

ICANN
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GNSO Outreach – GNSO Policy Briefing
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Mary Wong: So let's get started. And today is day four of the policy forum in Johannesburg ICANN 59. And the GNSO team has been doing a daily briefing for interested community members to give an introductory overview to any newcomers of what the GNSO is and who the support team for the GNSO are.

But perhaps more interesting to some folks as well is we do provide an overview of the topics that are being covered by the GNSO that day and the sort of discussions that we anticipate them to have, and the idea being to prepare community members – whether they're newcomers or veterans – for those particular sessions.

So let's just go through the slides please. And I think I just did this one. So this is the GNSO team. For many people, you may hear our voices. You may perhaps even see us in the hallways at ICANN meetings if you go to ICANN meetings but you may not necessarily know who we are.

The good news is that you can approach any single one of us if you want any assistance or advice. Welcome. And we will be sure to get the assistance you need or the advice you need even if we don't know the answer ourselves. Next slide please.

This slide describes the structure of the GNSO. And one of the points of confusion that often arise is who is the GNSO Council, what is this about houses in the GNSO? And we hope that this particular slide clarifies it visually.

What's important in terms of policy forum especially is that the GNSO Council is not the legislator for the whole GNSO community. A lot of the decisions are actually taken for communities by themselves within the constituencies and stakeholder groups.

Certainly when it comes to policy development work, the work and the recommendations are developed by the working groups themselves and then passed to the GNSO Council. In other words, the GNSO Council is more of a manager.

And in fact you see this in the documentation associated GNSO Council that they are the managers of the policy development processes or all the PDPs. And that's where the work actually is done in the policy development processes working groups.

This shows the two houses. I mentioned that briefly. And again that's another point of potential confusion sometimes. You see the Contracted

Parties House, which is registrars and registries. And of course each has a different function in the ICANN ecosystem.

But because registrars have a contract with ICANN called the Registrar Accreditation Agreement, and registries each individually have agreements with ICANN to run their registries, collectively these two groups are called the contracted parties, hence the Contracted Parties House.

And the other groups in the GNSO – and you see them listed on the right-hand side – so the Business Constituency, the ISPs, non-commercial interests, they do not have contracts of ICANN but they are members of the GNSO community, so they belong to the other house, the Non-Contracted Parties House. Next slide please. Yes please, go ahead.

Woman: (Unintelligible) for the record. Just a question on the previous slide please. Can you go back to the previous slide? Yeah, so just for clarifying for myself, so learning, this contracted parties, both registries and registrars have separate contracts with ICANN. It doesn't mean that the registries or and the registrars contract with ICANN, yeah? Is it true?

Mary Wong: That's correct. So each registry will sign a registry agreement with ICANN.

Woman: With ICANN.

Mary Wong: And that's a fairly standardized contract, but it does differ, depending on the registry and the type of registry that they operate.

Woman: Okay.

Mary Wong: Each registrar signs a contract with ICANN. That is actually a standard contract because all registrars have to be accredited. So they sign the Registrar Accreditation Agreement. It's a different agreement. They each have one.

Woman: Okay good. And for the second part, for non-contracted parties, so there's five actually groups. NCUC and NCSG are part of NPOC. Is the way how it is explained that they are part of NPOC?

Mary Wong: I think - thanks for asking the question because you reminded me that perhaps I should have explained it in a little more detail. What you're alluding to is the differences between stakeholder groups and constituencies.

Woman: Yes.

Mary Wong: So if I go a little bit deeper into the house structure, so you've got each house – contracted/non-contracted. That's the big, you know, umbrella frame. Within that house, you have stakeholder groups. So if we go back to the contracted parties, you've got the Registries Stakeholder Group and all the registries belong in it. They don't have constituencies.

Registrars, same thing, stakeholder groups. And you actually have the same arrangement in the non-contracted parties. You've got the commercial stakeholder group and the non-commercial stakeholder group, which is what you're asking the question for.

