

**ICANN
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GNSO Policy Briefing
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Heather Forrest: Good morning, everyone. This is the Policy Briefing for the morning of Tuesday, our second day here in Panama City. If I could have a thumbs up from the tech team that we're ready to go then we'll get started. Awesome. Thank you very much. So good morning, everyone. This is Tuesday here in Panama City. Warm welcome to everyone on the second day of activities here for the GNSO.

This briefing in the morning is an opportunity to familiarize everyone with what is on the GNSO schedule today. And good opportunity for GNSO community to know what's going on in our broader community today and likewise for those outside of the GNSO to have an understanding of what it is that we do; most of your activities you'll find are in this room.

We - on behalf of the leadership team I'll provide a bit of explanation in planning for ICANN 62, we've tried a somewhat different approach from the approach that was taken in previous Policy Forums whereby we've tried to stream topics in a single day. Today is the day that we will devote to topics in relation to the expedited policy development process that was introduced in the high interest topic or cross community topic I guess, yesterday evening at 5:00 - from 5:00 to 6:30.

So today, as you will see here on the agenda, we have an opportunity from 9:00 am to 3:00 pm to follow up on that activity with some drafting. So with that, I will wish you a very warm welcome, a very positive constructive, collaborative day and turn you over to Marika Konings who heads our Policy Support team. Thanks, Marika.

Marika Konings: Thank you very much, Heather. And good morning everyone. Glad to see several of you back again from yesterday and some new faces as well. As Heather explained, this is an opportunity for us to brief you on the GNSO activities for today and answer any questions you may have. This is intended to be a fairly informal session so do feel free to raise your hands or interrupt me if you have any questions or if anything is unclear.

I'll just go back a couple of slides, just to introduce you to the team, you'll see me here but of course I'm not doing this by myself fortunately. So most of our colleagues are here in Panama and you see their pictures here so feel free to stop any of us when you see us in the hallways if you have any questions or would like to discuss in further detail some of the activities that the GNSO is undertaking and we'll do our best to help you and assist you.

For those that may be less familiar with the GNSO, the Generic Supporting - Generic Name Supporting Organization responsible for policy development in relation to generic top level domain related topics. So the GNSO structure itself consists of the Council, which you'll see in action later today, which is made up of representatives of the different GNSO stakeholder groups and constituencies.

You may sometimes here people referring to you know, which house they sit in but the way the structure of the Council is organized is that it's organized in two houses so one house is the Contracted Party House, which consists of gTLD registries and ICANN accredited registrars; and the other side of the house is the Non Contracted Party House which consists of the commercial

constituencies so that's the Business Constituency, the Intellectual Property Constituency, and the ISP Constituency.

And then as well they together in that house with noncommercial constituencies and that includes the Non Commercial Users Constituency and the Not for Profit Operational Concerns Constituency. Again, the house structure is mainly in place to facilitate voting at a Council level, to ensure that there's parity between contracted and non-contracted perspective despite having a different number of representatives on the GNSO Council. So again, that may help facilitate your understanding of how the GNSO operates and whenever anyone talks about, you know, which house they sit in that may make a little bit more sense as well.

So Heather already briefly mentioned that, you know, most of today's day is focused on the EPDP on the temporary specification for gTLD registration data. And I'll go in a little bit more detail shortly, but it's basically a meeting of the drafting team which consists out of the Council as a whole to continue working on the initiation request for the EPDP as well as the charter for the EPDP team.

There's a small interruption in that program from 11:30 to 12:30 when the GNSO Council heads over to the Government Advisory Committee for their joint meeting but they will then continue after that until three o'clock in their deliberations.

There are also two cross community sessions this afternoon also focusing on Whois RDS, GDPR. I think many of you have heard those words already many times during this meeting. And again, we'll cover that in a bit more detail in the rest of the slides.

And then the Council ends its day as you can tell, long day today, with our traditional pre-Council informal prep session. That is actually a closed meeting, it's for the Council only which they use to prepare for the Council

meeting that takes place tomorrow. It's really just kind of running through the agenda, setting expectations with regards to what is discussed and you know, what may need to be prepared so that, you know, the meeting runs smoothly and everyone is clear on the agenda items and what is expected to be considered as well as voted upon.

