

25 June 2010 Board Meeting & Saturday 19 June 2010 Workshop

1. Consent Agenda:

Resolved, the following resolutions in this Consent Agenda are hereby approved:

I. Approval of Minutes of 22 April 2010 Board Meeting

RESOLVED (2010.06.25.XX) the Board hereby approves the minutes of the 22 April 2010 Board Meeting.

II. Thank You's (Papers will be provided before Wed Workshop)

III. Extension of Time for GNSO Constituencies to Review Charters (Board Submission 2010-06-25-02)

Whereas the Board has determined that existing GNSO Constituencies should regularly re-confirm their status as organizations operating consistent with the ICANN Bylaws principles of transparency, openness, fairness and representativeness;

Whereas the Board most recently asked existing GNSO Constituencies to seek Board reconfirmation of their charters prior to the Brussels meeting;

Whereas the GNSO Council Work Team developing recommendations for GNSO Constituencies and Stakeholder Groups has now made its recommendations, but additional time will be necessary for GNSO Council and community evaluation of the recommendations.

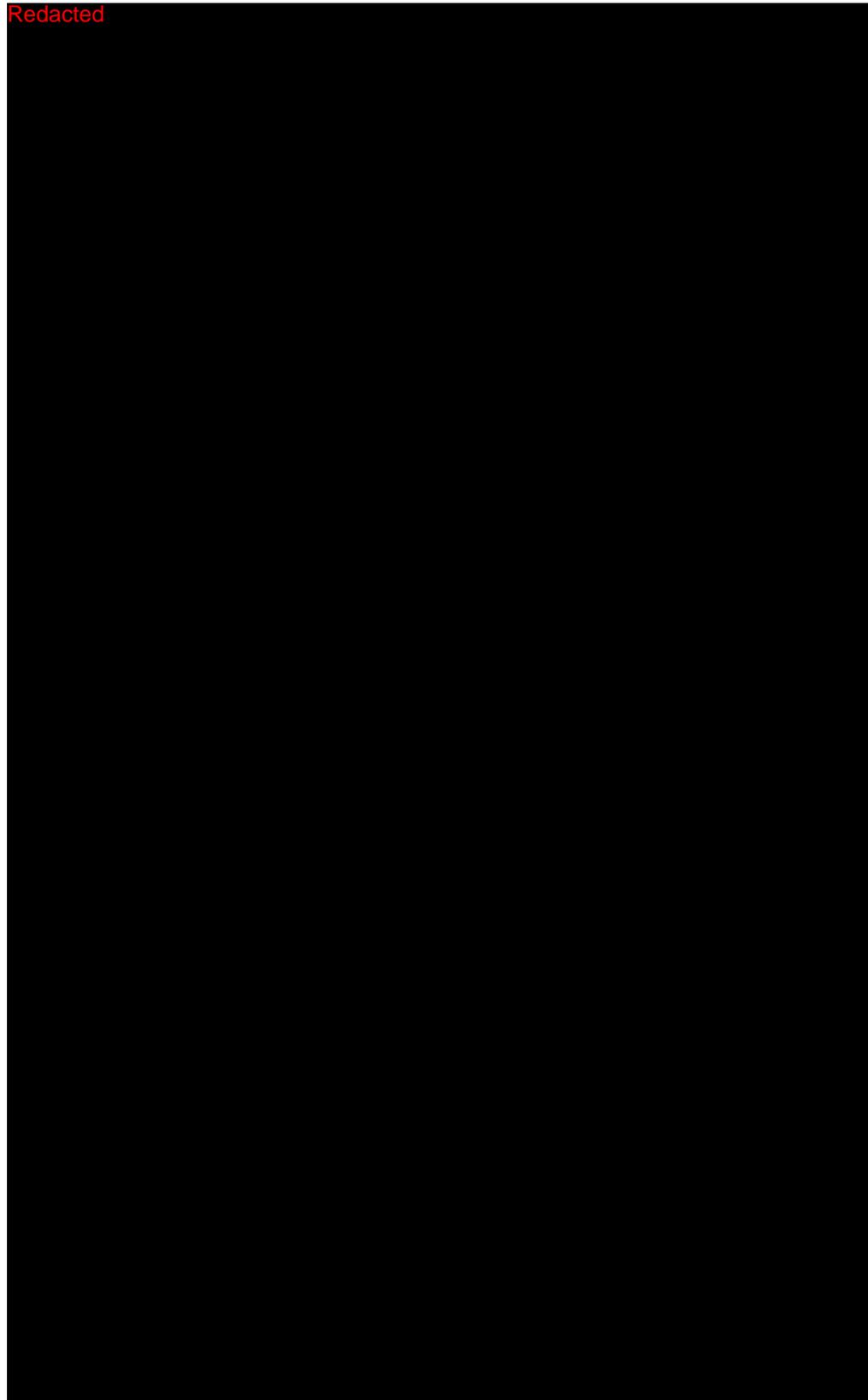
Whereas those evaluation efforts are likely to produce final charter products that are much more effective in linking GNSO-structure operations to the ICANN Bylaws principles of transparency, fairness, openness and representativeness;

RESOLVED (2010.06.25.XX), the Board again extends the timetable for those reconfirmation submissions prior to the ICANN International meeting in Cartagena, Columbia.

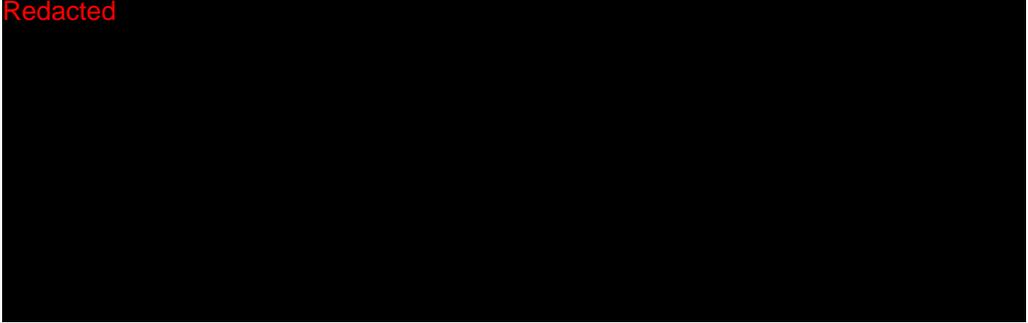
IV. From the Board Governance Committee – Slating of Board Committees (No papers pending the Committee meeting)

V. IDN Delegation Approval

Redacted



Redacted



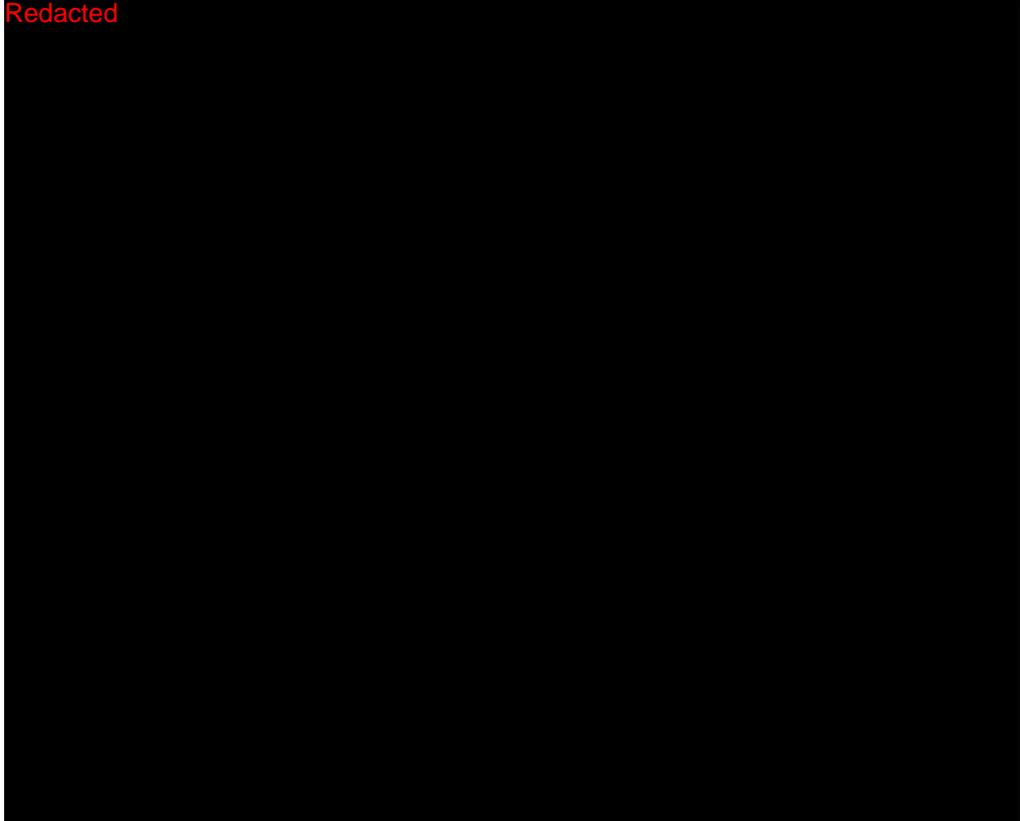
Main Agenda:

2. Further Review of ICM's Request for XXX Sponsored Top Level Domain
(Board Submission 2010-06-25-06)

Redacted



Redacted



3. From the Board Governance & Compensation Committees –
Consideration of posting of Bylaw Changes relating to Chair
Remuneration for Public Comment (Board Submission 2010-06-25-07)

WHEREAS, the Board has determined that it is appropriate to consider reasonable compensation for the Chair of the Board of ICANN;

WHEREAS, as a nonprofit California public benefit corporation that is exempt from Federal income taxes because it is an organization described in §501(c)(3) of the Internal Revenue Code of 1986, as amended, ICANN may not pay more than “reasonable compensation” for services rendered to ICANN;

WHEREAS, the Compensation Committee was tasked with obtaining, reviewing, and considering comparable compensation data before making recommendations relating to Board Chair remuneration, taking into account organization size, geographic considerations, international presence, and other relevant factors;

WHEREAS, the Compensation Committee is authorized to engage and to seek advice from independent professionals with appropriate expertise in compensation arrangements for Board members of U.S.-based, nonprofit, tax-exempt organizations possessing a global employee base;

WHEREAS, in connection with consideration of compensation for the ICANN Board Chair, the Board Governance Committee, in furtherance of the Compensation Committee's remit, requested staff to engage the services of Towers Watson, an international consulting firm, to assist the Compensation Committee in compiling and analyzing appropriate compensation data as to comparability with respect to the Chair of ICANN's Board;

WHEREAS, in making recommendations to the full Board regarding the level of compensation to consider for ICANN's Chair of the Board, the Compensation Committee followed the process set forth in Treasury Regulation § 53.4958-6 which is intended to enable the Board to establish the presumption that the compensation to be paid to the Board Chair is reasonable for Federal income tax purposes;

WHEREAS, upon due inquiry of its members, the Compensation Committee concluded that no member participating in the deliberations and voting on the level of compensation recommended to the Board for the Board Chair compensation was conflicted;

WHEREAS, because the Board Chair, who is also the Chair of the Compensation Committee, is conflicted, the Board Chair did not participate in the deliberations or voting on the recommendations as to whether the Board should consider compensating the Board Chair, or the level of such compensation should be considered;

WHEREAS, after consideration of the information the Compensation Committee received, including the comparability data provided by Towers Watson and the advice and counsel of Towers Watson, the non-conflicted voting members of the Compensation Committee agreed that it is in the best interests of ICANN to recommend that the Board consider compensating the ICANN Chair of the Board;

WHEREAS, after consideration of the information the Compensation Committee received, including the comparability data provided by Towers Watson and the advice and counsel of Towers Watson, the non-conflicted voting members of the Compensation Committee agreed that, taking into account organization size, geographic considerations, international presence, and other relevant factors, determined that reasonable compensation for the Board Chair would be USD \$75,000 per year;

WHEREAS, upon due inquiry of its members, Board has concluded that no member of the Board participating in the deliberations and voting on the issue of compensating the Board Chair was conflicted;

WHEREAS, because the Board Chair is conflicted, the Board Chair did not participate in the deliberations or voting on the issue of compensating the Board Chair;

WHEREAS, the Board considered the information that was gathered pursuant to the Compensation Committee remit, including the comparable compensation data compiled and reported by Towers Watson;

WHEREAS, there has been full a discussion among non-conflicted Board members regarding the reasonableness of compensating the Board Chair and the reasonableness of compensating the Board Chair in the amount of USD \$75,000 per year for services to ICANN; and

WHEREAS, in reviewing the recommendations of the Compensation Committee regarding the level of compensation best suited for ICANN's Chair of the Board, the Board followed the process set forth in Treasury Regulation § 53.4958-6 which is intended to enable the Board to establish the presumption that the compensation recommended to be paid to the Board Chairman is reasonable for Federal income tax purposes; and

WHEREAS, if the Board decides to compensate the Board Chair doing so will require a Bylaws change.

RESOLVED (2010-06-25.xx), the Board directs staff to post for public comment for a period of at least 30 days revised Bylaws that would allow for compensation of the ICANN Chair of the Board after which, taking public comments into account, the Board will reconsider the matter.

4. From the Finance Committee

I. Adoption of FY11 Budget (Board Submission 2010-06-25-08)

Whereas, on 19 February 2010, ICANN's Board approved an update to the Strategic Plan: <http://www.icann.org/en/planning/>
Whereas, the Framework for the FY11 Operating Plan and Budget was posted in February 2010 for community consultation and was presented at the Nairobi ICANN International public meeting.
Whereas, community consultations were held to discuss and obtain feedback on the Initial Framework.

Whereas, the draft FY11 Operating Plan and Budget was posted for public comment in accordance with the Bylaws on 17 May 2010 based upon the Framework for the FY11 Operating Plan and Budget, community consultation, and consultations with the Board Finance Committee. <http://www.icann.org/en/public-comment/#draft-budget>

Whereas, ICANN has actively solicited further community feedback and consultation with the ICANN community through online fora, conference calls, meetings in Brussels, and in the open forum in Brussels.

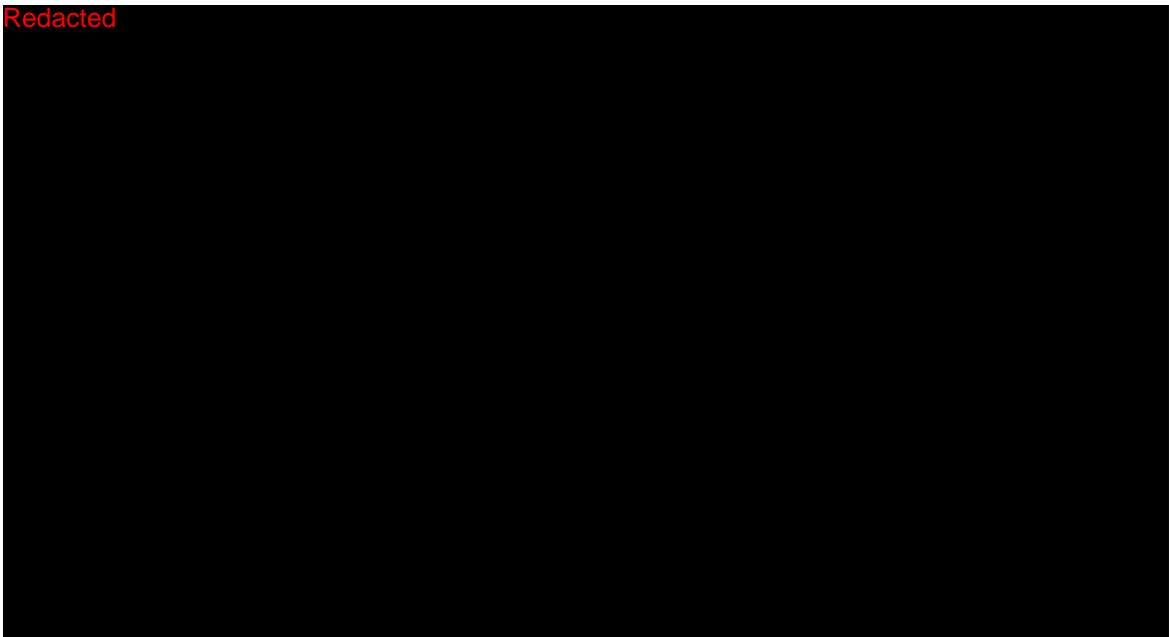
Whereas, the ICANN Board Finance Committee has discussed, and guided staff on, the development of the FY11 Operating Plan and Budget at each of its regularly scheduled monthly meetings. Whereas, the ICANN Board Finance Committee met in Brussels on 20 June 2010 to discuss the FY11 Operating Plan and Budget, and recommended that the Board adopt the FY11 Operating Plan and Budget.

RESOLVED (2010.06.25.XX), the Board adopts the FY11 Operating Plan and Budget
<http://www.icann.org/en/announcements/announcement-2-17may10-en.htm>.

II. New gTLD Budget for discussion (Board Submission 2010-06-25-09)

5. New gTLDs Update Arising from Discussions in Brussels
6. Issues Arising from the Brussels Meeting
7. Any Other Business

Redacted



Wednesday Workshop Topics:

1. Charter for new board committee; External Relationships
- Redacted**
3. Report on Internal Auditor approved by the ICANN Audit Committee.

Papers & Materials

Board Book:

President's Report

Minutes of 22 April 2010 ICANN Meeting - Board Submission 2010-06-25-01 –
For approval

Extension of Time for Constituencies to Review Charters - Board Submission
2010-06-25-02 – For approval

IDN ccTLD Delegation Approval

- I. China– Board Submission 2010-06-25-03
- II. Hong Kong – Board Submission 2010-06-25-04
- Re [REDACTED]
- da [REDACTED]
- V. Taiwan – Board Submission 2010-06-25-05

Review of ICM's Request for XXX Sponsored Top Level Domain - Board
Submission 2010-06-25-06– For approval

From the Compensation Committee – Bylaw Changes relating to Chair
Remuneration – Board Submission 2010-06-25-07 – For approval

From the Finance Committee – Adoption of FY11 Budget – Board Submission
2010-06-25-08 – For approval

From the Finance Committee – New gTLD Budget – Board Submission 2010-06-
25-09 – For information

.RF IDN ccTLD Management Agreement – Board Submission 2010-06-25-10 –
For information

GNSO Improvements Implementation Update – Board Submission 2010-06-25-
11 – For information

Update on Community-wide Geographic Regions Review Working Group
Timetable – Board Submission 2010-06-25-12 – For information

Update on Policy Issues for Brussels Meeting

Fellowship Program Update

Letter to ICANN Board from Accountability & Transparency Review Team

Annex Book:

Annex to Review of ICM's Request for XXX Sponsored Top Level Domain -
Board Submission 2010-06-25-06 – For approval

Brussels Information Book

Directors' Guidelines

ICANN Media Clips

CEO Monthly Report - Brussels

President's Report – Board meeting 25 June 2010

Another particularly busy period since the last Board meeting on 22 April 2010, with the preparation of many documents for consideration at the Brussels meeting, relating to the introduction of new gTLDs and other policy matters being discussed in the GNSO and ccNSO. Significant progress is being made on the DNSSEC launch, and other security, stability and resiliency initiatives. The Global Partnerships team attended two significant events relating to the ITU and the IGF. Also included travel to Dublin for the Board workshop, and Moscow, Cairo and Dubai for the first of the IDN ccTLD launches. Exciting new additions to staff as well with Elise Gerich joining ICANN as IANA Vice President; and cryptography legend Whit Diffie joining as Vice President for Information Security and Cryptography. Further detail provided below in alphabetical order of topic.

I would note that this is not a complete picture of the considerable amount of work that is being undertaken at any one point in time by staff at ICANN, and the focus of this report is more on the top-line highlights.

Accountability and Transparency

The Affirmation of Commitments' first community review team and work related to ICANN's *Transparency & Accountability* has been an important focus for ICANN staff this trimester. The Accountability & Transparency Review Team held its first face-to-face meeting in Marina del Rey on May 5. I took a red-eye back from Washington DC to meet with the Team in person, and Doug Brent, John Jeffrey and Denise Michel spent five hours answering questions and sharing information with the Team. Staff also provided written material and answers to numerous questions raised by the Team. Operational and Administrative staff also are supporting the Team's ongoing efforts, which includes soliciting public comments, issuing an RFP for consulting help, and scheduling numerous meetings in Brussels.

