered a ccTLD or gTLD, who shall be appointed by the ccNSO and the GNSO.

Liaisons:

- (i) One individual liaison appointed by PTI. PTI may appoint an alternate. That person will be listed as such on the website.

Relevant Document	Section/page nr.	Comment
ICANN Bylaws	Section 17. 2 (a) (iii)	
Charter	Membership Composition (page 2-3)	

- (ii) One liaison from the following organizations:
- GNSO (from the Registrars Stakeholder Group or the Non-Contracted Parties House),
 - ALAC,
 - the NRO or ASO (as determined by the ASO),
 - GAC,
 - RSSAC,
 - SSAC
 - any other Supporting Organization or Advisory Committee established under the ICANN Bylaws.

Relevant Document	Section/page nr.	Comment
ICANN Bylaws	Section 17.2 (a) and (b)	
Charter	Membership Composition (page 2-3)	

Liaisons shall not be members of or entitled to vote on the CSC, but otherwise liaisons shall be entitled to participate on equal footing with members of the CSC.

Relevant Document	Section/page nr.	Comment
Charter CSC	Membership Composition (page 3): Liaisons shall not be members or entiteled to vote, but are entitled to participate on equal footing.	The text is similar to text in charters CWG and CCWG., in distinguishing between members and participants. The way it was interpreted in CCWG and CWG was that all (participants/liaisons) would way in with respect ot the consensus position. Only in case of formal vote, called by chair, the distinction was material. Members have also agreed that liaisons point of view is relevant for consensus

		positions
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The members and liaisons must attend a minimum of nine meetings in a one-year period, and must not be absent for more than two consecutive meetings. Attendance shall be recorded and made public as foreseen in section

Relevant Document	Section/page nr.	Comment
ICANN Bylaws	Section 17 . 2 (g)	
Charter	Meetings, page 4	

CSC meetings are open to observers, however they are not entitled to participate actively in the proceedings of the CSC, unless explicitly invited by the chair of the CSC.

Relevant Document	Section/page nr.	Comment
Charter	Record of proceedings page 4.	The CSC decided that all meetings should be open for public attendance to observe. This created potential category of observers. Role of observers is not defined as such, and are not assigned any role. Hence not allowed to participate actively.

4 Agenda and Background Documentation

The Chair of the CSC will send out, or have the CSC Secretariat send out, a draft agenda one week before each scheduled CSC meeting. The agenda will contain the following items:

- Apologies for absence
- An update on actions from previous meetings
- Overview of intersessional / email decisions
- Issues for discussion:
 - Reference to background documentation, if any;
 - An indication of purpose: for information only, for discussion purposes or decision required;
 - If a decision is required, a description of the decision and possibly a draft decision.

- Any other business
- Next meeting

As soon as the draft agenda is send to the CSC, the Secretariat will publish the draft agenda and the available, related documents on the CSC webpage/wiki accordingly. Closer to the meeting additional background material will be circulated, for example the PTI reports. The definite agenda will be determined at the meeting, however, items added after publication of the draft agenda may only be discussed: they shall not be decided at the meeting. The notes of the meeting will record the definite agenda as established at the meeting.

Relevant Document	Section/page nr.	Comment
Charter	Meetings and Proceedings section page 4	

5 CSC meeting

5.1 Definition

A CSC meeting may be face-to-face or a conference call, or other means the CSC considers appropriate.

5.2 Quorum

A CSC meeting shall be quorate if the 4 (four) Members are present at the meeting. The notes will state if the meeting was quorate, or, if only quorate for a part of the meeting, state which items of business were discussed when quorate. This internal rule will be reviewed in conjunction with the first review of the CSC charter.

Relevant Document	Section/page nr.	Comment
ICANN Bylaws	Section 17.2 (a), 17.2 (c) and 17.2 (g)	Given that 1. at some meetings not all (members and Liaisons) may be present, and 2. a minimal level of attendance is considered paramount by drafters of Charter , and 3. the interests of the groups represented by the members, the CSC agreed that decisions can only be taken if all 4 members participate in the decision making. To be clear: this

		does not mean that all 4 have to agree to a decision
Charter	Membership Composition	The charter distinguishes between members and liaisons with respect to roles in case of voting, however all are considered to participate in decision making processes, for example <i>the CSC as a whole will decide who will serve as the Liaison to the IANA Function Review team.</i>

5.3 Record of attendance

The notes of a meeting will record the names of the Members and Liaisons who are present at the meeting.

Members or Liaisons not present will be recorded as absent. If a Member or Liaison has notified the CSC, the Chair of the CSC or the Secretariat of their absence before the start of the meeting, she or he will be recorded as absent with apologies.

