ICANN Transcription

GNSO Council

Thursday, 18 February 2021 at 19:00 UTC

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List of attendees:

Nominating Committee Appointee (NCA): **– Non-Voting** – Olga Cavalli

Contracted Parties House

Registrar Stakeholder Group: Pam Little, Greg Dibiase, Kristian Ørmen

gTLD Registries Stakeholder Group: Maxim Alzoba, Kurt Pritz, Sebastien Ducos

Nominating Committee Appointee (NCA): Tom Dale

Non-Contracted Parties House

Commercial Stakeholder Group (CSG): Marie Pattullo, Mark Datysgeld, Philippe Fouquart, Osvaldo Novoa, John McElwaine, Flip Petillion

Non-Commercial Stakeholder Group (NCSG): Juan Manuel Rojas, Stephanie Perrin, Tatiana Tropina, Wisdom Donkor, Tomslin Samme-Nlar, Farell Folly

Nominating Committee Appointee (NCA): Carlton Samuels

GNSO Council Liaisons/Observers :

Cheryl Langdon-Orr– ALAC Liaison

Jeff Neuman– GNSO liaison to the GAC

Maarten Simon – ccNSO observer

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Julie Hedlund – Policy Director

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Ariel Liang – Policy Senior Specialist

Caitlin Tubergen – Policy Director

Nathalie Peregrine – Manager, Operations Support

Terri Agnew - Operations Support - GNSO Lead Administrator

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NATHALIE PEREGRINE: Good morning, good afternoon, good evening, everybody. Welcome to the GNSO council meeting on the 18th of February 2021. Would you please acknowledge your name when I call it? Thank you ever so much. Pam Little.

PAM LITTLE: Here.

NATHALIE PEREGRINE: Maxim Alzoba.

MAXIM ALZOBA: Here.

NATHALIE PEREGRINE: Sebastien Ducos.

SEBASTIEN DUCOS: Here.

NATHALIE PEREGRINE: Kurt Pritz. Kurt was on the call, but I think he's dropped. We'll follow up with him. Greg DiBiase.

GREG DIBIASE: Here.

NATHALIE PEREGRINE: Kristian Ørmen.

KRISTIAN ØRMEN: Here.

NATHALIE PEREGRINE: Tom Dale.

TOM DALE: Here.

NATHALIE PEREGRINE: Marie Pattullo.

MARIE PATTULLO: Here. Thank you.

NATHALIE PEREGRINE: Thank you. Mark Datsygeld.

MARK DATYSGELD: Here.

NATHALIE PEREGRINE: John McElwaine.

JOHN MCELWAINE: Here.

NATHALIE PEREGRINE: Flip Petillion.

FLIP PETILLION: Here. Thanks, Nathalie.

NATHALIE PEREGRINE: Thank you, Flip. Philippe Fouquart.

PHILIPPE FOUQUART: Here.

NATHALIE PEREGRINE: Osvaldo Novoa.

OSVALDO NOVOA: Here. Thank you.

NATHALIE PEREGRINE: Thank you. Wisdom Donkor. Wisdom, you may be muted. I do see Wisdom in the Zoom room. Stephanie Perrin. Stephanie has not yet joined us. Farell Folly. That is the case also for Farell. Tomslin SammeNlar.

TOMSLIN SAMME-NLAR: Here.

NATHALIE PEREGRINE: Tatiana Tropina.

TATIANA TROPINA: Present.

NATHALIE PEREGRINE: Thank you. Juan Manuel Rojas. I don't see Juan in the room either. Carlton Samuels.

CARLTON SAMUELS: Here. Thanks.

NATHALIE PEREGRINE: Thank you. Olga Cavalli.

OLGA CAVALLI: Here, Nathalie. Thank you.

NATHALIE PEREGRINE: Thank you. Jeffrey Neuman.

JEFFREY NEUMAN: I'm here. Thanks.

NATHALIE PEREGRINE: Thank you. Cheryl Langdon-Orr.

CHERYL LANGDON-ORR: Present. Thanks, Nathalie.

NATHALIE PEREGRINE: Thank you. Maarten Simon.

MAARTEN SIMON: Here.

NATHALIE PEREGRINE: Thank you. From staff on the call, we have David Olive, Steve Chan, Julie Hedlund, Berry Cobb, Caitlin Tubergen, Mary Wong, Emily Barabas, Ariel Liang, Terri Agnew, and myself, Nathalie Peregrine.

May I please remind everyone here to state your name before speaking, as this call is being recorded. Reminder, we're in a Zoom webinar room. All councilors have been promoted to panelists and can activate their mics and participate in the chat once they have set their chats to all panelists and attendees for all to be able to read the exchanges.

In the most recent version of Zoom, the hand raise option is now on the bottom toolbar and not under the participants pod as was the case previously.

A warm welcome to observers on the call who are silent observers, meaning they do not have access to the chat, nor can they activate their microphones.

As a reminder, those who take part in the ICANN multi-stakeholder process are to comply with the expected standards of behavior. Thank you. Philippe, it's over to you.

PHILIPPE FOUQUART: Thank you, Nathalie. Welcome to this February council call. Let's get on with our agenda. Item 1.2, any updates to statements of interest? Okay, seeing no hands, moving on. 1.3, review or bashing of the agenda. I've got one. You should note that under the consent agenda, item four will be removed. At this point, it reads approval of the IFRT's recommendation that would require an amendment to the IANA naming function contract. This is deferred for a procedural reason since it appears that we need supermajority for this, so for the benefit of time, we'll take this at our next council call. I believe—Steve will correct me if I'm wrong—it's going to be two days after the end of the public comment period. So it's not a big deal, really.

With this change, any other change to the agenda that you would like to see? Okay, seeing no hands, let's move on. I would like us to note the minutes of the previous council meetings, those of the December meeting and the minutes of the January meeting. So those minutes are noted.

I'm looking for hands just in case. So let's move on. Item two, our usual review of the projects and action list, the idea on the project list. So I'll turn to Berry, if you would help us go through this, please.

BERRY COBB: Thank you, Philippe. Posted on the screen is the PDF version of the project list that we post on the council motions deadline. Just a couple of key takeaways to reinforce what was sent with the e-mail for all of these. As you know, on the agenda, we'll be discussing about the initiation of the transfer policy, consideration of the SubPro final report, and the Any Other Business will be confirmation about the EPDP phase 2A project plan.

I'd also note—and thank you to Pam for spotting a typo that I made, the RPM IGO curative rights Work Track, their first meeting will be next Monday the 22nd of February. I've mistakenly put it as 22 March. The project list is correct. So just a mistake on my part.

And then finally, just in terms of the key highlights for the project list is that the SCBO completed their drafting of the comments for the GNSO council and the FY22 operating plan and budget cycle. Those comments were sent to the list late last week, and they were formally submitted on the 15th of February. So thank you to John McElwaine and all the members of the group for that aspect of getting those comments together.

Kind of turning over to the Action Decision Radar and some things that are on our near-term horizon, predominantly, most of these are in March, but I suspect some of them will spill over into the April time frame. You'll recall that the RPM phase one consensus recommendations were adopted by the council. There's also the recommendations report for consideration here, and shortly thereafter that, there will be a public comment for the Board consideration of those recommendations.

We are expecting, in regards to the EPDP phase one IRT in terms of implementing recommendation 27 that the wave 1.5 report and its findings will be sent over to the council. That report was reviewed by the IRT, and staff is adjusting the report based on their feedback, and it will be sent to the council here pretty soon. Just as a reminder, wave 1.5 deals with the IRT teams that are currently on hold as it relates to the privacy proxy and translation, transliteration of registration data. So I suspect that the council will be reviewing through some of that as we move into the latter part of March and ICANN 70.

We're also expecting late next week the ICANN Org briefing document on registration data accuracy that was committed to be delivered 26th of February and as of now, that date is to be met. Of course, we still have a fair amount of work as it relates to the Work Stream 2 small team, and I suspect we'll want to find some time in March to consider what those next steps are going to look like.

And also, we'll be continuing discussions around what was formally called the standing committee on continuous improvement, but basically, it's kind of a compilation of pretty big projects that the GNSO will be handling as it relates to the GNSO 3 review that may not be happening, ATRT3, we've got the policy implementation review. There was quite a laundry list of items that are being considered in that kind of group, so a fair amount of work there.

