

**ICANN  
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GNSO Outreach – GNSO Policy Briefing  
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Marika Konings: Welcome. Are we ready to go? All right. Thank you very much. So thank you for joining us today on the Day 3 of the Policy Forum. So I think some of you already have seen part of this but the objective of these briefings is really to give an opportunity to introduce you to our team, to let you know that, you know, we're here if you have any questions, any information you would like to have about the GNSO and its activities.

We'll walk you through the agenda for today and the meetings the GNSO has scheduled and of course any questions you may have about what we've presented or discussed or anything else you may have on your mind. And look at this (Steve).

Steve Chan: Hey.

Marika Konings: I managed to get the pictures up. So this is the GNSO Team and most of whom you see in the room and those that are not here are already in other meetings or recovering maybe from late night meetings.

But in any case, you can see all our faces here and if you catch any of us here in the venue, feel free to reach out us now or through email. We also have a general policy email address, [policy-staff@icann.org](mailto:policy-staff@icann.org). So that also ends up with us.

So the GNSO, the Generic Names Supporting Organization consists of the GNSO Council and the GNSO stakeholder groups and constituencies. You may hear people referring to houses.

So the structure is that we have two houses, one that houses the contracted parties that is gTLD registries and ICANN accredited registrars. And we have a non-contracted party house, which houses those (practices) that do not have a contract with ICANN but that do have a significant interest in gTLD policy.

So there we have on one side the commercial constituencies or the CSG, which consists of the Business Constituency, the Intellectual Property Constituency and the Internet Service Provider and Connectivity Constituency.

And then on the other side of that house there's a Non-Commercial Stakeholder Group, which consists of the Non-Commercial Users Constituency and the Not for Profit Operational Concerns Constituency.

So those groups make up the GNSO. You'll see here as well there, for example, this afternoon there's a GNSO Council meeting but stakeholder groups and constituencies also have their own activities and different meetings throughout the week.

What's on the agenda for today? We're starting off in 25 minutes with a face-to-face meeting of the GNSO Next Generation gTLD Registration Directory Services Policy Development Process Working Group. And we'll cover that in a bit more detail in a second.

Then from 11:30 to 12:30 there's a GNSO Council meeting with the Governmental Advisory Committee. It's a recurring meeting that we usually have at every ICANN meeting, which is an opportunity for the GAC and the GNSO to discuss some topics of common interest.

And that is then followed by the GNSO Council public meeting from 1:00 to 3:00. And then after that there are a number of cross community discussions. I think all the ones today are actually hosted by the ccNSO Council - by the ccNSO but there are actually a number of GNSO members that are also participating in that. The next - Lisa, you want to talk to them about this group?

Lisa Phifer: Sure. So good morning. I'm Lisa Phifer and provide the staff support for the RDS, Registration Directory Services Policy Development Working Group. So we have a rather long face-to-face meeting this morning where we have two primary topics on our agenda for the morning.

After some brief opening remarks and some introduction to our work plan, there are two things that we'll try to cover. One is to talk about the feedback that we received in the cross community discussion on Monday.

We had a session on Monday where we solicited some feedback from the community on our initial work - rough consensus points that we've developed on the purposes for collecting, maintaining and providing access to registration directory data or registration data and directory services.

So we'll touch on what we'll do with that community feedback and how we'll factor it into our ongoing work. And then we'll segue into a working session that will allow us to continue our deliberations.

Thus far in this working group we have been deliberating on our charter questions as they relate to what is often referred to as thin data but a minimum public dataset.

In today's meeting the working group will hopefully pivot and begin to look at additional kinds of data beyond that minimum public dataset, in particular contact data that you find in Whois today.

So that will be the primary focus of discussion today. And depending on what the working group chooses to focus on, we think that they may turn next to looking at registrants' data.

You may know that in Whois - Whois provides access to a number of different kinds of data including registrant administrative and technical contact data. And we think probably where the working group will go today is to focus on registrant data as our next primary objective.

So you can see here I included the links to the slides that we'll be using for today as well as the Adobe Connection session should you want to join in that way. And we'll be in the GNSO Ballroom 2.