As the Board already aware, Denise Michel, is leading a separate staff effort to demonstrate the high levels of accountability and transparency already in place throughout the organization. This effort includes:

- Finalizing and publishing an "Affirmation of Commitments Inventory" detailing ICANN activities that support the elements of the AoC.
- Creating a searchable database and public wiki that displays and tracks the implementation of all ICANN Board Resolutions. 2009 Board Resolution wiki pages will be published this week and the public will be invited to comment and suggest improvements. We will have public wiki pages in place this year documenting the status of every substantive Resolution approved by the Board since ICANN's inception.

- Developing an Affirmation of Commitments Staff training module to ensure all new and existing Staff understands this document and how it is being implemented.

DNSSEC Launch

Root DNSSEC-signing efforts have been moving forward according to schedule. All root servers are now serving the Deliberately Unvalidatable Root Zone (DURZ) with no detectable ill effects to the Internet community at large. ICANN has identified "Trusted Community Representatives" who will participate in the creation and utilization of the root Key Signing Key on June 16. Redacted

At this point in time, the US East Coast facility (in Culpeper, VA) is in production and we are on schedule to put the US West Coast facility (in El Segundo, CA) into production by July 12.

As of today, nearly all the zones for which ICANN is responsible including icann.org <<http://icann.org>> , iana.org <<http://iana.org>> , uri.arpa, urn.arpa, iris.arpa, ip6.arpa, internic.net <<http://internic.net>> , and 24 other zones, are being signed in production in our Generic Signing Infrastructure. Redacted

Internally, ICANN has also enabled validation in our DNS resolvers, using the trust anchors served in the IANA ITAR. Once the root is signed, IT will replace the multiple trust anchors from the ITAR with the single root trust anchor.

IDN ccTLD launches

Following on from the Board's delegation approvals of the first batch of IDN ccTLDs, and subsequent delegations, I was invited to attend launches Moscow, Cairo and Abu Dhabi. All three events provided excellent opportunities to build on the excellent work our Global Partnership team does in developing strategic relationships in their respective regions.

The Russian IDN ccTLD launch took place in Moscow on May 13, with a very official ceremony, including the Minister of Communications Igor Schegolev; there were more than a hundred publications in the Russian media, which were all positive about ICANN. ICANN's positive work was mentioned in a conversation between the Minister and Russian President Medvedev, made public via the Kremlin web site, which was the first site registered in the Cyrillic IDN ccTLD). I was also invited to provide a keynote address at a very successful Russian IGF event . A copy of my speech, *the Future of ICANN: Toward a Global Internet* was posted and is available here:
<http://www.icann.org/presentations/beckstrom-speech-igf-moscow-13may10-en.pdf>

The Egyptian event was hosted Tarek Kamel, Minister of Communication and Information Technology; and the event in the United Arab Emirates was hosted by Mohamed Al Ghanim, Director General of the Telecom Regulatory Authority of UAE. I did several interviews with national and international media at both events and the coverage was very positive. While in the UAE, I was invited to visit UAE's CERT and I was very impressed with the arrangements.

More information on these events are available on ICANN's Press page:
<http://www.icann.org/en/press/>

IDN ccTLD approvals

To date ICANN has received 31 requests for IDN ccTLDs from countries and territories. These spread over 19 languages, and spread in the following categories:

- Requests received/initial check: 13
- Linguistic process validation: 1
- DNS stability Evaluation: 2
- Public posting: 9
- Rejected: 2
- IANA Delegation Process: 8
- In DNS root zone: 4

A status update will be provided during the Brussels meeting, with focus on the upcoming review of the fast Track Process to ensure that it functions well for all participants, and on the topic of how to deal with variants at the top-level.

IGF related

During May, members of the GP Team participated in a discussion on "Enhanced cooperation on public policy issues pertaining to the Internet" during the 13th session of the Commission on Science and Technology for Development (CSTD). The Economic and Social Council (ECOSOC), in its resolution 2009/7 requested the United Nations

Secretary-General to report to the Council, through the CSTD, on progress made towards enhanced cooperation as called for in paragraphs 69-71 of the Tunis Agenda for the Information Society.

From ICANN's perspective, the non-governmental Internet community cooperated well and the outcome was considerably better than initially anticipated. Redacted

Redacted

Redacted

Redacted

Relevant

resolutions from the meeting below:

Internet Governance

Invites the UN Secretary General to convene open and inclusive consultations involving all member states and all other stakeholders to proceed with the process towards the implementation of enhanced cooperation in order to enable governments, on an equal footing to carry out their roles and responsibilities in international public policy issues pertaining to the internet, but not in the day-to-day technical and operational matters, that do not impact on international public policy issues, through a balanced participation of all stakeholders in their respective roles and responsibilities, as stated in paragraph 35 of the Tunis Agenda. These consultations will be held before the end of 2010, the outcomes of which will be submitted to the 66th UN General Assembly for consideration through ECOSOC.

On the IGF

Invites the chair of the CSTD to establish, in an open and inclusive manner, a working group, to seek, compile and review inputs from all UN member states and all other stakeholders on improvements to the IGF in line with its mandate as set out in the Tunis Agenda for the Information Society, and report to its next substantive session in 2011 with recommendations as appropriate. This report is to constitute an input from the Commission to the General Assembly, through ECOSOC, for consideration, should the mandate of the IGF be extended.

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New gTLDs

The program approaches closure on a number of important issues due to progress in the recent period including: trademark protection, mitigating malicious conduct, and issues concerning the registry agreement. This advanced stage of completion is the result of key instances of public participation. In a clear demonstration of the effectiveness of the ICANN model, several stakeholder groups formed and delivered cogent, consensus-based solutions on several implementation issues in a short period of time. For example, groups have been specifically engaged on issues of trademark protection (IRT & STI), vertical integration (VI-WG), centralized zone file access (ZFA), high-security registry designation (HSTLD), the draft gTLD registry agreement (Temporary Drafting Group), 3-character limitations and variant management (IDN-WG), and other topics.

The new, community-based work is reflected in draft version 4 of the Applicant Guidebook, which has been published for comment along with several key supplemental documents. Key revisions made for draft version 4 of the Applicant Guidebook include:

- trademark protections that have been incorporated into the Applicant Guidebook for the first time, including redesign of the Post Delegation Dispute processes,
- a new proposal for centralized zone file access across all new gTLDs,
- a new “hybrid” process for future amendments of the registry agreement,

- the development of registry transition processes to enable continuity of critical registry functions and increased registrant protection,
- development of the “Quick Look” test for Morality and Public Order objections as a means to dismiss those that are unfounded or an abuse of the right to object,
- elimination of country/territory names from the first application round based on GAC advice, and
- a default position on vertical integration, noting that this default position is expected to be superseded by the GNSO policy development work currently underway.

In addition, the first phase of the economic study will have been posted by the time this paper is delivered. All documents are available at <http://icann.org/en/topics/new-gtlds/comments-4-en.htm>.

Security, Stability and Resiliency

ICANN staff has continued to pursue a wide range of security, stability and resiliency (SSR) programs in addition to the preparations for DNSSEC root signing which is addressed separately below.

Efforts related to foster community dialogue on the Strategic Security, Stability and Resiliency Initiatives/DNS CERT posted in February continue. ICANN staff posted for public comment a Summary and Analysis of Comments, a separate record of consultations on the DNS CERT and the report of the DNS CERT Operational Requirements and Collaborative Approaches workshop that was held in April. We continue dialogue with ICANN supporting organizations and advisory committees as well as DNS OARC about how to proceed advancing the DNS CERT as an operational concept and will be seeking to review progress with the Board and seek guidance to focus staff efforts.

In addition, a ccTLD security and resiliency training course in the Dominican Republic in April and continued planning for joint ccTLD training along with ISOC through the remainder of this calendar year. ICANN staff are leading planning efforts within the root server community to conduct a contingency response exercise this summer. ICANN corporate security, continuity and risk management efforts also continue to mature with the drafting of the second version of the ICANN information security plan and initial versions of the meetings and physical security plans along with the first versions of the enterprise risk management policy guidelines all of which are undergoing executive level review. We also continue to focus on the preparation for the third quarter to include preparing for the upcoming Affirmation of Commitments review to include certification to ISO standards for corporate information security and associated efforts.

Washington Visit

I visited Washington, DC during the week of May 3, and invited Dennis Jennings to join me at the two-day Environmental Defense Fund (EDF) Board Meeting to witness first hand the efficient and effective manner in which the EDF Board operates. Like ICANN, the EDF is a not-for-profit organization with a large Board that plays a major role in the development of public policy. Redacted

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CEO Monthly One Page Report to Board

15 May 2010

Actual Financial Data (As of March 2010)	YTD	Budget Variance
Operating Revenues	\$52.9 Mil	1.4%
Operating Expenses	\$45.8 Mil	-1.6%
Contribution from Operations	\$5.1 Mil	-9.3%
Assets	\$78.8 Mil	n/a
Liabilities	\$14.5 Mil	n/a
Cash	\$14.8 Mil	n/a
Reserve Fund	\$47.4 Mil	n/a

ccTLD commitments	Trimester 2	Percentage of Total
New ccTLD Accountability Frameworks	1	30%

Deployment IPv4	IANA /8 Blocks Available	IANA Percentage Available
IPv4 space remaining	22	9.05%

Deployment IPv6 *4	Percentage of Total
IPv6 traffic to ICANN sites	1.13%

Participation in ICANN Meetings	Nairobi/37th ICANN Meeting	Percentage of Attendees
Participants	740	100%
Staff (w/Contractors and Vendors)	89	12.02%
Supported Travelers	192	25.90%

Support Services at Meetings	Nairobi/37th ICANN Meeting	Percentage of Sessions
Sessions Conducted	127	100.0%
Live Audio Streaming	62	48.8%
Telephone Conferencing	62	48.8%
Interpretation	18	14.2%
Live Scribing	12	9.4%
Audio Transcription	37	29.1%
Web Chat Rooms	75	59.1%

Communications	Trimester 2	YTD Words Translated	Avg Languages per document
Published documents	53		
Translation Requests	138	4.35 million	4

Policy Development *1	T2 - Initiated	In Progress	Completed
ASO global policy proposals *4	0	2	0
ccNSO work groups *2	1	8	1
GNSO work groups *2	0	20	1
SSAC projects	1	2	1
At-Large statements *3	9	4	10

Internet Metrics	T2 - Open	T2 - Closed	YTD Outstanding
IETF Requests	191	181	142
Root Zone Requests	21	20	14
RIR Requests	0	0	0

gTLD Registrations *2 (As of December)	New Registrations YTD	Total Registrations
gTLD Total	6,914,655	116,449,663

IDN FastTrack Requests *3	Month	YTD
Total Requests	0	19
Total Languages represented	0	11

Registrar Data Escrow	Now	% of gTLD Registrations Protected
No. registrars enrolled	859	99.25%

Involuntary Terminated or Non-Renewed Registrars	YTD	Percent of total Registrars
Terminated	5	0.53%

"L" Root Service	Month	YTD
Uptime	100%	100%
Requests Served	25 Billion	233 Billion
Average Requests per second		10,000

*** Footnotes:**

- 1) Data is Trimester 2 - 1 November 2009 - 31 March 2010
- 2) Includes community working groups, work teams, committees, task forces only
- 3) Includes At-Large advisories and statements to Board and Sos only
- 4) ASO global policy proposals "in progress" are those being tracked by ICANN staff
- 2) Based on ICANN confidentiality restrictions, there is a 90 lag of data available
- 3) Data as of 4/30/10 and identifies the number of IDN Fast Track applications being processed
- 4) This is the highest proportion since we began measuring and could well be related to the Nairobi meeting having a V6 enabled network.

2010-06-25-01 Board Submission - Approval of 2010-04-22-Board-Draft-Minutes

Draft Minutes of Special Board Meeting

22 April 2010

A Special Meeting of the ICANN Board of Directors was held via teleconference 22 April 2010 @ 11.00 UTC. Chairman Peter Dengate Thrush promptly called the meeting to order.

In addition to Chairman Peter Dengate Thrush the following Directors participated in all or part of the meeting: Raimundo Beca, Rod Beckstrom (President and CEO), Dennis Jennings (Vice Chairman), Harald Tveit Alvestrand, Steve Crocker, Gonzalo Navarro, Rita Rodin Johnston, Raymond A. Plzak, Rajasekhar Ramaraj, George Sadowsky, Mike Silber, Jean-Jacques Subrenat, Bruce Tonkin, and Katim Touray.

The following Board Liaisons participated in all or part of the meeting: Janis Karklins, GAC Liaison; Ram Mohan, SSAC Liaison; Thomas Narten, IETF Liaison; Jonne Soininen, TLG Liaison; and Vanda Scartezini, ALAC Liaison.

Also, the following ICANN Management and staff participated in all or part of the meeting: John Jeffrey, General Counsel and Secretary; Doug Brent, Chief Operating Officer; Barbara Clay, Vice President – Marketing and Communications; Jamie Hedlund, Vice President of Government Affairs - Americas; David Olive, Vice President – Policy; Kurt Pritz, Senior Vice President, Services; Kevin Wilson, Chief Financial Officer; Donna Austin, Chief of Staff to the CEO; Geoff Bickers, Director of Security Operations; Tina Dam, Senior Director, IDNs; Kim Davies, Manager, Root Zone Services; Denise Michel, Advisor to the CEO; Greg Rattray, Chief Internet Security Officer; Diane Schroeder, Director of Board Support; and Nick Tomasso, General Manager of Meetings and Conferences.

1. Consent Agenda Resolution:

The Board discussed the content of the Consent Agenda, and Jean-Jacques Subrenat made a suggestion regarding uniformity of reference to ICANN's CEO throughout all resolutions. The following resolutions were approved unanimously 12-0. The Resolutions were moved together by Dennis Jennings, and George Sadowsky seconded the motion. Harald Alvestrand, Raimundo Beca, and Katim Touray were not available to vote on the Resolutions.

Resolved, the following resolutions in this Consent Agenda are hereby approved:

1. .INFO Contract Amendment re One & Two Character Names

Whereas, Afiliis has submitted a request pursuant to ICANN's Registry Services Evaluation Policy to amend the .INFO Registry Agreements to allocate one and two-character domain names via a phased allocation process.

Whereas, the proposed release of single and two-character domain names in .INFO would be consistent with the recommendations of the

GNSO Reserved Names Working Group and other approvals to permit the release of one and two-character domain names.

Whereas, ICANN has evaluated the proposed amendment to the .INFO Registry Agreement as new registry services pursuant to the Registry Services Evaluation Policy and has posted amendments for public comment and Board approval (<http://www.icann.org/registries/rsep/>).

*It is hereby **RESOLVED** (2010.04.22.01) that the .INFO amendment is approved, and the CEO and General Counsel are authorized to take such actions as appropriate to implement the amendments.*

2. Redelegation – Tanzania (.TZ)

Whereas, TZ is the ISO 3166-1 two-letter country-code designated for the United Republic of Tanzania,

Whereas, ICANN has received a request for redelegation of .TZ to Tanzania Network Information Centre Limited;

Whereas, ICANN has reviewed the request, and has determined that the proposed redelegation would be in the interests of the local and global Internet communities.

*It is hereby **RESOLVED** (2010.04.22.02), that the proposed redelegation of the .TZ domain to Tanzania Network Information Centre Limited is approved.*

3. Approval of Recommendation from Compensation Committee regarding Paul Twomey's At Risk Component of Compensation as Senior President

Whereas, on 30 September 2009, the ICANN Board granted to ICANN's CEO "the authority vested under the Consultant Services Agreement for setting milestones, evaluating performance against those milestones, and making payment to Argo Pacific for the Senior President, Dr. Paul Twomey's performance bonus, as the President and CEO reasonably determined, in his discretion."

Whereas, the CEO has developed a proposal for payment to Argo Pacific for Senior President Dr. Paul Twomey's performance bonus for services provided under the Consultant Services Agreement.

***Resolved**, (2010.04.22.03), the Board hereby adopts and ratifies the proposal for payment to Argo Pacific for the Senior President Dr. Paul Twomey's performance bonus under the Consultant Services Agreement between ICANN and Argo Pacific.*

4. Renewal of DotPro Registry Agreement

Whereas, the Current Agreement is due to expire on 27 May 2010;

Whereas, ICANN staff conducted good-faith negotiations with Registry Services Corporation, operator of the .PRO gTLD, for the renewal of their Registry Agreement;

*Whereas, on 9 March 2010, ICANN announced that negotiations with Registry Services Corporation had been successfully completed, and posted the Agreement for public comment
<http://icann.org/en/announcements/announcement-09mar10-en.htm>;*

Whereas, the Board carefully considered the Agreement and finds that its approval would be beneficial for the whole Internet community;

*It is hereby **RESOLVED**, (2010.04.22.04), that the .PRO Registry Agreement is approved, and the CEO is authorized to take such actions as appropriate to implement the Agreement.*

Resolutions 2010.04.22.01; 2010.04.22.02; 2010.04.22.03; and 2010.04.22.04 were approved in a single vote approving the consent agenda items. All Board Members present unanimously approved these resolutions.

2. Main Board Meeting

1. President's Report

Peter Dengate Thrush inquired of the President and CEO regarding termination of registrars and future expectations regarding termination activity.

Rod Beckstrom responded that there had been concerns in the community that compliance enforcement was not aggressive enough, and Rod worked with the Services department to push towards a more aggressive compliance stance.

Kurt Pritz provided information on the implementation of the compliance plan to address registrar issues, with particular focuses on Whois provision, data escrow and consistent overdue payments as clear-cut areas of compliance, and the success of that focus in strengthening compliance activity. Kurt noted that as the initial plan comes to conclusion, there might be a slight drop in the number of terminations.

The Chair also inquired of staff work relating to the depletion of IPv4 space, communications surrounding the depletion, and other work in the IANA Functions Department.

The CEO reported on staff work in line with RIR policies, and that approximately 7% of IPv4 space remains available, and confirmed that the new Vice President of Marketing and Communications would address a communications strategy similar to the announcement made when the 10% depletion mark was met.

Doug Brent reported on the upcoming IANA Functions Department Business Excellence webinar, to inform the community on the work being done, and confirmed that more information could be prepared for the Board.

Bruce Tonkin thanked the CEO for the report, and Rita Rodin Johnston noted her appreciation for the enhanced contractual compliance work.

Dennis Jennings provided suggestions for additional information that could be included in the CEO's written report.

2. Delegation of IDN ccTLDs

The Chair invited the Board to ask questions of staff regarding the written reports on the four proposed IDN ccTLD delegations before the Board.

Kim Davies provided the Board with a summary of the requirement for documentation of community support for IDN ccTLD delegation requests, and other information on the process for handling delegation requests.

The Chair noted the ongoing work in the ccNSO on the delegation process.

Janis Karklins cautioned that without full definition of the community support requirements, there is a risk that some countries and territories are differently organized and it would be unfair to impose an undefined standard.

The CEO confirmed the need for respect for different governmental positions and acknowledged that reexamination of ICANN's practices may be necessary on a going-forward basis.

Doug Brent acknowledged that staff has been very careful in its evaluations and applying the same methodology as used in the ASCII ccTLD realm, and recommends approval of all four of the requested delegations.

Harald Alvestrand noted his support for moving forward with the delegations of the first four IDN ccTLDs.

Mike Silber noted a concern for imposing requirements that are not clearly stated, and that criteria need to be well-established prior to attempting to evaluate requests against those criteria.

Jean-Jacques echoed Janis and the CEO's comments regarding cultural differences, and that the Board and staff need to determine how the criteria can appropriately evolve.

Rita Rodin Johnston also supported a future look at processes to develop more crisp criteria for applicants to meet.

Ram Mohan supported Rita's comments, and encouraged the Board to clarify that IDN ccTLD delegations are conducted on a basis similar to ASCII ccTLD delegations.

The Chair noted his agreement with Ram, and that the ASCII process needs to be clarified in the criteria as well.

