GNSO Liaison Reports

At the November 2019 AGM, the ALAC confirmed the re-appoint Cheryl Langdon-Orr as the ALAC Liaison to the GNSO for a further term of office, being the period between the 2019 AGM to the 2020 ICANN AGM.

In 2017, the ALAC re-appointed Cheryl Langdon-Orr as the ALAC Liaison to the GNSO for the period between the 2017 AGM to the 2018 AGM.

On 10 September 2016, the ALAC appointed Cheryl Langdon-Orr to serve as the ALAC Liaison to the GNSO. This term will be from the end of the ICANN 57 Meeting on 8th November 2016 through the end of the 2017 AGM.

Olivier Crepin-Leblond served as the ALAC Liaison to the GNSO Council from March 7th, 2015, to the end of the AGM at the ICANN 54 meeting in Dublin 2015, and from September 22, 2015, through to ICANN 57 Hyderabad November 2016.

Cheryl Langdon-Orr served briefly as the ALAC Liaison to the GNSO Council from October 2014 through to End February 2015, when due to her continuing service within the ICANN NomCom, she was required to tender her resignation from this role.


Anyone is welcome to listen to GNSO Council Meetings  NEW Listen in Option in ZOOM

GNSO Council Meeting Webinar Room

https://icann.zoom.us/j/895774606?pwd=a051c2pESGpYaEdQWktzN2V5Y0xxQT09

Occasional News Updates.

Any Notes of relevance to the ALAC / At-Large from GNSO Council Meetings will be highlighted at the top of any Agenda listed below in colour.

GNSO Council ADOPTS PDP 3.0.  At the February 20th GNSO Council Meeting the Council unanimously resolved the following regarding Small Team Report on the Councils work over several years now on PDP 3.0

Resolved,

1. The GNSO Council hereby adopts the GNSO PDP 3.0 Implementation Final Report and instructs GNSO Support Staff to work with the GNSO Council leadership on the deployment of improvements based on the effective time frame proposed by the PDP 3.0 Small Team.
2. The GNSO Council requests future charter drafting teams of the GNSO Council to commence chartering for upcoming PDP efforts by utilizing the revised GNSO working group charter template and other related PDP 3.0 work products, and report to the GNSO Council on whether they help achieve the intended outcomes.
3. The GNSO Council requests that after all PDP 3.0 improvements are in effect, the GNSO Council conducts a review of the implementation effectiveness in a timely manner.
4. The GNSO Council requests that following the GNSO Council review of the PDP 3.0 implementation effectiveness, the GNSO Council considers any necessary updates to the GNSO Operating Procedures and uses the relevant work product in the PDP 3.0 Implementation Final Report as a starting point.
5. The GNSO Council confirms that none but one (1) “Parking Lot” item (Statement of Interest Review) identified by the PDP 3.0 Small Team should be moved forward until the GNSO Council has the opportunity to evaluate the PDP 3.0 implementation effectiveness.
6. The GNSO Council thanks to the PDP 3.0 Small Team, GNSO support staff, and others who have contributed to the implementation of GNSO PDP 3.0 improvements as well as the proposed implementation work products to enhance the efficiency and effectiveness of GNSO PDPs.
The meetings of the GNSO are archived and listed with complete details including recordings from pages listed HERE by year (along with other GNSO Meeting records).

**2020 meetings.**

The proposed upcoming dates for the GNSO Council Meetings in 2020 are as follows. (dates removed as they are completed and detailed in section below)

- **24 June** GNSO Council Meeting 05:00 UTC
- **23 July** GNSO Council Meeting 12:00 UTC
- **20 August** GNSO Council Meeting 21:00 UTC
- **24 September** GNSO Council Meeting 12:00 UTC
- **21 October** GNSO Council Meeting 11:00 UTC
- **19 November** GNSO Council Meeting 21:00 UTC
- **18 December** GNSO Council Meeting 12:00 UTC

Formal Minutes for the Council meetings per the GNSO Operating Procedures can be quickly found below:

Special attention will be drawn verbally or by email, to any issues relating to the GNSO or the Liaison role at ALAC Meetings and those of the ALAC ATL+ where needed for advice or action. These reports will constitute part of the ALAC meetings records.

**GNSO Council Meeting Agenda’s and Records for 2020 will be listed below when available:**

**Next Council Meeting is to be held on May 12th 2020 at 2100 UTC**

**DRAFT Agenda will be posted here when available...**

**GNSO Council Meeting Webinar Room**

https://icann.zoom.us/j/895774606?pwd=a051c2pESGpYaEdQWktzN2V5Y0xxQT09

**Agenda 16 April 2020 1200 UTC - MINUTES will be posted when they become available.**

Please note that all documents referenced in the agenda have been gathered on a Wiki page for convenience and easier access: https://community.icann.org/x/myWJBo

GNSO Council meeting held at 12:00 UTC

Coordinated Universal Time: 12:00 UTC: https://tinyurl.com/vau3jkd [tinyurl.com]

05:00 Los Angeles; 08:00 Washington DC; 13:00 London; 17:00 Islamabad; 21:00 Tokyo; 22:00 Melbourne

**Item 1: Administrative Matters (10 mins)**

1.1 - Roll Call

1.2 - Updates to Statements of Interest

1.3 - Review / Amend Agenda

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes [gnso.icann.org] of the GNSO Council meeting on the 20 February 2020 will be posted on 6 March 2020

Minutes [gnso.icann.org] of the GNSO Council meeting on the 11 March 2020 were posted on 27 March 2020.
Item 2: Opening Remarks / Review of Projects & Action List (10 minutes)

2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of Projects List [gnso.icann.org]and Action Item List.

Item 3: Consent Agenda (0 minutes)

- None

Item 4: COUNCIL DISCUSSION - Impact of Coronavirus (COVID-19) (10 minutes)

Everyone is affected by the coronavirus pandemic, including members of the Council, members of the Stakeholder Groups and Constituencies, and staff. The impact is substantial for some, who in addition to their regular job are now also playing additional roles as day care provider and educator. For some, their work may be directly related to the effort to combat coronavirus.

Here, the Council will have a brief discussion about how the coronavirus pandemic may impact the capacity of the GNSO Council and the SG/Cs as well as ICANN Org’s operations and staff, and that it should be accounted for in discussing all of the subsequent agenda items during this meeting.

4.1 – Introduction of topic (Council leadership)
4.2 – Council discussion
4.3 – Next steps

Item 5: COUNCIL DISCUSSION – GNSO Work Prioritization - 2020 Work Plan / Impact From Coronavirus (25 minutes)

After the GNSO Council’s Strategic Planning Session in January 2020, the Council acknowledged that there are limited resources available for policy development activities and related work. This resource limitation means that the GNSO Council must efficiently complete its current work, but also prioritize the new work waiting in its pipeline. At the Strategic Planning Session, Councilors participated in an informal and non-binding ranking survey, which was used as a “sense of the room.” This informational survey result was shared with Councilors to then share with their respective Stakeholder Groups and Constituencies, to gain a better sense of the various groups’ top priorities. The Council touched on this topic briefly during the February Council meeting and again during its March meeting.

Council leadership and staff developed a draft work plan for the Council’s consideration. Previously, the focus was on prioritization of the GNSO’s work, which implies that the work should be ranked in order of priority. However, Council leadership determined that it might be more practical to think of this exercise more simply as establishing a work plan, which does still consider the urgency of the work, but also looks at each element of work in a more granular fashion and identifies potential dependencies. What this allows the Council to do is to potentially carve out pieces of work from a project that might be initiated in the near-term, some of which may then serve as the preparatory/informational basis for Council next steps.

While this topic is focused on a relatively long-term work plan for the GNSO, the landscape has changed significantly since the Strategic Planning Session in late January of 2020. It is possible that capacity within the community, as well as Policy staff, is or may be diminished by the impact from the coronavirus pandemic. For instance, the Council had anticipated initiating the IGO Work Track just after ICANN68, but Council leadership believes discussion is warranted on whether the timing still remains appropriate.

Here, the Council will discuss this change in approach (and draft document) to establishing the Council’s draft work plan for 2020, and potentially beyond, but will also consider whether the coronavirus pandemic might impact that plan.

5.1 – Introduction of topic (Council leadership)
5.2 – Council discussion
5.3 – Next steps

Item 6: COUNCIL DISCUSSION - Report from the Transfer Policy Scoping Team (15 minutes)

On April 22, 2019, ICANN Org delivered the most recent version of the Transfer Policy Status Report (TPSR) [gnso.icann.org] to the GNSO Council. ICANN Org delivered the TPSR pursuant to Recommendation 17 of the Inter-Registrar Transfer Policy (IRTP) Part D PDP Working Group’s Final Report [gnso.icann.org], which provides, “[t]he Working Group recommends that contracted parties and ICANN should start to gather data and other relevant information that will help inform a future IRTP review team in its efforts.”

The GNSO Council established the Transfer Policy Review Scoping Team to review the TPSR and consider the best approach/mechanism to conduct the review, composition of the potential review team, and the scope of the review and future policy work related to the Transfer Policy. The team believes that the GDPR and similar national privacy legislations have rendered the Transfer Policy ineffective and unworkable as written and recommends that a PDP, or series of PDPs, be established to conduct policy work on the Transfer Policy. Further, as a first step, the team recommends that the GNSO Council instruct ICANN Policy staff to draft an Issues Report in line with the Scoping Document [gnso.icann.org] delivered to the GNSO Council on 7 April 2020.

Here, the Council will discuss the report from the Transfer Policy Scoping Team and consider possible next steps, including the request of an Issue Report on the Transfer Policy.

6.1 - Introduction of topic (Council leadership)
6.2 – Council discussion
6.3 – Next steps

**Item 7: Registration Directory Service (RDS) - Program Management (35 minutes)**

The GNSO Council has a number of Registration Directory Service (RDS) related topics to consider.

- EPDP Phase 1, Recommendation 27 Wave 1 report - The Council was provided with the updated version of the Wave 1 report on 19 February 2020. On 24 March 2020, a suggested approach for addressing the Council’s work related to recommendation 27 was shared with the Council. The Council has not yet discussed how it wants to prioritize and allocate this work, which will have an impact on the Council’s work plan.
- Whois Procedure Implementation Advisory Group (WPIAG) - At the Council’s 13 March 2019 meeting, it agreed to defer further discussion of the WPIAG for 12 months, reserving the right to revisit at any time. With 12 months having lapsed, what action, if any, should be taken?
- Registration Directory Service Review Team (RDS-RT) - On 18 March 2020, the Council was informed that the ICANN Board passed two recommendations to the Council, in whole or in part, for its consideration as documented in the scorecard [icann.org] associated with the Board resolution [icann.org]. The Council has not yet discussed how it will consider the two relevant recommendations (i.e., CC1 and CC-4).

Here, the Council will discuss the bullet points above and discuss next steps, as applicable.

7.1 – Introduction of topic (Council leadership)

7.2 – Council discussion

7.3 – Next steps

**Item 8: ANY OTHER BUSINESS (15 minutes)**

- 8.1 - GNSO Chair election timeline [gnso.icann.org] announced
- 8.2 - EPDP Phase 2 Initial Report and latest EPDP Project Package - Any questions?
- 8.3 - RDS data accuracy - possible next steps?
- 8.4 - Expectations for ICANN68 (if virtual)?
- 8.5 - Letter [gnso.icann.org] from the ICANN Board regarding a potential impasse concerning the implementation of EPDP Phase 1 Recommendation 7, related to Thick WHOIS Transition Policy.

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Minutes of the GNSO Council Meeting 11 March 2020

**Agenda and Documents**

Audio Recording

Coordinated Universal Time: 20:00 UTC: https://tinyurl.com/qwknzmy

13:00 Los Angeles; 16:00 Washington DC; 20:00 London; (Thursday) 01:00 Islamabad; (Thursday) 05:00 Tokyo; (Thursday) 07:00 Melbourne

**List of attendees:**

Nominating Committee Appointee (NCA): – Non-Voting – Erika Mann

Contracted Parties House

Registrar Stakeholder Group: Pam Little, Michele Neylon, Greg DiBiase

gTLD Registries Stakeholder Group: Maxim Alzoba, Keith Drazek, Sebastien Ducos

Nominating Committee Appointee (NCA): Tom Dale

Non-Contracted Parties House


Non-Commercial Stakeholder Group (NCSG): Juan Manuel Rojas, Elsa Saade (apology, proxy to Tatiana Tropina), Tatiana Tropina, Rafik Dammak, Farell Folly, James Gannon

Nominating Committee Appointee (NCA): Carlton Samuels

GNSO Council Liaisons/Observers :

Cheryl Langdon-Orr – ALAC Liaison

Julf (Johan) Helsingius – GNSO liaison to the GAC

Maarten Simon – ccNSO observer

ICANN Staff
Item 1: Administrative Matters

1.1 - Roll Call

1.2 - Updates to Statements of Interest

There were no updates to councilor Statements of Interest.

1.3 - Review / Amend Agenda

Keith Drazek welcomed all to the first public GNSO Council session being held virtually and informed participants of the open mic session at the end of the agenda under Any Other Business.

There were no changes to the agenda as presented.

Keith Drazek reminded participants that having the Project List as its own agenda item was a decision made during the GNSO Strategic Planning Session (SPS) held in January 2020 in Los Angeles. The GNSO Council is the body managing the Policy Development Process (PDP) and the Project List is a crucial tool to discuss prioritization. During the SPS, councilors were encouraged to take part in a prioritization survey and to bring the results back to their Stakeholder Groups (SGs) and Constituencies (Cs) for review and further input.

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meeting on the 23 January 2020 were posted on 10 February 2020

Minutes of the GNSO Council meeting on the 20 February 2020 were posted on 6 March 2020.

Item 2: Opening Remarks / Review of Projects & Action List

2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action Item List

Keith Drazek reminded councilors that the Project List review was an independent agenda item for the March Council meeting.

Maxim Alzoba mentioned that he had sent an email about the Project List. Keith Drazek clarified that this was in regards to Project Change Requests (PCRs) submitted by both the new gTLD Subsequent Procedures (SubPro) PDP Working Group (WG) and the Review of all Rights Protection Mechanisms (RPM) PDP WG.

Open action items marked in yellow, therefore not being discussed as part of the main agenda, were reviewed:

PDP3.0 Final Report: Further work to be done here. Pam Little informed councilors that Council adopted all deliverables from the small team effort during the GNSO Council meeting in February 2020. The small team is in the process of sending out documents to WG leadership to assist them in their activities, once ICANN67 ends. Jeff Neuman, SubPro co-chair, asked in the Zoom chat for updates about the consensus building tools. Keith Drazek replied that the consensus playbook is to be finalised later this month.

Managing IDN Variant TLDs: Council received a report from the IDN Scoping team including a recommendation for policy work to be initiated around some components of the topic on variants. This group would be chartered under PDP3.0 guidance after Council discussion.

Evolution of the Multi Stakeholder Model (MSM) of Governance: ongoing discussion since 2019 about challenges the community has in ensuring that the MSM can continue to evolve and be effective

and the Council's PDP3.0 efforts are a significant step in the right direction.

Action item: none
Item 3: Consent Agenda: no item

Item 4: COUNCIL DISCUSSION – GNSO Projects List Review

Keith Drazek provided an overview of the Project List summary page which was discussed during the SPS, where the decision was made to set a baseline of understanding allowing future discussions to be based on significant changes only. At the issue scoping stage, there is the Transfer Policy – Policy Review Scoping Team. At the initiation phase, there is the PDP, Internationalized Domain Names, current stage of the IDN Scoping team. Under Working Groups, the current PDP WGs and Cross Community Working Groups are listed together. There are two items which have been pending a Board vote for a lengthy duration, which would warrant an engagement with ICANN Board. Last is the Implementation phase with items for which the Council has a responsibility to engage with ICANN Org. The GNSO Standing Committees are also available upon request.

Berry Cobb added that phases one through three are intended to highlight work in the pipeline, missing are items like the GNSO Review3, ATRT3 and others, focusing instead on PDP efforts. Ideally this scope would be broadened in the future. Regarding reviewing activity of each PDP, given the recent Project Change Requests submitted and the monthly Project Package submitted by the EPDP team, Council is up to date with activity status. Once items are in the Implementation phase, they are no longer under the Council’s strict remit.

Berry Cobb then provided further information on the changed steps, whether out of the scoping phase or into the implementation stage. He also added that “health” of completed projects had not been taken into consideration previously, for now, we have “status” and “condition” markers which will allow Council to understand when efforts will enter a problem phase. Yellow or red colouring on a task should be an alert to the Council and not a persisting condition of an effort or even an indication of the overall health of the project. Improvement 11 from PDP3.0 (creating a consistent work product of status reporting for each project) has been implemented by the EPDP with the development of the monthly package containing a summary timeline, a situation report and a Gantt chart showing each task that the group is to accomplish. This is easier to implement with an EPDP like structure rather than an longstanding PDP.

Keith Drazek asked about the “scary spreadsheet” (list of all GNSO Council impacting activities), and whether all its items would be incorporated into the Project list (EPDP Phase 1, wave 1 for instance). Berry Cobb responded that the list would become more difficult to handle, and could possibly cause loss of focus on policy development activity, but that it should be considered.

Pam Little noted that some projects were of the Council’s remit, and others no longer. She asked whether there could be a manner of differentiating the latter. She also asked about the accrued days and percentage of completion counts, whether they were both marking the total days of the effort, or whether they were marked by phase.

Berry Cobb clarified that the number of days was not an exact count and that the clock would start when the Council decides to launch a PDP. For RPM PDP WG for example, when the Council resolved to launch the PDP, there was a two-year delay before efforts started. There is no correlation between day counts and percentage of completion, as the latter is largely based on guess estimates gathered thanks to Council leadership, Council liaisons et staff support input. Using the EPDP example with the monthly project package highlighting what is completed, he explained that this effort was a lot easier to track than others. He acknowledged that collapsing items for Implementation and Board vote in one row leading to a more detailed page outlining the projects could provide more clarity. It was important that they still remained visible to the Council.

James Gannon noted that for PDPs having begun their efforts before PDP3.0, it would be good to break them down into project phases with a raci matrix each and roll them into their own program. Once these PDPs enter the implementation phase, feedback loops would be helpful.

Keith Drazek reinforced that this Project List and the precision of its data is geared towards EPDP set ups and structures development with PDP3.0 improvements.

Councilors were then presented with a more detailed follow up:

Expired Registration Recovery policy - Policy Review: Could be further discussed as part of the Council prioritization, and part of the EPDP 1, recommendation 27 wave 1 item. Could be part of a policy status report.

Policy & Implementation Recommendations Review: Should be part of a prioritization discussion with a focus on processes developed to date.

Transfer Policy - Policy Review Scoping Team: Team will be delivering its scoping report by the April document and motions deadline, suggesting a PDP with several issues outlined.

IDN Scoping Team: Example of a project being reset for the initiation phase anticipating the work for the charter. After ICANN67, the drafting process will start for the draft charter. This does not mean the PDP needs to be initiated after the charter draft, several tasks could be considered for completion prior to initiating the PDP.

Whois Procedure Implementation Advisory Group: On hold due to the dependency on conclusion of EPDP work on the temporary specification. Council needs to take a decision as to whether this effort is still valid in light of EPDP developments. Rafik Dammak noted that there is recommendation 27 wave 1 report, and that this effort should not longer be on hold in the initiation phase but placed in another phase, such as a backlog for example.

RPM - IGO Curative Rights: referral of recommendation 5 of the IGO Protections Issue group to the RPM team. It’s a separate work track under the umbrella of RPM WG. The addendum and charter has been approved, the group now needs to be initiated under PDP3.0 improvement recommendations. The call for volunteers and expression of interest for the chair are now finalised.

EPDP Phase 2: the progress bar to the left of the condition codes marks 81%, it was at 73% when the team opened up for Public Comment. The monthly project package presented by the EPDP will be an essential step for all upcoming PDPs.

CCWG Auction Proceeds: After the past Public Comment, the group is reviewing input on the proposed Final Report. The Final Report is scheduled for May 2020.
RPM PDP WG: Project Change Request has been submitted to and approved by Council. The group went through a process of working with staff, the GNSO Council liaison and Council leadership. John McElwaine, GNSO Council liaison to the RPM PDP WG, reported that since the PCR was approved, the efforts promised by the three co-chairs, to work together, to have a method to reach agreement are visibly showing positive results. The RPM WG sessions for ICANN67 finished early as scheduled work was completed. Initial Report is due to be published on 18 March 2020.

SubPro PDP WG: Project Change Request has been submitted to and approved by Council with a planned end date of 20 December 2020. Flip Pettillion, GNSO Council liaison to SubPro, added that work was going smoothly. Keith Drazek reminded councilors that having approved the Project Change Request, Council needed to commit to ensuring these new deadlines were met. Steve Chan, ICANN Org, clarified the difference of status (about timeline), and condition (which can be better defined by health). The latter might need to be discussed with co-chairs, but condition defines the overall health of the group and that the amount of topics to be discussed by the SubPro WG could potentially keep the condition at risk. Keith Drazek noted Jeff Neuman, SubPro co-chair, disagreeing in the Zoom chat. He reminded councilors that the PCR had only just been approved. He added that there might need to be further coordination as to the codes of the tracking documents, such as the Project List.

Action Item: none

Item 5: COUNCIL DISCUSSION – GNSO Work Prioritization - 2020 Work Plan

Keith Drazek introduced this item as a follow up from the informal survey undertaken by councilors during the SPS in January 2020. The results of the informal survey were to be shared by councilors with their groups, with the aim of sharing the ensuing input with the Council during today’s meeting to discuss which new work should be prioritized for initiation, when capacity within the community becomes available.

Michele Neylon mentioned that there was discussion among the RrSG about what could be an important topic. There was insistence on the limited bandwidth available. The highest priority item for the RrSG is related to transfer policy, the lowest priority would be around DNS abuse, which is important but has no specific asks.

Farell Folly asked for clarification regarding the fact the initial survey was filled in by councilors present at the SPS only and was concerned about the ensuing results. Keith Drazek reminded councilors that these results were to be brought back to the SGs and Cs for their input prior to the March GNSO Council meetings. He added that voting on the items wasn’t necessarily planned for, but that it was mostly a tool to help inform the discussion.

Marie Pattullo communicated input from the Business Constituency, which consists of following up on items which have completed their PDP, or current steps: SSR1, ATRT3, CCT RT. Following those, EPDP, PDP3.0, IDNs and Universal Acceptable, which needs to move much faster to have results for the next round, and data accuracy.

Sebastien Ducos, for the Registry SG (RySG): expired registration recovery policy, Whois and IDNs. He added that not many registries provided input.

Rafik Dammak, for the Non Commercial SG (NCSG) priorities are: phase 3 EPDP and phase 2 RPMs. Further information is also required regarding Internationalized Registration Data (IRD).

Action Item:

GNSO Council, in collaboration with GNSO Support Staff, to develop a framework of prioritization for upcoming GNSO policy work based on the input received from GNSO Councilors and their respective stakeholder groups/constituencies and input from the broader ICANN community/ICANN Board.

Keith Drazek to encourage councilors to share the survey feedback received from their groups on the Council mailing list (missing IPC and ISPCP)

Item 6: ANY OTHER BUSINESS

6.1 - Council discussion on the guidance sought from the EPDP team related to ICANN org’s 5 December 2019 letter seeking clarifications on data accuracy and the EPDP Phase 2. The EPDP Team is hoping to receive guidance by 13 March 2020.

Keith Drazek informed councilors that the EPDP 2 team is asking for guidance regarding the topic of data accuracy stemming from the EPDP 1 report. Can the topic of data accuracy be reasonably handled by the EPDP 2 team within the time remaining? There is recognition that it is an important topic requiring discussion, but it does not need to take place within the scope of EPDP 2. He suggested the Council call for a small group to work on this out of the EPDP 2 effort.

Maxim Alzoba made the difference between the use of the term accuracy used in ICANN and the use for GDPR.

Tatiana Tropina agreed with Keith Drazek and noted that accuracy was not within the scope of the team, and certainly not within the timeframe remaining. Responding to Marie Pattullo’s point in the chat, she added that as part of the EPDP Legal team herself, not all members of the Legal Team agreed on accuracy, and that Bird & Bird had addressed the issue already and had concluded that the EPDP findings would not affect data accuracy. Data accuracy as defined by ICANN Org, is not within the very narrow scope of the GDPR compliance.

Greg Dibiase also agreed and added that the RrSG does not believe data accuracy is within the scope of the EPDP team, nor that there is enough time for the team to deal with it correctly.

Rafik Dammak, EPDP Vice Chair, asked for clarification regarding the feedback he should bring back from Council to the EPDP team and added that this would be needed by Friday 13 March 2020.

Keith Drazek asked councilors to provide their additional input on the Council mailing list, and noted that the Business Constituency disagreed in the chat with the previous comments made by councilors.

Action Item:
Keith Drazek to send an email to the GNSO Council mailing list regarding the possible next steps regarding the data accuracy issue, with the aim to provide a response to the EPDP Team by Friday, 13 March

6.2 - Open microphone

Jeff Neuman, Co-Chair of the SubPro PDP WG, complimented the Project List as a good visual tool to see where the different PDPs stand in terms of activity. He added that further work needed to be done to provide a better understanding of the meanings of the various statuses. He also mentioned that an escalation procedure, should a PDP status be in trouble, triggering Council action should be put into place.

Keith Drazek agreed and added that the Project List was a tool evolving with PDP3.0 improvements, the aim of which is also to hold the GNSO Council as well as PDP Leadership teams, accountable for the PDP meeting its obligations and timelines. He assured Jeff Neuman that staff would be engaging with Council PDP leadership teams regarding further work on statuses.

Amr Elsadr spoke about the data accuracy topic highlighting that there was no mention of this topic in the EPDP charter and directed councilors to the Expedited PDP manual which recommends substantially scoping an issue before initiating an EPDP, but the data accuracy topic has not been sufficiently scoped.

Keith Drazek thanked all for their input and participation in the GNSO Council session of ICANN67.

Keith Drazek adjourned the meeting at 23:05 UTC on Wednesday 11 March 2020

Minutes of the GNSO Council Meeting 20 February 2020

Agenda and Documents
Coordinated Universal Time: 22:00 UTC: https://tinyurl.com/vjx8bub
14:00 Los Angeles; 17:00 Washington DC; 22:00 London; (Friday) 03:00 Islamabad; (Friday) 07:00 Tokyo; (Friday) 09:00 Melbourne
List of attendees:
Nominating Committee Appointee (NCA): – Non-Voting – Erika Mann (apology)
Contracted Parties House
Registrar Stakeholder Group: Pam Little, Michele Neylon, Greg DiBiase
gTLD Registries Stakeholder Group: Maxim Alzoba, Keith Drazek, Sebastien Ducos
Nominating Committee Appointee (NCA): Tom Dale
Non-Contracted Parties House
Commercial Stakeholder Group (CSG): Marie Pattullo (absent, proxy to Scott McCormick), Scott McCormick, Philippe Fouquart, Osvaldo Novoa, John McElwaine, Flip Petillion
Non-Commercial Stakeholder Group (NCSG): Martin Silva Valent, Elsa Saade, Tatiana Tropina, Rafik Dammak, Farellolly, James Gannon
Nominating Committee Appointee (NCA): Carlton Samuels
GNSO Council Liaisons/Observers :
Cheryl Langdon-Orr– ALAC Liaison
Julif (Johan) Helsingius– GNSO liaison to the GAC
Maarten Simon – ccNSO observer (absent)
ICANN Staff
David Olive -Senior Vice President, Policy Development Support and Managing Manager, ICANN
Regional
Marika Konings – Senior Advisor, Special Projects
Mary Wong – Vice President, Strategic Community Operations, Planning and Engagement
Julie Hedlund – Policy Director
Steve Chan – Policy Director
Berry Cobb – Policy Consultant
Emily Barabas – Policy Manager
Ariel Liang – Policy Support Specialist
Caitlin Tubergen – Policy Senior Manager
Jeff Graham - Technical Support
Nathalie Peregrine – Manager, Operations
Terri Agnew - Operations Support - GNSO Lead Administrator
Audio Recording
Transcript
Item 1: Administrative Matters
1.1 - Roll Call
Keith Drazek welcomed Juan Manuel Rojas and James Gannon as new NCSG councilors.
1.2 - Updates to Statements of Interest
Elsa Saade announced that she was stepping down as GNSO Council liaison to the GNSO New gTLD Subsequent Procedures (SubPro) Policy Development Process (PDP) Working Group (WG). James Gannon added that he had resumed employment with Novartis.

1.3 - Review / Amend Agenda
The agenda was approved without changes. Keith Drazek mentioned that there would be time for a discussion about the ICANN67 virtual meeting between items 6 and 7 following the cancellation of the Cancun venue due to risks related to Covid-19.

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:
Minutes of the GNSO Council meeting on the 19 December 2019 were posted on 02 January 2020
Minutes of the GNSO Council meeting on the 23 January 2020 were posted on 10 February 2020
Action items:
- GNSO Support Staff to remove Elsa Saade as the GNSO Council liaison to the SubPro PDP WG following her formal resignation from the position during the Council meeting on 20 February 2020.
- Councilors who were unable to attend the pre ICANN67 GNSO Policy Update webinar to listen to the recording of the session prior to the week of ICANN67 (week of 9 March). Keith to send a reminder to the Council list.

Item 2: Opening Remarks / Review of Projects & Action List
2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action Item List
Keith Drazek reminded councilors that the Project List review was an independent agenda item for the February Council meeting.
As part of the Action Item list review, it was decided to remove an open task from the Evolution of the Multistakeholder Model. Berry Cobb confirmed that this topic had been discussed during a call between the GNSO Standing Committee on Budget and Operations (SCBO) and the ccNSO Strategic and Operational Planning Standing Committee (SOPC) and could be further discussed at a ccNSO and GNSO Council level.
Regarding the IDN Scoping team, the GNSO Council now needs to review the Recommendation Report which was delivered on 17 January 2020 and determine next steps taking into account discussions around PDP3.0 improvements which took place during the GNSO Council Strategic Planning Session (SPS) in January 2020.
Maxim Alzoba raised the issue of a potential overlap of an IDN PDP with other GNSO PDPs.
Action items:
- GNSO Support Staff to remove the current open action item for the MSM evolution project
- GNSO Council to share with the ccNSO Council about the work done in PDP 3.0 that aligns with the MSM evolution project (during the next joint ccNSO-GNSO Council meeting?);
- GNSO Councilors to review the IDN Scoping team Recommendation Report by the March 2020 Council meeting; Keith to send a reminder to the Council list.
- GNSO Council to use the revised charter template and other related PDP 3.0 work products to develop a draft charter for a future PDP/EPDP for the IDN policy effort, consider potential overlap of IDN PDP with other GNSO PDPs, and report to the GNSO Council on whether these PDP 3.0 work products help achieve the intended outcomes.

Item 3: Consent Agenda: no item
Item 4: COUNCIL VOTE – PDP3.0 implementation Final Report
Rafik Dammak, seconded by Pam Little, submitted a motion for Council to approve the PDP3.0 Implementation Final Report.

Whereas,
1. GNSO Policy Development Process (PDP) 3.0 is a GNSO Council initiative aimed at introducing incremental improvements to enhance the efficiency and effectiveness of GNSO PDPs.
2. On 24 October 2018, the GNSO Council resolved to adopt the GNSO PDP 3.0 Proposed Improvements Paper and provided full support for fourteen (14) improvements.
3. In January 2019 during the GNSO Council’s Strategic Planning Session (SPS), the GNSO Council decided that a Small Team of Councilors should be convened to support the implementation efforts in collaboration with the GNSO support staff. Led by Rafik Dammak, a GNSO Council Vice Chair, the Small Team met regularly between April 2019 and February 2020, with designated leads working with staff to advance the implementation of each improvement.
4. To facilitate the GNSO Council’s review, the Small Team delivered four packages to the GNSO Council in an incremental manner: Package one, on improvements 1, 2, 3, and 6 was delivered on 13 August 2019; Package two, on improvements 11, 12, 14, and 16 was delivered on 25 September 2019; Package three, on improvements 5 and 13 was delivered on 22 October 2019; and Package four, on improvements 9 and 15 was delivered on 21 November 2019.
5. During the process of developing and finalizing the proposed implementation, the ICANN community and the ICANN org were consulted for input and suggestions via various mechanisms, including but not limited to: interviews and small group discussions, GNSO Council mailing lists and meetings, invitation to provide written input, and a public webinar on 9 December 2019.
6. While the PDP 3.0 precedes ICANN’s Evolution of the Multistakeholder Model (MSM) project, the implementation is nevertheless connected. The GNSO Council commented on the Evolution of the MSM’s initial report and engaged with Brian Cute, the project’s facilitator, before and during the ICANN66 meeting in Montréal. In Appendix C of ICANN’s Draft FY21-25 Operating & Financial Plans and Draft FY21 Operating Plan & Budget, which documents the outcome of Phase 1 and Phase 2 of the project, three (3) out of the six (6) workstreams align with the PDP 3.0 implementation; the GNSO is being proposed to lead the “Issue A: Consensus + representation and Inclusivity” workstream.
7. In January-February 2020, the Small Team conducted additional activities, including: 1) revising the GNSO PDP working group charter template; 2) identifying sections in the current GNSO Operating Procedures that could be revised after the GNSO Council reviews the effectiveness of PDP 3.0 implementation; and 3) discussing “Parking Lot” items that might benefit from future work.
8. In January 2020 during GNSO Council’s SPS, the GNSO Council dedicated several sessions to the discussion of PDP 3.0 and agreed on several action items as the next steps for the implementation efforts.
9. On 10 February 2020, the Small Team completed thirteen (13) out of fourteen (14) PDP 3.0 improvements and delivered its Final Report to the GNSO Council for its consideration. The Final Report provides an overview of the PDP 3.0 implementation process and outcomes, a consolidation of all of the work products incorporating community feedback as appropriate, and suggested effective time frame for deployment of the improvements.
10. The last remaining work product related, the Consensus Playbook, is originated from PDP 3.0 Improvement #4 and not complete. While, the Consensus Playbook is not strictly a PDP 3.0 product, it is intended to be utilized by the broader ICANN community beyond the GNSO. Its pending status should not prevent the GNSO Council adoption of the Implementation Final Report from the PDP 3.0 Small Team. Adoption of the Consensus Playbook will be voted upon by the GNSO Council at a later date.

Resolved,
1. The GNSO Council hereby adopts the GNSO PDP 3.0 Implementation Final Report and instructs GNSO Support Staff to work with the GNSO Council leadership on the deployment of improvements based on the effective time frame proposed by the PDP 3.0 Small Team.
2. The GNSO Council requests future charter drafting teams of the GNSO Council to commence chartering for upcoming PDP efforts by utilizing the revised GNSO working group charter template and other related PDP 3.0 work products, and report to the GNSO Council on whether they help achieve the intended outcomes.
3. The GNSO Council requests that after all PDP 3.0 improvements are in effect, the GNSO Council conducts a review of the implementation effectiveness in a timely manner.
4. The GNSO Council requests that following the GNSO Council review of the PDP 3.0 implementation effectiveness, the GNSO Council considers any necessary updates to the GNSO Operating Procedures and uses the relevant work product in the PDP 3.0 Implementation Final Report as a starting point.
5. The GNSO Council confirms that none but one (1) “Parking Lot” item (Statement of Interest Review) identified by the PDP 3.0 Small Team should be moved forward until the GNSO Council has the opportunity to evaluate the PDP 3.0 implementation effectiveness.
6. The GNSO Council thanks to the PDP 3.0 Small Team, GNSO support staff, and others who have contributed to the implementation of GNSO PDP 3.0 improvements as well as the proposed implementation work products to enhance the efficiency and effectiveness of GNSO PDPs.

Resolved,
1. The GNSO Council hereby adopts the GNSO PDP 3.0 Implementation Final Report and instructs GNSO Support Staff to work with the GNSO Council leadership on the deployment of improvements based on the effective time frame proposed by the PDP 3.0 Small Team.
2. The GNSO Council requests future charter drafting teams of the GNSO Council to commence chartering for upcoming PDP efforts by utilizing the revised GNSO working group charter template and other related PDP 3.0 work products, and report to the GNSO Council on whether they help achieve the intended outcomes.
3. The GNSO Council requests that after all PDP 3.0 improvements are in effect, the GNSO Council conducts a review of the implementation effectiveness in a timely manner.
4. The GNSO Council requests that following the GNSO Council review of the PDP 3.0 implementation effectiveness, the GNSO Council considers any necessary updates to the GNSO Operating Procedures and uses the relevant work product in the PDP 3.0 Implementation Final Report as a starting point.
5. The GNSO Council confirms that none but one (1) “Parking Lot” item (Statement of Interest Review) identified by the PDP 3.0 Small Team should be moved forward until the GNSO Council has the opportunity to evaluate the PDP 3.0 implementation effectiveness.
6. The GNSO Council thanks to the PDP 3.0 Small Team, GNSO support staff, and others who have contributed to the implementation of GNSO PDP 3.0 improvements as well as the proposed implementation work products to enhance the efficiency and effectiveness of GNSO PDPs.

John McElwaine had submitted an amendment to the motion, which, after discussion, was re-worded and accepted as friendly by Rafik Dammak and Pam Little.
Maxim Alzoba asked why the Consensus Playbook was not intended to be submitted to Public Comment.
Rafik Dammak, in response to Maxim’s question, reminded councilors that the Playbook is solely a resource for WG leadership to build consensus, via Additional Budget Request funding, and to be available to the broader community. Given it is a collaboration with external vendors, and given the need to limit community workload, it is not necessary to submit it to Public Comment.
Councilors voted unanimously in support of the amended motion.
Raif Dammak thanked the PDP3.0 members and staff for their efforts and reminded Council of the
timeframe of the implementation next steps.
Vote results
Action items:
GNSO Support Staff to work with the GNSO Council leadership on the deployment of
improvements based on the effective timeframe proposed by the PDP 3.0 Small Team.
GNSO Council to carry out the other future action items in the “resolved” clauses at appropriate
time, as directed in the motion.

Item 5: COUNCIL UPDATE – Review of All Rights Protection Mechanisms (RPM) in All gTLDs PDP
Project Change Request
Keith Drazek reminded the Council that an updated Project Change Request had been received by the
RPM PDP WG. An update on the WG activities had been provided on the previous day during the pre
ICANN67 GNSO Policy Update webinar. A discussion had been held between council leadership, RPM
co-chairs and liaison to ensure that the new timelines being presented were reasonable and that the co-
chairs were committed to meet them with efficient work methods and decision-making.
John McElwaine, GNSO Council’s liaison to the RPM WG, provided context to the new updated request.

He reminded councilors that this effort has been ongoing since 2016. The first Change Request had a
date of conclusion for August 2020, however given the holiday period, an updated Project Change
Request was subsequently submitted. John McElwaine pointed out that the co-chairs had committed to
working together, to remain within scope and to avoid old issues being relitigated whilst recognizing that
diversity of views existed. A clear work plan will also be submitted to members of the WG.

Keith Drazek reminded councilors of the importance of the Project Change Request tool. He also raised
the issue of the three co-chairs leadership structure and that should the current structure be unable to
move forward, it would be within the Council’s remit to remove the co-chairs.

Flip Petillion asked whether Project Change Requests would be put to motion moving forward as it might
assist PDP leadership teams in their efforts. Keith Drazek clarified that this was not the case currently, as
there had been no meaningful Council objection to the submitted requests to date, but that PDP co-chairs
would receive formal notification of Council approval. Berry Cobb added that considering a motion could
be a next step for Council in the future. Pam Little suggested mentioned that giving councilors extra time
to consider the Project Change Request was the to provide a response to a Project Change Request
should be on behalf of the whole Council and not just Council leadership. Keith Drazek confirmed that
putting future Project Change Requests to formal vote was not excluded.

Action items:
GNSO Councilors to consider using formal votes to approve future Project Change Requests
(PCRs)

GNSO Council to provide feedback with regard to the RPM PCR on list for one week (till 27
February 2020), which should help inform the GNSO Council decision on whether to approve the
PCR. Keith to send a reminder on the Council list.

Item 5: COUNCIL UPDATE – Review of All Rights Protection Mechanisms (RPM) in All gTLDs PDP
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co-chairs and liaison to ensure that the new timelines being presented were reasonable and that the co-
chairs were committed to meet them with efficient work methods and decision-making.
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(PCRs)

GNSO Council to provide feedback with regard to the RPM PCR on list for one week (till 27
February 2020), which should help inform the GNSO Council decision on whether to approve the
PCR. Keith to send a reminder on the Council list.

Item 6: COUNCIL UPDATE – New gTLD Subsequent Procedures PDP Project Change Request
Keith Drazek reminded councilors that a Project Change Request had been submitted by the SubPro
working Group.

Flip Petillion provided councilors with further context. The WG began its efforts in 2016 and is currently
developing and reviewing its draft final recommendations whilst seeking to resolve open issues on a
subset of topics. It was estimated that the WG could deliver its final report to the Council by the end of the
second quarter of 2020, but that was based on the understanding that the additional public comment
period would be limited to a subset of topics. However, there was an expectation of a new public
comment period based on the entire final report which led to the Project Change Request timeline of
delivery by end of December 2020.

Flip Petillion stressed that this was not a decision which the co-chairs had not lightly and that the WG
was already ahead of schedule with extended meetings planned in April and May 2020. The issue of
limited participation of WG members was also raised. Flip Petillion encouraged councilors to remind their
stakeholders and constituency members of the importance of the multistakeholder model need for
consensus.

Keith Drazek pointed out that adding structure and accountability to the PDP WG leadership teams
should help them in reaching their timeframes and that support of the GNSO Council to the WGs was
essential in making this happen.
Maxim Alzoba asked for clarification about the delivery date of the 31st December 2020, date at which
ICANN offices are closed. Keith Drazek drew attention to the fact that “no later than” appeared before the
mentioned date and thus delivery would need to be prior to the ICANN offices closing.

Stephanie Fouquart asked whether the current timeline would affect the first applications for the next
round of gTLDs. Keith Drazek asserted that the focus was the Policy Development Process. Next steps
will be GNSO Council and ICANN Board consideration, followed by the implementation phase which
would include the parameters for how ICANN builds the review process for how applications are
submitted, the full timeline is as of today undetermined. The last phase would include a new process to
manage the next round of applications.

Action item:
GNSO Council to provide feedback with regard to the SubPro PCR on list for one week (till 27
February 2020), which should help inform the GNSO Council decision on whether to approve the
PCR. Keith to send a reminder on the Council list.

Item 7: COUNCIL DISCUSSION – GNSO Projects List Review postponed & replaced by ICANN67
discussion
This agenda item was postponed in favour of a discussion on the announcement that ICANN67 will now
be a virtual meeting.
Keith Drazek reminded all that ICANN Org announced that ICANN Board passed a resolution cancelling the face-to-face ICANN67 meeting in Cancun, a virtual meeting will be developed instead. He acknowledged that the decision taken was not an easy one. A community webinar was organized on 20 February 2020 to gather input. A call with community leaders is scheduled for the 21 February 2020 to determine next steps.

The following points were raised during the Council discussion:
- The ICANN67 schedule as it stands would not fit a virtual meeting.
- Prioritising sessions and establishing parameters will be key.
- The choice of timezone in which to conduct these sessions is crucial to encourage participation
- Are joint meetings and regular update sessions considered essential?
- PDPs are facing a considerable challenge as their work plans all depend on F2F meeting output.
- Acknowledgement that lengthy overnight and/or full days of conference calls and won’t be feasible over a long duration.
- Scheduling conference calls during the set ICANN67 dates would be preferable over impacting members availability beyond the planned end date.
- Some community members will still travel to Cancun, their time zone will need to be taken into account.
- For those whose day jobs are unrelated to ICANN matters, taking personal time off for conference calls will be difficult.
- To ensure active and constructive participation, all presentation materials need to be made available before the meeting and all recordings need to be published rapidly after the end of each session.
- Proper evaluation will need to be captured to consider the quality of the virtual format on meetings of this scale. A positive outcome could be ease of access and financial savings.
- Regional gatherings could be an alternative albeit with its logistical difficulties (comparisons were drawn with the ICANN37 Nairobi meeting where remote participation was organised for hubs).
- Given the short timeframe, trying to re-organise a whole new schedule with a new time zone seems extremely difficult.
- There are no extremely urgent items for Council consideration, PDP efforts should be prioritized.

Outcome:
GNSO Council deferred the discussion of the project list to the next Council meeting.

Item 8: COUNCIL DISCUSSION – GNSO Work Prioritization
At the Strategic Planning Session, Councilors participated in an informal and non-binding ranking survey, which was used as a “sense of the room.” This informational survey result was shared with Councilors to then share with their respective Stakeholder Groups and Constituencies, to gain a better sense of the various groups’ top priorities.

Keith Drazek reminded all that there were three PDPs currently heading to milestones and that community input on the upcoming workload was key. An example is the updated work on the EPDP recommendation 27 circulated to the mailing list earlier that day.

Rafik Dammak mentioned there was also follow up work on the IRD (internationalized Registration Data) which had been the scope of the Expert Working Group on Internationalized Registration Data Registration Data Services PDP WG but which was no longer being dealt with.

Keith Drazek also asked councilors to look at items which are easily achievable as well as those with the utmost importance.

Michele Neylon added that the Registrar Stakeholder Group (RrSG) considered that the transfer policy was a high priority but that the list needed to be cleared of other items too.

Pam Little stressed that feedback on the prioritisation list of items was key for a Council work plan to be developed for 2020.

Steve Chan, ICANN Org, reminded councilors that IDN Variants were not scored as high priority item, however they could impact new gTLDs. In this regard, dependencies also need to be considered when ranking items.

Action Item:
GNSO Support Staff to research and incorporate the deliberation on the Internationalized Registration Data (IRD) issue in the prioritization list, as appropriate.
GNSO Councilors to continue consulting with their respective groups in preparation for further Council discussion and/or decision during the March 2020 Council meeting.

Item 9 Any Other Business

9.1 - ICANN67 Planning / Questions for lunch with the ICANN Board
This was postponed as there will be no lunch meeting with the Board.

John McElwaine, chair of the SCBO, asked that councilors, especially those involved in the PDP3.0 work effort or with project management experience, review the comments and provide input. Berry Cobb added that the final draft would be submitted to Council on the 23 February 2020 for a last review, and then submitted as GNSO Council public comment on the 25 February 2020.