Obviously, ICANN 70 is the 22nd through the 25th of March, and we're preparing for that. Two weeks before that will be—and you should start to see the announcements soon about—the prep week webinar, and also, the SSR2 recommendations. There was a webinar I believe last week, and the public comment closes on the 9th of March.

And lastly, what the council will be looking at as well is we still have the output report as it relates to the strategic planning session that we held in December of last year as well as a recirculation of the survey.

And then the final part of the update, if we can move over to the action items. This is kind of a first for us, and also, thank you to Pam for pointing it out. Staff had talked about it just a ocuple of days ago. This is kind of the first time or uncharted territory where we actually don't have any open action items, and thus why you see a blank page here.

So obviously, this is an evolving process, and so what we're going to be doing moving forward, if you scroll down to the bottom of the action items pages, is that we'll start to maintain a log of all of the action items that were closed for that particular period. Right now, it's being set up between just to only filter out those action items that were closed from the prior council meeting to this

current one, but it may warrant to just go ahead and paste the entire log of all closed action items for the entire council year so that the council has access to see where those have happened.

So noting that we don't have any open action items is probably several reasons. The first is that the Action Decision Radar has kind of assumed a few of those, at least to recognize that there were more formal decisions that are required of the council, but secondarily, the new system for action items, I think, is proving itself to be somewhat productive in terms of getting these closed out. They're much more isolated in terms of what the action is instead of being grouped together by a larger type of topic or program. but then secondarily, we also have a page for the active small teams, and so that may warrant staff to take a look at how we might cross-pollinate that particular page and the action items. So I just wanted to point that out to you, that right now, we don't have any open ones as we would normally do.

That's all that I have for the updates for now. Thank you.

PHILIPPE FOUQUART: Thank you, Berry. Any questions for Berry? I think it's certainly an improvement in terms of transparency about the list of action items. I just have a very general one for you, Berry. There have been discussions about having a—I wouldn't say a common framework, but a similar approach across the SO/ACs, and I was wondering whether that's the sort of things that would be similar in terms of tools that the CCs would use, for instance. Or is it something that's specific to our group?

BERRY COBB: Thank you, Philippe. It is a desire to try to expand this type of program project management aspects across the other groups that the policy department supports. It is an initiative that we're starting on in terms of training kind of a cultural change to project management discipline. We are trying to create an inventory of all of our projects and ongoing activities across the SOs or ACs.

This effort is really just kind of starting, but at some point in the future, we should start to see some commonalities. Each of the SOs and ACs, they operate the same, but they're also quite different. So the framework that we're looking to build will require some flexibility because in some cases, we may be considering apples versus oranges. But in terms of commonalities, as an example, the EPDP on registration data is something that all of the SOs and ACs—or most of them—are participating in. It would make sense that if they are tracking that work for their own purposes, that it still kind of subscribes or assigned the program of registration data services, but they may organize their work in slightly different ways. So that is something that staff is working towards.

PHILIPPE FOUQUART: Thank you, Berry. And if I may just rephrase Jeff's question in the chat, so I understand that this is an initiative—I don't know what to call that. So that's a project within Org, of trying to align the processes and the tools. I think that's the intent. And just a second follow-up to what you said, I think as you said, there's a number of commonalities sometimes between some SOs—and I was referring to the CCs. We could mention IDNs, etc. I think we've got a number of people who work across the SOs. Certainly not all of them, but that makes sense.

On that first point, berry, I think you mentioned that, but that's a general initiative of aligning the tools, I think, and who's responsible for that. Berry, could you help us with this?

BERRY COBB: I'm not sure I completely understand the question. I think Mary is providing some color commentary in the chat.

PHILIPPE FOUQUART: That's right.

BERRY COBB: But yes, absolutely, we're wanting to try to streamline and make consistent the organization of work across the SOs and ACs where we can. There is an internal initiative that I believe was one of Göran's commitments in regards to rolling out a project management framework. I kind of assign it to getting a cultural shift into a project management mindset. We do now have a tool, a project management scheduling tool that we're starting to roll out and train staff with, but that's really only one puzzle piece to a larger puzzle, and it's really this more consistent understanding of what is a project versus what is an ongoing work that we do day in and day out to keep the lights on, so to speak, versus what is a project that can naturally align or be grouped together that kind of forms this program type of concept.

And I can envision—although it's still very early days—that at the program level is where we can start to see consistencies and consistencies between what we truly determine as a start and end date type of project versus our ongoing work. And that part is what we envision of being able to deploy across our SOs and ACs that we support, but again recognizing that the different SOs and ACs do still operate somewhat differently. So we're not going to need to be able to accommodate that or provide some flexibility for how they operate while still trying to fit into this more consistent kind of umbrella structure.

PHILIPPE FOUQUART: Thanks, Berry. And I think we all appreciate how that has become important, that being the project-oriented management in our times of COVID and virtual work, remote participation, etc. So I think that's really useful and necessary. So with this, unless there are other questions, I suggest we move on with our agenda. Thanks again, Berry.

Moving on to item three, that's our consent agenda. As I said, number four was removed. I'll just read the three remaining items very quickly. Confirmation of myself to serve as the council liaison to the EPDP phase 2A. Nonobjection from council for the EPDP team to appoint a non-EPDP team member as vice chair.

I probably have noted the background, I've circulated on the list. But for those of you who would not follow phase 2A, following their EOI for last year, the EPDP phase 2A plenary recommended last week that Brian Beckham be appointed as vice chair.

Council does not appoint or endorse PDP vice chair, but our consent is required here because Brian is not a member of the team, as it is generally the case. So that's not meant to change that rule in principle, but it's only at this point meant to accommodate the EPDP. So that's for the second point.

And lastly, the confirmation of the recommendations report to the ICANN Board regarding adoption of all recommendations from phase one final report of RPMs. So that's the usual preparation of the Board reports as per the GNSO operating procedures, and this one is relative to the RPMs final report we approved last month.

So, with this, and unless there are questions or requests to take some of these out, I suggest that Nathalie, you would take us through the [vote, right?]

NATHALIE PEREGRINE: Thank you very much, Philippe. Would anyone like to abstain from this motion? Please say aye. Hearing no one, would anyone like to vote against this motion? Please say aye. Hearing none, would all those in favor of the motion please say aye?

UNIDENTIFIED PARTICIPANTS: Aye.

NATHALIE PEREGRINE: No abstention or objection, the motion passes. Thank you, Philippe.

PHILIPPE FOUQUART: Thank you, Nathalie. So let's move on to item four, and that's—four and six are actually two parts. That's the vote on the discussion that we'll have at this meeting on the policy development process on the transfer policy. The first part is to approve, to agree to initiate the PDP work, and the second discussion item, item six, is the discussion on the charter itself.

As I'm sure you have noticed the webinar was recorded and distributed early this month by Emily Barabas and Caitlin Tubergen. Thank you very much to both of you, and thanks to all councilors who followed that webinar that was, I think, necessary and instructive. As you would remember, this piece of work was initiated just about a year ago by the associated scoping team, and it concluded by the proposal for a motion to initiate a PDP on transfer that you have in front of you.

So the proposal of the issue report is for a two-phase approach, two-, three-item approach. Those are summarized in the motion. You will note that the issues are distributed across these two phases, two or three depending on how you count. So I'll turn to Pam, if you would introduce the motion and possibly review the issues that were identified during the webinar, maybe that would be useful for councilors. Pam, would you like to do that?

PAM LITTLE: Thank you, Philippe. Could I please ask staff to perhaps share with us the slides that were used for the webinar? Yes, and I hope everyone—our councilors have had a chance to listen or watch the webinar that staff has kindly prepared for us. I find that very useful. It's only half an hour, so I echo chair's comment, thank staff, Emily and Caitlin for the effort.

Could staff please scroll down to page five? I find this graph a bit easier to comprehend. This is just a history of this effort so far. As you can see, we've already been on this journey almost two years since there was this need to review the policy, and this'll be the second time that this policy will be reviewed, as you might have heard from the webinar. The first review was done shortly after this policy became effective, but I believe that was a very kind of informal and brief type of review, unlike this sort of full-blown PDP review effort. But that was almost 15 years ago. So it's

kind of due for another review for a number of reasons, not just only it's a good practice to review effectiveness of existing policies, but there's also this impetus from the EPDP phase one recommendation 27 where there was a need to review the existing consensus policies and update them to make sure they're consistent with those recommendations in the EPDP phase one final report.

