Final Proposed Agenda 27 June 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/xBUFBQ

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.

Coordinated Universal Time: 18:00 UTC: https://tinyurl.com/ybuhhqmo

Local time in Panama: 13:00

11:00 Los Angeles; 14:00 Washington; 19:00 London; 23:00 Islamabad; (Thursday 28 June) 03:00 Tokyo; 04:00 Hobart

GNSO Council Meeting Remote Participation: https://62.schedule.icann.org/meetings/699481

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 (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 24 May 2018 were posted on 14 June 2018

Minutes of the GNSO Council meeting on the 12 June 2018 will be posted on 28 June 2018

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)

Item 4: COUNCIL UPDATE – SSAC to Brief the GNSO on Use of Emoji in Domain Names (15 minutes)

On 2 November 2017, the ICANN Board, in considering SAC095, adopted the following:

- Resolved (2017.11.02.09), the Board hereby directs that conformance to IDNA2008 and its successor will continue to be a necessary condition to determine valid IDN TLD labels.
- Resolved (2017.11.02.10), the Board requests that the Country Code Names Supporting Organization (ccNSO) and the Generic Names Supporting Organization (GNSO) engage with the SSAC to more fully understand the risks and consequences of using a domain name that includes emoji in any of its labels, and inform their respective communities about these risks.
- Resolved (2017.11.02.11), the Board requests that the ccNSO and GNSO integrate conformance with IDNA2008 and its successor into their relevant policies so as to safeguard security, stability, resiliency and interoperability of domain names.
- Resolved (2017.11.02.12), the Board directs the ICANN CEO, or his designee(s), to engage with gTLD and ccTLD communities on the findings and recommendations in SAC095

Accordingly, the GNSO Council has invited the Security and Stability Advisory Committee (SSAC) to brief the GNSO Council on the risks of emoji as domain names in any of its labels and to help inform what specific steps the GNSO may need to take to properly account for those risks.

Here, the Council will receive a briefing from Patrik Fältström, to help the Council determine what next steps may be necessary.

4.1 – Update (Patrik Fältström - SSAC)

4.2 – Council discussion

4.3 – Next Steps

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

The IGO-INGO Access to Curative Rights Protection Mechanisms PDP WG had been working to resolve a final recommendation relating to IGO jurisdictional immunity and registrants' rights to file court proceedings. During the course of trying to determine consensus on a set of options for this final recommendation, several WG members challenged the proposed method for determining initial consensus and appealed via section 3.7 of the GNSO Working Group Guidelines. Following discussions with the members utilizing the appeal process and the GNSO chair and the Council liaison to the WG, the Council liaison to the WG solicited input from the WG members on the set of options under consideration. The WG has since held several meetings to try and reach final consensus for its Final Report, including opening up the formal consensus call on 10 May 2018.

The WG Chair has designated his assessment of consensus levels for recommendations 1-4, as well as for the 6 options under consideration for recommendation 5. A second section 3.7 appeal was filed in June 2018, to assert that the Chair, Council liaison, and policy staff are not performing their role, that short deadlines are being imposed, and that proper procedure is not being followed for the consensus call.

With the connection to a previous PDP on IGO protections, where work continues to reconcile inconsistencies with GAC Advice, and the GNSO Council's emphasis on improving the timely resolution of PDPs, the Council requests that the Final Report be delivered in time for consideration for the July 2018 GNSO Council meeting.

Here, the Council will vote on whether or not to request delivery of the Final Report by the Council's July meeting.

5.1 – Presentation of motion (Heather Forrest)

5.2 – Council discussion

5.3 – Council vote (voting threshold: simple majority)

Item 6: COUNCIL VOTE – Approval of Changes Made to the Customer Standing Committee (CSC) Charter (15 minutes)

The ccNSO and RySG appointed members to form the Charter Review Team from their respective SO and SG to conduct a review of the Customer Standing Committee (CSC) Charter in accordance with the Terms of Reference. The CSC Charter review team (RT) sought comment and input on its findings and proposed amendments to the CSC Charter, as included in the RT's Initial Report.

On 11 May 2018, Council member volunteers were sought to develop a draft comment for Council consideration for public comment on the Initial Report on Review of the CSC Charter. The Council discussed the Initial Report during their meeting on 24 May 2018 and submit their comments during the public comment process.

Taking into account comments received, the Review Team prepared a Final Report and Amended Charter for consideration and adoption by the ccNSO and GNSO Councils.

