Title: GNSO Activity Brief for ccNSO Council
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Date of Meeting: August 16, 2018
Status: Most Recent GNSO Meeting

Review of Projects & Action List

Here are some GNSO Council on-going projects that were reviewed:

- The Action Items (AI) in relation to emojis as well as most items from the Temporary Specification section and the short-term and long-term option papers were completed.
- The AI relating to the GNSO Registration Directory Services (RDS) Policy Development Process (PDP) Working Group (WG) will be part of the agenda for the September 2018 GNSO Council meeting after liaising with the RDS leadership.
- The consolidated New gTLD Subsequent Procedures (SubPro) PDP and Review of all Rights Protection Mechanisms (RPM) timeline warrants further discussion especially around PDP3.0 developments.
- Efforts are still underway to overcome the potential duplication between the IANA naming Function Review (IFR) and the Customer Standing Committee (CSC) effectiveness review requirement.
- AI on Accountability and Transparency Review Team 3 (ATRT3) is still awaiting input from the Multistakeholder Strategy and Strategic Initiatives team.
- The Consensus Policy implementation framework (CPIF) is underway with ICANN Org consolidating the latest input from the Registrar Stakeholder Group (RrSG).

Full Project list can be found here: [Projects List](#) :

Consent Agenda

Motion was submitted to adopt the GNSO Council response to the [GAC Communiqué](#) already submitted in draft form to the ICANN Board.

Council Resolved that:

1. The GNSO Council adopts the GNSO Council Review of the Panama GAC Communiqué (see https://gnso.icann.org/sites/default/files/file/field-file-attach/review-gac-communique-25jul18-en.pdf) and requests that the GNSO Council Chair communicate the GNSO Review of the Panama GAC Communiqué to the ICANN Board.

2. The GNSO Council requests that the GNSO Chair also informs the GAC Chair of the communication between the GNSO Council and the ICANN Board.

Councilors voted unanimously in favour of the motion.

COUNCIL VOTE – Adoption of the Final Report on the Protections for Certain Red Cross Names in All gTLDs Policy Amendment Process

Motion was brought on behalf of the Non Commercial Stakeholder Group (NCSG), requesting that the adoption of the Final Report on the Protections for Certain Red Cross Names in All gTLDs Policy Amendment Process be deferred on the grounds that more time was needed for the NCSG to determine whether there was strong enough legal basis for the recommendations in the Final Report.

Voting was deferred till September meeting to allow NCSG members better understand the recommendations.

COUNCIL VOTE – Adoption of the Final GNSO2 Review Implementation Report

The second independent review of the GNSO commenced in 2014.The Final Report of the independent examiner was published on 15 September 2015 (see https://www.icann.org/en/system/files/files/gnso-review-final-15sep15-en.pdf) and contained 36 recommendations. The GNSO Council adopted the GNSO Review Recommendations Feasibility and Prioritization analysis (see: http://gnso.icann.org/en/drafts/review-feasibility-prioritization-25feb16-en.pdf) on 14 April 2016 with the modification of Recommendation 21.

On 25 June 2016, the ICANN Board accepted the Final Report from the independent examiner, taking into account the GNSO Working Party's Feasibility and Prioritization Analysis of the GNSO Review Recommendations, adopted with modifications by the GNSO Council, the Board adopts thirty-four (34) recommendations of the Final Report (i.e. all recommendations excluding recommendations 23 and 32). The GNSO Council adopted the Charter of the GNSO Review Working Group during its meeting on 21 July 2016. This Working Group was tasked to develop an implementation plan for the GNSO Review recommendations which were adopted by the ICANN Board on 25 June 2016. On 26 July 2018 the GNSO Review Working Group submitted to the GNSO Council for consideration the GNSO2 Review Implementation Final Report indicating that the Working Group had agreed by full consensus that all GNSO Review recommendations have been implemented as of 21 June 2018.

Resolved:

1. The GNSO Council adopts the GNSO2 Review Implementation Final Report.

2. The GNSO Council directs staff to submit the GNSO2 Review Implementation Final Report to the OEC of the ICANN Board of Directors for its consideration.

3. The GNSO Council thanks the GNSO Review Working Group members for their diligence and dedication in the successful execution of the implementation of the GNSO review recommendations.

4. The GNSO Council shall decide to disband the GNSO Review Working Group after the Implementation Final Report has been approved by the ICANN Board of Directors.

The GNSO Council voted in favour of the motion unanimously.

COUNCIL DISCUSSION – Council Liaison update on Expedited PDP (EPDP) on the Temporary Specification

The GNSO Council liaison to the EPDP team provided an update to councilors. The team is currently starting work with a triage process aided by surveys, conference calls held twice a week and an early input request to Supporting Organizations, Advisory Committees, Stakeholder Groups (SGs) and Constituencies (Cs). The initial task is to determine which areas of the Temporary Specification garner consensus and which ones need to be discussed at an EPDP Team level. A first face-to-face meeting is planned for the last week of September 2018 in Los Angeles.

Council resolved to have its liaison to the EPDP to provide an updated work plan and weekly updates to the Council list.

COUNCIL DISCUSSION – IGO-INGO Access to Curative Rights Protection Mechanisms

Council was updated the Council on the Final Report Recommendation 5 which had raised concerns mainly amongst Government Advisory Committee (GAC) PDP members. It was noted that traditionally, the GNSO Council approves a PDP's Final Report and communicates it to ICANN Board and that therefore, the current situation was a rare occurrence. ICANN Org had requested a discussion be held between GAC representatives, the Board, and GNSO Council leadership but whether this would have an impact on existing recommendations was uncertain.

Councilors then considered various response options in keeping with GNSO Council processes. It was decided to take a week to create a list of questions for the PDP WG as well as for Council itself. Staff referenced the WG Guidelines in reminding the Council of the formal WG Final Report and recommendations approval procedure. Given that Council is strongly discouraged from itemizing recommendations which may have interdependencies with other recommendations, a first step may be to determine whether recommendation 5 is a standalone recommendation. Councilors also raised concerns about setting a precedent were Council to send back recommendations to the WG for further work.

Councilors were then requested to review Final Report and options flowchart, then prepare a list of questions by 31 August 2018 that they have, for response by the WG leadership, WG liaison, WG members, or staff as appropriate.

COUNCIL DISCUSSION – Consideration of CCWG-Accountability WS2 Final Report

Councilors discussed the CCWG's [Final Report](#) with the aim of being ready to approve it via vote during the September 2018 GNSO Council meeting.

COUNCIL DISCUSSION – Next steps related to the ICANN Procedure of Handling WHOIS conflicts with Privacy Law

Councilors discussed postponing the call for volunteers to initiate next steps related to the ICANN procedure of handling WHOIS conflicts with privacy law until after the EPDP had completed its work. Rather than postponing indefinitely, it was suggested to link the call for volunteers to specific milestones, such as the Initial Report, within the EPDP timeline to ensure momentum is maintained.

The next GNSO Council Meeting will take place is scheduled for the 27 September 2018 at 04:00 UTC.