So this graph would take you through all the history to date, and we are here now in February 2021. Once the council receive the final issue report according to the PDP manual, then the council needs to decide whether to initiate a PDP or not. So that's why we have this motion here to consider that.

Now, in terms of the proposed scope, we would have a chance to discuss that later in this meeting, but just as a refresher, if staff could please scroll down to page 21 of the slides—and that's very much covered in the motion as well as in the agenda. You can see how this work is being proposed, this so-called two-phase, and I believe this is pretty clear in terms of phase 1A, phase 1B, what will be covered, and the phase two.

Obviously, phase 1A and B are sort of prioritized items, if you like, because these actually have a couple of contractual compliance deferrals in place because current state of the play is these are not kind of practical for registrar to comply based on the current requirements in the temporary specification that was confirmed by the EPDP phase one. So there's a number of areas that is kind of more urgent than other areas of work. So that's, I guess, the rationale for phasing this work in this way. Next slide, please.

I find this useful during the webinar as well, so I just share this again. This is how the sequencing or the proposed sequencing of the work would look like. So I hope that's pretty clear to all councilors.

With that, Philippe, I think I might open to questions or comments now, and then we can read the resolved clause later. Thanks.

PHILIPPE FOUQUART: Thank you, Pam. Any questions or comments on the motion? Kurt, you're first.

KURT PRITZ: Thanks, Philippe, and thanks, Pam. So I have two questions. One is really, then the mission is really to bring the transfer policy as written into the registrar contracts, into compliance with GDPR. Well, they're currently—oh, gosh, I screwed this up. Registrars are currently acting in compliance with GDPR, and this PDP will bring the RAA, RRA and the policy into line with that. So it's required. I just wanted to confirm that belief.

And then second, could you briefly describe why it's broken up into phases?

PHILIPPE FOUQUART: Thanks, Kurt.

PAM LITTLE: I can take that.

PHILIPPE FOUQUART: Yes, please, Pam.

PAM LITTLE: Thanks, Kurt, for the question. I think the mission that you mentioned really would be just one of the goals, and you can see in the proposed charter the mission and scope I posted there. Really, this is sort of a planned effort to regularly review existing policy to make sure it's still fit for purpose and improved, as [I just shared] in the chat. So I think that's just [to coincidence] we had this EPDP or GDPR, but there's a broader picture to do this as a good practice to review

the existing policy, make sure they serve the purposes intended. And really, the whole purpose of transfer policy, my understanding, is really about mobility, right? Registrants are able to transfer their domain name from a registrar to another registrar, like our mobile phone regime where you don't lose your mobile number just because you change your mobile phone provider. So that is the idea. And of course, it's to be secure, have good customer experience and all that. So that's the overall goal.

In terms of why it's broken up or supposed to be broken up into phases, I think that's just really trying to bring it to—in terms of scoping, to practice one of the PDP 3.0 where, as you might have heard from the webinar, during the PDP 3.0 efforts, one of the improvements was to make sure the scoping and the work is more manageable sized rather than a huge chunk, and then prioritize what needs to be done first. So that is the thinking or rationale behind this proposed phased approach. I hope that answers your question, Kurt.

PHILIPPE FOUQUART: Thanks, Pam. Yes, although I'm certainly not an expert on this, reading the rationale for the potential revision, it seems to me that there are things like bulk transfers. I'm not sure [those might result for an] exercise of compliance with GDPR, but I might just be wrong on this. Kurt, you still have your hand up. Do you want to follow up?

KURT PRITZ: No, thanks.

PHILIPPE FOUQUART: Thanks, Kurt. Greg.

GREG DIBIASE: Yeah, I just wanted to quickly comment on the importance here. Pam mentioned aligning with the EPDP. I'd go a little further than that in that the gaining registrar form of authorization cannot be done proactively, so there's a part of the policy that is basically rendered difficult to use as part of GDPR, and so it's not only aligning with EPDP. I think it's also taking another look to ensure that transfers are as secure as possible under the requirements of GDPR.

So I think this is really important work to make sure transfers, which happen all the time, are functioning as inventioned and are secure as possible.

PHILIPPE FOUQUART: Thank you, Greg. Yes, to a non-specialist, this certainly looks like fixing something that is at least partly broken from the redaction of some of the information originally available through WHOIS and making sure that even if it's not totally broken, at least it's somehow malfunctioning at this point. That's the way I read this, at least. Thanks, Greg, for this.

Any other questions on this? Okay. Seeing no hands, I suggest we move on to the vote. So, Pam, would you like to read the resolved clause, please?

PAM LITTLE: Yes, I would. Thank you, Philippe. So the resolved clause of the motion reads as follows. One, the GNSO council hereby initiates a two-phase PDP to review the transfer policy, which would determine if changes to the policy are need to improve the ease, security, and efficacy of interregistrar and inter-registrant transfers.

Two, the GNSO council request that the PDP working group be convened as soon as possible after the adoption of the PDP working group charter in order to fulfill the requirements of this PDP. Thanks, Philippe.

PHILIPPE FOUQUART: Thank you, Pam. Nathalie, would you like to take us through the [roll vote,] please?

NATHALIE PEREGRINE: Thank you very much, Philippe. And yes, so this will be a roll call vote, and it needs to meet the supermajority threshold to pass. Maxim Alzoba.

MAXIM ALZOBA: Yes.

NATHALIE PEREGRINE: Philippe Fouquart.

PHILIPPE FOUQUART: Yes.

NATHALIE PEREGRINE: Tomslin Samme-Nlar.

TOMSLIN SAMME-NLAR: Yes.

NATHALIE PEREGRINE: Flip Petillion.

FLIP PETILLION: Yes.

NATHALIE PEREGRINE: Tom Dale.

TOM DALE: Yes.

NATHALIE PEREGRINE: Carlton Samuels.

CARLTON SAMUELS: Yes.

NATHALIE PEREGRINE: Tatiana Tropina.

TATIANA TROPINA: Aye.

NATHALIE PEREGRINE: Marie Pattullo.

MARIE PATTULLO: Yes.

NATHALIE PEREGRINE: Farell Folly.

FARELL FOLLY: Yes.

NATHALIE PEREGRINE: Sebastien Ducos.

SEBASTIEN DUCOS:Yes.

NATHALIE PEREGRINE: John McElwaine.

JOHN MCELWAINE: Yes.

NATHALIE PEREGRINE: Kristian Ørmen.

KRISTIAN ØRMEN: Yes.

NATHALIE PEREGRINE: Juan Manuel Rojas.

JUAN MANUEL ROJAS: Yes.

NATHALIE PEREGRINE: Kurt Pritz.

KURT PRITZ: Yes.

NATHALIE PEREGRINE: Mark Datysgeld.

MARK DATYSGELD: Yes.

NATHALIE PEREGRINE: Stephanie Perrin.

STEPHANIE PERRIN: Yes.

NATHALIE PEREGRINE: Greg DiBiase.

GREG DIBIASE: Yes.

NATHALIE PEREGRINE: Wisdom Donkor.

WISDOM DONKOR: Yes.

NATHALIE PEREGRINE: Osvaldo Novoa.

OSVALDO NOVOA: Yes.

NATHALIE PEREGRINE: Pam Little.

PAM LITTLE: Yes.

NATHALIE PEREGRINE: Thank you. For the Contracted Party House, we have seven votes in favor and none against. For the Noncontracted Party House, we have 13 votes in favor, none against. The motion passes with 100% in both houses. Thank you, Philippe.

PHILIPPE FOUQUART: Thank you, Nathalie, and thanks, everyone. So let's move on. We'll come back on to transfer in a moment. We have to take the votes first, so let's take item five before that. So that's our vote on the final report and outputs from the new gTLD subsequent procedures PDP. I don't think we have to restate the importance of SubPro. I'll just recap our discussions here at council and where we're coming from.

In mid-January, on the 18th of January, we received the final report from SubPro. So that's to the day a month now. At our January 20th meeting, we had a briefing and a discussion item. On the 28th, we had a webinar organized by Flip, the liaison of the working group, chairs.

In early February, on the 5th I think, the initial motion was proposed as developed by the liaison leadership, and it was submitted to you, and we had subsequent amendments on the 12th and the 17th where the motion was further revised on resolved one and two, and in particular on the two outputs that have obtained strong support but significant opposition. So those were recommendations 35.2 and 35.4. And the resolved one [was also revised] for a more robust phrasing.

