ANDREA GLANDON:	Good morning, good afternoon, and good evening. Welcome to the NCSG Policy Committee meeting being held on Monday, the 18th of December 2023, at 11:30 UTC.
	Attendance will be taken by the Zoom Room. I would like to remind all participants to please state your name before speaking for recording purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise. As a reminder, those who take part in ICANN multistakeholder process are to comply with the Expected Standards of Behavior. With this, I will turn it over to Manju Chen. You may begin.
MANJU CHEN:	Thank you, Andrea. Hello, everyone. Today, I'm taking over because Tomslin is having his well-deserved vacation—or something else. I don't remember. But yes. Welcome, everyone. I guess we wanted to have Reema to do the update of SubPro Small Team Plus, but I guess there's kind of miscommunication. We'll just start with the review of GNSO Council agenda.
KATHY KLEIMAN:	Manju, this is Kathy. I'm here to do the update of the SubPro Team.

MANJU CHEN:	Cool. Then we will just follow the agenda. Because at first, she was saying she can only join for the first 30 minutes. So I was planning to let her do it first. But I guess, Kathy—
KATHY KLEIMAN:	I don't think she can join at all now. I think it's changed. I don't think she can join at all now.
MANJU CHEN:	Cool. So you're able to stay for the whole meeting. Can we just follow the agenda?
KATHY KLEIMAN:	Perfect.
MANJU CHEN:	Thank you very much. Thank you, Andrea. We're seeing the agenda for this Thursday, my Thursday night, for the Council meeting. First, we will have to do a consent vote to confirm Sebastien as the chair of the RDRS Standing Committee, and then we will vote for the GNSO review of GAC communiqué. I think both we have discussed at the last month's meeting and there were not really any controversial opinions or disagreements. We will just vote.
	Then we will vote for the IDN EPDP Final Report for Phase 1. This one, Donna, the chair of the IDN EPDP has visited us at the last Council meeting. She did a very good introduction of the whole—well, not the

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whole, the highlights of the Final Report. I think, Council, in general, we were all very happy about the Final Report. I don't remember. Did we have Emmanuel do the Final Report recap last time? Probably not. But as the liaison to this EPDP, I can I say with confidence that report, I don't think there are any recommendations that will severely concern NCSG. So I guess my recommendation will be we vote for it just starting now to see if anyone has any other opinion or if you have any advice. If not, we will proceed to the next item.

Item five is the GNSO Guidance Process for Applicant Support. I think Rafik has sent the Final Report to the NCSG mailing list a week ago or two weeks ago, and there were not really any kind of opinion on it either. Is anyone following this and has anything you need to raise? Is Rafik here? Rafik is not here today. I guess Rafik, if he sees anything that he's not comfortable with, he will definitely inform us in any event. So we will have a discussion and we will vote. If we discover anything at the meeting, we can always make our discretion of how to vote. But at this moment, I guess we can just vote yes.

For the next item, it's the SubPro Small Team update on non-adopted Recommendations, which I think is on our agenda today for the Policy call. So we will probably take a deeper dive into that later. But if anyone has anything urgent you want to raise now, please feel free. If not, we will proceed to the next item which is EPDP on Temporary Specification Phase 1 Urgent Request.

For those who are not following this, the Phase 1 actually ended pretty… The PDP itself, if I remember correctly, by the end of 2019, it already ended. It already started implementation in 2020. But only very

recently, they published—I'm not sure if they published. Then they decided they are going to publish the policy for this EPDP. But then because they couldn't reach agreement on the urgent request, which is the GAC mostly, they argued that for law enforcement to be able to assess the restriction data, they feel like they need it within 48 hours. But the contracted parties, especially the Registrars, don't agree. They think two business days are sufficient for processing urgent requests.

To be clear, in the Phase 1 Final Report, the recommendation actually says, "The contracted parties should respond to urgent requests in X business days." So in the Policy Recommendations, it says business days, although it didn't specify how many days. In the Final Report, it also said that they will leave this to the implementation to decide. I guess, to change it—well, one argument could be that to change it into something hours is violating the original recommendations, and its recreating policy, which is why we don't like to see in the implementation process. That's our argument now.