So then a little bit more detail on the EPDP on the temporary specification for gTLD registration data. I presume that some of you may have been present at the - during the high interest topic session yesterday so some of this may sound familiar. But for those that may not have had the opportunity to attend that session I'll just briefly recap things here. So the ICANN Board adopted a temporary specification on the 17th of May of this year which came into effect a couple of days later on the 25th of May coinciding with the entry into force of the General Data Protection Regulation that applies in the EU, or was developed by the EU.

So the adoption of that temporary specification created an obligation for the GNSO Council to conduct a policy development process on the temporary specification. I think you may have heard people referring as well that this needs to be done in a one-year time period. This is not as a result of the expedited policy development process or, you know, the Council that has set an artificial timeframe for this but this is actually triggered by the fact that the temporary specification can only be in force for a maximum of up to year.

Every 90 days the Board will review the temporary specification and decide whether to renew it but they can only do that up to a one-year time period. So that basically means that if by the end of that one-year time period there is no new consensus policy adopted, those existing or the current requirements will no longer apply or better said, will no longer be enforceable per the temporary specification.

So given the time constraint the Council discussed various options of how to deal with the policy development process and agreed that the expedited

policy development process would provide the best opportunity to try and meet that timeline. As you can imagine, it's a very ambitious goal for those of you that have participated in policy development activities I think you know that a typical PDP normally spends a couple of years to go really from start to finish because there's a lot of work involved, a lot of consultations and deliberations that take place and often they deal as well with a large number of items and topics that need consideration.

But in this case, you know, noting the time available and also noting that, you know, the focus is very specific on the temporary specification, an EPDP was deemed best suitable for this. To reemphasize as well I think what Heather said yesterday, you know, an EPDP is still the PDP so the only - or the main difference is that some of the initial phases are not needed so there's no preliminary issue report or public comment on the preliminary issue report.

It goes basically straight to the initiation as a lot of that pre-work of course has already been done and information is available. But all the other milestones and all the other requirements that apply to a PDP apply here as well although in certain cases there is a - the minimum duration requirement is reduced compared to what exists in the PDP. But it still includes all the checks and balances and requirements for public consultation and input as a PDP does.

So in order to move that process forward, the Council formed a drafting team to start working on the initiation request and the team charter, which both are kind of the starting points for work. The initiation request outlines the scope of work and then as well the charter does the same but also provides further guidance on you know, what the team should look like, you know, what their milestones are expected to be, how they're expected to work, etcetera.

So the Council did put a placeholder motion on the agenda for its Wednesday meeting to at least allow itself the option to consider these documents should they be in a state for consideration. As said, a lot of work is expected to be

done on those documents today and it will depend on how that work progresses, whether or not the Council will be in a position to consider those documents at the meeting here this week or otherwise hopefully shortly thereafter.

So the objective of the meeting today is basically continue the deliberations on the proposed EPDP charter and reach agreement on the proposed approach for different aspects of the charter. In doing so, they will factor in the input that was received during yesterday's high interest topic session.

The objective of that meeting was to allow for the broader community to weigh in some of the questions that the charter drafting team is dealing with, you know, some of the questions deal, for example, with, you know, the composition of the EPDP team and membership criteria that should apply, you know, how should the leadership team look and, you know, what requirements should be in place for the leadership team or what criteria and skills should they have.

What should be the scope of the EPDP? And again, I think you heard quite a lively discussion there yesterday during the high interest topic discussion because as you know there's the temporary specification is one part of the temporary specification document but there was also an annex that outlined a number of other issues so there are conversations ongoing on how those other issues should be dealt with. Do they belong in the EPDP, a parallel EPDP, a separate kind of track or are there other ways in which they - these issues need to be dealt with, again factoring in that there's only a one-year time period available to come to conclusion on the temporary specification requirements.

So also looking at decision making methodologies, should the normal or the existing methodologies apply, I think many of you may be aware of those, the Council works under full consensus, consensus, strong support, significant opposition, kind of delineation to indicate support for recommendations.

There is no requirement to have full consensus from everyone around the table before something can be considered for adoption. For example, that's different from how it may work in some of the other groups within ICANN. And it's also looking at issues such as status reporting for the PDP and problem issue escalation and resolution processes.

So this is at a very high level, the tentative or possible EPDP timeline, again it will be up to the team to kind of fill out some of the exact times of the different phases but that does not take away that the work and the milestones that have been highlighted here need to be completed within that one-year time period. As you know, you know, the expectation or hope is that the EPDP team can be convened shortly after this meeting and then they have a very intense period of work basically up until ICANN 63 to work on their initial report with the idea being that that would be published then shortly after ICANN 63.