Marika Konings: Thank you Lisa. You still want to talk about that one or you already covered...

Lisa Phifer: Yes.

Marika Konings: Okay. So what's on the agenda for the meeting that the GNSO has with the Governmental Advisory Committee or the GAC? So they will first off talk about the developments regarding Red Cross, Red Crescent and IGOs.

As some of you may be aware, a facilitated dialog took place during the last ICANN meeting in Copenhagen on these - both these topics. These are a few topics for which the GNSO has developed policy recommendations that it submitted to the ICANN Board for its consideration.

But a couple of those recommendations are in direct conflict with advice that has been provided by the GAC. So there's an attempt on seeing how those two opposing views can be reconciled.

And as a result of the facilitated dialog, one decision that has already been taken is that the GNSO Council reconvened the PDP on Red Cross names. There is a provision in the PDP manual that allows for the GNSO Council to modify its recommendations prior to Board consideration.

So the GNSO has decided for that specific aspect to invoke that procedure for the first time ever. So they are expected to give an update on where that stands.

And then a discussion on next steps on IGO acronyms. It appears that the views may be further apart on that one. So it's not exactly clear yet what the next steps may be on that one. Here's a suggestion that there may be a need for further facilitated discussions. So I think we'll need to see how that turns out.

And there will also be a quick update on current policy development processes especially focusing on the opportunities for GAC engagement in these. And there have been discussions over quite some years now how to encourage or facilitate GAC participation in policy development.

There was a tendency that the GAC would come in really at the end stage after the GNSO would have already gone through all its processes and which of course is not ideal.

So there's really an attempt now to make sure that GAC input is received at a very early stage in the policy development process discussions so that those can be considered and factored in just like other input that is received either from other stakeholders or from other supporting organizations or advisory committees.

Then there's a conversation on the status of implementation of the GAC GNSO Consultation Group recommendations that the Consultation Group was specifically formed to look at that aspect of early engagement. And they actually made a number of recommendations on how to facilitate that early engagement.

So this is a brief update on where the implementation stands. It's nearly complete and my expectation is that by the next ICANN meeting we'll hopefully have signed off on all those items. And one of those is actually out for public comment at the moment.

There were some changes to the PDP manual as a result of those recommendations to reflect what it's called, the so-called quick look mechanism, which basically ensures that at a very early stage in the process the GAC provides input on whether the topic that's being considered for policy development is expected to have public policy implications.

And that is a bit of a flag so that at least the GNSO knows that that is a topic of specific interest for the GAC and as such for the consultations and input can be received.

Then there's also an agenda item on the review of the GAC Copenhagen communique. Since a couple of meetings now, the GNSO has started to review the GAC communique with an attempt - the focus of that is really to pick out those items that are - that the GNSO considers within its specific

remit and basically communicate what if anything has been done or is being done on the topic.

And the idea behind that is that it would help inform the Board when it reviews the GAC communique so it is aware of other activities or other policy recommendations that may have already been developed in relation to the area for which the GAC is providing advice.

You see as well as part of agenda item here as well that there has been a gradual shift from the original objective, which is really focusing on indeed just flagging, you know, is this considered a gTLD topic; and if so, what has been done or what is going on; to a shift in focusing more on substance.

And again, it will be interesting to see if that's something that's being welcomed by the GAC or whether there's a sense that it should really focus on just identifying what's going on instead of debating what the GAC may have advice to the ICANN Board.

And we also have the Council meeting this afternoon. A number of topics on that agenda. First one is the process and criteria for the selection of the GNSO representative to the Empowered Community.

This is an item, as you know, following the transition - IANA Stewardship transition. Each of the decisional participants is expected to designate a representative to the Empowered Community Administration with the role of communicating any decisions that are taken by the decisional participant to the Empowered Community Administration.

The GNSO Council tasked the GNSO Standing Committee - Standing Selection Committee to come up with a proposed process and criteria for the selection. Currently the GNSO Chair is fulfilling this role on an interim basis.

And based on the deliberations of that group, they've now put forward their recommendations to the GNSO Council, which the Council is expected to consider potentially for adoption during this meeting.