So I would just note that the amendments were submitted by now the seconder, Kurt, and considered as friendly by the proposer, so we have a stable motion in front of us. So what I'd like to do is proceed with the agenda items. I'll turn to Flip for the introduction of the motion. We'll have a discussion on the motion after that.

Lest I forget, I'd like to review, at least have a word about the comments from the GAC and at that time, I'll turn to you, Jeff, as our liaison, to help us with this. And we'll go to our vote, including the readout.

So Flip, would you like to introduce the motion as well as the background? Thank you.

FLIP PETILLION: Thank you, Philippe. Philippe, if you'll allow me, I would just like to complete your briefing by reminding all members of the council that this final report is the result of the work of five years by the members of the working group headed by Jeff and Cheryl, and we have a couple of outputs and designations that I would like to simply remind the council members of.

And for the record, in the whereas clauses, we mentioned that there were different outputs like affirmations, recommendations and implementation guidance. And I just want to specify that the report mentions that there were affirmations and affirmations with modifications. And I would take

it that the English language allows us to accept that the word "affirmations" covers both the simple affirmations and the affirmations with modifications. And actually, the same comment, I could make it with regards to the draft number one clause of the resolved clauses where we also have mentioned simply the word "affirmations" and not specified that there were affirmations and affirmations with modifications.

But I submit this to the council for consideration and discussion if really needed. But I think my observation reflects the reality of the final report as it is, I think.

Then I think it's worth reminding the members of the council of a couple of important topics—principles, I should say, that are phrased in the whereas clauses, 12, 13, 15. So we had different outputs and we had different designations, designations being a full consensus about an output, be it an affirmation or whatever. So full consensus or consensus, that was the case for most. And as I have mentioned before, during the briefing on the 21st, I think, of January, and during the webinar on the 28th of January of this year, the leadership of the working group actually took a very conservative approach in the designation determination of all these outputs.

Nevertheless, I think it's my job to point out to you that we had in particular three recommendations that just need to be mentioned, because they have a particular designation or a particular value to be mentioned during this meeting so that this topic 23 on closed generics, where it was identified as an output category of no agreement, so I'd simply want to mention that there was no agreement but there was a consensus on the fact that there was no agreement, which brings me to the previous observation or whereas clause number 12, which actually comes down to saying if there is no change that is proposed to what was in place in 2007 as a policy, then we have the status quo on that very topic.

And then we have recommendations 35.2 and 35.4. I'm not going to go into the details of what these recommendations or the topics are about, because I don't think—that's not the moment nor the place to discuss that. But I just want to mention that there was not a full consensus, there was not a consensus, but there was a particular designation that was strong support with significant opposition.

And for the sake of clarity, I need to mention that the resolved clauses do not—or do no longer—expressly mention these recommendations. And actually, I could move to the reading of the resolved clauses, Philippe, but I could imagine that you want to first pass to a Q&A.

PHILIPPE FOUQUART: Exactly. Thank you, Flip. Are there any questions or any comments on the motion before we get to a vote? I won't forget the input from the GAC, but we'll come on to that in a moment. Any questions? John.

JOHN MCELWAINE: No questions, but just a statement that I've been asked to make. It really goes to the issue of DNS abuse. The IPC supports as a whole the SubPro final report, and I note in our comments that the IPC indicated it was split on one of the recommendations concerning DNS abuse.

As the councilors know, the SubPro working group was tasked with addressing DNS abuse and determined itself that DNS abuse should be handled in a more holistic manner.

We've seen that DNS abuse is number one, our oldest and most pressing item on the GNSO council's Action Decision Radar. DNS abuse is very high on the GAC's list of issues from their latest communique. And actually, I was looking through their communique and it even mentions that ICANN Org has DNS abuse high on its list of issues to tackle through the extension of the CEO's contract.

It's been something that we've been discussing for a while. So really, the IPC just wants to get across to the point that it's time and it's imperative that we as GNSO council look at the issue of DNS abuse. We're very concerned that postponing and not starting—which we're currently doing—any DNS abuse solutions grants bad actors more time to conduct their mischief in the DNS system.

The IPC believes that the security and stability of the domain name system will continue to be under attack. We've seen this going on constantly. And we really need to work on developing a solution, so we would ask that the GNSO council takes up the mantle and begins work on a PDP on DNS abuse as soon as possible. Thanks.

PHILIPPE FOUQUART:　　　Thank you, John. So that will be on record. Any other comments on the motion or more broadly, as John's comment? Pam?

PAM LITTLE:　Thank you, Philippe. I just have a question here regarding the resolved clause four. I'm not sure whether a change is warranted, I'd just like to raise it. As you can see, the resolved clause sort of setting out the sequencing, if you'd like, once the council—if these outputs are approved by the council. And then we recommend the Board to adopt them as well, and then we ask the Board to implement those outputs. And then because now ICANN Org has this Operational Design Phase that would come before ICANN Board votes or considers those outputs, so that's in clause three.

But in clause four, it reads the GNSO council directs ICANN Org to convene and Implementation Review Team. I'm just not sure whether it's council's role to direct ICANN Org. I believe it is the Board's role to direct ICANN Org to convene an Implementation Review Team. And also, the wording here seems to be a bit presumptuous, in my view, that we are presuming that the Board will approve or adopt those outputs.

So I'm thinking maybe some wording should be tweaked a bit just in—and I hope Kurt and Flip could chime in and consider this. Sorry, and I didn't spot this earlier, resolved four clause should say something along the lines that subject to ICANN Board's approval or something like, should the Board approve these outputs and then the GNSO council requests ICANN Org to convene an IRT.

So that's just my last-minute proposed change to make this, to me, more appropriately worded. Thanks.

PHILIPPE FOUQUART: Thank you, Pam. So I'll turn to Flip. I think the word "directs" is a bit strong. That may not be what we want. Is that the usual phrasing that we have? But maybe with the understanding that this [be aligned] with common practice. I don't think this is specific to SubPro. But Flip, would you like to take [that first?]

FLIP PETILLION: Yes. Thank you, Philippe. I do agree with Pam, and I think that is a very good observation. We should change that language so that procedurally, and also in view of the respective powers and function of council and Board, it should actually be correct.

I would suggest that we amend this very slightly into "the GNSO council proposes the ICANN Board to direct ICANN Org to convene ..." etc.

PHILIPPE FOUQUART: Thanks, Flip. I just have one—so, yes, indeed, that would be "suggests that the Board direct ICANN Org." Procedure-wise, I just want to make sure that we're still consistent with the GNSO operating procedures. This would seem to me a purely editorial change. Would anyone help me with this? Can we agree to edit the resolved four during the meeting, given that it's an editorial change? How would that work?

FLIP PETILLION: Philippe?

PHILIPPE FOUQUART: Yes, Flip.

FLIP PETILLION: Thank you, Philippe. If I may suggest that I ask Pam that it is an amendment that she proposes, and I would immediately accept it as friendly and accept—or I would suggest to council members to proceed to considering the amended language as is on the screen for clause four now.

PHILIPPE FOUQUART: Excellent. So just as a matter of form, Kurt, would you agree with this as a friendly amendment?

KURT PRITZ: Yes, I do. Thank you.

PHILIPPE FOUQUART: Thanks, Kurt.

FLIP PETILLION: And Philippe, if I may point you to the comment by Mary in the chat who is much more familiar to this kind of situation than I am, and she has made a very concrete proposal which you can read in the chat. So the language would be the GNSO council requests that ICANN Org convene an IRT.

PHILIPPE FOUQUART: Okay. So a slight rewording of what we have on the screen. Maybe we could have that copy-pasted under four, just to make sure that councilors would know what we'll be voting on. Can we have that?

STEVE CHAN: Sorry, I'm just trying to parse through the language that Mary has put in the chat. I assume that's what you're speaking of.

PHILIPPE FOUQUART: Yeah, exactly. So the idea would be to take Mary's suggestion in the chat and just copy-paste. I'm sorry. I'm being overly formal maybe, but I want to make sure that we've got the text on the screen when we get to a vote and the readout—readout and the vote, in that particular order. Pam.

PAM LITTLE: Thanks, Philippe. I'm sorry to spend so much time on this. I thought Mary's proposed language is the GNSO council requests that ICANN Org convenes blah-blah. But I'm just looking at the screen. So basically, if we go with Mary's suggestion will be the GNSO council requests instead of directs, so just a change of one word. Would that work?

FLIP PETILLION: Yes.