So GAC didn't get what they want from the implementation. They wrote a letter to the Board. And then Registrar, in defense, they wrote a letter to the Board. And then in Hamburg, they agreed to leave this out the policy and publish the policy without any requirement regarding urgent request. So that's the current situation. I guess we will have to discuss this in the Council, which I'm not sure why because the letters are sent to the Board. Of course, for one to listen to us, that's nice. But I'll stop here and see if anyone else has any other. Kathy, please.

KATHY KLEIMAN: I was just wondering what Stephanie thinks or anyone else who might have worked with law enforcement on request for data, whether it's personal data or other types of situations where law enforcement is requesting, say, search data or other types of—or even non-electronic data. What's the turnaround time there? I mean, it seems maybe we should have a position for NCSG if we can do it in a fairly short time. Thanks, Manju. Back to you.

MANJU CHEN: Thank you, Kathy. Stephanie, please.

STEPHANIE PERRIN: Hi, everybody. Good morning in my terms, afternoon for the luckier ones, I guess. We've thought about this for ages. I can't tell you how many weeks or days, it felt like years, on Phase 1. I believe that the Registrars have a reasonable position that they have been arguing namely that the smaller registrars just cannot be staffing up in order for the remote possibility that they're going to get a law enforcement request over a long weekend, for instance. This was debated into the ground.

So, for me, there's a matter of principle here that you do not relitigate something, as Manju has pointed out, and go to the Board. Now, we have a long history at ICANN of GAC doing this all by itself. But in this case, it seems to me that the GAC was also aided and abetted in this by the other parties around the table, namely ALAC and the commercial side of the house. Because they basically got the GAC going, and everybody has been forum shopping to ventilate their views on how the

skies are going to fall if law enforcement doesn't get this urgent reaction. The Registrars are saying, basically, for Pete's sake, when law enforcement knocks, we answer the door.

Quite frankly, we have a split opinion within the NCSG. I don't see Farsi there yet this morning. But I know she feels passionately that my views are different. But quite frankly, law enforcement has its own legal means to get this data if a registrar is resident within their jurisdiction. If they're not resident, then there are procedures that admittedly don't work well in all cases. But it's MLAT procedure, and they can get a court order and then they can get the data. How they get their court order depends on the speediness of the process in the particular country that the law enforcement is coming from. Whether they get cooperation in another country is entirely another matter.

So that's kind of my take on this issue. And I believe it is somewhat coincidence that the Registrars take on the issue. If they've got the authority, they will get it done. For matters such as human trafficking and child molestation, this kind of thing, we do have international treaties on that are separate and we act more quickly. The question is whether the registrar is the place to drop all those MLATs and court orders or whether they can take it somewhere else.

Personally, I think we should definitely object to this on procedural grounds. This is not a new issue that suddenly occurred. It is not a new wrinkle, where we said, "Gee, look, we made a mistake here." No, we argued forever on this. It was solved. And we should not be giving into this kind of tactic. I also don't like the idea that… I mean, if the GAC have an objection, they could have raised it through their other procedural

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means three years ago or, I guess, more four now. Time rushes on. But to come along at the last minute, backed by a number of fingers in the velvet gloves that are definitely some of our partners on the EPDP, I don't like it at all. So that's enough out of me. Thanks.

MANJU CHEN: Thank you, Stephanie. I am actually with you on this. I think we should definitely object in procedural grounds that we don't want to create any precedent of relegating policy during the implementation. Especially now, we are doing one of the most important policy implementation process of the SubPro, we will definitely not want to see any kind of issues popping up again. But yeah, like you said, probably there will be others who felt differently. Stephanie, please.

STEPHANIE PERRIN: One thing I forgot to mention, we did include in that Phase 1, when we set up the procedure surrounding the SSAD, there is a clause in there that we didn't want in that stayed in. Basically, it was that there would be continual reexamination of the success of the SSAD or whatever we're calling it now, the RDS, whatever it's called. Sorry, too early in the morning. I need my coffee to remember all the name changes. Now, that's a very worrying clause. You wait for it, it will be the portal through which we have to fight this back on a perennial basis for the next 20 years. Bless the people who take over my role in fighting this. So we don't need to do it this way. Trust me, it'll be back. But we'll have to make sure that we manage the procedure there as well. Thanks.