So then the Non-Commercial Stakeholder Group, also called the NCSG, you go down another level and you've got two constituencies, the Non-Commercial Users constituency and the Not-for-Profit Operational Concerns constituency. So basically the two constituencies make up the stakeholder group.

And in the Commercial Stakeholder Groups like the three constituencies – ISPs, BC, IPC – those three constituencies make up the Commercial Stakeholder Group. So if you look at as house, stakeholder group, and then constituency, that's probably, you know, more logical I suppose than how I explained it.

Woman: Thank you. Why I'm asking because one of the slides which I was showing for newcomers was that NPOC is made up of NCUC and NCSG. And NPOC representatives said that it's probably not that true. So for myself I just wanted to clarify it's probably not made up, but like they are part of this bigger umbrella. That's my understanding if that's correct.

Mary Wong: I mean, that's correct. Like I said, if you look at the house as the overall umbrella and within that umbrella you've got the stakeholder groups. And then within the stakeholder groups you've got the constituencies. I think one point of again possible confusion that might arise in the non-commercial context is that you can be a member of the stakeholder group without being a member of either of the constituencies.

And I think people are members of both, whereas that kind of fluidity is less so in the other stakeholder groups simply because the other stakeholder groups and constituencies are very clearly delineated. Right, like you're in ISP, so you go to the ISP constituency. You wouldn't be in the IPC.

Whereas in the non-commercial world, like I said, that's a little more fluid. But the structure itself is very clear – house, stakeholder group, constituency.

Woman: Thank you very much and I like this slide very much. It's really very visually helpful to understand. If you can just ping where this slide is, I can find it and steal for one of the sessions in the fellowship team.

Mary Wong: Thank you. That's great feedback, so we will keep using this slide. Everybody take notice. But what we'll also do is we will send you this particular slide if you find it helpful. But it's probably on the Web site as well, but it might be easier if we just sent it to you.

Woman: I mean, I am sure I have seen this, but I'm not sure where it is exactly. Thank you.

Mary Wong: No, thank you. That's exactly what this session is for. And I think what we find sometimes is that even for people who have participated for a while, occasionally you kind of go, "Actually, I don't know how this is set up. I just know this is what it is. I don't know why, and I don't know how."

And this session is again not just for newcomers but for anyone who wants to find out more. So shall we skip ahead to the next slide? Please slip ahead to the next slide. I don't know if we have anyone in (RP). But slight communication problem on this slide.

So today like we said is the last day or the last official day of the four-day policy forum. And we only have – and I say only but they're going to be kind of chock full of activities – but three formal sessions for the GNSO.

I want to be just clear and say that this does not include individual meetings that constituencies might have or stakeholder groups might have because they may want to have meetings to run their own internal business. This is more the GNSO-wide sessions, especially the policy development processes or PDPs, which like I said earlier are managed by the GNSO.

But the work is done in the working group. So what we have coming up is a blockbuster three-hour session with the PDP working group on the review of rights protection mechanism in all gTLDs. And these relate to the trademark protections that were developed throughout the years at ICANN.

But where the group is now is working on a particular phase of its work that I'll touch on in a little bit. So if you're not that familiar with what rights protection mechanisms are or what a sunrise registration is, hopefully in the next slide I can give a little bit more background.

So that particular policy development process has a three-hour meeting today. And hopefully like with the other PDP working groups that have been

meeting this week – and if you’ve been participating or coming to these briefings, you see that we actually have quite a lot of PDPs going on.

And each group has gotten quite a lot of time – face-to-face time – at this meeting which is exactly the intention of the policy forum. So this being day four, this is the last of our PDP meetings for this meeting, but I think the other point I want to emphasize is that these groups do not just meet at ICANN meetings.

They take advantage of ICANN meetings to have face-to-face meetings in the schedule. They also use ICANN meetings as a milestone to check against their work plan, to see if they’re on time, to look at where the deliverables are. But it’s important to remember that PDP working groups and indeed all working groups and committees actually meet between ICANN meetings through virtual meetings, conference calls and so forth.