The list of attendees will be included in the notes of the meeting and separately published on the CSC website.

Relevant Document	Section/page nr.	Comment
ICANN Bylaws	Section 17 . 2 (g)	
Charter	Terms (page 4)	To make minimum attendance rule effective recording is needed and made public.

6 Notes and Decisions

6.1 Decision-making

6.1.1 Quorum

Only a quorate CSC meeting may take decisions. If a meeting is not quorate, a decision may be discussed, but no decision taken and decisions will be taken on-line or deferred to the next (quorate) meeting.

If a meeting is only quorate for a part, decisions should be taken during the period the meeting was quorate.

Relevant Document	Section/page nr.	Comment
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ICANN Bylaws	Section 17.2 (a), 17.2 (c) and 17.2 (g)	Given that 1. at some meetings not all (members and Liaisons) may be present, and 2. a minimal level of attendance is considered paramount by drafters of Charter , and 3. the interests of the groups represented by the members, the CSC agreed that decisions can only be taken if all 4 members participate in the decision making. To be clear: this does not mean that all 4 have to agree to a decision
Charter	Membership Composition	<p>The charter distinguishes between members and liaisons with respect to roles in case of voting, however all are considered to participate in decision making processes, for example <i>the CSC as a whole will decide who will serve as the Liaison to the IANA Function Review team.</i></p> <p>As the CSC (members) prefer consensus decision making i.e. mechanism to avoid voting.</p> <p>In CCWG, CWG voting of members is considered ultimate mechanism to avoid a dead-lock.</p>

6.1.2 Decision-making at a meeting

In addition to the quorum rule, CSC decisions will be taken using the following procedure: For a decision to be taken it must be approved by at least 3 Members present, unless another threshold is required either by the ICANN Bylaws, or by the CSC itself prior to the decision making.

In taking its decisions, developing its work plan and any of its reports, the CSC shall seek to act by consensus. Consensus calls should always make best efforts to involve all (appointed members and liaisons).

- Firstly, the Chair of the meeting will call for discussion of a proposed decision. If a proposed decision is changed as a result of the discussion, the Chair will ensure the correct recording of the final decision.
- The Chair will also note any abstentions or declarations of a conflict of interests.

Relevant Document	Section/page nr.	Comment
ICANN Bylaws	Section 17.2 (a), 17.2 (c) and 17.2 (g)	Same as arguments under Quorum rule
Charter	Membership Composition	Same as arguments under Quorum rule

The Chair shall be responsible for designating whether a decision has one of the following :

- Full Consensus - a position where no minority disagrees; identified by an absence of objection
- Consensus – a position where a small minority disagrees, but most, including 3 (three) of the 4 (four) Members agree

In the absence of Full Consensus, the Chair should allow for the submission of minority viewpoint(s) and these, along with the consensus view, shall be included in the report.

In the notes the proposer of the decision will be recorded. The notes will also note the level of support for a decision, if not unanimous. In the event of abstentions or objection, the name of the Member or Liaison abstaining or objecting will be recorded in the notes and the Chair will offer this person the opportunity to express her/his concerns.

Relevant Document	Section/page nr.	Comment
ICANN Bylaws	Section 17.2 (a), 17.2 (c) and 17.2 (g)	Same as arguments under Quorum rule
Charter	Membership Composition	Same as arguments under Quorum rule

6.1.3 Decision-making by email

When the CSC needs to take a decision by email, the Chair or the CSC secretariat will send out the proposed decision to all members and liaisons using the CSC email list. The email will include the decision and the date and time by which a decision is needed, which will be at least 3 working days after sending the email, unless agreed otherwise prior to sending out the decision.

An email proposal is considered adopted if a majority of the membership concurs / approves, including at least 3 Members by the date and time included in the email.

The decision by email will be recorded in the agenda of the first CSC meeting following the decision.

Relevant Document	Section/page nr.	Comment
ICANN Bylaws	Section 17.2 (a), 17.2 (c) and 17.2 (g)	Same as arguments under Quorum rule
Charter	Membership Composition	Same as arguments under Quorum rule

6.2 Numbering and publication of Notes and Decisions

The numbering of notes and decision follows the numbering of the CSC meetings.

If, for instance, a CSC meeting is held where no decisions are taken, the next decision's number will remain the same as the number of the meeting. Sub-numbers are then given to each decision item that is passed. E.g. Meeting 1, decision 1 will have the decision number 1.1 and so on.