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MANJU CHEN: Thank you, Stephanie. I guess that's it. We will have to see what the discussions are being carried out in the Council meeting. Essentially, the Board would like to discuss urgent requests and its related concerns with the GNSO Council. So I expect probably there will be at least several Board members present in the Council meeting to express why they want to discuss this with us. I don't know if Barbara or a member who is present now has any insight. Did you have any discussion of this in the Board? Sorry to put you on the spot, Chris. If you know anything or it's just—

CHRIS BUCKRIDGE: Thanks, Manju. No, I think there's not really anything I've got to impart this moment other than that this is obviously ongoing discussions. Thanks.

MANJU CHEN: Thank you. Thank you very much. We can move to the next item. It's the request for reconsideration form from the IPC. This is also on our agenda today. I guess we can either deal with it now and then we don't deal with it later. Or we can deal with it later since Stephanie will be in charge of this item. What's your preference, Stephanie?

STEPHANIE PERRIN: Sorry. I forgot to unmute there. Your choice, Manju. I'll be fairly quick on this. Maybe we should just kill it off. What do you think? Okay.

I'm forgetting the precise date. Councilors will have received on the Council list a memorandum from Damon Ashcroft who sent around—

yes, thank you very much—this 23-page reconsideration request. Now, for background for newer members, this is a reconsideration request when the Board does something that the enlightened, informed community—Empowered Community, sorry—feels is out of line. In this case, this relates to the Auction Proceeds, which appears to have been quite a shambles all the way around. I dropped off that committee a few years ago because I was too busy doing the one we were mentioning a minute ago. I know that Julf took over my spot, but we had a number of members on Auction Proceeds. So feel free if any of them are on the call to embellish this with details. But there's a long description of how we argued about what we needed in ICANN to stop further relitigation of the allocation of auction funds. And it was agreed that we needed a change to the Bylaws, which has not been done yet. And now four years later—or five, I guess—the Board has decided that we don't need the change in the Bylaws and they're just going to do it in contract.

Now, once again, in my opinion, I have strong procedural objections to that. If we, in a big, long, ugly Cross-Community Working Group— because that's what the Auction Proceeds was, Cross-Community Working Group—if we decide that we need Bylaws change and it goes through the Final Report and everything stage, you don't come along afterwards and said, "And get your own private…" And it's all detailed in this somewhat self-serving, but nevertheless, doubtless legally sound argument of the IPC, that you don't come along afterwards and just say you're going to change it in contract after you've had private legal advice. Again, it's a Board procedural issue. I think on principle, much as we don't normally join with the IPC on things, I kind of think unless

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someone can tell me that they're doing this in a self-serving way and that the document is not legally sound—caveat here, I'm not the lawyer, but it looked okay to me—I think on principle, we ought to join with them on this.

Now, we're going to have a discussion in Council. They had canvassed it around and then they slammed it in. I think they wanted it in. Gosh, it must have been a month ago. I can't remember whether it was before Hamburg or after. But they put it in without getting everybody else to join. I did have a conversation with Susan Payne about it. Basically, that was her argument. But they would love to have other people join and support them on this.

Please, anyone, the 23 pager does confess that some of the members of that constituency may wish to litigate in this matter. I mean, fair enough, if they want to litigate, they should follow the due procedure here and we should set the ground rules through the Bylaws. I still think even though they have a vested interest in it, this is still a good initiative. That's probably enough about me. Feel free to ask questions. I may not be able to answer them all.

MANJU CHEN: Thank you. Thank you, Stephanie. Kathy?

KATHY KLEIMAN: Stephanie, I haven't read this. Thank you for the detailed discussion of it. I haven't read this. But we are seeing a process where there's a question whether we should be discussing policy through the

multistakeholder process, or whether the contracted parties should be discussing it directly with ICANN and putting it into the contract. The same issue is materializing in the Public Interest Commitments and the Registry Voluntary Commitments.

STEPHANIE PERRIN: That's precisely it, Kathy. That's point number two. Now, point number one is you don't turn around and change something. Point number two is how much do we want to see sneaking into contract?

KATHY KLEIMAN: We don't. We really don't want to bypass the multistakeholder model. For this, for auction funds—let me check, Stephanie, because you run that committee—auction funds was… So if there's a contention set, meaning there are multiple applications for the same top-level domain and there were about 11, I think, for .app in the last round. And there are various ways to challenge applications. But if none of them work, then the resolution of last resort is called the auction. And those auction funds were supposed to go into something to be used for the public and for an ICANN foundation of sorts. Those are the funds we're talking about, right, Stephanie? Those are the funds that community was supposed to allocate together. Is that all right? And that's what's being bypassed here, I think.

