

# Final Proposed Agenda 21 May 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/piWJBw>

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/ydfhcxlz>

14:00 Los Angeles; 17:00 Washington DC; 22:00 London; (Friday) 02:00 Islamabad; (Friday) 06:00 Tokyo; (Friday) 07:00 Melbourne

## **GNSO Council Meeting Webinar Room**

<https://icann.zoom.us/j/96826336141>

Password: awv^05b9!c

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 11 March 2020 were posted on 27 March 2020

[Minutes](#) of the GNSO Council meeting on 16 April 2020 were posted on 01 May 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](#) and [Action Item List](#).

### **Item 3: Consent Agenda (10 minutes)**

- Approval of the [PTI SLA for the ccTLD Creation and Transfer Process](#)
- Reappointment of Matthew Shears to seat 14 on the ICANN Board. The NCPH has reappointed Matthew Shears for Seat 14 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 has been completed.

**Item 4: COUNCIL DISCUSSION – GNSO Work Prioritization - 2020 Work Plan (30 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.

The Council discussed this approach at its April 2020 meeting and afterwards, solicited feedback from Councilors and their respective SG/Cs. Considering that input, Council leadership has tried to provide more certainty around when each of the efforts and if applicable, discrete parts, can practically begin. Council leadership shared that [proposal](#) with the Council. This proposal also seeks to take into consideration ongoing work and when it might reasonably complete, but also the effects to the community’s capacity from the coronavirus pandemic.

Here, the Council will discuss the latest proposed work plan and consider what additional steps may be needed to come to agreement, if any, and to then subsequently put the plan into action.

4.1 – Introduction of topic (Council leadership)

4.2 – Council discussion

4.3 – Next steps

**Item 5: COUNCIL DISCUSSION - Draft Response to the Board Letter on Implementation Concerns for EPDP Phase 1 Recommendation 7, related to Thick WHOIS Transition Policy (20 minutes)**

In adopting the Expedited Policy Development Process (EPDP) on the Temporary Specification Final Report and Recommendations, the Council requested that an informal Implementation Review Team (IRT) be established, which was done. After the recommendations were approved by the ICANN Board, the informal IRT transitioned to a formal IRT and has diligently been working to implement the policy recommendations. Within the IRT, there are diverging views amongst some IRT members on how to implement recommendation 7, especially in relation to the Thick WHOIS Transition Policy for .COM, .NET, and .JOBS

The ICANN Board, taking note of the potential impasse, sent a [letter](#) to the GNSO Council on 11 March 2020. The Council has considered the letter and agrees that recommendation 7 did not explicitly overturn the Thick Whois Transition Policy; to do so will require the GNSO Council to initiate policy development. A small team of Councilors has prepared a [draft response](#) for the Council’s consideration. On 18 May 2020, the Contracted Parties House (CPH) IRT members sent a [letter](#) on the subject to the GNSO Council.

Here, the Council will discuss and agree on next steps, and ensure that the draft response is consistent with that approach.

5.1 - Introduction of topic (Rafik Dammak)

5.2 – Council discussion

5.3 – Next steps

**Item 6: COUNCIL DISCUSSION - Expedited PDP (EPDP) on the Temporary Specification Phase 2 Update (20 minutes)**

Phase 2 of the Expedited PDP (EPDP) on the Temporary Specification was initiated in March 2019, and is focused on developing policy on a System for Standardized Access/Disclosure (SSAD) to non-public gTLD registration data, as well as other topics identified in Phase 2 of the Charter. The EPDP Team published its [Phase 2 Initial Report](#) for public comment on 7 February 2020, focused on the SSAD. Subsequently, the EPDP Team also published its [Addendum](#) for public comment on 26 March 2020, which was focused on priority 2 items. The Council will receive an update on the EPDP Team's progress (see the team's [project package from 30 April](#)) from the GNSO Council's liaison to the group, Rafik Dammak.

Additionally, the Council will discuss the challenges the EPDP Team is experiencing in reaching agreement on certain topics (e.g., accuracy, legal versus natural, etc.). The EPDP Team notes these challenges in the context of elements that may affect delivery of the Final Report in June 2020 (e.g., reviewing the voluminous and complex public comments received), which may then have an impact on both the availability of the EPDP Chair and funding for the project.

Here, the Council will consider these issues and consider how it might aid in the timely delivery of the Final Report and to the extent there are unresolved issues, how they should be handled.

6.1 – Introduction of topic (Council leadership)

6.2 – Council discussion

6.3 – Next steps

**Item 7: COUNCIL DISCUSSION - New gTLD Subsequent Procedures Anticipated Outcome on DNS Abuse (15 minutes)**

The topic of DNS Abuse was not explicitly identified in the charter of the New gTLD Subsequent Procedures PDP (SubPro). However, it was a topic of interest identified by the Competition, Consumer Trust and Consumer Choice Review Team (CCT-RT), which made recommendations regarding the subject. In considering the CCT-RT Final Report, the ICANN Board took varying actions on 35 total recommendations, accepting some, passing through others, and placing some in a pending status (see [scorecard](#)). SubPro considered the recommendations related to DNS Abuse (i.e., 14, 15, and 16) though they remain in a "Pending" status" (with the exception of recommendation 16, which was partially passed through) and have not been approved by the ICANN Board.

On 27 April 2020, the SubPro Co-Chairs sent a [letter](#) to the GNSO Council to share the current thinking of the Working Group on the topic of DNS abuse. In brief, the Co-Chairs shared that the WG is trending towards recommending that a holistic solution will be needed in all gTLDs, not just new gTLDs, and is therefore not expected to make substantive recommendations on the topic of DNS Abuse. The purpose of communicating this expected outcome in advance is because the WG is keenly aware how important this topic is across the community.

Here, the Council will discuss the letter and consider if any actions are needed.

7.1 – Introduction of topic (Council leadership)

7.2 – Council discussion

7.3 – Next steps

**Item 8: ANY OTHER BUSINESS (5 minutes)**

- 8.1 - ICANN68 virtual meeting planning - [draft GNSO ICANN68 schedule](#)

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

References for Coordinated Universal Time of 21:00 UTC

Local time between October and March Winter in the NORTHERN hemisphere

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California, USA (PDT) UTC-7 14:00

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

New York/Washington DC, USA (EDT) UTC-4 17:00

Buenos Aires, Argentina (ART) UTC-3 18:00

Rio de Janeiro, Brazil (BRST) UTC-3 18:00

London, United Kingdom (GMT) UTC+1 22:00

Kinshasa, Democratic Republic of Congo (WAT) UTC+1 22:00

Paris, France (CEST) UTC+2 23:00

Islamabad, Pakistan (PKT) (+1 day) UTC+5 02:00

Singapore (SGT) (+1 day) UTC+8 05:00

Tokyo, Japan (JST) (+1 day) UTC+9 06:00

Melbourne, Australia (AEST) (+1 day) UTC+10 07:00

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DST starts/ends on Sunday 25 of October 2020, 2:00 or 3:00 local time (with exceptions) for EU countries and on Sunday 01 of November 2020 for the US.

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