Action item:
GNSO Council, especially the Councilors involved in the PDP 3.0 small team, to review the draft and provide input for the PDP 3.0 related comments no later than 21 February 2020 at 23:59 UTC.

9.3 - Council consideration of whether a response is needed to ICANN org’s 5 December 2019 letter related to clarifications on data accuracy and EPDP Phase 2.
Keith Drazek reminded all a response is needed to the letter sent by ICANN org.

Action item:
Keith Drazek to re-circulate the letter to the Council list with discussion points.
GNSO Council to provide feedback.

Keith Drazek adjourned the meeting at 23:02 UTC on Thursday 20 February 2020

GNSO Council Agenda 20 February 2020

Please note that all documents referenced in the agenda have been gathered on a Wiki page for convenience and easier access: https://community.icann.org/x/0A_JBw

This agenda was established according to the GNSO Operating Procedures v3.3, updated on 30 January 2018

For convenience:

- An excerpt of the ICANN Bylaws defining the voting thresholds is provided in Appendix 1 at the end of this agenda.
- An excerpt from the Council Operating Procedures defining the absentee voting procedures is provided in Appendix 2 at the end of this agenda.

GNSO Council meeting held at 21:00 UTC

Coordinated Universal Time: 21:00 UTC: https://tinyurl.com/ttpt6f9

13:00 Los Angeles; 16:00 Washington DC; 21:00 London; (Friday) 02:00 Islamabad; (Friday) 06:00 Tokyo; (Friday) 08:00 Melbourne

GNSO Council Meeting Audio Cast

Listen in browser: http://stream.icann.org:8000/stream01

Listen in application such as iTunes: http://stream.icann.org:8000/stream01.m3u

Councilors should notify the GNSO Secretariat in advance if they will not be able to attend and/or need a dial out call.

Item 1: Administrative Matters (10 mins)

1.1 - Roll Call

1.2 - Updates to Statements of Interest

1.3 - Review / Amend Agenda

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meeting on the 19 December 2019 were posted on 02 January 2020

Minutes of the GNSO Council meeting on the 23 January 2020 were posted on 10 February 2020

Item 2: Opening Remarks / Review of Projects & Action List (5 minutes)

2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action Item List. Note, the review of the Projects List will be a substantive agenda item for this Council meeting.

Item 3: Consent Agenda (0 minutes)

- None

Item 4: COUNCIL VOTE - Adoption of the PDP 3.0 Implementation Final Report (15 minutes)

The PDP 3.0 Small Team has completed thirteen (13) out of fourteen (14) PDP 3.0 improvements and has delivered four packages to the GNSO Council. Package one, on improvements 1, 2, 3, and 6 was delivered on 13 August 2019. Package two, on improvements 11, 12, 14, and 16 was delivered on 25 September 2019. Package three, on improvements 5 and 13 was delivered on 22 October 2019. Package four, on improvements 9 and 15 was delivered on 21 November 2019. The PDP 3.0 Small Team completed implementation of improvement 17, which is integrated into the small team’s final outputs.

On 10 February 2020, The PDP 3.0 Small Team delivered its Final Report to the GNSO Council for its consideration. The Final Report provides an overview of the effort and the outcomes, effective dates for deployment of the improvements, and a consolidation of all of the work products. One work product related to PDP 3.0, the Consensus Playbook (originating from improvement 4), is not complete, but is also not strictly a PDP 3.0 product, as it is intended to be utilized by the broader community beyond just the GNSO.

Here, the Council will vote to adopt the Final Report, signifying the completion of the PDP 3.0 implementation effort.

4.1 – Presentation of motion (Council Leadership)

4.2 – Council discussion
Item 5: COUNCIL UPDATE – Review of All Rights Protection Mechanisms in All gTLDs PDP Project Change Request (15 minutes)

Chartered in March 2016 to review all the RPMs that have been developed by ICANN, the PDP is focused on RPMs developed for the 2012 New gTLD Program (i.e., Trademark Clearing House, Sunrise, Claims, and Uniform Rapid Suspension). The WG has relied on a number of creative mechanisms to seek to address the extensive topics contained within its charter, including setting up a number of sub teams to divide the work. The WG has already published its Initial Report, a Supplemental Initial Report, as well as a report specific to Work Track 5, focused on geographic names. The WG has reviewed public comments received to all of these reports, considered what should be integrated, and is now in the midst of developing and reviewing draft final recommendations. Concurrently, the WG is seeking to resolve open issues on a subset of topics.

As of ICANN66, the WG estimated that it could deliver its Final Report to the GNSO Council by the end of Q2 2020, which was based on the premise that an additional public comment period would be limited to a subset of topics. However, it has become clear to the Co-Chairs that there is an expectation of a public comment on the entire draft Final Report, even if comment is only sought on particular areas of that report. Given these changing dynamics, the WG is submitting a Project Change Request (PCR) for the January 2020 Council meeting, intending to both inform and gain approval from the GNSO Council. The Council agreed that Councillor leadership and the PDP leadership should discuss the PCR and determine whether the dates are achievable and that the PDP leadership is able to commit to those dates.

Here, the Council will consider the revised Project Change Request.

6.1 – Introduction of topic (Council leadership; John McElwaine, GNSO Council liaison to the PDP)

6.2 – Council discussion

6.3 – Next steps

Item 6: COUNCIL UPDATE – New gTLD Subsequent Procedures PDP Project Change Request (15 minutes)

The PDP was chartered in January 2016 to review the 2012 New gTLD Program round to determine what, if any changes may need to be made to the existing 2007 Introduction of New Generic Top-Level Domains policy recommendations.

The PDP has worked diligently since launch and is preparing to publish its Initial Report for public comment. As of ICANN64, the WG had expected to be able to publish its Initial Report at the beginning of 2020. The WG is currently revisiting sub team and individual URS proposals and, when completed, will proceed to the development of its Phase One Initial Report, with a plan to publish in March of 2020. As a result of this delay in timeline, the PDP submitted a Project Change Request (PCR) for the January 2020 Council meeting, intending to both inform and gain approval from the GNSO Council. The Council agreed that Councillor leadership and the PDP leadership should discuss the PCR and determine whether the dates are achievable and that the PDP leadership is able to commit to those dates.

Here, the GNSO Council will consider the PCR from the SubPro PDP.

6.1 – Introduction of topic (Council leadership; Flip Petillion and Elsa Saade, GNSO Council liaisons to the PDP)

6.2 – Council discussion

6.3 – Next steps

Item 7: COUNCIL DISCUSSION – GNSO Projects List Review (30 minutes)

During the GNSO Council’s Strategic Planning Session in January 2020, the Council agreed that close review of the GNSO Projects List is a critically important part of its job as manager of the PDP process. The Council acknowledged that with full agendas, careful consideration of the project list is often sacrificed.

With a pipeline full of additional new work and an already brimming current set of projects, ensuring that current work is as well positioned as possible to succeed, but also recognizing areas of concerns, are important areas of focus for the GNSO Council.

Here, the Council will conduct a thorough and detailed review of the Projects List (with the exceptions of RPMs and SubPro, which are both substantive items on this agenda).

7.1 – Introduction of topic (Council leadership)

7.2 – Council discussion

7.3 – Next steps

Item 8: COUNCIL DISCUSSION – GNSO Work Prioritization (15 minutes)

Continuing the theme from item 7 of this agenda, the GNSO Council acknowledged that there is extent to which it can agree to perform additional work. This resource limitation means that the GNSO Council must efficiently complete its current work as noted in item 7, but already prioritize the new work waiting in its pipeline. At the Strategic Planning Session, Councillors participated in an informal and non-binding ranking survey, which was used as a “sense of the room.” This informational survey result was shared with Councillors to then share with their respective Stakeholder Groups and Constituencies, to gain a better sense of the various groups’ top priorities.

Here, the Council will continue its discussions on which new work should be prioritized for initiation, when capacity within the community becomes available.
8.1 – Introduction of topic (Council leadership)

8.2 – Council discussion

8.3 – Next steps

**Item 9: ANY OTHER BUSINESS (15 minutes)**

9.1 - ICANN67 Planning / Questions for lunch with the ICANN Board


9.3 - Council consideration of the draft response to ICANN org’s letter related to the EPDP Phase 1 Recommendation 28.

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**GNSO Council Agenda 23 January 2020**

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GNSO Council meeting held at 22:00 UTC

Coordinated Universal Time: 22:00 UTC: [https://tinyurl.com/vjx8bub](https://tinyurl.com/vjx8bub)

14:00 Los Angeles; 17:00 Washington DC; 22:00 London; (Friday) 03:00 Islamabad; (Friday) 07:00 Tokyo; (Friday) 09:00 Melbourne

**GNSO Council Meeting Audio Cast**

Listen in browser: [http://stream.icann.org:8000/stream0](http://stream.icann.org:8000/stream0)

Listen in application such as iTunes: [http://stream.icann.org:8000/stream01.m3u](http://stream.icann.org:8000/stream01.m3u)

Councilors should notify the GNSO Secretariat in advance if they will not be able to attend and/or need a dial out call.

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**Item 1: Administrative Matters (10 mins)**

1.1 - Roll Call

1.2 - Updates to Statements of Interest

1.3 - Review / Amend Agenda

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meeting on the 24 October 2019 were posted on 13 November 2019

Minutes of the GNSO Council meeting on the 19 December 2019 were posted on 02 January 2020

**Item 2: Opening Remarks / Review of Projects & Action List (20 minutes)**

2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action Item List
Item 3: Consent Agenda (10 minutes)

- **Motion** to approve the nomination of Amr Elsadr to serve as the ICANN Fellowship Program mentor.
- Confirmation of Johan Helsingius as the Chair and Carlton Samuels as Vice-Chair for the GNSO Standing Selection Committee (SSC).

Item 4: COUNCIL VOTE – Vote on the Addendum to the Review of All Rights Protection Mechanisms in All gTLDs Charter to Integrate Recommendation 5 From IGO-INGO Access to Curative Rights Protection Mechanisms Final Report (20 minutes)

On 18 April 2019, the Council voted to approve recommendations 1-4 of the Final Report from the IGO-INGO Access to Curative Rights Protection Mechanisms PDP WG. The Council also resolved to not approve Recommendation 5 and, "directs the Review of All Rights Protection Mechanisms in All gTLDs (RPM) PDP to consider, as part of its Phase 2 work, whether an appropriate policy solution can be developed that is generally consistent with Recommendations 1, 2, 3 & 4 of the PDP Final Report and:

- accounts for the possibility that an IGO may enjoy jurisdictional immunity in certain circumstances;
- does not affect the right and ability of registrants to file judicial proceedings in a court of competent jurisdiction;
- preserves registrants’ rights to judicial review of an initial UDRP or URS decision; and
- recognizes that the existence and scope of IGO jurisdictional immunity in any particular situation is a legal issue to be determined by a court of competent jurisdiction."

The GNSO Council resolved also to, “amend the charter for the RPMs PDP Working Group to reflect this new instruction accordingly.” Some members of the GNSO Council met with certain members of the GAC and IGOs at ICANN65, where there appeared to be agreement from the GAC/IGOs to support the chartering of this separate work.

A small team of Councilors was convened to prepare a draft Addendum to the RPMs PDP charter, which was discussed during the Council’s September 2019 meeting. After integrating Councilor feedback, the revised Addendum was shared with the GAC and IGOs for their consideration. The Council considered GAC/IGO feedback received on 1 November 2019, as well as feedback from the meeting with the GAC at ICANN66.

Taking into account GAC and IGO feedback received and balancing with the goals of the GNSO Council, leadership prepared a revised draft for GNSO Council consideration. The GNSO Council reviewed and discussed the draft at the December 2019 Council meeting. A revised draft was prepared and shared on the Council mailing list.

Here, the Council will vote to adopt the Addendum to the RPMs PDP charter.

4.1 – Presentation of **motion** (Council leadership)
4.2 – Council discussion
4.3 – Council vote (voting threshold: Simple majority)

Taking this action is within the GNSO’s remit as outlined in ICANN’s Bylaws as the GNSO ‘shall be responsible for developing and recommending to the Board substantive policies relating to generic top-level domains and other responsibilities of the GNSO as set forth in these Bylaws’ (Art.11.1). Furthermore, this action complies with the requirements set out in Annex A: GNSO Policy Development Process of the ICANN Bylaws.

Item 5: COUNCIL UPDATE – Review of All Rights Protection Mechanisms in All gTLDs PDP (15 minutes)

Chartered in March 2016 to review all the RPMs that have been developed by ICANN, the PDP is focused on RPMs developed for the 2012 New gTLD Program (i.e., Trademark Clearing House, Sunrise, Claims, and Uniform Rapid Suspension). The WG is tasked with considering the overarching issue as to whether or not the RPMs collectively fulfill their purposes or whether additional policy recommendations will be necessary.

The PDP has worked diligently since launch and is preparing to publish its Initial Report for public comment. As of ICANN64, the WG had expected to be able to publish its Initial Report at the beginning of 2020. The WG is currently revisiting sub team and individual URS proposals and, when completed, will proceed to the development of its Phase One Initial Report, with a plan to publish in March of 2020. As a result of this delay in timeline, the PDP has submitted a Project Change Request [INSERT LINK] and this update is intended to both inform and gain approval from the GNSO Council.

Here, the Council will consider the Project Change Request.

5.1 – Introduction of topic (Council leadership; John McElwaine, GNSO Council liaison to the PDP)
5.2 – Council discussion
5.3 – Next steps

Item 6: COUNCIL UPDATE – Cross-Community Working Group on new gTLD Auction Proceeds (15 minutes)
This CCWG was chartered to develop a mechanism to allocate new gTLD Auction Proceeds. The CCWG is expected to consider the scope of fund allocation, due diligence requirements that preserve ICANN’s tax status as well as how to deal with directly related matters such as potential or actual conflicts of interest. The CCWG will not make any recommendations or determinations with regards to specific funding decisions (i.e. which specific organizations or projects are to be funded or not).

The CCWG published its Initial Report for public comment on 8 October 2018 that later closed 11 December 2018 after requests for extension. 37 community submissions were received (see https://www.icann.org/en/system/files/files/report-comments-new-gtld-auction-proceeds-initial-17dec18-en.pdf). After additional deliberations, a decision was made to publish the CCWG’s Proposed Final Report for public comment to ensure that the community can review and provide input on changes that have been made since publication of the Initial Report. Input received through the second public comment period will be reviewed and incorporated as appropriate before the Final Report is published. The purpose of this update is to ensure that the GNSO Council, as a Chartering Organization, is familiar with the expected recommendations, but also to determine whether it might make sense for the Council to submit a public comment (14 February 2020 deadline).

Here, the Council will consider the proposed final recommendations and consider whether a public comment on behalf of the Council is warranted.

6.1 – Introduction of topic (Council leadership; Erika Mann, Chair of the CCWG)

6.2 – Council discussion

6.3 – Next steps

Item 7: COUNCIL UPDATE – IDN Scoping Small Team (15 minutes)

The ICANN Board resolved in 2010 that IDN variant TLDs will not be delegated until relevant work is completed and directed ICANN org to develop a report identifying what needs to be done with the evaluation, possible delegation, allocation and operation of generic top-level domains (gTLDs) containing variant characters IDNs, in order to facilitate the development of workable approaches to the deployment of gTLDs containing variant characters IDNs. Based on analysis, ICANN org and the community identified two gaps to address: 1) that there is no definition of IDN variant TLDs, and; 2) that there is no IDN variant TLD management mechanism.

The Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels (RZ-LGR Procedure) has been developed by the community to define the IDN variant TLDs and, following the Board resolution in 2013 which approved the RZ-LGR Procedure, has been implemented to incrementally develop the Root Zone Label Generation Rules to address the first gap.

ICANN org has developed the Recommendations for Managing IDN Variant TLDs (the Variant TLD Recommendations), a collection of six documents finalized after incorporating the public comment feedback and published them as mechanisms for addressing the second gap identified by the community in the implementation of IDN variant TLDs.

On 14 March 2019, the ICANN Board resolved:

The Board approves the Variant TLD Recommendations and requests that the ccNSO and GNSO take into account the Variant TLD Recommendations while developing their respective policies to define and manage the IDN variant TLDs for the current TLDs as well as for future TLD applications.

The Board requests that the ccNSO and GNSO keep each other informed of the progress in developing the relevant details of their policies and procedures to ensure a consistent solution, based on the Variant TLD Recommendations, is developed for IDN variant ccTLDs and IDN variant gTLDs.

Additionally, and separately, the ICANN Board anticipated adopting the IDN Guidelines v. 4.0 as part of its consent agenda for the 3 May 2019 meeting, but the GNSO Council requested that the vote be deferred, due in part to concerns around the process, as well as specific requirements within the guidelines (e.g., “same entity” requirement on second level registrations, which are in both the guidelines and the Variant TLD Recommendations). The ICANN Board agreed to the deferral, allowing the GNSO Council additional time to consider the matter.

The Council convened an IDN Scoping Team, comprised of Councilors and other GNSO members, to consider the scope of issues (e.g., IDN Guidelines and IDN Variant Management solutions) related to IDNs and accordingly, recommend a mechanism to address those issues (e.g., leverage existing PDPs, convene new PDP/EPDP, other).

The IDN Scoping Team has thoroughly considered the scope of work that needs to be undertaken and accordingly, what mechanisms make the most sense to address. Most members of the IDN Scoping Team believe that two tracks of work can be undertaken:

- Operational Track 1: In brief, a Contracted Party working/negotiation/implementation team would focused on IDN Implementation Guidelines 4.0 operational issues
- Policy Track 2: In brief, a PDP/EPDP should be initiated and would have a scope including the definitions, management, and coordination issues related to IDN Variant TLDs, as well as IDN variants at the second-level. Additionally, this track would consider the related issue of how the IDN Implementation Guidelines, which Contracted Parties are required to comply with, should be revised in the future.

The IDN Scoping Team shared the report [INSERT LINK] with the Council mailing list on [date].

Here, the Council will discuss the IDN Scoping Team’s recommendations report.

7.1 – Introduction of topic (Council Leadership; Edmon Chung, Scoping Team Lead)

7.2 – Update and council discussion

7.3 – Next steps
Item 8: ANY OTHER BUSINESS (10 minutes)

8.1 - ICANN67 Planning

8.2 - Council response [INSERT LINK] to the NomCom Review Implementation Working Group’s request for input on 27 recommendations.

8.3 - Council consideration of proposed GNSO Council Additional Budget Requests (ABRs) for FY21; review draft ABRs for the FY21 Strategic Planning Session and Travel support for PDP Leadership to ICANN Public Meetings.

DRAFT Minutes of the December 19th GNSO Council Meeting

Audio Recording

Minutes of the GNSO Council Meeting 19 December 2019

Agenda and Documents

Coordinated Universal Time: 21:00 UTC: https://tinyurl.com/w82k6rn

13:00 Los Angeles; 16:00 Washington DC; 21:00 London; (Friday) 02:00 Islamabad; (Friday) 06:00 Tokyo; (Friday) 08:00 Melbourne

List of attendees:

Nominating Committee Appointee (NCA): – Non-Voting – Erika Mann

Contracted Parties House

Registrar Stakeholder Group: Pam Little, Michele Neylon, Greg DiBiase (incoming RrSG councilor following Darcy Southwell’s resignation)
gTLD Registrars Stakeholder Group: Maxim Alzoba, Keith Drazek, Sebastien Ducos

Nominating Committee Appointee (NCA): Tom Dale

Non-Contracted Parties House

Commercial Stakeholder Group (CSG): Marie Pattullo, Scott McCormick, Philippe Fouquart, Osvaldo Novoa (arrived after first vote), John McElwaine, Flip Petillion

Non-Commercial Stakeholder Group (NCSG): Martin Silva Valent, Elsa Saade, Tatiana Tropina, Rafik Dammak, Farell Folly, Sam Lanfranco (temporary alternate after Farzaneh Badii’s resignation)

Nominating Committee Appointee (NCA): Carlton Samuels (arrived after first vote)

GNSO Council Liaisons/Observers:

Cheryl Langdon-Orr– ALAC Liaison
Julf (Johan) Helsingius– GNSO liaison to the GAC
Maarten Simon – ccNSO observer

ICANN Staff

David Olive -Senior Vice President, Policy Development Support and Managing Manager, ICANN Regional (apologies)
Marika Konings – Senior Advisor, Special Projects
Mary Wong – Vice President, Strategic Community Operations, Planning and Engagement
Julie Hedlund – Policy Director
Steve Chan – Policy Director
Berry Cobb – Policy Consultant
Emily Barabas – Policy Manager
Item 1: Administrative Matters

1.1 - Roll Call

1.2 - Updates to Statements of Interest

There were no updates to Statements of Interest (SOI) on the call. It was noted that Julf Helsingius has circulated an update to his SOI on the Council mailing list prior to the call.

1.3 - Review / Amend Agenda

Keith Drazek, in the interest of time, suggested moving Item 2 to the end of the call. This was accepted by councilors on the call.

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meeting on the 24 October 2019 were posted on 13 November 2019

Minutes Part 1 Part 2 of the GNSO Council meetings on the 06 November 2019 were posted on 26 November 2019

Item 2: Opening Remarks / Review of Projects & Action List

2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action Item List

In the interest of time, this agenda item was deferred to the end of the meeting.

Item 3: Consent Agenda

Tatiana Tropina, seconded by Michele Neylon, submitted a motion for GNSO Council approval GNSO Review of the ICANN66 GAC Communiqué for submission to the Board:

Whereas,

The Governmental Advisory Committee advises the ICANN Board on issues of public policy, and especially where there may be an interaction between ICANN’s activities or policies and national laws or international agreements. It usually does so as part of a Communiqué, which is published towards the end of every ICANN meeting.

The GNSO is responsible for developing and recommending to the ICANN Board substantive policies relating to generic top-level domains.

The GNSO Council has expressed a desire to provide feedback to the ICANN Board on issues in the GAC Communiqué as these relate to generic top-level domains to inform the ICANN Board as well as the broader community of past, present or future gTLD policy activities that may directly or indirectly relate to advice provided by the GAC.

The GNSO Council hopes that the input provided through its review of the GAC Communiqué will further enhance the co-ordination and promote the sharing of information on gTLD related policy activities between the GAC, Board and the GNSO.

Resolved,

The GNSO Council adopts the GNSO Council Review of the Montréal GAC Communiqué (see https://gnso.icann.org/sites/default/files/file/file-file-attach/review-gac-communique-09dec19-en.pdf) and requests that the GNSO Council Chair communicate the GNSO Council Review of the Montréal GAC Communiqué to the ICANN Board.

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

Pam Little, seconded by Rafik Dammak, submitted a motion for the GNSO Council to approve Keith Drazek as GNSO Representative to the Empowered Community:

Whereas,
The GNSO Council confirmed in November 2019 that the GNSO Chair (currently Keith Drazek) will represent the GNSO as the Decisional Participant on the Empowered Community (EC) Administration on an interim basis.

The GNSO Council leadership team subsequently met to agree who from the Council leadership should perform the role of GNSO representative to the Empowered Community Administration and communicated this decision to the Council mailing list on 9 December 2019.

Resolved,

The GNSO Council hereby confirms that Keith Drazek, GNSO Chair will represent the GNSO as the Decisional Participant on the Empowered Community Administration until the end of his term at ICANN69.

The GNSO representative shall act solely as directed by the GNSO Council in accordance with the ICANN Bylaws and other related GNSO Operating Procedures.

The GNSO Council requests the GNSO Secretariat to communicate this decision to the ICANN Secretariat which will serve as the required written certification from the GNSO Chair designating the individual who shall represent the Decisional Participant on the EC Administration

As part of the Consent Agenda, there was equally a request the councilors to confirm Anne Aikman-Scalese as one of the GNSO appointees to the Cross Community Working Group (CCWG) Auction Proceeds.

Councillors present on the call unanimously voted in support of the Consent Agenda motions and vote.

Vote results

Action items:

ICANN Staff to send the GNSO Council response to the GAC Communique to ICANN Board cc-ing the GAC Chair and GAC support staff,

ICANN Staff to inform the Empowered Community Administration the confirmation of Keith Drazek as the GNSO Representative to the Empowered Community Administration

ICANN Staff to inform the Chair and support staff of the CCWG Auction Proceeds the confirmation of Anne Aikman-Scalese as on the GNSO appointees

Item 4: COUNCIL VOTE - Approval of the Supplemental Recommendation Related to the Non-Community Working Group (CCWG) Auction Proceeds

Adopted EPDP Phase 1 Recommendations (recommendation #12)

Keith Drazek reminded councilors that ICANN Board did not accept parts of two consensus policy recommendations which were approved previously by the GNSO Council after being submitted by the EPDP Phase 1 team. After discussions with the Board, it was decided to allay concerns about the organisation field data deletion. Following exchanges with the EPDP Phase 1 team, the GNSO Council reaffirmed the recommendation but included implementation guidance which would imply applying the EPDP Phase 1 approach to the administrative field, to the organisation field.

As maker of the motion, Rafik Dammak mentioned that following the Board’s feedback, he approached the EPDP Phase 1 team to ask for their feedback regarding the suggestion from the GNSO council, but that there had been no consensus from the team. Rafik Dammak said however that he believed the Board’s concerns had been dealt with and encouraged councilors to avoid delaying the process further, reminding Council that its responsibility was to the Policy Development Process (PDP) and not to substantive content.

Keith Drazek raised that Marie Pattullo had circulated an amendment on behalf of the Business Constituency (BC) on the email list prior to the Council call. Keith Drazek reminded councilors that the amendment could be accepted as friendly if the makers (Rafik Dammak and Pam Little) of the motion accepted, otherwise it would need to be voted on via simple majority by Council prior to voting on the motion itself.

Pam Little, as seconder of the motion and on behalf of the Registrar Stakeholder Group (RrSG), did not accept the amendment as friendly given that the additional language and reference to Section 3.7.7.1 of the Registrar Amendment Agreement (RAA) would introduce additional obligations on the part of the registrar which is not contemplated in the original provision. Pam Little invited councilors to consider this in conjunction with 3.7.7 of the RAA which stipulates a number of provisions that the registrars must include in their registration agreements with registered name holders including 3.7.7.1. Pam Little added that 3.7.7.1 is an obligation on the part of the registered name holders to provide up to date contact information to the registrar. The proposed amendment would shift the responsibility to registrars. Pam Little also mentioned that the BC-proposed amendment have the potential of adding confusion as section 3.7.7.1 and other provisions of the RAA have already been amended or superseded by the temporary policy and by EPDP Phase 1 recommendations which are being development into policy by the Implementation Review Team (IRT).

Rafik Dammak stated that he would not accept the BC-proposed amendment as friendly based on the explanation provided by Pam Little but welcomed further input from Marie Pattullo.

Marie Pattullo, as proposer of the amendment, thanked Pam Little for her input. She also explained that the BC shared the same concerns as the ICANN Board regarding the data deletion and needed confirmation that there would still be ways to contact the registrant.

Sebastien Ducos mentioned that the IRT were in agreement with the position coming out of the last ICANN meeting. He agreed with Pam Little regarding the wording proposed by the BC. He also reminded councilors that the IRT were awaiting the result of the vote on the motion to continue their work.

John McElwaine supported Marie Pattullo’s concerns and emphasized that further clarity around contact information was needed. There are issues with terminology, “valid”, for instance as well as a need for better definition of contact information.

Flip Petillion expressed his appreciation of councilors’ input, but regretted that the amendment proposal
was provided last minute, with no time to take the input back to Stakeholder Groups (SGs) and Constituencies (Cs).

Keith Drazek acknowledged the lateness of the amendment proposal, and reminded Council that while a deferral was possible, discussions had been held with ICANN Board who had confirmed that the additional implementation guidance sufficed to allay their concerns.

Michele Neylon clarified that there is no contact detail in the organization field in Whois, adding that registrars do not rely on Whois to contact a client, as there are other means (billing information, email information, social media for instance), and therefore opposed the deferral.

Keith Drazek added that the organisation field was an optional field in Whois. There is a process under recommendation 12 where registrars need to validate this information with their clients. The recommendation seeks to deal with the situation where a registrar is unable to validate this information, for instance if a registrant does not respond. Recommendation 12 then allows registrars to clean up the information after having followed a certain number of compulsory steps.

Philippe Fouquart, on behalf of the ISPCP, raised that whereas there had not been sufficient time to consult with his colleagues, he would follow the EPDP recommendations as GNSO Council should not be discussing substance.

There was no request for a deferral.

Councilors voted against the proposed amendment to the motion.

Osvaldo Novoa, John McElwaine, Philippe Fouquart, Sam Lanfranco, Flip Petillion abstained due to lack of time to consult with their groups.

Vote results

Councilors voted in favour of the motion.

Marie Pattullo shared a statement on behalf of the BC.

Vote results

Action item:

GNSO Chair to communicate the Supplemental Recommendation to the ICANN Board, including the vote result of the GNSO Council Supermajority supporting the Supplemental Recommendation.

Item 5: COUNCIL DISCUSSION – Discussion on the Addendum to the Review of All Rights Protection Mechanisms in All gTLDs Charter to Integrate Recommendation 5 From IGO-INGO Access to Curative Rights Protection Mechanisms Final Report

Keith Drazek reminded Council that in April 2019 all recommendations from the IGO-INGO Access to Curative Rights Protection Mechanisms Final Report were approved, except for Recommendation 5 which should be handled by the Review of All Rights Protection Mechanisms (RPM) PDP Working Group. Discussions with the Governmental Advisory Committee and IGOs were held at ICANN64 to ensure IGOs’ participation in the new Work Track. Concerns had been raised on Council about the four GNSO Council approved recommendations not being approved by ICANN Board yet, and potentially being impacted by Work Track discussions.

The current draft revisions to the Addendum to the RPMs PDP charter developed by the GNSO Council leadership team, John McElwaine and Martin Valent, takes into account GAC redline edits, IGO input, PDP3.0 work and protects the GNSO Operating Procedures.

Keith Drazek added that Brian Beckham from WIPO had reviewed the document and expressed his support.

Tatiana Tropina thanked the small team for their work and asked for clarity regarding the term “policy proposal” on page 3, first paragraph. Keith Drazek explained that these referred to the recommendations currently submitted to the Board and thanked her for the input.

Maxim Alzoba raised that the Registry Stakeholder Group (RySG) had previously mentioned that the team composition should include members of the Contracted Party House to ensure the operational aim is feasible. The current terms of participation should therefore be modified to be more inclusive as it currently appears to exclude members who are not international law experts.

Keith Drazek pointed out that there is a requirement for the CPH to be consulted in regards to operational feasibility. Regarding membership criteria, the “must” requirement has been modified to “should”. He acknowledged that Maxim’s input would be considered by the small team.

Action items:

GNSO Councilors to ask additional questions and/or provide comments about the proposed charter addendum on the GNSO Council list before 13 January 2020.

GNSO Council small team, in consultation with the GNSO Council leadership, to finalize the charter addendum and submit the final version to the GNSO Council no later than 13 January 2020.

Item 6: COUNCIL UPDATE - Expedited PDP on the Temporary Specification for gTLD Registration Data - Phase 2 Work
Rafik Dammak, Council liaison to the EPDP, shared with the Council the adjustment to the EPDP Phase 2 work timeline and Project Change Request form which were circulated earlier this week on the GNSO Council mailing list. This is the first time a Project Change Request form is being used. The initial EPDP 2 aim was to publish the Initial Report in December 2019 and have the Final Report ready in April 2020. The new target date is early February for the Initial Report publication. The EPDP Phase 2 team will hold a face-to-face meeting in January 2020 and will be working on the report during the session. The key is to have the Final Report ready and published before the end of the fiscal year for budgeting reasons. The content of the Project Change Request highlights the ambitious timeline for the EPDP 2 team and the various dependencies the team has to take into account (European Data Protection Board (EDPB) advice, issues which require further legal consultation, awaiting cost prediction of a centralised SSAD model).

Berry Cobb, policy consultant, added that councilors would be focusing on the topic of project change forms for PDP working groups during the Strategic Planning Session in January 2020.

Pam Little thanked both for their input. She questioned the date of the document submission being later than the deadline of submission for the Initial Report. The Project Change Request ought to be submitted prior to the target date. She suggested that the Change description field should be more explicit about the “ask” in the request.

Rafik Dammak mentioned that the decision was made in December 2019 to adjust the timeline based on EPDP team members comments.

Keith Drazek asked how the recently received letter from the EDPB impacted the EPDP 2 team’s next steps.

Rafik Dammak reminded councilors that an EDPB letter had been received a few days ago, confirming that policy regarding choice of model should come from the EPDP 2 team, and that the CPH cannot move all their liability to the joint controller. That is an initial analysis pending further discussion early 2020.

**Action item:** None

**Item 7: COUNCIL DISCUSSION - GNSO Council Strategic Planning Session**

The GNSO Council Strategic Planning (SPS) session will take place in Los Angeles from the 22-24 January 2020 with the aim of working together, prioritising the workload, promoting engagement with SGs and Cs and strategising efforts for the rest of the Council term.

Pam Little mentioned that a high-level draft agenda would be sent to the Council list shortly and that a webinar would be held early January 2020 to allow all to better prepare for the SPS.

Rafik Dammak added that there would be a focus on PDP3.0 next steps and reminded for those who couldn’t attend the PDP 3.0 webinar to listen to the recordings.

Keith Drazek insisted that reading the materials sent ahead of time was key to the success of the face-to-face meeting. The webinar will also allow for the SPS to begin with more substantive discussions on Council engagement.

Maxim Alzoba added that the best way to understand PDP3.0 work efforts would be to join the small team.

Steve Chan, ICANN Org, mentioned that PDP3.0 materials were at this stage fairly abstract, discussions amongst councilors at the face-to-face would allow them to become a reality.

**Action items:**

- GNSO Council leadership to send the detailed proposed agenda for SPS2020 on list by Friday, 20 December.
- All GNSO Councilors to participate in a Pre-SPS webinar in January 2020 as part of the preparation.
- GNSO Councilors to read all relevant materials/documents (e.g., PDP 3.0 implementation documents, GNSO guidelines related to its role & responsibility in the Empowered Community) ahead of SPS 2020.

**Item 8: ANY OTHER BUSINESS**

**8.1 - Consideration of previous GNSO Council Additional Budget Requests (ABRs) and whether they should be pursued in the future, as well as if other ABRs should be submitted**

Berry Cobb, policy consultant, reminded councilors that the ABR submission period opened on the 11 December 2019 and would close at the end of January 2020. The Board Finance Committee approval process will take place mid-April 2020.

Steve Chan, ICANN Org, confirmed that this item concerned ABRs submitted on behalf of Council, SGs and Cs will submit their own requests. In the past, Council has submitted three; the SPS, the PDP Travel Pilot and a one time ABR for a consensus-building playbook stemming from PDP3.0 recommendations. He invited councilors to reflect on whether other areas the Council worked on would warrant additional funding.

**Action item:**

- GNSO Councilors to provide ideas/suggestions, if any, for FY21 ABRs on list, in time for the Council review of potential ABRs during its January 2020 meeting. FY21 ABR submissions are due at the end of January 2020.
The GNSO Council received a letter from ICANN Org on the 18th December 2019 relating to the timing for implementation of the EPDP Phase 1 recommendations, acknowledging that the IRT will most likely miss the target date of 29 February 2019. This date was included in recommendation 28 from the EPDP, and the ensuing Board resolution. Council must now draft a response to ICANN Org after further discussion.

Action item:
GNSO Council leadership, in coordination with ICANN staff, to draft a response to the ICANN Org letter and share the draft with the Council by January 2020 Council meeting.

Keith Drazek then commented on the Project List, insisting on its importance and that it would be a key document for the SPS. He encouraged all councilors to familiarise themselves with the document and to follow the updates. Berry Cobb pointed out the importance of the status and condition codes and what Council actions should be when projects signal that they need extra attention to keep to deadlines. The addition of PDP3.0 improvements as well as the impact of dependencies need to be considered when reflecting what can be done to move a project forward.

Action item:
GNSO Councilors to review the entire Project List document as part of the homework for the SPS 2020 preparation.

Keith Drazek adjourned the meeting at 22:53 UTC on Thursday 19 December 2019.

November 6th (ICANN66 Montreal)

Zoom Recording (includes visual and rough transcript. To access the rough transcript, select the Audio Transcript tab):

Please note that all documents referenced in the agenda have been gathered on a Wiki page for convenience and easier access:—

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October 24th: 12:00 UTC

Zoom Recording (includes visual and rough transcript. To access the rough transcript, select the Audio Transcript tab):

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September 19th: 2100 UTC

Zoom Recording (includes visual and rough transcript. To access the rough transcript, select the Audio Transcript tab):

https://icann.zoom.us/recording/share/x3cNART9vmQ_giom1O4F9cOdxHlktnONS-2tcY6OBOwlume5TziMw?startTime=1568926885000

Zoom chat: https://icann.zoom.us/recording/download/Jjx-DzQsvy7X2V6NnpYq8DP70gpL1CeKXT6LvaNq4biviR6VKpG4i8ii3nXDevxH
Agenda 19 September 2019

Please note that all documents referenced in the agenda have been gathered on a Wiki page for convenience and easier access: https://community.icann.org/x/MY-kBg

This agenda was established according to the GNSO Operating Procedures v3.3, updated on 30 January 2018

GNSO Council Meeting Audio Cast

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Councilors should notify the GNSO Secretariat in advance if they will not be able to attend and/or need a dial out call.

Item 1: Administrative Matters (10 mins)

1.1 - Roll Call

1.2 - Updates to Statements of Interest

1.3 - Review / Amend Agenda

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meeting on the 18 July 2019 were posted on the 02 August 2019

Minutes of the GNSO Council meeting on the 22 August 2019 were posted on the 6 September 2019

Item 2: Opening Remarks / Review of Projects & Action List (10 minutes)

2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action Item List

Item 3: Consent Agenda (0 minutes)

• None

Item 4: COUNCIL DISCUSSION – ICANN Board referrals of CCT-RT recommendations to GNSO Council and GNSO PDP WGs (10 minutes)

On 10 June 2019, ICANN org communicated to the GNSO Council that the ICANN Board resolution passed on 1 March 2019 – see https://www.icann.org/resources/board-material/resolutions-2019-03-01-en [icann.org] - calls for a set of Competition, Consumer Trust, and Consumer Choice Review Team (CCT-RT) Final Recommendations to be passed through to community groups. As articulated in the Board resolution, “recognizing that the Board has the obligation and responsibility to balance the work of ICANN in order to preserve the ability for ICANN org to serve its Mission and the public interest, the Board decided on three categories of action”:

• Accepting recommendations, subject to costing and implementation considerations;
• Placing recommendations (in whole or in part) in “Pending” status, directing ICANN org to perform specific actions to enable the Board to take further actions;
• Passing recommendations (in whole or in part) to community groups the CCT-RT identified for their consideration. The Board noted fourteen such recommendations (9, 10, 12, 16, 19, 20, 25, 27, 28, 29, 32, 33, 34, 35).

The Council was specifically invited to review to pages 1-4 of the scorecard https://www.icann.org/en/system/files/files/resolutions-final-cct-recs-scorecard-01mar19-en.pdf [icann.org] which compile pass-through recommendations, including the groups they are addressed to. The recommendations the ICANN Board resolved to pass through to the GNSO Council, in whole or in part, for its consideration:

• Recommendation 10.
• Recommendation 16 (in part) Note: this recommendation was also passed through to the New gTLD Subsequent Procedures PDP WG, Registries Stakeholder Group, Registrar Stakeholder Group, Generic Names Supporting Organization, Second Security, Stability & Resiliency of DNS Review Team as suggested by the CCT-RT. In the scorecard, the Board noted that “it is not accepting the policy directives that may be inherent here but rather, passes on such elements of the recommendation to the relevant community groups to consider”.
• Recommendation 27.
• Recommendation 28.
• Recommendation 29. Note: this recommendation was also passed through to the New gTLD Subsequent Procedures PDP WG, as suggested by the CCT-RT. To inform work relating to recommendations 29 and 30, the ICANN Board suggested that the New gTLD Subsequent Procedures PDP WG could take on, “should they choose to do so, defining the term ‘Global South’ or agreeing on another term to describe underserved or underrepresented regions or stakeholders in coordination with ICANN org”.
The Board noted in its resolution that: “in passing these recommendations through, the Board is neither accepting, nor rejecting the recommendations. […] Passing recommendations through to community groups is not a directive that the groups identified should formally address any of the issues within those recommendations. It is within the purview of each group to identify whether work will be taken on and the topics that the group will address.”

A small group of Council volunteers reviewed the recommendations passed through to the GNSO Council as well as a number of Recommendations were passed through to gTLD Subsequent Procedures PDP Working Group and/or Rights Protection Mechanisms (RPM) PDP Working Group. In order to have a better picture of where all the Recommendations passed to the GNSO and its PDPs stand, the GNSO Chair is planning to write to the leadership of the Working Groups seeking their feedback.

An initial draft with the small team’s proposed GNSO Council response to those 5 Recommendations passed through directly to the GNSO were circulated to the GNSO Council on 23 July for review and consideration with an updated version circulated on 30 August [https://gnso.icann.org/sites/default/files/file /field-file-attach/proposed-council-response-cct-review-team-recommendations-30aug19-en.pdf].

Here the Council will consider the initial draft and whether and how to coordinate with the PDP WGs to which recommendations were also passed through.

4.1 – Introduction of topic (Pam Little)
4.2 – Council discussion
4.3 – Next steps

Item 5: COUNCIL DISCUSSION – Discussion of the Inter-Registrar Transfer Policy (IRTP) Policy Status Report and Council next steps (15 minutes)

The Consensus Policy Implementation Framework (CPIF) provides guidance to ICANN org and the community for implementing policy. However, there is minimal guidance in this document or in other documentation around the review of implemented policies adopted by the GNSO Council. In some cases, a review is explicitly mandated as an element of the PDP WG’s recommendations to the Council, but in some cases, the recommendations are silent in this respect.

ICANN org, in consultation with the Council, prepared a draft framework on the approach for post-implementation reviews of Council adopted policy recommendations. The framework provides guidance on a number of questions (e.g., When should a review be initiated when there is no PDP recommendation to do so? What triggers should initiate a review? What are the expected outcomes of the review? Etc.).

During its 26 April 2018 meeting, the Council agreed to have ICANN org conduct a review of the Inter-Registrar Transfer Policy (IRTP). ICANN org utilized the draft framework for conducting the post-implementation review of the IRTP. On 14 November 2018, ICANN org published the IRTP Policy Status Report for public comment. ICANN org has worked to integrate elements identified in public comment and on 22 April 2019, shared a Revised Inter-Registrar Transfer Policy (IRTP) Status Report.

As noted in the report, there are no prescribed next steps once the Council is in receipt of the report.

As such, here, the Council will discuss possible next steps for the Transfer Policy taking into account the Transfer Policy Review briefing document prepared by staff and the recent feedback from the Registrar Stakeholder Group (RrSG) regarding its suggested approach.

5.1 – Introduction of topic (Council leadership)
5.2 – Council discussion
5.3 – Next Steps


On 18 April 2019, the Council voted to approve recommendations 1-4 of Final Report from the IGO-INGO Access to Curative Rights Protection Mechanisms PDP WG. The Council also resolved to not approve Recommendation 5 and, “directs the Review of All Rights Protection Mechanisms in All gTLDs (RPM) PDP to consider, as part of its Phase 2 work, whether an appropriate policy solution can be developed that is generally consistent with Recommendations 1, 2, 3 & 4 of the PDP Final Report and:

- accounts for the possibility that an IGO may enjoy jurisdictional immunity in certain circumstances;
- does not affect the right and ability of registrants to file judicial proceedings in a court of competent jurisdiction;
- preserves registrants’ rights to judicial review of an initial UDRP or URS decision; and
- recognizes that the existence and scope of IGO jurisdictional immunity in any particular situation is a legal issue to be determined by a court of competent jurisdiction.”

The GNSO Council resolved also to, “amend the charter for the RPMs PDP Working Group to reflect this new instruction accordingly.” Some members of the GNSO Council met with certain members of the GAC and IGOs at ICANN65, where there appeared to be agreement from the GAC/IGOs to support the chartering of this separate work.

A small team of Councilors was convened to prepare draft amendments to the RPMs PDP charter, which was shared with the Council on 10 September 2019.

Here, the Council will discuss the draft, but take no action at this time. Consultation with the GAC/IGOs is still required before a motion can be submitted.

6.1 – Introduction of topic (Council leadership / Small team)
6.2 – Council discussion
6.3 – Next Steps

Item 7: COUNCIL DISCUSSION – ICANN Org’s Request for Clarification on Data Accuracy and Phase-2 of the Expedited Policy Development Process (EPDP) on the Temporary Specification for gTLD Registration Data (10 minutes)

On 21 June 2019, the GNSO Council received a letter from ICANN Org, which was seeking a better understanding of the Expedited Policy Development Process (EPDP) Team’s plans “to consider the subject of “data accuracy” as it relates to gTLD registration data and related services, such as the WHOIS Accuracy Reporting System (ARS).”

Further, “ICANN org notes that footnote #6 on page 7 of the EPDP Phase 1 Final Report states: “The topic of accuracy as related to GDPR compliance is expected to be considered further as well as the WHOIS Accuracy Reporting System.” However, it is not clear who would consider this topic and when. Therefore, ICANN org seeks the GNSO Council’s clarification on whether the Phase 2 EPDP Team will be considering the subject of data accuracy, including projects that utilize gTLD registration data, such as WHOIS ARS.”

The GNSO Council prepared a response to acknowledge the letter reception. However, the Council still needs to prepare its substantive input to the request from ICANN org. A small team has been working on that substantive response and will provide their initial thoughts on the key themes to be contained in the response.

Here, the small team will lead a discussion on the themes of the substantive response.

7.1 – Introduction of topic (Council leadership / small team)

7.2 – Council discussion

7.3 – Next steps

Item 8: COUNCIL DISCUSSION - EPDP P1 Recommendation 27: ICANN Org’s Assessment of Impact From GDPR on Existing Policies / Procedures (15 minutes)

In the Temporary Specification for gTLD Registration Data Expedited Policy Development Process Team Phase 1 (EPDP P1) Final Report, recommendation #27 asked that during the implementation of the policy recommendations, existing policies / procedures be made consistent with the changes to required data elements.