So the work actually moves ahead and progresses year round. And it’s really I think only visible to a lot of people at the ICANN meeting which I say is used as a kind of milestone.

Then what we have in the early afternoon is a wrap-up meeting where the GNSO primarily through the council takes a look at all the meetings and sessions that they’ve had during the week, taking a look at what action items might come out of it, whether for the council or staff or for some of the chairs of the working groups and looking ahead to planning for ICANN 60.

And for the council, that’s part of their managerial role. And we will wrap today with a cross-community session. And I think by now everyone knows that the afternoons at policy forums are devoted to cross-community sessions.

And this particular one, Geographic Names at the Top-Level, we’ve indicated here as Session 2 because you may recall that there was a Session 1 a

couple of days ago. And we'll talk a little bit about why there's a Session 2 and what they hope to accomplish at Session 2 in a little bit. So next slide please.

We actually have two slides on the rights protection mechanisms policy development process. We don't have time to go through them, but essentially the emphasis here I want to put is on the fact that this is a PDP that's being conducted in two phases. And the working group is currently in Phase 1.

And they hope to complete Phase 1 and have a report on Phase 1 by early next year. So again I think that highlights the point I was making earlier that what goes on throughout the year you see here that they're using ICANN meetings as milestones as I mentioned earlier. Next slide please.

And this slide is just for those who are not familiar with rights protection mechanisms or RPMs. And I want to go back to the Phase 1/Phase 2 distinction that I made. Phase 1 is devoted to the rights protection mechanisms that developed for the 2012 new gTLD program round.

And that's primarily the trademark clearinghouse and the two services offered through it, which is sunrise registrations where as a trademark owner you have the ability to preregister ahead of the general public as well as trademark claims which is notices that are sent to a potential registrant if they try to register a domain that matches a trademark that's in the trademark clearinghouse.

And there's a few other processes associated with that, but I highlight these two sunrise and trademark claims because that's where the group is right now. They've completed a review of the overall structure of the clearinghouse and now they're looking into these two services.

And then they'll wrap it up with the rest of the 2012 new gTLD RPMs. And that will be the end of Phase 1 for them and that's what they're going to be talking about today. Next slide please. Marika, do you want to take the wrap-up?

Marika Konings: Sure. So this is - I'm Marika. This afternoon we'll have a GNSO wrap-up session that we typically have at every ICANN meeting where basically the GNSO comes together. It's usually a bit more an informal session. There's no formal agenda.

We usually have a list of items that we either gather throughout the week or it's topics that we didn't have time to discuss earlier in the week that we then just go through. And a lot of them relate to planning items between now and the next ICANN meeting.

One topic that's actually not on here but that has just been requested relates to a topic I think we'll be talking about next which is the cross-community discussion on geo-names. I think there's a desire on the GNSO side to discuss, you know, what may be next, what are some of the other, the input that has been received to the discussion here and what can be expected after ICANN 59.

That's been a suggestion to establish a GNSO standing committee on ICANN budget and operations. So I think there will be a conversation around how that may happen. I think it's something similar to what the ccNSO actually currently has.

A concern has been expressed that the GNSO reaction to date has been on a deadline driven basis instead of an ongoing kind of engagement with ICANN on these topics. So I think they will need to discuss what kind of framework that will be and should it be in the form of a charter, who should be involved, how will it be run. So again something for the wrap-up this afternoon.

Staff will be providing a short briefing on the proposed revised GNSO operating procedures and bylaws. Some of you may have seen that these were put out for public comment like a bit over a week ago.

The changes that have been proposed to those documents are a reflection of the recommendations that have been made by the bylaws drafting team that was formed by the GNSO Council to explore and review what updates or new procedures needed to be created for the GNSO to be able to participate as a decisional participant in the new ICANN empowered community.

So we just want to make sure that the council is aware of what is being proposed and hopefully encourage them to provide input and comments.

Then we'll also provide a status update on the implementation of the GNSO PDP Working Group chairs support pilot project. This is something that was requested by the GNSO Council as part of the special community budget requests.