STEPHANIE PERRIN: This is what is not clear and that I don't understand because I wasn't around for this part of the auction fund's discussion. What exactly

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would somebody be suing about? I'm missing it. So I think we should ask those and I'm going to ask those questions in the discussion on Thursday. Let's have a little clarity about what kind of case we're looking at here. But even so, the principle remains the same. If we needed a Bylaw change, you don't turn around, get private legal advice, and figure that you can patch it in contract. Which who the contracting parties are? It's not the regular contracting parties here. It's the fund allocators, basically. That's even more removed than the contract between—the instance of the contracted parties and their contracts with ICANN. We don't have a multistakeholder access to that procedure. It's between the contracted parties. But at least it's within the ICANN community. These are new players. At least that's my understanding of it. I want to clarify that because I'm not exactly sure what the what is here.

KATHY KLEIMAN: Okay. Thank you. I look forward to more information. This sounds like a tough subject that links into other things. Thank you so much.

MANJU CHEN: As Avri has put into the chat, the suing part is when applicant applied for the grant and they get it. And they can sue ICANN for not giving them the grant or sue for reconsideration. That's going to be more. I'll probably jump on those and just let that...

I actually am not in the same line here. I don't think we will need to join this reconsideration request because, actually, I thought the original recommendation of changing Bylaw to add a specific not to sue just for

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the auction grant is a bit overboard. But that's also my personal opinion. I think we should allow people to walk back from their mistake. But then that's also my personal opinion. We can probably talk about this more on the list or let's see what discussions are going to be carried out in Council. But if anyone has any other opinion, please feel free now to raise your hand. Avri, please.

AVRI DORIA: I just wanted to add one thing. And that is that they are, it appears, doing the Bylaws change. It's just happening not as a prior dependency. But they heard the issue and so they decided that while getting the auction proceeds process and all that in place and moving towards a first distribution, they were in parallel working. Now, they didn't make it an end-to-end dependency. But in terms of coincidence and time, they both are moving forward at the same time. At that very last minute, it was in that very last meeting in Germany that they did basically say—it's funny to say they—but anyhow, they did vote on working towards the Bylaws change at the same time. It's even more complicated in a way. Thanks.

MANJU CHEN: Thank you, Avri, for the very helpful additional detail. Yes. I think in the resolution, the Board that specified that, they are still doing a Bylaw process. We are not going to wait for all the process to be done to start the Grant Program. That's about this issue, I guess. Can we go back to the agenda, please? Thank you very much.

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The last—well, not the last. The second to last item on the Council agenda is update on key outcomes and action items from the GNSO Council SPS. As one of the NCSG wrap in this SPS, I would say it was very successful. I think it's still very effective and useful SPS. We were very fortunate to have our Board members. Chris was joining for the two and a half days fully remotely. It's really online that he can make the time. Also, we have Becky in person. And we discussed a lot of things. I didn't remember, actually, most of the things, but we will be reviewing the action items from the SPS, probably something about improving process and improving how the liaison works and improving the communications between the Council and the Board and the Council with the other SGs and Cs. That's all I can remember because I was at the IDN EPDP face-to-face right after this. So my memory was awash by the IDN things. But that's this item. Does anybody have any questions?

If not, so the last item on the agenda was the liaison updates and updates of the Diacritic Study Request. It's about the Quebec one. We were supposed to have a letter ready, I think, to the ICANN Org to request a study of the importance of this issue and how did it become a policy process. Well, not really, because it's about if this should become a process, there will be an Issue Report. But we were wary of opening too many PDPs, so it's a study. After the study, we will decide whether this needs an Issue Report. I think that's where the Council stands.

That's all for the Council agenda. Does anybody have any questions? Not seeing any hands, we can move to the next agenda which is new Registrant Data Disclosure System and how it works from ICANN staff. I actually don't know who's going do this.

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ANDREA GLANDON: Hi, Manju, this is Andrea. I was going to ask the same thing. I don't see any other ICANN staff on so I'm not sure. Kathy has her hand up.