They're basically recommending that the GNSO Leadership Team should determine amongst themselves who of the three, so the Chair and the two Vice Chairs, who should take on that role so it provides as well a mechanism if there are any - someone is ill or cannot make a meeting that they have a kind of backup system.

And of course it's also someone that's very closely connected to the GNSO Council decisions. So the idea is that in one way the simplest solution to this issue.

Then there's also a follow up conversation on the updated charter for the Cross Community Working Group on Internet Governance. That group submitted a revised charter to the GNSO Council at its request.

There were some concerns about the original charter especially its alignment as well with the Cross Community Working Group principles that were adopted a while ago.

So there have been conversations now over a number of meetings around, you know, does the revised charter meet the expectations. Are there still open issues or still open questions?

One of the main questions is is the Cross Community Working Group really the appropriate vehicle. There's no doubt within the GNSO that Internet Governance is an important topic and ICANN is part of that. But it's not convinced that a Cross Community Working Group is the right vehicle to ensure interaction and participation in that conversation.

And there's also a discussion on the proposed fundamental bylaw changes. Some of you may have gone to the Community Forum yesterday. A number of pretty straightforward fundamental bylaw changes that are being proposed.

But that did kick off the new process under the ICANN bylaws. So this is a bit of a test run I think is that some consider it to see how the different groups are able to fulfill their obligations under the new bylaws. So the GNSO Council will discuss how it will take its decision and what timeframe is needed for doing so.

Then we're also talking about the Cross Community Working Group on the use of country and territory names. For those of you that were at the - yesterday's cross community discussion on geo names, know that this is a very hotly debated topic at ICANN.

This group is tasked to try and see if it would be possible to develop a common framework on this topic. But this group has now submitted its final report and has to admit defeat.

On some of the issues they've managed to reach agreement but on some of the more controversial issues, they have not been able to come to a common understanding of how that may look.

So part of the discussion that's taken place in the cross community discussion, which happened yesterday but there's another session tomorrow, is really trying to see how to move that topic forward in a way that satisfies all the different parties that have an interest in this and of course is also specific interest to the ccNSO, the country codes supporting organization as well as the Governmental Advisory Committee.

Again, they're talking about the final report and probably how that group will wrap up and move into another stream of work. As I mentioned before, the Council has initiated the specific process for amending approved GNSO

policy recommendations in relation to a number of recommendations related to protection of the Red Cross names and identifiers. There will be an update there.

There's an update scheduled on the current review teams that are ongoing. So that's the Registration Directory Services Review Team, which has only recently commenced its deliberations and has four GNSO representatives as part of that team.

And then there's also the Security and Stability and Resiliency Review Team Number 2, which is already going for a little while longer and also has a number of GNSO endorsed candidates or representatives as part of that effort. So it's intended to be a short update on where those groups stand and if there are any particular issues of interest that the GNSO should be watching for.

And this is the open GNSO Council meeting. At the end of the session there will also be open microphones. So any issue, any topic anyone wants to raise with the GNSO can just go up and share that and it will hopefully be a lively discussion.

And I think that's all I had on my list for today. As we've said before, all GNSO sessions are open. They're all recorded and transcribed. For all the sessions comments and input are welcome from all, not only working group members or Council members.

If you want to know more about some of these topics, please review the GNSO policy briefings. Those are really a one-stop shop to get all the info on the projects that are being considered and operating within the GNSO. We prepare those ahead of each ICANN meeting. So and we hope that helps you to prepare and get ready for these types of meetings.

And as I said before as well, do not hesitate to ask question. We know this is a lot of information. The Policy Forum is really focused on substance. So for many that may be relatively new, it may be overwhelming. But please do not hesitate to reach out to us and ask any questions you may have.

Linked to that, do not panic if you have no idea what people are talking about. Again, this meeting really goes immediately into the substance of the issues. Do not worry. It will take maybe a couple of meetings to get there but we've all been in the same situation. It's a steep learning curve. But if you hang in there, it's definitely worth it.

