

# Final Proposed Agenda 26 April 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/8YLpB>

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: 21:00 UTC: <https://tinyurl.com/ycdbsh8u>

14:00 Los Angeles; 17:00 Washington; 22:00 London; 02:00 Islamabad; (Friday 27 March) 06:00 Tokyo; 07:00 Hobart

## **GNSO Council Meeting Audio Cast**

To join the event click on the link: <http://stream.icann.org:8000/stream01.m3u>

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 (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 22 February 2018 were posted on 9th March 2018

[Minutes](#) of the GNSO Council meeting on the 14 March 2018 were posted on 5<sup>th</sup> April 2018

### **Item 2. Opening Remarks / Review of Projects & Action List (10 mins)**

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 (5 min)**

- [Motion](#) to adopt the [GNSO Council response to the GAC Communique](#) for submission to the ICANN Board.
- The GNSO Council agrees that ICANN org should continue to treat the Community gTLD Change Request process as a matter of implementation.

### **Item 4: COUNCIL VOTE – In Memory of Stéphane Van Gelder (10 minutes)**

In March of 2018, the Council was informed of **Stéphane Van Gelder's passing**.

Stéphane entered the domain name business in the late 1990s. He served on the GNSO Council from 2008 through 2012, serving as Vice-Chair in 2010, and Chair in 2011 and 2012. Stéphane had a number of notable achievements while presiding as Council Chair, including the completion of an extensive update to the GNSO's operating procedures, establishment of the DNS Security & Stability Analysis working group jointly with the ALAC, ccNSO, and NRO, completion of the Applicant Guidebook for the 2012 New gTLD Program, and several other important projects. Perhaps most importantly, Stéphane was well-respected and liked for his passion, fairness, his ability to find the best in people, and his true gift for uniting people. Stéphane's passing is a great loss for many in the ICANN Community that had the pleasure to work and interact with him.

Here, the Council wishes to recognize the significant contributions Stéphane made to the GNSO Council during his tenure, the wonderful traits he brought to this world, and how much he will be missed. As well, on behalf of the current and previous GNSO Councils, we offer our deepest and heartfelt sympathies to his family and friends at this most difficult time.

4.1 – Presentation of [motion](#) (Rafik Dammak)

4.2 – Council discussion

4.3 – Council vote (voting threshold: simple majority)

**Item 5: UPDATE – CCWG-Accountability-WS2 status of work and expected timeline for delivery of Final Report (15 minutes)**

The Co-Chairs of the CCWG-Accountability-WS2 had indicated that the group would not complete its work in FY17 as originally planned. On 18 May 2017 via its [Consent Agenda](#), the GNSO Council validated an extension of the mandate and funding for the CCWG-Accountability-WS2 in FY18.

Here the Council will receive an update from the GNSO appointed co-chair to the CCWG-Accountability on the status of work and expected timeline for delivery of the Final Report.

5.1 – Update (Thomas Rickert, CCWG co-chair) - ([CCWG-Accountability-WS2-ThomasRickert.pptx](#))

5.2 – Council discussion

5.3 – Next steps

**Item 6: UPDATE – IGO-INGO Access to Curative Rights Protection Mechanisms (10 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.

On 19 April 2018, the Council liaison to the WG led a WG call and provided an update on the input received from WG members, as well as discussed next steps.

Here, the Council liaison to the WG will update the Council on the status of the WG.

6.1 – Update (Heather Forrest, Council Chair and Susan Kawaguchi, Council liaison to the WG)

6.2 – Council discussion

6.3 – Next steps

**Item 7: UPDATE – ICANN Board Temporary Policy Proposal (15 minutes)**

On 23 March, the Council received [correspondence](#) from the ICANN Board, suggesting that the ICANN Board meet with Council leadership and leadership of the RDS PDP WG to discuss the potential impact on the WG from the finalization of an interim model for compliance with GDPR.

On 11 April 2018, members of the ICANN Board, Council leadership, and leadership of the RDS PDP WG met to discuss possible impacts of GDPR on GNSO policy. Council leadership has prepared a [briefing note](#) from this meeting and the recording has also been made available. (<http://mytrials.webex.com/mytrials/ldr.php?RCID=0d1a8602495492f964dcf5d018d05c89>, password Eur3wiEK.)

Here, the Council will receive an update on the current status and discuss next steps.

7.1 – Update (Council Leadership)

7.2 – Council discussion

7.3 – Next steps

**Item 8: COUNCIL DISCUSSION – Discussion of Updates to the Consensus Policy Implementation Framework (CPIF) (10 minutes)**

On 24 June 2015, the Council adopted the outputs of the non-PDP Policy and Implementation WG, which included the Consensus Policy Implementation Framework (CPIF). The CPIF provides guidance to ICANN Org and the community for implementing policy and has been in use since its adoption by the GNSO Council.

As noted in Point H of the CPIF, which directs “ICANN staff [to] continually review the implementation framework and related materials to encapsulate additional best-practices or to adjust the steps as a result of lessons learned with previous Consensus Policy projects,” a cross-functional group of representatives from ICANN’s GDD and GNSO Policy Development Support teams have reviewed the Framework, and are proposing a number of amendments to it for the consideration of the GNSO Council.