MANJU CHEN: Yes, Kathy? Please.

KATHY KLEINMAN: Hi, Manju. I had actually asked Tomslin to remove this. There was a misunderstanding. Actually, not completely remove it. We don't have anyone on the call right now, but we do have someone wonderful from ICANN staff as well as from Tucows that would like to talk with us back in Hamburg. It seems like a long time ago now but it really wasn't. Back in Hamburg, we talked about—Stephanie alluded to it earlier in this meeting—anonymous law enforcement request for WHOIS data, now called the new RDRS data.

What's happening, I'll just tell everyone what the background is because I'm looking for volunteers actually to help me. The background is that law enforcement would like to make certain requests anonymously. I don't think they're anonymous in terms of the registrar. I think the registrar and the registry know what law enforcement agency is making the request. But the request would not be passed on to the registrant, and some registrars and registries do pass on that request, which is consistent with the way different platforms are working if law enforcement requests your data. Amazon, for example, let's say law enforcement wants everything that you've searched or purchased on

Amazon, Amazon will actually let you know as a user. That's my understanding. So the question here is—and Tucows, for example, does let registrants know. Some other registrars, too. It's on a registrar by registrar basis. Can law enforcement put in requests that are not passed on where the registrant does not know the data has been requested?

So, what we want to do is set up—two things is invite ICANN staff to do a demonstration. They're doing it for other stakeholder groups of how the RDRS system works and what it looks like, and then talk with Tucows as a friend, as a great registrar, about what they think, how they're handling law enforcement requests, and then have a discussion of what our policy should be. So I was thinking a one-hour webinar discussion sometime in January. And I wanted to see if people agree. Then if anyone wants to volunteer to help me set this up, and then we'll have a discussion. Back to you, Manju. Thank you.

MANJU CHEN: Thank you, Kathy. That sounds great. I was also very curious because I heard about other stakeholder groups or ACs and SOs getting this demonstration of how the RDRS works. They have their own webinar and the staff will show them how to send a request.

I see Stephanie already raised her hand to help you with organizing this webinar. I totally support this webinar. I think it will be very useful. We're not seeing any objection from the chat or anybody raising hands, so I think we will count on you both to start organizing this. Thank you, Ken, also. Looking forward to the webinar in January. Thank you very much.

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The fourth item, we have SubPro Small Team Plus. Does it change the name again? And Applicant Support. But before we start this, because we kind of skipped the GGP Final Report for our Council agenda because Rafik hasn't joined us yet back then, but now I see Rafik has joined us. Rafik, I'm just wondering if you want to share anything you think worth noting about the GGP Final Report to the NCSG folks. Sorry to put it on spot. If not, you can also say no.

RAFIK DAMMAK: Okay. For the Final Report, I shared when there was the consensus call, and I think also Tomslin sent the reminder but he didn't see any comments or reactions. So not sure if people had time to review or read. But now it's already sent to Council for consideration. It means that GNSO Council need to decide this meeting on Thursday.

As I put in the e-mail when I shared the Final Report at the time of draft, I believe for the consensus designation, I don't see any problem. And I think we, as NCSG, based on the comment we submitted, we supported all the recommendations. And there was no substantial change in the recommendation phrasing. My memory is not working for me right now. I think there were only two. We added some context to give more context or also to respond to—there was a push about maybe not, let's say, a drop maybe those from private sector. And the other part is more to add some background about the interdependency between three Implementation Guidance. But in general, there was no substantial change. It's mostly just some, I would say, tweaking or phrasing or some text. It doesn't really modify the substance of the Implementation Guidance. But people, as you know, like that kind of wordsmithing. And

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it was also to add more background and explanation of all the deliberation as we did the review of all the public comments and input. That's part of the process where you need to respond and to add rationale for changes or not. I believe at the end, it's just Implementation Guidance, it's not changing anything. It's not the scope to change anything related to the policy recommendation, it's just about adding some guidance, what are the indicators of success in the metrics.

And the other part is how to distribute the funding. I think it's more important part that the push for explanation discussion with ICANN staff for the implementation is to have some text related that it may be possible that ICANN will expand the funding if there are more applicants. But at the end, I believe it's an okay report. It's not making a lot of change. The work there was, I think, consensus based. There was no big issue in terms of procedural process. There was, of course, some maybe push just to let move on and deliver. But participating there, I think there was no big concern. I believe we got something acceptable. It's not revolutionary, but for the GGP, which is about giving guidance, I think it's, let's say, achieving or fulfilling its role there.