ICANN org prepared a draft work plan to address EPDP Phase 1 Recommendation 27, which was shared with the GNSO Council and IRT on 27 August.

Here, the Council will receive an update from ICANN Org on the status of its implementation work to date on this recommendation.

8.1 – Introduction of topic (ICANN org - Karen Lentz)

8.2 – Council discussion

8.3 – Next steps

Item 9: COUNCIL DISCUSSION - PDP 3.0 Small Group Update/Discussion (10 minutes)

In advance of the 22 August 2019 GNSO Council meeting, the PDP 3.0 Small Team completed five (5) out of fourteen (14) PDP 3.0 improvements, provided an update, and requested feedback by 13 September 2019. Work continued on the rest of the nine (9) improvements in the pipeline, which are at various levels of progress. While a number of improvements are nearing completion, they are not yet at a point where they are ready for Council review.

The PDP 3.0 small group has prepared a work plan that covers items leading up to ICANN66, as well as additional elements needed to complete the project.

The PDP 3.0 small group is expected to provide a factual update of the work to date to the public comment period for the Next Steps to Improve the Effectiveness of ICANN’s Multistakeholder Model. Given the connections between the topics, the PDP 3.0 small group believes that it is in a good position to provide that update.

Here, the Council will receive an update on progress made to date and the work plan to complete the PDP 3.0 implementation.

9.1 - Introduction of topic (Rafik Dammak)

9.2 - Council discussion

9.3 - Next steps

Item 10: COUNCIL DISCUSSION - Draft Response to the Verisign Request to Defer Enforcement of the Thick WHOIS Transition Policy (10 minutes)
On 29 July 2019, Verisign wrote to ICANN org again requesting an extension to the current implementation plan for the Thick WHOIS Transition Policy by one year. The ICANN Board wrote to the GNSO Council, asking for the Council’s views on whether it believes the request should be granted. The ICANN Board requested response during or immediately following the GNSO Council meeting on 19 September. A draft response was circulated on 6 September, which notes the expected policy work related to the Thick WHOIS Transition Policy, but also notes that the request for deferral is from an ICANN Contracted Party and is not a matter of policy development.

Here, the Council will discuss the draft and the underlying conclusions and rationale.

10.1 - Introduction of topic (Rafik Dammak and Pam Little)
10.2 - Council discussion
10.3 - Next steps


On 09 May 2019, ICANN org published a Call to Action for the Independent Review Process Standing Panel, which was intended to help the Independent Review Process Implementation Oversight Team (IRP-IOT) in its critical role of implementing the updated IRP. ICANN org published a series of questions, posed to the various Supporting Organizations and Advisory Committees, seeking input to pending issues.

The GNSO convened a small team, tasked with preparing a draft response on behalf of the Council.

Here, the small team will seek feedback from the Council on its draft response.

11.1 - Introduction of topic (Small Team)
11.2 - Council discussion
11.3 - Next steps

**Item 12: ANY OTHER BUSINESS (5 minutes)**

12.1 - Draft GNSO Council letter to the ICANN Board regarding potential dependencies between the Name Collisions Analysis Project (NCAP) and New gTLD Subsequent Procedures.

12.2 - Approval of the 2019 slate of Members and Liaisons on the Customer Standing Committee (CSC) - possible email vote

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**August 22nd: 1200 UTC**

**Minutes of the GNSO Council Meeting 22 August 2019**

**Agenda and Documents**

**Coordinated Universal Time: 12:00 UTC:** [https://tinyurl.com/y2qdox2m](https://tinyurl.com/y2qdox2m)

05:00 Los Angeles; 08:00 Washington; 13:00 London; 17:00 Islamabad; 21:00 Tokyo; 22:00 Melbourne

**List of attendees:**

Nominating Committee Appointee (NCA): – Non-Voting – Erika Mann (absent)
Contracted Parties House
Registrar Stakeholder Group: Pam Little, Michele Neylon, Darcy Southwell
gTLD Registries Stakeholder Group: Maxim Alzoba (apologies, proxy to Rubens Kühl), Keith Drazek, Rubens Kühl
Nominating Committee Appointee (NCA): Carlos Raul Gutierrez
Non-Contracted Parties House
Commercial Stakeholder Group (CSG): Marie Pattullo, Scott McCormick, Philippe Fouquart, Osvaldo Novoa, Paul McGrady, Flip Petillion
Non-Commercial Stakeholder Group (NCSG): Martin Silva Valent, Elsa Saade, Tatiana Tropina, Rafik Dammak, Ayden Férdeline, Arsène Tungali (absent)
Nominating Committee Appointee (NCA): Syed Ismail Shah
GNSO Council Liaisons/Observers:
Cheryl Langdon-Orr– ALAC Liaison
Julf (Johan) Helsingius– GNSO liaison to the GAC
Maarten Simon – ccNSO observer
Guest speakers: ICANN Org: Cyrus Namazi, Trang Nguyen, Brian Aitchison
ICANN Staff
David Olive -Senior Vice President, Policy Development Support and Managing Manager, ICANN
Regional (apologies)
Marika Konings – Vice President, Policy Development Support – GNSO
Mary Wong – Vice President, Strategic Community Operations, Planning and Engagement
Julie Hedlund – Policy Director
Steve Chan – Policy Director
Berry Cobb – Policy Consultant
Emily Barabas – Policy Manager (apologies)
Ariel Liang – Policy Support Specialist
Caitlin Tubergen – Policy Senior Manager
Sara Caplis - Manager, Meetings Technical Services
Nathalie Peregrine – Manager, Operations
Andrea Glandon - Operations Support - GNSO Coordinator
MP3 Recording
Transcript

Item 1. Administrative Matters

1.1 - Roll Call.
1.2 - Updates to Statements of Interest
Scott McCormick has left HackerOne and moved to Reciprocity (SOI to be updated). Flip Petillion has been added to the lists of Panelists of NOMINET (SOI).

1.3 - Review / Amend Agenda
Keith Drazek reviewed the agenda. A 10.6 item was added to AOB.

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:
Minutes of the GNSO Council meeting on the 26 June 2019 were posted on the 13 July 2019
Minutes of the GNSO Council meeting on the 18 July 2019 were posted on the 02 August 2019

Item 2: Opening Remarks / Review of Projects & Action List

Keith Drazek reviewed the Action items which were not to be discussed under this meeting’s main agenda:
- IRP IOT: There was a call from ICANN Board to repopulate the IRP IOT, seven GNSO community members were recommended by the GNSO Council. A small team is finalising questions for Council consideration which will be submitted to ICANN Org and presented to Council before the September 2019 meeting.
- RPM Charter amendments specific to the IGO INGO protections: the first step is a focus on a small team and then work on Charter updates in regards to the PDP3.0 improvements.
- Legislative Tracker: GNSO Council sent a draft letter with recommended improvements. Input from ICANN Org is awaited.
- The CSC Effectiveness Review Final Report action item is ongoing.
- IRTP Policy Status Report: it was initially hoped that EPDP IRT would provide further input on the gaining registrar FOA issue. Council can now expect a letter from the RrSG Chair for the Council to write to ICANN Board and address the issue.
- IANA Functions Review team: there are further questions regarding repopulating the IANA Review team in terms of availability of community members. This is an open action item for the broader community.
- International Domain Names (IDN) Variant TLDs: the GNSO Council small team including subject matter experts has set up a mailing list, has met for one conference call and is working on a time rotation for future meetings, as well as mapping out the task at hand. The small team has an action item to request the GNSO Council send two liaisons to the ccNSO parallel effort, once it begins, to ensure consistency.
- IGO INGO Curative Rights Protection Mechanisms action item regarding the 3.7 appeal process is in progress.
- Evolution of the Multistakeholder model: there is an upcoming Public Comment for which the GNSO Council will have to identify areas of concern and encourage Stakeholder Groups (SGs) and Constituencies (Cs) to provide input. Staff has an open action item to look into the cost of the effort.
- PDP Updates: GNSO Chair needs to draft letter to ICANN Board, cc-ing SSAC, regarding the Name Collisions Analysis Project (NCAP). Engagement needs to be sought with the ccNSO on discussions concerning NCAP, string similarity and IDNs.

Action Items:
ICANN Staff to follow up with GSE staff about input from GNSO Council on the legislative tracker (i.e., Global Engagement to take into account feedback, in particular, inclusion of rationale for including a piece of legislation on the legal / regulatory tracker.)
ICANN Staff to add to the existing action item that Council is anticipating input from RrSG on the Review of the Transfer Policy as well as the request for the suspension of the contractual compliance enforcement of the FOA.
ICANN Staff to ensure that GNSO liaison(s) are assigned to the IDN ccPDP, when the ccNSO initiates that effort.

Item 3: Consent Agenda (none)

Item 4: COUNCIL DISCUSSION - GNSO Council Letter on Status of Consultation in Relation to Non-Adopted EPDP Phase 1 Parts of Recommendations (purpose 2 and recommendation #12)

On 15 May, the ICANN Board informed the GNSO Council of the Board’s action in relation to non-adoption of two GNSO’s EPDP Phase 1 policy recommendations. The GNSO Council has a responsibility to follow through in instances where consensus policy recommendations from a PDP, approved by the GNSO Council, are not approved in full by the Board. This was further discussed during ICANN65 during the joint GNSO Council - ICANN Board session and during the Council meeting on 18 July 2019. The GNSO Council leadership has updated the draft response which incorporated the different views among the Councilors. The latest draft seeks to clarify Council’s understanding from the discussion with the Board during ICANN65 in order to determine the next steps.
Marie Pattullo thanked Keith Drazek for the requested amendments to the draft, but stressed that the Business Constituency was concerned by recommendation 1, purpose 2, would like the EPDP 2 team to work on the placeholder language and would appreciate clarification that not all councilors agree with the recommendation.
Keith Drazek explained that the GNSO Council is not challenging the Board's decision but is acknowledging that it is placeholder language and that there is further work for the EPDP 2 team. Tatiana Tropina suggested bullet point 2 of the draft letter be modified to reflect the position of the different constituencies.
Flip Petillion supported Tatiana Tropina’s suggestion whilst reminding councilors that the Council is responsible for developing policy for the entire community. He equally supported Marie Pattullo’s intervention, whilst encouraging Keith Drazek to promote the fact the EPDP 2 team should concentrate on the issue.
Darcy Southwell raised that bullet point 2 needed clarification regarding what the GNSO Council was asking of the ICANN Board.
Keith Drazek welcomed the suggestion and encouraged councilors to provide further edits. He agreed that the letter was not communicating a decision, but requesting confirmation of common understanding of the verbal conversation held during ICANN65.
Elsa Saade raised the notion of ‘global public interest’ which was mentioned in the letter sent by ICANN Board, and questioned its definition, noting that the GNSO Council should use such terms with care.
Keith Drazek responded that “global public interest” is one of thresholds that the ICANN Board must attain in the event that it does not agree with policy recommendations. He agreed that the term could be lacking in definition and noted that staff had provided further information in the Zoom room.
Michele Neylon expressed his dissatisfaction at the focus on minor points by one or two constituencies. He reminded councilors that all constituencies were represented within the EPDP team and that it was not the GNSO Council’s remit to rewrite recommendations. He supported Elsa Saade’s concern with the expression “global public interest”.
Keith Drazek stated that the procedural issue was the focal point in order to set a constructive precedent. Tatiana Tropina agreed that the Council cannot change recommendations substantively. She raised that the Board’s letter and annex were lacking in clarity, and could be interpreted as asking the EPDP 2 team to consider general public interest.
Rafik Dammak mentioned that recommendation 1, purpose 2 will be worked on with the Standardized System for Access/Disclosure (SSAD).
Keith Drazek noted that further exchanges had taken place in the Zoom room chat.

Action items:
Councilors to work to complete the letter, which may include integrating elements such as:
When the letter references that some Councilors having dissenting views, that the group holding those dissenting views are identified.
Add clarity about the ask of the ICANN Board (e.g., confirm that the Board and Council have a common understanding).
Rafik Dammak to confirm when recommendation one, purpose 2 will be expected to be discussed by the EPDP phase 2.

Item 5: COUNCIL DISCUSSION – ICANN Org’s Request for Clarification on Data Accuracy and Phase-2 of the Expedited Policy Development Process (EPDP) on the Temporary Specification for gTLD Registration Data
Keith Drazek reminded the councilors that on 21 June 2019, the GNSO Council received a letter from ICANN Org requesting clarification on data accuracy and specifically the WHOIS Accuracy Reporting System (ARS), which was then discussed during the GNSO Council meeting on the 19 July 2019. On the 15 August, a draft response was circulated on the mailing list acknowledging receipt of the ICANN Org’s letter, but Keith Drazek confirmed that Council needed to provide a more substantive response shortly. Elsa Saade raised the concern that accuracy was not mentioned in the EPDP charter and should not be of the EPDP 2 team’s remit. Keith Drazek added that a review has been initiated with ICANN Org to assess EPDP 1 recommendations impacted contracts or policy, and where there are inconsistencies and incompatibilities with existing policies, specifically regarding the Whois ARS. Marie Pattullo raised that the Business Constituency had no issue with the draft letter, but that they would need clarification regarding ICANN Org next steps and confirmation from the GNSO Council that ARS is included in the EPDP 2 team’s work.

Keith Drazek agreed that having further information about ICANN Org’s next steps would be useful. Elsa Saade clarified that her point was procedural and that EPDP 2 team should only focus on tasks with which the group was chartered. If there are points which are not in the charter, they should be discussed within the broader community.

Keith Drazek suggested a small team of councilor with a focus on accuracy broadly and the Whois accuracy more specifically especially within the discussion about what will replace Whois eventually. Michele Neylon expressed his objection to the above suggestion as it would be unproductive given the lack of clear definition of the term “accuracy” but supported an exchange with ICANN Org.

Keith Drazek reminded councilors that a substantive response needed to be sent to ICANN Org within a short timeframe and that volunteers were needed for that task. Marie Pattullo volunteered for the small group.

Action items:
ICANN staff to include an agenda item on the September Council meeting, inviting ICANN Org to speak on the impact of GDPR as well as the EPDP 1 recommendations on the enforcement and implementation of existing policies, procedures, and contractual provisions related to accuracy (including ARS).

Item 6: COUNCIL DISCUSSION – ICANN Board referrals of CCT-RT recommendations to GNSO Council and GNSO PDP WGs

In the interest of time, agenda item 6 was deferred to the September 2019 Council meeting.
Action item:
Councilors to review draft text and provide input, if applicable, prior to the September 2019 Council meeting, 13 September 2019 at the latest.

Item 7: COUNCIL DISCUSSION - ICANN Org assumptions for new round of new gTLDs

ICANN org compiled a number of fundamental operationally focused assumptions to help with the preliminary planning and operational readiness of the organization and circulated these to the GNSO Council on 17 June 2019. The Global Domains Division (GDD) is now awaiting community input. Cyrus Namazi, Trang Nguyen, Christine Willett and Chris Gift joined the call to exchange with councilors.
Cyrus Namazi provided background on the origins of the document insisting on the complexity of the implementation of the policies into a new gTLD round. The first steps were to focus on the operationality of the program. Four assumptions were made and feedback was received from ICANN Board. Cyrus reminded councilors that these are assumptions based on incomplete information as community input has not yet been received in total.
Keith Drazek acknowledged that the effort was not presupposing what the policy work would entail, but establishing baseline structures. Darcy Southwell asked about the underlying data which supports some of the assumptions, for instance the number of 2000 applications. This data is key to understanding the processing and how ICANN Org will support the effort. Cyrus Namazi responded that the number 2000 is an operational assumption on which to build future capabilities. Any number above 2000 will increase the complexity and have impacts on cost. Philippe Fouquart raised that the document refers to 1000 gTLDs a year, maximum delegation rate, and asked whether given the experience gained since the last round, processing could be speedier. Cyrus Namazi replied that at its peak during the 2012 round, the maximum number TLDs delegated into the root, was 400 a year. SSAC and RSSAC have advised the Board in terms of the rate at which the root is going to expand and have asked ICANN Org to maintain a reasonable rate. Darcy Southwell followed up raising concerns about the significant impact on cost with working on assumptions, and encouraged marketing research be done by ICANN Org to better estimate numbers. Cyrus Namazi acknowledged that having more realistic expectations would be helpful and welcomed community input on the matter. Michele Neylon understood the challenge of having exact numbers but insisted on the considerable impact on staff and resourcing. One solution would be to look at it by tranches of scale, looking at the number of applications per fiscal year for instance. Cyrus Namazi responded that closer to the application window, it will be easier to build appropriate systems. Regarding staffing, there will be core staff, but certain functions are short term and would be staffed with temporary positions. ICANN Org will update the assumptions paper with community input whilst observing EPDP work in parallel and present the Board with updated assumptions to receive the authorisation to begin planning the next round. Input provided by the GNSO Council by the end of September 2019 would be ideal. Keith Drazek stated that GNSO Council input would be received within the deadline. Action items: Council to consider if they would like to provide a written response to ICANN Org, to be delivered by the end of September. Councilors to inform their respective SG/Cs of the timeline for providing input.

Item 8: COUNCIL DISCUSSION – Proposed Amendments to Consensus Policy Implementation Framework (CPIF)

Brian Aitchison, ICANN Org, joined the GNSO Council to present the latest updates concerning CPIF. He reminded councilors that the CPIF was being constructed as a roadmap for the community to follow as GDD implements policy recommendations. ICANN Org is mandated to continuously review the framework, this was done in 2018 for the first time. For 2019, the review should be more structured and this is reflected in the amendments. Two new sections have been added: the Post-Implementation Consensus Review Process which has been in discussion for a long time, with precise guidelines being sought and an amendment process has also been added, with proposals to undertake it every five years rather than every time a review is initiated. Efforts have been made to remove inconsistencies. GNSO councilors are being asked to provide feedback on the amendments by the 25th October 2019 deadline. Keith Drazek suggested a small team focus on providing feedback on behalf of the Council. Rafik Dammak thanked Brian for his presentation and asked about what will happen past the input deadline. Brian Aitchison replied that the process would be similar to 2018. The input will be reviewed and added to the document in collaboration with those who provided the input. Pam Little inquired as to the process of providing input, as previously individual councilors had provided input without constituency or stakeholder group differences having to be reconciled. The Registrar Stakeholder Group (RrSG) is already working on input which could be put to the Council as starting document for their deliberations. Keith Drazek acknowledged that this would be the best solution moving forward and thanked Brian Aitchison for his efforts. Action items: Councilors to ensure that their respective SG/Cs are aware that they are able to provide input to ICANN Org by 25 October 2019 at the latest. To the extent the Council can agree on any unified feedback, Council to provide written input by 25 October as well. Pam Little to share proposed edits from the RrSG with the Council.

Item 9 - PDP 3.0 Small Group Update/Discussion
Keith Drazek reminded councilors of the importance of the PDP3.0 small group efforts. Rafik Dammak provided an update to the Council on PDP3.0 small team activities. Work on 5 out of 14 of the improvements has been completed by the small team, but only 4 submitted to the Council as a package for review as they cover similar topics. The team is continuing to work on the other improvements. The chosen approach is to have a designated small team member per improvement as lead to collaborate closely with ICANN staff. Improvements completed are: terms of participation for Working Group members which was based on collaboration with EPDP leadership, three alternatives to open working group models to assist the charter drafting teams in defining the structure of the future Working Group, criteria for new members joining once PDP work has begun and expectations for Working Group leaders.

The PDP3.0 team has a deadline to complete the work by the Annual General Meeting, and will therefore welcome councilors input.

Rafik Dammak thanked the PDP3.0 team members and staff for their dedication to the task at hand.

**Action Item:**
Councilors to review and provide feedback on the finalized implementation elements (1, 2, 3, 6) by 13 September 2019 at the latest.

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**Item 10: ANY OTHER BUSINESS**

10.1 - ICANN66 Draft Schedule Review & travel booking reminder
Keith Drazek reminded councilors to review the schedule ahead of ICANN66.

**Action item:**
ICANN Staff to send reminder to Councilors to book their travel

10.2 - GNSO Strategic Planning Session January 2020
Keith Drazek reminded councilors to plan their travel in keeping with the communicated session dates.

10.3 - Confirmation of volunteers for Council liaisons to PDP/IRTs beginning at the AGM:
Sebastian Ducos – EPDP IRT
Maxim Alzoba - Translation/Transliteration IRT
John McElwaine – RPMs PDP WG
Keith Drazek stated he would keep this topic open on the Council list for a week following the Council meeting for any input.

**Action items:**
If applicable, Councilors to ask questions or note objections by 28 August.
Subsequently, ICANN Staff to facilitate handover meetings between incoming and outcoming liaisons, as well as PDP/IRT leadership.

Keith Drazek asked councilors to review the Work Plan package as early as possible.

**Action item:**
Councilors to review EPDP Phase 2 work plan package and share any comments or questions with the mailing list

10.5 - ATRT3 Survey - volunteers to develop Council response
Keith Drazek requested a small team of councilors volunteer to draft a Council response.

**Action item:**
Councilors to draft response to ATRT3 Survey (volunteers: none)

Keith Drazek encouraged councilors to review the exchanges and submit any comments or questions to the GNSO Council leadership team and Council liaison, Paul McGrady.

**Action item:**

Keith Drazek adjourned the GNSO Council meeting on Thursday 22 August 2019 at 14:04 UTC.

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July 18th: 21:00 UTC

Minutes of the GNSO Council Meeting 18 July 2019

[Agenda](#) and [Documents](#)
List of attendees:

Nominating Committee Appointee (NCA): – Non-Voting – Erika Mann (apologies)

Contracted Parties House

Registrar Stakeholder Group: Pam Little, Michele Neylon (apologies, proxy to Darcy Southwell), Darcy Southwell

gTLD Registries Stakeholder Group: Maxim Alzoba, Keith Drazek, Rubens Kühl (apologies, proxy to Maxim Alzoba)

Nominating Committee Appointee (NCA): Carlos Raul Gutierrez

Non-Contracted Parties House

Commercial Stakeholder Group (CSG): Marie Pattullo, Scott McCormick, Philippe Fouquart, Osvaldo Novoa, Paul McGrady, Flip Petillion

Non-Commercial Stakeholder Group (NCSG): Martin Silva Valent, Elsa Saade, Tatiana Tropina, Rafik Dammak, Ayden Férdeline (apologies, proxy to Martin Silva Valent), Arsène Tungali (apologies, proxy to Rafik Dammak)

Nominating Committee Appointee (NCA): Syed Ismail Shah (apologies, proxy to Elsa Saade)

GNSO Council Liaisons/Observers:

Cheryl Langdon-Orr – ALAC Liaison

Julf (Johan) Helsingius – GNSO liaison to the GAC

Maarten Simon – ccNSO observer

Guest speakers: Jeff Neuman, Kathy Kleiman, Phil Corwin, Brian Cute

ICANN Staff

David Olive - Senior Vice President, Policy Development Support and Managing Manager, ICANN Regional (apologies sent)

Marika Konings – Vice President, Policy Development Support – GNSO (apologies sent)

Mary Wong – Vice President, Strategic Community Operations, Planning and Engagement

Julie Hedlund – Policy Director

Steve Chan – Policy Director

Berry Cobb – Policy Consultant

Emily Barabas – Policy Manager

Ariel Liang – Policy Support Specialist

Caitlin Tubergen – Policy Senior Manager

Sara Caplis - Manager, Meetings Technical Services

Nathalie Peregrine – Manager, Operations

Terri Agnew - Operations Support - GNSO Lead Administrator

GNSO Council Meetings at ICANN 65 - Marrakech

GNSO Council Working Session - June 24 Tichka (GNSO)

Council Working Session Slide Deck
GNSO Council Meeting

Agenda:  https://community.icann.org/x/SoaGBg Motions:  https://community.icann.org/x/TlaGBg Documents:  https://community.icann.org/x/SlaGBg

Final Proposed Agenda 26 June 2019

Please note that all documents referenced in the agenda have been gathered on a Wiki page for convenience and easier access: https://community.icann.org/x/SlaGBg

This agenda was established according to the GNSO Operating Procedures v3.3, updated on 30 January 2018

GNSO Council meeting held in Marrakech ICANN65: 13:00 - 15:00 local time

Coordinated Universal Time: 12:00 UTC:  https://tinyurl.com/y5qgfetw
Item 1: Administrative Matters (10 mins)

1.1 - Roll Call

1.2 - Updates to Statements of Interest

1.3 - Review / Amend Agenda

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meeting on the 16th April 2019 were posted on the 4th May 2019

Minutes of the extraordinary GNSO Council meeting on the 28th May 2019 were posted on the 13th June 2019

Item 2: Opening Remarks / Review of Projects & Action List (15 minutes)

2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action Item List

Item 3: Consent Agenda (0 minutes)

- None

Item 4: COUNCIL DISCUSSION - Re-populating the Independent Review Process Implementation Oversight Team (IRP IOT) / GNSO Input to the Independent Review Process Standing Panel (15 minutes)

As part of the work from the CCWG-Accountability Work Stream 1 (WS1), the Independent Review Process Implementation Oversight Team (IRP IOT) was created in 2016. The IRP IOT has the critical role of implementing revised IRP provisions. The Council understands that attendance and attention to this important community activity has been less than ideal. As a result, the Council believes that repopulating the GNSO membership for the IRP IOT is critically important, especially in relation to the request for input on seating the Standing Panel.

In relation to the seating of the Standing Panel, ICANN org published a Call to Action, stating that “The IRP is an accountability mechanism provided by the ICANN Bylaws that allows for third-party review of actions (or inactions) by the ICANN Board or staff that are allegedly in violation of the Bylaws or Articles of Incorporation. The IRP was updated through the work of the Cross Community Working Group on Enhancing ICANN Accountability, to make the IRP more transparent, efficient, and accessible, and designed to produce consistent and coherent results that will serve as a guide for future actions. One feature of the updated IRP is the establishment of a standing panel from which panelists shall be selected to preside over each IRP dispute as initiated.” At this stage, ICANN org is seeking to consult with the SOs and ACs to establish the process by which members are selected to serve on the standing panel to hear IRPs.

The Call to Action included a series of questions to help resolve pending issues. Additional questions can also be found on the Wiki. However, there was concern within the ICANN community that the Call to Action was not widely seen, as it was an alternative form of soliciting public input (e.g., the expectation is generally public comment).

Here, the Council will emphasize the need to repopulate the membership of the IRP IOT and determine the best path forward for providing feedback in seating the IRP Standing Panel.

4.1 – Update (Council leadership)

4.2 – Council discussion

4.3 – Next steps

Item 5: COUNCIL DISCUSSION – IGO-INGO Access to Curative Rights Protection Mechanisms Next Steps (15 minutes)

On 9 July 2018, the PDP WG submitted its Final Report to the GNSO Council for its consideration, which contains five consensus recommendations, along with three Working Group member minority statements, documenting their disagreement either with one or more of the final recommendations or other parts of the Final Report.

On its 19 July Council meeting, the Council resolved to accept the Final Report from the IGO-INGO Access to Curative Rights Mechanisms PDP Working Group, where it noted that it would consider the topic of curative rights protections for IGOs in the broader context of the appropriate overall scope of protection for all IGO identifiers.

On 9 October 2018, the Council held a question and answer webinar to review the recommendations and to ask itself a series of questions, 1) Does the Council believe that the PDP has addressed the issues that it was chartered to address (i.e. What questions/topics was the Working Group chartered to consider, did it consider those charter topics/questions, and did it do so in a legitimate way)?; 2) Has the PDP followed due process?; and 3) Did the PDP Working Group address GAC advice on the topic?

A motion to consider the Final Report was originally submitted on the 24 October 2018 Council meeting agenda but was withdrawn due to concerns around both the process followed by the PDP, as well as the substance of the PDP WG’s recommendations. Council leadership and staff developed a summary document (Summary Paper and Slide Deck) that lists issues raised by Councilors, options available, and potential considerations. During the November meeting, the Council considered a set of available options and briefly discussed possible next steps.
On 20 December 2018, Council leadership circulated a proposal for next steps. Council leadership has since sent a reply to the GAC, in response to a letter received during ICANN63. On the 24 January 2018 Council meeting, the Council discussed the proposal prepared by Council leadership. On 14 February 2019, the Council further discussed next steps and agreed to consult with the Governmental Advisory Committee, both before and at ICANN64. The GNSO Council and GAC had productive discussions, where the Council discussed procedural options that it is considering. The GAC’s Kobe Communiqué noted the GAC’s “fruitful exchanges with the GNSO Council regarding the possibility of restarting the PDP on curative protections, under conditions amenable to all interested parties, including IGOs and interested GAC members, with a view to achieving mutually acceptable results [with] a timeline with a targeted date associated with such a course of action.” Based on the Council discussions and consultation with the GAC, the Council believes that it has thoroughly considered the available options. On 18 April 2019, the Council resolved to approve recommendations 1-4 and refer recommendation 5 to be considered by the RPMs PDP as part of its Phase 2 work.

As part of its Consent Agenda, on 16 May 2019, the Council confirmed the transmission of the Recommendations Report to the ICANN Board. On 23 May, the GAC sent a letter to the GNSO Council, noting that approving recommendations 1-4 and referring recommendation 5 to the RPMs PDP is contrary to longstanding GAC Advice. The GAC therefore hopes the Council can confirm its willingness to participate in a Board facilitated discussion and requests response by 31 May 2019. In a meeting between the leadership of the GNSO and GAC, the prospect of a facilitated dialogue was discussed. Subsequently, the GAC and the GNSO exchanged further correspondence regarding the GNSO Council’s willingness to engage in a facilitated dialogue.

Here, the Council will consider the latest letters from the GAC to the GNSO, to the ICANN Board and discussions at ICANN65, and consider the best path forward.

5.1 – Introduction of topic (Council leadership)

5.2 – Council discussion

5.3 – Next steps

Item 6: COUNCIL DISCUSSION – Next Steps For Internationalized Domain Names (15 minutes)

On 14 March 2019, the Board resolved to approve the Recommendations for Managing IDN Variant TLDs, developed by ICANN org. In doing so, the Board requested that “the ccNSO and GNSO take into account the Variant TLD Recommendations while developing their respective policies to define and manage the IDN variant TLDs for the current TLDs as well as for future TLD applications.” On 9 April 2019, the GNSO Council received a letter from ICANN org, noting their willingness to provide any support as needed for this effort.

The ICANN Board was scheduled to consider and vote to approve the IDN Guidelines 4.0 during its 3 May 2019 meeting. The GNSO Council, in light of the Board’s resolution on IDN variants as well as the intended action on the IDN Guidelines 4.0, determined that additional time was needed to consider the policy implications under its remit. Accordingly, the Council sent a letter to the ICANN Board, asking that their consideration of the IDN Guidelines 4.0 be deferred. That request to defer was granted by the ICANN Board. On 4 June 2019, the ICANN Board sent a letter to the GNSO Council requesting “the GNSO Council to share its plan on how it intends to move forward with IDN Implementation Guidelines at its earliest convenience, ideally before ICANN66 meeting in Montreal, Canada.”

The GNSO Council is in the process of studying the full extent of impacts from the Variant TLD Recommendations and the IDN Guidelines 4.0, and the proper mechanism to resolve any policy implications.

Here, the GNSO Council, after having benefited from conversations with other impacted parties (e.g., ccNSO, ICANN org, ICANN Board), will discuss possible next steps.

6.1 – Introduction of topic (Council leadership)

6.2 – Council discussion

6.3 – Next steps

Item 7: COUNCIL DISCUSSION - Board Consultation on the Expedited PDP on the Temporary Specification Phase 1 - Next Steps (15 minutes)

On 15 May, the ICANN Board informed the GNSO Council of the Board’s action in relation to the GNSO’s Expedited Policy Development Process on the Temporary Specification for gTLD Registration Data policy recommendations. The Board did not adopt two of the recommendations in full, where the Board has identified that portions of those recommendations are not in the best interests of the ICANN Community or ICANN and is initiating the consultation process between the Board and the GNSO Council. This concerns recommendation #1, purpose 2 and recommendation #12, deletion of data in the Organization field. As required under the ICANN Bylaws at Annex A-1, Section 6.b, a Board Statement is attached as Annex A to the letter, articulating the reasons for the Board’s determination on these two items. As per the Bylaw requirements (Annex A-1, Section 6.c), “the Council shall review the Board Statement for discussion with the Board as soon as feasible after the Council’s receipt of the Board Statement.” During the Council’s Extraordinary Meeting on 28 May 2018, it reviewed the Board Statement and conducted a lengthy discussion on the best path forward.

On 30 May 2019, Keith Drazek, the GNSO Chair provided an update to the EPDP Team on the expected next steps in relation to Board action on Phase 1 recommendations and requested that the EPDP Team provide input to identify any questions, comments or concerns in relation to ICANN Board’s action on the EPDP Phase 1 Recommendations. Subsequently, on 9 June 2019, Janis Karklins, Chair of the EPDP, informed the GNSO Chair of the following preliminary input noting that there was not sufficient time to formalize and agree on an EPDP Team response:

“• In relation to purpose 2, there is general understanding for why the Board decided to not adopt this purpose and the EPDP Team confirms that it considers it firmly within its scope for phase 2 to further review this purpose in the context of the System for Standardized Access / Disclosure (SSAD):

• For recommendation #12, some additional context has been provided that may help explain the thinking behind the EPDP Team’s original recommendation. However, there is no agreement at this stage on whether or not the Board’s non-adoption should be supported.”

Here, the Council will continue to consider the next steps, especially in light of conversations held at ICANN65.
See also Annex A-1, Section 6. Board Approval Process below for further details.

**Section 6. Board Approval Processes**

The Board will meet to discuss the EPDP recommendation(s) as soon as feasible, but preferably not later than the second meeting after receipt of the Recommendations Report from the Staff Manager. Board deliberation on the EPDP Recommendations contained within the Recommendations Report shall proceed as follows:

- Any EPDP Recommendations approved by a GNSO Supermajority Vote shall be adopted by the Board unless, by a vote of more than two-thirds (2/3) of the Board, the Board determines that such policy is not in the best interests of the ICANN community or ICANN. If the GNSO Council recommendation was approved by less than a GNSO Supermajority Vote, a majority vote of the Board will be sufficient to determine that such policy is not in the best interests of the ICANN community or ICANN.

- In the event that the Board determines, in accordance with paragraph a above, that the proposed EPDP Recommendations are not in the best interests of the ICANN community or ICANN (the Corporation), the Board shall (i) articulate the reasons for its determination in a report to the Council (the "Board Statement"); and (ii) submit the Board Statement to the Council.

- The Council shall review the Board Statement for discussion with the Board as soon as feasible after the Council’s receipt of the Board Statement. The Board shall determine the method (e.g., by teleconference, email, or otherwise) by which the Council and Board will discuss the Board Statement.

At the conclusion of the Council and Board discussions, the Council shall meet to affirm or modify its recommendation, and communicate that conclusion (the "Supplemental Recommendation") to the Board, including an explanation for the then-current recommendation. In the event that the Council is able to reach a GNSO Supermajority Vote on the Supplemental Recommendation, the Board shall adopt the recommendation unless more than two-thirds (2/3) of the Board determines that such guidance is not in the interests of the ICANN community or ICANN. For any Supplemental Recommendation approved by less than a GNSO Supermajority Vote, a majority vote of the Board shall be sufficient to determine that the guidance in the Supplemental Recommendation is not in the best interest of the ICANN community or ICANN.

7.1 – Introduction of topic (Council leadership)

7.2 – Council discussion

7.3 – Next steps

**Item 8: COUNCIL DISCUSSION – Consideration of Updates From PDPs and Determination if Follow-Up or Council Action is Needed (10 minutes)**

On a 17 June 2019 webinar, in advance of ICANN65, the leadership teams of the various GNSO PDPs currently operating will have provided an update to the GNSO Council on current status, timeline, current issues, and potential ways in which the GNSO Council may be able to provide assistance. The GNSO Council, after having received this update, will consider if any of the PDPs currently under its management may benefit from additional analysis/consideration and/or Council action.

Here, the Council will discuss whether any additional steps are needed as it relates to its management of the GNSO PDPs.

8.1 – Introduction of topic (Council leadership)

8.2 – Council discussion

8.3 – Next steps

**Item 9: COUNCIL DISCUSSION – Consideration of Competition, Consumer Trust & Consumer Choice Review Team (CCT-RT) Recommendations Passed to the GNSO (10 minutes)**

As was required under ICANN’s Affirmation of Commitments, the community-led Competition, Consumer Trust and Consumer Choice Review Team (CCT-RT) was established on 23 December 2015. The CCT-RT completed its work and delivered its Final Report to the ICANN Board on 8 September 2018.

On 1 March 2019, the ICANN Board resolved to take action on the 35 recommendations as specified in the scorecard titled Final CCT Recommendations: Board Action (1 March 2019), which fell in three categories: Accepting recommendations, subject to costing and implementation considerations; Placing recommendations (in whole or in part) in “Pending” status, directing ICANN org to perform specific actions to enable the Board to take further actions; Passing recommendations (in whole or in part) to community groups the CCT-RT identified for their consideration

On 10 June 2019, the GNSO Council received a communication informing them of the CCT-RT recommendations passed to it, along with an offer to provide additional information or context. The email highlighted the following text: “in passing these recommendations through, the Board is neither accepting, nor rejecting the recommendations. [...] Passing recommendations through to community groups is not a directive that the groups identified should formally address any of the issues within those recommendations. It is within the purview of each group to identify whether work will be taken on and the topics that the group will address’’.

Here, the Council will discuss possible next steps to take in regards to the CCT-RT recommendations passed through to the GNSO.

9.1 – Introduction of topic (Council leadership)

9.2 – Council discussion
Item 10: COUNCIL UPDATE – Progress Made For the Implementation of PDP 3.0 (10 minutes)

The GNSO Council identified a number of challenges as well as possible improvements related to the Policy Development Process (PDP), as a result of a number of discussions throughout 2018. These efforts started in the form of a staff discussion paper, shared on 10 January 2018 and discussed at the GNSO Council’s 2018 Strategic Planning Session.

In order to engage the broader GNSO community in this discussion, the GNSO Council organized a collaborative session involving the members of the current PDP Leadership Teams as well as the broader community to summarize key points from the Strategic Planning Session, elaborate on the challenges that PDPs presently face and identified, and begin to brainstorm possible solutions.

On 11 May 2018, an updated paper was prepared, taking into account feedback received. The GNSO Council solicited additional feedback from the GNSO Stakeholder Groups and Constituencies, summarizing input received. An updated report was prepared as well as an Implementation Plan. On 24 October 2018, the Council resolved to adopt the Final Report and begin implementation, as well as report on progress no less than on a quarterly basis.

At the 2019 GNSO Council Strategic Planning Session, the Council discussed early drafts for select implementation areas, ultimately agreeing that a small team of Councilors be convened to support implementation efforts. That small team of Councilors first convened at ICANN64 in Kobe, Japan and has since been meeting on a bi-weekly basis.

Here, the Council will receive an update on the implementation efforts from the PDP 3.0 small team of Councilors.

10.1 – Introduction of topic (Rafik Dammak, lead for PDP 3.0 small team)
10.2 – Council discussion
10.3 – Next steps

Item 11: ANY OTHER BUSINESS (5 minutes)

11.1 - Open microphone

GNSO Council Wrap-up

27 June - Orangeraie Room main Conference Centre - Attended by ALAC Liaison to the GNSO Council.

An informal and open meeting where the GNSO Council discussed the inputs and outcomes from the GNSO meetings held during ICANN 65, and where relevant noted any action items and next steps, as well as allocated Councillors responsible for or liaison to these activities and actions. The full transcript of this meeting can be found here.

As a general Policy Meeting it is also useful to reference the Pre-ICANN65 Policy Report: https://go.icann.org/pre65

The agenda wiki page: https://community.icann.org/x/VoaGBg

Agenda annotated with volunteers form Council now responsible for A1’s and follow up.

1. Review of ICANN65 GAC Advice (Julf, Paul, Michele, Martin and Tatiana)

https://gac.icann.org/contentMigrated/icann65-marrakech-communique

1. Next steps for ATRT3 (Council will consider the need or otherwise to replace Erica who needs to retire from ATRT3 at end of Aug - Selection Standing Committee and LT to follow up)
2. Reminder of small team activities:
   a. Input on the IRP Standing Panel (Volunteers: Flip, Elsa)
   b. IDNs (Volunteers: Rubens, Maxim, Philippe, Edmon, Michele)

1. Seek additional volunteers outside of Council at this stage? If so, how?
   a. CCT-RT Recommendations (Volunteers: Pam, Carlos, Michele)
   b. IGO-INGO Charter Drafting (Volunteers: Martin, Elsa, Paul, Carlos)

1. Correspondence and proposed next steps for:
   a. Request for Clarification on Data Accuracy and Phase-2 of the Expedited Policy Development Process (EPDP) on the Temporary Specification for gTLD Registration Data
   b. ICANN org's preparation toward implementation of a new round of gTLDs (assumptions document)

2. ICANN66 Meeting Planning
   a. Whether to have an informal dinner (and volunteer to organize if yes)
   b. Input to leadership for planning purposes

3. AOB
   a. Council liaison replacement (Reconvened WG on Red Cross- IRT: Currently Keith)
   b. Reminder - Attend Impacts of EPDP Phase 1 session from 15:15-16:45 (https://65.schedule.icann.org/meetings/1058195)

extract copy from At-Large Reporting Document from ICANN 65
Extraordinary GNSO Council Meeting Tuesday, 28 May 2019 at 21:00 UTC for 90 mins.

On 15 May, the ICANN Board informed the GNSO Council of the Board’s action in relation to the GNSO’s Expedited Policy Development Process on the Temporary Specification for gTLD Registration Data policy recommendations (https://gnso.icann.org/sites/default/files/file/field-file-attach/chalaby-to-drazek-et-al-06may19-en.pdf [gnso.icann.org]) The Board did not adopt two of the recommendations in full, where the Board has identified that portions of those recommendations are not in the best interests of the ICANN Community or ICANN and is initiating the consultation process between the Board and the GNSO Council. This concerns recommendation #1, purpose 2 and recommendation #12, deletion of data in the Organization field. As required under the ICANN Bylaws at Annex A-1, Section 6.b, a Board Statement is attached as Annex A to the letter, articulating the reasons for the Board’s determination on these two items. As per the Bylaw requirements (Annex A-1, Section 6.c), “the Council shall review the Board Statement for discussion with the Board as soon as feasible after the Council’s receipt of the Board Statement.”

During this meeting, the Council shall review the Board Statement and consider next steps. See also Annex A-1, Section 6. Board Approval Process for further details (https://www.icann.org/resources/pages/governance/bylaws-en/#annexA1 [icann.org]).

Item 1: Administrative Matters (10 mins)

1.1 - Roll Call
1.2 - Updates to Statements of Interest
1.3 - Review / Amend Agenda
1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meeting on the 18th April were posted on the 4th May 2019

Minutes of the GNSO Council meeting on the 16th May will be posted on the 31st May 2019

Item 2: COUNCIL DISCUSSION - Expedited PDP on the Temporary Specification Phase 1 (50 minutes)

On 15 May, the ICANN Board informed the GNSO Council of the Board’s action in relation to the GNSO’s Expedited Policy Development Process on the Temporary Specification for gTLD Registration Data policy recommendations. The Board did not adopt two of the recommendations in full, where the Board has identified that portions of those recommendations are not in the best interests of the ICANN Community or ICANN and is initiating the consultation process between the Board and the GNSO Council. This concerns recommendation #1, purpose 2 and recommendation #12, deletion of data in the Organization field. As required under the ICANN Bylaws at Annex A-1, Section 6.b, a Board Statement is attached as Annex A to the letter, articulating the reasons for the Board’s determination on these two items. As per the Bylaw requirements (Annex A-1, Section 6.c), “the Council shall review the Board Statement for discussion with the Board as soon as feasible after the Council’s receipt of the Board Statement.” During this meeting, the Council shall review the Board Statement and consider next steps. See also Annex A-1, Section 6. Board Approval Process below for further details.

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2.1 – Introduction of topic (Council leadership)

2.2 – Council discussion

2.3 – Next steps

Item 3: COUNCIL DISCUSSION – IGO-INGO Access to Curative Rights Protection Mechanisms (25 minutes)

On 9 July 2018, the PDP WG submitted its Final Report to the GNSO Council for its consideration, which contains five consensus recommendations, along with three Working Group member minority statements, documenting their disagreement either with one or more of the final recommendations or other parts of the Final Report.

On its 19 July Council meeting, the Council resolved to accept the Final Report from the IGO-INGO Access to Curative Rights Mechanisms PDP Working Group, where it noted that it would consider the topic of curative rights protections for IGOs in the broader context of the appropriate overall scope of protection for all IGO identifiers.

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Here, the Council will consider the letter received from the GAC and consider the best path forward.

3.1 – Introduction of topic (Council leadership)

3.2 – Council discussion

3.3 – Next steps

Item 4: ANY OTHER BUSINESS (5 minutes)

May 16th - 12:00 UTC

Recordings of the GNSO Council meeting held on Thursday 16 May 2019 at 12:00 UTC.

Audio only: https://icann.zoom.us/recording/play/7chaageXjdD577e0IfIMzryKmnXITQj6Q8nLdSHzyXHBvra1n6MsenG_--HPOuUN2

Zoom Recording URL: https://icann.zoom.us/recording/share/lnjmikwSEHrTGlNg-~rZEWGz0yTVnjC97-Wams37oywFlatmekTziMw

Zoom chat at: https://icann.zoom.us/recording/download/0bky3hvplbo1bx37iHVuMYSHVvYutjTB7wngxhIWs9ArIqlPr8N60YTKhqZM8iE

Consent Agenda resolution and vote result from the GNSO Council at its meeting on Thursday 16 May 2019 and has been posted on the GNSO resolutions page.

Consent Agenda

• Confirmation of Julf Helsingius to serve on the CCWG on New gTLD Auction Proceeds, replacing Stephanie Perrin

Vote results

Final GNSO Council Agenda

Item 1: Administrative Matters (10 mins)

1.1 - Roll Call
1.2 - Updates to Statements of Interest
1.3 - Review / Amend Agenda
1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meeting on the 13th March were posted on the 30 March 2019

Minutes of the GNSO Council meeting on the 16th April were posted on the 4th May 2019

1.5 - Introduction to Zoom

Item 2: Opening Remarks / Review of Projects & Action List (15 minutes)

2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action Item List

Item 3: Consent Agenda (10 minutes)

- Confirmation of Jülf Helsingius to serve on the CWWG on New gTLD Auction Proceeds, replacing Stephanie Perrin
- Confirmation of the Recommendations Report to the ICANN Board regarding adoption of recommendations 1-4 contained in the Final Report from the IGO-INGO Access to Curative Rights Protection Mechanisms PDP.