PAM LITTLE: Thanks.

PHILIPPE FOUQUART: Yes, so basically, we change the "directs" into "requests" then.

PAM LITTLE: Correct. Thank you.

PHILIPPE FOUQUART: Okay. Thank you. Thanks, Mary. So with this, I'll take the previous agreements as yeses. I think that was the spirit. Thanks, Pam. So with this, any other questions or comments on the motion? Okay. Seeing none—oh, yes, Jeff, I'd like to turn to you just for you to share the inputs from the GAC, if only for the record.

JEFFREY NEUMAN: Yes. Thank you, Philippe. So obviously, I have an interest in this motion, but this now is in my role as the GNSO liaison to the GAC. So on Tuesday, although I believe maybe some of you got it early Wednesday, we got a message from the GAC chair that wanted to provide some input knowing that our meeting was this week and that we would be holding a vote. So they wanted to note that GAC membership is still in the process of analyzing the SubPro PDP working group final report, but nonetheless, GAC leadership has received some internal questions, seeking clarifications on aspects of the final report as they are related to prior GAC positions.

They go on to say, as to the substance, it has been highlighted by some GAC members that there seems to be a number of areas where GAC input has, in their view, not been fully considered, which may result in proposals for potential GAC advice thereon subject to consensus. And then the areas that they refer to include public interest commitments, DNS abuse mitigation, safeguards for gTLDs in highly regulated sectors, GAC early warnings and advice, next rounds of new gTLDs, which includes costs and benefits of new gTLD rounds, and the topic of auctions, mechanisms of last resort, and private resolution of contention sets.

They're going to hold a preparatory webinar intersessionally on the SubPro PDP working group final report and next steps, and then they will further discuss the topics of priority to the GAC at ICANN 70, and it concludes to say that "we'll probably approach you—and I guess the 'you' is the GNSO council leadership—in due course should the GNSO participation during this webinar be

foreseen," and then they look forward to continuing the productive dialog with the GNSO council. Thanks, Philippe.

PHILIPPE FOUQUART: Thank you, Jeff. I don't know if either you or Cheryl would like just a follow-up on this. I see that Maxim, you have your hand up. I suppose it's on this input.

MAXIM ALZOBA: I have a question to Jeff. Do you expect that GAC delivers its consensus view on ICANN 70, or they told you that they're going to work on something?

JEFFREY NEUMAN: The only thing they have said is that they're going to meet intersessionally and then again at ICANN 70, but they can't commit to having consensus-based advice either— well, usually when they come up with the consensus advice, it's at ICANN meetings, but obviously, they couldn't go on record saying that they're going to have consensus advice on anything other than what they've previously provided advice on.

PHILIPPE FOUQUART: Thanks, Jeff. So I'll suggest we duly note that, and as you said, Jeff, we'll have plenty of opportunity for discussing that further with our GAC colleauges.

I see that there are no hands remaining. So with this, Flip, I'd like you to take us through the resolved clause and we'll go to the roll vote. Flip.

FLIP PETILLION: Thank you, Philippe. So the resolved clauses read as follows.

One, the he GNSO Council approves, and recommends that the ICANN Board adopt, the Affirmations, Recommendations, and Implementation Guidance (Collectively referred to as "Outputs") that were determined to have received either Full Consensus or Consensus designations as documented in the SubPro PDP Working Group's Final Report.

Two, recognizing that nearly a decade has passed since the opening of the 2012 round of new gTLDs, the GNSO Council requests that the ICANN Board consider and direct the implementation of the Outputs adopted by the GNSO Council without waiting for any other proposed or ongoing policy work unspecific to New gTLD Subsequent Procedures to conclude, while acknowledging the importance of such work.

Three, further, the GNSO Council requests that the ICANN Board initiate an Operational Design Phase on the Final Report of the SubPro Working Group and its Outputs as soon as possible, to perform an assessment of GNSO Council recommendations in order to provide the Board with relevant operational information to facilitate the Board's determination, in accordance with the Bylaws, on the impact of the operational impact of the implementation of the recommendations, including whether the recommendations are in the best interests of the ICANN community or ICANN.

Four, the GNSO Council requests that ICANN org convene an Implementation Review Team (IRT) to work on the implementation of these Outputs. The Implementation Review Team will be tasked with assisting ICANN org in developing the implementation details for the New gTLD Program, evaluating the proposed implementation of the Outputs as approved by the Board, and working with ICANN staff to ensure that the resultant implementation conforms to the intent of the approved Outputs. The Implementation Review Team shall operate in accordance with the Implementation Review Team Principles and Guidance approved by the GNSO Council in June 2015.

Five and final, the GNSO Council extends its sincere appreciation to the Co-Chairs, Cheryl Langdon-Orr and Jeffrey Neuman, as well as past CoChair Avri Doria, the SubPro PDP Work

Track leaders, the SubPro Working Group members and support staff of the SubPro PDP for their tireless efforts these past five years to deliver this Final Report.

Thank you, Philippe.

PHILIPPE FOUQUART: Thank you, Flip. So let's go to our vote. Nathalie.

NATHALIE PEREGRINE: Thank you, Philippe. This'll be a roll call vote. Stephanie Perrin.

STEPHANIE PERRIN: Aye.

NATHALIE PEREGRINE: Thank you, Stephanie. Kurt Pritz.

KURT PRITZ: Yes.

NATHALIE PEREGRINE: Mark Datysgeld.

MARK DATYSGELD: Yes.

NATHALIE PEREGRINE: Tomslin Samme-Nlar.

TOMSLIN SAMME-NLAR: Yes.

NATHALIE PEREGRINE: Kristian Ørmen.

KRISTIAN ØRMEN: Yes.

NATHALIE PEREGRINE: Thank you. John McElwaine.

JOHN MCELWAINE: Yes.

NATHALIE PEREGRINE: Marie Pattullo.

MARIE PATTULLO: Yes.

NATHALIE PEREGRINE: Juan Manuel Rojas.

JUAN MANUEL ROJAS: Yes.

NATHALIE PEREGRINE: Tom Dale.

TOM DALE: Yes.

NATHALIE PEREGRINE: Philippe Fouquart.

PHILIPPE FOUQUART: Yes.

NATHALIE PEREGRINE: Greg DiBiase.

GREG DIBIASE: Yes.

NATHALIE PEREGRINE: Tatiana Tropina.

TATIANA TROPINA: Aye.

NATHALIE PEREGRINE: Sebastien Ducos.

SEBASTIEN DUCOS: Yes.

NATHALIE PEREGRINE: Farell Folly.

FARELL FOLLY: Yes.

NATHALIE PEREGRINE: Flip Petillion.

FLIP PETILLION: Yes.

NATHALIE PEREGRINE: Pam Little.

PAM LITTLE: Yes.

NATHALIE PEREGRINE: Carlton Samuels.

CARLTON SAMUELS: Yes.

NATHALIE PEREGRINE: Wisdom Donkor.

WISDOM DONKOR: Yes.

NATHALIE PEREGRINE: Maxim Alzoba.

MAXIM ALZOBA: Yes.

NATHALIE PEREGRINE: Osvaldo Novoa.

OSVALDO NOVOA: Yes.

NATHALIE PEREGRINE: Thank you. We have seven votes in favor and no votes against in the Contracted Party House, and 13 votes in favor and none against in the Noncontracted Party House. The motion passes with 100% in both houses. Thank you, Philippe.

PHILIPPE FOUQUART: Thank you, Nathalie, and thanks, everyone. This is certainly a milestone. By no means the end of the story, but I just want to express my gratitude and our gratitude to the SubPro chairs for their work and the team as well, Cheryl and Jeff, and Avri before that. It's much to their credit. So, thanks to all of you, and to the councilors for taking the time to work on the motion. Thanks, everyone, and congratulations. That's your piece of work more than ours.

So with this, let's move on. We're slightly behind schedule, but that's fine. I think that was worth it, certainly. So let's go to our follow-up on the transfer policy PDP. So I'll turn to Pam to lead the discussion. I just want to share, before we go to the substance of the charter, on the broader context, share a couple of elements. Since we circulated the proposal for the approach to the SO/ACs and the SGs and Cs, relative to the use of or the potential use, I should say, of a representative model as well as the timeline and priority they might put on this, and then thanks to those who provided feedback.