MANJU CHEN: Thank you. Thank you very much, Rafik. Thank you for giving us more confidence to feel informed to be able to vote on this on Thursday.

So we move on to the next item which is the Small Team Plus and Applicant Support. It was supposed to be Reema but Kathy has

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indicated that she will be doing this and we must speak up. Kathy, are you ready? Thank you.

KATHY KLEIMAN: I'm going share some slides. Let's see if we can get them up. Can you see my Small Team slide here?

MANJU CHEN: Yes.

KATHY KLEIMAN: Okay. Hi, everybody. I'm an observer in this group. I'll tell you what the group is in a second. Our main representatives are Stephanie and Tomslin. We have subject matter experts who are Reema Moussa and Namra Naseer who have just joined this. Namra, in particular, did the pilot project with ICANN on Applicant Support.

So let me tell you what we're doing. We have recommendations about the New gTLD Applicant Guidebook. So, the rules for new gTLDs, they were created by a group—I never liked the name—the Subsequent Procedures Working Group. But really, it's about new gTLD recommendations. Subsequent Procedures, for anyone who doesn't know, the working group met for four years. And now we're working through the recommendations. They had dozens and dozens of recommendations, and the ICANN Board rejected a few of them. So when a recommendation that has been adopted by a policy development process working group, and then the Council has adopted it, and then it goes up to the Board, when the Board rejects pieces of it,

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it comes back to Council. So the Council created the Small Team, and now it's called the Small Team Plus. I just wanted to let you know what that was.

The big thing was, one of the key reasons we're working hard on this group is that Applicant Support was involved. There is a Recommendation 17.2 that provides significance support for applicants who qualify. So Applicant Support in the first round, the Applicant Support Program meant that you got a discounted fee for applying for a new gTLD. Instead of paying 185,000, I think you pay 40 or 45,000. And you have to apply for that process.

I was in the working group so I can say "we". We said that you need more support. And take a look at this. This is now the Supplemental Recommendation. So this is a heads up to our Council members that the Small Team has just adopted last week, just adopted this wording that says, "The working group recommends expanding the scope of Applicant Support provided to Applicant Support Program beneficiaries." So after you've applied and qualified. "Beyond the application fee to provide access to an array of resources useful for the capacity building, planning, application, evaluation, pre-delegation, post-delegation phases of the lifecycle of the application. For the avoidance of doubt, this recommendation does not obligate ICANN to provide support for all phases of the lifecycle of the application process."

So this was adopted by the subteam. I don't know if you could see or hear how much time was spent on every word, but it probably amounts

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to hours. And this will be going back up to Council, and hopefully Council will approve it and it will go back up to the Board.

Reema also asks me to share that we had a lot of suggestions. We, Non-Commercial Stakeholder Group, had a lot of suggestions on how to implement this and provide some really nice detailed support for non-commercial communities that would be applying for new gTLDs, and that we have been doing outreach as well to GAC and ALAC.

And that's about it. Thanks. And then there are other recommendations that are being reviewed that have to do with singular and plural issues. But this was the big one that we were interested in. Thanks, Manju.

MANJU CHEN: Thank you, Kathy. I see Stephanie's hand up.

STEPHANIE PERRIN: Yes, just a question for Kathy. Like I say, I'm no lawyer and I'm certainly not a legal drafter, but I don't think I've ever seen in a in a law the word "an array of resources." Now, it's an okay term but it's a word that we had difficulty arriving at. And often ICANN come up with a novel expression when it doesn't agree on things. And I think array fits that definition, it's novel. It's okay in English but are we going to have any problems with it? I would have preferred something like a full range of resources because array could be quite small.

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KATHY KLEIMAN: Array can be quite small, I agree. But a full range is something the Board will reject. Stephanie, you heard some of the earlier arguments on this, that the Board doesn't want to promise the sun, moon, and the stars. They don't want to promise everything. And we did see a presentation, it's called an exploratory presentation about application counselors that may be there and we're now pushing, but ICANN may provide application counselors. But "array" seem to be a word that was acceptable to both the Small Team Plus and the Board members who were participating with us. So while it doesn't lock everything in, we seem to be going in the right direction. Again, this recommendation was rejected and we'd like it to be accepted and it was part of the compromise.