And hopefully we see you back tomorrow at the last day of the GNSO Outreach Policy briefings to help you prepare for Day 4. So I don't know if there are any questions. I hope this was helpful.

Alicia Kabini: I have some questions (just seriously really). This is like my first ICANN meeting and (unintelligible). So I have - well, do not panic. So I just - sort of that first line where you add how it's structured. I'm just trying to understand how it all works.

You guys are the GNSO Council and then you make recommendation to the ICANN Board. And all the working groups within one of these two houses that are busy going on every other day (unintelligible) I vaguely know about. Is that how it works? So just sort of...

Marika Konings: So indeed, the Council is the interface with ICANN Board. Any recommendations have to go through the GNSO Council in order for them to move up to the ICANN Board. And the GNSO Council has representatives from all these stakeholder groups and constituencies.

Alicia Kabini: Okay.

Marika Konings: And then the way policy development is done is through open working groups. So anyone is welcome to participate in those. But especially GNSO stakeholder groups and constituencies are encouraged to send representatives there because of course they in the end need to sign off on those recommendations. So they need to ensure that they have participation and that their views are represented there.

But then in addition within each of those stakeholder groups and constituencies they also do their own thing. So they work together as well in developing common positions. They as well discuss within their groups certain issues that are of specific interest to them.

Alicia Kabini: Yes.

Marika Konings: So they are kind of structures within the GNSO that have a specific focus but they then also work together at the GNSO Council level and through policy development activities. That makes sense?

Alicia Kabini: It does. And then my next issue is I was (unintelligible) the (community) sessions yesterday. They're registrars. We are very represented on that for the Internet end users or - because I understand that you've got the registrars, the registries. Then you've sort of got business, the intellectual property community, you know, ISPs directly - all that I understand that.

But I don't see where the registrars like (unintelligible) who - I mean (have) something about what should be and shouldn't be where they voice their concerns.

Man: (Unintelligible).

Alicia Kabini: Oh, it's Alicia Kabini. I'm an Adams & Adams attorney.

Marika Konings: Thanks (Steve). So this is Marika again. So some of end users you will find in the Non-Commercial Users - Non-Commercial Stakeholder Groups because there for example they do have individual membership. And I think a number of people there consider themselves non-commercial users and registrants. But then there's of course as well the ALAC, the At Large Advisory Committee.

Alicia Kabini: Oh, okay.

Marika Konings: You don't seem them represented here in this diagram but they - you see we have a liaison for example at the top.

Alicia Kabini: Yes.

Marika Konings: But they also actively participate in policy development activities. So we'll have members from that group as well participating or usually as well very active in providing when anything goes out for public comment, they will also provide input on that. And they also have the ability at the end of the day to advise the ICANN Board on certain issues.

So that's also another avenue through which that perspective is provided. And as said, you know, working groups are open to anyone interested. So we also have a lot of individuals participating that may not be associated with any group maybe because they don't identify with any group or maybe because they don't have any desire to engage in a formal structure but they participate as individuals and they have, you know, equal voice and participation in those efforts.

Alicia Kabini: Okay. And still my last question just because, you know, I'm the only other person in the room, the GAC. Who - what is - which government and again that's the Government Advisory Committee. What's that (considered)? It all seems to be like North American countries mostly or are there more (unintelligible).

Marika Konings: No. This is Marika. No. They've actually - they've grown very rapidly over the last couple of years. I don't want to say the exact number but it's...

Man: Seventy.

Marika Konings: ...yes. I think they have 170 governments that are represented.

Alicia Kabini: Oh.

Marika Konings: And then as well I think 70 observers. So some of the intergovernmental organizations can apply or can become observers. So they actually do have a very broad representation. You don't see everyone here at the meeting because not everyone is able to come.

Alicia Kabini: Yes.

Marika Konings: But I think usually they represent a very good cross section and is basically, you know, one member one voice. They do operate - you have a different approach towards consensus because in the GNSO world consensus means when most agree and only a small minority disagree.

So we can move forward even if some people say we really don't like this. While in the GAC it's more the non-objection. So really everyone has to agree. Otherwise it doesn't become - it's more U.N. kind of approach.

Alicia Kabini: (Got it). Thanks.