Item 4: COUNCIL DISCUSSION – Amendments to the Review of All Rights Protection Mechanisms in All gTLDs Charter to Integrate Recommendation 5 From IGO-INGO Access to Curative Rights Protection Mechanisms Final Report (15 minutes)

On 18 April 2019, the Council voted to approve recommendations 1-4 of Final Report from the IGO-INGO Access to Curative Rights Protection Mechanisms PDP WG. The Council also resolved to not approve Recommendation 5 and, "directs the Review of All Rights Protection Mechanisms in All gTLDs (RPM) PDP to consider, as part of its Phase 2 work, whether an appropriate policy solution can be developed that is generally consistent with Recommendations 1, 2, 3 & 4 of the PDP Final Report and:

- accounts for the possibility that an IGO may enjoy jurisdictional immunity in certain circumstances;
- does not affect the right and ability of registrants to file judicial proceedings in a court of competent jurisdiction;
- preserves registrants’ rights to judicial review of an initial UDRP or URS decision; and
- recognizes that the existence and scope of IGO jurisdictional immunity in any particular situation is a legal issue to be determined by a court of competent jurisdiction."

The GNSO Council resolved also to, "amend the charter for the RPM PDP Working Group to reflect this new instruction accordingly."

Here, the Council will begin initial conversations on how best to integrate Recommendation 5 into the RPMs PDP Charter.

4.1 – Introduction of topic (Council leadership)
4.2 – Council discussion
4.3 – Next Steps

Item 5: COUNCIL DISCUSSION – Discussion of the Inter-Registrar Transfer Policy (IRTP) Policy Status Report (10 minutes)

The Consensus Policy Implementation Framework (CPIF) provides guidance to ICANN org and the community for implementing policy. However, there is minimal guidance in this document or in other documentation around the review of implemented policies adopted by the GNSO Council. In some cases, a review is explicitly mandated as an element of the PDP WG’s recommendations to the Council, but in some cases, the recommendations are silent in this respect.

ICANN org, in consultation with the Council, prepared a draft framework on the approach for post-implementation reviews of Council adopted policy recommendations. The framework provides guidance on a number of questions (e.g., When should a review be initiated when there is no PDP recommendation to do so? What triggers should initiate a review? What are the expected outcomes of the review? Etc.).

During its 26 April 2018 meeting, the Council agreed to have ICANN org conduct a review of the Inter-Registrar Transfer Policy (IRTP). ICANN org utilized the draft framework for conducting the post-implementation review of the IRTP. On 14 November 2018, ICANN org published the IRTP Policy Status Report for public comment. ICANN org has worked to integrate elements identified in public comment and on 22 April 2019, shared a Revised Inter-Registrar Transfer Policy (IRTP) Status Report.

As noted in the report, there are no prescribed next steps once the Council is in receipt of the report.
As such, here, the Council will discuss possible next steps for the Transfer Policy.

5.1 – Introduction of topic (Council leadership and Brian Aitchison, ICANN org)

5.2 – Council discussion

5.3 – Next Steps

Item 6: COUNCIL DISCUSSION – Legislative / Regulatory Report (15 minutes)

As a result of the community’s experience in dealing with the European Commission’s General Data Protection Regulation (GDPR) legislation, and what is widely perceived as a late start in addressing the impact, the community has sought to become more aware of local law that may have an effect on the ability to create policy, conduct ongoing policy development, or enforce compliance with existing policy.

In seeking to advance this goal, ICANN org, and in particular its Governmental Engagement (GE) team, has been identifying and reporting on high-level legislative developments around the world. The GE has released three reports, the first in April 2018, the second in August 2018, and the third in January 2019. At ICANN64 in Kobe, the Council discussed the usefulness of these reports and believe that there is room for improvement, for instance, identifying the potential impact of these local laws on the GNSO and/or other ICANN communities. The Council has expressed a desire to meet with GE to help determine how the Legislative / Regulatory Reports can be made more effective and useful.

Here, the Council will receive an update from GE and discuss areas for improvement.

6.1 – Update (Mandy Carver, ICANN org)

6.2 – Council discussion

6.3 – Next steps

Item 7: COUNCIL DISCUSSION - GNSO Input to the Independent Review Process Standing Panel (15 minutes)

Per the ICANN org’s Call to Action, “The IRP is an accountability mechanism provided by the ICANN Bylaws that allows for third-party review of actions (or inactions) by the ICANN Board or staff that are allegedly in violation of the Bylaws or Articles of Incorporation. The IRP was updated through the work of the Cross Community Working Group on Enhancing ICANN Accountability, to make the IRP more transparent, efficient, and accessible, and designed to produce consistent and coherent results that will serve as a guide for future actions. One feature of the updated IRP is the establishment of a standing panel from which panelists shall be selected to preside over each IRP dispute as initiated.” At this stage, ICANN org is seeking to consult with the SOs and ACs to establish the process by which members are selected to serve on the standing panel to hear IRPs.

The Call to Action included a series of questions to help resolve pending issues. Additional questions can also be found on the Wiki. However, there was concern within the ICANN community that the Call to Action was not widely seen, as it was an alternative form of soliciting public input (e.g., the expectation is generally public comment). While the GNSO Council recognizes the importance of providing input, it wishes to better understand precisely what is being asked of it.

Here, the Council will receive an update and discuss next steps.

7.1 – Update (David McCauley, Chair of the IRP Implementation Oversight Team, Samantha Eisner, ICANN org, Liz Le, ICANN Org)

7.2 – Council discussion

7.3 – Next steps

Item 8: COUNCIL DISCUSSION - Non-registry GNSO Liaison to the Customer Standing Committee (10 minutes)

A key element of the IANA Stewardship was the establishment of the Customer Standing Committee (CSC), whose role under the ICANN Bylaws is to, “monitor PTI’s performance under the IANA Naming Function Contract and IANA Naming Function SOW.

The mission of the CSC is to ensure continued satisfactory performance of the IANA naming function for the direct customers of the naming services. The direct customers of the naming services are top-level domain registry operators as well as root server operators and other non-root zone functions.”

In establishing the membership of the CSC, the GNSO has the option to appoint a non-registry liaison. Since the CSC’s inception in 2016, that role has been filled by James Gannon, whose term is set to expire in October of 2019, though he has indicated a willingness to continue to serve in that role for another term. The Council believes it will benefit from gaining a better understanding of James’ experience serving on the CSC on behalf of the GNSO.

Here, the Council will receive an update from James and discuss next steps.

8.1 – Update (James Gannon)

8.2 – Council discussion

8.3 – Next steps

Item 9: COUNCIL DISCUSSION - Evolution of the Multistakeholder Model of Governance (15 minutes)
At ICANN63, the ICANN Board asked the community, “How should ICANN’s multistakeholder model of governance and policy development process evolve to balance the increasing need for inclusivity, accountability and transparency, with the imperative of getting our work done and our policies developed in a more effective and timely manner, and with the efficient utilization of ICANN’s resources?” Based on community input to that question, as well as other input that resulted in the inclusion of Strategic Objective 2 in the Draft ICANN Strategic Plan for FY 2021-2025, “Improve the effectiveness of ICANN’s multistakeholder model of governance,” the ICANN Board organized a session at ICANN64, led by Brian Cute as an independent facilitator, to continue the conversation with the community.

Here, recognizing the similar objectives within the Council’s own PDP 3.0, Brian would like to provide an update on the efforts to improve the effectiveness of ICANN’s multistakeholder model of governance.

9.1 – Update (Brian Cute)
9.2 – Council discussion
9.3 – Next steps

Item 10: ANY OTHER BUSINESS (5 minutes)
10.1 - GNSO Chair election timeline
10.2 - Possible next steps for IDNs (IDN Implementation Guidelines and Variant TLD Recommendations)

April 18th - 21:00 UTC - Notes or Action Items will be shown in *italics* until Draft/Final Minutes posted.

Minutes of the GNSO Council Meeting

**Agenda** and **Documents**

List of attendees:

Nominating Committee Appointee (NCA): – Non-Voting – Erika Mann (joined first 30 minutes)

Contracted Parties House

Registrar Stakeholder Group: Pam Little, Michele Neylon, Darcy Southwell

gTLD Registries Stakeholder Group: Maxim Alzoba, Keith Drazek, Rubens Kühl

Nominating Committee Appointee (NCA): Carlos Raul Gutierrez

Non-Contracted Parties House

Commercial Stakeholder Group (CSG): Marie Pattullo, Scott McCormick, Philippe Fouquart, Osvaldo Novoa, Paul McGrady, Flip Petillion


Nominating Committee Appointee (NCA): Syed Ismail Shah

GNSO Council Liaisons/Observers:

Cheryl Langdon-Orr – ALAC Liaison

Julf (Johan) Helsingius– GNSO liaison to the GAC

Maarten Simon – ccNSO observer (first meeting as ccNSO liaison)

**ICANN Staff**

David Olive -Senior Vice President, Policy Development Support and Managing Manager, ICANN Regional

Marika Konings – Vice President, Policy Development Support – GNSO (apology sent)

Mary Wong – Vice President, Strategic Community Operations, Planning and Engagement

Julie Hedlund – Policy Director

Steve Chan – Policy Director

Berry Cobb – Policy Consultant

Emily Barabas – Policy Manager (apologies sent)
Item 1. Administrative Matters

1.1 - Roll Call

There was no update to Statements of Interest.

1.2 - Updates to Statements of Interest

There was no update to Statements of Interest.

1.3 - Review / Amend Agenda

The agenda was approved with the Approval of the Appointment of Janis Karklins as Chair for the Expedited Policy Development Process Team item removed from the Consent Agenda upon Ayden Fédélène’s request on behalf of the Non Commercial Stakeholder Group (NCSG) and placed in the main agenda to allow for Council discussion prior to the vote.

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meeting on the 4th March were posted on the 18 March 2019

Minutes of the GNSO Council meeting on the 13th March were posted on the 30 March 2019

Item 2: Opening Remarks / Review of Projects & Action List

Keith Drahek, in the interest of time, updated the GNSO Council of the status of following Action Items:

An email has been sent to the Stakeholder Group (SG) and Constituency (C) Chairs reminding them that ICANN Travel deadlines for funded travellers have changed from 90 to 120 days. This will impact SG and C officer elections.

The IRTP Policy Status Report and PPSAI items are in progress. Pam Little provided an update on the Council draft response to the PPSAI letter sent by Cyrus Namazi and on the IPC-proposed edits to include certain "factual background", including the Kobe GAC Communiqué on this topic, in the response letter. There were several views on whether PPSAI implementation should continue to pause within the Council. Regarding the IRTP Policy Status Report, Pam Little reminded Council that they were waiting for the updated Status Report to be provided by ICANN Org.

Cross Community Working Group Auction Proceeds item: Erika Mann, co-chair of the CCWG, said the group was reviewing the public comments received, with support from staff, and would appreciate additional face-to-face time during the Policy Forum in Marrakech. It was agreed the review effort would not be finalized in Marrakech, but the CCWG would provide a “zero paper” ahead of the meeting.

Item 3: Consent Agenda

There were three items for Council consideration on the Consent Agenda:

Motion to adopt the GNSO Council response to the GAC Communiqué

Confirmation of the GNSO Council Recommendations Report to the ICANN Board regarding adoption of the Final Report from the Expedited PDP on the Temporary Specification for gTLD Registration Data PDP WG, Phase 1.

Approval of the suggested amendments to the GNSO’s Fellowship Selection criteria. (see https://gnso.icann.org/sites/default/files/file/file-field-attachment/fellowship-application-criteria-13apr19-en.pdf)

Adoption of the GNSO Council Review of GAC Communiqué for submission to the ICANN Board

Whereas,

The Governmental Advisory Committee advises the ICANN Board on issues of public policy, and especially where there may be an interaction between ICANN’s activities or policies and national laws or international agreements. It usually does so as part of a Communiqué, which is published towards the end of every ICANN meeting.

The GNSO is responsible for developing and recommending to the ICANN Board substantive policies relating to generic top-level domains.

The GNSO Council has expressed a desire to provide feedback to the ICANN Board on issues in the GAC Communiqué as these relate to generic top-level domains to inform the ICANN Board as well as the broader community of past, present or future gTLD policy activities that may directly or indirectly relate to advice provided by the GAC.
The GNSO Council hopes that the input provided through its review of the GAC Communiqué will further enhance the coordination and promote the sharing of information on gTLD related policy activities between the GAC, Board and the GNSO.

Resolved,

The GNSO Council adopts the GNSO Council Review of the Kobe GAC Communiqué (see https://gnso.icann.org/sites/default/files/file/file-file-attach/review-gac-communique-18apr19-en.pdf) and requests that the GNSO Council Chair communicate the GNSO Council Review of the Kobe GAC Communiqué to the ICANN Board.

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

The GNSO Council voted unanimously in favour of the Consent Agenda.

Vote results

Action items:

GNSO Chair to communicate the GNSO Council Review of the Kobe GAC Communiqué to the ICANN Board.

GNSO Chair to inform GAC Chair of communication between GNSO Council and ICANN Board on the Kobe GAC Communiqué.

Staff to communicate EPDP P1 Recommendations Report to Board Ops

Staff to communicate approval of selection criteria to GNSO rep to the Fellowship Selection Committee

Item 4: COUNCIL VOTE - Approval of the appointment of Janis Karklins as Chair for the Expedited Policy Development Process Team on the Temporary Specification for gTLD Registration Data

This item was removed from the Consent Agenda by Ayden Férdeline’s request to discuss the appointment and next steps prior to the vote.

Ayden Férdeline reassured councilors that the NCSG would vote in favour of the candidate, Janis Karklins, but that it had process questions about the GNSO Council & Selection Standing Committee (SSC) leadership teams’ selection of one candidate over the other and their notifying thereof prior to the motion vote. He also raised questions about the impartiality of the selected candidate regarding his involvement with the World Intellectual Property Organization (WIPO) and the Governmental Advisory Committee, as well as the skill sets retained over others. He also suggested keeping the second candidate, Chris LaHatte, in a leadership position.

Keith Drazek reminded Council that the current leadership structure of the EPDP team was decided with the argument of member representation equality. He agreed that the vice-chair role may need to be re-visited. To consider a co-chair role would imply re-opening the EPDP charter.

Tatiana Tropina echoed Ayden’s concerns about the connections of Janis Karklins to WIPO and a possible conflict of interest, whilst insisting this would not hinder the NCSG vote. She reminded councilors about a previous conversation on resources, and that Chris LaHatte is a professionally qualified mediator.

Keith Drazek shared Tatiana’s thoughts about resources and services when triggered by needs, as outlined in the list of preliminary resources requested by the EPDP team which would need to be confirmed by the incoming Chair. He also confirmed that Janis Karklins had mentioned his WIPO connection in his EPDP Phase 2 Chair application, and asked for further clarification about conflict. He also reminded councilors that most community members come from a known group, and have potential conflicts of interest, but are expected to be neutral when taking on a Chair role.

Maxim Alzoba added that the historical experience is to be taken into account also, regarding Chris LaHatte’s previous role as ICANN Ombudsman.

Pam Little explained to councilors that the GNSO Council and SSC leadership teams did discuss potential conflicts of interest, but did not come to any negative conclusion given the near impossibility of finding a candidate with no potential conflict interest. Council needed to discuss what perceived or actual conflicts are of concern, and the EPDP team will, moving forward, be able to communicate any related issues to the GNSO Council.

Paul McGrady asked whether the EPDP team should be addressed the question as to how Chris LaHatte could be of service with a reminder of the charter restrictions and what next steps should be.

Keith Drazek suggested giving the new Chair, Janis Karklins, the space to get the new EPDP team work started, whilst being available to assist if need be. He also clarified that the emails sent to both candidates, which informed them of the recommendation made by both leadership teams, which would then be voted on by the GNSO Council during this session.

The GNSO Council voted unanimously in favour of the motion.

Vote results

Keith Drazek thanked his fellow councilors for providing the opportunity for a productive discussion prior to the vote.

Action items:

GNSO Chair to inform Janis Karklins of his approval
Item 5: COUNCIL VOTE – IGO-INGO Access to Curative Rights Protection Mechanisms

Keith Drazek reminded Council that this item had been under discussion since the Final Report was published ten months ago. Councilors would be voting here to approve the first four recommendations to the ICANN Board and refer recommendation 5 to the Rights Protection Mechanisms Policy Development Process (PDP) Working Group (WG) by re-chartering the WG, or creating a subgroup chartered by the Council under PDP3.0 guidelines. This was proposed by Council leadership in December 2018. Keith Drazek admitted that there were many diverse views on the topic within the Council but that this proposal would be a good compromise. He also mentioned that the GAC had sent a letter on the matter on the 17th April 2019 expressing surprise and disappointment at the direction chosen by the GNSO, preferring a standalone structure without the GNSO Council approving the first four recommendations. He reminded Council that ICANN Board could still reject the GNSO Council’s recommendations.

Paul McGrady requested clarification on what the Council vote would imply for all five recommendations. An approval vote would concern approval of 1-4 recommendations only, not recommendation 5. A vote against the motion would imply none of the recommendations would be approved.

Carlos Gutierrez expressed his support of a single motion whilst understanding the GAC position given the previous simple solution found for the Red Cross discussion.

Keith Drazek acknowledged the challenge before the Council taking into account the GAC reaction, but reminded councilors that the GNSO Council needed to follow procedures. He asked that if the effort were to be referred to the RPM PDP WG that the GNSO Council provide all the assistance required to see the work through to completion.

Tatiana Tropina reminded Council of GNSO procedures and the PDP specifically, and that there had already been compromises made since ICANN63 in Barcelona, in not voting for recommendation 5.

Philippe Fouquart stated that he understood the difficulty of the situation, but insisted that the position of the Council be one of process management and not substance management, by highlighting that the reason for not approving recommendation 5 was because it was out of scope.

Marie Pattullo thanked Keith Drazek for the information provided, and the solution suggested, given the complexity of recommendation 5.

Keith Drazek added that creating a small team within the RPM PDP would benefit from the experience and knowledge of the existing PDP membership.

Martin Silva Valent reminded councilors that the RPM PDP WG is a review working group, which would be very different from creating an effort from scratch, which would be warranted for recommendation 5 where mechanisms would need to be created.

Keith Drazek agreed that the subgroup would need to be able to take into account impacts in diverse areas, and that the chartering effort would be key in setting up the group to succeed.

Carlos Gutierrez asked whether a narrowly chartered RPM subgroup could deal with issues like a protection list similar to the Red Cross case.

Mary Wong reminded the Council that previously the IGO INGO WG was focussing on a list of GAC IGOs (192) and then asked the Council to amend their charter to broaden it to all eligible IGOs. Regarding recommendation 5, it is therefore focussing on a wider list that the original GAC list. But if the new subgroup were to come to the conclusion that the better rationale may be a more limited list, this would still be possible.

Rafik Dammak agreed that there would be flexibility from the Council regarding how to deal with recommendation 5.

Martin Silva Valent agreed that the RPM charter would need to be adjusted, but warned that Phase 2 of the RPM work would be difficult, and that any adjustment could be of negative impact.

Keith Drazek recognized the sensitivity of the subject and thanked councilors for their time and effort on the subject. He acknowledged that cooperation with the GAC to construct a path forward would be key moving forward as all interested parties would need to be able to contribute.

For the Contracted Party House there were 7 votes in favour, no vote against and no abstention. For the Non Contracted Party House, there were 11 votes in favour, 2 against and no abstention. The motion passed with 100% in the Contracted Party House and 84,62% in the Non Contracted Party House. (Rationale for objections from Flip Petillion and Paul McGrady can be found here)

Keith Drazek admitted this had been a difficult topic with no perfect solution, especially as ICANN Board could reject the recommendations, and there is still work to be done on recommendation 5.

Vote results

Action items:

GNSO Chair to prepare communication to GAC/IGOs to explain rationale for vote and demonstrate how they will be able to participate

Staff to prepare recommendations report IGO-INGO Access to Curative Rights Protection Mechanisms Final Report

Council leadership/staff to prepare draft changes to RPMs Charter

Item 6: COUNCIL DISCUSSION – Managing IDN Variants TLDs

Sarmad Hussein, ICANN Org, presented to the GNSO Council latest updates on the IDN Variant Top Level Domains (TLDs) (slide deck and presentation comments; pg 50 - 55 of the transcript) and helped councilors better understand the responsibilities of the ICANN IDN Program as dispensed by the ICANN Board resolution of 14 March 2019.

Sarmad Hussein provided background information for context and then listed the possible next steps the GNSO could take.
Maxim Alzoba asked what had happened to IDN tables for the current TLDs which were approved by IANA, as during the GDD conversations, it was mentioned they would be considered legacy and not be changed. He also raised that historically, similarity between “1” and “l”, “0” and “O” caused many issues in English ASCII script, were they any investigations?

Sarmad Hussein replied that as far as IDN tables are concerned, they are relevant for second level domains, not top level domains. The IDN tables currently approved are already being applied, moving forward there are changes proposed to re-evaluate them.

Rubens Kuhl noted that IDN guidelines are similar to policy guidelines, so could need policy effort both from the GNSO and ccNSO.

Sarmad Hussein replied that IDN guidelines are developed by the community and are focused on reducing consumer confusion and therefore revised on community request, for example, the GNSO review request during the ICANN London meeting.

Keith Drazek suggested a small group of councilors work on providing further questions to Sarmad and thanked Sarmad for his participation. He reminded that this was just the beginning of a difficult and technical conversation which will need tight collaboration with the ccNSO.

Action Item:
Small group of Councilors to convene and then coordinate with ICANN to get further understanding, and potentially propose next steps for IDN TLD Variants. Item 7: COUNCIL UPDATE – Status of the EPDP on the Temporary Specification for gTLD Registration Data Phase 1 Informal Implementation Review Team

Russ Weinstein, ICANN Org, standing in for provided an update on the EPDP Temp Spec Informal Implementation Review Team. The Implementation Project Team (IPT), a cross functional team of ICANN staff, has been established to coordinate across all Implementation Reviews. The IPT is currently reviewing all recommendations, trying to define what the required deliverables are and creating the implementation plan with the February 2020 deadline in mind. Having a target date is a new feature in an IRT. A call for volunteers for a pre-IRT has been circulated, and the work is focussing on clarifications, with membership from the EPDP team. A Council liaison to the IRT is not mandatory but is possible if requested. For the moment, there are 12 community members signed up, all part of the EPDP Phase 1 team, and an observer mailing list. The team has agreed to meet up bi-weekly on Wednesdays.

Keith Drazek thanked Russ Weinstein and Council will discuss the need for a Council liaison.

Item 7: COUNCIL UPDATE – Status of the EPDP on the Temporary Specification for gTLD Registration Data Phase 1 Informal Implementation Review Team

Russ Weinstein, ICANN Org, standing in for provided an update on the EPDP Temp Spec Informal Implementation Review Team. The Implementation Project Team (IPT), a cross functional team of ICANN staff, has been established to coordinate across all Implementation Reviews. The IPT is currently reviewing all recommendations, trying to define what the required deliverables are and creating the implementation plan with the February 2020 deadline in mind. Having a target date is a new feature in an IRT. A call for volunteers for a pre-IRT has been circulated, and the work is focussing on clarifications, with membership from the EPDP team. A Council liaison to the IRT is not mandatory but is possible if requested. For the moment, there are 12 community members signed up, all part of the EPDP Phase 1 team, and an observer mailing list. The team has agreed to meet up bi-weekly on Wednesdays.

Keith Drazek thanked Russ Weinstein and Council will discuss the need for a Council liaison.

Action Item:
Council Chair to confirm that Rubens Kuhl has volunteered to serve as the Council liaison to, at a minimum, the informal IRT for the EPDP phase 1.

Item 8: COUNCIL DISCUSSION - Updated Timeline for the PDP on the Review of All Rights Protection Mechanisms in All gTLDS

Keith Drazek noted that in Kobe, the GNSO Council and RPM PDP WG leadership teams met, the outcome was a request for an updated timeline for Phase 1 recommendations. The new deadline is the 26th April, after the RPM co-chairs asked for an extension.

Item 9: ANY OTHER BUSINESS

9.1 - Reminder for funded travelers to book their travel for ICANN65

9.2 - GNSO Council - Input to Establish IRP Standing Panel

These items were postponed to the GNSO Council mailing list due to lack of time.

Keith Drazek adjourned the GNSO Council meeting on Thursday 18 April 2019 at 23:07 UTC.

March 13th (ICANN64 Kobe)
Final GNSO Council Agenda
Minutes of the GNSO Council meeting on the 13th March were posted on the 30 March 2019

Agenda and Documents

Local time in Kobe: 13:00 JT Coordinated Universal Time: 04:00 UTC: http://tinyurl.com/y3nkmj82

(Thursday) 21:00 Los Angeles; 00:00 Washington; 04:00 London; 09:00 Islamabad; 13:00 Tokyo; 15:00 Melbourne

List of attendees:

Nominating Committee Appointee (NCA): – Non-Voting – Erika Mann

Contracted Parties House

Registrars Stakeholder Group: Pam Little, Michele Neylon, Darcy Southwell

Registries Stakeholder Group: Maxim Alzoba, Keith Drazek, Rubens Kühl

Nominating Committee Appointee (NCA): Carlos Raul Gutierrez

Non-Contracted Parties House

Commercial Stakeholder Group (CSG): Marie Pattullo, Scott McCormick, Philippe Fouquart, Osvaldo Novoa (apologies, proxy to Philippe Fouquart), Paul McGrady, Flip Petillion

Non-Commercial Stakeholder Group (NCSG): Martin Silva Valent (apologies, temporary alternate, Amr Elsadr), Amr Elsadr, Elsa Saade, Tatiana Tropina, Rafik Dammak, Ayden Férédeline, Arsène Tungali

Nominating Committee Appointee (NCA): Syed Ismail Shah (apologies, proxy to Rafik Dammak)

GNSO Council Liaisons/ Observers:

Cheryl Langdon-Orr – ALAC Liaison

Julf (Johan) Helsingius – GNSO liaison to the GAC

Adebiyi Oladipo – ccNSO observer

ICANN Staff

David Olive -Senior Vice President, Policy Development Support and Managing Manager

Marika Konings – Vice President, Policy Development Support – GNSO

Mary Wong – Vice President, Strategic Community Operations, Planning and Engagement

Julie Hedlund – Policy Director

Steve Chan – Policy Director

Berry Cobb – Policy Consultant

Emily Barabas – Policy Manager (apology)

Ariel Liang – Policy Support Specialist

Caitlin Tubergen – Policy Senior Manager

Sara Caplis – Technical Support

Nathalie Peregrine – Manager, Operations Support

Terri Agnew - Operations Support - GNSO Lead Administrator

MP3 Recording

Transcript

Item 1. Administrative Matters

1.1 - Roll Call
1.2 - Updates to Statements of Interest

There was no update to Statements of Interest.

1.3 - Review / Amend Agenda

Agenda was approved without objection.

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meeting on the 21st February were posted on 7 March 2019.

Minutes of the GNSO Council meeting on the 4th March will be posted on the 18 March 2019.

Item 2: Opening Remarks / Review of Projects & Action List

Keith Drazek reviewed the Projects list and brought the following points to councilors’ attention:

Several Policy Development Process (PDP) items were part of the main agenda and would be discussed further into the call.

The GNSO Council had received updates from the co-chairs of the Cross Community Working Group (CCWG) on Auction Proceeds, the New gTLD Subsequent Procedures PDP, the PDP Review of All Rights Protection Mechanisms in all gTLDs during the GNSO Working Session on Sunday 10 March 2019.

There is an ongoing discussion around the PDP for curative rights protections for IGOs and INGOs, with an exchange on the topic held during the joint GNSO & Governmental Advisory Committee (GAC) meeting on Sunday 10 March 2019. Keith Drazek confirmed that he expected a resolution of the issue during the 18 April 2019 GNSO Council meeting following updated recommendations to be circulated to the GNSO Council mailing list shortly.

Keith Drazek then reminded the GNSO Council of the status of following Action Items:

An outstanding action item for Heather Forrest and Susan Kawaguchi to provide a report on the 3.7 appeal process in relation to the IGO INGO Curative Rights PDP Working Group. Keith Drazek updated Council on the joint GNSO GAC meeting outcomes. The GAC indicated interest in, should the GNSO Council not vote on recommendation 5 or all recommendations of the Final Report, taking part in re-engaging in the effort.

Keith Drazek to send communication to the CCEG IG regarding the GNSO not taking part as a Chartering Organization.

Further steps regarding the seating of the IANA functions review team will be taken once ICANN Board and the Non Commercial Stakeholder Group (NCSG) communicate input on the matter.

The Technical Study Group has finished its work, GNSO Council would need further information regarding its next steps.

Action Items:

Council leadership to look into the status of existing action item related to 3.7 appeal after action report.

Council Chair to follow up on the existing action item regarding the drafting of a response to CCWG/EG on Internet Governance.

ICANN Staff to mark EPDP/TSG as complete

Council leadership to confirm expectations of TSG are well understood, next steps. Reach out to find out next steps of TSG.

Item 3: Consent Agenda

There were two items for Council consideration on the Consent Agenda:

Reappointment of Becky Burr to seat 13 on the ICANN Board. The CPH has re-appointed Becky Burr for Seat 13 on the ICANN Board of Directors. This agenda item is intended to acknowledge the selection and confirm that the notification process as outlined in Section 7.25 of the ICANN Bylaws will be completed subsequently.

Adoption of the CSC Effectiveness Review Team Final Report.

Approval of the final report of the Customer Standing Committee (CSC) Effectiveness Review

WHEREAS.

The Customer Standing Committee (CSC) was established as one of the post IANA Transition entities and conducted its first meeting on 6 October 2016.

The ICANN Bylaws, Section 17.3 (b) states, “The effectiveness of the CSC shall be reviewed two years after the first meeting of the CSC; and then every three years thereafter. The method of review will be determined by the ccNSO and GNSO and the findings of the review will be published on the Website.”


The public comment on the Initial Report on CSC Effectiveness opened from 16 Jan 2019 to 25 Feb 2019 and comments were received. [https://mm.icann.org/pipermail/comments-csc-effectiveness-initial-16jan19/](https://mm.icann.org/pipermail/comments-csc-effectiveness-initial-16jan19/)

On 5 March 2019, the final report of the Customer Standing Committee Effectiveness Review was published at [https://community.icann.org/x/VQpiBg](https://community.icann.org/x/VQpiBg), as a revision of the initial report in light of the comments received.

**Resolved.**

The GNSO Council adopts the final report of the Customer Standing Committee Effectiveness Review [https://community.icann.org/x/VQpiBg](https://community.icann.org/x/VQpiBg).

If ccNSO Council also adopts the Report and supports finding and recommendations contained in it:

The review process is closed and CSC Effectiveness Review team is dissolved.

In accordance with the terms of CSC Effectiveness Review Template, the Chair of the GNSO Council and the Chair of the ccNSO Council are requested to recommend report to IANA Naming Function Review Team (IFRT) as soon as that is established.

The GNSO Council instructs the GNSO Secretariat to share the results of this motion with the CSC.

The GNSO Council expresses its sincere appreciation to the members of the CSC Effectiveness Review Team, the liaison, expert advisors and support staff who contributed to the review.

GNSO Council voted unanimously in favour of the Consent Agenda. Keith Drazek, on behalf of the GNSO Council, thanked the CSC Effectiveness Review Team and staff support for their efforts. He then thanked Becky Burr for her first term as Contracted Party House (CPH) appointed Board member, and noted that despite not working for a registry anymore, the CPH had no issue with her re-appointment for a second term.

[Vote results](#)

**Action items:**

In accordance with the terms of CSC Effectiveness Review Template, the Chair of the GNSO Council and the Chair of the ccNSO Council are requested to recommend report to IANA Naming Function Review Team (IFRT) as soon as that is established.

The GNSO Council instructs the GNSO Secretariat to share the results of this motion with the CSC.

**Item 4: COUNCIL DISCUSSION – Privacy/Proxy Services Accreditation Issues Implementation Review Team (PPSAI IRT)**

The PPSAI IRT is currently paused at ICANN Org’s direction because of concerns about interrelation with General Data Protection Regulation (GDPR) and the ongoing work of the Expedited Policy Development Process (EPDP) replacing the Temporary Specification and potentially into phase 2.

Darcy Southwell added that the IRT had received a communication from Global Domains Division (GDD) recommending that they remain on hold. Several factors enter into consideration, such as limited resources and risk of duplication of EPDP Phase 1 Implementation.

Keith Drazek confirmed the receipt of a letter on the 4th of March from Cyrus Namazi, head of GDD recommending that the IRT continues to be on hold or delay the reinitiation of this effort until such time the EPDP concludes its work.

Pam Little informed councilors that this letter also seeks input from the Council regarding the transfer policy issue involving change of registrant process for proxy/privacy registrations. Registrars encountered some problems when implementing that new change of registrant process policy in the transfer policy but given that the transfer policy PDP working group didn’t really consider the proxy and privacy issue, it was actually deferred to the IRT.

Paul McGrady provided a statement and background information to the PPSAI and reminded councilors that the Intellectual Property Constituency (IPC) was very keen that the IRT resume its work as it does not agree with the interdependency with EPDP conclusions.

Göran Marby, ICANN Org, intervened to thank the GNSO Council and the Contracted Party House in particular for the letter they sent during ICANN63 for triggering the idea of the Technical Study Group.

Returning to the topic of the PPSAI IRT, Michele Neylon stated that he would oppose the PPSAI IRT moving forward without taking into account recent GDPR related developments.

Marie Pattullo, on behalf of the Business Constituency (BC), supported the IPC’s statement to continue the implementation work, given that privacy and proxy issues are still present.

Rubens Kühl asked in the Adobe Connect chat if there was a way to split the IRT’s work into EPDP dependent and non-EPDP dependent parts and find a path forward.

In response to Michele, Paul McGrady confirmed that in his point of view that there had been GDPR awareness in the PPSAI IRT.

Elliot Noss, Tucows, RrsG, came to the microphone to remind councilors that many practical developments were taking place in regards to GDPR: registrars creating facility to allow registrants actively to make their WHOIS data available and work on data accessibility. Elliot Noss agreed that parts of the PPSAI IRT such as the accreditation process could resume as were not impacted by GDPR.

Jennifer Gore, Winterfeldt IP Group, IPC, mentioned that information relating to the PPSAI IRT and to this matter specifically was visible on the [IRT’s wiki page](#). She raised that work of the IRT had been put on hold in 2018 for a legal review to take place and that the IRT had always planned to discuss the change of registrant when the privacy/proxy agreement went to public comment.
Pam Little nuanced the previous intervention stating that Council had deferred the change of registrant transfer issue to the IRT for consideration after the Public Comment period, not during the IRT.

**Action items:**

Council to prepare response to letter from Cyrus, considering whether the PPSAI IRT should remain on hold and whether the transfer policy referral needs to be continued and consider trying to parse out EPDP related items versus non-EPDP related.

**Item 5: COUNCIL UPDATE – GNSO Policy Development Process 3.0 implementation**

Rafik Dammak updated councilors on recent developments from the PDP3.0 implementation plan. A small group of councilors is working on implementing PDP3.0 recommendations whilst providing Council with regular updates, with an aim to completion by the Annual General Meeting (AGM). Maxim Alzoba volunteered to take part representing the Registries Stakeholder Group (RySG).

Keith Drazek encouraged all to understand and acknowledge the importance of the PDP3.0 effort.

Paul McGrady commented on PDP3.0 in regards to how consensus was built, in light of the recent EPDP Final Report which was approved by the GNSO Council when the BC and the Intellectual Property Constituency (IPC) councilors voted against. He cited the significant financial weight of industry contributions represented by the BC and IPC members and called for better acknowledgment and representation in future PDPs. This was disputed by Michele Neylon as being against the multistakeholder model. Ayden Ferdeline agreed that consensus building was in need of a discussion, he also argued the NCSG participation and stakes in the multistakeholder model being as important as those moving forward without taking into account recent GDPR related developments.

Keith Drazek agreed that better understanding PDP and EPDP representation moving forward was key. However, questions of consensus and assessing consensus were defined in the GNSO Operating Procedures and were at the discretion of the Chair’s assessment. Keith reminded councilors that PDP 3.0 focuses on improvement Council management of the PDPs and not on substantive changes to the PDP operating procedure.

Paul McGrady confirmed his support of the PDP3.0 effort.

Pam Little encouraged IPC councilors to join the PDP3.0 effort as the deadline is tight and it will be important to move the small group to completion by November 2019.

Amr Elsadr mentioned that the NCSG appreciated the positive impact that PDP3.0 had on non-commercial representation in PDP WGs. He also raised that any change to the GNSO Working Group guidelines regarding representation would need to be approved by the GNSO Council.

**Action items:**

Small group of Councilors to ensure that recurring update are provided to the Council (e.g., on no less than a quarterly basis)

**Item 6: COUNCIL DISCUSSION – Discussion of the Inter-Registrar Transfer Policy (IRTP) Policy Status Report (PSR)**

Brian Aitchison, ICANN Org, presented to the GNSO Council latest updates on the IRTP Policy Status Report. (slide deck and presentation comments: pg 61 - 67 of the transcript). The Consensus Policy Implementation Framework (CPIF) requires that after a certain period of Policy Implementation, a Policy Status Report (PSR) be produced. The PSR was built according to the three overarching goals of the IRTP: domain name portability, transfer-related abuse prevention, and transfer-related information provision. After outlining the most recent developments, Brian Aitchison then asked Council for their input and feedback regarding next steps.

Michele Neylon provided comments on transfers, the Transfer Emergency Action Contact (TEAC), and the CPH Tech Ops group working on transfers and post-GDPR situations. He encouraged Brian and his team to take the latter into consideration.

Darcy Southwell raised that there were many technical factors and policy issues affecting transfers and that a holistic approach would be preferred.

**Action items:**

Council to seek to determine options and next steps for the Transfer Policy review and provide GDD information/response and/or seek additional information as it considers the Transfer Policy holistically.

**Item 7: COUNCIL DISCUSSION – Next steps related to the ICANN Procedure of Handling WHOIS conflicts with Privacy Law**

Keith Drazek reminded councilors that the GNSO Council decided to put the call for a drafting team for the implementation advisory group on hold until EPDP phase 1 work was finalised at which point the Council would revisit the topic.

Pam Little, on behalf of the RrSG, proposed to defer the call for volunteers by 12 months to allow for the implementation of phase 1 and phase 2 efforts to progress. Michele Neylon and Tatiana Tropina were also in support of the 12-month deferral after reassurance from Keith Drazek that should there be a need to revisit the issue prior to the 12 months ending, Council would take the necessary steps.
Action Items:
Extend out call for volunteers for another 12 months.

Item 8: COUNCIL DISCUSSION - Expedited PDP on the Temporary Specification for gTLD Registration Data - Phase 2 Work

Rafik Dammak updated the councilors on discussions around EPDP phase 2 taking place during ICANN64. The EPDP team met with the Technical Study Group (TSG) and discussed implementation and the creation of a small informal team in a separate session with the GDD team. The aim for the following session of the EPDP team was to better define the work plan proposal.

Michele Neylon raised the question of the membership requirements of the IRT, the timing of both the IRT and EPDP Phase 2, and expressed concern about available volunteer time and the lack of a Chair.

Keith Drazek acknowledged Michele Neylon’s concerns whilst outlining that important scoping work, as well as administrative and logistical could still start immediately.

Rafik Dammak encouraged the stakeholder groups (SGs) and constituencies (Cs) to put forward EPDP phase 2 Chair candidate names.

Action Items: none

Item 9: ANY OTHER BUSINESS

9.1 - New GNSO Chair election timeline with travel guidelines (120 days for funded traveller submissions)

Julie Hedlund, ICANN org, reminded councilors of the new travel guidelines of 120 days, impacting for the Annual General Meeting, the usual officer election timelines, given that funded traveller names need to be submitted a lot earlier than when the election results would be available. The GNSO Operating Procedures will need to be updated to reflect these changes.

Elsa Saade noted that this would heavily impact SG and C election timelines but also charter content.

Action item:
Councillors to continue discussion with their respective groups to help understand the impact and react accordingly.

9.2 - Open microphone

Thomas Rickert proposed a co-chair structure for the EPDP Phase 2 leadership position. Keith Drazek noted that the leadership structure of Chair and Vice Chair was already outlined in the EPDP Charter.

Nathalie Coupet raised the point that EPDP work was not doing justice to Whois.

Keith Drazek adjourned the GNSO Council meeting on Wednesday 13 March 2019 at 15:05 local time.
Item 3: Consent Agenda (0 minutes)

- None

Item 4: COUNCIL VOTE - Adoption of the Final Report on Expedited PDP on the Temporary Specification for gTLD Registration Data (40 minutes)

Vote deferred until the 4 March 2019 Special GNSO Council Meeting

Action items:

Councilors to engage with and consult with their Stakeholder Group / Constituency and ensure their respective communities understand current status and have provided instructions on how to vote for the EPDP Team Final Report on 4 March (where applicable).

Rafik Dammak to inform the EPDP Team of decision to defer the vote and explain next steps.

On 11 May 2018, ICANN released the Temporary Specification on gTLD Registration Data, which served as the main agenda topic for the subsequent Board Workshop in Vancouver. This proposed Temporary Specification provides an interim solution until the community completes a policy development process on the temporary specification which is expected to complete within a one year period.

On 17 May 2017, the ICANN Board approved the proposed Temporary Specification for gTLD Registration Data, which establishes temporary requirements for how ICANN and its Contracted Parties will comply with both ICANN contractual requirements and the European Union’s General Data Protection Regulation (GDPR).

On 12 June 2018, the Council held an Extraordinary Council Meeting to discuss next steps on addressing the Temporary Specification. There, the Council agreed in principle that an EPDP was the right way to address the issue and took steps to draft the charter and prepare for EPDP initiation. On 19 July 2018, the Council voted to initiate an EPDP on the Temporary Specification, as well as to adopt the EPDP’s charter.

The EPDP Team held its first meeting on 1 August 2018 and on 21 November 2018, the EPDP published its Initial Report for public comment. After taking into account public comment received, the EPDP Team has worked to deliver its Final Report to the GNSO Council for its consideration. Due to the unique circumstances concerning the deadline for implementation, and in order to minimize the transition period, the EPDP Leadership and Team informally recommends that discussion around implementation deliverables be initiated immediately. This preliminary work will inform the deliberations of the formal Implementation Recommendation Team upon Board approval of the Policy Recommendations.

Here, the Council will vote to adopt the Final Report of the EPDP Team.

4.1 - Presentation of motion (Rafik Dammak)

4.2 - Council discussion

4.3 - Council vote (voting threshold: Supermajority)

Taking this action is within the GNSO’s remit as outlined in ICANN’s Bylaws as the GNSO ‘shall be responsible for developing and recommending to the Board substantive policies relating to generic top-level domains and other responsibilities of the GNSO as set forth in these Bylaws’ (Art.11.1). Furthermore, this action complies with the requirements set out in Annex A: GNSO Policy Development Process of the ICANN Bylaws.

Item 5: COUNCIL DISCUSSION - Expedited PDP on the Temporary Specification for gTLD Registration Data - Phase 2 Work (15 minutes)

This item as it was linked to Item 4 above is also deferred until the 4 March 2019 Special GNSO Council Meeting

As noted in the charter for the Expedited PDP on the Temporary Specification for gTLD Registration Data, work on a System for Standardized Access to Non-Public Registration Data can only commence after the work on a series of gating questions are complete. With the EPDP Team’s delivery of its Final Report to the GNSO Council, the work on the gating questions can be considered to be completed and the work on the System for Standardized Access to Non-Public Registration Data, or otherwise known as phase 2 of the EPDP, should be allowed to commence. However, per the EPDP Team Charter, beginning that work is dependent upon non-objection of the GNSO Council (which is captured and granted in the resolution language for item 4 of this agenda). As part of the resolved clause, “...The Council does request that the EPDP Team, as a first step, develops its work plan for phase 2 and, furthermore, identifies whether the GNSO Council should consider any updates to the EPDP Team Charter to facilitate the EPDP Team’s work.”

The Council recognizes that suggestions to update the structure of the EPDP Team and any changes to the Charter are best delivered by the EPDP Team. However, the Council believes that it is constructive to have a preliminary discussion on the subject to see if there are any areas that Councilors believe will require revision for phase 2.

Here, the Council will have preliminary discussions on possible changes needed for phase 2 of the EPDP.

5.1 – Introduction of topic (Council leadership)

5.2 – Council discussion

5.3 – Next steps

Item 6: COUNCIL UPDATE – Status of the New gTLD Subsequent Procedures PDP WG (20 minutes)

On 17 December 2015, the GNSO Council resolved to initiate the PDP on New gTLD Subsequent Procedures, which was tasked to consider and analyze issues discussed in the Final Issue Report on New gTLD Subsequent Procedures and Applicant Guidebook to determine whether changes or adjustments to the existing policy recommendations are needed. The Charter was subsequently adopted on 12 January 2016 and the WG began meeting in February of that year.

Given the broad scope of the topics captured in the WG’s Charter, the WG established four sub teams to help streamline its work. The WG published an Initial Report on those subjects in July of 2018. The WG also considered several topics that it believed did not undergo adequate deliberations and in October of 2018 published a Supplemental Initial Report on those additional subjects.
In addition, the WG convened Work Track 5, which is dedicated to the singular topic of geographic names at the top-level. WT5 published its Supplemental Initial Report in December of 2018. The WG is in the midst of considering the extensive public comment received to its three reports and will begin substantive discussions shortly. The WG hopes to be able to conclude all aspects of its work and deliver a single Final Report to the GNSO Council.

Here, the Council will receive a detailed update from the WG’s Co-Chairs, Jeff Neuman and Cheryl Langdon-Orr.