Jonne Soininen expressed his support for Harald, Rita and Ram's comments and moving forward with the delegations. Jonne also requested that the Board agree that "what is community support" should be a matter for ccNSO policy development, so that the Board is not trying to define such policies on its own.

Vanda Scartezini and Katim Touray also expressed their support for moving forward with the delegations. Katim noted that experience might assist in future clarification of the process.

Jean-Jacques noted his support for Jonne's suggestion for ccNSO advice on this topic.

The Chair confirmed that the timing of the ongoing work at the ccNSO would not provide answers on these issues for a couple of years to come.

i. Delegation of the .рф ("R.F.") domain representing the Russian Federation to Coordination Center for TLD RU

George Sadowsky then moved and Mike Silber seconded the following Resolution:

Whereas, the Russian Federation is a country currently listed in the ISO 3166-1 standard;

Whereas, xn--p1ai ("R.F.") is a string that has been deemed to appropriately represent the Russian Federation through the IDN Fast Track process.

Whereas, ICANN has received a request for delegation of .pф to Coordination Center for TLD RU.

Whereas, ICANN has reviewed the request, and has determined that the proposed delegation would be in the interests of the local and global Internet communities.

*It is hereby **RESOLVED** (2010.04.22.05), that the proposed delegation of the .pф domain to Coordination Center for TLD RU as a country-code top-level domain is approved.*

The resolution was approved unanimously, 15-0.

ii. Delegation of the ال سعودية ("Al-Saudiah") domain representing Saudi Arabia in Arabic to the Communications and Information Technology Commission

The following resolution was moved by Mike Silber and seconded by Katim Touray:

Whereas, Saudi Arabia is a country currently listed in the ISO 3166-1 standard;

Whereas, xn--mgberp4a5d4ar ("al-Saudiah") is a string that has been deemed to appropriately represent Saudi Arabia through the IDN Fast Track process.

Whereas, ICANN has received a request for delegation of ال سعودية to the Communications and Information Technology Commission.

Whereas, ICANN has reviewed the request, and has determined that the proposed delegation would be in the interests of the local and global Internet communities.

*It is hereby **RESOLVED** (2010.04.22.06), that the proposed delegation of the ال سعودية domain to the Communications and Information Technology Commission is approved.*

Twelve Board members voted in favor of this resolution. Peter Dengate Thrush, Dennis Jennings and Jean-Jacques Subrenat abstained from voting on this resolution.

No Board members voted in opposition to this resolution. The resolution carried.

iii. Delegation of the امارات (“Emarat”) domain representing the United Arab Emirates to the Telecommunications Regulatory Authority

Bruce Tonkin then moved and George Sadowsky seconded the following resolution:

Whereas, the United Arab Emirates is a country currently listed in the ISO 3166-1 standard;

Whereas, امارات (xn--mgbaam7a8h) (“Emarat”) is a string that has been deemed to appropriately represent the United Arab Emirates through the IDN Fast Track process.

Whereas, ICANN has received a request for delegation of امارات. to the Telecommunications Regulatory Authority.

Whereas, ICANN has reviewed the request, and has determined that the proposed delegation would be in the interests of the local and global Internet communities.

*It is hereby **RESOLVED** (2010.04.22.07), that the proposed delegation of the امارات. domain to the Telecommunications Regulatory Authority is approved.*

The resolution was approved unanimously 15-0.

iv. Delegation of the مصر (“Misr”) domain representing Egypt to the National Telecommunication Regulatory Authority

The CEO and President provided an overview of the staff work relating to the review of the delegation.

Mike Silber, Jean-Jacques Subrenat and Katim Touray questioned the sufficiency of the documentation provided to the Board. The CEO and Kim Davies provided further explanation to the Board regarding the delegation paperwork.

Rita Rodin Johnston and Ram Mohan noted their support in moving forward with approving the delegation.

Steve Crocker then moved, and Rita Rodin Johnston seconded the following resolution:

Whereas, Egypt is a country currently listed in the ISO 3166-1 standard;

Whereas, مصر (xn--wgbh1c) (“Misr”) is a string that has been deemed to appropriately represent Egypt through the IDN Fast Track process.

Whereas, ICANN has received a request for delegation of مصر. to the National Telecommunication Regulatory Authority.

Whereas, ICANN has reviewed the request, and has determined that the proposed delegation would be in the interests of the local and global Internet communities.

*It is hereby **RESOLVED** (2010.04.22.08), that the proposed delegation of the مصر. domain to the National Telecommunication Regulatory Authority is approved.*

Twelve Board members voted in favor of this resolution. Mike Silber, Jean-Jacques Subrenat and Katim Touray abstained from voting on this resolution. No Board members voted in opposition to this resolution. The resolution carried.

Jean-Jacques Subrenat noted his abstention on the basis that further clarification is required to the information provided to the Board.

Katim Touray noted his abstention on the basis that there should be more thorough adherence to the rules of documentation.

Mike Silber noted his abstention was on the same grounds as Jean-Jacques and Katim.

Dennis Jennings noted that he voted in favor of the resolution as he was satisfied that the supporting information provided to the Board in written documentation and reporting met the substantive requirements for the delegation process.

Janis Karklins noted his gratitude to the Board for the decisions on the delegation of the first four IDN ccTLDs.

3. Latin American Meeting Location

Geoff Bickers provided an update to the Board on security-related issues that were considered as part of the recommendation of the meeting location in Cartagena.

Mike Silber noted his disappointment that the report to the Board did not appear to address a comparison of costs for the Cartagena meeting location to the other site

under consideration in Buenos Aires, as well as flight considerations and community perception.

The CEO and President noted that the strong recommendation of the Internet community in Latin America, and the support and advice of the Board members and liaisons from Latin America, supported the pursuit of the Cartagena location, and confirmed that the security profile was in line with the Board's recent adoption of UN Security phasing as an objective standard for evaluation of meeting locations.

Nick Tomasso confirmed that a comparison of costs between Cartagena and Buenos Aires was undertaken and the variance of costs was just over 3% of the proposed meeting budget, including flights, accommodations and all other meeting-related costs.

The Chair noted that the Public Participation Committee is looking at the process of how meeting locations are selected, and general Board concerns of what should be taken into account can be provided to that Committee.

Doug Brent noted that the security risks were fully reviewed prior to proceeding with the recommendation.

Vanda Scartezini noted that the security conditions are nearly the same in Cartagena as they are in Buenos Aires. Vanda also noted the very high level of community support for the Cartagena proposal.

Raimundo Beca thanked the staff for the quality of reporting prepared to support the recommendation. Raimundo echoed the CEO and Vanda's comments regarding the level of community support for the meeting location in Cartagena, including the support of the manager of the country code Top Level Domain for Argentina.

Raimundo Beca then moved, and Gonzalo Navarro seconded the following resolution:

Whereas, ICANN intends to hold its third Meeting for 2010 in the Latin America region as per its policy;

Whereas .CO Internet S.A.S. was one of the entities that submitted a viable proposal to serve as host for the ICANN 2010 Latin America Meeting;

Whereas, staff has completed a thorough review of the .CO Internet S.A.S proposal and finds it acceptable;

Whereas, the Board Finance Committee recommended and the Board of Directors have approved a budget of US\$2.126M for the ICANN 2010 Latin America Meeting;

*It is hereby **RESOLVED**, (2010.04.22.09), that the Board accepts the .CO Internet S.A.S. proposal and approves that the ICANN 2010 Latin America Meeting shall be held in Cartagena, Colombia from 5-10 December 2010, with a budget not to exceed US\$2.126M, and that the Cartagena Meeting designated as the 2010 Annual Meeting.*

Twelve Board members voted in favor of this resolution. George Sadowsky, Mike Silber and Jean-Jacques Subrenat abstained from voting on this resolution. No Board members voted in opposition to this resolution. The resolution carried.

George Sadowsky noted his abstention on the grounds that he could not support the process that led to the Board decision, as he felt it is inappropriate to ignore the security complaints and similar problems that will arise from comparisons with Nairobi.

Mike Silber noted his abstention on the same grounds as George.

4. Affirmation of Commitments

i. (A) Meeting Our Commitments under AOC

The CEO introduced the discussion on the Affirmation of Commitments by noting that it is a long-term process, with a focus on how the organization can improve to comply with the commitments undertaken. Much within the organization will need to evolve and change, and the process of beginning that evolution is well underway. The CEO then noted that much of his initial work was shifting the values of the organization to truly model a commitment to transparency and accountability, including decisions such as the extensive disclosure of security risks in Kenya to the community, and the immediate release of information relating to the unfavorable Declaration received in the ICM Independent Review Process. The CEO commented

that one test of transparency and accountability is to share bad news as quickly as ICANN shares good news.

The CEO also reported on the internal work which occurred in all departments, including staff reading the Affirmations document and identifying what the Affirmations meant to the departmental work. These databases will be publicly available and will report on the status of actions on resolutions/recommendations in order to provide a baseline for the community and determine where prioritization of implementation may need to take place.

The CEO also highlighted the expanded transparency in reporting on executive compensation noting publication of current pay conditions rather than waiting for annual reports or tax filings, noting that this was a higher standard recognized leaders in compensation disclosure practices. Finally, the CEO identified the Board action to provide Board resolutions more quickly than previously required, the ongoing work on additional economic studies as addressed in the Affirmations document, and the alignment of ICANN's cost accounting categories with the strategic plan as additional ways that ICANN is moving towards transparency and accountability.

The Board received an update from the CEO regarding the actions taken by ICANN to improve compliance with the Affirmation of Commitments, and the strong commitment to accountability and transparency within the organization, including having a senior staff member dedicated, full time, to accountability and transparency work. Denise Michel has also been moved into a senior executive position where she dedicates 100% of her time to accountability and transparency, including leading the assemblage of a database of every resolution undertaken by the Board.

The Chair noted that there is a significant amount of work being done within the organization to meet the commitments undertaken, and suggested that the Board should continue to defer formalizing a mechanism for Board oversight on the work to meet the Affirmations.

Dennis Jennings suggested that an objective set of standards for staff to work against would be helpful in doing more to achieve greater accountability and transparency.

The Chair noted that accountability and transparency is just one of the commitments undertaken by the organization, a high level plan is needed for the organization to meet all of the commitments. Board oversight – and community involvement in that process – will likely be happening in the future.

ii. Board oversight of performance of Affirmation of Commitments: Supporting & Facilitating Reviews

The Chair opened a discussion on setting up a short-term working group to set up parameters for supporting and maintaining the Affirmations review teams, to address issues such as supporting and staffing. The Chair noted he'd be requesting Board members to volunteers to serve on this working group.

Dennis Jennings volunteered to participate in the working group.

Janis Karklins clarified that the working group would not be any level of Board supervision over the review teams or the work of the review team.

The Chair noted his agreement with Janis' comment and clarified that supervision is not the intention. The intention is to fulfill the Board's administrative responsibility in making sure that the reviews are done properly.

Bruce Tonkin clarified that the working group would be used to support and facilitate the reviews, not to oversee the reviews.

iii. Transparency & Accountability Review Update

Janis Karklins provided a report on the establishment of the Accountability and Transparency Review Team and the work of the team leading up to the first face-to-face meeting in Marina del Rey on 5-6 May 2010.

The Chair reported on the addition of a further member from the ccNSO, Erick Iriarte from Peru, to achieve the full complement of the team.

5. Proposed Implementation Plan for Synchronized ccTLD IDNs

Dennis Jennings presented the proposed resolutions regarding Synchronized IDN ccTLDs to the Board.

The Chair inquired as to whether the proposed resolutions represented policy issues.

Dennis noted that the resolutions represented a pragmatic solution to a problem, and that future policy development would be needed for a longer-term solution.

The Chair noted that, as represented in the Board's resolution in Nairobi, commitments to migrate to future technical solutions should be included in the resolution.

Bruce Tonkin noted that he would not support the addition of language regarding migration to future technical solutions, as this is not a technical problem that is being discussed in the resolutions.

Thomas Narten commented on the extensive work the Equivalent Strings Working Group had done on the issue over the past weeks, and have had to address a lot of the public discussion on the topic, including the imprecision of terminology in this area that are critical to address. This has to be followed up on, working with experts and not just experts from the technical community. Thomas noted his belief that the resolutions address the most critical issues raised during the public comment period, as well as the continued need to agree on the terminology.

Suzanne Woolf indicated that it might be appropriate to go through a proposed resolution to address future policy work, as it is closely related and shows the working group's analysis of the issue. Suzanne noted that she did not think that there was any opposition to the pragmatics of approving the two applications, and echoed Thomas' concern that follow-up work must be done. Therefore, the working group requests that it continue in some form, and proceed to wider discussion on where technical issues and policy intertwine to reach resolution of problems such as the one created. Suzanne confirmed that the working group was proposing

resolutions to resolve the immediate issue posed by the two applications, and then setting up the framework to progress discussions of this type.

Mike Silber congratulated the working group on their work and the logical split between the resolutions. Mike noted his concern with the extension of the mandate of the working group and the impact on Board members to take on this additional ongoing work, which could be shared with the community.

Jean-Jacques Subrenat raised a question regarding the language of the resolution, and Dennis confirmed there would be a final careful edit performed.

Dennis then reviewed a proposed resolution regarding the need for the CEO to develop a more detailed strategy and plan to develop solutions to issues discussed within the working group, and reconstituting the Equivalent Strings Working Group into a “Variant TLD” working group to oversee further staff work and community consultations on this issue.

The Chair noted Mike’s concern relating to the shifting of workload to Board members as identified in the resolution just presented.

Dennis noted that the working group carefully chose the word “oversee” to address that issue, and the work would be done by the staff and community.

Bruce noted that he would not vote in favor of the resolution creating the new working group, as it would be more appropriate to request the appropriate parts of the community to form a group.

The Chair noted his agreement with Bruce, and his concern with Directors running such a working group instead of putting it into the hands of the community.

Dennis and Bruce noted that IDNs will also be part of the new gTLD program, and Bruce noted that this is further support for having the Supporting Organizations form the relevant group to do this work.

The Chair inquired as to if the Board approved the two resolutions relating to specific applications, wouldn’t it be the appropriate time for this issue to be handed on?

Dennis suggested that the working group come back with a better-crafted resolution, as there is a need for a Board working group on this, though it has to be clear that the Board would only be involved in an oversight role. Dennis withdrew the resolution from Board consideration at this time.

i. ***CNNIC Request for (Simplified and Traditional Chinese) IDN ccTLDs***

Mike Silber then moved, and George Sadowsky seconded the following resolution:

Whereas, the China Internet Network Information Center (CNNIC) has requested the simultaneous delegation of .中国 (xn--fiqs8S) and .中國 (xn--fiqz9S);

Whereas, CNNIC has met the existing Fast Track requirements and rules for String Evaluation of the requested IDN ccTLDs, including the DNS security and stability evaluation;

Whereas, an issue has arisen around the delegation and management of domains that reflect parallel uses of "Simplified" and "Traditional" character-renderings and orthographies for the Chinese language communities, and thus CNNIC is requesting delegation of this pair of IDN ccTLDs;

Whereas, CNNIC has a significant depth of experience with the registration of strings containing variants as domain names at second and lower levels under principles discussed in RFC 4713 (<<http://www.ietf.org/rfc/rfc4713.txt>> - Registration and Administration Recommendations for Chinese Domain Names - October 2006), with the delegation and management of domains that are expected to reflect parallel uses of "Simplified" and "Traditional" character-renderings and orthographies for Chinese, and can point to good management experience and good user experience with this methodology, and have stated that they have the necessary competence and experience to operate the pair of IDN ccTLDs in a stable manner;

Whereas, there is general and wide community support for the notion of simultaneously delegating this particular requested pair of IDN ccTLDs to meet the well understood needs of users of Chinese, namely that users accessing a domain expect that the traditional and simplified Chinese names have been assigned to the same registrant, and that such delegations would solve a significant problem for the user communities;

Whereas, public comment makes it clear that the methodology for operation and management of IDN ccTLDs based on such parallel strings can only be achieved today through operational and administrative procedures, as there are no DNS protocol mechanisms yet that provide the desired behavior, which procedures must be handled by the local IDN ccTLD manager;

Whereas, the delegation of these IDN ccTLDs would be an extension to the current published IDN ccTLD Fast Track Process;

Whereas, the ICANN Board on 12 March 2010 resolved on a set of “Principles for Handling Synchronized IDN ccTLDs for the specific requests related to the Fast Track Process”;

Whereas, after public comment and general consultation with the technical community, it became apparent that some of the ideas expressed and words used in the Principles were found to be confusing and imprecise – e.g. “Equivalent” and “Synchronized” IDN ccTLDs – and that this terminology made it difficult to evaluate important aspects of the Proposed Implementation Plan for Synchronized IDN ccTLDs;

Whereas, the methodology to be taken by the IDN ccTLD manager to handle these particular instances of parallel IDN ccTLDs is, in the short-term, the only option available, but there are serious limits to where such an approach is viable in practice, so that it cannot be viewed as a general solution, and that consequently, long-term development work should be pursued;

Whereas, significant analysis and possibly development work should continue on both policy-based and technical elements of a solution for the introduction on a more general basis of strings containing variants as TLDs;

*Therefore, it is **RESOLVED**, (2010.04.22.10), that CNNIC be notified that the .中国 (xn--fiqs8S) and .中國 (xn--fiqz9S) IDN ccTLD request has completed the Fast Track String Evaluation and that they may enter the String Delegation step in the Fast Track Process, using the standard IANA ccTLD delegation function, and that delegation is contingent on completion of the IANA process criteria and publication of CNNIC's detailed Implementation Plan to be finalized in consultation with ICANN.*

The resolution was approved unanimously by a vote of 15-0.

ii. **TWNIC Request for (Simplified and Traditional Chinese) IDN ccTLDs**

Dennis Jennings then moved, and Jean-Jacques Subrenat seconded the following resolution:

Whereas, the Taiwan Network Information Center (TWNIC) has requested the simultaneous delegation of .台灣 (xn--kpry57d) and .台湾 (xn--kprw13d);

Whereas, TWNIC has met the existing Fast Track requirements and rules for String Evaluation of the requested IDN ccTLDs, including the DNS security and stability evaluation;

Whereas, an issue has arisen around the delegation and management of domains that reflect parallel uses of "Simplified" and "Traditional" character-renderings and orthographies for the Chinese language communities, and thus TWNIC is requesting delegation of this pair of IDN ccTLDs;

Whereas, TWNIC has a significant depth of experience with the registration of strings containing variants as domain names at second and lower levels under principles discussed in RFC 4713 (<<http://www.ietf.org/rfc/rfc4713.txt>> - Registration and Administration Recommendations for Chinese Domain Names - October 2006), with the delegation and management of domains that are expected to reflect parallel uses of "Simplified" and "Traditional" character-renderings and orthographies for Chinese, and can point to good management experience and good user experience with this methodology, and have stated that they have the necessary competence and experience to operate the pair of IDN ccTLDs in a stable manner;

Whereas, there is general and wide community support for the notion of simultaneously delegating this particular requested pair of IDN ccTLDs to meet the well understood needs of users of Chinese, namely that users accessing a domain expect that the traditional and simplified Chinese names have been assigned to the same registrant, and that such delegations would solve a significant problem for the user communities;

Whereas, public comment makes it clear that the methodology for operation and management of IDN ccTLDs based on such parallel strings can only be achieved today through operational and administrative procedures, as there are no DNS protocol mechanisms yet that provide the desired behavior, which procedures must be handled by the local IDN ccTLD manager;

Whereas, the delegation of these IDN ccTLDs would be an extension to the current published IDN ccTLD Fast Track Process;

Whereas, the ICANN Board on 12 March 2010 resolved on a set of “Principles for Handling Synchronized IDN ccTLDs for the specific requests related to the Fast Track Process”;

Whereas, after public comment and general consultation with the technical community, it became apparent that some of the ideas expressed and words used in the Principles were found to be confusing and imprecise – e.g. “Equivalent” and “Synchronized” IDN ccTLDs – and that this terminology made it difficult to evaluate important aspects of the Proposed Implementation Plan for Synchronized IDN ccTLDs;

Whereas, the methodology to be taken by the IDN ccTLD manager to handle these particular instances of parallel IDN ccTLDs is, in the short-term, the only option available, but there are serious limits to where such an approach is viable in practice, so that it cannot be viewed as a general solution, and that consequently, long-term development work should be pursued;

Whereas, significant analysis and possibly development work should continue on both policy-based and technical elements of a solution for the introduction on a more general basis of strings containing variants as TLDs;

*Therefore, it is **RESOLVED**, (2010.04.22.11), that TWNIC be notified that .台灣 (xn--kpry57d) and .台湾 (xn--kprw13d) IDN ccTLD request has completed the Fast Track String Evaluation and that they may enter the String Delegation step in the Fast Track Process, using the standard IANA ccTLD delegation function, and that delegation is contingent on completion of the IANA process criteria and publication of TWNIC's detailed Implementation Plan to be finalized in consultation with ICANN.*

The resolution was approved unanimously by a vote of 15-0.