Man: They're meeting right now.

((Crosstalk))

Man: This is a fun (place).

Gg Levine: Hi. This is Gg Levine. And I have a few questions. The first one is it possible to be - to participate in more than one group? So for instance if one is part of the Registry Stakeholder Group, might they also have an interest - well, might they also be able to participate in activities of the ALAC for instance?

Marika Konings: Yes. This is Marika. Very good question. Yes. I don't think there's any restriction across groups. And I think even in those cases they can actually fully participate. However, within the GNSO there is a rule that you can participate in multiple groups but you cannot vote in multiple groups.

And this is to avoid that you just, you know, hop across houses and try to influence the vote. Because for example, if you look at the registrars, there are quite a few registrars that have a very strong intellectual property focus but who will also be participating in the IPC.

So you see some of the larger registrars for example they will have a rep in the registrars but they also have a specific person that will be participating in the IPC activities. But they are required to pick in which of those groups they vote.

And similarly, you know, registries and registrars with vertical integration and many registries that also have a registrar or vice versa and they also have specific rules in their charter that it prevents someone to take leadership roles in the two positions. But they do actively participate. And as well there's engagement between the different groups.

And I know as well that for example a lot of members of the NCSG are also active members in the ALAC because again, there are a lot of issues that they may have in common and work on.

Gg Levine: Okay. Thank you. I was also hoping you could speak a little bit about the Empowered Community. Is that something that came along since the IANA transition and what exactly does that mean? I mean it sounds like a nice feel good community term. But I think it means something more specific than that and I'm not exactly clear on that.

Marika Konings: Yes. So this is Marika again. Again, a very good question and I'm not really sure if I can do it justice. I would like to point you to the Web site that has been created. It was recently set up that I think goes into more detail and explains it in the - probably with more (nuance) than I can do it at this stage.

But indeed the - following the transition there was a lot of discussion, okay, how can we make sure that there is accountability of ICANN, the organization, versus the community? What kind of structure needs to be put in place to kind of replace the role that the U.S. Government played before that time?

So there were lengthy discussions and they came up with this model of the Empowered Community where decisional participants, and there are a number of the supporting organizations and advisory committees that are decisional participants, work through that mechanism and are able in that way to hold ICANN, the organization, and ICANN, the Board, accountable for certain decisions.

For example, what you've seen here is there are a number of fundamental bylaws in place and specific processes triggered to make changes to those; again, to avoid that anyone just willy-nilly can make changes.

Another process was triggered during this meeting, which is the budget approval process. Again, it's a - in the current model there's more oversight and the ability as well for the community to reject a budget.

So again, if there's a sense that what is being proposed by ICANN, the organization, does not reflect the views of the community that haven't been expressed through processes of course that happen before a budget is presented, there's the ability for the - for a decisional participant to file a rejection petition.

So if that happens, there's a specific timeframe that needs to happen within a 21-day timeframe. And if that happens, the other decisional participants have seven days to decide whether they want to sign up to that rejection petition. And that triggers then a whole series of events.

And again, there are a number of other areas in which decisional participants have specific ability to either request information to invoke certain processes. And again, they're all intended to ensure that there's accountability mechanisms in place that kind of replace the stewardship role that the United States Government had before the ICANN transition.

And it's also relatively new for many of us even including the different members of - the different decisional participants. Everyone is well working through how to adapt as an organization to those new roles and responsibilities.

And if you look for example at the public comment period, there's currently a public comment open on the revised GNSO operating procedures and bylaws because quite a bit of work has gone on in the GNSO as well how to make sure that the GNSO as a community can take on its role as a decisional participant because there are a number of timelines that are in place, a number of very significant decisions that need to be taken.

So they needed to agree on how do we take on that role and as a result reflect those recommendations and changes in the GNSO operating procedures and ICANN bylaws. I hope that helps a bit.

Gg Levine: It does help.

Woman: I was just going to say that the Web site that's actually really helpful is [icann.org/ec](http://icann.org/ec). And that has a lot of...

Gg Levine: [icann.org/ec](http://icann.org/ec).