6.1 – Presentation of topic (WGCo-Chairs, Jeff Neuman and Cheryl Langdon-Orr)

6.2 – Council discussion

6.3 – Next steps

**Item 7: ANY OTHER BUSINESS (15 minutes)**

7.1 - ICANN64 Planning

7.2 - Lessons learned from the Council public comment formulation for the ICANN Draft FY20 Operating Plan and Budget and Five-Year Operating Plan Update and the ICANN Strategic Plan for Fiscal Years 2021-2025

7.3 - Public Comment: First Consultation on a 2-Year Planning Process

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**February 14th 2019 - Special Purpose Meeting for EPDP issue discussion - 2100 UTC**

**Final GNSO Council Agenda  DRAFT Minutes of the GNSO Council Meeting 14 February 2019**

Agenda and Documents

Coordinated Universal Time: 21:00 UTC: https://tinyurl.com/yaxwuj6w

13:00 Los Angeles; 16:00 Washington; 21:00 London; (Friday) 02:00 Islamabad; 06:00 Tokyo; 08:00 Melbourne

List of attendees:

Nominating Committee Appointee (NCA): – Non-Voting – Erika Mann (apologies sent)

Contracted Parties House

Registrars Stakeholder Group: Pam Little, Michele Neylon, Darcy Southwell

Registrars Stakeholder Group: Maxim Alzoba, Keith Drazek, Rubens Kühl

Nominating Committee Appointee (NCA): Carlos Raul Gutierrez (on audio only)

Non-Contracted Parties House

Commercial Stakeholder Group (CSG): Marie Pattullo, Scott McCormick, Philippe Fouquart, Osvaldo Novoa, Paul McGrady, Flip Petillion

Non-Commercial Stakeholder Group (NCSG): Martin Silva Valent, Elsa Saade, Tatiana Tropina, Rafik Dammak, Ayden Férdeline (apology, proxy to Martin Silva Valent), Arsène Tungal

Nominating Committee Appointee (NCA): Syed Ismail Shah (absent)

GNSO Council Liaisons/Observers:

Cheryl Langdon-Orr– ALAC Liaison

Juff (Johan) Helsingius– GNSO liaison to the GAC

Adebiyi Oladipo – ccNSO observer

Special guests:

Kurt Pritz and Heather Forrest

ICANN Staff

David Olive -Senior Vice President, Policy Development Support and Managing Manager

Marika Konings – Vice President, Policy Development Support – GNSO (apology)

Mary Wong – Vice President, Strategic Community Operations, Planning and Engagement

Julie Hedlund – Policy Director
Item 1. Administrative Matters

1.1 - Roll Call

1.2 - Updates to Statements of Interest

Cheryl Langdon-Orr notified the GNSO Council that she will be a co-chair to the third Accountability and Transparency review (ATRT3).

1.3 - Review / Amend Agenda

Agenda was approved without objection.

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meeting on the 20 December 2018 were posted on the 7 January 2019

Minutes of the GNSO Council meeting on the 24 January 2019 were posted on the 7 February 2019

1.5 - Welcome to new ISPCP councilor

Keith Drazek welcomed Osvaldo Novoa (SOI) to the GNSO Council as ISPCP councilor. Tony Harris resigned from his position as previous ISPCP councilor.

Item 2. Consent Agenda (none)

Item 3: COUNCIL DISCUSSION - Final Report of the Expedited Policy Development Process (EPDP) on the ICANN Board Temporary Specification on gTLD Registration Data

Keith Drazek reminded councilors that this was an opportunity to discuss short term next steps with the current EPDP Leadership. There is also a call scheduled for the 21 February 2019 for councilors to consider and possibly vote on the EPDP Final Report. If a deferral is to take place on the 21 February 2019 there will be a second opportunity to vote during a special Council meeting on the 4th March 2019. It will be key for the Final Report to be approved prior to ICANN64 in Kobe. Once the GNSO Council approves the Final Report there will be a 40 day Public Comment period, followed by Board consideration on and vote which must take place before the 25th May 2019 before the Temporary Specification expires.

Kurt Pritz, chair of the EPDP, encouraged councilors to review the current draft Final Report of the EPDP team as the timeline is extremely tight. He noted that every group within the EPDP team made compromises necessary to consensus in an extraordinary multistakeholder effort.

Item 4: COUNCIL DISCUSSION – IGO-INGO Access to Curative Rights Protection Mechanisms

Keith Drazek reminded councilors that they received the Final Report of the IGO INGO Curative Rights Protection Mechanisms (CRP) in 2018. Due to the complexity of the matter, and a low membership, the recommendations in the Final Report are being challenged. Keith Drazek encouraged councilors to pay close attention to the issues raised as the GNSO Council is at crossroads depending on the decision it decides upon. GNSO Council leadership put forward proposals on how to deal with the five recommendations:

- Approve the four recommendations which do not impact consensus policy and forward the fifth (impacting consensus policy) to the Rights Protection Mechanisms (RPM) Policy Development Process (PDP) Working Group (WG)
- Approve the four recommendations and maybe create another group to focus on the 5th recommendation or the larger issues.
- Approve the Final Report and forward it to the Board, despite recommendations being in conflict with Governmental Advisory Committee (GAC) advice
- Reject all recommendations.

Heather Forrest, invited to speak to the IGO INGO Curative Rights Protection Mechanisms topic.
January 24th Meeting was held during the Face to Face Strategic Planning session for GNSO Councillors (NOT Liaisons etc., to the Council) the Report of this complete meeting is here

January 2019

Please note that all documents referenced in the agenda have been gathered on a Wiki page for convenience and easier access: https://community.icann.org/x/JIoWBg

14:00 Los Angeles; 17:00 Washington; 22:00 London; (Friday) 03:00 Islamabad; 07:00 Tokyo; 09:00 Melbourne

GNSO Council Meeting Audio Cast. You can listen in the browser: http://stream.icann.org:8000/stream01
Listen in an application such as iTunes: http://stream.icann.org:8000/stream01.m3u

Notes:
An additional Item 1.5 was added with an introduction of the Ombuds to the GNSO general conversations included the offices availability in Policy Development Groups regarding standards of behaviour in calls and meetings, as well as proposed new ‘powers’ of PDP Leadership and Council Liaison to WG’s with the ability to example have WG Members removed or suspended from WG activities. The GNSO noted a possible role for the Ombuds Office in this and these possible future actions. There was also a question on if the Office has sufficient mechanisms to deal with say removal actions, the response was that the GNSO Council itself needs to have the ability and Rules to enforce any actions, (other than if say harassment is involved where there is clear sanction from the Ombuds available) so the Offices role would be in a facilitation, and supportive function to the action of the SOs Rules and any actions arising from violation of those. There is an intention to work further with the Ombuds Office to engage further on discussion of these matters.

Item 1: Administrative Matters (5 mins)
1.1 - Roll Call
1.2 - Updates to Statements of Interest
1.3 - Review / Amend Agenda
1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:
Minutes of the GNSO Council meeting on the 29 November 2018 were posted on the 13 December 2018
Minutes of the GNSO Council meeting on the 20 December 2018 were posted on the 7 January 2019

Item 2: Opening Remarks / Review of Projects & Action List (15 minutes)
2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action Item List

Item 3: Consent Agenda (5 minutes)

Confirmation of Jonathan Frost as one of the GNSO appointees to the CCWG Auction Proceeds

Item 4: COUNCIL DISCUSSION - Review of Public Comment Drafts (15 minutes)
The GNSO Council elects to respond to a limited number of public comment proceedings, particularly those that are relevant to the Council’s principal role as manager of the gTLD Policy Development Process. Accordingly, there are several ICANN Public comment proceedings that the Council will submit a public comment:
Update Operating Standards for Specific Reviews (11 February close date): Draft response [INSERT LINK]
Here, the Council will determine if there are any objections to the draft language and if applicable, determine how to resolve those objections. In the event draft text is not yet available, the main themes for the response may be discussed.

4.1 – Update (Council leadership)
4.2 – Council discussion
4.3 – Next steps

Item 5: COUNCIL DISCUSSION – Temporary Specification for Registration Data Expedited Policy Development Process - Recurring Update (15 minutes)
On 19 July 2018, the GNSO Council resolved to initiate the Expedited Policy Development Process (EPDP) on the Temporary Specification for gTLD Registration Data and adopt the EPDP Team Charter. Given the challenging timeline for the EPDP and the GNSO Council’s role in managing the PDP process, the Council has agreed that including a recurring update on the EPDP for each Council meeting is prudent.

Here, the Council will receive an update from the GNSO Council liaison to the EPDP.
5.1 – Update (Rafik Dammak, GNSO Council liaison to the EPDP and EPDP vice-chair)
5.2 – Council discussion
5.3 – Next steps

Item 6: COUNCIL DISCUSSION – Managing the EPDP Implementation Gap and Back-up Plans (20 minutes)
In connection with the previous agenda item, on 14 November 2018, Cherine Chalaby, the Chair of the ICANN Board of Directors, sent a letter to Keith Drazek, Chair of the GNSO, submitting questions regarding the status of the EPDP. Two specific areas from the letter where the Board is seeking an
update are:

**Deadlines** - The Board notes that the EPDP team intends to issue its initial report by 19 November 2018, with a final report to be submitted to the GNSO Council by 1 February 2019. Does the GNSO Council foresee any risks of these deadlines not being met, and if so, is there anything the Board can do to help?

**Back-up Plans** - The Board recommends the development of back-up plans and would very much appreciate getting a better understanding of any such plans the GNSO Council may be contemplating. More specifically, what are the thoughts of the GNSO Council on next steps, consistent with the ICANN Bylaws and ICANN’s contractual agreements with Contracted Parties, in the event the community has not reached agreement on a consensus policy prior to the expiration of the Temporary Specification?

The GNSO Council sent a response to the ICANN Board on 10 January 2019. There, the Council acknowledged that alternative steps may be warranted, but should be considered in more depth following the January face-to-face meeting of the EPDP, if it appears the group is unlikely to meet projected timelines. The response also notes that there may be a need to consider:

“…how to avoid a gap between the adoption of these policy recommendations by the ICANN Board and the subsequent implementation, noting the impending expiration of the Temporary Specification requirements. The EPDP Team is considering various options, such as the adoption of an interim policy for a set timeframe or recommending that the Temporary Specification requirements remain in place until the completion of implementation of these policy recommendations. The EPDP Team expects to obtain further guidance from ICANN Org on the options in this regard and make a recommendation accordingly in the Final Report.”

Here, the Council will discuss the plan to manage the gap between successful adoption of policy recommendations and implementation, as well as back-up plans in the event the EPDP is unable to meet deadlines.

**Item 6: COUNCIL DISCUSSION – IGO-INGO Access to Curative Rights Protection Mechanisms (15 minutes)**

The IGO-INGO Access to Curative Rights Protection Mechanisms PDP WG had worked to resolve a final recommendation relating to IGO jurisdictional immunity and registrants’ rights to file court proceedings. The WG has determined consensus on a set of options for this final recommendation, as well as for all other recommendations. The WG Chair proposed his determination of consensus levels for all recommendations, which the WG affirmed. On 27 June 2018, the GNSO Council passed a resolution, thanking the PDP WG for its efforts and requesting that it submit its Final Report in time for the 19 July 2018 Council meeting.

After having agreed on consensus levels for its final recommendations, the WG considered the text of its Final Report. On 9 July 2018, the PDP WG submitted its Final Report to the GNSO Council for its consideration, which contains five consensus recommendations and three minority statements, documenting their disagreement either with one or more of the final recommendations or other parts of the Final Report.

There remain several inconsistencies between GAC advice and consensus recommendations from the IGO-INGO PDP WG, which have yet to be reconciled, including on the topic of appropriate protections for IGO acronyms (both preventative and curative). During its 17 July Council meeting, the Council resolved to accept the Final Report from the IGO-INGO Access to Curative Rights Mechanisms PDP Working Group and has begun considering the topic of curative rights protections for IGOs in the broader context of appropriate overall scope of protection for all IGO identifiers.

On 9 October 2018, the Council held a question and answer webinar to review the recommendations and to ask itself a series of questions, 1) Does the Council believe that the PDP has addressed the issues that it was chartered to address (i.e. What questions/topics was the Working Group chartered to consider, did it consider those charter topics/questions, and did it do so in a legitimate way)?; 2) Has the PDP followed due process?; and 3) Did the PDP Working Group address GAC advice on the topic?

A motion to consider the Final Report was originally on the 24 October 2018 Council meeting agenda but was withdrawn due to concerns around both the process followed by the PDP, as well as the substance of the PDP WG’s recommendations. Council leadership and staff have developed a summary document (Summary Paper and Slide Deck) that lists issues raised by Councilors, options available, and potential considerations. During the November meeting, the Council considered a set of available options and briefly discussed possible next steps.

On 20 December 2018, Council leadership circulated a proposal for next steps. Council leadership has since sent a reply to the GAC, in response to a letter received during ICANN63.

Here, Councilors will discuss the proposal from Council leadership, as well as discuss immediate next steps.

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Here, Councilors will discuss the proposal from Council leadership, as well as discuss immediate next steps.

**Item 8: ANY OTHER BUSINESS (10 minutes)**

8.1 - Update on the CSC Effectiveness Review (Philippe Fouquart, one of the two GNSO appointed members)
8.2 - IANA Function Review (IFR) Team composition: Review of the ccNSO proposal to manage deficiencies
8.3 - ICANN64 Planning
8.4 - Discussion of proposed FY20 GNSO Council Additional Budget Requests
December Meeting - Dec 20 2100 UTC

Final GNSO Council Agenda 20 December 2018

Please note that all documents referenced in the agenda have been gathered on a Wiki page for convenience and easier access: https://community.icann.org/x/PAD_BQ

This agenda was established according to the GNSO Operating Procedures v3.3, updated on 30 January 2018

GNSO Council Meeting Audio Cast

Listen in browser: http://stream.icann.org:8000/stream01

Listen in application such as iTunes: http://stream.icann.org:8000/stream01.m3u

Item 1. Administrative Matters (5 mins)

1.1 - Roll Call

1.2 - Updates to Statements of Interest

1.3 - Review / Amend Agenda

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meetings on the 24 October 2018 were posted on the 12 November 2018

Minutes of the GNSO Council meeting on the 29 November 2018 were posted on the 13 December 2018

Item 2. Opening Remarks / Review of Projects & Action List (15 minutes)

2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action Item List

Item 3. Consent Agenda (5 minutes)

- Motion to adopt the GNSO Council response to the GAC Communique.
- Motion to approve the nomination of [INSERT NAME WHEN AVAILABLE] to serve as the ICANN Fellowship Program mentor.
- Confirmation of Heather Forrest to serve as the GNSO Representative to the ICANN Fellowship Program Selection Committee for the remainder of the 2-year term.
- Confirmation of the leadership for the GNSO Standing Selection Committee (Chair: Susan Kawaguchi, Vice-Chairs: Poncelet Ileleji and Erica Varlese)

Item 4: COUNCIL DISCUSSION – IGO-INGO Access to Curative Rights Protection Mechanisms (15 minutes)

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Here, Councilors, having had the opportunity to consider the documentation developed, will continue to discuss options and seek to make progress in determining next steps.

4.1 – Presentation of topic (Council Leadership)
4.2 – Council discussion
4.3 – Next steps

Item 5: COUNCIL UPDATE – Temporary Specification for Registration Data Expedited Policy Development Process - Recurring Update (25 minutes)

On 19 July 2018, the GNSO Council resolved to initiate the Expedited Policy Development Process (EPDP) on the Temporary Specification for gTLD Registration Data and adopt the EPDP Team Charter. Given the challenging timeline for the EPDP and the GNSO Council’s role in managing the PDP process, the Council has agreed that including a recurring update on the EPDP for each Council meeting is prudent. On 14 November 2018, Cherine Chalaby, the Chair of the ICANN Board of Directors, sent a letter to Keith Drazek, Chair of the GNSO, submitting questions regarding the status of the EPDP. Two specific areas from the letter where the Board is seeking an update are:

- **Deadlines** - The Board notes that the EPDP team intends to issue its initial report by 19 November 2018, with a final report to be submitted to the GNSO Council by 1 February 2019. Does the GNSO Council foresee any risks of these deadlines not being met, and if so, is there anything the Board can do to help?
- **Back-up Plans** - The Board recommends the development of back-up plans and would very much appreciate getting a better understanding of any such plans the GNSO Council may be contemplating. More specifically, what are the thoughts of the GNSO Council on next steps, consistent with the ICANN Bylaws and ICANN’s contractual agreements with Contracted Parties, in the event the community has not reached agreement on a consensus policy prior to the expiration of the Temporary Specification?

Here, the Council will receive an update from the GNSO Council liaison to the EPDP and discuss the letter from the ICANN Board, and corresponding Council response.

5.1 – Update (Rafik Dammak, GNSO Council liaison to the EPDP and EPDP vice-chair)
5.2 – Council discussion
5.3 – Next steps

Item 6: COUNCIL DISCUSSION – ICANN Reserve Fund (15 minutes)

The ICANN Reserve Fund was created in 2007 with a target level set at a minimum of 12 months of Operating Expenses. It has been funded through operational excesses. Over the past years, ICANN’s operations have grown, its risk profile has evolved, and withdrawals have been made to fund the IANA stewardship transition expenses.

On 6 March 2018, ICANN Org sought public comment on the Reserve Fund replenishment strategy, to bring the Reserve Fund to its minimum target level of 12 months.

During the 25 October 2018 meeting of the ICANN Board, two resolutions were adopted to transfer funds to the Reserve Fund. The first transferred US$3,000,000 from the Operating Fund. The second allocated US$36,000,000 of auction proceeds to the Reserve Fund. Several Council members expressed concern that auction proceeds were utilized for this purpose, diminishing the pool of allocatable funds available to the recommendations of the New gTLD Auction Proceeds Cross-Community Working Group (CCWG).

Here, the Council will discuss potential issues and determine if any remedial actions may be necessary, or possible, at the Council level.

6.1 – Presentation of topic (Council Leadership)
6.2 – Council discussion
6.3 – Next steps

Item 7: COUNCIL DISCUSSION – GNSO Policy Development Process 3.0 Implementation Plan (15 minutes)

In January 2018, the GNSO Council held an inaugural three-day Strategic Planning Session. On Day 3 of this meeting, the GNSO Council reviewed the workload for the year ahead and identified potential milestones, noting that the current average timeline for delivery of an Initial Report has increased at least 2-4 times compared to previous PDPs. In addition to noting the increased duration of the PDP lifecycle, the Council began to identify challenges being encountered in PDPs, informed by a staff discussion paper on optimizing increased engagement and participation while ensuring efficient and effective policy development.

The effort to increase the effectiveness and efficiency of the GNSO PDP process is called GNSO PDP 3.0. On 11 May 2018, a summary paper was
shared with the Council, summarizing input received to date, as well as some proposed incremental improvements. The Council members and their respective Stakeholder Groups and Constituencies were invited to provide input, after which a summary report was prepared and shared with the Council on 10 September 2018, followed by a dedicated webinar on 11 September 2018.

Based on the input received as well as the subsequent webinar, Council leadership developed a the GNSOPolicy Development Process 3.0 Final Report for Council consideration. On 24 October 2018, the Council adopted the Final Report and recommendations and instructed staff and Council leadership to develop an implementation plan. On 10 December 2018, the draft GNSO PDP 3.0 Implementation Plan was shared with the Council.

Here, the Council will discuss the draft implementation plan and consider next steps.

7.1 – Presentation of topic (Council leadership)
7.2 – Council discussion
7.3 – Next steps

Item 8: COUNCIL DISCUSSION - 2019 Strategic Planning Session (10 minutes)

In January of 2017, the GNSO Council submitted a FY18 additional budget request to support a 3 day face-to-face strategic planning session in January of 2018. At a high-level, the purpose of the meetings is to allow for focused and dedicated sessions to strategically develop a work plan for the upcoming year. This additional budget request was approved by the ICANN Board and the GNSO Council successfully conducted its inaugural Strategic Planning Session (SPS) from January 29–31 2018. Based on the success of the first SPS, the GNSOCouncil requested a FY19 additional budget request for the same purpose, which was approved.

With the 2019 SPS scheduled for January 23-25 2019, Council leadership has developed and shared a draft agenda on 7 December 2018.

Here the Council leadership will provide an update to the Council on planning steps undertaken to date, including review of a draft agenda and seeking input from Councilors.

8.1 – Presentation of discussion topic (Council leadership)
8.2 – Council discussion
8.3 – Next steps

Item 9: ANY OTHER BUSINESS (10 minutes)

9.1 - Existing ICANN Procedure for Handling WHOIS Conflicts with Privacy Law Implementation Advisory Group - Next steps for Call for Volunteers
9.2 - FY20 Draft ICANN Operating Plan and Budget - Next steps for the Standing Committee on ICANN’s Budget and Operations.
9.3 - ICANN64 Planning

November Meeting - Nov 29th 1200 UTC
Final GNSO Council Agenda

Please find below the resolution and the deferred motion from the GNSO Council at its meeting on Thursday, 29 November 2018 to be posted on the GNSO resolutions page shortly.

Approved - Consent Agenda: Motion for the confirmation of GNSO representative to the Empowered Community Administration

Made by Pam Little
Seconded by Rafik Dammak

Whereas,

1. The GNSO Council confirmed in October 2018 that the GNSO Chair (currently Keith Drazek) will represent the GNSO as the Decisional Participant on the Empowered Community (EC) Administration on an interim basis.
2. The GNSO Council leadership team subsequently met to agree who from the Council leadership should perform the role of GNSO representative to the Empowered Community Administration and communicated this decision to the Council mailing list on 19 November 2018.
Resolved,

1. The GNSO Council hereby confirms that Keith Drazek, GNSO Chair will represent the GNSO as the Decisional Participant on the Empowered Community Administration until the end of his term at ICANN66.

2. The GNSO representative shall act solely as directed by the GNSO Council in accordance with the ICANN Bylaws and other related GNSO Operating Procedures.

3. The GNSO Council requests the GNSO Secretariat to communicate this decision to the ICANN Secretary which will serve as the required written certification from the GNSO Chair designating the individual who shall represent the Decisional Participant on the EC Administration.

Vote results [gnso.icann.org]

Item 1. Administrative Matters (5 mins)

1.1 - Roll Call

1.2 - Updates to Statements of Interest

1.3 - Review / Amend Agenda

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meeting on the 25 September 2018 were posted on the 13 October 2018

Minutes part I and part II of the GNSO Council meetings on the 24 October 2018 were posted on the 12 November 2018

Item 2. Opening Remarks / Review of Projects & Action List (15 minutes)

2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action Item List

Item 3. Consent Agenda (5 minutes)

- Motion to adopt the GNSO Council response to the GAC Communiqué.
- Motion for the confirmation of GNSO representative to the Empowered Community Administration.

Item 4: COUNCIL DISCUSSION – IGO-INGO Access to Curative Rights Protection Mechanisms (15 minutes)

<explanatory text snipped>

Here, the Council will consider the options available and discuss appropriate next steps.

4.1 – Presentation of topic (Council Leadership)

4.2 – Council discussion

4.3 – Next steps

Item 5: COUNCIL UPDATE – Temporary Specification for Registration Data Expedited Policy Development Process - Recurring Update (25 minutes)

On 19 July 2018, the GNSO Council resolved to initiate the Expedited Policy Development Process (EPDP) on the Temporary Specification for gTLD Registration Data and adopt the EPDP Team Charter. Given the challenging timeline for the EPDP and the GNSO Council’s role in managing the PDP process, the Council has agreed that including a recurring update on the EPDP for each Council meeting is prudent.

Here, the Council will receive an update from the GNSO Council liaison to the EPDP.

5.1 – Update (Rafik Dammak, GNSO Council liaison to the EPDP and EPDP vice-chair)

5.2 – Council discussion

5.3 – Next step

Item 6: COUNCIL DISCUSSION – ICANN Reserve Fund (15 minutes)

<explanatory text snipped>

Here, the Council discuss potential issues and determine if any remedial actions may be necessary at the Council level.

6.1 – Presentation of topic (Council Leadership)

6.2 – Council discussion

6.3 – Next steps

Item 7: COUNCIL DISCUSSION – Discussion of the Inter-Registrar Transfer Policy (IRTP) Policy Status Report (15 minutes)
Here, the Council will receive an update on the report, discuss its initial reactions, and consider next steps.

7.1 – Presentation of materials (Brian Aitchison)
7.2 – Council discussion
7.3 – Next steps

Item 8: ANY OTHER BUSINESS (10 minutes)

8.1 - Update on the Council Strategic Planning Session
8.2 - Permanent GNSO representative to the Fellowship Selection Committee

Upcoming Meeting(s)

1. December Meeting - Dec 20 2100 UTC

Details of the most recent Face to Face GNSO Meeting (October) are accessible also below:-
MP3, Adobe Connect recording and chat of the GNSO Council meeting held on Wednesday, 24 October 2018 at 13:00 UTC.

MP3

Adobe Connect Recording URL
Part I: https://participate.icann.org/p3j97hwa2ao
Part II: https://participate.icann.org/p8ykhe0r1e


GNSO Council meetings 2017

Previous meetings of the GNSO (most recent at top of the list):

15 Dec 2016 at 1200 UTC

07/08 November 2016 | GNSO Council Public Meeting at ICANN 57 Hyderabad | 13:45 IST

This agenda is also published on the Wiki page at:

Agenda 7 November 2016 - part 1

Item 1. Administrative Matters (5 mins)

1.1 - Roll Call
1.2 - Updates to Statements of Interest
1.3 - Review / Amend Agenda
1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:
Minutes of the meeting of the GNSO Council on 13 October 2016 and posted on 4 November 2016.

Item 2. Opening Remarks / Review of Projects & Action List (5 mins)

2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of Projects List [gnso.icann.org] and Action List[community.icann.org]

GNSO Liaison notes: no comment.

Item 3. Consent Agenda (5 mins)

See motions

3.1 – Adopt the GAC-GNSO Consultation Group on GAC Early Engagement in GNSO Policy Development Processes Final Status Report & Recommendations;

GNSO Liaison notes:
Motion passed unanimously.

3.2 – Approve appointment of a GNSO Liaison to the Governmental Advisory Committee (Carlos Gutiérrez).

GNSO Liaison notes:
Motion passed unanimously. A lot of preparation had been made to reach this point. Mason Cole, who has held the interim Seat, has been thanked for his service.

Item 4. COUNCIL VOTE – Adoption of Consensus Recommendations from the GNSO Bylaws Drafting Team (20 minutes)

On 30 June 2016, the GNSO Council created a Drafting Team (DT) to work with ICANN staff to identify the GNSO’s new rights and obligations under the revised ICANN Bylaws, and prepare an implementation plan to address any needed changes by 30 September [https://gnso.icann.org/en/council/resolutions#20160630-2]. On 29 September 2016, the Council received an update on the status of the DT’s work and, pending the completion of the DT’s work, the Council voted to appoint the GNSO Chair as its interim representative to the Empowered Community (EC) Administration. At its meeting on 13 October, the Council reviewed the DT’s report and recommendations (Final Report: [https://gnso.icann.org/en/drafts/bylaws-drafting-team-final-report-12oct16-en.pdf]; Minority Statement: [https://gnso.icann.org/en/drafts/bylaws-drafting-team-minority-report-10oct16-en.pdf]). Here the Council will vote on on whether or not to adopt the DT’s consensus recommendations. Following the GNSO Council’s review and approval of the DT’s recommendations, the GNSO is expected to confirm its process for appointing its EC representative going forward.

4.1 – Presentation of the [James Bladel]

4.2 – Council discussion

4.3 – Council vote (voting threshold: simple majority)

GNSO Liaison notes: the motion was DEFERRED.

Item 5. COUNCIL VOTE – Next Steps for the GNSO as a Chartering Organization for the Cross Community Working Group on Internet Governance (20 minutes)

The Cross-Community Working Group on Internet Governance Charter for the Cross Community Working Group on Internet Governance (CCWG-IG) was ratified by the ALAC and the ccNSO and GNSO Councils between September 2014 and April 2015. Under its Charter, the CCWG-IG is to “do whatever it deems necessary to facilitate and ensure engagement and participation of the ICANN community in the global Internet governance scene and multi-stakeholder decision-making processes”, including providing input to ICANN staff, Supporting Organizations and Advisory Committees on issues pertaining to Internet governance discussions and processes and informing the community about ICANN-related issues arising in Internet governance discussions
and processes. As part of its Charter-mandated review of the work of the CCWG-IG, the GNSO Council in 2016 requested and received activity reports from the CCWG co-chairs. Here the Council will evaluate the appropriateness of continuing with the CCWG-IG in light of the deliverables prescribed under the Charter and in the context of the recently adopted Uniform Framework of Principles for Cross Community Working Groups.

5.1 – Presentation of the motion (James Bladel)

5.2 – Council discussion

5.3 – Council vote (voting threshold: simple majority)

GNSO Liaison notes:

Vote passed unanimously. It is worth noting that the original motion to leave the CCWG IG was replaced by the above motion, which provided more time for the CCWG IG to work out its Charter.

Discussions throughout the week made it clear that Councillors believed the topic of Internet Governance was important, but the vehicle (Cross Community Working Group) in which this activity took place might not be appropriate for the purposes and workflow of the activity concerned.

Motion passed unanimously.

Item 6: COUNCIL VOTE – Chartering of a New Cross Community Working Group on New gTLD Auction Proceeds (20 minutes)

The 2012 New gTLD Program established auctions as a mechanism of last resort to resolve string contention. Although most string contention sets have been resolved through other means prior to reaching the stage of an auction conducted by ICANN’s authorized auction service provider, it was recognized from the outset that significant funds could accrue as a result of several auctions. As such, any and all auction proceeds have been reserved and earmarked until the Board authorizes a plan for the appropriate use of the funds. The Board, staff, and community are expected to work together in designing the appropriate processes for addressing the use of the new gTLD auction proceeds. To this end, a cross-community Drafting Team (DT) was formed which has now submitted a proposed Charter for a cross-community working group to all SO/ACs for consideration.

The proposed charter is the result of extensive community input and DT deliberations and the DT presented it in the belief that it represents a careful balance between the different viewpoints and perspectives, including from the DT members and the ICANN Board liaisons to the DT.

At its meeting on 29 September 2016, the GNSO Council received a briefing and update on the draft Charter and the work of the DT from Jonathan Robinson, the DT chair. As there were no substantive suggested edits to the draft Charter received consequently from the GNSO, the Council will here consider whether or not to become one of the Chartering Organizations for the proposed new CCWG.

6.1 – Presentation of the motion

6.2 – Council discussion

6.3 – Council vote (voting threshold: simple majority)

GNSO Liaison notes:

Liaison expressed the ALAC’s intent to participate in this Cross Community Working Group and to appoint a Co-Chair for its work.

Motion passed unanimously.


On 11 May 2016, ICANN Board Chair Dr. Steve Crocker sent a letter to the GNSO Council following up on the Board’s 10 March 2016 Resolution (see http://gnso.icann.org/en/correspondence/crocker-to-bladel-11may16-en.pdf). The Board’s request was for the GNSO Council to “review the broader policy implications of the IRD Final Report as they relate to other GNSO policy development work on WHOIS issues, and, at a minimum, forward the IRD Final Report as an input to the GNSO PDP on the Next Generation Registration Directory Services to Replace WHOIS that is currently underway.”

The GNSO Council sought input from the co-chairs of the recently completed GNSO Policy Development Process on the Translation and Transliteration of gTLD Contact Data, requesting feedback on several specific points: (1) how certain recommendations in the IRD Final Report were considered, if at all, in the Final Report of the T&T PDP Working Group; (2) how those recommendations could potentially conflict with the T&T PDP Working Group’s
recommendations that have been adopted by the GNSO Council and the ICANN Board; and (3) What steps are recommended to the GNSO Council in considering the policy implications of the IRD Final Report. Here the Council will discuss the input received from a member of the T&T PDP Working Group (https://gnso.icann.org/mailing-lists/archives/council/docxZ229qQH0Gm.docx), and decide on next steps.

7.1 – Status update (GNSO Council chairs)
7.2 – Council discussion
7.3 – Next steps

GNSO Liaison notes:

A discussion took place - as per council update.

Item 8. Discussion - Results of GNSO Newcomer Survey (5 minutes)

On 30 June 2016, the GNSO Council directed ICANN staff to develop a survey to “assess the familiarity that the community has with the different newcomer and training tools as well as their perceived usefulness”, as part of the permanent integration of successful Policy Development Process (PDP) pilot project improvements into the overall structure of PDPs. Here the Council will receive a report on the results of the survey (https://gnso.icann.org/en/drafts/newcomer-tools-survey-04oct16-en.pdf) and consider whether staff should proceed with implementing some of the suggested improvements following additional input (if any) from GNSO Stakeholder Groups and Constituencies.

8.1 – Summary and update (David Tait)
8.2 – Council discussion
8.3 – Next steps

Item 9. Open Microphone (10 Minutes)

GNSO Liaison Notes:

Item 10: Any Other Business (5 minutes)

This agenda is also published on the Wiki page at:

Item 1: Administrative matters (5 minutes)

1.1 – Roll call
1.2 – Updates to Statements of Interest
1.3 – Review/amend agenda.

1.4 – Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council Meeting on 1 September 2016 to be posted on xx xxxxx 2016.

**Item 2: Opening Remarks / Review of Projects & Action List (5 minutes)**

2.1 – Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List

**Item 3: Consent agenda (0 minutes)**

**Item 4: COUNCIL VOTE – GNSO Validation of the FY17 Budget and Cost-Control Processes for the CCWG-Accountability (20 minutes)**

A draft budget and cost-control processes for the CCWG-Accountability activities for FY17 was presented at the group's plenary meeting of 21 June 2016. In accordance with the process agreed with the Project Cost Support Team (PCST) that supported the CCWG-Accountability, a request for validation of the proposed budget and cost-control processes was transmitted to the CCWG-Accountability’s Chartering Organizations on 23 June.

The GNSO Council discussed the validation request during ICANN56 in Helsinki at the end of June, and a webinar on the topic was held at the Council's request on 23 August. Here the Council will consider approving the request to validate the FY17 budget and cost-control processes as well as a number of related topics that have been highlighted for discussion by various Councilors.

4.1 – Presentation of the motion (James Bladel)

4.2 – Discussion

4.3 – Council vote (voting threshold: simple majority)

**GNSO Liaison Notes:**

Concern was expressed specifically about the potential spiralling of costs in the Jurisdiction sub-group

"5. It is the position of the GNSO Council that revisiting the jurisdiction or organization of the ICANN legal entity, as established by CCWG-Accountability Work Stream 1, would not likely be supported by this projected budget and, further, that such inquiry should not be undertaken at this time because the new accountability measures are all premised and dependent on California jurisdiction for their effective operation, and any near-term changes in organizational jurisdiction could be extremely destabilizing for ICANN and its community."

Motion passed unanimously by acclamation.

**Action items:**

- GNSO Secretariat to communicate voting result to the CCWG-Accountability chairs and the ICANN CFO

**Item 5: COUNCIL VOTE – Adoption of Implementation Advisory Group Recommendations to Update Procedure on WHOIS Conflicts with National Laws (20 minutes)**
The GNSO’s 2005 Policy on WHOIS Conflicts with National Laws (see http://gnso.icann.org/en/issues/whois-privacy/council-rpt-18jan06.htm) had recommended the creation of a procedure to address conflicts between a contracted party’s WHOIS obligations and local/national privacy laws or regulations. Under the existing procedure dating from January 2008, a contracted party that credibly demonstrates that it is legally prevented from complying with its WHOIS obligations can invoke the procedure, which defines a credible demonstration as one in which the contracted party has received “notification of an investigation, litigation, regulatory proceeding or other government or civil action that might affect its compliance.” The procedure has never been invoked.

In May 2014, ICANN launched a review of the procedure. An Implementation Advisory Group (IAG) was formed and began its work in January 2015. The IAG's Initial Report was published for public comment in November 2015 (see https://www.icann.org/public-comments/iag-whois-conflicts-privacy-2015-10-05-en). On 25 May 2016, the IAG's Final Report, accompanying Appendices and a summary Memo to the GNSO Council was delivered to the GNSO Council. The IAG proposed modifications to the procedure that it believes do not contradict the underlying policy recommendations. The Council received an update on the proposed modifications at ICANN58 and discussed the matter further at its meetings on 21 July and 2 September. Here the Council will confirm whether or not the IAG’s proposed modifications conform with the intent of the underlying GNSO Policy.

5.1 – Presentation of the motion (Stephanie Perrin)

5.2 – Discussion

5.3 – Council vote (voting threshold: simple majority)

GNSO Liaison Notes: a first version of this motion had been provided in the previous GNSO Council call (Item 5, 1st September 2016) and was withdrawn due to significant opposition to the motion.

Stephanie Perrin worked to put together another version of this motion. It effectively says: “GNSO Council rejects the report of the IAG” and asks for another PDP to be launched. This motion was unacceptable for contracted parties as there is concern that another PDP to resolve a PDP issue would again add months, if not years of work. After some time discussing the motion, it was agreed that the motion presenter would withdraw it and work on it with other parties until the Hyderabad meeting where face to face discussions of the topic could yield a solution.

Official minutes:

The Motion was withdrawn after concerns were raised about conforming with the process for starting a Policy Development Process (PDP), the current PDP workload, and the need to deal substantively with the Implementation Advisory Group’s (IAG’s) recommendations and how these factor into next steps. It was agreed to resubmit a motion for Council consideration at the Council meeting at ICANN57 in Hyderabad, with potential modifications following additional discussions.

Action items:

- Motion withdrawn; to be resubmitted for Council consideration at ICANN57 in Hyderabad, with potential modifications following additional discussions

Discussions to continue with Stephanie and other interested Councilors as well as affected parties (e.g. Registries, Registrars) to discuss path forward and rework motion language

Item 6: COUNCIL VOTE – Approval of Appointment of an Interim GNSO Representative to the Empowered Community Administration (20 minutes)

Section 1.1(a) of Article 6 of the new ICANN Bylaws concerning the composition and organization of the Empowered Community (EC) states that the EC is to be "a nonprofit association formed under the laws of the State of California consisting of the ASO, the ccNSO, the GNSO, the ALAC and the GAC (each a "Decisional Participant" or "associate," and collectively, the "Decisional Participants")." Section 5.3 provides that, as a Decisional Participant in the EC, the GNSO "shall act through its respective chair or such other person as may be designated by the GNSO". Each Decisional Participant must deliver annually a written certification from its chair or co-chairs to the ICANN Secretary designating the individual representing that Decisional Participant in the EC Administration.

On 30 June 2016, the GNSO Council created aDrafting Team (DT) to work with ICANN staff to identify the GNSO’s new rights and obligations, and prepare an implementation plan to address any needed changes by 30 September (https://gnso.icann.org/en/council/resolutions#20160630-2). Upon the completion of the DT’s work, the GNSO is expected to finalize its process for appointing its EC representative going forward. Here the Council will consider the appointment of the GNSO Chair as an interim representative to the EC Administration to ensure that a GNSO representative is designated as soon as the new Bylaws come into effect, pending the completion and approval of the DT’s work.

6.1 – Presentation of the motion (James Bladel)

6.2 – Discussion
6.3 – Council vote (voting threshold: simple majority)

GNSO Liaison Notes:

Steve del Bianco explained the process by which this proposal was made. The discussion turned around whether the holder of the "empowerment" in the Empowered Community would be the GNSO Council or the Constituencies of the GNSO. It was proposed that the GNSO Council would be trusted with this empowerment.

The drafting team looked at two levels to address the Council resolution.

- who should represent the GNSO as the decisional participant? Namely, should it be council or should it be the GNSO stakeholder groups and constituencies directly?

The drafting team report, in response to who should represent the GNSO pronounced a majority in favor of having Council speak for the GNSO.

- how should that entity reach their decisions? What are the voting thresholds for those kinds of decisions?

Having not yet reached a decision on the above, some names were proposed to take on the interim position. In the meantime, it is clear that the Design Team will not be able to produce a full proposal to the request. Thus the proposal was that, rather than leaving an empty seat in the EC, the GNSO Council Chair could be a placeholder.

Motion Passes with 2 abstentions (Heather Forrest; Paul McGrady).

Abstention from Heather Forrest was caused by the IPC's concern about the pace at which important decisions needed to be made and there is concern that WS2 is also progressing super fast too - perhaps too fast for some constituencies. Paul Mc Grady expressed that he had faith in the work being done by the drafting team but echoed Heather's concerns.

The next sections appears to have been skipped or is here in error.

**Item 7: COUNCIL DISCUSSION – Proposed Draft Charter for a New Cross Community Working Group concerning Auction Proceeds from the 2012 New gTLD Program (15 minutes)**

The 2012 New gTLD Program established auctions as a mechanism of last resort to resolve string contention. Although most string contention sets have been resolved through other means prior to reaching the stage of an auction conducted by ICANN’s authorized auction service provider, it was recognized from the outset that significant funds could accrue as a result of several auctions. As such, any and all auction proceeds have been reserved and earmarked until the Board authorizes a plan for the appropriate use of the funds. The Board, staff, and community are expected to work together in designing the appropriate processes for addressing the use of the new gTLD auction proceeds. To this end, a cross-community Drafting Team (DT) was formed which has now submitted a proposed Charter for a cross-community working group to all SO/ACs for consideration.

As outlined by the DT, the proposed charter is the result of extensive input and deliberations and represents a careful balance between the different viewpoints and perspectives, including from both the DT Members and the ICANN Board liaisons to the DT. As such, the DT has requested that the GNSO Council review the proposed charter with this careful balance in mind and only flag to the DT any pertinent issues that would prevent the GNSO from adopting this charter. The DT has requested to receive the GNSO’s feedback by 30 September 2016 at the latest, including an indication of when the GNSO anticipates to be in a position to consider the charter for adoption following 30 September, provided that no pertinent issues have been identified by any of the ICANN SO/ACs.

Here the Council will discuss the DT’s proposed Charter, with a view toward providing its input by 30 September.
GNSO Liaison Notes:

Jonathan Robinson provided an update to the GNSO Council. Work emphasis:

The following points were emphasized:

The funds are ring-fenced.

They are a single revenue source.

There has been substantial discussion about conflict of interest provisions.

There has been substantial discussion and care taken so as not to prejudice or impact ICANN’s tax status. There’s recognition of issues like transparency that you expect, lean and effective work, diversity issues.

Jonathan Robinson proposed that Cross Community Working Group be formed along the concepts that have been developed and refined by recent Cross Community Working Groups. The planned course of action is to run the charter by the different chartering organisations. The charter will aim to be finalised by Hyderabad.

AOB Interlude: (Agenda Item 11.2)

"Please see the note below, in which the leadership of CWG-Stewardship is asking all chartering organizations (incl. the GNSO) for their approval to being included as signatories on a letter, instructing ICANN to execute the three IANA IPR agreements referenced & attached. They are asking for a response by 30 SEP (tomorrow)."

While acknowledging the last-minute nature of this request, this should be a non-controversial issue and I’d like to include a discussion of it under AOB for today’s call."

Jonathan Robinson, co-chair of the CWG IANA intervened to explain the IANA IPR Community Agreement.

Some discussion then continued about the Intellectual Property Issue on IANA.ORG etc. and the proposal that the Names Community selecting its representatives. The IPR Issue is the signing off a final instruction letter that was sent to ICANN, which reflects the CWG’s appointment of Greg Shatan, Maarten Simon, and Christopher Wilkinson in the IANA IPR Community Agreement.

As the ALAC Liaison, I shared that the ALAC was also considering the letter and was concerned about the last minute too – and is likely to sign it to proceed forward.

Item 8: COUNCIL DISCUSSION – ICANN Board Letter on New gTLD Subsequent Procedures (15 minutes)
On 5 August 2016, ICANN Board Chair Dr. Steve Crocker sent a letter to the GNSO Council concerning work on the GNSO Policy Development Process (PDP) on New gTLD Subsequent Procedures (https://gnso.icann.org/en/correspondence/crocker-to-bladel-05aug16-en.pdf). The Board wished to know the GNSO Council's view of the current work in light of the existing GNSO policy and ongoing parallel review work on the 2012 New gTLD Program. The Board letter specifically asked for information on the PDP timeline and whether the GNSO believes that the current PDP must be completed prior to advancing a new application process under the current policy recommendations, including whether any consideration has been given in relation to whether a future application process could proceed while policy work continues and be iteratively applied to the process for allocating new gTLDs. On 16 August the GNSO Chairs sent a reply to the Board on behalf of the Council, acknowledging the Board's request (https://gnso.icann.org/en/correspondence/council-leadership-to-crocker-16aug16-en.pdf).

At its meeting on 2 September, the GNSO Council agreed to seek input from all GNSO Stakeholder Groups and Constituency leaders, as well as the New gTLD Subsequent Procedures Policy Development Process Working Group. Here the Council will discuss feedback received from the various groups and determine next steps.

8.1 – Status update (GNSO Council chairs / Paul McGrady (for the PDP Working Group))
8.2 – Discussion
8.3 – Next steps

GNSO Liaison Notes: a quick update from Phil Corwin and no discussion. Item to be discussed further in Hyderabad.

Action items:

- Staff to convene volunteer group (comprising Councilors and interested community members) to synthesize coordinated response to the Board, based on WG & SG/C responses received
- Volunteer group to present proposed response to Council for adoption on 13 October, with goal to transmit response to Board before ICANN57 in Hyderabad
- Volunteers so far – Carlos Raúl Gutierrez, Phil Corwin, Keith Drazek, James Bladel, Stefania Milan

Item 9: COUNCIL DISCUSSION – Proposed Final Framework for Future Cross Community Working Groups (5 minutes)

In March 2014, the ccNSO and GNSO Councils jointly chartered a Cross Community Working Group to develop a framework of principles to guide the formation, chartering, operations and closure for future cross community working groups (CCWG-Principles). The CCWG-Principles published an initial proposed framework for public comment in February 2016, and following a review of all public comments received and further community discussion at ICANN56 in Helsinki at the end of June, completed a proposed Final Framework which it has since submitted to both its Chartering Organizations. Here the Council will receive a brief update on the Final Framework, with a view toward its possible adoption at the next Council meeting in October.

9.1 – Summary and update (Mary Wong / Steve Chan)
9.2 – Next steps

GNSO Liaison Notes: item skipped and discussed further in Hyderabad.

