Subsequent Procedures Implementation Review Team

Meeting #44

Public Comment Updates

23 May 2024, 14:00-15:00 UTC

ICANN

Agenda

1. Welcome and SOI Update

2. IRT Information and Status

3. **Public Comment Updates**

4. Upcoming IRT Meetings

5. AOB

IRT Information and Status

Agenda Item #2

IRT Stats

Project Information

05/16/23
1st IRT meeting

05/31/25
Expected AGB completion

373
Days since 1st IRT meeting

373
Days to expected AGB completion

Project Health

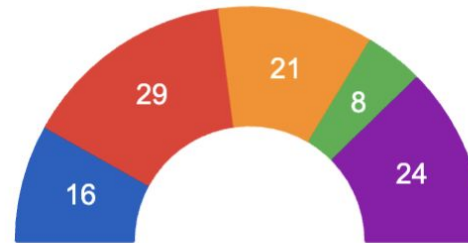## IRT Information

98
Members

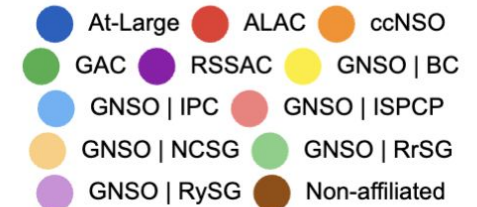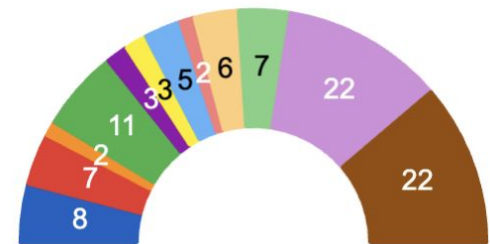**46**
Full IRT meetings held

30%
Full IRT attendance

3
Sub-Tracks

17
Sub-Track meetings held

Region

29 21 8
16   24

- Africa
- Asia/Australia/Pacific
- Europe
- Latin America/Caribbean
- North America

Affiliation

3 3 5 2 6 7
11
2
7   22
8   22

- At-Large
- ALAC
- ccNSO
- GAC
- RSSAC
- GNSO | BC
- GNSO | IPC
- GNSO | ISPCP
- GNSO | NCSG
- GNSO | RrSG
- GNSO | RySG
- Non-affiliated

Outputs & Topics Status

Board Decision on Outputs

- 104 Adopted
- 22 Adopted with Clarifying Statement
- 165 Acknowledged
- 10 Not Adopted

Topics Status

- 18 Org working on draft language
- 4 IRT review
- 5 Draft ready for PC
- 5 Final review
- 4 Draft finalized
- 5 N/A
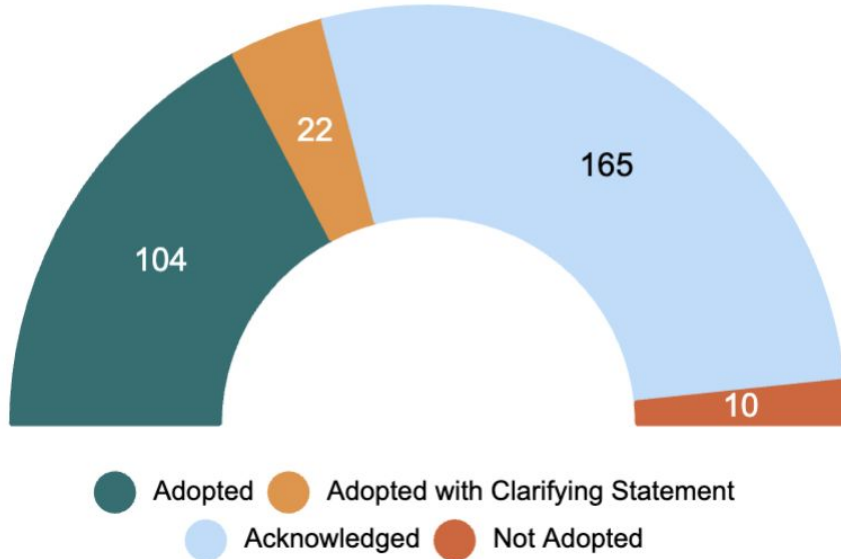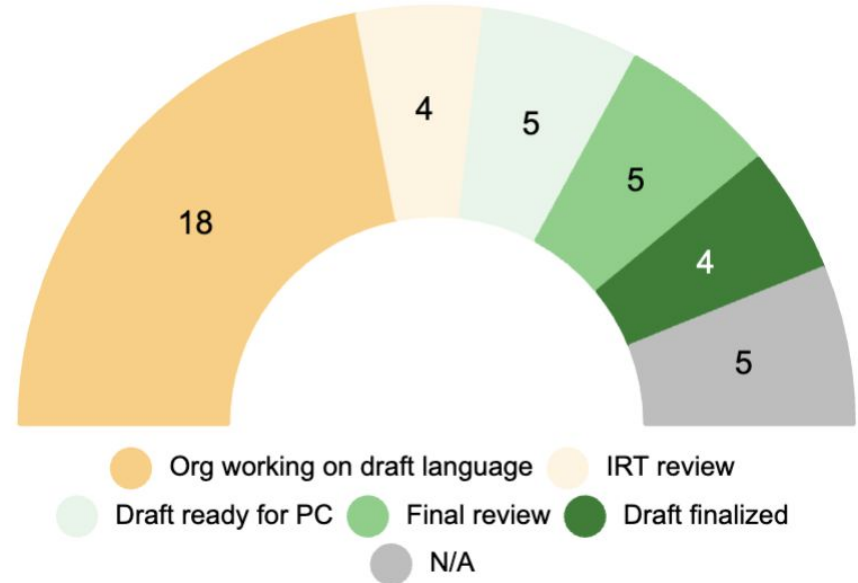
The language for the following sections is considered as final and is published on the IRT workspace:
Applicant Freedom of Expression, Universal Acceptance, Blocked and Reserved Names, Geographic Names.
There will be one last Public Comment proceeding on the whole AGB, currently scheduled for May 2025.