Both resolutions were passed on the basis of the Equivalent Strings Working Group performing final edits to the language, and with agreement that no substance of the resolutions would change.

John Jeffrey reminded the working group that all edits to the resolution had to be finalized in sufficient time to meet the 48-hour window for posting the meeting's

resolutions, and noted that if possible, staff would like to post the resolutions well in advance of the deadline.

6. DNS Cert

Thomas Narten inquired of management relating to the response to community feedback on the status of work relating to DNS Cert. The CEO responded that it's clear that the community is opposed to ICANN taking an operation role on DNS Cert.

Greg Rattray noted agreement with Thomas that ICANN needs to show that it has heard the voice of the community and provide perspective on the way forward.

Dennis Jennings noted his support for the DNS Cert proposal in general, and his concern that it should be progressed in a way that ICANN is not perceived as taking charge.

Janis Karklins noted his sense that this issue should be considered in Brussels to allow for community engagement, as the community is not in support of rushing forward with operational activities.

The CEO concurred with Janis' statement on the community perception of the urgency of this work, and that it can be pushed to Brussels or later. The CEO noted his personal opinion that from a security standpoint, there is great urgency for this work, but in terms of ICANN processes and the community process, it can be pushed back.

The Chair noted his concern with the receipt of the paper and the community perception that ICANN is taking an operational role. The CEO clarified that ICANN never proposed that it take an operational role, and it is important to be accurate on this point to note that the paper is proposing a bottom-up consultation, and does not assert that ICANN is trying to take an operational role in this.

Greg confirmed that the papers provided for public consultation did not place ICANN in an operational role. Greg confirmed that there would be a summary of the comments received, with a clear statement of the path forward, including a slower consultation process on the concept.

Thomas noted that ICANN has to be aware of the trust issue from the community that may have resulted in the misperception that ICANN stated it would take an operational role.

Ray Plzak urged his colleagues on the Board who are representative of or selected from the technical communities to encourage further involvement in this debate, and not solely rely on ICANN announcements to initiate such involvement.

Dennis urged his colleagues on the Board to convey the clarifications of the issue as provided by Greg and the CEO.

7. New gTLDs

i. Reporting performance against new Project Plan

Kurt Pritz provided an update to the Board on the status of the new Project Plan, and the work for approximately 20 deliverables to be published in advance of the Brussels meeting, many embedded within the 4th version of the Draft Applicant Guidebook. Kurt discussed the remaining open issues, including the proposed Registry Agreement, trademark issues, geographical names and variant management issues.

Kurt forecasted that the work of the GNSO on vertical integration would extend past the publication of the 4th version of the Draft Applicant Guidebook. In addition, the high security zone program, one of the nine efforts on malicious conduct, will extend past the 4th version of the Draft Applicant Guidebook, and Kurt noted that the program could be launched without that item reaching conclusion. Kurt also identified the root scaling study and aspects of the economic study will continue past guidebook 4.

Kurt then provided an update on the work on operational readiness, including the interviewing of evaluation panels and agreements with service providers, and the identification of multiple providers to address conflicts of interest.

On trademark issues, Kurt reported that that work proposed is essentially done. After Nairobi, there are no changes to the Uniform Rapid Suspension. Changes were

made to the clearinghouse to address the Board direction in Nairobi. On post-delegation dispute resolution, staff has had meetings with some constituencies, and is likely to get to resolution on the issues by Brussels.

On vertical integration, Kurt reported on the status of the working group of the GNSO.

The Chair inquired of Kurt if there was anything arising in the public consultations that would cause the Board to change the approach it adopted in Nairobi on the Uniform Rapid Suspension or clearinghouse.

Kurt noted that from a preliminary review of the comment, there is nothing that would cause a change in position on those topics.

The Chair urged Kurt to publish the comments as quickly as possible and close those issues, and to be clear on how the working group work on vertical integration will interplay with the draft of the guidebook: if they finish in time, it can be included, otherwise, they are working on a long term solution.

Kurt reported that the 4th version of the Draft Applicant Guidebook would be published three weeks before the Brussels meeting and would be open for public comment for 45 days. Staff will then issue an opinion on the public comment, and the changes needed between the 4th version and an anticipated final version of the guidebook.

The Chair then requested an update on the economic study that was commissioned, and Kurt responded that the work has been ongoing since December 2009 and would work to have the second phase of the economists' work completed in advance of Brussels.

Jean-Jacques Subrenat inquired as to the global publication of calls for interest for evaluation panel providers. Kurt noted he would provide Jean-Jacques with a brief review of the process, and confirmed that the new procurement guidelines requiring advertisements in all geographic regions were followed.

The Chair requested that Kurt provide discussion on the communications plan. Kurt noted that the communications plan has not been formally launched yet, and while no date was set, it would be after the Brussels meeting.

The Chair then raised the subject of the root zone scaling work and when that would be completed.

Ram Mohan reported that the study is yet to be completed and that neither the RSSAC nor the SSAC have issued a definitive response to the Board request on this topic. Ram noted that more gaps in analysis have been identified, as opposed to bridging of the gaps. The SSAC is preparing to place two proposals in front of the Board relating to significant gaps, including an end-user impact study. Ram noted that there is not consensus between the RSSAC and SSAC on providing an opinion regarding whether there will be a problem with root scaling. Particularly within the SSAC, there's a sense that there's not enough data available.

The Chair stated that this was the third year of the project and expressed frustration on the identification of unfilled gaps at this time.

Ram concurred and noted the significant effort that has been expended on this issue without much forward movement.

The Chair noted that more discussions need to occur on how to encourage an answer before the Board's retreat in May.

Harald noted that the ccNSO concerns on geographic names need to be addressed properly.

The Chair concurred that there were questions that needed to be answered on this topic.

The Chair and Kurt briefly discussed the scheduling of some time with the Board to go over final issues necessary to get to approval of the final version of the guidebook, and agreed that more work will be done.

Jonne Soininen briefly raised the issue of the questions put to the Board by the working group on vertical integration. The Chair noted that as the working group

has a “clean slate” to start with, detailed information on the meaning of the Board’s resolution was not required, and noted that Kurt could communicate that to them.

8. May Retreat

Due to time constraints, the Chair indicated that this matter would be addressed online.

9. UDRP

Due to time constraints, the Chair noted that there was more work to be done relating to the issue of exploring contractual relationships with providers, and no further discussion was had.

10. Executive Session

The Board conducted an executive session, without staff present, in confidence.

2010-06-25-02 Board Submission - GNSO Constituency Reconfirmations Extension

ICANN BOARD SUBMISSION NO. 2010-06-25-02

TO: ICANN Board of Directors

TITLE: Brussels 2010 - GNSO Constituency Reconfirmation Efforts

PROPOSED ACTION: Extend Timetable For Submitting GNSO Constituency Charter Reconfirmations

EXECUTIVE SUMMARY:

At the ICANN meeting in Seoul, the Board set a timetable of March 2010 for formal resubmission of revised reconfirmation proposals by the existing GNSO Constituencies. (see 30 October 2009 Board Meeting Resolutions - Consent Agenda Item 1.3 - <http://www.icann.org/en/minutes/resolutions-30oct09-en.htm>). In Nairobi, the Board extended that timetable for those submissions to the Brussels meeting (see 12 March 2010 Board Meeting Resolutions – Consent Agenda Item 1.7 - <http://www.icann.org/en/minutes/resolutions-12mar10-en.htm#1.7>).

Additional time is needed for the GNSO community to complete its recommendation, review and evaluation process after which the existing GNSO constituencies will then be able to modify their charters for Board re-confirmation. As we now approach the Brussels meeting, a number of community Work Team recommendations have been made that could substantively impact existing community charters, and likely improve, the community reconfirmation efforts.

Until that process is concluded, **Staff recommends that the Board again extend the timetable for the reconfirmation submissions until the ICANN meeting in Cartagena later this year.**

BACKGROUND:

In August 2008, the Board adopted a concept of "re-confirming" the charters and operational mechanisms of each GNSO Constituency every three years (see - <http://www.icann.org/en/minutes/minutes-28aug08.htm>). The initial Constituency re-confirmation process was slated for 2009, but the Board's evaluation and approval of the new GNSO Stakeholder Group structures and subsequent approval of the recommended Bylaws changes necessary for seating the new GNSO Council took priority.

Late last year, the Board asked the existing GNSO Constituencies to formally re-submit any revised re-confirmation proposals to the Board by the Nairobi ICANN meeting. The community work was not completed by the Nairobi meeting and the Board extended the timetable to the Brussels meeting.

Now as the Brussels meeting approaches, the GNSO community Work Team responsible for developing recommendations for Constituency and Stakeholder Group operational and participation practices (the CSG-WT) has finally reached decisions on a number of

recommendations that could have substantial impact on the Constituency and Stakeholder Group Charters going forward. The GNSO Council Operations Work Team has also identified several recommendations that, if approved, will also prompt charter adjustments. After review by the GNSO Operations Steering Committee (OSC) this month, the GNSO Council will itself have to review the recommendations and seek public comment on them. After decisions are finally made on the recommendations, the Constituencies and Stakeholder Groups will then need time to absorb the new recommendations into their charter documents.

STAFF RECOMMENDATION TO EXTEND TIMETABLE FOR SUBMISSION OF CONSTITUENCY RECONFIRMATION DOCUMENTS:

As noted above, it now appears that the CSG-WT recommendations will not be acted upon by the GNSO Council until at least the Brussels ICANN meeting – if not later. As a result it is not administratively efficient to ask those communities to conduct at least two charter review initiatives with many potential charter revisions in just a few months time. To conserve community resources and produce final charter products that are much more effective in linking GNSO-structure operations to the ICANN Bylaws principles of transparency, fairness, openness and representativeness, the Staff recommends that the Board extend the time period for existing Constituency reconfirmations until the Cartagena ICANN meeting. That additional time will allow the operational recommendations to be fully vetted by the Council and the broader ICANN community.

PROPOSED RESOLUTION:

Whereas the Board has determined that existing GNSO Constituencies should regularly re-confirm their status as organizations operating consistent with the ICANN Bylaws principles of transparency, openness, fairness and representativeness;

Whereas the Board most recently asked existing GNSO Constituencies to seek Board reconfirmation of their charters prior to the Brussels meeting;

Whereas the GNSO Council Work Team developing recommendations for GNSO Constituencies and Stakeholder Groups has now made its recommendations, but additional time will be necessary for GNSO Council and community evaluation of the recommendations.

Whereas those evaluation efforts are likely to produce final charter products that are much more effective in linking GNSO-structure operations to the ICANN Bylaws principles of transparency, fairness, openness and representativeness;

RESOLVED, the Board again extends the timetable for those reconfirmation submissions prior to the ICANN International meeting in Cartagena, Columbia.

Submitted by: David Olive; Robert Hoggarth
Position: VP, Policy Development; Senior Policy Director
Date Noted: 8 June 2010
Email and Phone Number: Policy-Staff@icann.org +1-310-823-9358

2010-06-25-03 Board Submission - IDN Delegation - China

ICANN BOARD SUBMISSION NO. 2010-06-25-03

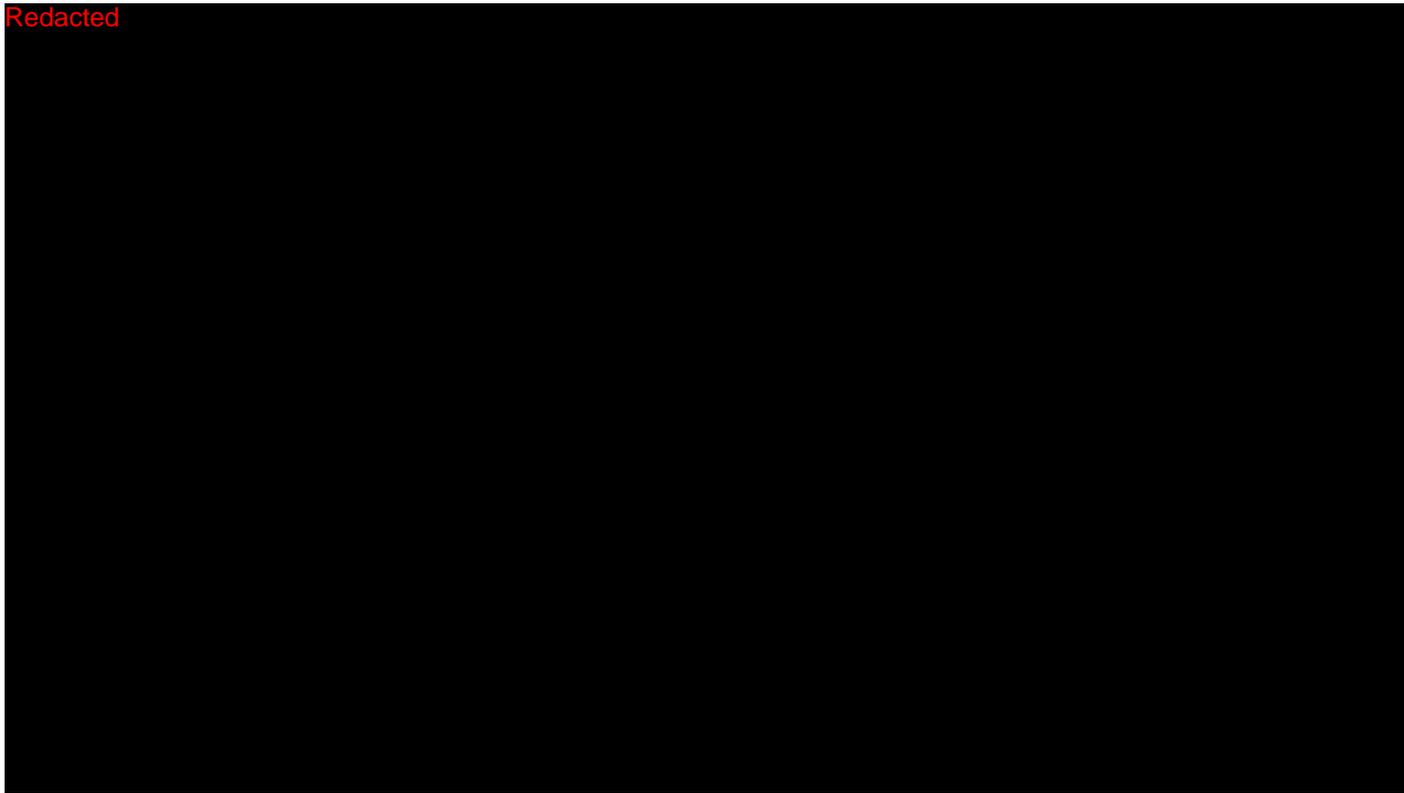
TITLE: Delegation of the domains .中国 and .中國 (“Zhongguo”) representing China in Chinese to China Internet Network Information Center

PROPOSED ACTION: For Board Review and Approval on Consent Agenda

IANA REFERENCE: 326652, 326705

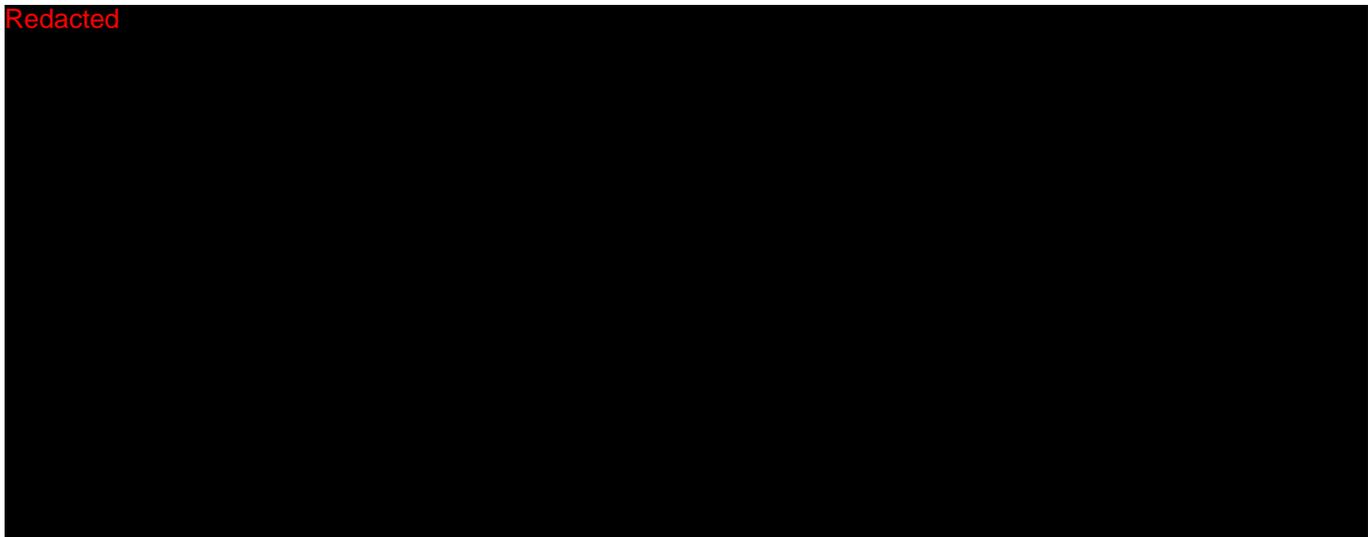
EXECUTIVE SUMMARY

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PROPOSED RESOLUTION

Redacted



Redacted



Submitted by: Kim Davies
Position: Manager, Root Zone Services
Date Noted: 7 June 2010
Email and Phone Number kim.davies@icann.org; +1 310 430 0455

2010-06-25-04 Board Submission - IDN Delegation - Hong Kong

ICANN BOARD SUBMISSION NO. 2010-06-25-04

TITLE: Delegation of the .香港 domain representing Hong Kong in Chinese to Hong Kong Internet Registration Corporation Limited

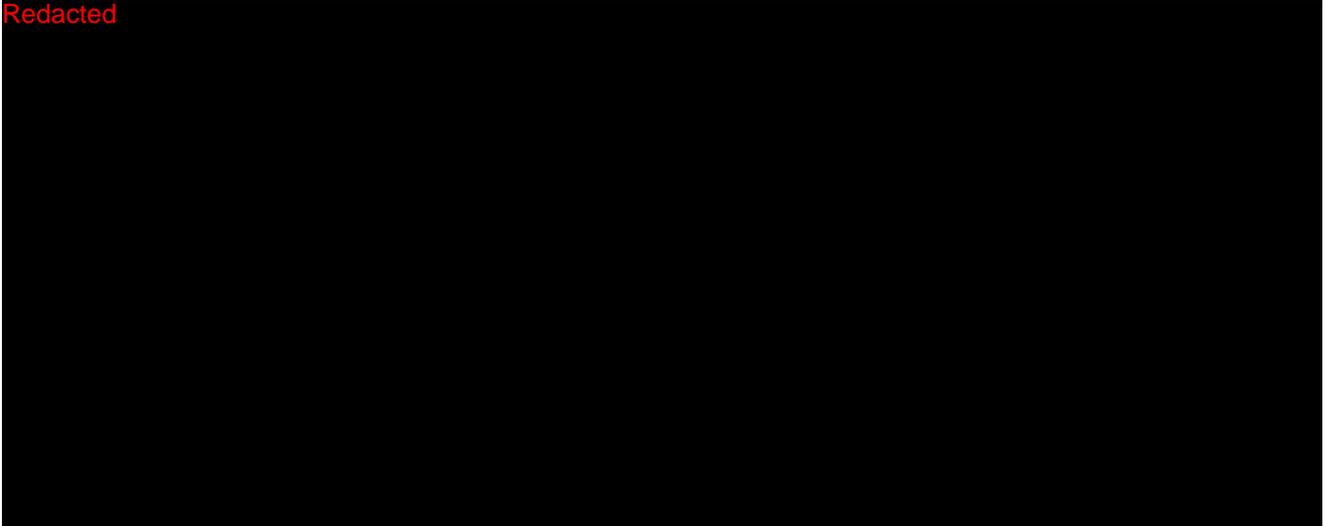
PROPOSED ACTION: For Board Review and Approval on Consent Agenda