Item 10: COUNCIL DISCUSSION – GNSO Meeting Schedule for ICANN57 (5 minutes)

ICANN57 will take place in Hyderabad, India, from 3-9 November 2016. This will be the first "Meeting C" under the new ICANN Meeting Strategy as well as the Annual General Meeting for ICANN. A draft GNSO schedule for the meeting was circulated to the GNSO Council on 11 July 2016 and reviewed at the Council meetings on 21 July and 2 September. GNSO Stakeholder Groups and Constituencies wishing to hold sessions at ICANN57 were requested to submit meeting requests by the agreed deadline. Here the Council will discuss the GNSO's meeting schedule for ICANN57, including the Council sessions and Working Group and other meetings.
10.1 – Overview of the proposed schedule (GNSO Council Chairs / Glen de St Gery)

10.2 – Discussion
10.3 – Next steps

GNSO Liaison Notes: a quick update was given and a new block schedule will be published shortly.

**Item 11: Any Other Business (5 minutes)**

GNSO Liaison Note: I have shared the details of the At-Large Survey for the At-Large Review and shared the links in the AC Chat.

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1 September 2016 | GNSO Council Teleconference | 12:00 UTC

This agenda is also published on the Wiki page at:

https://community.icann.org/display/gnsocouncilmeetings/Agenda+1+September+2016

**Item 1: Administrative matters (5 minutes)**

1.1 – Roll call

1.2 – Updates to Statements of Interest

1.3 – Review/amend agenda.

1.4 – Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council Meeting on 21 July 2016 to be approved on 27 August 2016.

**Item 2: Opening Remarks / Review of Projects & Action List (5 minutes)**

2.1 – Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List

**Item 3: Consent agenda (5 minutes)**

3.1 – Confirm dates for selection of GAC-GNSO liaison (motion passed on 30 June 2016) based on updated ICANN57 meeting dates: https://community.icann.org/display/gnsocouncilmeetings/Motions+30+June+2016

Motion as passed, with dates to be updated highlighted as indicated below:

Resolved:
1. The GNSO Council hereby confirms the extension of the term of the current GNSO Liaison to the GAC, Mason Cole, until the end of the ICANN AGM in Hyderabad.

2. The GNSO Council instructs the GNSO Secretariat to inform the GNSO Stakeholder Groups and Constituencies of the extended selection timeline (Nominations Accepted for Candidates - 1 OCT 2016; Council Chairs consider candidates and notify first choice - 20 OCT; Chairs submit motion to Council by 29 OCT (change to 28 October) for consideration during Council meeting on 8 NOV (change to 7 November); GAC Leadership notified of new Liaison by 9 NOV).

Motion Carried unanimously.

**Item 4: COUNCIL VOTE – Approval of Recommendations from the Standing Committee on GNSO Improvements (10 minutes)**

In April 2015 the GNSO Council requested that the Standing Committee on GNSO Improvements (SCI) document the existing customary practices of the GNSO Council concerning (i) whether, how and by whom a properly submitted motion before the Council is to be seconded, and (ii) the treatment of proposed amendments to such motions as either “friendly” or “unfriendly”. The Council’s request also authorized the SCI to develop new processes for these practices if the SCI believed that the current practices are inappropriate. Separately, in November 2015, the GNSO Council requested that the SCI review Sections 2.2(b), (f) and (g) of the GNSO Operating Procedures with respect to, first, clarifying: (i) the eligibility of incoming Council members to run for the position of GNSO Chair; (ii) the start and end dates as well as the duration of the Chair and Vice-Chair terms in accordance with the ICANN Bylaws; and (iii) the timing of publication of the election results; and, secondly, recommending a general time table for election of the GNSO Chair.

In October 2015 and in accordance with the Council’s April request, the SCI sent its documentation of the Council’s practices on the seconding and amendment of motions to the Council (see https://gnso.icann.org/en/correspondence/aikman-scalese-vansnick-to-robinson-09oct15-en.pdf). Subsequently, the SCI reached Full Consensus on a proposal to codify the current customary practices in the GNSO Operating Procedures as a new Section 3.3.3: Submitting, Seconding, and Amending Motions. With respect to its review of the rules governing the GNSO Chair and Vice-Chair elections, the SCI reached Full Consensus on modifications to Section 2.2 and a proposal for a new Section 2.2.1: Procedures for a Situation Where a New GNSO Chair Has Not Been Elected by the End of the Previous Chair’s Term in the GNSO Operating Procedures.

The SCI’s proposals were published for public comment on 5 July 2016 (https://www.icann.org/public-comments/gnso-op-procedures-2016-07-05-en). By the close of the public comment period on 14 August, two public comments had been received supporting the SCI’s proposals (https://forum.icann.org/lists/comments-gnso-op-procedures-05jul16/). Here the Council will consider whether or not to approve the SCI’s recommendations for modifying the GNSO Operating Procedures as proposed.

4.1 – Presentation of the motion (Amr Elsadr)
4.2 – Discussion
4.3 – Council vote (voting threshold: simple majority)

GNSO Liaison notes: friendly amendment to be made that the Standing Committee is not "disbanded" but possibly "retired" - less negative language.

Motion carried unanimously.

**Item 5: COUNCIL VOTE – Adoption of Implementation Advisory Group Recommendations to Update Procedure on WHOIS Conflicts with National Laws (15 minutes)**

The GNSO’s 2005 Policy on WHOIS Conflicts with National Laws (see http://gnso.icann.org/en/issues/whois-privacy/council-rpt-18jan06.htm) had recommended the creation of a procedure to address conflicts between a contracted party’s WHOIS obligations and local/national privacy laws or regulations. Under the existing procedure dating from January 2008, a contracted party that credibly demonstrates that it is legally prevented from
complying with its WHOIS obligations can invoke the procedure, which defines a credible demonstration as one in which the contracted party has received “notification of an investigation, litigation, regulatory proceeding or other government or civil action that might affect its compliance.” The procedure has never been invoked.

In May 2014, ICANN launched a review of the procedure. An Implementation Advisory Group (IAG) was formed and began its work in January 2015. The IAG’s Initial Report was published for public comment in November 2015 (see https://www.icann.org/public-comments/iag-whois-conflicts-privacy-2015-10-05-en). On 25 May 2016, the IAG’s Final Report, accompanying Appendices and a summary Memo to the GNSO Council was delivered to the GNSO Council. The IAG proposed modifications to the procedure that it believes do not affect the underlying Policy. The Council received an update on the proposed modifications at ICANN56 and discussed the matter further at its meeting on 21 July. Here the Council will confirm whether or not the IAG’s proposed modifications conform with the underlying GNSO Policy.

5.1 – Presentation of the motion (James Bladel)

5.2 – Discussion

5.3 – Council vote (voting threshold: simple majority)

GNSO Liaison Notes: Volker Greimann expressed concerns from the Contracted Parties that the proposed policy is unworkable for them - mentioning, as an example, the need for a Registrar to break the law in order to obtain a waiver is unworkable and opens a Registrar to unwarranted risk. ALAC Liaison expressed support with the concerns raised by Volker. It is worth noting that the concerns expressed by Volker Greimann on behalf of the Registrar Constituency broadly echo the concerns expressed in the At-Large Community in At-Large IAG Initial Report and Proposed Revisions to the ICANN Procedure for Whois Conflicts with Privacy Laws Workspace.

Donna Austin also had similar concerns. Others expressed a concern that the PDP working group had reached consensus but now the Council appeared not to have consensus, thus that was potentially going to raise a problem. As a result to the discussion, the motion was withdrawn as a rejection of the motion during voting could have had worse effects than a current withdrawal.

Item 6: COUNCIL DISCUSSION – ICANN Board Letter on New gTLD Subsequent Procedures (20 minutes)

On 5 August 2016, ICANN Board Chair Dr. Steve Crocker sent a letter to the GNSO Council concerning work on the GNSO Policy Development Process (PDP) on New gTLD Subsequent Procedures (https://gnso.icann.org/en/correspondence/crocker-to-bladel-05aug16-en.pdf). The Board wished to know the GNSO Council’s view of the current work in light of the existing GNSO policy and ongoing parallel review work on the 2012 New gTLD Program. The Board letter specifically asked for information on the PDP timeline and whether the GNSO believes that the current PDP must be completed prior to advancing a new application process under the current policy recommendations, including whether any consideration has been given in relation to whether a future application process could proceed while policy work continues and be iteratively applied to the process for allocating new gTLDs. On 16 August the GNSO Chairs sent a reply to the Board on behalf of the Council, acknowledging the Board’s request (https://gnso.icann.org/en/correspondence/council-leadership-to-crocker-16aug16-en.pdf). Here the Council will discuss the subject of the Board’s letter and its further response, including whether or not input from the PDP Working Group may be helpful.

6.1 – Status update on the Board letter and PDP progress (James Bladel / Paul McGrady)

6.2 – Discussion

6.3 – Next steps

GNSO Liaison Notes: expressed the ALAC’s discussions in its new gTLD working group and read out to the record:

1. “do not start the process of a subsequent round until all necessary reviews have been completed” and their reports and recommendations have been fully considered by the ICANN community and Board. This includes not just the Subsequent Procedures PDP referenced in Chairman Crocker’s letter but also the RPM Review PDP and the Consumer Choice, Competition and Trust Review mandated by the Affirmation of Commitments.

A strong discussion took place about this. Expression about a pattern of abuse being undertaken by some Registries and ICANN compliance not helping was expressed by Susan Kawaguchi.

Discussion will continue for the next call, noting that the Board is expecting a response. The aim would be to respond to the Board by mid October. (before Hyderabad)
Item 7: COUNCIL DISCUSSION – Next Steps for the Cross Community Working Group on Internet Governance (10 minutes)

The Charter for this Cross Community Working Group (CCWG) was ratified by the ccNSO Council (September 2014), the GNSO Council (October 2014), and the ALAC (April 2015). The ratified Charter provides that the CCWG scope includes doing “whatever it deems relevant and necessary to facilitate and ensure engagement and participation of the ICANN community in the global Internet governance scene and multi-stakeholder decision-making processes”, with regular monthly updates to be provided to its Chartering Organizations and a periodic Progress Paper where appropriate. The Charter also provides that the Chartering Organizations should review the Charter and CCWG deliverables in order to determine whether the group should continue or be dissolved, with the proviso that the CCWG will continue if at least two of its Chartering Organizations extend the Charter and notify the other Chartering Organizations accordingly.

At ICANN55, there was some discussion over the most appropriate forum for SO/AC interaction on Internet governance matters, especially given the expected forthcoming finalization of a Uniform Framework of Principles for Future CCWGs. The co-chairs of the CCWG-IG provided the Council with a Progress Report on its recent activities at ICANN56. Here the Council will discuss appropriate next steps in relation to overseeing the work of the CCWG.

7.1 – Review of status of Council discussion (James Bladel)
7.2 – Discussion
7.3 - Next steps
Liaison Notes: skipped to a future call. Concern expressed by Marilia Maciel that this item keeps on being moved from meeting to meeting and

Item 8: COUNCIL DISCUSSION – Proposed Cost Control Mechanisms and Request for GNSO Council Validation of the Budget for the Cross Community Working Group on Ensuring ICANN Accountability (CCWG-Accountability) (15 minutes)

On 10 July, the GNSO Council requested that the ICANN Board Finance Committee and the CCWG-Accountability co-chairs conduct a webinar to brief the Council and broader GNSO community on the Proposed Cost Control Mechanisms and the CCWG-Accountability’s request for the GNSO Council to validate the proposed FY17 budget for the CCWG-Accountability (https://gnso.icann.org/en/correspondence/bladel-to-bfc-ccwg-accountability-chairs-10ju16-en.pdf). The proposed budget and costs had been reported to the GNSO Council on 21 June https://gnso.icann.org/mailing-lists/archives/council/msg18841.html The requested webinar took place on 23 August. Here the Council will discuss the CCWG-Accountability’s request for the Council to validate the proposed FY17 budget in light of the further information provided during the webinar (recording and slides available at https://icann.adobeconnect.com/p8fu99qpt7d/).

8.1 – Status update (James Bladel)
8.2 – Discussion
8.3 – Next steps
Liaison Notes: The Council will be asked to approve the costs of CCWG Accountability. Concern expressed (Paul McGrady) about approving a plan that includes "Jurisdiction" in WS2. This is of concern to some. Otherwise, satisfaction was expressed at the level of detail given to provide ongoing updates for the cost control of WS2 topics.

Item 9: COUNCIL DISCUSSION – Planning and Scheduling for ICANN57 (15 minutes)
ICANN57 will take place in Hyderabad, India, from 3-9 November 2016. This will be the first “Meeting C” under the new ICANN Meeting Strategy as well as the Annual General Meeting for ICANN. A draft GNSO schedule for the meeting was circulated to the GNSO Council on 11 July 2016 and reviewed at the Council meeting on 21 July. Here the Council will review all proposed GNSO sessions for ICANN57 in relation to the meeting schedule, including the face to face Policy Development Process (PDP) Working Group meetings, the customary annual Development Session for incoming and continuing GNSO Councilors, and the submission of High Interest Topics of interest to the GNSO.

9.1 – Overview of the proposed schedule (James Bladel)
9.2 – Discussion
9.3 – Next steps

Liaison notes: very short update made. (less than a minute) – and will be followed up on the mailing list.

Item 10: Any Other Business (10 minutes)


Liaison Notes: GAC & Board have been meeting behind closed doors and none such discussion between GNSO and Board. (Phil Corwin)

10.2 – Confirmation of Council liaisons to the the Translation & Transliteration of gTLD Contact Data PDP, IRTP-C PDP, IRTP-D PDP and GNSO Review Working Group

10.3 - Timeline for GNSO Chair/Vice-Chair elections leading up to and at ICANN57 to be shared following meeting – Councillors encouraged to share any questions / concerns with mailing list

10.4 Proposed Measures for Letter/Letter Two-Character ASCII Labels to Avoid Confusion with Corresponding Country Code

Liaison notes: most of these items will be raised and discussed on the mailing list.

21 July 2016 | GNSO Council Teleconference | 21:00 UTC

Item 1: Administrative matters (5 minutes)

1.1 – Roll call
1.2 – Updates to Statements of Interest

Jennifer Gore resigned from the GNSO Council on 14 July 2016. Volker Greimann noted that the Registrar Stakeholder Group had asked him to continue in his role on the Council until a replacement has been elected thus he is acting as his own temporary alternate.

1.3 – Review/amend agenda.
1.4 – Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council Public Meeting on 30 June 2016 to be approved on xxxxx 2016.

Item 2: Opening Remarks / Review of Projects & Action List (5 minutes)
2.1 – Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List

Projects are being updated on a daily basis. No specifics.

Item 3: Consent agenda (0 minutes)

(empty)

Item 4: COUNCIL VOTE – Approval of Primary and Secondary Liaison Candidates for the Customer Standing Committee (20 minutes)

The package of proposals that was developed by the community in relation to the IANA Stewardship Transition called for the creation of a new structure to provide operational oversight of the performance of the IANA naming function, a role currently performed by the United States government through the National Telecommunications and Information Authority (NTIA). This new oversight structure is to be called the Customer Standing Committee (CSC), and its role is to monitor the performance of the IANA naming function against agreed service level targets. The CSC may also initiate reviews of and make recommendations for changes to service level targets. As a ICANN Supporting Organization, the GNSO may appoint a liaison to the CSC, in addition to the two gTLD registry operator members to be selected by the Registries Stakeholder Group (RySG). The liaison appointment is of a primary and a secondary candidate, both of whom must meet the qualification requirements and be geographically diverse.

The final composition of members of and liaisons to the CSC is to be approved first by the RySG and the ccNSO, and secondly by the GNSO and ccNSO, who will also decide which members and liaisons will serve inaugural three-year terms. Liaison candidates are to be confirmed by 22 July 2016, and the final slate of members and liaisons, as determined by the ccNSO and GNSO, is to be sent to ICANN on 10 August.

The GNSO’s CSC Selection Committee consists of Councilors Susan Kawaguchi, David Cake, Wolf-Ulrich Knoben and Rubens Kuhl and Heather Forrest. At ICANN56, the Selection Committee updated the Council on its work to date and confirmed the timeline for CSC appointments. Here the Council will consider the recommendations of the Selection Committee for the primary and secondary GNSO liaison appointments.

4.1 – Presentation of the motion (Wolf-Ulrich Knoben)

4.2 – Discussion

4.3 – Council vote (voting threshold: simple majority)

GNSO Liaison Notes: Wolf Ulrich Knoben took councillors through the motion explaining how the selection was made. Use of an evaluation tool, etc. There was only one candidate but the tool was used on that candidate.

The candidate James Gannon, scored very well. There were concerns about not having an alternate. It was explained that the secondary name would just step in if there were diversity issues. No alternate role per-se.

Question asked (by Marilia Maciel) in the manner that the Registry Operators will select their representative(s). Registry Operators will be selected separately but the entire slate will be confirmed by the GNSO Council.

Motion moved by Wolf Ulrich & Seconded by James Bladel. Carried unanimously - David Cake was absent and did not vote.

Action Items:

- Staff to notify Mr. James Gannon of his selection as GNSO liaison to the CSC
- Staff to notify ICANN of the selection result
Item 5: COUNCIL VOTE – Approval of Implementation Mechanism for the Adopted Recommendations from the 2014 GNSO Organizational Review (15 minutes)

In September 2015, the Independent Examiner that had been appointed to conduct the 2014 GNSO organizational review published its Final Report. At its meeting in April 2016, the GNSO Council adopted, with one modification, the proposed Feasibility and Prioritization Analysis of the Independent Examiner’s recommendations that was prepared by the GNSO Working Party (see http://gnso.icann.org/en/council/resolutions#201604). The Working Party had been formed to liaise between the GNSO, the Board’s Organizational Effectiveness Committee (OEC) and the Independent Examiner. On 25 June 2016, the ICANN Board agreed with the OEC’s advice that the GNSO Working Party's Feasibility and Prioritization Analysis (as adopted by the GNSO Council) should guide the implementation process, and requested that the GNSO Council convene a group to oversee the implementation. The Board further requested that an implementation plan, containing a realistic timeline for the implementation, definition of desired outcomes and a way to measure current state as well as progress toward the desired outcome, be submitted to the Board no later than six months after the adoption of the Board’s resolution, and the GNSO Council provide a regular report on the progress of the implementation effort (see https://www.icann.org/resources/board-material/resolutions-2016-06-25-en#2.e).

The GNSO Council had previously requested that ICANN staff prepare a paper on possible mechanisms for implementation upon Board approval of the GNSO organizational review recommendations. The Discussion Paper was circulated to the Council on 20 June 2016 and discussed by the Council at its Public Meeting during ICANN56. Here the Council will consider the suggestion and a draft Charter, stemming from its ICANN56 discussion, for repurposing the GNSO’s Standing Committee on GNSO Improvements to function as a Working Group to develop the implementation plan.

5.1 – Presentation of the motion (Wolf-Ulrich Knoben)
5.2 – Discussion
5.3 – Council vote (voting threshold: simple majority)

GNSO Liaison Notes: Wolf Ulrich Knoben explained the different options:

Option 1: close down the SCI and have a brand new group take over the implementation of the improvements

Option 2. use the GNSO Standing Committee on Improvement Implementation (SCI) with working group that will be GNSO Review Implementation team working alongside the SCI

There could be some possibility of overlap between the two groups.

Friendly amendment regarding that all of the recommendations expected to be sent to council for consideration needs to reach full consensus threshold within the working group. Option 1 is the preferred option. Full consensus will apply to any recommendations suggesting a change to GNSO operating procedures. Some debate about needed to amend the motion on the fly prior to it being adopted.

Motion moved by Wolf Ulrich & Seconded by James Bladel. Carried unanimously - David Cake was absent and did not vote.

Action Items:

• Staff to update Charter to reflect Council decision that: (1) Option #1 was selected (Working Group will take up new requests following completion of implementation tasks and SCI will be disbanded); and (2) Working Group shall operate on Full Consensus for all recommendations relating to ICANN Bylaws and GNSO Operating Procedures
• Staff to note in Council meeting minutes that Option #1 was selected
• Staff to prepare notice of Council decision to SCI

Item 6: COUNCIL VOTE – Response to GAC Communiqué from ICANN56 (25 minutes)

The GAC Communiqué from ICANN56 contained GAC advice on several gTLD policy issues, including future gTLD policies and procedures, privacy and proxy services accreditation, and protections for International Governmental Organizations’ (IGO) names and acronyms. Starting in July 2015, the GNSO Council has reviewed each GAC Communiqué for issues relating to gTLD policy, with a view toward providing feedback to the ICANN Board as well as the broader community concerning past, present or future GNSO policy activities relating to advice provided by the GAC. A draft response was circulated to the GNSO Council on 19 July 2016. Here the Council will consider whether or not to provide a response to the Board concerning the relevant gTLD issues raised by the GAC in its Helsinki Communiqué.

6.1 – Presentation of the motion (James Bladel)
6.2 - Council discussion
6.3 – Council vote (voting threshold: simple majority)

GNSO Liaison Notes: it is worth noting that some feel there is an increase in understanding and collaboration between GAC/Board/GNSO. Several Councillors have followed the discussions and shared their point of view, especially on topics such as IP Rights, IGO, PPSAI, etc. Pointing out to outputs of GNSO PDP – and an interest in having GAC members taking part in the GNSO PDPs. Concern expressed about the target of the Response.

Decision made to refine the Response further with amended language that was uploaded. The Council will defer the response to let more Councillors study the response.
Withdrawn/Deferred to Electronic Voting 6-9 August 2016

**Action Items:**

- Staff to amend last sentence in draft response on IGO protections issue, to reflect Board-GNSO discussions in Helsinki
- Councillors to provide feedback on amended draft response by Wednesday 27 July
- Staff to work with Mason Cole (GNSO Liaison to the Government Advisory Committee (GAC) to ensure follow up communications with/from the GAC after formal response is submitted to the Board and cc’d to the GAC

**Item 7: COUNCIL DISCUSSION – Next Steps on Proposed Modifications to the Procedure to Address WHOIS Conflicts with National Law (20 minutes)**

The GNSO’s 2005 Policy on WHOIS Conflicts with National Laws (see http://gnso.icann.org/en/issues/whois-privacy/council-rpt-18jan06.htm) had recommended the creation of a procedure to address conflicts between a contracted party’s WHOIS obligations and local/national privacy laws or regulations. Under the existing procedure dating from January 2008, a contracted party that credibly demonstrates that it is legally prevented from complying with its WHOIS obligations can invoke the procedure, which defines a credible demonstration as one in which the contracted party has received “notification of an investigation, litigation, regulatory proceeding or other government or civil action that might affect its compliance.” The procedure has never been invoked. In May 2014, ICANN launched a review of the procedure. An Implementation Advisory Group (IAG) was formed and began its work in January 2015. The IAG’s Initial Report was published for public comment in November 2015 (see https://www.icann.org/public-comments/iag-whois-conflicts-privacy-2015-10-05-en).

On 25 May 2016, the IAG’s Final Report, accompanying Appendices and a summary Memo to the GNSO Council was delivered to the GNSO Council. The IAG is proposing modifications to the procedure that do not affect the underlying Policy. The Council received an update on the modifications at ICANN56. Here the Council will discuss its next steps, which may include confirming whether the IAG’s proposed modifications conform with the underlying GNSO Policy.

7.1 – Review of status of Council discussion (James Bladel)
7.2 - Council discussion
7.3 - Next steps

GNSO Liaison Notes: Pushback by NCSG about the procedure that is proposed above. The policy was not referred to a PDP. Chair Bladel mentioned that there was indeed an RDS PDP but this would not be long term. Concern from others that the above proposal was already rejected and there is a "groundhog day" feeling about this. There is a difficulty in differentiating between the policy itself & the triggers that invoke the policy – even though neither the policy nor the trigger for the policy are liked. Others think that this is a contractual discussion thus it should be discussed under other circumstances.

Result: discussion to be continued on the GNSO Council mailing list.

**Action Items:**

- Councillors to continue discussions via email with a view toward developing an agreed approach for the Council meeting in September 2016.

**Item 8: COUNCIL DISCUSSION – Proposed Schedule for ICANN57 (20 minutes)**

ICANN57 will take place in Hyderabad, India, from 3-9 November 2016. This will be the first “Meeting C” under the new ICANN Meeting Strategy as well as the Annual General Meeting for ICANN. A draft GNSO schedule for the meeting was circulated to the GNSO Council on 11 July 2016. Here the Council will review the proposed schedule, including the need to possibly accommodate face to face Policy Development Process (PDP) Working Group meetings and the customary annual Development Session for incoming and continuing GNSO Councilors.

8.1 – Overview of the proposed schedule (James Bladel)
8.2 – Council discussion
8.3 – Next steps

GNSO Liaison Notes: this is the first rough skeletal schedule for ICANN 57. To be discussed further in future calls.

**Action Items:**

- Councillors to continue review of proposed draft schedule
- Council to confirm selection of GNSO PDP Working Groups for face-to-face meetings at ICANN57 on 3 November as soon as possible (most likely candidates – RDS and New gTLD Subsequent Procedures)
- Clarification from Nick Tomasso on visas for India
Item 9: Any Other Business (10 minutes)

9.1 – Update on Council representatives from the Registrars Stakeholder Group

The Registrar Stakeholder group asked Volker Greimann to continue in his role on the Council until a replacement has been elected and elections are under way.

9.2 – Update on status of progress on the Drafting Team that is to identify new and additional rights and responsibilities for the GNSO under the revised ICANN Bylaws

GNSO Liaison Notes: Staff to send an update about the timeline to the Council mailing list.


GNSO Liaison Notes: problem about a member of the RPM working group. Request for GNSO Council to look into available actions when an individual sends unsolicited communication to other community members and staff. ICANN Legal to be consulted.

Meeting Minutes (from GNSO Staff)

Item 1: Administrative matters (5 minutes)

1.1 – Roll call

1.2 – Updates to Statements of Interest

1.3 – Review/amend agenda.

1.4 – Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council Public Meeting on 12 May 2016 were approved on 30 June 2016.

Item 2: Opening Remarks / Review of Projects & Action List

2.1 – Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List

Council members were reminded that a copy of the updated Projects list, in both red-lined and clean version, is sent to the Council mailing list before each Council meeting for review and comment.

Item 3: Consent agenda

No items on the consent agenda
**Item 4: COUNCIL VOTE – Approval to Permanently Integrate Successful PDP Improvements into the GNSO Policy Development Process**

Approval to Permanently Integrate Successful PDP Improvements into the GNSO Policy Development Process

Motion proposed by Donna Austin seconded by Carlos Gutierrez.

The motion carried unanimously by voice vote.

Voting results

Action Item:

The GNSO Council directs staff to move ahead with the identified next steps including: integrating the inclusion of the proposed PDP Charter as part of the Preliminary Issue Report; development of draft guidelines for the use and application for face-to-face facilitated PDP WG meetings for Council review and adoption; and; developing a survey to assess the familiarity that the community has with the different newcomer and training tools as well as their perceived usefulness.

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**Item 5: COUNCIL VOTE - Approval to Form a Drafting Team to Develop an Implementation Plan for New and Additional GNSO Powers and Obligations under the Revised ICANN Bylaws**

Motion to create a drafting team to further develop recommendations to implement the GNSO’S new roles and obligations under the revised ICANN Bylaws – 29 June 2016

Motion proposed by Paul McGrady, seconded by Susan Kawaguchi as amended by Heather Forrest

The motion carried unanimously by voice vote.

Voting results

Action Item

ICANN staff to issue a call for volunteers for a Drafting Team that will work with ICANN staff to fully identify all the new or additional rights and responsibilities that the GNSO has under the revised Bylaws, including but not limited to participation of the GNSO within the Empowered Community, and to develop new or modified structures and procedures (as necessary) to fully implement these new or additional rights and responsibilities.

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**Item 6: COUNCIL VOTE – Temporary Extension of Term of Current GNSO Liaison to the Governmental Advisory Committee**

Motion to extend the term of the current GNSO Liaison to the GAC and confirm the extended timeline for the selection process for the next GNSO liaison to the GAC.

Motion proposed by James Bladel seconded by Volker Greimann as amended by Wolf-Ulrich Knoben
The motion carried unanimously by voice vote.

Voting results

Action Item

- GNSO Secretariat to inform the GNSO Stakeholder Groups and Constituencies of the extended selection timeline (Nominations Accepted for Candidates - 1 OCT 2016; Council Chairs consider candidates and notify first choice - 20 OCT; Chairs submit motion to Council by 29 OCT for consideration during Council meeting on 8 NOV; GAC Leadership notified of new Liaison by 9 NOV).
- Staff to include consideration of a uniform selection process as part of the work associated with implementing the post-transition bylaws

Item 7: COUNCIL DISCUSSION – Response to ICANN Board Request concerning Expert Working Group Final Report on Internationalized Registration Data

Copy of official minutes:

James Bladel reminded Council of the three components of the Board request:

- Acknowledging receipt of the request.
- Referring the request to the Chairs of the Translation and Transliteration PDP Working Group.
- Referring the request Chairs of the GNSO PDP on the Next Generation Registration Directory Services to Replace WHOIS Working Group.

David Cake confirmed that the GNSO PDP on the Next Generation Registration Directory Services to Replace WHOIS Leadership was fully aware of the request.

Action Items:

- Staff to note that GNSO Council will proceed with the Board request.
- Staff to draft a letter which will be circulated to the Council list before transmitting to the ICANN Board and to the co-chairs of the Translation and Transliteration PDP Working group and the GNSO PDP on the Next Generation Registration Directory Services to Replace WHOIS Working Group.

As the next points are well caught in the meeting’s minutes, these are copied here:
**Item 8: COMMITTEE UPDATE - Selection of Primary and Alternate Delegates from the GNSO to the New Bylaws-mandated Customer Standing Committee**

Donna Austin provided the Council with an update on the Customer Standing Committee (CSC) Selection Committee.

Wolf-Ulrich Knoben provided background information about the Customer Standing Committee (CSC) and reminded the Council of the selection date deadline of the 15th August 2016. The target is to monitor the performance of the IANA naming functions in the future. The Customer Standing Committee (CSC) shall consist of representatives of all Advisory Committees and Supporting Organisations. The GNSO must appoint members (voting) and is strongly encouraged to appoint liaisons (non-voting).

Wolf-Ulrich Knoben offered to lead the GNSO Liaison Selection Committee.

Deadline for applications to be sent to the GNSO Secretariat is the 15th July.

The GNSO Council Selection committee, Rubens Kuhl, Heather Forrest, Susan Kawaguchi, Wolf-Ulrich Knoben and David Cake, have decided on an evaluation tool which will be used to send four candidates to the GNSO Council which will select two out of the four. The final selection will be decided with the Country Code Naming Support Organisation (ccNSO) and the gTLD Registries Stakeholder Group in a coordination round.

Timeline:

15th July 2016: deadline for applications and for Expressions of Interest (EoI)

21 July 2016: GNSO Council meeting, motion to be provided for selection of two top applicants.

James Bladel reminded everyone that the two GNSO Council Liaisons can be listed unnamed in the motion as such until the names of the applicants are known to the Council.

The aim would be for the GNSO Council to vote confirming members and liaisons by email ballot rather than having to convene an extra Council meeting during the summer break. Only gTLD and ccTLD registries are appointing members as they are the IANA direct customers and will be those to best keep the process in check.

Further discussion was had about the timeline, the roles and selections of members and liaisons. Wolf-Ulrich Knoben reminded Council that a motion deferral was ill advised and that a few days would be necessary for councillors to consult with their groups prior to the meeting and the close of the application window. Paul McGrady raised the IPC’s concerns about Council having undertaken this process, and noted that the IPC would not make a formal issue of the matter in light of tight timelines, but wished that Council’s role in such matters be discussed going forward.

Keith Drazek clarified the members/ liaison terms.

**Action item:**
Schedule precautionary 9 August 2016 Council meeting as vote is required.

**Item 9: WORKING GROUP PROGRESS REPORT – Activities of the Cross Community Working Group on Internet Governance**

The Co-Chairs of the Cross Community Working Group on Internet Governance Working Group (CCWG IG) Rafik Dammak, provided Council with an Update while Olivier Crépin-Leblond, confirmed the Working Group’s targets and accountability and clarified how much staff support and support in general the CCWG was receiving.

Mariel Maciel stressed the importance of this CCWG both in triggering awareness of the potential threats ICANN could be facing but also in consolidating collaboration with other similar organizations. Heather Forrest requested copies of the reports produced by the CCWG IG support staff so the Council can be kept apprised of the CCWG’s progress.
**Action Item:**
Council be kept apprised of the Cross Community Working Group on Internet Governance Working Group’s (CCWG IG) progress

**Item 10: COUNCIL DISCUSSION – Next Steps relating to Implementation of Recommendations for the GNSO Review**

**James Bladel** reminded everyone that ICANN Board has approved the GNSO review recommendations as well as those amended by the GNSO Council. It is foreseen that a team is to be created in July to work on an Implementation Plan to send to the Board. However, is a new team to be created or would the Standing Committee on the Implementation of GNSO Improvements (SCI) be repurposed to this intent?

**Avri Doria** supported the latter.

**Anne Aikman-Scalese**, vice-Chair of the SCI, reminded the Council that the SCI is at their disposal for work projects

**Action Item:**

**Staff** proposed re-drafting the SCI’s charter in order to accommodate the changes.


**Jamie Hedlund** provided an update to the Council giving a brief reminder of the beginning of the Implementation Advisory Group (IAG) through to current developments. Currently, there is one trigger for the procedure and that is evidence of a process or regulatory action or litigation against a contracted party for effectively complying with Whois obligations in conflict with local privacy law.

**Donna Austin** questioned whether the GAC or Data Protection Agencies had been consulted on the subject. Several other members raised the concern that the Implementation Advisory Group (IAG) could not come to consensus given that their scope of action was narrow as policy had already been made.

**Item 12: Any Other Business**

**James Bladel** noted that a written proposal from the Board Finance Committee on proposed cost, monitoring cost, tracking cost, and control mechanisms for CCWG Accountability Work Stream 2 was submitted and encouraged Councillors to review the proposal.
1.4 – Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures: Minutes of the meeting of the Special GNSO Council session 29 February 2016 will be posted as approved on 22 April 2016.

Item 2: Opening Remarks / Review of Projects & Action List (5 minutes)

2.1 – Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List

Item 3: Consent agenda (0 minutes)

Item 4: PRESENTATION & DISCUSSION – Possible Next Steps in Resolving the Issue of Permanent Protection of Certain Red Cross Identifiers (20 minutes)

In November 2013, the GNSO Council approved the final recommendations from its Policy Development Process (PDP) Working Group on the Protection of IGO-INGO Identifiers in All gTLDs. Subsequently, in April 2014, the ICANN Board approved those of the GNSO’s PDP recommendations that are not inconsistent with GAC advice received on the topic. For the Red Cross movement, the protections adopted were for the full names Red Cross, Red Crescent, Red Crystal, Red Lion & Sun at the top and second levels, in the 6 official languages of the United Nations, with an Exception Procedure to be designed during the implementation phase for the affected organizations. However, with respect to the names and acronyms of the 189 national Red Cross societies and the names of the International Red Cross Movement (as noted by the GAC in its Singapore Communique), the Board requested more time to consider the GNSO’s recommendations as these are inconsistent with GAC advice received on the topic. In the interim period, the Board adopted temporary protections for the Red Cross national society and international movement names noted in the GAC’s Singapore Communique.

At ICANN55, representatives of the Red Cross met with the GNSO Council leadership to discuss possible next steps. Here the Red Cross representatives will brief the Council on the scope of the Red Cross’ continuing request for permanent protections for those of its national society and international movement identifiers that are not currently covered by the policy recommendations that have been adopted by the GNSO Council and the ICANN Board.

4.1 – Introduction (James Bladel)
4.2 – Presentation by representatives of the Red Cross (by invitation)
4.3 – Q&A / next steps

GNSO Liaison Notes: International Red Cross providing evidence as to why Red Cross should be given protection in the Red Cross / Red Crescent mark.
The Red Cross maintains that they do not fit in the IGO/INGO Protection.

Item 5: VOTE – Approval of Proposed Approach for Implementing Recommendations from the GNSO Review (10 minutes)

As part of ICANN's Bylaws-mandated periodic review of its structures, the ICANN Board's Structural Improvements Committee (now known as the Organizational Effectiveness Committee) appointed Westlake Governance as the independent examiner to conduct the current review of the performance and operations of the GNSO. A GNSO Working Party, chaired by former Councillor Jennifer Wolfe and comprising representatives of all the GNSO's Stakeholder Groups and Constituencies, was formed to consult with Westlake over the design and conduct of the review. Westlake’s Draft Report was published for public comment on 1 June 2015. Following feedback received, including from the GNSO Working Party, Westlake published its Final Report on 15 September. The Working Party reviewed all the recommendations to develop guidance for the GNSO Council and ICANN Board in relation to the implementability and prioritization of the recommendations. The Council received a written update from the Working Party chair on 29 January, and the Working Party’s proposed Implementation and Feasibility Analysis was sent to the Council on 28 February.

Here the Council will review the Working Party’s Implementation and Feasibility Analysis, and vote on its adoption as well as agree on next steps in the process.

5.1 – Presentation of the motion (Wolf-Ulrich Knoben)
5.2 – Discussion
5.3 – Council vote (voting threshold: simple majority)

GNSO Liaison Notes:
Long discussion about several concerns which were expressed about how to go forward with some of the recommendations and what additional issues they may be raising as a consequence. Amr El Sadr expressed his concerns about what is important to differentiate the output of the recommendations vs. the recommendations of a PDP working group. The Working Party is an unchartered group. During the WP deliberations there was a conscious decision to seek council endorsement of the assessment. Emphasis on “endorsing the recommendation” rather than “adopting the recommendation”.

Suggestion: vote to continue the work based on the comments that were received. “adopting” as in not actually endorsing it.

Adopted unanimously. (less Marilia Maciel who was absent)

**Item 6: COUNCIL VOTE – Approval of Procedures Governing the Selection of the GNSO Liaison to the Governmental Advisory Committee (10 minutes)**

As part of a two-year pilot program initiated in June 2014, the GNSO Council and the Governmental Advisory Committee (GAC) agreed, through its joint GAC-GNSO Consultation Group, to appoint a GNSO Liaison to the GAC. The purpose of the Liaison role was to facilitate more effective early engagement by the GAC in GNSO policy activities and to contribute toward better information flow between the two bodies. Following Consultation Group review of the pilot program, the Consultation Group recommended that the Liaison role be made a permanent one in March 2016. Here the Council will review and approve the scope of such a permanent Liaison role as well as the application, selection and confirmation process.

6.1 – Presentation of the motion (James Bladel)

6.2 – Discussion

6.3 – Council vote (voting threshold: simple majority)

Applications are made confidentially. Candidates may share their application if they wish. An evaluation sheet will be used to decide on the candidate. Agreement that if there are more than one candidate there might be a balance between contracted & non-contracted parties house.

GNSO Liaison Notes: Approved unanimously.

**Item 7: COUNCIL VOTE – Approval of GNSO Input to the ICANN Board on the GAC’s Marrakech Communique (20 minutes)**

Beginning in mid-2015 with the GAC’s Buenos Aires Communique, the GNSO Council developed a mechanism for reviewing and commenting on aspects of that Communique that are relevant to gTLD policy. The resulting GNSO input on both the GAC’s Buenos Aires and Dublin Communiques were approved by the GNSO Council and sent to the ICANN Board and the GAC Chair (see https://www.icann.org/en/system/files/correspondence/robinson-to-icann-board-gac-chair-29jul15-en.pdf and http://gnso.icann.org/en/correspondence/gnso-gac-review-31dec15-en.pdf). Here the Council will review the draft response to the GAC’s Marrakech Communique, drafted by a volunteer group of Councillors, and, if appropriate, approve its being forwarded to the ICANN Board and GAC Chair.

7.1 – Presentation of the motion (Susan Kawaguchi)

7.2 – Discussion

7.3 – Council vote (voting threshold: simple majority)

GNSO Liaison Notes: Response approved.

**Item 8: COUNCIL APPROVAL – Public Comment on ICANN’s FY17 Proposed Budget (15 minutes)**

On 5 March 2016, the draft ICANN FY17 Operating Plan and Budget was published for public comment (closing on 30 April). The GNSO Council had previously provided public comments to the FY16 Operating Plan and Budget. At ICANN55, a small group of Councillors had volunteered to work on possible Council comments to the draft FY17 budget. Here the Council will review and, if appropriate, agree to send in the proposed comments.

8.1 – Update and summary of comments (Keith Drazek / Edward Morris / Carlos Raul Gutierrez)

8.2 – Discussion

8.3 – Next steps

GNSO Liaison Notes: Cut short. Taken to list.

**Item 9: DISCUSSION – Implementation of the IANA Stewardship Transition Plan (10 minutes)**
At ICANN55, community discussions were held concerning the upcoming implementation of the IANA Stewardship Transition Plan, including at a session on 7 March. Several GNSO community members voiced concerns about whether the proposed implementation plan would meet the requirements of the Cross Community Working Group to Develop an IANA Stewardship Proposal on Naming-Related Functions (CWG-Stewardship). On 25 March a Call for Volunteers was issued for additional CCWG participation, including for implementation of the adopted Work Stream 1 recommendations.

Here the Council will discuss the community concerns that have been raised, and review possible next steps in relation to the CWG-Stewardship and ICANN staff that have been charged with developing the implementation plan.

9.1 – Summary & update (James Bladel)
9.2 – Discussion
9.3 – Next steps

GNSO Liaison Notes: Briefly discussed. Follow-up on mailing list due to time running out.

Item 10: DISCUSSION – Planning for “Meeting B” (ICANN Policy Forum) (10 Minutes)

At ICANN55, the GNSO held several discussions, including with the ICANN Board, concerning the focus, duration and meeting schedule for the first designated ICANN Policy Forum, to take place in Helsinki as ICANN56 (i.e. the initial so-called ‘Meeting B’). Specific concerns were raised about the apparent lack of time for actual policy work in the overall Meeting B schedule when all the current draft SO/AC/Board proposals were put together, and about the lack of opportunity for different SO/AC/Board groups to interact with one another. A small group of SO/AC volunteers has been formed to address these concerns.

Here the Council will hear from its representatives to this group, and discuss further plans for finalizing the GNSO’s schedule for ICANN56 so as to maximize the policy focus for Meeting B. This includes confirmation of the PDP Working Group(s) to be invited to consider conducting a face-to-face working meeting in Helsinki, on a day either precedent or subsequent to the ICANN56 schedule.

10.1 – Update (Donna Austin / Volker Greimann)
10.2 – Discussion
10.3 – Next steps

GNSO Liaison Notes: Update that work is ongoing and preparations including the coordination with other SOs & ACs is ongoing.

Item 11: DISCUSSION – Status of Cross Community Working Group on Internet Governance (10 minutes)

The Charter for this Cross Community Working Group was ratified by the ccNSO Council (September 2014), the GNSO Council (October 2014), and the ALAC (April 2015). The CCWG Charter states its scope as doing “whatever it deems relevant and necessary to facilitate and ensure engagement and participation of the ICANN community in the global Internet governance scene and multi-stakeholder decision-making processes”, with regular updates to be provided to its Chartering Organizations and a periodic Progress Paper where appropriate. The Charter also provides that the Chartering Organizations should review the Charter and CCWG deliverables in order to determine whether the group should continue or be dissolved, with the proviso that the CCWG will continue if at least two of its Chartering Organizations extend the Charter and notify the other Chartering Organizations accordingly.

During the CCWG co-chairs’ update to the ccNSO and GNSO Councils at ICANN55, there was some discussion over whether a CCWG format or other arrangement might be the most appropriate form for SO/AC interaction on Internet governance matters, especially given the expected forthcoming finalization of a Uniform Framework of Principles for Future CCWGs by the CCWG-Principles. Here the GNSO Council will continue that discussion, with a view toward agreeing on the appropriate next steps for the CCWG on Internet Governance.

11.1 – Introduction and summary (Carlos Raul Gutierrez)
11.2 – Discussion
11.3 – Next steps

GNSO Liaison Notes: Deferred to mailing list due to time having run out.

Item 12: Any Other Business (5 minutes)

12.1 – Proposed approach to Expert Working Group on Internationalized Registration Data (IRD) Final Report

GNSO Liaison Notes: Deferred to mailing list due to time having run out.

18 February 2016  GNSO Council Teleconference  12:00 UTC

(preliminary report pending addition of Recorded Action Items)

Item 1: Administrative matters (5 minutes)
1.1 – Roll call

1.2 – Updates to Statements of Interest

1.3 – Review/amend agenda.

1.4 – Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Draft minutes of the meeting of the GNSO Council on 21 January 2016 were posted as approved on 4 February 2016.

Item 2: Opening Remarks / Review of Projects & Action List (10 minutes)

2.1 – Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List

Item 3: Consent agenda (5 minutes)

3.1 – Approve Recommendations Report to the ICANN Board regarding adoption of the Final Report from the Privacy & Proxy Services Accreditation
Issues Policy Development Process (PDP) Working Group

3.2 – Approve appointment of the Chair and Vice-Chairs for the Next-Generation Registration Directory Services PDP Working Group

Item 4: COUNCIL ACTION – Vote on Initiation of Policy Development Process (PDP) for the Review of All Rights Protection Mechanisms in All gTLDs, and Discussion of Proposed Charter for the PDP Working Group (30 minutes)

In December 2011 the GNSO Council requested a new Issue Report on the current state of all rights protection mechanisms (RPMs) implemented for both existing and new gTLDs, including but not limited to the Uniform Dispute Resolution Policy (UDRP) and the Uniform Rapid Suspension procedure (URS). The Final Issue Report was published on 11 January 2015 (see http://gnso.icann.org/en/issues/new-gtlds/rpm-final-issue-11jan16-en.pdf). Based on public comments received in response to the publication of the Preliminary Issue Report, the Final Issue Report recommends that the GNSO Council proceed with a two-phased Policy Development Process (PDP), with the first phase focused on a review of the RPMs developed for the New gTLD Program and, the subsequent, second phase on a review of the UDRP. Here the Council will review the report and vote on whether or not to initiate the recommended PDP. The Council will also discuss the proposed draft Charter for the PDP Working Group (http://gnso.icann.org/en/drafts/rpm-charter-09feb16-en.pdf).