STEPHANIE PERRIN: Thanks, Kathy. Well, I guess we can't have more precision, can we?

KATHY KLEIMAN: I think the precision here is listing really, really clearly what we think is needed, what kind of support we think is needed.

STEPHANIE PERRIN: Under the capacity building, planning, application, etc. Yeah, yeah.

KATHY KLEIMAN: Thanks. I agree. But again, it's part of the soup. This is so much better. I'm really glad. Kudos to us, to NCSG, for a real huge team effort to try to save this recommendation.

MANJU CHEN: Thank you. Thank you, Kathy and Stephanie. I guess we can move to next item which is PICs and RVC. It's also going to be presented by Kathy.

KATHY KLEIMAN: I think you got me again. I don't have any slides on this because I sent an extensive e-mail that hopefully everybody got on the NCUC list, on the NCSG list. I don't have posting privileges on the NPOC list but please feel free to resend it today at 17:00 UTC, which is 2pm Eastern time. The ICANN Board is going to talk about Public Interest Commitments and Registry Voluntary Commitments. It's a topic we asked to talk about, and we talked about it extensively in the NCUC Anniversary Issues Forum that took place in both D.C. and Hamburg. So we've really been saying, "Hey, this is an important issue." Avri participated in the first one, thank you. And Becky also. I think Becky Burr is probably going to be leading this, along with Alan Barrett.

It's 90 minutes. If you can't make it all, try to make a little bit. This is a tough issue. There's a lot of background, there's a lot of history. It's a legal issue. It's a policy issue. It's a technical issue. But if you're interested, let me know and we'll work together. But there's a lot of background on this one. This one's a tough one. But very, very important and it links to things we've been talking about all throughout this meeting. Can we be bypassed? Do we want to bypass the multistakeholder model? Do we want things put into new gTLD Registry Agreements that contradict the multistakeholder model or belong in the

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multistakeholder model, or bypass it, or just don't belong there at all? I mean, there's just a lot of questions about what should go into a private contract. I'm happy to take questions, but we're going to find out a lot more about what the ICANN Board is thinking later today.

MANJU CHEN: Thank you, Kathy. I was trying to find the e-mail you sent to us but Andrea, as always, beat me to it. Oh, it's not the e-mail. So I found the e-mail. Wait. I don't know if that works, it probably doesn't. I don't know. But yeah, that's the e-mail. If the link doesn't work, you can see it on your inbox, I think.

So I think we move to the next agenda item. Emmanuel will give us an update of the IDN EPDP face-to-face meeting just happened the week before last week in Kuala Lumpur. I saw Emmanuel in the participants. Emmanuel, are you ready?

EMMANUEL VITUS: Yes. Can everybody hear me?

MANJU CHEN: Yes, we can hear you. The floor is yours.

EMMANUEL VITUS: Good day, everyone. Sorry, I'm actually on the train giving this update. I lost my father-in-law so I'm on the running. But I promised to give the update so I'll do it quick.

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So yes, the meeting Kuala Lumpur is a successful one because all the agenda items that we listed before that meeting and the objective was actually completed. The objective was to finish the Phase 2 Report and prepare for the next ICANN meeting to send it. So during the meeting in KL, we essentially actually discussed the pending items on the Charter questions. So we will work on the Trademark Protection Mechanism. We also deliberated on variant domain name registration data. We deliberated on IDN Implementation Guidelines and the various [inaudible] mechanism and legal mechanism. Also, we were able to complete discussions on the IDN tables harmonization. They were very, very technical, at least for me, I think. Maybe easier for Manju. But it was a very interesting discussion and discovery for me personally. Also, we discussed the deletion of sub domain name. We end the workshop with the glossary, which was also a very interesting. I mean conversation in terms of the type of language and those kind of things.

So it was basically a very intensive week. But the most important was that we're able to complete the Charter questions for the Phase 2. So I think the staff will work on the complete document to be sent very soon. So have our time to review it and probably discuss with our members and see if there's any particular non-commercial interest or issue that needed to be corrected before the Public Comment period. So that is a brief one. I don't know if I missed something. Manju will decide this. So if I missed something, she can add to it. Manju, back to you.