IANA REFERENCE: 315200

EXECUTIVE SUMMARY

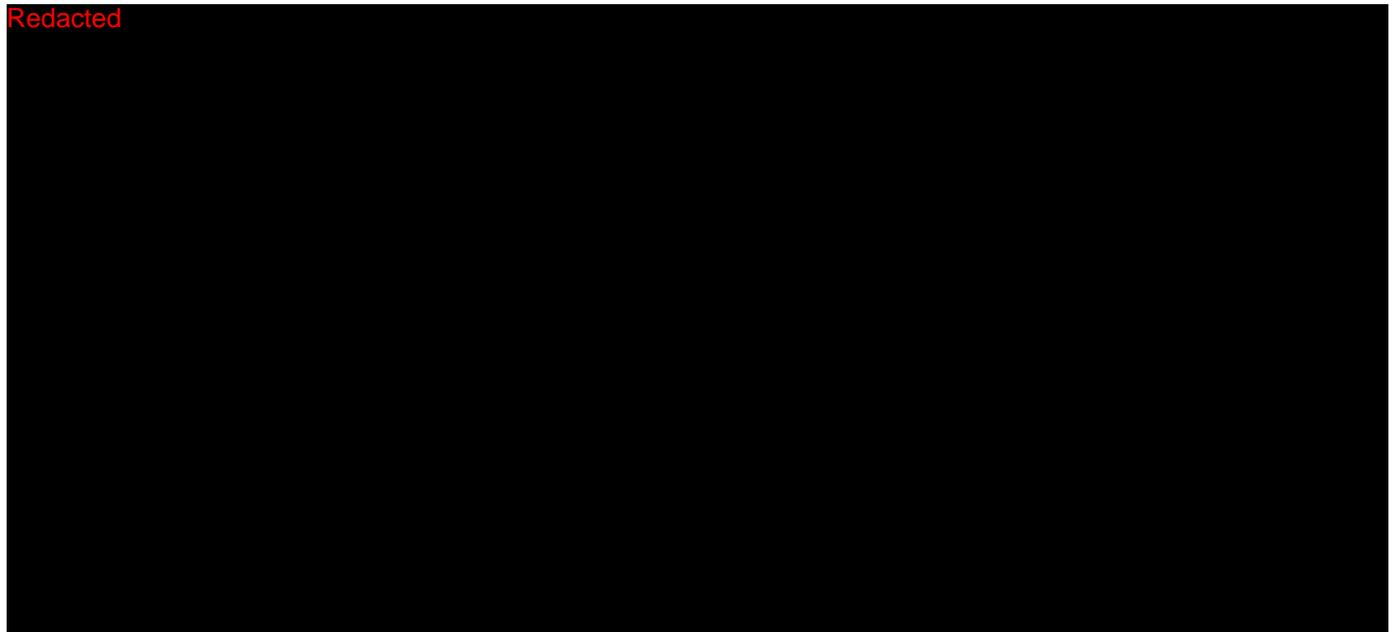
The ICANN Board is asked to consider and vote on the request to delegate the domain .香港, comprised of the eligible IDN ccTLD Fast Track approved string representing Hong Kong in Chinese script.

Redacted



PROPOSED RESOLUTION

Redacted



Submitted by: Kim Davies
Position: Manager, Root Zone Services
Date Noted: 9 June 2010
Email and Phone Number kim.davies@icann.org; +1 310 430 0455

2010-06-25-05 Board Submission - IDN Delegation - Taiwan

ICANN BOARD SUBMISSION NO. 2010-06-25-05

TITLE: Delegation of the domains .台灣 and .台湾 (“Taiwan”) representing Taiwan, Province of China in Chinese to Taiwan Network Information Center

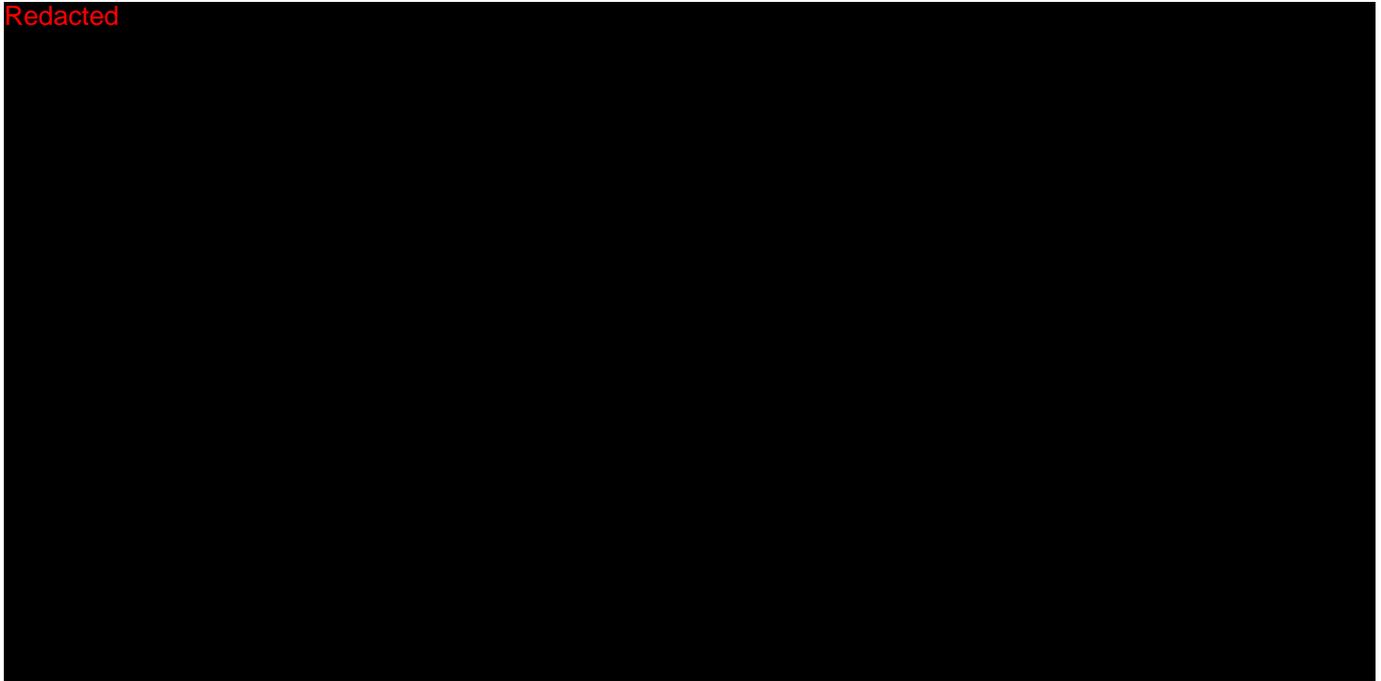
PROPOSED ACTION: For Board Review and Approval on Consent Agenda

IANA REFERENCE: 328410, 328667

EXECUTIVE SUMMARY

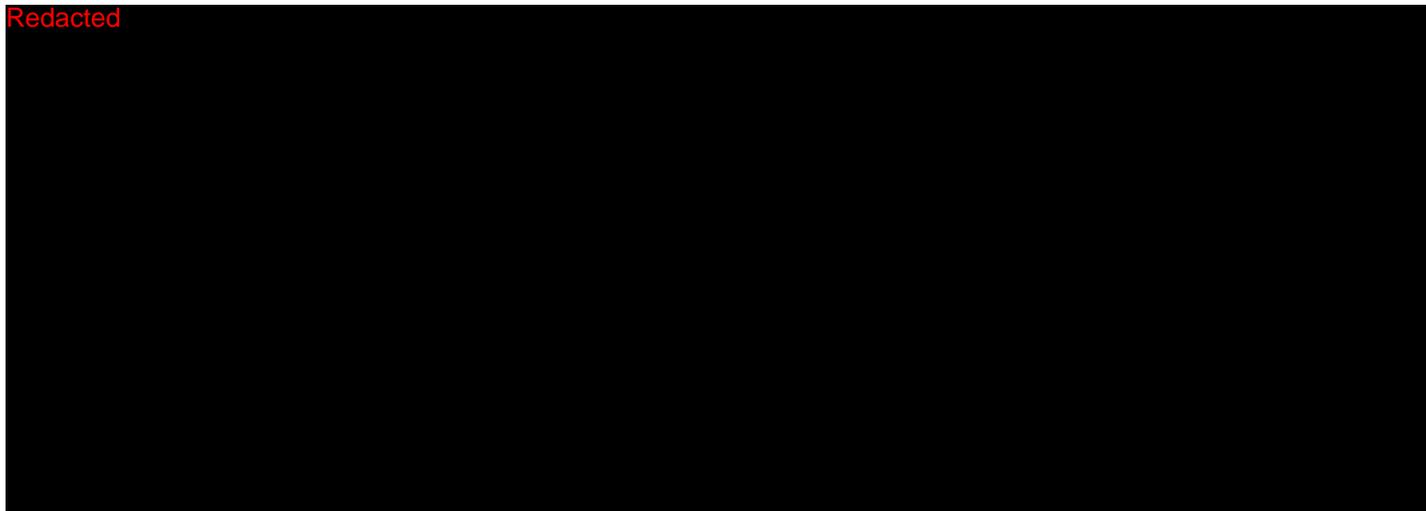
The ICANN Board is asked to consider and vote on the request to delegate the domains .台湾 and .台灣, comprised of the strings resolved by the ICANN Board of Directors on 22 April 2010 to represent Taiwan, Province of China in Chinese.

Redacted



PROPOSED RESOLUTION

Redacted



Redacted



Submitted by: Kim Davies
Position: Manager, Root Zone Services
Date Noted: 9 June 2010
Email and Phone Number kim.davies@icann.org; +1 310 430 0455

2010-06-25-06 Board Submission - IRP Panel Declaration Consideration Process

ICANN BOARD SUBMISSION NO. 2010-06-25-06

TITLE: **Consideration of Independent Review Panel's Advisory Declaration on ICANN's denial of ICM Registry's Application for a .XXX sTLD**

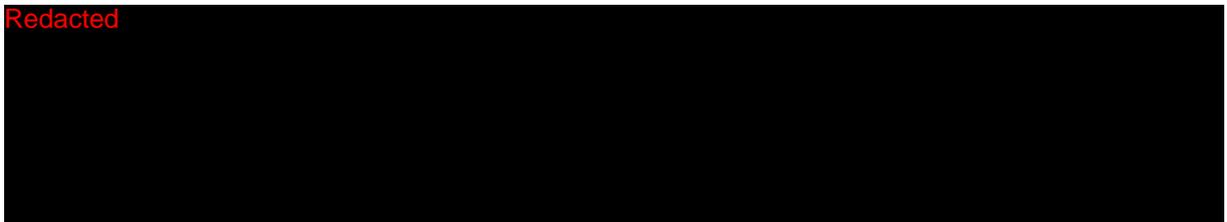
PROPOSED ACTION: **For Board Consideration and Action**

EXECUTIVE SUMMARY:

IRP Declaration Issued:

On 19 February 2010 the Independent Review Panel ("Panel") issued its advisory Declaration in the Independent Review proceedings filed by ICM Registry challenging ICANN's denial of ICM's application for the .XXX sTLD ("ICM's Application"). Specifically, with a 2-1 majority, the Panel, finding that its Declaration was solely advisory and non-binding in nature, advised as follows: "the Board of ICANN in adopting its resolutions of June 1, 2005, found that the application of ICM Registry for the .XXX sTLD met the required sponsorship criteria" and "the Board's reconsideration of that finding was not consistent with the application of neutral, objective and fair documented policy." (See Panel Declaration, attached to the Annex as Exhibit A, at 70.)

Redacted



Board Review of Declaration:

Pursuant to ICANN's Bylaws, the Board of Directors considered the Panel's advisory Declaration at the Board's meeting on 12 March 2010, and directed ICANN's CEO and General Counsel to finalize a report of possible process options ("Options Report") for further consideration, and post that report for no less than 45 days of public comment. (The Options Report and the process maps that were posted for public comment are attached hereto as Appendix 1 and Appendix 2, respectively.) Posting of the Options Report and process maps is an unprecedented step by the Board. Such a step not only enhances the Board's accountability and transparency, but also indicates the importance

that the Board places on the Independent Review process as an ICANN established accountability mechanism, and the precedent setting utilization of that process.

Public Comment on Process Options:

The public comment period ended on 10 May 2010, although comments continued to come in after that date. As of 27 May 2010, over 13,700 comments were received. (The summary and analysis of comments is attached as Exhibit B to the Annex.) Of all comments received, approximately 12,950 said no to .XXX and just over 715 said yes to .XXX. Most comments were based on several different form submissions that people simply signed and submitted. The vast majority of comments did not necessarily make reference to the process options presented for public comment, but simply commented on whether a .XXX TLD was a good or bad idea. Those that did not make reference to process options and just made judgment statements are numerically analyzed in the summary.

The comments that did mention process options, and had enough substance to summarize, are laid out in Exhibit B to the Annex. Of the comments that addressed the process options, all were either: (i) in favor of proceeding with ICM to contract for the .XXX sTLD and accepting the Majority Panel Declaration in full; OR (ii) opposed to proceeding with ICM's .XXX sTLD Application and in favor of accepting the Minority/Dissenting portion of the Declaration. No commenters were in favor of ICANN accepting only portions of the Majority opinion.

ICM and other commenters suggested that ICANN could immediately proceed to execution of the 2007 form of the .XXX sTLD Agreement without any further action. To the extent that any due diligence should be performed, however, many commenters in favor of proceeding to contract with ICM suggested that such due diligence should be minimal and should not involve any reconsideration of the Sponsorship criteria.

Commenters opposing any process furthering ICM's Application – many of whom were from the adult entertainment industry – noted that if the Board were to proceed with the consideration of ICM's Application, due diligence should be extremely thorough. These commenters supported full due diligence on all portions of the sTLD criteria, including a requirement that ICM demonstrate that it maintains support from the Sponsored Community, prior to the approval of a registry agreement.

BOARD ACTION REQUIRED:

The Board is asked to make a decision during the Brussels meeting as to the process it will follow in furtherance of its consideration of the Panel Declaration. In making that decision the Board should follow one of the three option paths set out in the Options Report attached hereto as Appendix 1. The three options are: (i) Accept Findings of the Majority in Full; (ii) Accept Findings of the Majority in Part; and (iii) Adopt the findings of the Dissent. Once the Board decides on which option should be followed, it should then proceed to the Evaluation of the Decision Process as set out in the Options Report and process maps.

STAFF RECOMMENDATIONS:

Staff recommends following the process path highlighted in both the Options Report and the process maps attached hereto. Specifically, staff recommends that the Board:

1. Accept Findings of Majority in Full. (See Options Report, No. 1 at p. 1.)

Although the Panel Declaration is solely advisory in nature and does not require that the Board adopt any portion of the Declaration, adopting the findings in full is within the Board's discretion. As noted above, in substance the Panel found that "the Board of ICANN in adopting its resolutions of June 1, 2005, found that the application of ICM Registry for the .XXX sTLD met the required sponsorship criteria" and "the Board's reconsideration of that finding was not consistent with the application of neutral, objective and fair documented policy." (See Panel Declaration, Annex Exhibit A, at 70.)

2. Progress ICM's Application for further consideration and direct staff to apply 2004 round criteria in the consideration process. (See Options Report, No. 4.a. at p. 3.)

In accepting the Panel's findings, it is appropriate for the Board to progress ICM's Application for further consideration. As the Application was submitted under the 2004 criteria, it is reasonable to apply that criteria.

3. Direct the President and CEO and the General Counsel to conduct expedited due diligence. (See Options Report, No. 4.a. at p. 3.)

Even accepting the Panel's findings, given that ICM's Application was submitted more than six years ago, it is important to perform some level of due diligence to ensure that the Application satisfies the 2004 criteria. Thus, staff recommends that some level of expedited due diligence be conducted. To the extent the Board directs the President/CEO and the General Counsel to conduct expedited due diligence, nothing further should be done until that due diligence is completed. In an attempt to limit any delays in the Application consideration process, however, and assuming that due diligence will show that ICM's Application meets the 2004 round criteria, staff recommends that the Board now take the additional step noted in paragraph 4 below.

4. Direct Staff to prepare materials for the Board's consideration regarding GAC advice. (See Options Report, No. 5 at p. 4.)

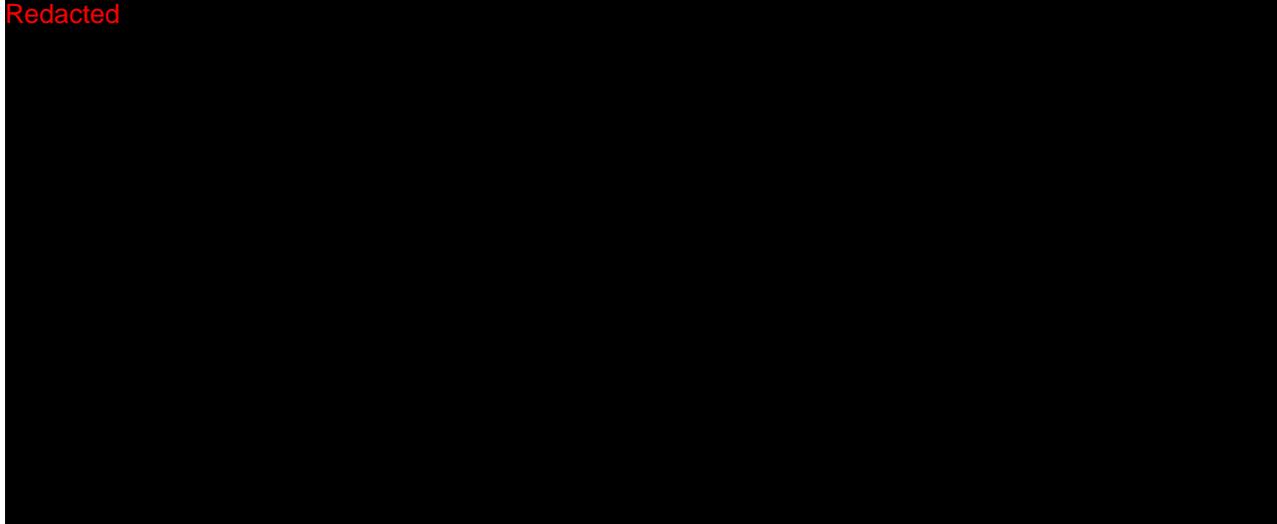
ICANN's Bylaws state: "In the event that the ICANN Board determines to take an action that is not consistent with the Governmental Advisory Committee advice, it shall so inform the Committee and state the reasons why it decided not to follow that advice. The Governmental Advisory Committee and the ICANN Board will then try, in good faith and in a timely and efficient manner, to find a mutually acceptable solution." ("GAC Consultation Process") (See Article XI, sections 2.1 (j) and (k).)

In order to comply with the Bylaws, staff recommends that the Board direct staff to prepare a paper: (i) setting out all GAC advice received relating to ICM's application for a .XXX sTLD; and (ii) establishing steps needed to engage in the GAC Consultation Process in accordance with the Bylaws. While staff is not recommending that the Board seek new GAC advice, it is possible that the GAC will provide advice to the Board at the Brussels meeting without being requested to do so. If that is that case, the Board should also consider that advice pursuant to the ICANN Bylaws.

The Board should also direct staff to notify the GAC of the Board's intent to engage in the GAC Consultation Process.