4.1 – Presentation of the motion (James Bladel)

4.2 – Discussion of the motion
4.3 – Council vote on the motion (voting threshold: an affirmative vote of more than one-third (1/3) of each House or more than two-thirds (2/3) of one House)


4.5 – Next steps

GNSO Liaison Notes: a long discussion took place about disagreement on the order in which the issues will be addressed in the PDP:

- Whether the review of the RPMs is performed first, followed by a review of a UDRP
- Whether the review of the UDRP is performed first, followed by a review of the RPMs

It was strongly added that this decision should not be left to the Working Group itself to work out.

With the Council ready to hammer out the Charter in advance of Marrakech, the Motion was passed unanimously.

**Item 5: UPDATE & DISCUSSION – Marrakech Meeting Planning (10 minutes)**

During the Dublin meeting, Susan Kawaguchi and Amr Elsadr volunteered to work with the GNSO Council Leadership on the development of the proposed agenda for the GNSO Weekend Session in Marrakech. Here the Council will receive a status update on the planning for Marrakech and any action that may be required from the GNSO Council.

5.1 – Status update (Susan Kawaguchi / Amr Elsadr / Donna Austin)

5.2 – Discussion

5.3 – Next steps

GNSO Liaison Notes: update performed, noting that the new ICANN CEO has been invited by GNSO Council Staff to come meet the GNSO Council at his convenience.

**Item 6: COUNCIL DISCUSSION – Cross-Community Working Group on Enhancing ICANN Accountability (30 minutes)**

In the course of discussions over the IANA stewardship transition, the community had raised concerns about ICANN's accountability, given ICANN's historical contractual relationship with the United States government. The community discussions indicated that existing ICANN accountability mechanisms do not yet meet some stakeholders' expectations. As the US government (through the National Telecommunications and Information Administration (NTIA)) has stressed that it expects community consensus on the transition, this gap between the current situation and stakeholder expectations needed to be addressed. This resulted in the creation of a Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability) of which the GNSO is a chartering organization.
In May 2015, the CCWG-Accountability published an initial proposal regarding its work on Work Stream 1 (meant to align with the timing of the IANA stewardship transition) for public comment. In August 2015, the CCWG-Accountability published its Second Draft Proposal for public comment. This second proposal included significant changes to the initial document, arising from feedback received in the first public comment period. Following community input, including from the ICANN Board, and discussions at several sessions during ICANN54, the CCWG-Accountability made further adjustments to its draft recommendations, resulting in its Third Draft Proposal that was published for public comment on 30 November 2015.

Concurrently, the IANA Stewardship Transition Coordination Group (ICG) – the community group formed to consolidate the various proposals relating to the IANA stewardship transition submitted by the Internet communities affected by the issue – announced after ICANN54 that it had completed its task. However, before the ICG can send its consolidated proposal to the NTIA via the ICANN Board, it will first have to confirm with the Cross Community Working Group to Develop an IANA Stewardship Transition Proposal on Naming Related Functions (CWG-Stewardship) that its accountability requirements have been met by the Work Stream 1 recommendations from the CCWG-Accountability. In this regard, the CWG-Stewardship had submitted a public comment to the CCWG-Accountability which, while noting that several of the CCWG-Accountability's latest recommendations adequately satisfied the CWG-Stewardship's requirements, nevertheless highlighted a number of points that in its view merited further attention.

In order to meet the CCWG-Accountability's planned timeline, the GNSO Council had agreed at its December 2015 meeting to form a Sub Team to review all the public comments from the GNSO's Stakeholder Groups and Constituencies. The GNSO Council held a special meeting on 14 January 2016 to discuss the proposed responses provided by the Sub Team, and, following updates made as a result and further discussion at the 21 January Council meeting, the Council approved a letter setting out its response to the recommendations in the Third Draft Proposal that was sent to the CCWG-Accountability on 22 January. The CCWG-Accountability is currently expected to circulate a Supplemental Proposal, following which the GNSO Council will hold a Special Meeting on 29 February to discuss the updated proposals in detail. Here the Council will discuss its timeline and necessary actions for approval of the CCWG-Accountability’s final recommendations, which is scheduled to take place at ICANN55.

6.1 – Update (James Bladel)

6.2 – Discussion

6.3 – Next steps

GNSO Liaison Notes: A discussion on the next steps for the GNSO Council yielded concern from some Council members that they will not have enough time to ask the opinion of their own members. It was agreed that a call should process on 29th February that would be open to both GNSO members but also members of their communities, where an open and frank discussion would take place. The Council would then take up the lessons learnt from this discussion to Marrakech, with a better idea of where their communities stood. A ratification vote will then take place at ICANN 55 in Marrakech.

I shared the process that the ALAC is going to use. (community calls on 24th & 25th February 2016; 1/2 day face to face meetings on Saturday 5 and Sunday 6 March 2016 at ICANN55 and ratification in an ALAC vote later in the week, potentially Tuesday)

ITEM 7: UPDATE & DISCUSSION – GNSO Review (10 minutes)

As part of ICANN's Bylaws-mandated periodic review of its structures, the ICANN Board's Structural Improvements Committee (now known as the Organizational Effectiveness Committee) appointed Westlake Governance as the independent examiner to conduct the current review of the performance and operations of the GNSO. A GNSO Working Party, chaired by former Councillor Jennifer Wolfe and comprising representatives of all the GNSO's Stakeholder Groups and Constituencies, was formed to consult with Westlake over the design and conduct of the review. Westlake's Draft Report was published for public comment on 1 June 2015. Following feedback received, including from the GNSO Working Party, Westlake published its Final Report on 15 September. The Working Party has been reviewing the recommendations to develop guidance for the GNSO Council and ICANN Board’s consideration in relation to the implementability and prioritization of these recommendations. The Council received a written update from the Working Party chair on 29 January. Here the Council will receive a further update, following the Working Party's meeting in early February where it is expected to finalize its recommendations that are to be sent to the GNSO Council for approval and submission to the Board’s Organizational Effectiveness Committee for its consideration.
Item 8: BRIEFING & DISCUSSION – RDAP Implementation (10 minutes)

Building on previous advisories, ICANN’s Security and Stability Advisory Committee (SSAC) had recommended the replacement of the longstanding WHOIS protocol in SAC051 (see https://www.icann.org/en/groups/ssac/documents/sac-051-en.pdf). In October 2011, the ICANN Board directed staff to produce, in consultation with the community, a roadmap for the coordination of the technical and policy discussions necessary to implement the recommendations outlined in SAC 051. The Roadmap was published in 2012 (see https://www.icann.org/en/groups/ssac/documents/sac-051-roadmap-04jun12-en.pdf). Also in 2012, the Internet Engineering Task Force (IETF) chartered the WEIRDS (Web Extensible Internet Registration Data Services) working group, which concluded its work in early 2015 with the publication of several specifications defining the behavior of the Registry Data Access Protocol (RDAP), a standardized replacement for WHOIS. ICANN-accredited registrars subject to the 2013 Registrar Accreditation Agreement (RAA), registry operators from the 2012 New gTLD round and several other gTLD registries are contractually obligated to deploy RDAP.

In February 2014 the ICANN Board adopted the GNSO Council’s recommendations for a new Consensus Policy that would require the provision of “thick” WHOIS services for all gTLD registries. The GNSO Implementation Review Team that was formed for the Thick Whois Policy Implementation agreed with the proposal of ICANN staff to synchronize implementation of the policy with the adoption of RDAP. On 3 December 2015 ICANN staff published a draft RDAP Operational Profile for public comment (see https://www.icann.org/public-comments/rdap-profile-2015-12-03-en). Public comments will be received through 15 February 2015.

Some concern has been expressed as to the policy implications of adopting RDAP in view of a number of other parallel efforts with potential cross-cutting impact, such as the recent initiation by the GNSO Council of a PDP for a Next-Generation Registration Directory Service to Replace WHOIS (see http://gns o.icann.org/en/council/resolutions#201511). Here the Council will discuss the concerns that have been raised, in preparation for a discussion with GDD staff at ICANN55 about the policy bases for RDAP, the linkage to Thick WHOIS, and the RDAP Operational Profile requirements (including timeline).

8.1 – Discussion

8.2 – Next steps

GNSO Liaison Notes: the call ran out of time before addressing this issue, thus to be continued at a future date.

Item 9: Any Other Business (5 Minutes)

None.
Item 1: Administrative matters (5 minutes)

1.1 – Roll call

1.2 – Updates to Statements of Interest

1.3 – Review/amend agenda.

1.4 – Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:
Draft Minutes of the Special Meeting of the GNSO Council on 14 January 2016 will be posted as approved on 27 January 2016

Item 2: Opening Remarks / Review of Projects & Action List (10 minutes)

2.1 – Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List

Item 3: Consent agenda (0 minutes)

Item 4: VOTE ON MOTION – Adoption of Final Report from the Privacy & Proxy Services Accreditation Issues PDP Working Group (20 minutes)

This PDP had been requested by the ICANN Board when initiating negotiations with the Registrar Stakeholder Group in October 2011 for a new form of Registrar Accreditation Agreement (RAA). The 2013 RAA was approved by the ICANN Board in June 2013, at which time the accreditation of privacy and proxy services was identified as the remaining issue not dealt with in the negotiations or in other policy activities, and that was suited for a PDP. In October 2013, the GNSO Council chartered the Privacy & Proxy Services Accreditation Issues PDP Working Group to develop policy recommendations intended to guide ICANN's implementation of the planned accreditation program for privacy and proxy service providers. The PDP Working Group published its Initial Report for public comment in May 2015, and delivered its Final Report to the GNSO Council on 7 December 2015. Consideration of this item was deferred from the 17 December meeting. Here the Council will review the Working Group’s Final Report, and vote on whether to adopt the consensus recommendations contained in it.

4.1 – Presentation of the motion (James Bladel)

4.2 – Discussion

4.3 – CCouncil vote (voting threshold: an affirmative vote of more than two-thirds (2/3) of each House or more than three-fourths (3/4) of one House and one-half (1/2) of the other House)
In June 2015, the GNSO Council requested an Issue Report to analyze subjects that may lead to changes or adjustments for subsequent New gTLD procedures, including any modifications that may be needed to the GNSO’s policy principles and recommendations from its 2007 Final Report on the Introduction of New Generic Top Level Domains. Preparation of the Preliminary Issue Report was based on a set of deliverables from the GNSO's New gTLD Subsequent Procedures Discussion Group (DG) as the basis for analysis. The Preliminary Issue Report was published for public comment on 31 August 2015, and the comment period closed on 30 October as a result of a request by the GNSO Council to extend the usual 40-day comment period. The Final Issue Report was submitted to the GNSO Council on 4 December 2015. During its meeting on 17 December, the Council initiated the PDP but deferred consideration of the Charter for the PDP Working Group to this meeting. Here the Council will review the revised charter for adoption.

5.1 – Presentation of the motion (Donna Austin)

5.2 – Discussion

5.3 – Council vote (voting threshold: an affirmative vote of more than one-third (1/3) of each House or more than two-thirds (2/3) of one House)

Concern by Paul McGrady to avoid collision of other PDP that has been deferred regarding Rights Protection Mechanisms (RPMs). The concern is that RPMs would be treated in both PDPs when they should be addressed separately.

After small friendly amendment, Motion Passed Unanimously.

Item 6: Vote on motion: Initiation of Policy Development Process (PDP) to review all RPMs in all gTLDs for (15 minutes)

In December 2011 the GNSO Council requested a new Issue Report on the current state of all rights protection mechanisms implemented for both existing and new gTLDs, including but not limited to, the UDRP and URS. The Final Issue Report on New gTLD Subsequent Procedures was published on 11 January 2015 at http://gnso.icann.org/en/group-activities/active/rpm. The Final Issue Report recommends that the GNSO Council proceed with a two-phased Policy Development Process (PDP) in order to the review Rights Protection Mechanisms in the new gTLDs and, in a subsequent, second phase, review the Uniform Dispute Resolution Policy (UDRP), and the General Counsel of ICANN has indicated the review topics are properly within the scope of the ICANN policy process and within the scope of the GNSO. Here the Council will review the report, including the draft Charter setting out the proposed scope of the PDP, and vote on whether to initiate the PDP and adopt the Charter.

6.1 – Presentation of the motion (Amr Elsadr)

6.2 – Discussion

6.3 – Council vote (voting threshold: an affirmative vote of more than one-third (1/3) of each House or more than two-thirds (2/3) of one House)
Item 7: Vote on motion – Cross-Community Working Group on Enhancing ICANN Accountability (30 minutes)

In the course of discussions over the IANA stewardship transition, the community had raised concerns about ICANN's accountability, given ICANN's historical contractual relationship with the United States government. The community discussions indicated that existing ICANN accountability mechanisms do not yet meet some stakeholders' expectations. As that the U.S. government (through the National Telecommunications and Information Administration (NTIA)) has stressed that it expects community consensus on the transition, this gap between the current situation and stakeholder expectations needed to be addressed. This resulted in the creation of a Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability) of which the GNSO is a chartering organization.

In May 2015, the CCWG-Accountability published an initial proposal regarding its work on Work Stream 1 (meant to align with the timing of the IANA stewardship transition) for public comment. In August 2015, the CCWG-Accountability published its Second Draft Proposal for public comment. This second proposal included significant changes to the initial document, arising from feedback received in the first public comment period. Following community input, including from the ICANN Board, and discussions at several sessions during ICANN54, the CCWG-Accountability made further adjustments to its draft recommendations, resulting in its Third Draft Proposal that was published for public comment on 30 November 2015. The comment period closed on 21 December 2015, with all Chartering Organizations expected to consider whether to adopt the recommendations in time for the CCWG-Accountability to send its final report on Work Stream 1 to the ICANN Board by late January 2016.

Concurrently, the IANA Stewardship Transition Coordination Group (ICG) – the community group formed to consolidate the various proposals relating to the IANA stewardship transition submitted by the Internet communities affected by the issue – announced after ICANN54 that it had completed its task. However, before the ICG can send its consolidated proposal to the NTIA via the ICANN Board, it will first have to confirm with the Cross Community Working Group to Develop an IANA Stewardship Transition Proposal on Naming Related Functions (CWG-Stewardship) that its accountability requirements have been met by the Work Stream 1 recommendations from the CCWG-Accountability. In this regard, the CWG-Stewardship had submitted a public comment which, while noting that several of the CCWG-Accountability's latest recommendations adequately satisfied the CWG-Stewardship's requirements, nevertheless highlighted a number of points that in its view merited further attention.

In order to meet the CCWG-Accountability's planned timeline, the GNSO Council had agreed at its December 2015 meeting to form a Sub Team that was to review all the various public comments from the GNSO's Stakeholder Groups and Constituencies. The GNSO Council had an initial discussion on the proposed responses provided by the Sub Team during its meeting on 14 January, following which an updated version of the proposed response was circulated. Here the Council will discuss the updated proposed response developed by the Sub Team, and if appropriate vote on whether to submit this response to the CCWG-Accountability.

7.1 – Presentation of the motion (James Bladel)

7.2 – Discussion

7.3 – Council vote (voting threshold: simple majority)

There was no vote. Action Item is to have a final version circulated to the GNSO Council, with a consensus call.

Item 8: UPDATE & Discussion – Marrakesh Meeting Planning (10 minutes)
During the Dublin meeting, Susan Kawaguchi and Amr Elsadr volunteered to work with the GNSO Council Leadership on the development of the proposed agenda for the GNSO Weekend Session in Marrakech. Here the Council will receive a status update on the planning for Marrakesh and any action that may be required from the GNSO Council.

8.1 – Status update (Susan Kawaguchi / Amr Elsadr)

8.2 – Discussion

8.3 – Next steps

Item 9: Any Other Business (10 Minutes)

This was a special meeting of the GNSO Council on a single topic: CCWG Accountability Final Report.

The Council went through each recommendation and feedback was received from Councillors. James Bladel, GNSO Chair, will produce a concerted document over the week-end 16-17 January.

ACTION ITEMS:

- Letter explaining GNSO Council response - James to prepare draft for Council consideration before 21 January, assisted by Keith and Ed
- Rec 5, 11 - James to draft additional language along the lines of what was discussed/agreed on the call, assisted by Ed and Paul
- Rec 1 - reinsert BC note about strong right of inspection (perhaps with cross-reference in/to Rec 3?)
- Rec 2 - change "unanimous support" to "broad support"
- Rec 3, 4 - no change
- Rec 6 - remove last sentence; add note that certain questions remain to be resolved in WS2
- Rec 7 - no change
- Rec 8 – further elaboration needed on note about timeliness (including replies and deadlines)
- Rec 9 - Review whether IPC comment on AOC section 8(b) and direct constituency participation in review teams should be included; review generally for accuracy
- Rec 10 - emphasize need for it to be a community-led effort
- Rec 12 - no change

18 December GNSO Council Teleconference 18:00 UTC

Item 1: Administrative matters (5 minutes)

1.1 – Roll call

1.2 – Updates to Statements of Interest

1.3 – Review/amend agenda.
1.4 – Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meetings of 19 November have been posted as approved on 5 December 2015


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**Item 2: Opening Remarks / Review of Projects & Action List (10 minutes)**

2.1 – Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List

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**Item 3: Consent agenda (0 minutes)**

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**Item 4: VOTE ON MOTION – Initiation of Policy Development Process (PDP) for New gTLDs Subsequent Procedures (15 minutes)**

In June 2015, the GNSO Council requested an Issue Report to analyze subjects that may lead to changes or adjustments for subsequent New gTLD procedures, including any modifications that may be needed to the GNSO’s policy principles and recommendations from its 2007 Final Report on the Introduction of New Generic Top Level Domains. Preparation of the Preliminary Issue Report was based on a set of deliverables from the GNSO’s New gTLD Subsequent Procedures Discussion Group (DG) as the basis for analysis. The Preliminary Issue Report was published for public comment on 31 August 2015, and the comment period closed on 30 October as a result of a request by the GNSO Council to extend the usual 40-day comment period. The Final Issue Report was submitted to the GNSO Council on 4 December 2015. Here the Council will review the report, including the draft Charter setting out the proposed scope of the PDP, and vote on whether to initiate the PDP and adopt the Charter.

4.1 – Presentation of the motion (Donna Austin)

4.2 – Discussion

4.3 – Council vote (voting threshold: an affirmative vote of more than one-third (1/3) of each House or more than two-thirds (2/3) of one House)

*Liaison Notes:*

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In the discussion about this motion there was concern that this PDP could be linked to the completion of the PDP on Rights Protection Mechanisms to be complete before this PDP can complete.

It was mentioned that this was not the case.

Vote was unanimous. 100% both houses.

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**Item 4b: Again the question of Rights Protection Mechanisms came up and some confusion was present as to whether these were to be included in the Chartering. It was decided to defer this motion for a month until this issue is clarified.**

**NOTE: Check Charter which is at the end of the Final Report of the Issues as drafted by Staff.**

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**ACTION ITEMS:**

- Vote on Motion #1 (initiation of PDP) – PASSED
- Vote on Motion #2 (adoption of Charter) – DEFERRED
  - Susan Kawaguchi, Philip Corwin and ICANN staff to work on appropriate language to clarify scope of Charter vis-à-vis rights protection mechanisms (which is the subject of a separate Issue Report on which the Council is expected to consider in January 2016) and circulate to Council list prior to the next regularly scheduled Council meeting
Item 5: VOTE ON MOTION – Adoption of Final Report from the Privacy & Proxy Services Accreditation Issues PDP Working Group (15 minutes)

This PDP had been requested by the ICANN Board when initiating negotiations with the Registrar Stakeholder Group in October 2011 for a new form of Registrar Accreditation Agreement (RAA). The 2013 RAA was approved by the ICANN Board in June 2013, at which time the accreditation of privacy and proxy services was identified as the remaining issue not dealt with in the negotiations or in other policy activities, and that was suited for a PDP. In October 2013, the GNSO Council chartered the Privacy & Proxy Services Accreditation Issues PDP Working Group to develop policy recommendations intended to guide ICANN’s implementation of the planned accreditation program for privacy and proxy service providers. The PDP Working Group published its Initial Report for public comment in May 2015, and delivered its Final Report to the GNSO Council on 7 December 2015. Here the Council will review the Working Group’s Final Report, and vote on whether to adopt the consensus recommendations contained in it.

5.1 – Presentation of the motion (James Bladel)

5.2 – Discussion

5.3 – Council vote (voting threshold: an affirmative vote of more than two-thirds (2/3) of each House or more than three-fourths (3/4) of one House and one-half (1/2) of the other House)

Liaison Notes:
Due to a crowded schedule, volunteers are currently overwhelmed and the proposal was to put this off for a few more weeks.

ACTION ITEMS:
Vote on Motion - DEFERRED

Item 6: VOTE ON MOTION - Adoption of GNSO Review of the GAC Dublin Communique (10 mins)

Following discussions at the Council level in late 2014 to develop a means for the GNSO to provide input to the ICANN Board regarding gTLD policy matters highlighted in a GAC Communique, a template framework to review each GAC Communique was created by a group of Council volunteers assisted by ICANN staff. The Council agreed that while it would review carefully each GAC Communique issued at an ICANN meeting, it would not always provide input to the Board unless it also agreed that such feedback was either necessary or desirable, on a case-by-case basis. The first GNSO Review of a GAC Communique was of the GAC’s Communique from ICANN53 in Buenos Aires. That Review document was sent to the ICANN Board in July 2015 and acknowledged by the Board in October. At its last meeting, the Council discussed an initial draft of a possible review document to be sent to the Board in response to the GAC’s Dublin Communique. Here the Council will review an updated draft document and vote on whether to adopt it for forwarding to the ICANN Board.

6.1 – Presentation of the motion (Stephanie Perrin)

6.2 – Discussion

6.3 – Council vote (voting threshold: simple majority)

Liaison Notes:
The response to the GAC communiqué was presented and voted on. The response was fairly non-controversial. Motion passes unanimously.

ACTION ITEMS:
Vote on Motion – PASSED (James Bladel to ensure that actions outlined in the motion are followed through i.e. communicate to Board followed by communication to GAC Chair and GAC-GNSO Consultation Group - COMPLETED)

Item 7: VOTE ON MOTION – Endorsement of GNSO Candidates for the Competition, Consumer Trust and Consumer Choice Review (20 minutes)

Under ICANN’s Affirmation of Commitments (AoC) with the United States government, ICANN is mandated to review the extent to which the introduction of gTLDs has promoted Competition, Consumer Trust and Consumer Choice (CCT Review). The CCT Review Team is expected to also assess the effectiveness of the application and evaluation processes, as well as the safeguards put in place by ICANN to mitigate issues involved in the introduction or expansion of new gTLDs. A Call for Volunteers to the CCT Review Team closed on 13 November 2015, and twenty-six (26) applicants indicated that they wished to be endorsed as representatives of the GNSO to the Review Team. ICANN staff has since followed up with all these applicants for further information to assist the Council in its decision on endorsements (see https://community.icann.org/x/FoRIAw). Here the Council will discuss and determine which of the applicants to endorse for the CCT Review Team.

7.1 – Presentation of the motion (James Bladel)

7.2 – Discussion
7.3 – Council vote (voting threshold: simple majority)

Liaison Notes:

A lot of candidates were presented, with much discussion on all of the individuals that are proposed. (all 18 of them)

There is some concern that it was understood that the proposals were to be undertaken at SG level whilst some have provided names at Constituency level.

Plenty of time was used to discuss the selection process itself, with some proposing that all names should be sent to the ICANN process, letting the selection being taken by the people in ICANN making the selection. It was also suggested that along with the names sent out, a reminder be made that this is a review of a GNSO policy, hence there should be much involvement from participants from the GNSO.

Final decision is that the whole list will be sent over to the ICANN CEO & GAC Chair with a note that the GNSO component should be an important part of the resulting Review Team as this group will be reviewing GNSO policy.

Motion approved unanimously.

ACTION ITEMS:

• Vote on Motion - PASSED; candidates named in the motion are endorsed by GNSO Council (Calvin Browne, Gregory DiBiase, Ben Anderson, Jeff Neuman, Jordyn Buchanan, Nacho Amador, Carlos Gutierrez, Jonathan Zuck, Waudo Siganga, Michael Graham, Greg Shatan, David Taylor, Stacie Walsh, Viktor Szabados, Cecilia Lee Smith, YU Park, Jeremy Malcolm, Kifne Michael Yilma Desta)
• Actions outlined in motion to be carried out by GNSO Secretariat (i.e. inform Review Team selectors including specific advice (see below) - COMPLETED; inform endorsed candidates as well as candidates that did not obtain endorsement - COMPLETED)
• Susan Kawaguchi to assist staff in drafting specific advice concerning GNSO role in New gTLD Program implementation and need to ensure representation of all relevant GNSO stakeholders - COMPLETED
• NPOC & NCUC to send specific candidate lists (if wished) directly to selectors, but to note that these are not candidates endorsed by the GNSO Council

Item 8: DISCUSSION OF COUNCIL ACTION – Cross-Community Working Group on Enhancing ICANN Accountability (25 minutes)

In the course of discussions over the IANA stewardship transition, the community had raised concerns about ICANN's accountability, given ICANN’s historical contractual relationship with the United States government. The community discussions indicated that existing ICANN accountability mechanisms do not yet meet some stakeholders' expectations. As that the U.S. government (through the National Telecommunications and Information Administration (NTIA)) has stressed that it expects community consensus on the transition, this gap between the current situation and stakeholder expectations needed to be addressed. This resulted in the creation of a Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability) of which the GNSO is a chartering organization.

In May 2015, the CCWG-Accountability published an initial proposal regarding its work on Work Stream 1 (meant to align with the timing of the IANA stewardship transition) for public comment. In August 2015, the CCWG-Accountability published its Second Draft Proposal for public comment. This second proposal included significant changes to the initial document, arising from feedback received in the first public comment period. Following community input, including from the ICANN Board, and discussions at several sessions during ICANN54, the CCWG-Accountability has made further adjustments to its draft recommendations, resulting in its Third Draft Proposal that was published for public comment on 30 November 2015.

Following ICANN54, the IANA Stewardship Transition Coordination Group (ICG) – the community group formed to consolidate the various proposals relating to the IANA stewardship transition submitted by the Internet communities affected by the issue – announced that it had completed its task. However, before the ICG can send the consolidated proposal to the NTIA via the ICANN Board, it will first have to confirm with the Cross Community Working Group to Develop an IANA Stewardship Transition Proposal on Naming Related Functions (CWG-Stewardship) that its accountability requirements have been met by the Work Stream 1 recommendations from the CCWG-Accountability. Public comments on these latest recommendations closes on 21 December 2015, with all the Chartering Organizations expected to consider whether to adopt them in time for the CCWG-Accountability to send its final report on Work Stream 1 to the ICANN Board by late January 2016.

Here the Council will discuss its review and adoption of the CCWG-Accountability recommendations, including the timeline and consideration of any input from its Stakeholder Groups and Constituencies.

8.1 – Update (Thomas Rickert)

8.2 – Discussion

8.3 – Next steps

Liaison Notes:

Thomas Rickert provided a good summary of where the process is at the moment, including the needs for the various SOs and ACs to file their comments. The debate was however curtailed due to lack of time and some people needing to drop off.

IPC (Paul McGrady) explained there is an unrealistic comment deadline. Also concerned with the events in Washington DC. Asking for extension to 35 days, possibly 60. Also concerned about issue of Board to vote on GAC advice with the threshold being too high.

Recommendation #5 is another issue because it appears that this is not enough for ICANN to enforce its contracts.
Recommendation #9: AoC incorporation missing that ICANN needs to remain a US not for profit. Needs to be a fundamental bylaw.

BC (Phil Corwin): not enough time to get approval today on how to vote any comments. Question: how is the CCWG going to handle the comments from the Board which were described in an earlier cll with the Board as having Full Consensus on the Board?

Thomas Rickert: the charter foresees that the Chartering Orgs need to agree to charter. A concern regarding the Global Public Interest. We are not in the wordsmithing yet of the bylaws drafting and a lot of the concerns could be addressed, including the Board comments, at implementation.

ISCP (Wolf Ulrich Knoben): only open concern is wrt Rec. 11 with the Board needing to Vote on Issues. Not wanting to impose a specific threshold.

NCSG having huge problems in receiving responses from people in China and far away places because the comment period is way too crunched.

1, 10, 11 are the recs they have problems with.

1 + 11 give more power to governments and they do not believe this process was started to enhance government.

If there is any kind of backtrack on inspection, Human Rights & extending the remit of ICANN they will not be ratifying.

I updated the Council on the ALAC’s progress in this area.

James Bladel summarising: the GNSO Council will not be able to send consolidated comments due time running out.

ACTION ITEMS:

- Council to develop process to document support for CCWG-Accountability from GNSO SG/Cs and synthesize into a consolidated, GNSO position
- Council to work on appropriate resolution for adoption

Due to time running out, Agenda Items 9 & 10 will be taken to the GNSO Council mailing list.

**Item 9: DISCUSSION OF COUNCIL ACTION – New gTLD Auction Proceeds (10 minutes)**

ACTION ITEMS:

Council to discuss on mailing list (COMPLETED)

**Item 10: Any Other Business (10 Minutes)**

10.1 – Confirming schedule of GNSO Council meetings for 2016

10.2 – Marrakech meeting planning (note: weekend session planning being led by Susan Kawaguchi and Amr Elsadr)

**GNSO Election results for 2015-2016:**

GNSO Council Chair: James Bladel
GNSO Council Vice Chair (Contracted Parties House): Donna Austin
GNSO Council Vice Chair (Non-contracted Parties House): Heather Forrest

19 November | GNSO Council Teleconference | 15:00 UTC

**Item 1: Administrative matters (5 minutes)**
1.1 – Roll call

1.2 – Updates to Statements of Interest

1.3 – Review/amend agenda.

1.4 – Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:
Minutes of the GNSO Council meetings of 24 June, 23 July 2015 and 24 September and 21 October will be posted as approved on xxxxxx 2015

Item 2: Opening Remarks / Review of Projects & Action List (10 minutes)

2.1 – Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List

Action Items

Besides the regular updates that will be done before the next Council call, the following require further action from the Council:

- Council response to Board letter on exclusive registry access – draft circulated to the Council list on 18 November, feedback requested by 23 November: http://gnso.icann.org/mailing-lists/archives/council/msg17670.html
- Council response to Board letter on replacement of registrar insurance requirements – draft to be circulated to the Council by 19 November, feedback to be provided by 24 November.
- Dublin meeting survey – Councillors to respond as soon as possible: https://s.zoomerang.com/s/PR55KC2
- IETF follow up - Council to consider next steps, including possibly inviting IETF representatives to a meeting in Marrakech to discuss the most effective ways of ensuring there is regular communication/liaison

Item 3: Consent agenda (0 minutes)

Item 4: VOTE ON MOTION – Adoption of the Charter for PDP Working Group on Next Generation gTLD Registration Directory Services (RDS) to Replace WHOIS (15 minutes)

In November 2012 the ICANN Board requested an Issue Report on the purpose of collecting and maintaining gTLD registration data, and on solutions to improve accuracy and access to gTLD registration data, as part of a Board-initiated GNSO Policy Development Process (PDP). Concurrently, the Board directed the launch of a new effort to redefine the purpose of collecting, maintaining and providing access to gTLD registration data, and to consider safeguards for protecting data, as a foundation for new gTLD policy and contractual negotiations, as appropriate. In June 2014 the Expert Working Group convened as a result of the Board resolution published its Final Report. In April 2015 a group comprising Board and GNSO Council members finalized a proposed Process Framework to guide the work of the PDP. In July 2015 an updated Preliminary Issue Report was published at the Board’s request for public comment, following which a Final Issue Report taking into account public comments received was prepared and submitted to the GNSO Council on 7 October 2015 (see http://whois.icann.org/sites/default/files/files/final-issue-report-next-generation-rds-07oct15-en.pdf).

At its October meeting in Dublin, the Council agreed to defer voting on chartering the Working Group for this PDP till its next meeting. Here the Council will review and vote on a revised motion to approve the charter for the Working Group to be formed to conduct this Board-initiated PDP.

4.1 – Presentation of the motion (Susan Kawaguchi)

4.2 – Discussion

4.3 – Council vote (voting threshold: an affirmative vote of more than one-third (1/3) of each House or more than two-thirds (2/3) of one House)
Amended motion passed: call for volunteers to form the PDP Working Group to be launched at the latest by 4 January: Councillors to update their respective SG/Cs on how the amendment affects the Working Group’s handling of SG/C feedback provided during the public comment period on the Preliminary Issue Report.

Note that the deliberations around this motion, including on the spot word-crafting, took much more time than the allocated time provided in the agenda - hence affecting other order of business items.

Item 5: VOTE ON MOTION – New Referral Request to the Standing Committee for GNSO Improvements Implementation (10 minutes)

The GNSO Council identified a number of procedural issues during the most recent round of elections for the GNSO Chair. These arise mainly from the fact that the GNSO Operating Procedures do not currently contain express provisions for an election timetable and a method for prescribing the specific terms to be served by the Chair and Vice-Chairs. The Procedures also do not seem to permit new incoming Council members to stand for the Chair position. Here the Council will discuss and vote on whether to refer these matters to the GNSO’s Standing Committee for GNSO Improvements Implementation (SCI), and the scope of such a referral request.

5.1 – Presentation of the motion (Wolf-Ulrich Knoben)

5.2 – Discussion

5.3 – Council vote (voting threshold: simple majority)

Item 6: VOTE ON MOTION - Adoption of GNSO Review of the GAC Dublin Communique (15 mins)

Following discussions at the Council level in late 2014 to develop a means for the GNSO to provide input to the ICANN Board regarding gTLD policy matters highlighted in a GAC Communique, a template framework to review each GAC Communique was created by a group of Council volunteers assisted by ICANN staff. The Council agreed that while it would review carefully each GAC Communique issued at an ICANN meeting, it would not always provide input to the Board unless it also agreed that such feedback was either necessary or desirable, on a case-by-case basis. The first GNSO Review of a GAC Communique was of the GAC’s Communique from ICANN53 in Buenos Aires. That Review document was sent to the ICANN Board in July 2015 and acknowledged by the Board in October. Here the Council will review a draft of a possible review document to be sent to the Board in response to the GAC’s Dublin Communique.

6.1 – Presentation of the motion (Stephanie Perrin)

6.2 – Discussion

6.3 – Council vote (voting threshold: simple majority)

Deferred to the next meeting: Council to further discuss and finalize the draft most recently circulated on the mailing list: http://gnso.icann.org/mailing-lists/archives/council/msg17683.html

Item 7: DISCUSSION OF COUNCIL ACTION – Cross-Community Working Group on Enhancing ICANN Accountability (25 minutes)

In the course of discussions over the IANA stewardship transition, the community had raised concerns about ICANN’s accountability, given ICANN’s historical contractual relationship with the United States government. The community discussions indicated that existing ICANN accountability mechanisms do not yet meet some stakeholders’ expectations. Considering that the US Government (through the NTIA) has stressed that it expects community
consensus on the transition, this gap between the current situation and stakeholder expectations needed to be addressed. This resulted in the creation of a Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability) of which the GNSO is a chartering organization.

In May 2015, the CCWG-Accountability published some initial proposals surrounding its work on Work Stream 1 (meant to align with the timing of the IANA stewardship transition) for public comment. In August, the CCWG-Accountability published its Second Draft Proposal for public comment. This second proposal included significant changes to the initial document, arising from feedback received in the first public comment period. Following community input, including from the ICANN Board, and discussions at several sessions during ICANN54, the CCWG-Accountability has made further adjustments to its draft recommendations. As a result, a third public comment period will be held in November, with the aim to submit a report to all the Chartering Organizations for adoption in January 2016.

At ICANN54, the IANA Stewardship Transition Coordination Group (ICG) – the community group that was formed to consolidate the various proposals relating to the IANA stewardship transition submitted by the Internet communities affected by the issue – announced that it had completed its task. However, before the ICG can send the consolidated proposal to the National Telecommunications and Information Administration via the ICANN Board, it will first have to confirm with the Cross Community Working Group to Develop an IANA Stewardship Transition Proposal on Naming Related Functions (CCWG-Stewardship) that its accountability requirements have been met by Work Stream 1 recommendations currently being finalized by the CCWG-Accountability. The CCWG-Accountability therefore hopes that completion and timely approval of its Work Stream 1 recommendations by all its Chartering Organizations will mean minimal disruption of the IANA stewardship transition timeline.

Here the Council will receive an update on the progress of the CCWG-Accountability, and determine how best to ensure that its comments, as well as input from its Stakeholder Groups and Constituencies, are submitted and considered in a coordinated and timely fashion.

7.1 – Update (Thomas Rickert)

7.2 – Discussion

7.3 – Next steps


Councilors to consider next steps in relation to input to be provided to the CCWG by the end of the public comment period as well as consideration of the Final Report.

Item 8: COUNCIL ACTION – GNSO Candidates for ICANN’s Competition, Consumer Trust and Consumer Choice Review Team (15 minutes)

As part of its Affirmation of Commitments with the United States government, ICANN is committed to conducting periodic community-led reviews of four key objectives, one of which is the promotion of competition, consumer trust and consumer choice. This review team is currently being formed, to "examine the extent to which the introduction or expansion of gTLDs has promoted competition, consumer trust and consumer choice, as well as effectiveness of (a) the application and evaluation process, and (b) safeguards put in place to mitigate issues involved in the introduction or expansion.” The Call for Volunteers to serve as a Review Team member representing a particular ICANN Supporting Organization or Advisory Committee closes on 13 November. SO/ACs are expected to confirm their endorsements of their representatives by 13 December, following which the ICANN CEO and the GAC Chair will select the members of the Review Team, which is expected to begin its work in January 2016. Here the Council will discuss which of the volunteers who have indicated a wish to represent the GNSO to endorse.

8.1 – Presentation of the candidate list (Volker Greimann)

8.2 – Discussion

8.3 – Council decision and next steps
Deferred to the next meeting: Councilors to review the proposed process [see http://gnso.icann.org/mailing-lists/archives/council/msg17695.html] for endorsing a certain number of applicants as GNSO representatives for consideration by the selection team (ICANN CEO and GAC Chair), and to continue discussions on the Council mailing list [see http://gnso.icann.org/mailing-lists/archives/council/msg17686.html] for the updated list of candidates.

Item 9: UPDATE – Issue Report for a Potential PDP on New gTLDs Subsequent Procedures (10 minutes)

In June 2015, the GNSO Council had requested an Issue Report to analyze subjects that may lead to changes or adjustments for subsequent New gTLD procedures, including any modifications that may be needed to the GNSO’s policy principles and recommendations from its 2007 Final Report on the Introduction of New Generic Top Level Domains. Preparation of the Preliminary Issue Report was based on a set of deliverables from the GNSO’s New gTLD Subsequent Procedures Discussion Group (DG) as the basis for analysis. The Preliminary Issue Report was published for public comment on 31 August 2015, with the comment period closing on 30 October as a result of a request by the GNSO Council to extend the usual 40-day comment period. Here the Council will receive an update from ICANN staff on the expected timeline and next steps following the close of the public comment period.

9.1 – Update (Steve Chan)

9.2 – Discussion

9.3 – Next steps

ICANN staff to send a written update to the Council mailing list.

Item 10: BRIEFING – Ensuring Attendee Security at ICANN Meetings (15 minutes)

At its meeting in Dublin the GNSO Council had expressed an interest in getting early information about security arrangements for forthcoming ICANN meetings, starting with the next meeting scheduled for Marrakech. The intention is to make this briefing a standard agenda item for all future ICANN Public Meetings, so that the community will have up to date information regarding the security arrangements ICANN is making for each Public Meeting.

10.1 – Informational briefing (Nick Tomasso / Geoff Bickers / Chris Clark)

10.2 – Discussion / Q&A

ICANN staff to forward the following questions to Nick Tomasso and his team:

- With the posting publicly of the location of where the security details will be at the venue, should we be concerned that others may gain access to this plan?
- Can we have the details about the firm Chris works for sent to the Council? [NOTE: full details of the gentleman’s credentials have been forwarded to the Council list]
- Can we get an update from the Moroccan authorities about security enhancements outside the venue, e.g. the airport?
- Can ICANN staff provide updates about concerns that the rooms in Marrakech are: (1) non-refundable/changeable; (2) to be prepaid; and (3) not available on Thursday night? Apparently the hotel is also asking people to email a scanned copy of the front and back of their credit cards – all these are very discouraging and difficult for attendees, especially business travelers.

Item 11: QUESTION & ANSWER SESSION – GNSO Chair Elections (30 minutes)

Following the close of the second nomination period on 5 November, one nomination for GNSO Chair for the term AGM 2015-AGM 2016 was received from the Contracted Parties House. The Non-Contracted Parties House has since confirmed that it will not be nominating a candidate for Chair. Here the Council will have a chance to ask questions of the sole candidate, Mr James Bladel, prior to the distribution of the ballots on 20 November. Balloting will close on 23 November, with results to be announced on 24 November.

11.1 – Introduction of candidate (James Bladel)
11.3 – Next steps (Marika Konings /Glen de St Gery)

_Councilors to follow up on James Bladel’s latest email invitation if so desired: http://gnso.icann.org/mailing-lists/archives/council/msg17694.html; ICANN staff to distribute electronic ballots on 20 November.

**Item 12: Any Other Business (5 Minutes)**

- Proposed meetings for 2016: _Councilors to provide input_ on the proposed schedule of meetings as well as potential changes to the rotation of time zones.
- CWG-Stewardship Letter concerning role in implementation: _Councilors to provide feedback_ on whether there are any concerns in relation to the approach proposed by the CWG-Stewardship for dealing with implementation oversight.
- DNS Entrepreneurship Center: _Julf to circulate message_ concerning DNS Entrepreneurship Center to Council mailing list.

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**24 September GNSO Council Teleconference 18:00 UTC**

**Action Items**

**2.1 – Review of Projects List and Action List**

**Action Items:**

**Item 3: Consent agenda**

3.1 – Approve addition to the GNSO Operating Procedures of a _proposed process_ for the selection of Board seat #13 by the Contracted Parties House (per current rules in the Operating Procedures concerning the selection of Board seats by each House)

Action item: Staff to update and post GNSO Operating Procedures accordingly.

3.2 – Approve transmission of _Recommendations Report_ to ICANN Board following public comments on the Council’s recommendation that the Board adopt the _Final Report_ from the Translation & Transliteration of gTLD Data Working Group

Action item: Staff to submit Recommendations report to the ICANN Board.

**Item 4: MOTION – Public Comment Period for New gTLDs Subsequent Procedures Preliminary Issue Report**

Action Item: Staff to consider request from the GNSO Council to extend the public comment forum from 40 to 60 days.

**Item 5: UPDATE & DISCUSSION – Exploring the Public Interest within ICANN’s Remit**

Action Item: Nora Abusitta to share with the GNSO Council further information on resources and references in relation to the research that has been undertaken on this topic.

**Item 6: UPDATE & DISCUSSION – Discussion Paper on New gTLD Auction Proceeds**

Action Item: All encouraged to provide input to the public comment forum.

Action Item: The GNSO Review Working Party to communicate to the OEC that there are concerns with Recommendation 23 and these are being discussed within the GNSO at present noting that a full expression of those concerns may be forthcoming in the near future.

**Item 8: UPDATE & DISCUSSION – Cross Community Working Group on Enhancing ICANN Accountability**

Action Item: Everyone is encouraged to participate in and provide reasonable input to their respective groups in relation to this topic noting the current state of discussions.

**Item 9: COUNCIL DISCUSSION – New ICANN Meeting Strategy**

Action Item: Item deferred to the next meeting.

**Item 10: Any Other Business (5 minutes)**

10.1 GNSO Council appointment to the Leadership Training in Dublin.

Action Item: Candidates for the GNSO Council slot for the Leadership Training in Dublin should be submitted to the GNSO Council list as soon as possible. Note, the candidate does not need to be a Council member.

| 3 September | GNSO Council Teleconference | 15:00 UTC |

GNSO Council Call

**Item 1: Administrative matters (5 minutes)**

1.1 – Roll call
1.2 – Updates to Statements of Interest
Donna Austin
1.3 – Review/amend agenda
1.4. – Note the status of minutes for the previous Council meeting per the GNSO Operating Procedures:
Minutes of the GNSO Council meetings of 24 June and 23 July 2015 will be posted as approved on xxxxxx 2015.

**Item 2: Opening Remarks / Review of Projects & Action List (10 minutes)**

2.1 – Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List
2.2 – Comments or questions arising

NOTES: project list has been updated.

**Item 3: Consent agenda (10 minutes)**

3.1 – Adoption of timeline for election of the next GNSO Chair
3.2 – Approval of transmission of Recommendations Report to ICANN Board following public comments on the Council’s recommendation that the Board adopt the Final Report from the Translation & Transliteration of gTLD Data Working Group

Notes: Unanimously agreed.

**Item 4: COUNCIL DISCUSSION & DECISION – Public Comment Period for New gTLDs Subsequent Procedures Preliminary Issue Report (15 minutes)**

At its July 2015 meeting, the GNSO Council approved the staff request for an extension of the deadline for publication of the Preliminary Issue Report on New gTLDs Subsequent Procedures. The extension was viewed as necessary given the number of potential topics that had been identified by the New gTLDs Subsequent Procedures Discussion Group and the need to develop a proposed framework for handling those topics in a possible PDP. The Council had also discussed briefly the possible benefits of having an extended public comment period in view of the community interest in this matter. Here the Council will discuss the ramifications of extending the public comment period and decide whether or not to recommend moving forward with the idea.

4.1 – Update and presentation of possible timelines (Steve Chan)
4.2 – Council discussion
4.3 – Council decision and next steps
I expressed the preference of the ALAC to have this comment period be a longer public comment period (67 days) in the interest of openness and giving the ability for all stakeholders to carefully consider the report and to contribute to the process as early as possible. This makes it a closing date for Staff account of public comments to be 6th Dec, ahead of 7th December document deadline for the December GNSO Council call.

Longer public comment period referred by IPC, BC, NCSG (Some preference for 60 days comment period was made). Current comment period preferred from RySG, RrSG, and possibly ISPC. It was decided that the Council should vote on this matter at its next call on 24 September. It was noted that ICANN staff could, at their discretion, decided to make the comment period longer in any case.

Item 5: COUNCIL DISCUSSION – Letter from ICANN Board Chair on Exclusive Registry Access for gTLD Terms representing Generic Strings (10 minutes)

On 27 July 2015 the ICANN Board Chair sent a letter to the GNSO Chair requesting that the GNSO specifically include the issue of exclusive registry access for generic strings serving a public interest goal as part of the policy work it is planning to initiate on subsequent rounds of the New gTLD Program. The GNSO was also asked to inform the Board on a regular basis with regards to progress on the issue. Here the Council will discuss the letter and decide on its response.