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MANJU CHEN:	Thank you, Emmanuel. Yes, thank you very much. Thank you for doing the presentation even though you're on the train. Did you say you're on the train? I didn't get that. But thank you. And yes, it was a complete list of what we discussed. I see, Kathy, you raised your hand. Please.
KATHY KLEIMAN:	Emmanuel, you mentioned trademark. First of all, thank you for doing this work and thank you for the presentation. Great. You mentioned trademarks. Can I ask you for a little more detail about that? So if I have a trademark—and I don't know if you discussed this detail, but I was wondering, if I have a trademark in the United States and the script is Cyrillic and I have no trademark in Russia or any Eastern European country, what happens? Is there some protection that will be provided or not? Just wondering.
EMMANUEL VITUS:	What was basically discussed was the Sunrise and Trademark Claim and the domain level inclusions. So we discussed the matching rules for the Sunrise, the claim services, and the languages in the Trademark Protection Mechanism. So it was basically issues around the Sunrise and the Trademark Claims.
KATHY KLEIMAN:	Okay. So it's sticking with that. Okay. That makes sense.
EMMANUEL VITUS:	The [inaudible] and other basic stuff.

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KATHY KLEIMAN: Okay. So IDNs will go—

EMMANUEL VITUS: Valid data, the database and how it's [inaudible], yeah.

KATHY KLEIMAN: Makes sense. Thank you. That sounds like a good resolution.

EMMANUEL VITUS: Yes. I think maybe after the meeting, when I get to my destination, I can send that one specific to you. I mean, specifically, that part of the conversation that we had regarding the TMCH report and then the full recommendation document. So you have an idea.

KATHY KLEIMAN: Thank you. That would be great.

MANJU CHEN: Thank you. Yes, thank you very much. Thank you, Emmanuel. Thank you, Kathy. I think after the deliberation, the group agreed that we don't need to create any kind of new recommendations on this topic because original protection mechanisms are working fine. And also, there's going to be a Phase 2 RPM Review PDP. It's going to be after the IDN EPDP. And we are relying on them to review anything they see if anything needs to be updated.

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So I think we have finished the last item while we were dealing with the Council agenda. And we are moving to AOB. Stephanie, I believe you have an AOB.

STEPHANIE PERRIN: Yes. Thank you very much. I just wanted folks to know that I'm afraid I'm unable to make the commitment to make the meeting in Puerto Rico first week in March. So I'm going to be giving up my travel slot. I'll be able, of course, to zoom into the meeting. I just can't leave home and travel for a full week at that time. So we should try and get preferably someone who's doing some work and otherwise would not be able to travel to the meeting to take up my travel slot. That's the custom. And I just want to make sure folks know about it. I did reach out to Council members and Julf. I don't know where Julf is at the moment. But I think it's up to him to do a call the Exec Committee to allocate the spot. So just letting you know. Thanks. I'll be zooming into the Council meeting. So thanks.

MANJU CHEN: Thank you, Stephanie. Julf is now actually on a plane to the United States, I believe. At least that's what he told us. We will definitely make sure that he puts out a call surely after or before he travels and fly again. Surely after he's settled in the U.S. Keep your eyes open for any e-mails on the list if you are doing work and you won't be able to travel and you need that the travel slot.

So that's about it. I think that's for today's Policy call. If anyone else has any other AOB, now is your time. And if not, I'm very happy. Every time I

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chair the call, we end early. Oh, you have a question? Sorry, I don't know how to pronounce your name. Abdullah, do you have a question? You can unmute your mic and raise your question.

ANDREA GLANDON: Abdullah, I see that your mic is unmuted but we are not hearing anything. Still nothing. I'm sorry. Okay, maybe you can send your question to the NCSG discuss list or to myself, and then we can make sure that it gets answered.

MANJU CHEN: Thank you very much, Andrea. Again, I'm very happy. We end almost 30 minutes earlier than we usually end. I'll give you back your 30 minutes of life of your Monday or your Sunday or Tuesday. I don't know which day. Thank you very much for coming, and I'll see you preferably in the Council meeting, if not, next month for the Policy call. Thank you, everyone. Bye.

ANDREA GLANDON: Thank you, everyone. Have a wonderful rest of your day.

[END OF TRANSCRIPTION]