

# Final Proposed GNSO Council Agenda 18 February 2021

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/QwtACQ>

This agenda was established according to the [GNSO Operating Procedures](#) v3.5, updated on 24 October 2019

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 scheduled at Coordinated Universal Time: 19:00 UTC: <https://tinyurl.com/yxdh3opz>

11:00 Los Angeles; 14:00 Washington; 19:00 London; 20:00 Paris; 22:00 Moscow; (Friday) 06:00 Melbourne

GNSO Council Meeting Remote Participation: <https://icann.zoom.us/j/97305096973?pwd=SDM5dEp0TThEM0Y2TlVrTHB1NWlmQT09>

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 17 December 2020 were posted on 3 January 2021.

[Minutes](#) of the GNSO Council meeting on 21 January 2021 were posted on 4 February 2021.

## 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 (10 minutes)

- Confirmation of Philippe Fouquart to serve as the GNSO Council liaison to the EPDP 2A.
- Non-objection from the Council for the EPDP Team to appoint a non-EPDP Team member as vice-chair.
- Confirmation of the [Recommendations Report](#) to the ICANN Board regarding adoption of all recommendations from the Phase 1 Final Report of the Review of All Rights Protection Mechanisms (RPMs) in All gTLDs PDP.

## Item 4: COUNCIL VOTE - Approval to Initiate a Two-Phased Policy Development Process on the Transfer Policy (15 minutes)

The GNSO Council established a Transfer Policy Review Scoping Team to provide recommendations on the approach to a potential review and future policy work related to the Transfer Policy, including composition of the review team or PDP working group and scope of the review. The Transfer Policy Review Scoping Team delivered a [Transfer Policy Initial Scoping Paper](#) on April 6, 2020 in which it recommended the GNSO Council instruct ICANN Policy staff to draft a Preliminary Issue Report. On 24 June 2020, the Council requested the preparation of a Preliminary Issue Report. The Preliminary Issue Report was published for public comment on 12 October 2020 and after the report was adjusted to take into account public comments as appropriate, the [Final Issue Report](#) was delivered to the GNSO Council on 12 January 2021.

The Final Issue Report includes a recommendation that the GNSO Council proceed with a two-phased Policy Development Process (PDP) that will address the following topic areas in sequence:

- Phase 1(a): Form of Authorization (including Rec. 27, Wave 1 FOA issues) and AuthInfo Code
- Phase 1(b): Change of Registrant (including Rec. 27, Wave 1 Change of Registrant issues)
- Phase 2: Transfer Emergency Action Contact and reversing inter-registrar transfers, Transfer Dispute Resolution Policy (including Rec. 27, Wave 1 TDRP issues), NACKING transfers, ICANN-approved transfers

The General Counsel of ICANN has indicated that the topics recommended for review are properly within the scope of the ICANN policy process and the GNSO. On 1 February 2021, policy staff shared a pre-recorded [webinar](#) to help Councilors prepare for this agenda item.

Here, the Council will vote to initiate a two-phased PDP to review the Transfer Policy, as recommended in the Final Issue Report.

4.1 - Presentation of [motion](#) (Pam Little, GNSO Council Vice-Chair)

#### 4.2 – Council 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)

*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 VOTE - Final Report and Outputs From the New gTLD Subsequent Procedures PDP (20 minutes)

The New gTLD Subsequent Procedures (SubPro) 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. After extensive WG deliberations and a number of community consultations, the WG delivered its [Final Report](#) to the GNSO Council on 18 January 2021. Because of the volume of outputs (e.g., affirmations, recommendations, implementation guidance, etc.) and length of the report, the PDP Co-Chairs believed that similar to the Final Report for the All Rights Protection Mechanisms (RPMs) in All gTLDs PDP WG, a preliminary briefing would be beneficial and therefore, scheduled a briefing during the January 2020 Council meeting.