I think as you know there's an ability for SOs and ACs to request a budget for special projects which are then evaluated based on how they fit in within the different priorities that ICANN has. And many communities use that as a vehicle to pilot certain initiatives.

So this is an initiative to help and support PDP working group chairs that otherwise would not be able to come to an ICANN meeting when such a meeting takes place of the working group. So they have an ability to participate in person instead of remotely.

Then we also expect to have a conversation around the planning for ICANN 60. First kickoff meeting is already taking place at this meeting. So on the GNSO side, they'll need to have a discussion on what the plans are for that

meeting, probably rely on feedback as well from the different PDP working groups on what they would like to see happen at the next meeting.

And I think there's a desire to have a kind of draft schedule out on a much sooner time scale than has been happening in the past, especially as well to allow stakeholder groups and constituencies to also plan accordingly and avoid conflict as much as possible.

And I also have an item on the proposed timeline for the election of the GNSO chair which will happen at ICANN 60. So it's just outlining the steps so that all the groups are aware about when nominations are expected to be received and when the election - well the election itself will take place at ICANN 60.

One novelty for this year's election I think it is, the first time – looking at Mary – that incoming council members can also put themselves forward as candidates. Beforehand the language was written in such a way that it was only sitting council members that could put forward themselves as candidates.

But it has now changed to also incoming candidates are eligible, which probably will mean that many groups will adjust their timeline. And to note the current chair is term limited so he will be coming off the council so it will definitely be a new chair that will need to be elected.

Man: (Unintelligible)

Marika Konings: Yes, yes. The way it usually works is that we have on Wednesday first a council meeting with the old council or the current sitting council. And then immediately after that there's an administrative meeting where the new council takes its seat and their one and only action for that meeting is to elect a chair.

Man: What is (unintelligible) for?

Marika Konings: One year. One-year term, yep. Yes, correct. I think two - I think - is it two? I'm not really sure if there's even a limit because normally they're automatically term limited as part of their term. We need to double check. Mary may know.

Mary Wong: I don't believe that there's a formal term limit for GNSO chair, but as Marika says, that tends to naturally happen because the councilor himself or herself may be term limited at a certain point. Just given what it takes to run the GNSO, the council, typically it would be someone with some experience who is elected to the chair position which usually would not mean a brand-new council member.

But I think the point that I also wanted to make was that this is probably true in other communities, not just the GNSO is that the annual general meeting is usually when new officers take their places in all the groups. And so that's true for the GNSO council and community as well.

Thanks Marika. And this is Mary again. We'll go to the next slide, but I think that's going to be discussed by Emily.

Emily Barabas: Hello everyone. This is Emily Barabas from ICANN staff on the policy team as well. So we just have a few more minutes, and I'll keep this relatively brief. How many of you participated in the geo names sessions? Mary. At this meeting, yeah, the cross-community discussions. Anyone?

Woman: I only heard that they were really good discussions there and hard.

Emily Barabas: So I'll just give a really quick update of what that is and what's coming next. So this is the second installment of a cross-community discussion that was started on Tuesday. It's going to be happening this afternoon. There's going to be three full hours so it's going to be quite a good chunk of time.

And the topic is the use of geographic names at the top level and it's sort of been organized by the GNSO PDP on Subsequent Procedures, new gTLD Subsequent Procedures, because that's one topic within the charter of that PDP and also because the Cross-Community Working Group on Country and Territory – on the Use of Country and Territory Names – is closing down.

So it's sort of an opportune moment to reopen this conversation in a different space and try to bring people together from across the community. So that's the goal.

The initial discussion on Tuesday was centered around a strawman sort of an example of a possible compromise solution bringing together some of the proposals that were put together in a Webinar session that was held in April and which anyone from the community could come and make a proposal about how country and territory – or I'm sorry, geographic names at the top level – could be treated.

So that was an initial discussion. There was a lot of really good input. It was facilitated by an independent facilitator from Consensus Building Institute, a nonprofit that does this type of work around controversial issues.