Public Comment Updates

Agenda Item #3

Topic 2 | Predictability Framework

Agenda Item #3a

Topic 2 | Predictability Framework

https://docs.google.com/document/d/18Qs19Cj3Q5DK8pXfqw37aDa7a3RtI9wTNU0n7SaMW5Y/edit?usp=sharing

Input Received	Update	Rationale
RySG: The AGB should define what constitutes "material" impact on applicants, or otherwise provide more transparency into how the materiality of a proposed change will be determined. Much of the SPIRT framework relies on this determination, but it is not clear from the current draft how changes will be assessed, or by whom.	No	The current draft does not include any language that defines what is considered a material change and the language will be updated once ICANN has the opportunity to discuss with the IRT the definition of material change during the Terms and Conditions topic. This sequence has already been discussed with and agreed by the IRT.
RySG: Since the GNSO Council will oversee the SPIRT, the IRT should consider working with the Council to develop guidelines regarding conflicts of interests for Councillors when it comes to such oversight duties.	No	It is important to note that the development of the SPIRT guidelines falls outside the scope of this IRT. As the GNSO Council is responsible for overseeing the SPIRT, ICANN org recommends that the RySG collaborates with the SPIRT chartering team to develop guidelines regarding conflict of interests for Councilors.

Topic 2 | Predictability Framework

Input Received	Update	Rationale
ALAC: Clarity related to Policy Changes Section 3 of the Predictability Framework, bullet three includes the text "If a policy change is necessary the Board, ICANN org, GNSO Council and the SPIRT will collaborate to identify an appropriate solution to secure the continuation of the program as well as an appropriate process to implement it." The Change Execution flowchart includes a box at the lower right saying "In collaboration with the SPIRT, ICANN Org, GNSO Council and ICANN Board develop a solution in variance of or an exception to the policy for the existing round." Despite these statements, there is a pervasive belief among some ICANN participants that the SPIRT will not engage in any discussions about policy but will only advise on methodology for how policy issues should be addressed. Additional clarity would be helpful. As an example: "For avoidance of doubt, should policy variances or exceptions be required for the existing round, SPIRT will be a full participant in arriving at the recommended changes."	Yes	ICANN org has made updates to the text based on the suggestions in this comment.

Topic 2 | Predictability Framework

Input Received	Update	Rationale
ALAC: Non-Policy Change Resolution In the case of a non-minor operational change, the Change Execution Flowchart includes a box with the text "The SPIRT and ICANN org to agree on a solution*", followed by text which effectively says that if they do not agree within 30 days, then ICANN org may develop a "temporary solution" while they continue to collaborate to find an agreed permanent solution. Out of an abundance of caution, we suggest that additional text be included to indicate that should the inability of the SPIRT and ICANN org to agree on a permanent solution continue for another 30 days after the implementation of the "temporary solution", then ICANN org's independent action should continue but the impasse towards a permanent solution must be escalated to the GNSO Council. There is also no explanation for the asterisk.	Yes	ICANN org has made updates to the flowchart based on the suggestions in this comment.

Topic 2 | Predictability Framework

Input Received	Update	Rationale
ALAC: The arrowheads on the first flowchart are nearly invisible. They need to be enlarged to enhance readability.	Yes	ICANN org has updated the arrows in flowchart based on the suggestion in this comment.
IPC: The IPC requests that the AGB draft language be revised to make it clear what the role of the SPIRT is in relationship to formulating solutions to problems, namely, "The SPIRT can only formulate solutions in conjunction with the GNSO Council." It is not intended to be a decision-maker on its own. The draft language states that the SPIRT is expected to develop a "permanent solution" in some instances. In fact, the SPIRT is intended to operate as a "sorting mechanism" to assist in determining where an issue should be resolved and is, in all cases, under the supervision of the GNSO Council.	Yes	ICANN org has made updates to the text based on the suggestions in this comment.

Upcoming IRT Meetings

Agenda Item #4

Provisional Meeting Schedule

#	Date	Time UTC	Sub-Track	Topic	Wiki/Schedule
19	23-May-2024	15:00-16:30	ASP		https://community.icann.org/x/r4BAEw
45	28-May-2024	13:00-14:00		6. RSP	https://community.icann.org/x/roBREw
46	04-Jun-2024	19:00-20:00		18. Terms & Conditions	https://community.icann.org/x/t4BREw
47	10-Jun-2024	07:00-08:15			https://community.icann.org/x/voBAEw https://sched.co/1dr2x
48	12-Jun-2024	07:00-08:15			https://community.icann.org/x/xYBAEw https://sched.co/1dr4o
49	13-Jun-2024	07:00-08:15			https://community.icann.org/x/zlBAEw https://sched.co/1dr3A
50	25-Jun-24	13:00-14:00			https://community.icann.org/x/poEEF
51	27-Jun-24	19:00-20:00			https://community.icann.org/x/rYEEF
52	02-Jul-24	13:00-14:00			https://community.icann.org/x/tlEEF
53	09-Jul-24	13:00-14:00			https://community.icann.org/x/u4EEF
54	11-Jul-24	19:00-20:00			https://community.icann.org/x/woEEF
55	16-Jul-24	13:00-14:00			https://community.icann.org/x/y4EEF
56	18-Jul-24	19:00-20:00			https://community.icann.org/x/04EEF

Dates, times, and agendas will be confirmed closer to the meetings.

AOB

Agenda Item #5