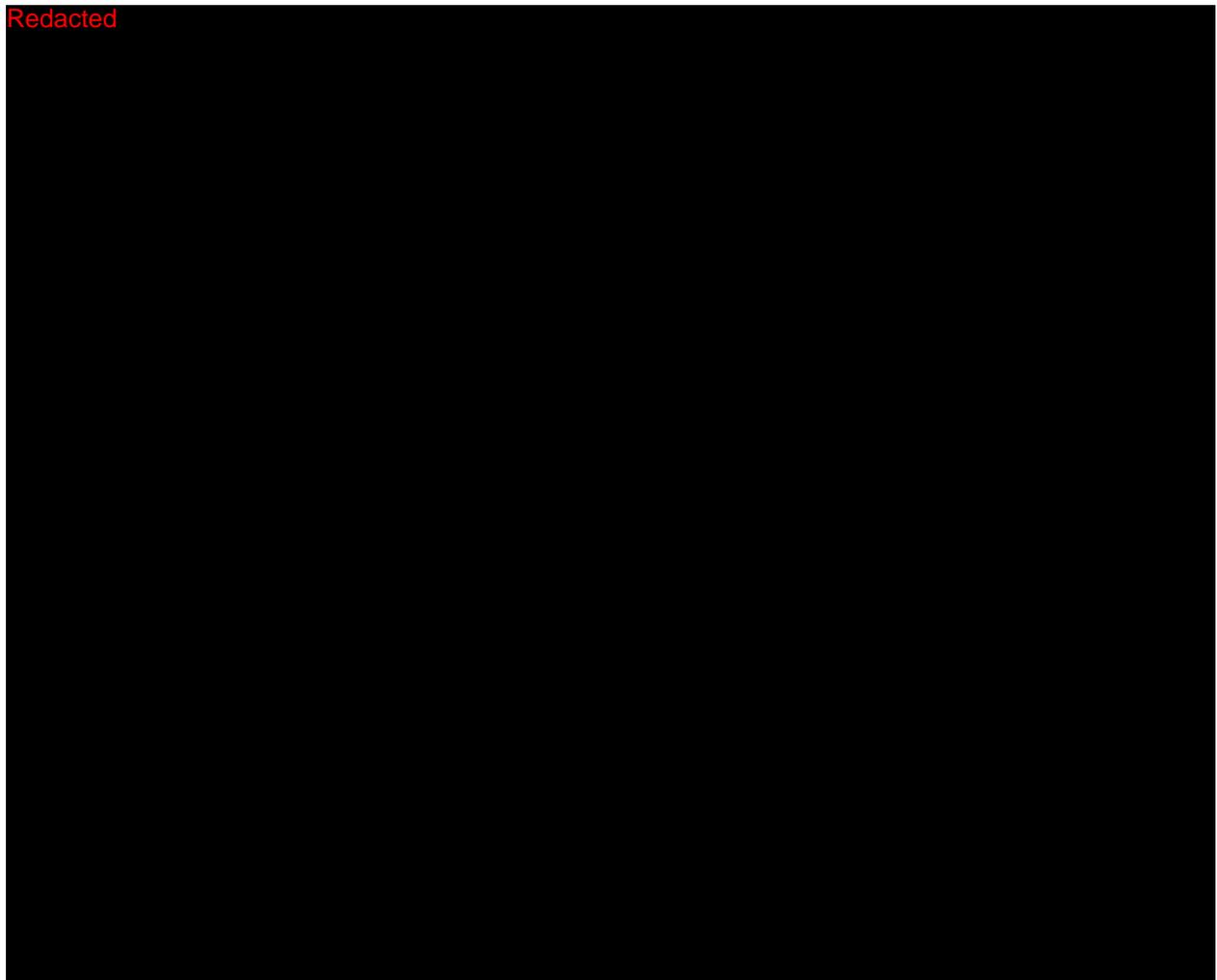
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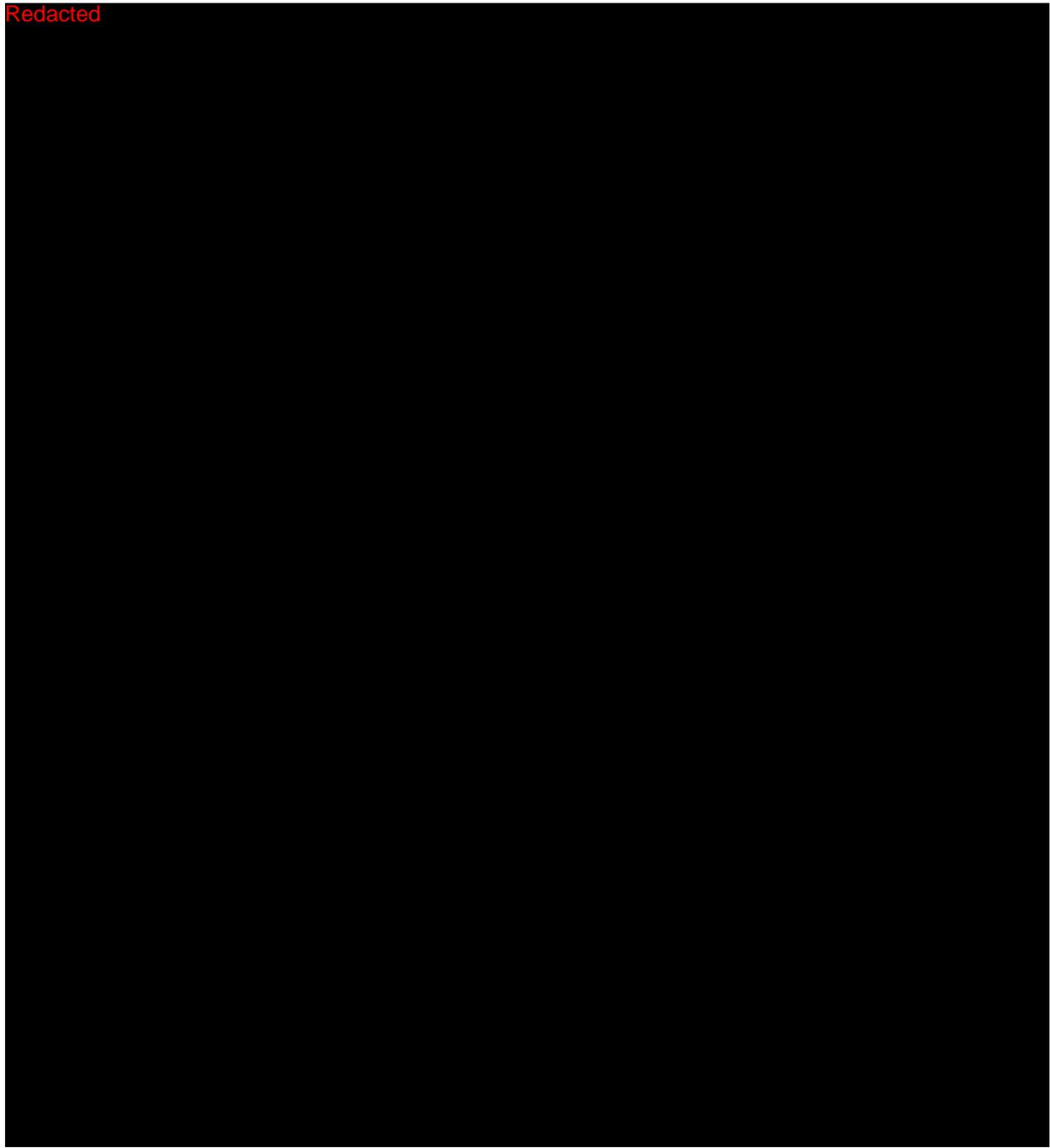


PROPOSED RESOLUTIONS:

Redacted



Redacted



Submitted by:	John Jeffrey
Position:	General Counsel and Secretary
Date Noted:	11 June 2010
Email and Phone Number	john.jeffrey @icann.org; +1-310-301-5834

Appendix 1 ICM-Process-Options-Report-2010-03-26- Highlighted

ICANN Options Following the IRP Declaration on ICM's .XXX Application

Pursuant to the Board's 12 March 2010 Resolution, this report describes the most plausible process options ICANN has following the issuance of the IRP Declaration with respect to ICM Registry's application ("Application") for the .XXX sTLD. A graphical "decision tree" describing ICANN's options is being posted on the ICANN website along with this report. In accordance with the Board's resolution passed in Nairobi, this report will be posted for public comment for no less than 45 days.

At the outset, ICANN acknowledges ICM's recent correspondence dated 21 March 2010 offering to work cooperatively with ICANN to resolve this matter. In that correspondence, ICM stated that it has "identified no option other than prompt execution of the 2007 negotiated agreement." The Board has considered this option, but the general sense is that if the Board determines to move forward on ICM's Application for the .XXX sTLD, using either the 2004 criteria or the criteria established for the new gTLD Program, minimally, it is appropriate to conduct some due diligence to ensure that the applicant would meet (or still meet) the requisite financial and technical criteria, in a manner sufficient to operate the proposed top-level domain. It is also important from an ICANN Bylaws standpoint to consider compliance with the provisions relating to GAC advice.

The descriptions below of the decision tree process options posted with this report provide greater detail about, as well as the considerations surrounding, each option that has been identified to date. ICANN welcomes public comment on any of the listed options or any additional options that the Board might consider.

Decision Tree Part 1 – ICANN Options In Considering The IRP Declaration

The three primary options in considering the Panel's IRP Declaration include: (1) accept findings of the majority in full; (2) accept findings of the majority in part; or (3) disagree with majority and accept findings of the dissenting Panel member.

1. Accept Findings of the Majority in Full

The Board could accept the Declaration of the Panel's majority in full and undertake evaluation of ICM's Application. This raises additional issues, however, including a determination of what evaluation criteria should be applied to ICM's Application, whether and the extent to which ICANN's Governmental Advisory Committee's ("GAC") advice on ICM's .XXX sTLD Application should be solicited anew, and the terms of the registry agreement that the parties would sign.

2. Accept Findings of the Majority in Part - Considerations

The Panel's Declaration was premised on two findings of fact: **(A)** The ICANN Board decided on 1 June 2005 that ICM's .XXX sTLD met the sponsorship criteria; and **(B)** the Board's reconsideration of that finding in 2007 was not consistent with the application of a neutral, objective, and fair documented policy.

As an initial matter, the ICANN Board must decide whether it agrees with these findings.

Decide if Application Goes Forward

Based on the Board's consideration of **(A)** and **(B)**, above, and in view of whether the ICM Application meets all the requisite selection criteria (whichever criteria are applied), the ICANN Board must determine whether ICM's Application should be permitted to go forward. In other words, even if the Board agrees with the majority of the Panel that **(A)** the ICANN Board decided in June 2005 that the ICM Application for a .XXX sTLD met the required sponsorship criteria and/or **(B)** the Board's 2007 reconsideration of that finding was not consistent with the application of documented policy, the Board could nevertheless determine that other considerations warrant a decision to not permit ICM's Application to go forward.

➤ *Yes, Application Moves Forward*

If it is determined that ICM's Application should go forward, then the Board should move to the evaluation decision process. See Part 2 of Decision Tree as described below for the evaluation decision process options.

➤ *No, Application Does Not Move Forward*

If the ICANN Board determines that ICM's Application should not move forward, ICANN must evaluate the continued uncertainty and risk associated with its decision, including risks to ICANN resulting from potential legal actions.

3. Adopt the Findings of the Dissent

The dissenting opinion of the Panel's Declaration concluded that ICM never satisfied the sponsorship requirements and criteria for a sponsored TLD, and that the ICANN Board denied ICM's application for the .XXX sTLD "on the merits in an open and transparent forum." The Board could vote to adopt the dissenting opinion of the Panel's Declaration on the basis that the Board thinks that the Panel's majority opinion was wrong and that the Board's conduct was consistent with ICANN's Bylaws and Articles of Incorporation.

Notably, the Panel unanimously agreed that its Declaration is not binding. Accordingly, while the ICANN Board is required to consider the Declaration, the Board is not required to follow the majority views.

Should the Board choose to adopt the dissenting opinion of the Panel's Declaration, it must evaluate the continued uncertainty and risk associated with its decision.

Decision Tree Part 2 – The Decision Process

<http://www.icann.org/en/irp/icm-v-icann/eval-decision-process-26mar10-en.pdf>

The Decision Process described herein does not include an option for the ICANN Board to allow ICM and ICANN to go directly to contract negotiations or enter into the agreement that was posted for public comment in 2007 that was eventually voted down on 30 March 2007 in Lisbon. A key issue in this regard is that ICM first submitted its .XXX sTLD Application more than six years ago. A process for evaluating ICM's Application is necessary to obtain assurances that ICM is able to fulfill the obligations and commitments set forth in its Application.

In addition, in the event that the ICANN Board does decide to move forward with ICM's Application, the ICANN Board would still need to evaluate whether entering into a registry agreement with ICM is against GAC advice, and if so, "try in good faith and in a timely and efficient manner, to find a mutually acceptable solution" with the GAC." ICANN Bylaws, Article XI, § 2.1(j).

4. Consider Application Using Selected Criteria

If the Board determines that a comprehensive evaluation of ICM's Application is appropriate, it must next determine the criteria against which the Application should be measured. There are two options, both of which raise additional issues:

a. Apply the 2004 Round Criteria

In 2004, objective criteria were designed to enable independent evaluators to determine which applicants best met ICANN's requirements. The selection criteria consisted of four categories: (1) Sponsorship Information; (2) Business Plan Information; (3) Technical Standards; and (4) Community Value.

➤ Convene An Independent Evaluation Panel

ICANN could convene new independent evaluation panel(s) that would objectively consider ICM's .XXX sTLD Application in accordance with the 2004 sTLD selection criteria.

➤ ICANN-conducted Due Diligence

Alternatively, ICANN could consider conducting its own review/due diligence to determine whether ICM is still able to fulfill the obligations and commitments set forth in its 2004 application.

b. Apply the Criteria Being Created for the New gTLD Program

ICANN is presently working toward the expansion of the generic top-level domain (gTLD) space. See <http://www.icann.org/en/topics/new-gtld-program.htm>. The

ICANN Board could choose to apply the criteria being created for the new gTLD Program in evaluating ICM's Application for the .XXX sTLD.

➤ **Apply Draft Applicant Guidebook 4 Standards**

Within the context of the new gTLD Program, and at the same time as all other applications in the new gTLD Program, the Board could decide to apply the standards articulated in the Draft Applicant Guidebook, version 4 (subject to material revisions made after public comment), which is intended to be posted in time for consideration during the Brussels International Public Meeting in June 2010.

➤ **Formulate an Expedited Process for .XXX**

Alternatively, the Board could decide to formulate an expedited process applying the new gTLD Program criteria for evaluating ICM's Application on an individual basis.

5. Determine Whether ICM's Application Meets The Selected Criteria

It must next be determined whether ICM's Application meets the selection criteria under whichever path is selected pursuant to section 4 above.

a. Application Fails to Meet Standards

If it is determined that ICM's Application fails to meet the selection criteria, the Board must evaluate the continued uncertainty and risk associated with that decision.

b. Application Meets Standards

If it is determined that ICM's Application satisfies the selection criteria, the Board must decide the extent to which it will consider input from the GAC in approving the Application and moving forward with a registry agreement. The Board has three options with respect to the GAC, which must be considered at this step, but certainly could be considered earlier in the decision process:

➤ **Seek New Input from GAC**

First, ICANN could solicit new advice from the GAC to assess the GAC's current position with respect to ICM's Application for the .XXX sTLD. If sought, or if the GAC provides advice on its own accord, that advice must be considered in accordance with Article XI, section 2.1(j) of the Bylaws.

➤ **Use Input from GAC Prior to 2007 Decision**

Second, ICANN could consider all comments and advice from the GAC submitted prior to the Board's 30 March 2007 decision to reject ICM's .XXX sTLD Application.

➤ ***Use Input from GAC Prior to 1 June 2005 Resolution***

Third, the ICANN Board could consider only the GAC advice received prior to the 1 June 2005 resolution referenced in the Panel Declaration.

6. Consideration of Input from GAC

Once the Board determines whether to seek new advice from the GAC, consider all old advice from the GAC, or consider only GAC advice received prior to the 1 June 2005 resolution, the Board must determine whether to approve ICM's Application and whether approval (or disapproval) is consistent with GAC advice and recommendations.

a. Approval of .XXX Application

If the ICANN Board approves ICM's .XXX sTLD Application, its decision to do so may be consistent with GAC advice or inconsistent with GAC advice.

➤ ***Approve Application Consistent with GAC Advice***

If GAC advice supports approval of ICM's Application, ICANN and ICM would then commence (or resume) contract negotiations in an effort to negotiate a registry agreement. Negotiations would be required even if the 2004 criteria were applied - over three years have passed since the last negotiations and the final round of public comments to the agreement were not addressed in those negotiations.

➤ ***Approve Application Inconsistent with GAC Advice - Follow Override Process in Bylaws***

In the event the Board decides to approve ICM's Application, and if that decision is inconsistent with the GAC's advice, the Board must follow the override process established in ICANN's Bylaws. This process requires that the Board inform the GAC that it intends to take action that is not consistent with the GAC's advice and state the reasons why the Board decided not to follow the GAC's advice. The GAC and the Board must then try, in good faith, and in a timely and efficient manner, to find a mutually acceptable solution. See ICANN Bylaws, Article XI, § 2.1(j).

b. Disapproval of ICM's Application

After considering ICM's Application and the GAC's advice, the Board could ultimately not approve ICM's Application. Any decision not to approve may be consistent with GAC advice or inconsistent with GAC advice; if a decision is inconsistent with the GAC's advice, the Board would need to proceed as outlined above.

7. Approve ICM's Application

If the Board decides to approve ICM's Application, ICANN would then proceed to (or resume) contract negotiations with ICM in an effort to negotiate a registry agreement.

a. Post Agreement for Public Comment (30 Days)

Once a draft registry agreement is negotiated, ICANN must post the draft agreement for public comment for a period of at least 30 days.

b. Board Approval of Agreement

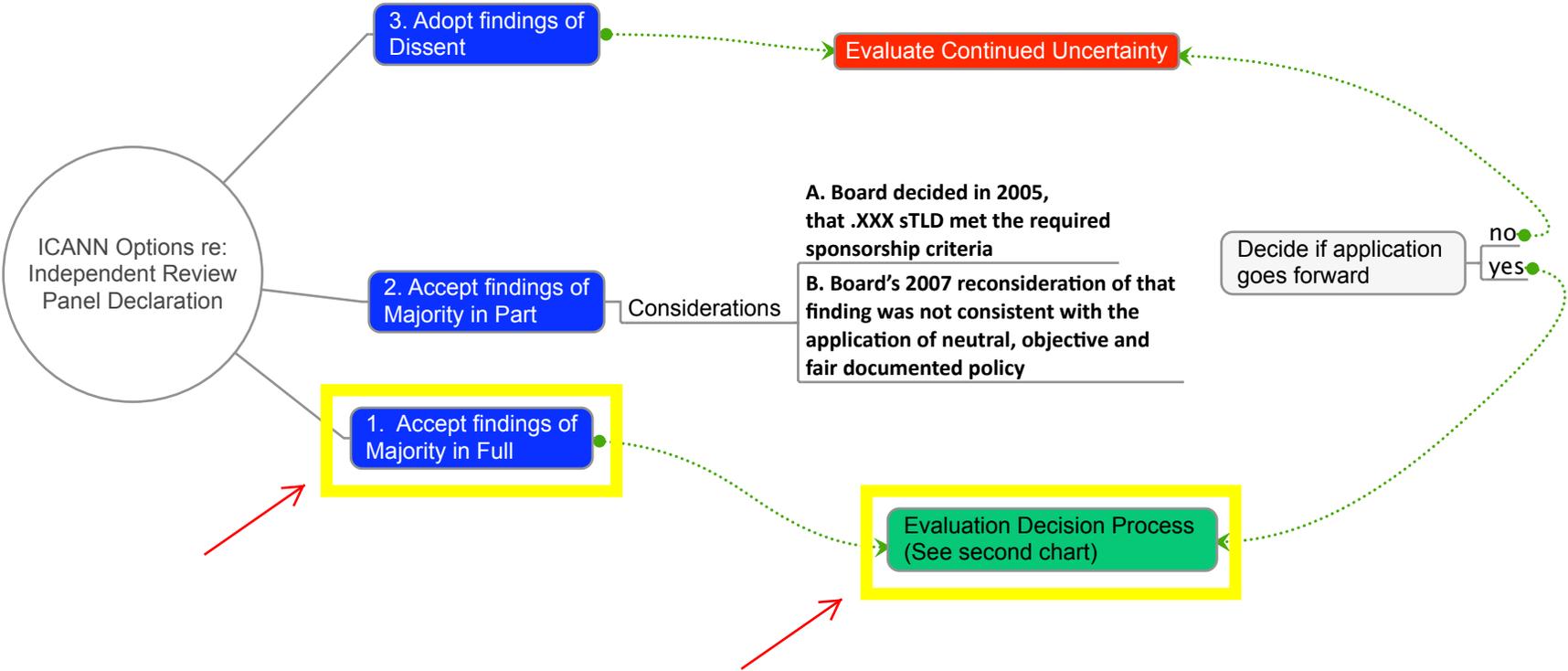
After the draft agreement is posted for public comment, the agreement must be submitted to the ICANN Board, along with a summary and analysis of public comment, for final approval, subject to any appropriate revisions resulting from public comment.