So just wanted to go around the table and relay, echo those comments. The ccNSO indicated that they would have no representative for this but would be happy to reach out to their community if needed. As far as ALAC, SSAC and GAC are concerned, they indicated that they would have an interest, mostly from the registrants' perspective generally speaking, but they would [follow up lately.]

And within the GNSO, the NCSG expressed their support for the initiative, although they wouldn't have a member to put forward at this point. And unsurprisingly, the registrars have a strong interest on this. The representative model is fine in general, but given the significant number of their members having an interest in this, maybe we have to rethink this somehow. We'll see. That's part of the discussion. And as far as the registries are concerned, they're quite flexible in terms of participants. And in terms of priorities, I should have mentioned that, obviously, the registrars would like to see this start as soon as possible.

So I just wanted to share this since we reached out to them to have some guidance. So given this, I'll turn to you, Pam, if you would help us go through the discussion on the charter.

PAM LITTLE: Sure. Thank you, Philippe. And I would again ask staff to share the slides from the webinar and go to page 23, please. So, as Philippe has just mentioned, the scoping team that the council chartered to help us scope this work actually proposed—there is a draft charter proposed from that team, I believe, or it's included in the final issue report upon which the council has just voted to initiate a PDP to review the transfer policy.

So procedurally, after such decision, the council needs to decide whether to adopt the draft charter proposed attached to the final report, but we are not in a position to do that in this meeting, because there's a couple of open items and that's why we are here to discuss those open items and seek input from our councilors and the wider community, various groups. And as Philippe said, that was done through an e-mail seeking input from SUBGROUP, C and SO and ACs, and we have received four inputs so far, and the results are not very surprising, as Philippe said.

So as I mentioned earlier when we were considering the motion on the transfer policy PDP, the proposed charter actually trying to incorporate some of the principles from PDP 3.0 and the charter and using the revised or updated charter template, as you can see, attached to the final issue report.

So the representative model is being proposed, but I guess like everything, the devil is in the detail, and council, as you may recall, the first time the representative model was used was the EPDP on registration data, and there were different numbers of members allocated to different community groups.

And that in this case, because of the unique nature of the work or this particular policy that has the most direct impact on registrars and maybe indirectly registrants as well, that sort of allocation that was used in the EPDP may not be appropriate. So the challenge for us—and the open item is really to decide what's the right composition for this group, even if we decide to use a so-called representative model for this particular PDP working group.

So that's one thing. The other thing open for discussion here is timing. And we were very mindful as a council and leadership as to when to kick off this effort, because fortunately, we just had a couple major PDPs wrapped up, including the SubPro we just voted on, and the first phase of the RPM review.

But we're also mindful we have EPDP phase 2A still ongoing, and council will soon need to kick off phase two of the RPM, and then there'll be Implementation Review Team work stemming from the SubPro and the EPDP phase one and two. so there is a lot on the plate for the community, for volunteers, and for staff resources as well. Our work really is a collaboration and would not be possible without staff support. So we need to consider many factors when we think about timing and sequencing our PDP efforts, especially if there are multiple efforts ongoing at the same time.

So if staff could maybe scroll down to the next page, 24. These are the open item confirmation that a representative model is appropriate, and the precise composition of the working group. With that, I'm going to pause here to see if there are any comments about this proposed representative model and in terms of the actual precise numbers for various groups.

Just to be very precise, the RrSG is very keen to kick off this work as soon as possible, as Greg said, and so have others, that this is very important and priority work for the Registrar Stakeholder Group. So the Registrar Stakeholder Group chair indicated they would likely be able to have 8 to 15 people assigned to this effort, and Registries Stakeholder Group indicated maybe two to five.

In my mind—haven't seen any hands, so I'll keep talking—I think the group should be ideally between 20, no more than 30 as a whole to make it really sort of be a representative model type, and then more efficient in each meeting. If it's too large, then it tends to be counterproductive. But that's my personal thought. So I welcome any other thoughts or suggestions, comments from councilors. Thanks.

PHILIPPE FOUQUART: Thank you, Pam. Any comments, Kurt?

KURT PRITZ: Yes. So I think we're discussing three things here, but I just want to confirm that. One is this, the confirmation of the composition of the working group. The second is to some extent the content of the charter, and the third is the timing of the work. So with regards to the first item, I think 30 is—I think these are largely technical issues that are being discussed, and I think 30 is a very large number. So I don't know if I can make a competent or coherent specific recommendation here, but I would be for a representative model, I would be for a smaller working group, but I would also be for allowing some more members from the Registrar Stakeholder Group to be part of this team in comparison to the normal representative model because, one, they're the experts, and two, they're the ones largely affected by this change. Thank you.

PHILIPPE FOUQUART: Thank you, Kurt. And that typically the discussion that we need to have in terms of how we accommodate—because [I said] I think in the e-mail that the registrars and registries shared—the order was around 8 to 15 for the registrars compared to the two to five, roughly, from the registries. So that's certainly something that we need to take into account moving forward, given the asymmetric interest on the topic and the very technical nature of this as well.

Pam, would you like to follow up on this?

PAM LITTLE: Yes. Thanks, Philippe. I just saw in the chat some councilors feel 30 is very large. Yeah, and I just want to come back to that in the concept of the representative model and the notion of diversity. And I've been thinking about this, what diversity means in this particular context, because we've been talking about diversity in ICANN forever in different contexts, but in the working group and in particular in this one, I think the diversity needs to also be reflected in even the Registrar Stakeholder Group's representation in this working group.

Not all registrars are the same. There are very different business models among the registrars and very different in their sizes. And I am very pleased to hear the comments that Kurt has made to allow more registrars to perhaps participate in this working group, because the assumption that there's no kind of one size fits all. And I personally, because I come from a registrar, I feel there is very different background, there's different culture, different language, different sizes and models, and it is vitally important that they all have a voice in this very important policy work.

So when we are looking at representatives from the Registrar Stakeholder Group, I think that diversity factor should be considered as well. So when I say 30 as the upper limit, I agree 30 is very large, but I also want to make sure, as I said, the registrar diversity is allowed and taken into consideration.

Given the time constraint, I have a suggestion in terms of next steps. I don't personally see there should be too much question in terms of the scope that's currently proposed in the charter, unless other councilors have any concern—please let us know—but I'm proposing that given this appears to be noncontentious in terms of what's being proposed in the charter, but we need to really carefully consider how this composition of this working group look like. Then we can finalize the charter and present it to the council for the council to consider the charter and vote on the charter, hopefully in March.

Would it be okay if we maybe asked for a few councilors to work with me? And I obviously will volunteer on just finalizing these open items, including the composition of the working group. Obviously, in collaboration with support staff. I feel their input is very important, and also, I'd like to consider their resources and bandwidth. So that's my suggestion.

Maybe a small group of counselors can help finalize this charter on these open items or any other items, and if councilors have any other concerns that they have regarding the currently proposed draft charter, then we can also consider them and finalize them, address them. That's my proposal, Philippe, because I feel it seems to be pretty much in good place, this draft charter, apart from a couple of open items. And it doesn't seem to justify calling for a charter drafting team for this finalization effort. So that's my suggestion, and I hope that's okay with everybody.

PHILIPPE FOUQUART: Thanks, Pam. I would agree with that. Anyone opposed to this? Just a last follow-up, if you may, Kurt, since we are [inaudible].

KURT PRITZ: Yeah, I'm sorry for—

PHILIPPE FOUQUART: That's all right.

KURT PRITZ: Sorry for talking so much. So, I don't volunteer, but I have advice. So understanding the various other efforts that are going on—and Greg can probably do a better job of this than me, but I do want to highlight the sense of urgency with which we should approach this, that registrars are currently in violation of their agreement in accomplishing transfers in an economical and legal way but in violation of the current policies. So I think we do need to prioritize this work. They've been in this state for a couple of years now, and we really should act. So that's my comment on timing.

I have a comment on the content of the charter too. And I don't know if this makes any sense at all, but it seems to me that a new PDP is required in the transfer policy every time there's a new FOA or technical development or new law which must be accommodated. And I wonder if we could write the policy in a more general way at a high policy level that says essentially transfers should be accomplished quickly, economically, with the registrant in mind, and sort of along the lines of the first high-level policy statements of when this was first made in 2005 or whatever the heck it is, and then it creates a mechanism for reviewing and tweaking the implementation of that policy, but not having to convene a new PDP every time a change is required by changes in technology or law. Thank you.