Again then, you know, filling out the rest of the timeline to get this to the ICANN Board eventually around April May timeframe so that they can consider the outcomes.

So another meeting on the agenda today, as I mentioned before, the GNSO Council typically meets with the Government Advisory Committee to discuss topics of joint interest. This is a recurring meeting at every ICANN meeting. It's also part of the objective of the GNSO Council and the GAC to ensure early engagement on topics that are of joint interest. So as you can see here the first item on the agenda is indeed the work on the EPDP that I just spoke about. I think you're aware as well that this is an area of high interest to the GAC so I'm sure they're looking for an update from the GNSO on where things stand and they may have as well input they want to provide in that regard.

There's also an update planned on new gTLD Subsequent Procedures PDP, again, it's a topic where the GAC is interested in you know, they actively

participate for example in the Work Stream 5 conversations on geo names. They would also like to discuss GNSO's work on PDP 3.0, that is an effort that the GNSO Council has undertaken to look at possible improvements to the policy development process to enhance efficiency and effectiveness so there's a paper that has been published with a number of suggestions for consideration and the Council is looking for input on that and I think the GAC is interested to hear a status update on that and they may also have input they may want to provide. And then there's AOB for any other topics that they may want to consider.

They will also have two cross community sessions this afternoon, and I see that Mary has just joined and she may actually be able to provide you a little bit more detail on those than I am able to so.

Mary Wong: Thanks, Marika. Hi, everybody. I'm Mary from staff, and also I'm the policy team so I think I'm just here to not just let you know a little bit about the two cross community sessions this afternoon but to encourage everyone who's interested in this topic to be there because the community input is very critical at all times but in this particular context given the discussions that are occurring in various parts of the community this week, participation, listening, feedback and input both during these sessions as well as in the - to the ongoing processes will be really, really helpful to all of the groups.

And I just want to also welcome all the newcomers and some fellows how I see in the room because we did have a very good session yesterday where you asked a lot of questions and Marika, you might be interested in this, they asked a lot of questions about the expedited PDP, about participation, about how to get up to speed on the whole topic of Whois, and really how to follow all the very fast moving discussions that are happening especially this week.

And so this afternoon following from the discussion and session yesterday that Marika mentioned that the GNSO Council led yesterday afternoon that was to frame input into the expedited policy development process that

Marika's just mentioned and that she's just mentioned the Council will be working on substantially for a larger part of today. The two cross community sessions this afternoon will be led by different groups from within the GNSO but with participation from other communities including representatives of the Government Advisory Committee as well as industry participants, so there will be panel presentations basically bringing the community up to speed on what the status of the various discussions are.

One particular point of focus will likely be the comparison of the recently released Uniform Access Model with the community developed model facilitated by the Business and Intellectual Property Constituencies. There will be questions obviously about how to move forward with some of these very important issues in light of the temporary specification as well as of course the fact that the GNSO has now embarked on an expedited policy development process.

So two sessions, the first to focus largely on the policy questions and the second to immediately follow to discuss access and related questions possibly about accreditation. It's mostly on this slide so I think that's kind of all I have.

Marika Konings: Thanks, Mary. That was very helpful. So I think that brings us close to the end of our session, so if you have any questions, you know, do come up to the mic or raise your hand. Just to summarize, you know, all GNSO sessions are open. I do want to note for the drafting team session that is immediately following after this one, it is open to observers but the work is done by the Council and as such, you know, they will be the ones speaking; it's not intended to be an open input session as such. But of course comments and input are welcome from everyone. If you want more detail on some of the policy issues we've discussed today but also some of the other items that will get covered throughout the rest of the week, please review the GNSO Policy Briefings, we publish those ahead of every ICANN meeting and they're really intended to be a short hopefully readable introduction to the issues, the

current status as well as expected next steps which will hopefully help you to prepare for these meetings.

As noted before, you know, do not hesitate to ask questions, you know, we're always happy to try and help, you know, so feel free to approach us or email us. I think a very important point as well, you know, do not panic if you have no idea what people are talking about, this is the Policy Forum so we do tend to go immediately into substance and a lot of acronyms so again do not hesitate to raise your hand and ask you know, what does that mean or where can I find more information, we're always happy to direct you in the right way.

And if you thought this was of interest, please come back tomorrow for our briefing on Day 3. And with that looking around if there are any questions, if not, thank you very much and we'll have a few minutes left before the next meeting will start in here. Thank you.

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