8. Disapprove ICM's Application

If the ICANN Board decides not to approve ICM's Application, the Board must evaluate the continued uncertainty and risk associated with its decision.

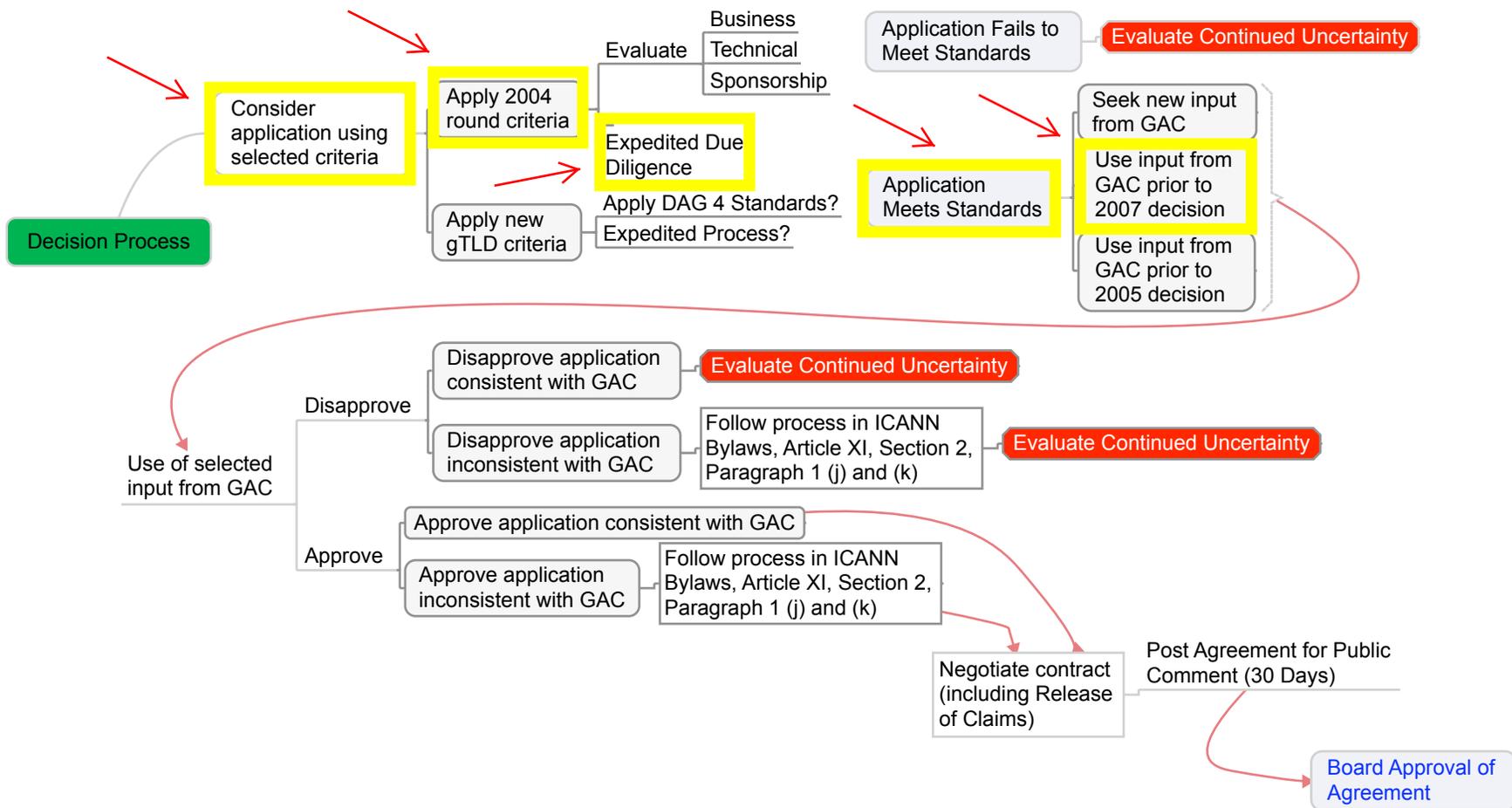
Appendix 2

IRP Declaration - ICM application for .XXX sTLD



Eval-Decision-Process-Highlighted

IRP Declaration - ICM Application for .XXX sTLD - Evaluation Decision Process



2010-06-25-07 Board Submission - Consideration-Board-Chair-Compensation

ICANN BOARD SUBMISSION NO. 2010-06-25-07

TITLE: **Compensation Committee Recommendation to post Bylaws Change re: Board Chair Remuneration**

PROPOSED ACTION: **For Board Consideration and Action**

EXECUTIVE SUMMARY:

The Board and certain Board committees have been discussing the concept of compensation for the Board Chair for his services to the organization. Staff was directed to seek independent analysis as to whether it would be appropriate to compensate the ICANN Board Chair for services rendered and to obtain the appropriate comparable data to determine the level of reasonable compensation. Staff has obtained such independent information over the past 18 months, and most recently via a report from Towers Watson in May 2010. (*See Exhibit A to Annex.*) The Report concludes that it is reasonable to compensate the ICANN Board Chair. The Report also discusses comparable compensation levels for Board Chairs and identifies a reasonable level of compensation for the ICANN Board Chair.

As a nonprofit California public benefit corporation that is exempt from Federal income taxes because it is an organization described in §501(c)(3) of the Internal Revenue Code of 1986, as amended, ICANN may not pay more than “reasonable compensation” for services rendered to ICANN.

COMPENSATION COMMITTEE RECOMMENDATION:

The non-conflicted members of the Compensation Committee conducted a thorough analysis of the independent Report from Towers Watson. The Committee has resolved that it is reasonable for the Board to consider compensation of the Board Chair and that it is reasonable to consider compensation for the Board Chair in the amount of USD \$75,000 per year. The Compensation Committee further recommended that the Board approve the posting for public comment Bylaws revisions that would be required in order to provide compensation to the Board Chair. Currently, the Bylaws state that, except for reasonable expense reimbursement, “[t]he Directors shall receive no compensation for their services as Directors.” (*See Bylaws, Article VI, section 22.*)

The proposed Bylaws revision, in redline based on the current Bylaws provision, is attached to this Board Submission paper.

PROPOSED RESOLUTION:

WHEREAS, the Board has determined that it is appropriate to consider reasonable compensation for the Chair of the Board of ICANN;

WHEREAS, as a nonprofit California public benefit corporation that is exempt from Federal income taxes because it is an organization described in §501(c)(3) of the Internal Revenue Code of 1986, as amended, ICANN may not pay more than “reasonable compensation” for services rendered to ICANN;

WHEREAS, the Compensation Committee was tasked with obtaining, reviewing, and considering comparable compensation data before making recommendations relating to Board Chair remuneration, taking into account organization size, geographic considerations, international presence, and other relevant factors;

WHEREAS, the Compensation Committee is authorized to engage and to seek advice from independent professionals with appropriate expertise in compensation arrangements for Board members of U.S.-based, nonprofit, tax-exempt organizations possessing a global employee base;

WHEREAS, in connection with consideration of compensation for the ICANN Board Chair, the Board Governance Committee, in furtherance of the Compensation Committee’s remit, requested staff to engage the services of Towers Watson, an international consulting firm, to assist the Compensation Committee in compiling and analyzing appropriate compensation data as to comparability with respect to the Chair of ICANN’s Board;

WHEREAS, in making recommendations to the full Board regarding the level of compensation to consider for ICANN’s Chair of the Board, the Compensation Committee followed the process set forth in Treasury Regulation § 53.4958-6 which is intended to enable the Board to establish the presumption that the compensation to be paid to the Board Chair is reasonable for Federal income tax purposes;

WHEREAS, upon due inquiry of its members, the Compensation Committee concluded that no member participating in the deliberations and voting on the level of compensation recommended to the Board for the Board Chair compensation was conflicted;

WHEREAS, because the Board Chair, who is also the Chair of the Compensation Committee, is conflicted, the Board Chair did not participate in the deliberations or voting on the recommendations as to whether the Board should consider compensating the Board Chair, or the level of such compensation should be considered;

WHEREAS, after consideration of the information the Compensation Committee received, including the comparability data provided by Towers Watson and the advice and counsel of Towers Watson, the non-conflicted voting members of the

Compensation Committee agreed that it is in the best interests of ICANN to recommend that the Board consider compensating the ICANN Chair of the Board;

WHEREAS, after consideration of the information the Compensation Committee received, including the comparability data provided by Towers Watson and the advice and counsel of Towers Watson, the non-conflicted voting members of the Compensation Committee agreed that, taking into account organization size, geographic considerations, international presence, and other relevant factors, determined that reasonable compensation for the Board Chair would be USD \$75,000 per year;

WHEREAS, upon due inquiry of its members, Board has concluded that no member of the Board participating in the deliberations and voting on the issue of compensating the Board Chair was conflicted;

WHEREAS, because the Board Chair is conflicted, the Board Chair did not participate in the deliberations or voting on the issue of compensating the Board Chair;

WHEREAS, the Board considered the information that was gathered pursuant to the Compensation Committee remit, including the comparable compensation data compiled and reported by Towers Watson;

WHEREAS, there has been full a discussion among non-conflicted Board members regarding the reasonableness of compensating the Board Chair and the reasonableness of compensating the Board Chair in the amount of USD \$75,000 per year for services to ICANN; and

WHEREAS, in reviewing the recommendations of the Compensation Committee regarding the level of compensation best suited for ICANN's Chair of the Board, the Board followed the process set forth in Treasury Regulation § 53.4958-6 which is intended to enable the Board to establish the presumption that the compensation recommended to be paid to the Board Chairman is reasonable for Federal income tax purposes; and

WHEREAS, if the Board decides to compensate the Board Chair doing so will require a Bylaws change.

RESOLVED (2010-06-25.xx), the Board directs staff to post for public comment for a period of at least 30 days revised Bylaws that would allow for compensation of the ICANN Chair of the Board after which, taking public comments into account, the Board will reconsider the matter.

Submitted by:	John Jeffrey
Position:	General Counsel and Secretary
Date Noted:	11 June 2010
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PROPOSED BYLAWS REVISION

ARTICLE VI: BOARD OF DIRECTORS

Section 22. COMPENSATION

The Chair of the ICANN Board shall be entitled to receive reasonable compensation for his/her services as a Director. The compensation committee shall be responsible for recommending a reasonable level of compensation for the Board Chair. Only those members of the Compensation Committee that are free from conflicts of interest with respect to the party for whom compensation is under consideration shall participate in the deliberations or voting on the recommendation to the Board. Only those members of the Board that are free from conflicts of interest with respect to the party for whom compensation is under consideration shall participate in the deliberations or voting on the approval of compensation for the Board Chair. At no time shall the Board Chair participate in deliberations or voting on compensation for the Board Chair. The Compensation Committee and the Board shall follow appropriate processes set forth in the United States Internal Revenue Code and applicable Treasury Regulations to ensure that there is a rebuttable presumption of reasonable compensation established for the Board Chair.

All Directors other than the Board Chair shall receive no compensation for their services as Directors. The Board may, however, authorize the reimbursement of actual and necessary reasonable expenses incurred by any Directors and non-voting liaisons performing their duties as Directors or non-voting liaisons.

2010-06-25-08 Board Submission - Adoption of FY11- Budget

ICANN BOARD SUBMISSION NO. 2010-06-25-08

TITLE: **ADOPTION OF THE FY11 OPERATING PLAN AND BUDGET**

PROPOSED ACTION: For Board Approval

EXECUTIVE SUMMARY:

Each year the Board adopts the annual operating plan and budget. The FY11 Operating Plan and Budget is to be submitted to the Board for adoption.

STAFF RECOMMENDATION:

Staff recommends that the FY11 Budget be adopted.

BOARD FINANCE COMMITTEE RECOMMENDATION:

The Board Finance Committee at its meeting on 20 June 2010 is expected to recommend that the Board adopt the FY11 Operating Plan and Budget

PROPOSED RESOLUTION:

Approval of Operating Plan and Budget for Fiscal Year 2010-2011

Whereas, on 19 February 2010, ICANN's Board approved an update to the Strategic Plan: <http://www.icann.org/en/planning/>

Whereas, the Framework for the FY11 Operating Plan and Budget was posted in February 2010 for community consultation and was presented at the Nairobi ICANN International public meeting.

Whereas, community consultations were held to discuss and obtain feedback on the Initial Framework.

Whereas, the draft FY11 Operating Plan and Budget was posted for public comment in accordance with the Bylaws on 17 May 2010 based upon the Framework for the FY11 Operating Plan and Budget, community consultation, and consultations with the Board Finance Committee. <http://www.icann.org/en/public-comment/#draft-budget>

Whereas, ICANN has actively solicited further community feedback and consultation with the ICANN community through online fora, conference calls, meetings in Brussels, and in the open forum in Brussels.

Whereas, the ICANN Board Finance Committee has discussed, and guided staff on, the development of the FY11 Operating Plan and Budget at each of its regularly scheduled monthly meetings.

Whereas, the ICANN Board Finance Committee met in Brussels on 20 June 2010 to discuss the FY11 Operating Plan and Budget, and recommended that the Board adopt the FY11 Operating Plan and Budget.

Resolved (2010.06.25.XX), the Board adopts the FY11 Operating Plan and Budget.
<http://www.icann.org/en/announcements/announcement-2-17may10-en.htm>.

Submitted by:	Kevin Wilson
Position:	CFO
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2010-06-25-09 Board Submission - New gTLD Budget

ICANN BOARD SUBMISSION NO. 2010-06-25-09

TITLE: New gTLD Budget

PROPOSED ACTION: For Board Review and Discussion

EXECUTIVE SUMMARY:

ICANN recently posted a draft New gTLD program budget for public comment at the direction of the Finance Committee.

With the launch date of the New gTLD program being uncertain and not coinciding with ICANN's normal budgetary cycle the intention has been to separately request budgets for efforts needed to both finalize operational readiness and to manage the costs of operating the program. Timing of these appropriations must be such that they:

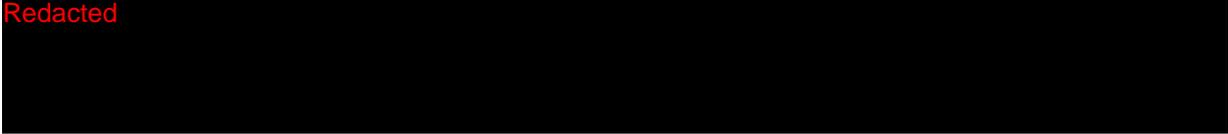
- are not undertaken until the program launch is fairly certain, and also
- do not cause delays in launching the program.

The published budget is supported by updated estimates for deploying the program, receiving fees, and evaluating applications. The new estimates, based on more certain and later information, essentially validate those prepared in the original project planning efforts.

The new gTLD budget is comprised of two components: "Deployment" and "Applications Processing". Deployment is the final set of operational activities that would not be undertaken until project launch is (nearly) certain. Applications Processing covers the day-to-day evaluation of applications: the revenue neutral activities that are funded from application fees.

After consideration of public comment and the advice and guidance from the Finance Committee, a proposed budget will be prepared.

Redacted



With recent progress on issues and the recent publication of version 4 of the Draft Applicant Guidebook, it will become easier to assess the path forward for the program. There are key indicators that will point to a more certain program launch trajectory:

- Changes in Guidebook 4 seek to close outstanding issues namely: trademark protections, mitigating malicious conduct, vertical integration, and the process for amending the registry agreement.

- Community discussion over the next few weeks will indicate whether substantive changes are still required, affecting the timeline and need for additional iteration.

In partnership with the Finance Committee this progress will be assessed in order to determine the appropriate timing of Board consideration.

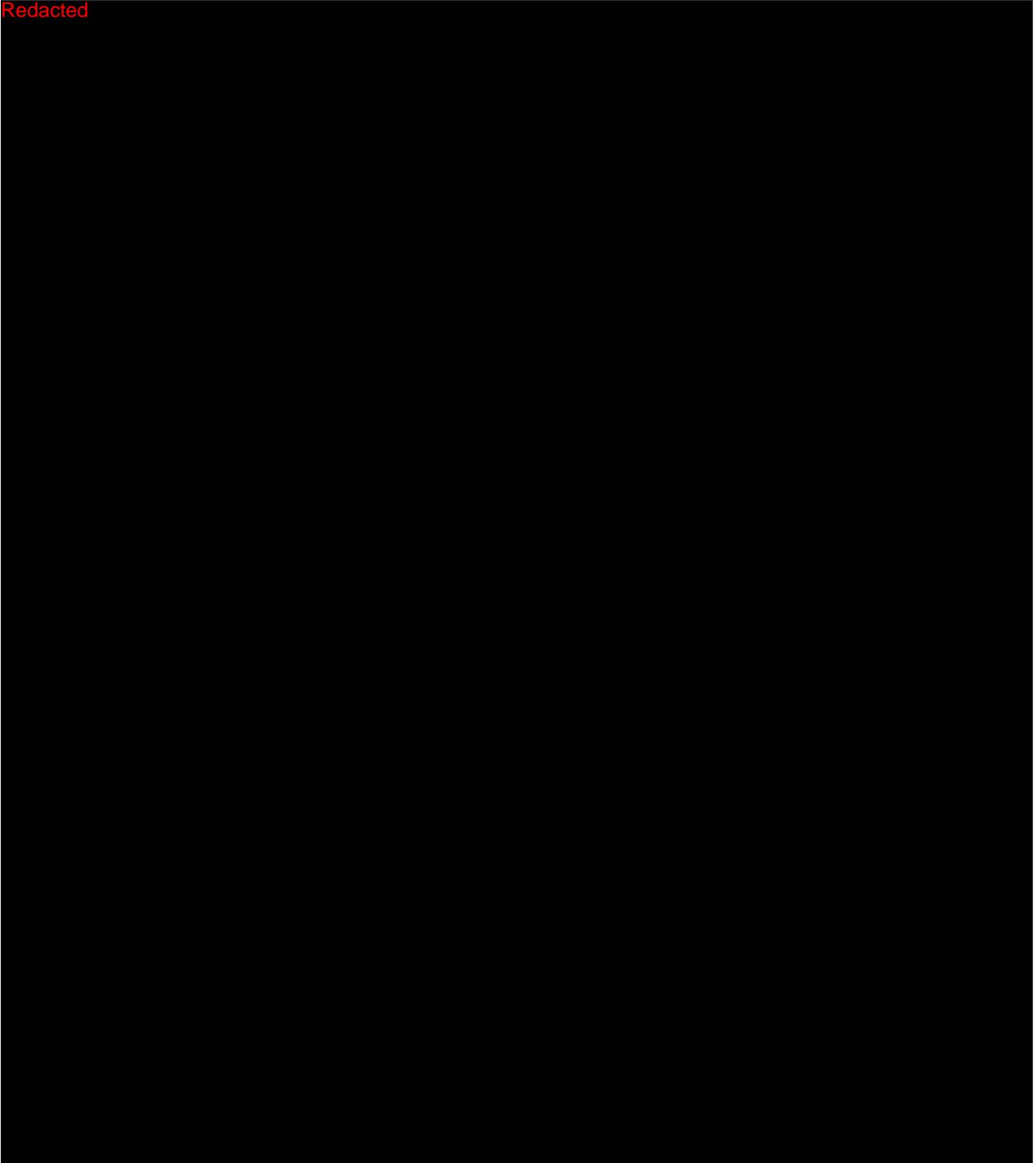
For additional information please see the published draft budget.