On 5 March 2018, a redlined CPIF document and a document detailing a set of guidelines for ICANN Org to follow when considering engagement in a GNSO PDP were [circulated](#) on the Council email list.

Here, the Council will consider the proposed changes and additional document developed by ICANN’s GDD and discuss next steps.

8.1 – Presentation of topic (Brian Aitchison & Karen Lentz)

8.2 – Council discussion

8.3 – Next steps

**Item 9: COUNCIL DISCUSSION – Review of the Inter-Registrar Transfer Policy (IRTP) (10 minutes)**

A recommendation from the 2014 Inter-Registrar Transfer Policy (“IRTP”) Part D PDP Working Group’s Final Report recommended that the GNSO Council, in conjunction with ICANN Org, “convene a panel to collect, discuss, and analyze relevant data to determine whether [the policy updates resulting from the IRTP WGs] have improved the IRTP process and dispute mechanisms, and identify possible remaining shortcomings.” This review was recommended to take place 12 months after the IRTP Part D recommendations were implemented.

On 28 February 2018, ICANN Org sent a [letter](#) to the GNSO Council, noting that the updated IRTP went into effect on 1 December 2016 and therefore, the policy was in place for over 12 months. ICANN Org suggested that a Post-Implementation IRTP Status Report be generated, offering a framework for that report. The ICANN Org envisions that the report, if and when drafted, would be published for public comment. The report and a summary of public comment would be provided to the GNSO Council, for it to determine next steps. If the Council agreed with the approach outlined in the letter, ICANN Org had suggested delivery of the report by **1 May 2018**.

On 14 March 2018, Council received an update from the ICANN Org and had subsequent discussion on its email list. The Council has not yet agreed whether it believes the ICANN Org should undertake the post implementation analysis on IRTP.

Here, the Council will continue to consider the proposal and discuss immediate next steps.

9.1 – Presentation of topic (Caitlin Tubergen)

9.2 – Council discussion

9.3 – Next steps

**Item 10: UPDATE – Privacy and Proxy Services Accreditation Issues (PPSAI) Implementation Review Team (IRT) (10 minutes)**

On 21 January 2016, the GNSO Council [adopted](#) the Final Report of the Privacy and Proxy Services Accreditation Issues (PPSAI) PDP and requested that an Implementation Review Team (IRT) be established upon ICANN Board adoption of the PDP recommendations. On 9 August 2016, the ICANN Board [adopted](#) the PDP WG’s Final recommendations.

On 30 November 2017, the GNSO Council [resolved](#) that, “The GNSO Council directs the PPSAI IRT to consider the issue of privacy/proxy registrations and IRTP Part C as outlined in the annex to the [GNSO Council letter](#)...” The Council also resolved that this work should take place after the PPSAI IRT comment period.

The PPSAI IRT is scheduled to publish its implementation plan for public comment in late April or early May of 2018. There is some concern amongst IRT members that some elements of that implementation plan have strayed into policy work.

Here, the Council liaison to the WG will provide an update on the status of the IRT.

10.1 – Update (Darcy Southwell, Council liaison to the IRT)

10.2 – Council discussion

10.3 – Next steps

**Item 11: UPDATE – Joint Timeline of the All Rights Protection Mechanisms in All gTLDs and New gTLD Subsequent Procedures PDP WGs (10 minutes)**

The Review of All Rights Protection Mechanisms in All gTLDs PDP WG is the midst of its Phase 1 review of Rights Protection Mechanisms (RPMs), focused on those related to the New gTLD Program and the New gTLD Subsequent Procedures PDP WG is working towards publishing its Initial Report. The Council has recently discussed the joint timeline of the two PDP WGs and the extent to which there are dependencies between the two PDP WGs.

Concerns have been raised by Councilors and other community members about the proposed timelines of the two PDP WGs.

Here, the Council will receive an update on the current status and discuss next steps.

11.1 – Update (Paul McGrady, Donna Austin, and Keith Drazek, Council liaisons to the WGs)

11.2 – Council discussion

11.3 – Next steps

**Item 12: ANY OTHER BUSINESS (5 minutes)**

12.1 – Update on scheduling for ICANN62 (<https://gns0.icann.org/en/drafts/icann62-draft-gns0-schedule-26apr18-en.pdf>)

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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 March and October Summer in the NORTHERN hemisphere

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- California, USA (PDT) UTC-7 14:00
  - San José, Costa Rica (CST) UTC-6 15:00
  - 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
  
  - Paris, France (CEST) UTC+2 23:00
  - Kinshasa, Democratic Republic of Congo (WAT) UTC+2 23:00
  
  - Islamabad, Pakistan (PKT) UTC+5 (+ 1 day) 02:00
  - Singapore (SGT) UTC+8 (+ 1 day) 05:00
  - Tokyo, Japan (JST) UTC+9 (+ 1 day) 06:00
  - Sydney/Hobart, Australia (AEDT) UTC+10 (+ 1 day) 07:00
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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.

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For other places see <http://www.timeanddate.com> and <https://tinyurl.com/ycdbsh8u>