5.1 – Council discussion
5.2 – Next steps

Notes: I expressed the ALAC’s lack of consensus on the matter with very different points of view between ALAC members, some finding closed generic strings to be absolutely fine. As a result I expressed that some ALAC would say linking this to the public interest would be a waste of time whilst others would support it.

Item 6: UPDATE & DISCUSSION – Protection for IGO Acronyms at the Second Level in All gTLDs (15 minutes)

At the July 2015 Council meeting, PDP Working Group co-chair Philip Corwin outlined for the Council certain concerns that the WG co-chairs shared regarding the timing and mechanisms for interactions between the WG and the IGO “small group” (comprising IGO and GAC representatives) that had been formed to formulate a substantive proposal for discussion with the GNSO. The final proposal is expected to be based on the Board’s New gTLD Program Committee (NGPC) initial March 2014 proposal to the GAC, and as such is expected to address both so-called “preventative” (i.e. pre-registration) as well as “curative” (i.e. post-registration) protections for IGO acronyms. In respect of preventative protections, the NGPC had previously requested that the GNSO Council consider amending those of its adopted policy recommendations that are inconsistent with GAC advice. Following discussions with the NGPC, the Council had put the matter on hold pending further details regarding possible amendments from the NGPC.

Here the Council will receive an update on the status of the WG, GAC and IGO interactions on the topic of IGO protections, and discuss what, if anything, it might wish to do at this stage to facilitate progress in resolving any issues arising therefrom.

6.1 – Update (Philip Corwin / Mason Cole / Mary Wong)
6.2 – Council discussion
6.3 – Next steps

Notes: very slow progress / none / since Buenos Aires meeting.

Item 7: UPDATE ON EXPECTED COUNCIL ACTION – Final Report from the Data & Metrics for Policy Making Working Group (5 minutes)

The Data & Metrics for Policy Making Working Group was chartered to explore opportunities to review standard methodologies of reporting and metrics that can better inform fact-based policy development and decision-making, including how the community can collaborate with Contracted Parties and other service providers in the sharing of metrics and data. The WG published its Initial Report for public comment on 29 July 2015, and the public comment period will close on 7 September 2015. Here the Council will receive an update on the expected timeline for delivery of the WG’s Final Report and note potential issues for Council consideration in the Final Report.

7.1 – Update (Jonathan Zuck)
7.2 – Council discussion
7.3 – Next steps

Notes: Jonathan Zuck has provided a full update and explanation of the recommendations on today’s GNSO Council call.


Recommended for any ALAC member who wishes to catch up quickly on the contents of the report.

Item 8: UPDATE & DISCUSSION - Cross Community Working Group on Enhancing ICANN Accountability – CCWG Accountability (15 minutes)
In the course of discussions over the IANA stewardship transition, the community had raised concerns about ICANN's accountability, given ICANN's historical contractual relationship with the United States government. The community discussions indicated that existing ICANN accountability mechanisms do not yet meet some stakeholders' expectations. Considering that the US Government (through the NTIA) has stressed that it expects community consensus on the transition, this gap between the current situation and stakeholder expectations needed to be addressed. This resulted in the creation of a Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability) of which the GNSO is a chartering organization.

On 3 August, the CCWG-Accountability published its Second Draft Proposal for public comment. This second round of public consultation concerns significant changes made by the CCWG to its first proposal. The changes focus on outstanding issues, add details to the Work Stream 1 proposal(s), and include revisions to the original proposal(s) arising from the feedback received in the first public comment consultation period. Public comments may be sent in through 12 September. Here the Council will review the CCWG’s status and progress, and discuss any specific issues that need to be addressed in view of the timeline of the CCWG and the connection between its work and the IANA stewardship transition.

8.1 – Summary and status update (Thomas Rickert)
8.2 – Council discussion
8.3 – Next steps

Notes: update from Thomas Rickert about the CCWG’s progress, including process recommendations about treatment of the Board’s point made on the call a few hours ago.

There was concern expressed from BC about the forthcoming possibly proposed F2F meeting in Los Angeles turning into a face to face negotiation.

There was concern from RrSG with the whole process potentially grinding to a halt due to the late arrival of input from the Board.

Item 9: DISCUSSION - Preparation for ICANN54 (15 minutes)

During the regular GNSO weekend working sessions at each ICANN Public Meeting, the GNSO Council and community meet with the ICANN Board, the GAC, staff from ICANN's Global Domains Division, and senior ICANN management. Here the Council will discuss suggested topics for those meetings at ICANN54, as well as receive an update on scheduling and planning for the meeting generally.

9.1 – Update (Volker Greimann / Marika Konings / Glen de St. Gery)
9.2 – Council discussion
9.3 – Next steps

Note: due to time running out, this item was deferred to the mailing list.

Item 10: Any Other Business (15 minutes)

10.1 – Post-ICANN53 progress of the Cross Community Working Group on Use of Country and Territory Names as TLDs

Note: due to time running out, this item was deferred to the mailing list.

10.2 – Brief update on the implementation of the new ICANN Meeting format particularly with regard to Meeting B.

Note: due to time running out, this item was deferred to the mailing list.

August | No GNSO Council Conference Call due to Summer Recess

23 July | GNSO Council Teleconference | 11:00 UTC

GNSO Council Call

Agenda Wiki page (where the latest updates can be found):
https://community.icann.org/display/gnso council/meetings/Agenda+23+July+2015

Motions are posted on page:
https://community.icann.org/display/gnso council/meetings/Motions+23+July+2015

GNSO Council is having an induction day on Friday, at the end of the ICANN Week for all new Councillors to be brought up to speed on GNSO matters. This is likely to become a permanent fixture to help new Councillors be more quickly effective in their new position.

Action Items:
· Arrange for a facilitator for the Council Development and Induction session in Dublin on Friday 23 October 2015.
· Formally communicate to parting councilors that they are welcome to attend the Council Development and Induction.

**Item 2: Opening Remarks / Review of Projects & Action List (15 minutes)**

2.1 – Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List

All projects are going according to plan.

**Item 4: COUNCIL VOTE - Motion to Approve GNSO Review of GAC Communiqué from Buenos Aires (15 minutes)**

The GNSO Template for responding to the GAC Communiqué is to be presented to the Board, with a copy to the GAC Chair and Secretariat.

Approved unanimously.

GNSO Liaison Recommendation: the ALAC needs to watch out that this use of a Template for responding to GAC Communiqués does not turn into a box ticking exercise.

**Action Items:**
- GNSO Council Chair to communicate the GNSO Review of Buenos Aires GAC Communiqué to the ICANN Board
- GNSO Council Chair to inform the GAC Chair as well as the GAC-GNSO Consultation Group of the communication between the GNSO Council and the ICANN Board.

**Item 5: UPDATE & DISCUSSION – Purpose of New gTLD Registration Data Policy Development Process (PDP) (20 minutes)**

Concerns from NCSG about Privacy Issues in regards to Registration Data. This might contravene basic human rights. Suggestion that this goes in the Public Comment.

**Action Item:**
- Encourage GNSO SG & C’s to provide input to the public comment forum.

**Item 6: UPDATE & DISCUSSION - Cross Community Working Group on Enhancing ICANN Accountability – CCWG Accountability (15 minutes)**

Update from Thomas Rickert, reporting that great progress was made at the recent Paris meeting of the CCWG Accountability group.

**Action Items:**
- Encourage GNSO SG and C’s to review the notes from the Paris meeting.
- Encourage GNSO SG and C’s to provide input to the public comment forum.

**Item 7: UPDATE & DISCUSSION – Proposed Cross Community Working Group On New gTLD Auction Proceeds (15 minutes)**

GNSO Staff are preparing a discussion paper based on the discussions that took place in Buenos Aires sessions. All points of view will be taken into account at this stage – which is the stage where the PROCESS of decision will be proposed, and not the actual way to use Auction Proceeds. It is recognised that during the BA disussions, some people did not understand this and already attempted to pull the discussion into the actual topic, making suggestions on how to use the funds. We are not there yet. There first needs to be a debate about who should participate in the debate - whether ICANN GNSO, ICANN Communities, or outside Communities unrelated to ICANN.

**Action Item:**
Encourage GNSO SG and C’s provide input to the public comment forum.

**Item 8: COUNCIL ACTION – GNSO Chair Election Timetable (10 minutes)**

No specific change to the already agreed schedule/timetable are foreseen.

**Action Item:**
- Publish the proposed GNSO Chair Election Timetable. Place on agenda for formal consideration and approval at September Council meeting.

**Item 9: Any Other Business (15 minutes)**

9.1 - Staff has requested for a time extension in preparing the New gTLD Subsequent Procedures Preliminary Issue Report.

Councillors are not happy about this but did say they had forecast this and had asked for additional Policy Staff at the GNSO Comment on Budget. 2 more FTEs have been added and Staff as announced that the first FTE allocation will be soon made to the GNSO.

Councillors were told they have no choice but to accept that new timetable.

**Action Item**
- Accept request for time extension in preparing the New gTLD Subsequent Procedures Preliminary Issue Report
- Note Council discussion – some councilors expressed concern about the delay
- Council to further discuss and resolve the length of the public comment period


Some volunteers needed. Communication out ASAP.

**Action Item**
- GNSO Council Chair to follow up in writing with Stakeholder Groups and Constituencies. Councilors to work with Stakeholder Groups and Constituencies seeking suggested names of experts.

9.3 – Selection of a PDP Working Group for facilitated face-to-face meeting at ICANN54. Part of the continued GNSO Council Pilot Project to improve PDP effectiveness.

Process on its way.

**Action Item**
- GNSO Council Chair to communicate to the Privacy & Proxy Services Accreditation Issues PDP working group that, based on the analysis by staff, the working group would benefit from a face to face meeting in Dublin and ask for confirmation that the working group would like to take up the offer.

9.4 – Discuss possible Council action regarding IETF proposed standard for .onion as a Special Use Domain Name: https://datatracker.ietf.org/doc/draft-ietf-dnsop-onion-tld/ (due 11 August 2015)

Avri Doria reported on the work of the IETF in creating a Special Use TLD .ONION but there is concern that there is very little communication with ICANN about this. Council is to consider the path through the ICANN Board (IETF Liaison?) and also through their own informal link. Does the GNSO Council need its own IETF Liaison?

**Action Item**
- Council needs to consider whether there is scope for future co-operation between the GNSO Council and the Internet Engineering Task Force (IETF).
9.5 – Planning for ICANN54

Action Item

- GNSO Council Vice Chair (Volker Greimann) to assist Chair and staff in Dublin meeting preparations

More AoB

Response to letter to Board on IGO/INGO. (Phil Corwin)

"In respect of the ongoing discussions between the Board’s New gTLD Program Committee (NGPC) and the GAC on protection for IGO names and acronyms, please see the following letter, just sent by the Secretary-General of the OECD to ICANN CEO Fadi Chehade: [https://www.icann.org/en/system/files/correspondence/gurria-to-chehade-20jul15-en.pdf](https://www.icann.org/en/system/files/correspondence/gurria-to-chehade-20jul15-en.pdf). Note that the letter refers to positive developments in this process that are expected to result in the delivery to the GNSO of an updated proposal. Given the GAC’s recent Buenos Aires Communiqué calling for this to occur by the Dublin meeting, the Council may wish to note this as a possibility."

The concern is that the ICANN response points to the GAC, Staff and ICANN Board would produce a response re: IGO/INGO "without" taking into account the GNSO’s working group work on IGO/INGO. The Working Group is bogged down due to lack of help on legal matters whilst the ICANN Board and GAC are engaging directly with IGOs. A real concern from the IGO/INGO GNSO Working Group.

Action Item

- WG chair’s concern on the process and substance of the letter is noted by the Council. Phillip Corwin to report back to the Council at or before the next Council meeting

21 May  GNSO Council Teleconference  15:00 UTC

GNSO Council Call

4 & 5: Updates on IANA Stewardship & ICANN Accountability

**Item 5: DISCUSSION - Cross Community Working Group on Enhancing ICANN Accountability – CCWG Accountability**

Action Item

Councillors and members of the respective groups are encouraged assist their groups to provide comments and questions during the public comment period on Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability) (All)

**Item 6: UPDATE FOR COUNCIL DECISION – Cross Community Working Group on Internet Governance**

GNSO has conducted a consensus call on the interpretation of the Charter of the CCWG on Internet Governance. No objections to the interpretation that opens the group to all participants.

Action Items:

- Convey to the Cross-Community Working Group Internet Governance that no objections were recorded to the interpretation of the section on observers in the CCWG IG charter (Staff)
- Communicate on the mailing list that Carlos Raúl Gutierrez is the appointed Council liaison to the Cross-Community Working Group Internet Governance (Staff)

**Item 7: UPDATE FOR COUNCIL GUIDANCE – Cross-Community Working Group on Use of Country & Territory Names as TLDs**

Registry SG has had issues with the use of Country Codes at the second level referring to GAC advice. There is some concern that this is such a small, target issues, a CWG is a bit of an overkill.
Action Items:

- The gTLD Registries Stakeholder Group to talk directly to the Cross-Community Working Group on Use of Country & Territory Names as TLDs (RySG Councillors)
- Council to discuss the issue with the GAC – Council leaders commit to commence the communication with the GAC leadership (Chair / Staff)
- Request guidance from the Council by posting the substantive issues to the Council list (Heather Forrest)
- Heather Forrest to track the outcomes of the discussion and ensure that the Council is responding to the request (Heather Forrest)

- Call for additional GNSO participation to the Cross-Community Working Group on Use of Country & Territory Names as TLDs (Staff)

Item 8: UPDATE FOR COUNCIL GUIDANCE – IGO-INGO Access to Curative Rights Mechanisms PDP Working Group

INGO has now been removed from the scope of the working group as they are already using UDRP.

Problem in determining the scope of immunity for IGOs. Additional legal input is sought.

It was pointed out by Philip Corwin that there were, by extension, concerns over the renewal of .TRAVEL which appear to be introducing Charter Amendments in a private manner rather than subjecting them to ICANN Community deliberation.

Action Items:

- Determine the scope of GNSO GAC related issues which could be worked through by the Council leaders and Staff as agenda topics for the joint GAC GNSO meetings in Buenos Aires (Chair / Vice Chairs / Staff)
- Topic for future Council discussion:

  Introduction of changes to Registry agreements through private negotiations relative to the Policy Development Process and whether this is appropriate (Philip Corwin).

Item 9: UPDATE FOR SUBSEQUENT COUNCIL ACTION – New gTLDs Subsequent Rounds Discussion Group

https://community.icann.org/display/DGNGSR/DRAFT+Deliverables

Draft Deliverables ready in case a PDP WG was to be created.

Registrars asked whether if there were amendments made to the program this would mean the drawing up of new Registry agreements - and if so, a question was raised as to whether it would be fair to have different Registry agreements than the original ones. Registrars are already noting that this would raise competitive considerations so as to have some degree of inertia and therefore not deviate from this so as to have different Registry Agreements for the new round.

Action Item:

Review documentation before Buenos Aires for discussion at the working group meeting (All).

Item 10: UPDATE & DISCUSSION – GNSO Drafting Team on New ICANN Meeting Strategy

GNSO is building its agendas for all of the meetings, with help from Staff.

Action Item:

Urgent request to provide drafting team with feedback on the initial proposal especially with regard to Meeting B before the proposals go the other Supporting Organisations and Advisory Committees for comments and input (URGENT – All).

Item 11: UPDATE – Progress on GNSO Review (10 minutes)
Progress is happening with Westlake monitoring feedback on a per comment basis and all of the process update is available on the GNSO Review Web pages. 
https://community.icann.org/display/GR2/GNSO+Review+2014+Home

Public Consultation starts on June 1st and will remain open throughout June.

**Action Items:**

- Councillors are encouraged to review the GNSO Review report (All)
- Inform Staff if Stakeholder Groups/Constituencies wish to meet with the Westlake team and the GNSO Review Working Party during Constituency Day in Buenos Aires so that time slots can be arranged (All)

**Item 4 - MOTION TO AMEND THE CHARTER OF THE IGO-INGO ACCESS TO CURATIVE RIGHTS PROTECTION MECHANISMS PDP WORKING GROUP**

The charter is to be amended:

Where, under “Mission and Scope”, the current Charter reads:

“For purposes of this PDP, the scope of IGO and INGO identifiers is to be limited to those identifiers previously listed by the GNSO’s PDP WG on the Protection of International Organization Identifiers in All gTLDs as protected by their consensus recommendations (designated by that WG as Scope 1 and Scope 2 identifiers, and listed in Annex 2 of the Final Issue Report).”

It is hereby amended to read:

“For purposes of this PDP, the WG shall take into account any criteria for IGO or INGO protection that may be appropriate, including any that may have been developed previously, such as the list of IGO and INGO identifiers that was used by the GNSO’s prior PDP WG on the Protection of International Organization Identifiers in All gTLDs as the basis for their consensus recommendations and the GAC list of IGOs as provided to ICANN in March 2013.”

OCL comment: this is in order to be able to make use of rights protection mechanisms already in place for IGOs/INGOs outside of ICANN.

**Item 8 - Progress of Work on GNSO Council Template for Feedback on GAC Communiques**
Template presented taking each GAC Communiqué item into a table with comments on whether this relates to GNSO policy and what policy this relates to. Staff will follow-up with another version following on the Council’s comments.

**Item 6 - CCWG Accountability**

Simple update by Thomas Rickert.

Item 5: DISCUSSION – Cross Community Working Group to develop a transition proposal for IANA stewardship on naming related functions

Simple update by Jonathan Robinson.

**Item 7 - DISCUSSION – Proposed ICANN FY16 Budget**

David Olive mentioned the Pilot Project for community support helping with drafting, especially for non contracted communities.

It was felt that GNSO policy work was not likely to decrease and concerns were expressed regarding the low figure in the budget for GNSO policy development work. David Olive explained the sharing of resources which are not directly reflected in the policy budget allocation for GNSO.

The GNSO will express its concern about being properly covered for FY16 policy work.

**Item 10**

10.1 Cross Community Working Group has been proposed by GNSO. Board Chair has responded with another scenario involving outside organisations. It felt like a top-down response. The GNSO Council will consider its response but a general state of unhappiness about this response was expressed by Councillors.

10.2 Will report in the future once work has progressed by email.

10.3 Appointment of a Liaison will proceed forward.

10.4 N/A

19 March | GNSO Council Teleconference | 18:00 UTC

**Item 2: Opening Remarks / Review of Projects & Action List (10 mins)**

2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List.

2.2 - Comments or questions arising.

**Outcome:** projects are on track with nothing exceptional to note.

**Item 3: Consent agenda (5 mins)**

3.1 – Confirm selection of Privacy & Proxy Services Accreditation Issues (PPSAI) Working Group for facilitated face-to-face meeting at ICANN53 in Buenos Aires
Outcome: Council confirmed the selection of the Privacy & Proxy Services Accreditation Issues (PPSAI) Working Group for a facilitated face-to-face meeting at ICANN53 in Buenos Aires.

Item 4: MOTION – GAC/GNSO Consultation Group (15 mins)

The GAC-GNSO Consultation Group (CG) was formed to develop proposals to facilitate the GAC’s ability to engage more productively and effectively with the GNSO on relevant issues in the GNSO’s Policy Development Processes (PDPs). At ICANN52 in Singapore, the CG presented its preliminary recommendations concerning specific mechanisms intended to facilitate early engagement by the GAC in a PDP, during the Issue Scoping phase. Here the Council will consider a proposed motion on adopting these preliminary recommendations.

Outcome: - Follow-up on GAC Communiqué - GNSO currently working on a response

- Motion to implement the recommendations of the GAC-GNSO Consultation Group in relation to Issue Scoping on a trial basis

Concerns that Trial basis has no deadline and could remain "trial" for a long time.

Motion Carried.

1. The GNSO Council agrees to jointly implement with the GAC, the preliminary recommendations by the CG concerning the issue scoping phase of the PDP as outlined here http://gnso.icann.org/en/drafts/gac-cg-issue-scoping-27jan15-en.pdf on a trial basis for a minimum of 3 consecutive GNSO PDP’s immediately following the adoption of the motion.

2. Following the end of this trial period, the CG is expected to report back to the GAC and GNSO Council on the effectiveness of these recommendations as a result of the experiences gained during the trial period. Furthermore, the CG is expected to make a recommendation as to whether or not the preliminary recommendations concerning the issue scoping phase of the PDP should be permanently implemented, either in their current form, or with possible modifications based on the further work of the CG including experience gained during the trial.

Item 5: DISCUSSION – Cross Community Working Group to develop a transition proposal for IANA stewardship on naming related functions (10 mins)

The CWG-Transition was chartered to develop a proposal on Naming Related Functions for the IANA Stewardship Transition Proposal. The original January 2015 target date was driven by the request for proposals from the IANA Stewardship Transition Coordination Group (IGC).

A draft proposal was published for community comment on 1 December 2014, following which a revised timeline and update was provided for discussion at ICANN52 in Singapore.

Given that the GNSO is a chartering organisation of the CWG-Transition and will need to approve the CWG’s ultimate proposal, this is an opportunity for the Council to review and discuss the CWG’s work and to determine what, if any, issues arise from a GNSO or Council perspective at this stage.

Outcome: none specific in addition to the briefing

Item 6: DISCUSSION - Cross Community Working Group on Enhancing ICANN Accountability (10 mins)

In discussions around the IANA stewardship transition process, the community raised the broader topic of the impact of the change on ICANN’s accountability given its historical contractual relationship with the United States and NTIA. The community concerns indicate that the level of trust regarding existing ICANN accountability mechanisms does not yet meet some stakeholders’ expectations. Considering that the NTIA has stressed that it expects community consensus on the transition, this gap between the current situation and stakeholder expectations could be a possible impediment to timely progress of the transition.

The GNSO is one of the chartering organizations for this CCWG, having adopted the charter in November 2014. The CCWG developed two work streams, of which the first is intended to align with the timing of the CWG-Transition work and the overall NTIA objectives and timeline. Here the Council will have the opportunity to consider how it can continue to facilitate the progress of this CCWG, especially in view of the work and timelines of the CWG-Transition.

Outcome: none specific in addition to the briefing

Question/discussion on 5 & 6 - a concern about the time being taken, especially with regards to using the Legal Advice

Item 7: UPDATE – Progress of the PDP Working Group on IGO-INGO Curative Rights Protections (10 mins)

This WG was chartered by the GNSO Council in June 2014 to consider whether or not existing curative rights protection mechanisms should be amended to address the needs and concerns of international governmental and non-governmental organizations (IGOs and INGOs). The WG’s charter directed the WG to consider only those IGOs that appear on the GAC’s list of protected IGOs (sent to ICANN in April 2013). Here the Council will receive a report on the progress of the WG, including a request for guidance from the WG as to appropriate next steps concerning the WG’s consideration of the scope of the IGO list.

Outcome: Propose a motion for the next Council meeting on 16 April 2015 seeking to modify the IGO-INGO Curative Rights Protection Working Group’s charter to accommodate the request as detailed in the explanatory email sent to the Council list on 16 March 2015.

Item 8: UPDATE – Progress of the Discussion Group on New gTLD Subsequent Procedures (10 mins)

This DG was created by the GNSO Council in June 2014 to develop a list of issues for consideration as part of the GNSO’s preparation for the next round of new gTLDs. The DG has also provided the GNSO Council with input for the Council’s 28 January 2015 letter to the ICANN Board responding to the Board’s enquiry concerning planning for the next round. Here the Council will receive an update from the DG on its further progress.

Outcome: Bret Faussett committed to send to the Council mailing list the chart which lists the issues for future work so that the different groups can provide their input.
Staff to provide the necessary information, on the Council mailing list, as to how participants can join the New gTLD Discussion Group.

Item 9: UPDATE: GNSO Review (15 minutes)

The Independent Examiner commissioned by the ICANN Board to conduct the GNSO Review presented its initial findings to the GNSO Review Working Party at the ICANN 52 meeting in Singapore. Here the GNSO Council will discuss these findings and consider further direction (if any and if needed) to be provided to the GNSO Review Working Party.

Outcome:

Progressing - although with a small delay to collect more input. Plenty of opportunity to provide input and engage further in future ICANN meetings. Concerns over who was interviewed. First draft is just out

Action Items:
Comments are still welcome and be sent directly to Jennifer Wolfe or through a constituency/stakeholder group representative on the GNSO Review Working Party.

Update on the GNSO Review Progress be added to the agenda for the GNSO Council meeting on 21 May

Item 10: DISCUSSION: Working Group Self-Assessment Survey (10 mins)

The GNSO’s Working Group Guidelines allow a WG’s chartering organization to request feedback from the WG about its inputs, processes and outputs. The GNSO’s WG Self-Assessment Tool was tested by the Thick WHOIS PDP WG and the first formal survey has just been completed by the IRTP Part D PDP WG. Staff has prepared a report on the survey results. Here the Council will consider the feedback provided and appropriate next steps for this input.

Outcome:

Action Item:
Send the report to the GNSO Review Working Party for the attention of the Westlake Review team.

Item 11: DISCUSSION – Issues for Possible Referral to the SCI (5 minutes)

At its January 2015 meeting, the GNSO Council placed on hold two items it had identified previously as possibly meriting referral to the GNSO’s Standing Committee for Improvements (SCI) for review. Following discussion with the SCI at ICANN52 in Singapore, the Council liaison to the SCI agreed to complete a template request form for these items. Here the Council will discuss whether or not to refer these items to the SCI for further work.

Outcome:

Action Item:
Defer this item to the next Council meeting on 16 April 2015 for Council to decide whether or not to refer these items to the SCI for further work.

Item 12: DISCUSSION – Remaining Items from the GNSO’s Strategic Discussion Session in Singapore (15 minutes)

At ICANN52 in Singapore, the GNSO engaged in an open and strategic discussion concerning the effective functioning of the GNSO Council and the community as a whole. Here the Council will aim to conclude the discussion, with the emphasis on reviewing its goals and performance based on the objectives and priorities identified during its Development Session at ICANN51 in Los Angeles in October 2014.

Outcome: no specific outcome at this time.

Item 13: Any Other Business (5 mins)

13.1 – CWG on Auction Proceeds

Outcome:

Action Item:
Call for participants to form a Drafting Team to develop a charter for a working group to develop recommendations on new gTLD auction proceeds.

Mar 2015: ALAC has appointed Olivier Crepin-Leblond as the new ALAC Liaison to the GNSO Council to serve from March 7th, 2015, to the end of the AGM at the ICANN #54 meeting in Dublin 2015.
Jan 2015:

- Policy Update Webinars are being presented as preparation for ICANN #52 Meeting see [icann.org/new/announcement-2015-01-14-en](http://icann.org/new/announcement-2015-01-14-en)
- Policy work of the GNSO; in a bid to provide for easier access to the different information sources that are currently available as well as further direction on what information is provided to guide both newcomers as well as veterans, staff has created a new one-stop information webpage ([http://gnso.icann.org/sites/gnso.icann.org/files/gnso/presentations/policy-efforts.htm](http://gnso.icann.org/sites/gnso.icann.org/files/gnso/presentations/policy-efforts.htm)). As of end January, the new page is linked from the GNSO home page ([gnso.icann.org](http://gnso.icann.org)) – either via the ‘quick link’ button at the top or via the quick links in the left-hand column.
- Additionally there is now a new page that centralizes important GNSO-related information for the upcoming ICANN52 meeting that we hope will assist attendees in their preparation for the meeting ([http://gnso.icann.org/icannmeeting](http://gnso.icann.org/icannmeeting)). Updates to this page will be made for all future ICANN meetings.

The Next Meeting of the GNSO Council will be held on March 19th, 2015

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<tr>
<th>Date</th>
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<td>GNSO Council Teleconference</td>
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Last Meeting of the GNSO Council was a Face to face Meeting during the ICANN #52 Singapore Meeting see [http://gnso.icann.org/en/icannmeeting](http://gnso.icann.org/en/icannmeeting)

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<tr>
<th>Date</th>
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<tr>
<td>11 February</td>
<td>GNSO Council Public meeting Singapore</td>
<td>Canning</td>
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GNSO Public Council Meeting

**Date:**

Wed, 11 February 2015 - 13:00 to 15:00 SGT

Room: Canning

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29 January GNSO Council Teleconference 12:00 UTC

Agenda for the GNSO Council Teleconference on 29 January 2015 at 12:00 UTC

**GNSO Council meeting audio cast**

To join the event click on the link:

[http://stream.icann.org:8000/gnso.m3u](http://stream.icann.org:8000/gnso.m3u)

Agenda for the GNSO Council Meeting 29 January 2015 is published on page:


**Item 1: Administrative matters (5 mins)**

1.1 Roll Call
1.2 Statement of interest updates
1.3 Review/amend agenda
1.4 Note the status of minutes for the previous Council meeting per the GNSO Operating Procedures:

**Item 2: Opening Remarks / Review of Projects & Action List (10 mins)**

Review focus areas and provide updates on specific key themes / topics

Include review of [Projects List](http://gnso.icann.org/sites/gnso.icann.org/files/gnso/presentations/policy-efforts.htm) and [Action List](http://gnso.icann.org/sites/gnso.icann.org/files/gnso/presentations/policy-efforts.htm).
Comments or questions arising.

**Item 3: Consent agenda (5 mins)**

3.1 – Approve request for extension of timeline for Issue Report on Rights Protection Mechanisms

3.2 – Approve formation of informal community group to review IDN Implementation Guidelines and approve draft GNSO Council letter in response to these.

**Item 4: UPDATE – Cross Community Working Group to develop a transition proposal for IANA stewardship on naming related functions (30 mins)**

The CWG has been chartered to develop a proposal on Naming Related Functions for the IANA Stewardship Transition Proposal and has been meeting for 2 hours every week since its creation with a goal of delivering a final proposal by the end of January 2015. The January 2015 target date is driven by the request for proposals from the IANA Stewardship Transition Coordination Group (ICG). It is by now clear that the January target date will not be met and that a new target needs to be agreed.

A number of sub-groups were formed to progress work on the different elements of the ICG Request for Proposals and a face-to-face meeting was run in mid-November 2014. A draft proposal was published for community comment on 1 December 2014 and the public comment period has since closed. An intensive work weekend followed on 10 & 11 January 2015 which attempted to systematically review inputs from the public comment.

Given the deadlines and associated intensity of the work of the CWG as well as the need for the GNSO as a chartering organisation to approve the proposal, it is relevant for the Council, and through it the GNSO, to receive a full update and to have the opportunity to discuss the work of the CWG. This item will provide an update, create the opportunity for discussion and emphasis the need for the GNSO to be informed about the work of this important group.

4.1 – Update (Jonathan Robinson)
4.2 – Discussion
4.3 – Next steps

**Item 5: Update: Planning for ICANN meeting in Singapore – key direction & themes (10 mins)**

5.1 Update – Volker Greimann
5.2 Open issues / Discussion
5.3 Actions arising

**Item 6: Any Other Business (5 mins)**

Past Meetings in 2015

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<tr>
<th>Date</th>
<th>Meeting Type</th>
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<th>Transcript</th>
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<tr>
<td>15 January</td>
<td>GNSO Council Teleconference</td>
<td>18:00 UTC</td>
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<td>Chat Transcript</td>
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Agenda for the GNSO Council Teleconference on 15 January 2015 at 18:00 UTC.

**Item 1: Administrative matters (5 mins)**

1.1 Roll Call
1.2 Statement of interest updates
1.3 Review/amend agenda
1.4. Note the status of minutes for the previous Council meeting per the GNSO Operating Procedures:

Minutes of the GNSO Council meeting 11 December 2014 will be posted as approved on 29 January 2015.

**Item 2: Opening Remarks / Review of Projects & Action List (10 mins)**

Review focus areas and provide updates on specific key themes / topics

Include review of Projects List and Action List.

Comments or questions arising.

**Item 3: Consent agenda (5 mins)**

- Approve the GNSO Council Recommendations Report to the ICANN Board concerning IRTP Part D

**Note:** The outcome of the vote on the Council input to the public comment forum on the Board Working Group Report on Nominating Committee (BWG-NomCom).

**Item 4: UPDATE – Cross Community Working Group to develop a transition proposal for IANA stewardship on naming related functions (20 mins)**
The CWG has been chartered to develop a proposal on Naming Related Functions for the IANA Stewardship Transition Proposal and has been meeting for 2 hours every week since its creation with a goal of delivering a final proposal by the end of January 2015. The January 2015 target date is driven by the request for proposals from the IANA Stewardship Transition Coordination Group (ICG).

A number of sub-groups were formed to progress work on the different elements of the ICG Request for Proposals and a face-to-face meeting was run in mid-November. A draft proposal was published for community comment on 1 December 2014 and the public comment period has since closed. An intensive work weekend is planned for the CWG on 10 & 11 January 2015, following which it is anticipated that a proposal on Naming Related Functions for the IANA Stewardship Transition will be drafted and then distributed to the chartering organisations.

Given the deadlines and associated intensity of the work of the CWG as well as the need for the GNSO as a chartering organisation to approve the proposal, it is timely for the Council to receive a full update and to discuss the work of the CWG.

4.1 – Update (Jonathan Robinson)
4.2 – Discussion
4.3 – Next steps

Item 5: UPDATE – Cross Community Working Group on Enhancing ICANN Accountability (15 mins)

The National Telecommunications and Information Administration (NTIA) has requested that ICANN "convene a multistakeholder process to develop a plan to transition the U.S. government stewardship role" with regard to the IANA Functions and related root zone management (see item 4 above).

During discussions around the transition process, the community raised the broader topic of the impact of the change on ICANN’s accountability given its historical contractual relationship with the United States and NTIA. The concerns raised during these discussions around the transition process indicate that the level of trust into the existing ICANN accountability mechanisms does not yet meet some stakeholder’s expectations. Considering that the NTIA has stressed that it was expecting community consensus regarding the transition, this gap between the current situation and stakeholder expectations may prevent the transition to proceed.

As a result, a DT was formed with participants, amongst others, from the ccNSO, GNSO, ASO and ALAC to develop a charter for a Cross Community Working Group on Enhancing ICANN Accountability. The DT delivered the proposed charter for consideration to all the ICANN Supporting Organizations and Advisory Committees on 3 November 2014 and the charter was adopted by the GNSO Council during its meeting on 13 November.

Here the Council will receive an update on status and activities of the CCWG to date.

5.1 Update (Thomas Rickert)
5.2 Discussion
5.3 Next steps

Item 6: UPDATE – Prospective policy work on “name collision” (10 mins)

On the 30 July 2014, the New gTLD Program Committee of the ICANN Board directed staff to "provide information to, and work with the GNSO to consider whether policy work on developing a long-term plan to manage gTLD name collision issues should be undertaken."

ICANN Staff submitted this paper to the GNSO Council on 7 October 2014 and it was presented to the Council during the ICANN meeting in Los Angeles. Council members agreed in Los Angeles to discuss with their respective group what further action, if any, should be taken on this topic and report back accordingly during this meeting.

Furthermore, a letter was received from Cyrus Namazi offering any additional information or assistance that ICANN Staff can provide to further assist the Council in its deliberations.

The GNSO Council discussed the topic during previous meetings following which it was agreed to draft a response. Here the Council will receive and update and provide any additional input needed.

6.1 Status update (Donna Austin)
6.2 Discussion
6.3 Next steps

Item 7: DISCUSSION - Board resolution concerning future gTLD Application Rounds (10 mins)

On 17 November 2014 the ICANN Board adopted a resolution the planning for future gTLD application rounds. As part of its action, the Board acknowledged the effort and progress within the GNSO to identify areas where the GNSO believes that policy advice can be clarified or where it wishes to provide additional policy advice applicable to future application rounds. Furthermore, as requested in the GNSO Council’s June 2014 resolution, the Board provided input into the GNSO Council’s discussion to identify areas that the Board believes may be appropriate for discussion in an evaluation of the current gTLD application round and for possible adjustments for subsequent application procedures.

A draft letter of response has been prepared, distributed to the Council and commented on. This is an opportunity for the GNSO Council to review the draft and ideally agree to send the letter as drafted or with any agreed modifications.

7.1 - Update
7.2 – Discussion
7.3 – Next steps
**Item 8: UPDATE – GNSO / GAC Consultation Group and related work (15 mins)**

Here the Council will have an opportunity to hear about the work of the GNSO / GAC Consultation Group and from the GNSO Liaison to the GAC including any initial input and feedback derived following the ICANN meeting in Los Angeles.

In addition, there will be an opportunity to further discuss ideas put forward during the GNSO Council Development Session in relation to potential GNSO work in response to the GAC Communiqué from ICANN meetings.

8.1 – Update on GAC/GNSO Consultation Group (Mason Cole)

8.2 – Update on draft process for dealing with GAC Communiqué (Volker Greimann)

8.3 – Discussion

**Item 9: Update: Planning for ICANN meeting in Singapore – key direction & themes**

9.1 Update – Volker Greimann

9.2 Discussion

**Item 10: Any Other Business (10 mins)**

10.1 - Correspondence with NGPC on IGO & RCRC. Any update?

10.2 – Consideration of a CWG to deal with new gTLD auction proceeds

10.3 – Note that the Translation & Transliteration PDP WG Initial Report is out for public comment – Update Amr Elsadr

10.4 - Request for extension of time for Issue Report on Rights Protection Mechanisms

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**PAST REPORTS**

GNSO Liaison Reports 2014

GNSO Liaison Reports 2013

GNSO Liaison Reports 2012

GNSO Liaison Reports 2011

**ARCHIVES**

GNSO Liaison Reports 2010

GNSO Liaison Reports 2009

GNSO Liaison Reports 2008

GNSO Liaison Reports 2007

MP3 recording of the GNSO Council teleconference held on Thursday, 11 December 2014 at:

http://audio.icann.org/gnso/gnso-council-20141211-en.mp3

as well as the Adobe chat transcript at:


all on page

http://gnso.icann.org/en/group-activities/calendar#dec
GNSO Council Call

Item 1: Administrative matters (5 minutes)

1.1 – Roll call
1.2 – Updates to Statements of Interest
   Donna Austin
1.3 – Review/amend agenda
1.4. – Note the status of minutes for the previous Council meeting per the GNSO Operating Procedures:

Minutes of the GNSO Council meetings of 24 June and 23 July 2015 will be posted as approved on xxxxxx 2015.

Item 2: Opening Remarks / Review of Projects & Action List (10 minutes)

2.1 – Review focus areas and provide updates on specific key themes / topics, to include review of Projects List and Action List
2.2 – Comments or questions arising

NOTES: project list has been updated.

Item 3: Consent agenda (10 minutes)

3.1 – Adoption of timeline for election of the next GNSO Chair
3.2 – Approval of transmission of Recommendations Report to ICANN Board following public comments on the Council’s recommendation that the Board adopt the Final Report from the Translation & Transliteration of gTLD Data Working Group

Notes: Unanimously agreed.

Item 4: COUNCIL DISCUSSION & DECISION – Public Comment Period for New gTLDs Subsequent Procedures Preliminary Issue Report (15 minutes)

At its July 2015 meeting, the GNSO Council approved the staff request for an extension of the deadline for publication of the Preliminary Issue Report on New gTLDs Subsequent Procedures. The extension was viewed as necessary given the number of potential topics that had been identified by the New gTLDs Subsequent Procedures Discussion Group and the need to develop a proposed framework for handling those topics in a possible PDP. The Council had also discussed briefly the possible benefits of having an extended public comment period in view of the community interest in this matter. Here the Council will discuss the ramifications of extending the public comment period and decide whether or not to recommend moving forward with the idea.

4.1 – Update and presentation of possible timelines (Steve Chan)
4.2 – Council discussion
4.3 – Council decision and next steps

Notes: 147 page report / summarised by Steve Chan. Right now the public comment is set at 40 days, closing a few days before ICANN 54.

I expressed the preference of the ALAC to have this comment period be a longer public comment period (67 days) in the interest of openness and giving the ability for all stakeholders to carefully consider the report and to contribute to the process as early as possible. This makes it a closing date for Staff account of public comments to be 6th Dec, ahead of 7th December document deadline for the December GNSO Council call.

Longer public comment period referred by IPC, BC, NCSG (Some preference for 60 days comment period was made). Current comment period preferred from RySG, RrSG, and possibly ISPC. It was decided that the Council should vote on this matter at its next call on 24 September. It was noted that ICANN staff could, at their discretion, decided to make the comment period longer in any case.

Item 5: COUNCIL DISCUSSION – Letter from ICANN Board Chair on Exclusive Registry Access for gTLD Terms representing Generic Strings (10 minutes)

On 27 July 2015 the ICANN Board Chair sent a letter to the GNSO Chair requesting that the GNSO specifically include the issue of exclusive registry access for generic strings serving a public interest goal as part of the policy work it is planning to initiate on subsequent rounds of the New gTLD Program. The GNSO was also asked to inform the Board on a regular basis with regards to progress on the issue. Here the Council will discuss the letter and decide on its response.

5.1 – Council discussion
5.2 – Next steps

Notes: I expressed the ALAC’s lack of consensus on the matter with very different points of view between ALAC members, some finding closed generic strings to be absolutely fine. As a result I expressed that some ALAC would say linking this to the public interest would be a waste of time whilst others would support it.

Item 6: UPDATE & DISCUSSION – Protection for IGO Acronyms at the Second Level in All gTLDs (15 minutes)
At the July 2015 Council meeting, PDP Working Group co-chair Philip Corwin outlined for the Council certain concerns that the WG co-chairs shared regarding the timing and mechanisms for interactions between the WG and the IGO “small group” (comprising IGO and GAC representatives) that had been formed to formulate a substantive proposal for discussion with the GNSO. The final proposal is expected to be based on the Board’s New gTLD Program Committee (NGPC) initial March 2014 proposal to the GAC, and as such is expected to address both so-called “preventative” (i.e. pre-registration) as well as “curative” (i.e. post-registration) protections for IGO acronyms. In respect of preventative protections, the NGPC had previously requested that the GNSO Council consider amending those of its adopted policy recommendations that are inconsistent with GAC advice. Following discussions with the NGPC, the Council had put the matter on hold pending further details regarding possible amendments from the NGPC.

Here the Council will receive an update on the status of the WG, GAC and IGO interactions on the topic of IGO protections, and discuss what, if anything, it might wish to do at this stage to facilitate progress in resolving any issues arising therefrom.

6.1 – Update (Philip Corwin / Mason Cole / Mary Wong)
6.2 – Council discussion
6.3 – Next steps

Notes: very slow progress / none / since Buenos Aires meeting.

Item 7: UPDATE ON EXPECTED COUNCIL ACTION – Final Report from the Data & Metrics for Policy Making Working Group (5 minutes)

The Data & Metrics for Policy Making Working Group was chartered to explore opportunities to review standard methodologies of reporting and metrics that can better inform fact-based policy development and decision-making, including how the community can collaborate with Contracted Parties and other service providers in the sharing of metrics and data. The WG published its Initial Report for public comment on 29 July 2015, and the public comment period will close on 7 September 2015. Here the Council will receive an update on the expected timeline for delivery of the WG’s Final Report and note potential issues for Council consideration in the Final Report.

7.1 – Update (Jonathan Zuck)
7.2 – Council discussion
7.3 – Next steps

Notes: Jonathan Zuck has provided a full update and explanation of the recommendations on today's GNSO Council call.


Recommended for any ALAC member who wishes to catch up quickly on the contents of the report.

Item 8: UPDATE & DISCUSSION - Cross Community Working Group on Enhancing ICANN Accountability – CCWG Accountability (15 minutes)

In the course of discussions over the IANA stewardship transition, the community had raised concerns about ICANN's accountability, given ICANN's historical contractual relationship with the United States government. The community discussions indicated that existing ICANN accountability mechanisms do not yet meet some stakeholders' expectations. Considering that the US Government (through the NTIA) has stressed that it expects community consensus on the transition, this gap between the current situation and stakeholder expectations needed to be addressed. This resulted in the creation of a Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability) of which the GNSO is a chartering organization.

On 3 August, the CCWG-Accountability published its Second Draft Proposal for public comment. This second round of public consultation concerns significant changes made by the CCWG to its first proposal. The changes focus on outstanding issues, add details to the Work Stream 1 proposal(s), and include revisions to the original proposal(s) arising from the feedback received in the first public comment consultation period. Public comments may be sent in through 12 September. Here the Council will review the CCWG’s status and progress, and discuss any specific issues that need to be addressed in view of the timeline of the CCWG and the connection between its work and the IANA stewardship transition.

8.1 – Summary and status update (Thomas Rickert)
8.2 – Council discussion
8.3 – Next steps

Notes: update from Thomas Rickert about the CCWG’s progress, including process recommendations about treatment of the Board’s point made on the call a few hours ago.

There was concern expressed from BC about the forthcoming possibly proposed F2F meeting in Los Angeles turning into a face to face negotiation.

There was concern from RrSG with the whole process potentially grinding to a halt due to the late arrival of input from the Board.

Item 9: DISCUSSION - Preparation for ICANN54 (15 minutes)
During the regular GNSO weekend working sessions at each ICANN Public Meeting, the GNSO Council and community meet with the ICANN Board, the GAC, staff from ICANN’s Global Domains Division, and senior ICANN management. Here the Council will discuss suggested topics for those meetings at ICANN54, as well as receive an update on scheduling and planning for the meeting generally.

9.1 – Update (Volker Greimann / Marïka Konings / Glen de St. Gery)

9.2 – Council discussion

9.3 – Next steps

Note: due to time running out, this item was deferred to the mailing list.

Item 10: Any Other Business (15 minutes)

10.1 – Post-ICANN53 progress of the Cross Community Working Group on Use of Country and Territory Names as TLDs

Note: due to time running out, this item was deferred to the mailing list.

10.2 – Brief update on the implementation of the new ICANN Meeting format particularly with regard to Meeting B.

Note: due to time running out, this item was deferred to the mailing list.

1. *do not start the process of a subsequent round until all necessary reviews have been completed* and their reports and recommendations have been fully considered by the ICANN community and Board. This includes not just the Subsequent Procedures PDP referenced in Chairman Crocker’s letter but also the RPM Review PDP and the Consumer Choice, Competition and Trust Review mandated by the Affirmation of Commitments.