And in the second installment, they're taking a little bit of a step back and having a broader look at first the history of this issue. There's different perspectives even about what's happened so far. And so this is a way to kind of look at the shared narrative and think about what happened and where we are now.

Then they're taking a step back and looking a little bit at requirements, sort of what are the shared goals and different perspectives on what needs to happen in this process.

And then the third thing is sort of looking ahead a little bit about how we're going to continue this work after ICANN 59 closes. So they'll sort of talk through a proposal there as well for some of the structure of the conversation.

So I think it's going to be lively. I think there's going to be a lot of opportunity for input on a number of questions. So look forward to that, and if anyone has questions in the next couple of minutes that we have left, happy to answer them. Thanks.

Mary Wong: Thanks very much Emily. And as you say I think it's been quite clear this week that this is one of the topics of great interest across the community and that's why it's a cross-community session. So using that as probably the last cross-community session at ICANN 59 and as you say looking ahead for next steps for the community will be a good way to wrap the discussions that we've had here.

Does anyone have any questions whether it's about this topic or anything we've covered today or generally about the GNSO or even this meeting or the next? Go ahead.

Woman: Generally about GNSO if I may. Again coming back to the slide with clear explanation about the GNSO, those non-contracted parties, are they reporting actually to GNSO? Is there any reporting, official reporting process of this parts to GNSO? Or just they are separately running their own homes?

Mary Wong: This is Mary. I invite my colleagues who are here to jump in. I understand that you're asking whether there's reporting from the constituencies and stakeholder groups to the GNSO Council.

Woman: Yes, yes.

Mary Wong: The short answer is no because the GNSO Council manages the policy development processes, the work of the working groups and the drafting teams that it charters and creates.

And I'm saying no in the sense of my understanding being that when you're asking about internal constituency business, how the constituencies organize themselves, how stakeholder groups admit new members, and how they deal with their own, you know, voting and so forth, that is internal procedures that's internal to each group. And Marika may have something to add.

Marika Konings: Yes, this is Marika. Just to add, there are kind of overarching guidelines or rules that are in place that each stakeholder group and constituency needs to follow. And those are in the GNSO operating procedures.

Those are I think derived from work that was done by the board – was it governance working group or was it a specific group that was dealt with the previous GNSO review and they then developed a whole list of kind of requirements, obligations that the different groups have to make sure that even though they can indeed organize themselves, there is, you know certain consistency and as well certain rules that are followed.

Woman: And you said council members. Are they - the members are assigned or nominated from those both non-contracted and contracted parties?

Mary Wong: That's right. And we did not show a slide but there is a graphic on the GNSO Web site that shows exactly that, the composition of the GNSO Council. So each stakeholder group has the ability to elect a certain number of counsellors to represent it on the council. And there's also NomComm appointees to the council and non-voting liaisons from the ALAC and the ccNSO.

Amr Elsadr: Morning. This is Amr from staff. If you attended the cross-community discussion yesterday on who sets ICANN priorities, you'll note that James

Bladel, the chair of the GNSO, sort of touched upon this. The Non-Contracted Parties House and its stakeholder groups and constituencies don't report to the GNSO.

But the way the GNSO works is that its constituent parts, including the Contracted Parties House as well as the Non-Contracted Parties House and the stakeholder groups and constituencies within those, collectively make the decisions for the GNSO as a community.

So neither one of - no one group within those stakeholder groups reports to the GNSO, collectively. They make those decisions together.

Woman: Thank you for clarification.

Mary Wong: Thank you for the question. And we are running a couple of minutes over. We don't see any questions in the remote participants or any other hands up around the room so it just remains for me to thank you all for coming, virtually or in person.

Hopefully this has been helpful. What we would like to hear is if you find these briefings helpful - if you only attended one, that's fine. They're all the same. But hopefully you found them helpful. Please let us know so that we can improve this for the next meeting and certainly for the next policy forum. So thank you all and have a good rest of ICANN 59.

END