PHILIPPE FOUQUART: Thanks, Kurt. We'll take that onwards. Regarding timing, I would suggest interested councilors just express their interest in the chat or on the list. We'll take that forward to, as Pam suggested, come up with a proposal to the March meeting, and we can think about how we would phrase that, what you just described, Kurt, in terms of trying to approach that in a somewhat generic way to avoid revisiting this at every change in the law or technology.

So with this, again, interested councilors, if you would express interest in the chat or on the list, you'll be welcome, and we'll take that forward. Thank you, Pam. Thanks, everyone, for their good comments.

Moving on with item seven, and it's the council update on the IDN EPDP charter drafting team. I think we have Dennis Tan with us, drafting team chair. Dennis, would you like to provide us with that update?

DENNIS TAN: Sure, Philippe. I think we have some slides. Thank you very much, Steve. So the following update pertains to the IDN EPDP drafting team effort, so let's go to the next slide. So these are the four items that we'll review today, starting with the overview, next looking at the timeline and workplan followed by the framework and principles to develop the charter questions, and finally, end with a quick update on ccPDP 4. Next slide, please.

This is the composition of the working group. You see many councilors as well as Registries Stakeholder Group members, and you see also that some of us already participate in the scoping team, so we are well aware of the issues that we are discussing. And of course, we have the gracious support of staff, technical and support. Next slide, please.

The main deliverables of this drafting team is to, of course, develop and present the draft charter, along with the EPDP initiation request. So that's largely our overall deliverable that we're going to present to the council by the end of this effort. So with that, I think we look at the timeline now.

Thank you. So this is a 30,000-foot view of the current timeline there. The work of the drafting team started back in early January, and we are in the middle of the substantive discussion as far as the mission and purpose of the draft charter. We anticipate that we are going to deliver two deliverables: the initiation request and the draft charter to the council by May so that you can discuss and review that.

This is a tentative timeline. We are trying to stay on course, on track, and we have alternatives to remain on track as far as extending our meeting times. But we're trying to keep it tight. But of course, at the same time, trying not to miss anything that is important, since we understand the importance of this effort to set up a successful working group in the future.

So that's the timeline. Now we're going to give you a brief overview of how we are approaching our work. On this slide, it's a quick view of what we have at hand. At the top of the slide, you see the body of knowledge that we have at hand. The scoping team did assess the staff paper, the TSG paper, and other related documentation such as the SSAC advice, and now we also have the SubPro PDP recommendations, because they did discuss some of the items under their IDN Work Track.

So all of this for body of knowledge. We are considering and looking at whether there are overlaps or not with the understanding and overarching principle that the next IDN EPDP should not revisit SubPro policy recommendations. And so looking at the issues at hand, we found that the SubPro recommendations are generally consistent with the staff paper recommendations and the TSG as well. There are some items that were discussed during the SubPro conversations but SubPro chose not to issue recommendations and defer that to a future working group.

And as far as implementation, we except that the future SubPro IRT and the future IDN EPDP IRT will have a highly coordination in order to make consistent implementation of policies related to future and existing TLDs in the variant context. Next slide, please.

Based on that understanding of the issues at hand and the current and existing work and the future issues that need to be discussed, we took the approach of assuming that the GNSO council

will likely adopt all the SubPro recommendations and that's going to become policy sometime in the near future. Therefore, the next IDN EPDP should not be set up in a way that will revisit or challenge those discussions, those policy recommendations.

So we are assuming [that's a fact] and we are building up on that. And basically, we are, in those cases where SubPro issue a recommendation, we are looking at how do we extend, or does it make sense to extend those recommendations to the existing TLDs.

So that leaves us to the principles of this drafting team, that we are not revisiting SubPro recommendations and we are looking at the applicability of extending the recommendations to existing TLDs. I see Maxim's hand. I think [inaudible] so Maxim, do you want to ask a question?

MAXIM ALZOBA: I just want to bring to attention of the councilors that this particular EPDP and chartering effort is really important, because if not done properly, some of TLDs or strings might have potential to circumvent the structure of rounds via quite difficult logical chain of situations, but potentially, if not attended properly, this EPDP might be danger for the policy development and for the ... I'd say fair approach which is currently formed in the registry world. Thanks.

DENNIS TAN: Thank you, Maxim, for that point. Yeah, that's very important, and that's one of the reasons the drafting team is taking its time to deliver the discussions and the issues that need to be set up for the next working group to discuss in depth and issue those recommendations. So that highlight is important of that. Thank you, Maxim. Next slide, please.

And so the framework for us to—it took us time to get to this point, but once we got to define our framework, we really sped up the process by attacking the issues. So basically, what we have here is when there is no gap in recommendations, meaning there is a consistent approach

between the TSG paper, the staff paper and the SubPro, then we just need to ask the question whether that's applicable to existing TLDs.

But in cases in the issues that SubPro did not arrive to a recommendation, then the charter needs to delve into what are the issues at hand, what are we solving for, and what are the questions that the next working group will need to discuss and develop recommendations.

As far as implementation issues and implementation guidance, we are highlighting the areas in which the next IDN EPDP and the next future SubPro IRT will need to coordinate in order to arrive to a consistent operational approach, because I think we all agree that we don't want to duplicate efforts or have different inconsistent approaches as far as different tiers of TLDs. With tiers, I mean new TLDs and existing TLDs.

And as far as information that the charter itself will contain, we tried to limit the context of it, so we'll just put some context into the charter and have different footnotes and reference links in order to provide more detail, but we want the charter not to be an unwieldy document to tackle, so trying to streamline the text. Thank you. Next slide, please.

And with that, we move on to a ccPDP 4 update. I do this as a liaison appointed by the GNSO council to the ccPDP 4. So ccPDP 4 has a larger, bigger scope than the IDN EPDP will have. They started their working sessions back in 2020, in September. They have been meeting. Currently, the existing deliberations and discussions [is] around the selection of IDN ccTLD strings. The variant issue is not going to be started until 2nd of March, and I plan, of course, to meet with them every time so that we can deliberate the issues and discussions. And the ccNSO is aware of what the GNSO or arriving to or the direction that it's taking so that we arrive to a consistent approach to the extent possible.

And in turn, I think we expect that the ccNSO also will appoint a liaison to the GNSO council, so we'll keep each other informed and coordinated. And I think that's it, so I'm happy to take any questions.

PHILIPPE FOUQUART: Thank you, Dennis. We may have time for one question. Kurt.

KURT PRITZ: Dennis, that was a great job, and I really appreciate your comments about making a streamlined charter and not constraining the work of the group. So that's terrific. What are the risks in different policy outcomes between the ccNSO and this working group? I'm thinking about the registrants and having domains and e-mails in a ccTLD and a gTLD, and how can a registrant—what are possible outcomes that would confuse registrants? Those disparate outcomes that should be avoided between the ccNSO policy and this GNSO policy.

DENNIS TAN: Sure. Thank you for the question, Kurt. Very good question. So the issues at hand—and when we're talking about variant at the TLD, we are dealing basically with the fundamental question of [one that solve for] conservatism and security, which is the same entity principle, which, who controls the variant top-level domain names, the set. If you deem two top-level domain names as the same, who has control, I mean operational control of those two? The leading thought, the leading recommendation is that it should be the same entity, and that is the registry operator. And you can extend that same principle down lower levels, at the second level, for example.

So if that principle is not adopted by the ccNSO, that's when you will see practices across the gTLD and the ccTLD world different, and potentially confusion among registrants as they will see that there are certain ways that they can register variants in the gTLD world and different practices in the ccTLD world, for example. Emojis come to mind, for example. you cannot register emojis in gTLDs because they are not IDNA2008 valid, but you can do in certain ccTLDs.

And that's just one example, Kurt. I could go into more examples here, but that's, I think, the most—and let me put another one. It's the basis for—or the other main fundamental new feature

that this work will introduce is the root zone LGR, and the root zone label generation rules. Those that are familiar with IDNs, you know that you have an IDN table, basically the list of the letters—just put it simply—or characters that you allow in certain script for your registry to register IDNs, right? And the root zone LGR is that. What is the list of letter characters that you allow for the root zone for top-level domain names? So it's a restricted list, it's based on the work of the community, but it is a restricted list.

So the ccNSO will decide whether they agree or not with the root zone LGR or they just want a more liberal or more flexible approach as they have today, for example, as far as what are the allowable characters that they can choose to create their own top-level domains. So I think those two levels is the risk that you can have in terms of potential confusion down the line.