All decisions adopted by the CSC (whether at a meeting or by email) will be published as soon as possible after they have been approved, preferably within 24 hours. The decisions will be published on the CSC website.

Relevant Document	Section/page nr.	Comment
Charter	Record of Proceedings	

6.3 Recording of Discussions

The notes will reflect only those remarks which are considered to be relevant to understand the decisions, thread of the discussion and action items. The notes will refer to a verbatim recording of the proceedings of the meeting, if such a recording has been made. The notes and recording will be made publicly available via the CSC website/ wiki space.

Relevant Document	Section/page nr.	Comment
Charter	Record of Proceedings page 4-5	

7 Action Items

The notes will reflect the action items flowing from the meeting, and the description will include a brief description of the action item, whom is responsible for completion and the due date.

The format for the numbering of the action items starts with the number of the meeting, the year. The items will be sub-numbered action 01, Action 02 and so on. Action items are published separately online.

Relevant Document	Section/page nr.	Comment
Charter	Record of Proceedings page 4-5	

8 Approval of the Notes and Amendments

The secretariat will send notes of a meeting to the CSC email list as soon as possible after the meeting is closed. Members and liaisons of the CSC will be given an opportunity to propose amendments to the notes within one week after posting. If no comments are received, the notes will be considered adopted by the CSC.

In the event amendments to the draft notes are proposed the Chair will determine whether the proposed amendments will be included in the notes and secondly whether the amended notes will be considered approved or need to be resent again to the CSC for approval.

Relevant Document	Section/page nr.	Comment
Charter	Record of Proceedings page 4-5	

9 CSC email lists, Website

The CSC will have a dedicated email list, which shall be maintained by the Secretariat and updated according to the instructions of the CSC. This email list shall be open to observers:

<http://mm.icann.org/pipermail/icann-csc>

Relevant Document	Section/page nr.	Comment
Charter	Scope of responsibilities	CSC to publish their findings
Charter	Record of proceedings	Information sessions will be open and posting etc. done in accordance with ICANN's meeting requirements.

In addition the CSC will have a dedicated email list to distribute its reports, announcements etc., and which is open for subscription to anyone interested:

<https://mm.icann.org/mailman/listinfo/csc-announce>

Relevant Document	Section/page nr.	Comment
Charter	Scope of responsibilities	CSC to publish their findings

The CSC will have a dedicated web-page: <https://www.icann.org/csc> , which shall be maintained by the Secretariat and updated according to the instructions of the CSC.

Relevant Document	Section/page nr.	Comment
ICANN Bylaws	Section 17	

10 Miscellaneous

10.1 CSC Internal Guideline

The procedures are internal to the CSC. Notwithstanding the foregoing, to the extent any provision in this Internal Procedures or amendment to the Internal Procedures conflict with terms of the CSC Charter or terms of the ICANN Bylaws, the terms of the Charter or Bylaws shall control.

Relevant Document	Section/page nr.	Comment
ICANN Bylaws	Section 17. 3 (d)	Hierarchy of constitutive documents.
ICANN Bylaws	Section 17.3 (a)	The CSC shall act in accordance with it charter

10. 2 Omission in or Unreasonable Impact of the Guideline

In the event this Internal Procedure does not provide guidance and/or the impact is unreasonable to conduct the business of the CSC, the Chair of the CSC will decide, after consulting the Members.

Relevant Document	Section/page nr.	Comment
ICANN Bylaws	Section 17.3 (a)	The CSC shall act in accordance with it charter.
Charter	Membership Composition	The CSC will elect a chair, role and responsibilities have not been defined in charter or ICANN Bylaws

		(with exception of requesting removal from member or liaison). In light of required transparency definition of roles and responsibilities, but allowing for flexibility. This procedural rule used in charters of CCWG and WG.
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10.3 Publication and Review of the Guideline

The Guideline will be published as part of the rules and guidelines of the CSC after adoption by the CSC.

The Guideline will be reviewed at a minimum after a review of the charter of the CSC or adjusted when considered necessary. To become effective the updated Guideline must be adopted by the CSC and published on the CSC website.

Before publishing the updated Guideline, the secretariat will adjust the version number and insert the date the Guideline was reviewed and adopted by the CSC.

Relevant Document	Section/page nr.	Comment
ICANN Bylaws	Section 3.1	General Transparency Provision, ICANN and its constituent bodies (including the CSC as defined in section 17)

10.4 References

- ICANN Bylaws Article 17 CUSTOMER STANDING COMMITTEE
- Charter of the CUSTOMER STANDIGN COMMITTEE
- IANA NAMING FUNCTION CONTRACT between ICANN and PTI