Submitted by:	Michael Salazar
Position:	gTLD Program Director
Date Noted:	11 June 2010
Email and Phone Number	Michael.salazar@icann.org 310-578-8672

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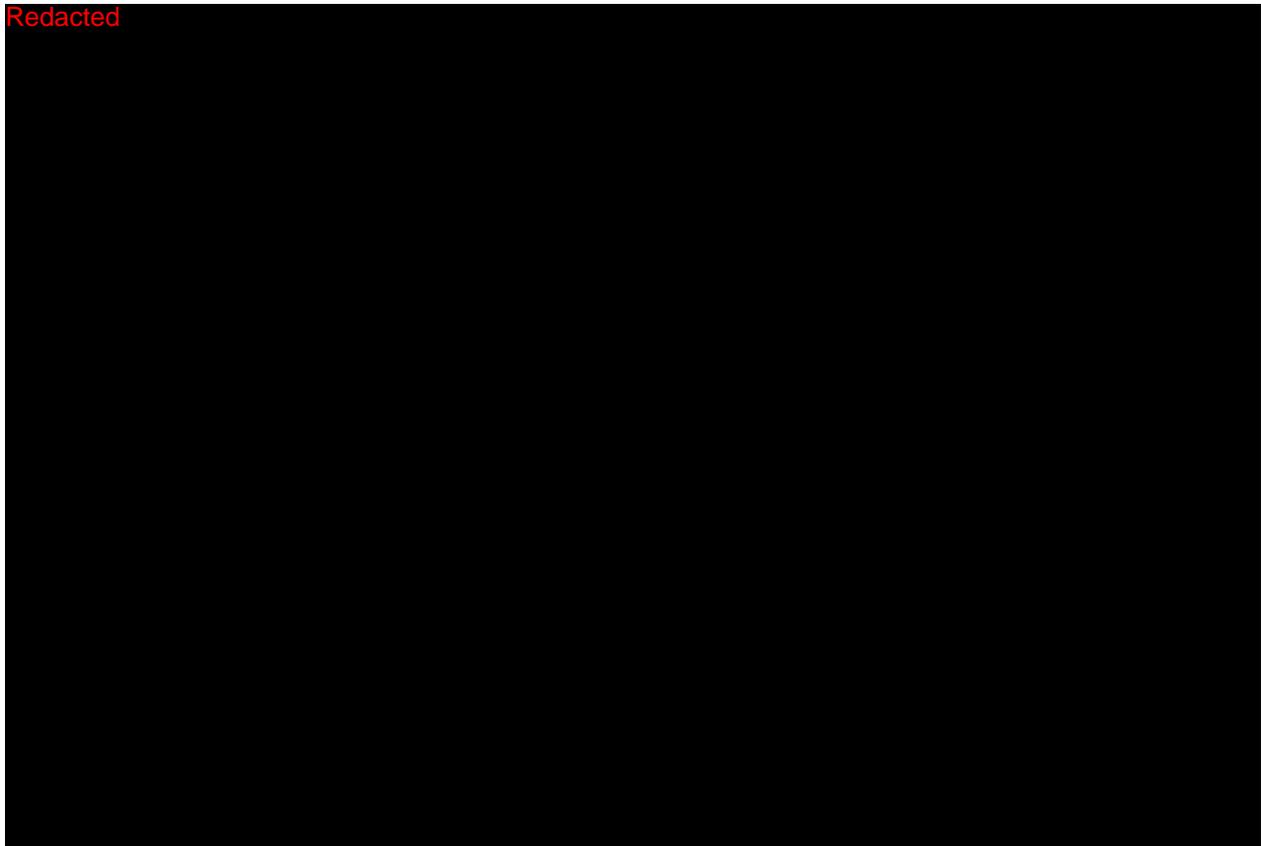


History of Documentation of Relationships with ccTLD Managers:

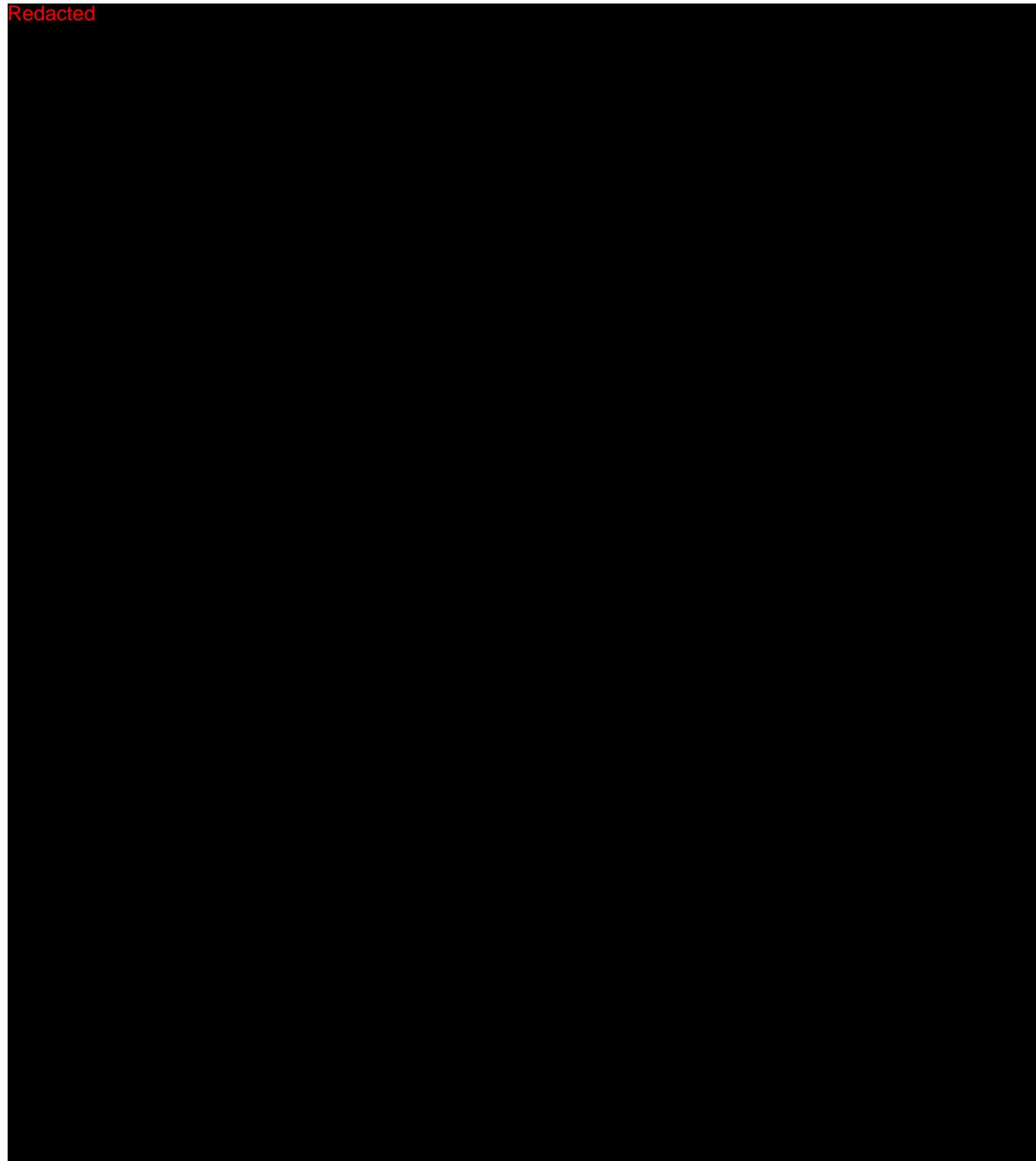
As with ASCII ccTLDs, ICANN's relationship with the IDN ccTLD manager is created by the act of delegation. The documentation of the relationships with ccTLD managers

(including Accountability Frameworks, Exchanges of Letters and Agreements) serve to formalize commitments between ICANN and the ccTLD managers regarding such items as the provision of name service, updating of technical contacts, and voluntary contributions to the cost of ICANN's operations for ccTLD-related services. For IDN ccTLDs, the requesting party must agree (by ticking a box) to adhere to certain technical requirements as part of the request or application. This is far different than the gTLD realm, where the gTLD Registry Agreement sets out the basis for the Registry Operator's ability to operate the Registry. ICANN's Global Partnerships department, in coordination with the Office of the General Counsel and the IANA Functions Department, engages in outreach to the ccTLD managers, and has had success in encouraging ccTLD managers to engage in this non-mandatory documentation of these relationships. As of today over 70 ccTLDs have some form of documented commitment of relationship with ICANN. ICANN's CEO and President, in his executive authority under the Bylaws, enters into the ccTLD arrangements. One important aspect of all ccTLD arrangements is that they do not impose any limitation on ICANN's responsibilities in fulfilling the IANA function and the obligation to follow the normal process for reviewing requests for re-delegation.

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2010-06-25-11 Update - GNSO Improvements Board Paper

ICANN BOARD SUBMISSION NO. 2010-06-25-11

TO: ICANN Board of Directors/Structural Improvements Committee

TITLE: June 2010 GNSO Improvements Implementation Update

PROPOSED ACTIONS: For Information Only -- GNSO Improvements Implementation Update

EXECUTIVE SUMMARY:

The Generic Names Supporting Organization (GNSO) is making substantial progress in implementing a series of comprehensive changes designed to improve the effectiveness and accessibility of the organization. This paper summarizes those latest community efforts. A separate Staff paper addressing the initiative to “reconfirm” the Charters of existing GNSO Constituencies and recommending Board action is also being submitted.

BACKGROUND:

The GNSO Improvements fall into five main areas as depicted in the following chart:



For each of these main areas, the GNSO has established special Work Teams (coordinated by two Steering Committees) that have been tasked with developing implementation recommendations. Several Work Teams have made significant progress in terms of finalizing their recommendations for approval by the GNSO Council. At the request of the Council in Nairobi, the teams have re-examined their work plans and goals and all have agreed to specific timetables and benchmarks targeted at completing their efforts by calendar year-end.

COMMUNITY DEVELOPMENTS/UPDATE:

Set forth below are the latest developments in each of the five main GNSO Improvement areas.

Note that we have added graphics into the report as a test for readability and ease of reference. Staff would appreciate Board feedback as to whether the use of embedded images improves the report’s usefulness.

1. Restructuring the GNSO Council



Amendments to the GNSO Operating Procedures (GOP). Although the GNSO Council Operations Work Team (GCOT) is largely completed with its recommendations concerning Council voting (e.g. abstentions, proxies, temporary alternates, absentee balloting), absences, Councilor term limits, Board seat elections, and statements/disclosures of interest, the Operations Steering Committee (OSC) has not completed its review although OSC members are expected to discuss these recommendations during their meeting in Brussels later this month.

Status of Pending Constituency Proposals. The formal proposal for a new Consumers Constituency, submitted in April 2009, remains pending. The informal proposal (NOIF) to create a new Public Internet Access/CyberCafe Ecosystem Constituency is also currently unchanged. The new constituency process continues to be available for any other parties who might be interested in developing proposals for new GNSO Constituencies.

Permanent Stakeholder Group Charter Efforts. The GNSO’s non-contract party communities continue their development of permanent Stakeholder Group charters. Current community activities and discussions indicate that those efforts are on track to conclude by the end of 2010.

2. Revising the PDP



The Policy Development Process Work Team (PDP-WT) published its Initial Report on 31 May 2010 and opened a public comment forum for community feedback. The Initial Report represents some of the initial thinking and recommendations concerning the development of, and transition to, a new GNSO policy development process. The new 45-day public comment period will run until 15 July. In addition, the PDP-WT will be organizing a public information and consultation session at the ICANN meeting in Brussels.

3. Adopting a New Working Group Model



Following review of the public comments received in response to their initial draft of the “Working Group Guidelines,” the Working Group Model Work Team has updated its document accordingly. The proposed GNSO Working Group Guidelines were submitted to the GNSO’s Policy Process Steering Committee (PPSC) for its consideration on 31 May and a copy of that submission was posted on the ICANN web site (see this Announcement for more details).

4. Improving Communications and Coordination with ICANN Structures



The GNSO Council accepted the recommendations of the Communications Work Team (as forwarded by the Operations Steering Committee on 21 April) and the report was put out for public comment from 23 April through 16 May. A summary of the comments was prepared by ICANN Staff and reviewed by both the OSC and Work Team members. The Council is scheduled to discuss the recommendations at its 10 June meeting. ICANN Staff continues laying the technical groundwork for implementing a variety of Council-approved enhancements to the GNSO website.

5. Enhancing Constituencies



The effort to create a level playing field for all the GNSO community's formal Stakeholder Groups and Constituencies continues in three substantial areas: development of consistent operational guidelines and best practices; reconfirmation of existing constituency bodies; and support for proposals for potential new constituencies.

Existing GNSO Constituency "Reconfirmation" Efforts to Resume. Due to the need for existing constituencies to address other substantive policy priorities and the opportunity to combine the reconfirmation work with CSGO-WT efforts designed to develop consistent operational practices among all GNSO Constituencies and Stakeholder Groups, the Board has now twice extended the reconfirmation timetable for existing GNSO Constituencies. Given the status of efforts by the GNSO's Constituency and Stakeholder Group Operations Work Team (CSGO-WT) (see *Participation Rules* below) and after consultation with several constituency community leaders, the Staff will recommend that the Board again extend the timetable for this important effort to the Cartagena ICANN meeting. That recommendation is part of a separate Board Paper being submitted to the Board for consideration at the Brussels meeting.

Staff Developing Community Toolkit Roll-out. At its 17 December meeting, the GNSO Council accepted the recommendations [PDF, 108K] of the CSGO-WT for ICANN Staff to develop a toolkit of primarily administrative services to be made available to all GNSO Constituencies and Stakeholder Groups. The Staff hopes to have a draft plan for community review developed by the Brussels meeting.

Participation Rules in Focus. On 31 May the CSGO-WT sent to the OSC combined recommendations on a framework for participation in any ICANN Constituency or Stakeholder Group and a database of all Constituency and Stakeholder Group members. The Work Teams’s report includes recommendations on three primary sub-tasks:

- Common Operating Principles for GNSO Stakeholder Groups and Constituencies;
- Participation Guidelines for GNSO Stakeholder Groups and Constituencies; and
- GNSO Database of Community Members

The OSC may discuss the report at its upcoming meeting in Brussels.

The CSGO-WT is also discussing development of a global outreach program and a sub-team has been established to formulating ideas for discussion.

Next Steps:



The GNSO’s various implementation Work Teams will continue to develop recommendations for implementing the GNSO restructuring goals approved by the Board. The Operations Steering Committee (OSC) has several substantive recommendations from work teams on its agenda for the month of June. Existing GNSO Constituencies will continue their reconfirmation discussions. It has become important that recommendations from the GNSO Constituency Operations Work team – currently before the OSC - combine with that process.

LINKS TO MORE INFORMATION:

- GNSO Improvements Information Web Page
- New Bylaws relevant to the New GNSO Council [PDF, 160 KB]
- New GNSO Council Operating Procedures [PDF, 108 KB]
- PDP Team wiki
- Working Group Team wiki
- Communications Team wiki
- Constituency Operations Team wiki

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2010-06-25-12 Update - Geo Regions Working Group

ICANN BOARD SUBMISSION NO. 2010-06-25-12

TO: ICANN Board of Directors

TITLE: Brussels 2010 - Update on Community-wide Geographic Regions Review Working Group Timetable

PROPOSED ACTION: No Action Required - Information Purposes Only

EXECUTIVE SUMMARY:

This brief paper is intended to alert the Board to a schedule change in the work of the Geographic Regions Review Working Group (WGGR).

The WGGR has shifted the targeted completion and circulation of its Interim Report from PRIOR to the Brussels, Belgium ICANN meeting to a new target AFTER the Brussels meeting.

Working Group members are still hopeful to be able to prepare and complete their Final Report by the Cartagena ICANN meeting in December 2010. The WGGR has several outreach plans in place for the Brussels meeting and its members are working to balance the desire for valued community input with the need to proceed expeditiously with their work. No Board action is required at this time.

BACKGROUND:

Following input and support from the ccNSO, GNSO, ALAC, and GAC, the ICANN Board authorized the formation of a community-wide Geographic Regions Review Working Group at its meeting in Cairo in November 2008¹. The Board subsequently approved the WGGR's Charter on 26 June 2009.² The approved Charter directed the WGGR to study and review the issues related to the definition of the ICANN Geographic Regions, *consult with all stakeholders*, and submit proposals for community and Board consideration relating to the current definition of the ICANN Geographic Regions. The Charter authorized a three-phase process suggested by working group members in which the WGGR first prepared an Initial Report outlining the current applications of ICANN's Geographic Regions in various ICANN structures and processes and confirmed the issues to be addressed by the Working Group during its deliberations.³

¹ www.icann.org/en/minutes/resolutions-07nov08.htm#_Toc87682556

² Copies of the Charter, in all six UN languages, are posted in the Public Comment Forum Box on the ICANN Public Comments web page (see - <http://www.icann.org/en/public-comment/public-comment-200909.html#geo-regions-review>). The Working Group is currently comprised of two representatives from each of the ALAC, ASO, ccNSO, and GNSO and the Chair of the GAC.

³ That document was published in all six official UN languages on 31 July 2009 and was made available for community review and comment for a 35-day public comment period that concluded on 4 September 2009.

That Initial Report is being followed by a second-phase Interim Report that will focus on a number of the critical issues that the Working Group intends to ultimately address in its Final Report document (the third phase of the process). The Interim Report will address three specific areas: (1) confirmation of the foundation elements set forth in the Initial Report; (2) a review of the underlying objectives of ICANN's Geographic Regions; and (3) identification of specific matters to be addressed in the Final Report. The Working Group's efforts are expected to conclude with a Final Report, potentially setting forth specific proposals and recommendations.

To maximize community input and discussions, the three-phase Working Group action plan was designed to focus community input and discussion about each of the three WGGR reports around international ICANN meetings. To date that strategy has been effective, but the working group members are now looking for even more community interaction on the topic.

During the Month of May, the WGGR sponsored a community survey seeking community input about general perceptions and impacts that ICANN community members share, perceive and experience in the adherence to the existing Geographic Regions framework by their respective communities. The WGGR now intends to utilize the Brussels meeting to analyze the survey results and to collect additional community input regarding potential options for applying the geographic regions framework in the future.

The Working Group has scheduled a Public Forum session for Thursday morning in Brussels (see - <http://brussels38.icann.org/node/12509>) and individual working group members will have the opportunity to talk directly with members of their communities at the meeting to share more about their efforts and to gather additional insights from the community. To seed some of those interactions, the Working Group has released its latest Interim Report working draft for community review (see - <http://www.icann.org/en/announcements/announcement-04jun10-en.htm>).

TIMETABLE CHANGES:

The WGGR has determined that additional time is needed to develop its Interim Report and to find ways to further inspire community interest and input into its efforts. WGGR members will be analyzing the results of the community survey and hope to get good participation at the Brussels public forum session. The WGGR will also continue to utilize extended community forum comment periods for each of its remaining reports to maximize community feedback opportunities - especially for input in languages other than English.

The Working Group is now targeting completion and circulation of its Interim Report AFTER the Brussels, Belgium ICANN meeting with the Final Report still expected to be published before the Cartagena meeting in December of this year.

WGGR members appreciate the importance of this issue to the entire ICANN community

and are working hard to balance the desire for valued community input with the desire to proceed expeditiously with their work.

STAFF RECOMMENDATION:

Staff wanted the Board to be aware of the WGGR's recent activities and the schedule modification to the Working Group's timetable. No Board action is required at this time.

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