PHILIPPE FOUQUART: Thank you, Dennis. Thanks a lot for the in-depth explanation. I think we're all looking forward to the final result within two to three months. I remember you mentioned May as a potential delivery date, so we're looking forward to that. Thanks again, Dennis, and we'll move on with our agenda to the AOB. We have three—it's essentially for information—points.

Very quickly on 8.2, on the EPDP phase 2A project and workplan. As you would know, phase 2A started their work sometime in January on legal versus natural persons, the distinction and the feasibility of unique contacts to have a uniform anonymized e-mail address.

The PDP initiated a subteam on legal aspects, chaired by Becky Burr to work, as the name indicates, on legal aspects, which is the proposed definitions for registrant-based and registration-based e-mail contacts, as well as consideration for liability issues, for example, for contracted parties.

I think they also identified policy questions such as the persistence of contacts. They have to be addressed by the "plenary" of the phase 2A, but essentially, the work is driven at this point through the legal subteam. So it's certainly early days, and we'll see as we move along, but I think council

may expect a request from that EPDP to somewhat extend the project and possibly the timeline. We'll see. It's a bit early, but I thought I'd mention that.

I don't know whether Berry, for example, you would like to add anything on this, since you've been following phase 2A too. Any—I'll go to Berry first and then we'll go to Maxim for a question. Berry.

BERRY COBB: Thank you, Philippe. Just to be clear that in terms of the timeline that the chair is committing to, the next primary deliverable date will be the end of May to deliver an initial report. Prior to that and per the council resolution when initiating this effort, there will be an update from Keith Drazek as chair to the council regarding the status and potential for consensus around the work that's being performed in the phase 2A, and the intent with that update is to inform the council on the probabilities of getting to consensus recommendations.

But in terms of committing to the timeline and based on—I provided a brief description when I sent the project package last week, is that we had a slower start than we had expected, and there's definitely larger elements of substance and interest around these topics. So the leadership team felt it was appropriate to go ahead and extend our planned timeline delivery of the initial report to the end of May, recognizing that the pace is a little bit slower and building enough slack into the plan to mitigate a chance for submitting a project change request.

PHILIPPE FOUQUART: Thanks, Berry. So I'll go to Maxim first, and I saw that, Kurt, you had a question in the chat.

MAXIM ALZOBA: My question is very basic. As I remember, we discussed that the efforts of this phase should be somehow limited to, for example, three months, and then we see what changed, what happened, and if we see no progress, then most probably, it's time to bury this.

Do I understand it right that we hope to have a report from Keith and then we will be able to discuss this and to come to a conclusion if we allow this to continue to be [an eternal] PDP, or do we finish it somehow? Thanks.

PHILIPPE FOUQUART: Thanks, Maxim. I think it's the same question as Kurt's, and the answer is yes, I think this is going to be part of Keith's update to council, and that's a discussion that we'll need to have in the context of a potential project change request. But I think you're right, I think that's a question worth asking by that time. Exactly. Thanks, Maxim.

So with this, and for the benefit of time, I'll move on to 8.2, that's the update from the council liaison to the GAC. We mentioned SubPro earlier, but there's a couple of things that you may want to mention, Jeff.

JEFFREY NEUMAN: Yeah. Thanks, Philippe. So I guess about a month ago, a little over a month ago, we were informed by the GAC that they had appointed Jorge Cancio from the GAC as the GAC point of contact for the GNSO for the 2021 calendar year.

I think it's a relatively new kind of position, and I also think it's important to note that it's not just for the GNSO council but it's for the GNSO, so I think the use of the term "GNSO" as opposed to "GNSO council" is deliberate.

So Jorge and I are meeting once a month. We just started last month, and that was mostly to kind of talk about some formalities and logistics and setting up a monthly call, which we will do—we'll schedule around council meetings. so our next meeting is actually next week. So in general, we'll meet the week after the GNSO council meeting to talk about any updates that we have that may impact the GAC and then of course, to get input from Jorge on issues that the GAC may want to convey to us so that we can increase our dialog and collaboration.

And I think in the long run, it's certainly been true that the GAC has been paying attention to the GNSO more and more over the past several years and has more than dipped their toes into collaborating with us and even participating within our PDPs and other efforts.

So it's still really early on in what this truly means in terms of Jorge's role, so we're just kind of trying to figure it out as we speak. But certainly, Jorge and I are going to be, as I said, meeting every month, but also trying to coordinate or facilitate additional sessions where the GNSO council can engage in dialog with the GAC or GAC leadership.

So it's more of a heads up and a stay tuned, and I'll update at ICANN 70. If there's anything new to report, I'll report it during the council meeting. Thanks.

PHILIPPE FOUQUART: Thank you, Jeff. So we'll move on to the last item, unless we have questions, but that was essentially for information. So let's move on to 8.3 and ICANN 70 sessions and agenda topics for our bilateral sessions with the ccNSO, GAC and the Board. We have three sessions scheduled: with the ccNSO on March 17ths, with the GAC on the 24th, and the Board on the 1st of April.

In terms of topic, I don't want to put you on the spot, Sebastien, but there have been some topics that have been shared with the ccNSO already. Would you like to say a word about that, or shall I go through the list? So, very briefly, the list includes the IDN, which we just talked about, that Dennis reviewed for us, SubPro, we'll talk about our cooperation between the SCBO and the SOPC on the ICANN budget, and more broadly the cooperation between the two groups.

I think there's an interest to talk about EC regulation and the NIS2 directive as well as the Digital Services Act, and possibly identify commonalities of views, for example, as well as an item on the empowered community. Sebastien, is there anything that you'd like to add?

SEBASTIEN DUCOS:	Thank you. You did put me on the spot a bit here, and I was scrambling to get that e-mail back, but you had it in front of you and were able to read through.

PHILIPPE FOUQUART:	My apologies.

SEBASTIEN DUCOS:	No, that's all right. Yeah, so no, it was just an ask from the ccNSO chair for the two mutual liaisons to work together on an agenda, which we proposed and then [you disposed, as you did.] Sorry, I didn't fully hear what you said, but I'm taking this opportunity also to invite colleauges working on the IDN to join us maybe for that discussion between the two groups as this is definitely a topic where there's a lot of synergies together, and I feel that not everybody is up to speed with it. It's a complicated technical topic, and so having the experts around the table when we discussed that together would be fantastic. Thank you.

PHILIPPE FOUQUART:	Thanks, Sebastien. And indeed, [Dennis will be convened,] for example, and we'll make sure that we have the experts around. Thank you, Sebastien.

So as far as the GAC is concerned, we've just talked about that. For the Board, we have several topics that we've planned. The SSAD consultation and the use of the ODP is one of them. We'll probably have a chat about the SubPro ODP at some point, given our vote today. And I think we have to—correct me if I'm wrong—by the 26th, Nathalie, we have to freeze the topic. Thank you. Thanks, Nathalie. So bear that in mind.

So this is the update on our sessions, bilaterals for ICANN 70. This closes our AOB. I noticed that someone put in the chat—Marie, you might have an AOB. I just want to make sure that I didn't miss that. Oh, that was Mark. Anyone has AOB or something that they would like to be mentioned before we adjourn? Okay. Mark.

MARK DATYSGELD: Thank you. I'll be very brief. I would just like to acknowledge that we did have some discussion on the chat about the importance of DNS abuse and how this is a topic that's very relevant to the GNSO. We did outline a few ways forward. I will not lay them out here, but for sure, this is something that would be beneficial for us to include in future agendas, in future discussions. We do have a way forward based on the recent outcomes of different policymaking processes, and this could be a good time for the GNSO to start looking to this. For now, this is my comment. Thank you.

PHILIPPE FOUQUART: Thank you. And just to echo, Mark, what you said, this is a recurring topic between the SOs and ACs. I think that SSAC has produced, or just about to produce, a report on the topic. I know that it's a recurrent ask on their side as well. So I just want to have that on record as well.

So with this, we're one minute over time now. I just want to thank you all for this very effective meeting, and again, thank you to all those who took part in SubPro. I think this is a major milestone for us, although it's certainly not the end, possibly just the beginning.

So with this, have a nice rest of your day, wherever you are. I hope you're all well, given the circumstances. And we'll speak to you soon. Bye all.

NATHALIE PEREGRINE: Thank you for joining the GNSO council meeting. This concludes the call. Have an excellent rest of your days. Bye.

[END OF TRANSCRIPT]