Subsequently, and again similar to the RPMs PDP, the GNSO Council liaison to the PDP and the Co-Chairs held a detailed webinar and discussion on the report, to better prepare the Council for a vote during a subsequent Council meeting.

Here, the Council will vote to adopt the Final Report of the SubPro WG.

#### 5.1 - Presentation of [motion](#) (GNSO Council liaison to the PDP, Flip Petillion)

#### 5.2 – Council discussion

#### 5.3 – 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 6: COUNCIL DISCUSSION – Charter for the Transfer Policy PDP (20 minutes)

In connection to item 4, if the Council initiates a PDP on the Transfer Policy, it will subsequently need to adopt a charter. The Preliminary Issue Report included a draft charter, which was included in the public comment proceeding. That draft charter is also included in the [Final Issue Report, Annex A](#). Comment on the draft charter was solicited from Councilors via a pre-recorded [webinar](#) prior to this Council meeting.

Here, the Council will discuss whether there are substantive changes needed for the draft charter and determine next steps as appropriate.

#### 6.1 – Introduction of topic (Council leadership)

#### 6.2 – Council discussion

#### 6.3 – Next steps

### Item 7: COUNCIL UPDATE - Update from the Internationalized Domain Names (IDNs) EPDP Charter Drafting Team (15 minutes)

During the Council's October 2020 meeting, the Council agreed to launch a call for volunteers and to establish a drafting team to develop a draft charter and an EPDP initiation request for the IDN Policy Track 2. That drafting team met for the first time on 5 January 2021 and since then has steadily made progress, recently agreeing for the most part to a set of principles and underlying assumptions to help make its work more efficient. Previous to that agreement, making progress was challenging, resulting in an extension of the expected completion date from the March Council meeting to the May Council meeting (see workplan [here](#)).

Here, the Council will receive an update from the drafting team. See presentation slides [here](#)

#### 7.1 – Introduction of topic (Chair of the drafting team, Dennis Tan)

#### 7.2 – Council discussion

#### 7.3 – Next steps

### Item 8: ANY OTHER BUSINESS (20 minutes)

#### 8.1 - EPDP-P2A Project and Work Plan commitment

#### 8.2 - Update from the GNSO Council liaison to the GAC, including his discussion with the GAC point of contact to the GNSO, Jorge Cancio.

#### 8.3 - ICANN70 GNSO sessions and agenda topics for bilateral sessions (ccNSO, GAC, ICANN Board): [GNSO Schedule Pre and Post Sessions & GNSO Schedule Plenary Week](#)

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Appendix 1: GNSO Council Voting Thresholds (ICANN Bylaws, Article 11, Section 11.3(i))

See <https://www.icann.org/resources/pages/governance/bylaws-en/#article11>.

Appendix 2: GNSO Council Absentee Voting Procedures (GNSO Operating Procedures, Section 4.4)

See <https://gnso.icann.org/sites/default/files/file/field-file-attach/op-procedures-30jan18-en.pdf>

References for Coordinated Universal Time of 19:00 UTC

Local time between November and March Winter in the NORTHERN hemisphere

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California, USA (PDT) UTC-8 11:00

San José, Costa Rica (CST) UTC-6 13:00

New York/Washington DC, USA (EDT) UTC-5 14:00

Buenos Aires, Argentina (ART) UTC-3 16:00

Rio de Janeiro, Brazil (BRST) UTC-3 16:00

London, United Kingdom (GMT) UTC+0 19:00

Kinshasa, Democratic Republic of Congo (WAT) UTC+1 20:00

Paris, France (CEST) UTC+1 20:00

Moscow, Russia (MST) UTC+3 22:00

Singapore (SGT) (+1 day) UTC+8 03:00

Melbourne, Australia (AEDT)(+1 day) UTC+11 06:00  
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DST starts/ends on Sunday 28 March 2021, 2:00 or 3:00 local time (with exceptions) for EU countries and on Sunday 14 March 2021 for the US.

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For other places see <http://www.timeanddate.com> and <https://tinyurl.com/yxdh3opz>