Here, the Council will vote to approve the changes made to the CSC Charter as a result of the Charter Review Process.

6.1 – Presentation of motion (Donna Austin)

6.2 – Council discussion

6.3 – Council vote (voting threshold: simple majority)

Item 7: COUNCIL UPDATE – Protections for Certain Red Cross Names in All gTLDs Policy Amendment Process (10 minutes)

Following discussions around possible ways of reconciling inconsistent GAC advice and GNSO policy recommendations relating to National Society names of the Red Cross Movement and the two names of the international components of the Movement (http://sched.co/9xr2), the ICANN Board passed a resolution requesting that the GNSO Council initiate the process outlined in Section 16 of the GNSO's Policy Development Process (PDP) Manual, which sets forth the requisite steps for amending policy recommendations that have been approved by the GNSO Council but not yet approved by the ICANN Board (https://www.icann.org/resources/board-material/prelim-report-2017-03-16-en#2.e.i). The Board's request related to the 190 Red Cross National Society names and the two international movement names and a limited defined set of their variants.

On 03 May 2017, the Council resolved to initiate the Section 16 process as requested by the Board, which resulted in the limited reconvening of the original PDP on Protection of IGO and INGO Identifiers in All gTLDs.

The Reconvened WG began its deliberations on 14 June 2017 and is nearing completion of its preliminary work, expecting to publish its Initial Report in the near future.

Here, the Council will receive an update on the status of the Reconvened WG.

7.1 – Update (Thomas Rickert - WG Chair)

7.2 – Council discussion

7.3 – Next Steps

Item 8: COUNCIL VOTE – Initiation of Expedited Policy Development Process on the ICANN Board Temporary Specification (30 minutes)

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 14 May 2018, ICANN released a revised Temporary Specification and scheduled a webinar on 15 May 2018 to discuss the topic. The Board passed a resolution, noting their intent to adopt the Temporary Specification on or around 17 May 2018.

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 21 May 2018, the Council and SG/C chairs met to discuss possible next steps for the ICANN Board adoption of the Temporary Specification.

On its 24 May 2018 meeting, the Council discussed possible next steps following ICANN Board adoption of the Temporary Specification. On 5 June 2018, the Council met with the ICANN Board to discuss a set of questions the Council and ICANN Board developed, as well as overall next steps. Subsequently, Council leadership and staff developed a Mindmap to help understand the elements around a potential Expedited Policy Development Process (EPDP), such as timing, team composition, and planning for ICANN62.

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 that next steps should be taken, specifically drafting of the charter and initiation. In the period leading up to and at ICANN62, the Council has worked together to draft the charter for the EPDP.

Here, the Council will vote to initiate an EPDP on the Temporary Specification, as well as to adopt the EPDP's charter.

8.1 – Presentation of motion (Council Leadership)

8.2 – Council discussion

8.3 – 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-1 GNSO Expedited Policy Development Process of the ICANN Bylaws as well as the EPDP Manual.

Item 9: ANY OTHER BUSINESS (15 minutes)

9.1 – GNSO Chair election timeline

9.2 – Call for Volunteers - Revised ICANN Procedure Handling WHOIS Conflicts with Privacy Law

9.3 – Open Microphone

_____

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 18:00 UTC
Local time between March and October Summer in the NORTHERN hemisphere
----
California, USA (PDT) UTC-7 (-1 day) 11:00
San José, Costa Rica (CST) UTC-6 (-1 day) 12:00
New York/Washington DC, USA (EDT) UTC-4 14:00
Buenos Aires, Argentina (ART) UTC-3 15:00
Rio de Janeiro, Brazil (BRST) UTC-3 15:00
London, United Kingdom (GMT) UTC+1 19:00

Kinshasa, Democratic Republic of Congo (WAT) UTC+1 19:00

Paris, France (CEST) UTC+2 20:00

Islamabad, Pakistan (PKT) UTC+5 23:00
Singapore (SGT) UTC+8 (+1 day) 02:00
Tokyo, Japan (JST) UTC+9 (+1 day) 03:00
Sydney/Hobart, Australia (AEDT) UTC+10 (+1 day) 04:00

DST starts/ends on Sunday 28 of October 2018, 2:00 or 3:00 local time (with exceptions) for EU countries and on Sunday 4 of November 2018 for

the US.

For other places see http://www.timeanddate.com and https://tinyurl.com/ybuhhqmo