

Final Proposed Agenda 2021-08-19

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/lwEuCg>

This agenda was established according to the [GNSO Operating Procedures \[gnso.icann.org\]](https://www.gnso.org/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 held 19:00 UTC

Coordinated Universal Time: 19:00 UTC: <https://tinyurl.com/3u3fjdff> [tinyurl.com]

12:00 Los Angeles; 15:00 Washington; 20:00 London; 21:00 Paris; 22:00 Moscow; (Friday) 05:00 Melbourne

GNSO Council Meeting Remote Participation: <https://icann.zoom.us/j/95268677198?pwd=c1lTQW0rZ1Vad3o1aEZFY0VZTnZtQT09>

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 16 June 2021 were posted on 03 July 2021.

[Minutes](#) of the GNSO Council meeting on 22 July 2021 were posted on 06 August 2021.

Item 2: Opening Remarks / Review of Projects & Action List (25 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 (5 minutes)

- Confirmation of Olga Cavalli to serve as the Chair of the Council Committee for Overseeing and Implementing Continuous Improvement

Item 4: COUNCIL VOTE - EPDP on Specific Curative Rights Protections for Intergovernmental Organizations (IGO) (25 minutes)

In January of 2020, the GNSO Council approved an [Addendum \[gnso.icann.org\]](#) to the All Rights Protection Mechanisms (RPMs) in All gTLDs PDP charter to support work related to Recommendation 5 from the IGO-INGO Access to Curative Rights Protections Mechanisms PDP. During its September 2020 Council meeting, the Council launched the IGO Work Track to operate against the Addendum, while Phase 1 of the RPMs PDP was still in operation. Phase 1 of the RPMs PDP concluded in January of 2021, with the Council adoption of all final recommendations. The Council has recognized that re-chartering is necessary before launching Phase 2 of the RPMs PDP, which leaves the IGO Work Track unattached to a PDP WG and therefore unable to develop Consensus Policy recommendations.

The GNSO Council understands that the IGO Work Track has made substantial progress in its deliberations and that it is important to maintain the group's momentum, so as to allow the community to attempt to reach consensus on a long-standing issue. As Consensus Policy recommendations can only be made by a PDP or EPDP, the Council is electing to take the procedural step of initiating an EPDP to allow the efforts of the IGO Work Track to continue. The Council believes that initiating the EPDP is merely a procedural action to allow an existing effort to continue in an uninterrupted manner, to the extent possible; the Council has stressed that the EPDP charter must substantively mirror the Addendum governing the IGO Work Track, in further recognition of the procedural nature of this action.

The [EPDP initiation request](#) and [EPDP Charter](#) were sent to the Council on 9 August 2021. An [updated IGO EPDP Initiation](#) request was circulated on the Council mailing list on 18 August 2021.

Here, the Council will vote to initiate the EPDP on Specific Curative Rights Protections for IGOs and approve the EPDP Charter.

4.1 – Presentation of [motion](#) (Pam Little) [Slide deck](#)

4.2 – Council discussion

4.3 – Council vote (voting threshold: GNSO Supermajority for both the initiation of the EPDP and for approval of the EPDP Team Charter)

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 and Annex A-1: GNSO Expedited Policy Development Process of the ICANN Bylaws.

Item 5: COUNCIL VOTE - CSC Effectiveness Review Terms of Reference (20 minutes)

The ICANN Bylaws and CSC Charter require that the "... effectiveness of the CSC will initially 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."

The CSC was established in accordance with Article 17.3 (b) of the ICANN Bylaws and conducted its first meeting on 6 October 2016. On 27 September 2018, the GNSO Council approved the process for the Customer Standing Committee (CSC) Effectiveness Review and appointed Donna Austin and Philippe Foucart to serve as the GNSO representatives on the team. In the review team's [Final Report](#), the team concluded that the CSC is operating effectively against 14 requirements from the CSC's Charter.

In order to meet the timeline for the second review of the CSC Effectiveness, the ccNSO and GNSO Councils will need to determine the method for conducting the review before 1 October 2021. The [template for the second review](#) was shared to the Council list on 10 August 2021. The Council was also [informed](#) on 10 August 2021 that Donna Austin and Jonathan Robinson have volunteered to serve as the GNSO representatives for the second review.

The ccNSO has conditionally adopted the template for the 2nd CSC Effectiveness review, contingent upon adoption of the [template](#) by the GNSO Council.

Here, the Council will vote to approve both the method of review and the GNSO representatives for the team.

5.1 – Presentation of [motion](#) (Pam Little)

5.2 – Council discussion

5.3 – Council vote (Voting Threshold: simple majority vote of each House)

Taking this action is within the GNSO's remit as outlined in ICANN's Bylaws in Section 17.3, which state "[t]he 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..."

Item 6: COUNCIL DISCUSSION - Planning for the Virtual AGM, ICANN72 (20 minutes)

On 15 July 2021, the ICANN Board [resolved](#) that ICANN72 would be held as a virtual only event. The GNSO Council, having increased its number of meetings for ICANN71, believes it is important to start planning for ICANN72 to seek to make the meeting as productive as possible. Where as for previous virtual meetings, where the Council had limited its meeting requests to the GNSO Council meeting and PDP WG meetings, the Council added additional meetings during ICANN71 to include both a working session and a wrap-up, both of which would normally occur in a face to face ICANN meeting.

Here, the Council will discuss what meetings and advance planning will be needed to promote a successful second virtual AGM for the GNSO Council.

6.1 – Update (Council leadership) [Draft GNSO ICANN72 schedule](#)

6.2 – Council discussion

6.3 – Next steps

Item 7: ANY OTHER BUSINESS (15 minutes)

7.1 - Strategic Planning Session Planning

7.2 - Expressions of Interest process for the expected SubPro Operational Design Phase liaison

7.3 - EPDP Phase 2a status update

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://gns0.icann.org/sites/default/files/file/field-file-attach/op-procedures-30jan18-en.pdf> [gns0.icann.org]

References for Coordinated Universal Time of 19:00 UTC

Local time between November and March Winter in the NORTHERN hemisphere

California, USA (PDT) UTC-7 12:00

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

New York/Washington DC, USA (EDT) UTC-4 15:00

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

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

London, United Kingdom (GMT) UTC+1 20:00

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

Paris, France (CEST) UTC+2 21:00

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

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

Melbourne, Australia (AEDT)(+1day) UTC+11 05:00

DST starts/ends on Sunday 31 October 2021, 2:00 or 3:00 local time (with exceptions) for EU countries and on Sunday 7 November 2021 for the US.

For other places see <http://www.timeanddate.com> [timeanddate.com] and <https://tinyurl.com/3u3fjdff> [tinyurl.com]