Woman: EC like empowered community. And there's just a bunch of question and answer kind of...

Gg Levine: Great. Thank you very much.

Woman: Sure.

Man: Hello. I am (Wufman). I am from (Wanesia). The discussion (indication) is (unintelligible). I'm a newcomer. So first of all, I guess that G doesn't stand for geographic for sure. Beyond that, you know, yesterday I was at the (standard) meeting.

We - I heard about geographic names. And today (we came here) as a country and territory names. So my question is simple. How we can - they overlap or they are very distinct.

Marika Konings: Yes. This is Marika. Thank you very much for the question. And indeed the G stands for generic. And the generic is to separate it from - so you have generic top-level domains and the country code top-level domains.

But issue of country and territory names is one that overlaps between those two. And that's why you see discussions within the GNSO but also within the ccNSO because of course - no, on the question of country names that are in the ISO list, it's quite clear. Those, you know, took a lot of codes. That is ccTLD territory.

But then their question what if someone wants to apply for the full name of a country, under whose jurisdiction does that fall? What happens to three-letter codes? What happens to, you know, then there are a lot of smaller towns that exist in a number of countries around the world. And then there are also brands that use the similar terms.

You know, who has a right in that name? And as you can imagine, that's a very difficult conversation and with very different viewpoints. And as such, there's a lot of conversation at this meeting because - and Emily Barabas, actually maybe you want to say a bit more about it how it fits as well in the new gTLD, why it's so relevant now in the context of the new gTLD program or (Steve).

Man: (Steve) is doing something else (already).

Emily Barabas: Yes. So as you mentioned earlier, there's been a couple of cross community sessions and discussions in this particular meeting. And so a good question to ask is why are we talking about this now and why in the context that we're talking about it given the complexity.

So there's a working group within the GNSO called the New gTLD Subsequent Procedures Policy Development Process Working Group. And their job - yes. It's a mouthful. And we call it SubPro.

And their job as a working group is to look at the next round or next set of procedures around new gTLD applications. And there's 32 I think subject areas that they're looking at. Most of that has nothing to do with geographic names.

But one of the things that they're tasked with looking at as part of this process is reserve names and geographic names as an issue within that. So it's sort of within the scope of the working group. It's a very - it's one very specific piece but it's obviously an enormous issue with a lot of impact.

So this working group because it must address this issue as part of its charter has sort of taken some initial steps into thinking about what happens next. And the other thing that's happening right now that sort of lines up in terms of timing is that this Cross Community Working Group that Marika mentioned earlier has just submitted its final report for wrapping up its work.

And so there's sort of this broad question of how do we continue this discussion in a productive way. There are of course questions about where does this conversation belong, who owns it; not just - yes, sort of both process wise and also for the more theoretical sense.

So this is one initial step because it's within the scope of this working group to try to bring everyone together, try to figure out a process and a structure for having this conversation and figuring out whether there's a way to move forward that everyone can agree on.

So that's the humble hope of these sessions. And I mean you see in the sessions that it's really challenging. And a lot of people have a very strong emotional stake in issue. So it's a challenge. We definitely acknowledge that. So that's why you're hearing about it within the GNSO right now although you'll probably hear about it if you pop into a session in the GAC or in the ccNSO you'll hear about it too. So hopefully that's helpful.

Marika Konings: Thanks Emily Barabas. And as we noted before, there's another session on the topic on Thursday afternoon. So if you're interested in that, yes, please come.

We do have to wrap up now. We're already a few minutes over time. I did want to mention for those of you that are interested to follow the work of the GNSO and but maybe you're not ready or willing yet to, you know, fully engage, there is the possibility to sign up as an observer either to the Council mailing list or to some of the working group mailing lists.

(Nathalie) here in the back -- (Nathalie) wave -- is happy to take your email address if you would like to get added. And that's a way of kind of seeing what's going on and, you know, seeing what topics may interest you.

And then of course if, you know, you feel ready, there are many working groups that are always looking, you know, for volunteers and participation. So with that, thank you very much for coming. It was a really good discussion. And hopefully we see you back tomorrow morning. Thank you very much.

END