NCAP Discussion Group
Meeting #118
14 June 2023 at 09:00 – 10:15 EDT (ICANN77 Washington, DC)
Meeting wiki: https://community.icann.org/x/E5CZDg
ICANN77 meeting archive: https://sched.co/1NMwD

Attendance: See meeting wiki.

These high-level notes are designed to help NCAP Discussion Group members navigate through the content of the call. They are not meant to be a substitute for the recording or transcript accessed via this link: https://icann.zoom.us/rec/share/mvsHA60he0u5H4MrQZYoJSRAcDG6ocXV-psmbfB0MUe1FnH4m0LL3OEI52vY7M4Y.q_vsGRoNcImxNEe6?startTime=1686747922000

1. **Welcome - Suzanne**

2. **NCAP Discussion Group path forward to completion**

The group discussed the proposed path to completion, as prepared by the NCAP DG Co-Chairs. Those in attendance generally agreed to the proposed path, with some minor amendments. The Co-Chairs will incorporate the feedback and share a revised version with the Discussion Group.

Warren proposed the group consider a face-to-face meeting before the next ICANN meeting, given that face-to-face discussion seem to work better for hashing out some of the more difficult issues. The Co-Chairs will take this suggestion on board and come back to the group.

3. **Recommendations - pick up discussion on recommendations in the Study 2 doc (from 5.4.1 Recommendation Y - ICANN should establish a dedicated Technical Review Team function)**

Among the discussion points were:

- 5.4.1 Recommendation Y - ICANN should establish a dedicated Technical Review Team function
  - Jeff proposed to update the phrasing of the recommendation to allow an implementation that looks like the 2012 style of evaluation, so that it's clear to the reader that NCAP is not suggesting a new evaluation workflow.
  - Warren noted that the DG is conceptually similar but not identical, in that this time around the TRT is expected to be more involved in the analysis.
  - Casey believes that the TRT should be encouraged to be an independent analysis body – as written he feels this recommendation gives the impression that the TRT does not have the independence that it should have. The group suggested some edits to this language to clear this up. However, Jeff noted there is some potential misalignment within the group as to what the TRT should do and what the output should be.
  - As such, this is one of the topics that the group needs to have more dedicated time to discuss.
- 5.4.2 Recommendation X – ICANN should not reject a TLD solely based on the volume of name collisions.

- o Casey asked what the intent of the recommendation is because to him the proposed direction is not clear. The group discussed that it's strange to call out this one item that "ICANN should not" and agreed that if this is advice to the TRT then there should be other recommendations, too.
  - o Suzanne suggested that most if not all of 5.4 goes to the topic of the guidance to the TRT, and as such many of these recommendations are likely to change.
  - o The group discussed the notion that much of this is about determining the risk threshold, to which there is no magic answer. Matt T highlighted that the group should consider this challenge when determining the appropriateness of Study 3, given that after many years of discussion there is no clear answer.
  - o Warren stressed that the independence and ethical standing of the TRT needs to be very high.
  - o The group agreed that this recommendation needs to be revisited.
- 5.4.3 Recommendation X: Strings with high impact risks should have special attention during the name collision assessment process.
  - o Jeff and Merike suggested that this recommendation needs to be more prescriptive because terms like "high impact" and "special attention" are not clear.
  - o Merike suggested high risk of collision is different to high risk of substantial impact.
  - o The group agreed this recommendation needs more work because it is not clear what it means, as written.
  - o Suzanne suggested the group needs to go back to the findings and examine the consensus level, because some of the risk assessment work is in the findings. And some of the discussions the group has had have not yet made it into the document.
  - o The group discussed whether the TRT should provide a "yes" or "no".
  - o Matt L noted he does not think it's reasonable to have an output from the TRT that is not actionable by the ICANN Board.
  - o Warren raised a question as to how to make sure the output of the NCAP work is useful to the Board.
  - o Rod suggested using past precedent to think about what the output of the TRT might be.

4. **Adjourn**