

Minutes of the GNSO Council Meeting 16 December 2021

[Agenda](#) and [Documents](#)

Coordinated Universal Time: 14:00 UTC: <https://tinyurl.com/379cckh8>

06:00 Los Angeles; 09:00 Washington DC; 14:00 London; 15:00 Paris; 17:00 Moscow; (Friday) 01:00 Melbourne

List of attendees:

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

Contracted Parties House

Registrar Stakeholder Group: Antonia Chu, Kristian Ørmen, Greg Dibiase,

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

Nominating Committee Appointee (NCA): Desiree Miloshevic

Non-Contracted Parties House

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

Non Commercial Stakeholder Group (NCSG) Manju Chen, Wisdom Donkor, Farrell Folly, Stephanie Perrin, Juan Manuel Rojas (apologies, proxy to Tomslin Samme-Nlar), Tomslin Samme-Nlar,

Nominating Committee Appointee (NCA): Paul McGrady

GNSO Council Liaisons/Observers:

Justine Chew – ALAC Liaison

Jeffrey Neuman– GNSO liaison to the GAC

Maarten Simon – ccNSO observer

Guest speakers: Janis Karklins SSAD ODP Liaison

ICANN Staff

David Olive – Senior Vice President, Policy Development Support and Managing Manager, ICANN Regional

Mary Wong – Vice President, Strategic Community Operations, Planning and Engagement

Marika Konings - Vice President Policy Development Support

Julie Hedlund – Policy Development Support Director

Steve Chan – Senior Director

Berry Cobb – Policy Consultant

Emily Barabas – Policy Senior Manager

Ariel Liang – Policy Senior Specialist

Caitlin Tubergen – Policy Director

Terri Agnew - Operations Support, Lead Administrator

Nathalie Peregrine – Manager, Operations GNSO

[Zoom recording](#)

[Transcript](#)

Item 1. Administrative Matters

1.1 - Roll Call

1.2 - Statements of Interest

There were no updates to Statements of Interest (SOI)

1.3 - Review / Amend Agenda

Kristian Ørmen, Registrar Stakeholder Group (RrSG), requested that item 3.2 be removed from the Consent Agenda and added to the main agenda. There was no objection,

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

Minutes of the GNSO Council meetings [part I](#) and [part II](#) on 27 October 2021 were posted on 12 November 2021.

[Minutes](#) of the GNSO Council meeting on 18 November 2021 were posted on 03 December 2021.

Action items:

Item 2. Opening Remarks / Review of Projects and Action List

Berry Cobb, GNSO Policy consultant, reviewed the [Projects List](#) and [Action Item List](#), including the Project Management [portfolio](#), as [circulated](#) previously on the GNSO Council mailing list.

He highlighted that the portfolio suite of tools is updated for every monthly meeting. There are two key components: the [Action Decision Radar](#) (ADR) and the [Project List](#). The top two areas of the ADR, the 0 - 1 month and the 1 - 3 months are the ones councilors need to focus on. Topics on these two areas will appear on the Council meeting agenda. The [Project List](#) is the most important tool, with on the first page, an overview of projects initiated by the GNSO. The health status of each project helps anticipate Council's potential action. The entire project list should be reviewed from top to bottom, but the lower right quadrant provides the qualitative details of what is going on. The [portfolio management tool](#) (PMT) is provided as an aid to help the GNSO community as well as the Council understand everything that is going on. The ADR is an executive summary of the PMT. In addition, the PDPs are sending to the Council their respective monthly project packages.

Action items:

Item 3. Consent Agenda

There were three items for Council consideration on the Consent Agenda, with 3.2 having been removed from the Consent Agenda at Kristian Ørmen's, RrSG, request. :

- 3.1 - [Motion](#) to confirm Transfer Policy Review PDP (TPR_P1) [Project Change Request](#)
- 3.3 - Approval of SSC Leadership for 2021-2022: Arinola Akinyemi (BC) - Chair and Akinremi Peter Taiwo (NCSG) - Vice Chair
- 3.4 - Confirmation of the [Recommendations Report](#) to the ICANN Board regarding adoption of recommendations 1-4 contained in the Final Report from the EPDP Temporary Specification for gTLD Registration Data – Phase 2A

Councilors present on the call voted in favour of the Consent agenda items.

[Vote results](#)

Action items:

- The GNSO Council instructs policy support staff to update the TPR charter accordingly and post the updated charter on the GNSO's website and Working Group wiki.
- Policy support staff to notify the SSC of the GNSO Council approval of Arinola Akinyemi (BC) as Chair and Akinremi Peter Taiwo (NCSG) as Vice Chair for the SSC leadership for 2021-2022.
- The GNSO Secretariat to notify the ICANN Board support staff of the GNSO Council's confirmation of the Recommendations Report to the ICANN Board regarding adoption of recommendations 1-4 contained in the Final Report from the EPDP Temporary Specification for gTLD Registration Data – Phase 2A.

Item removed from the Consent Agenda:

- 3.2 - [Motion](#) to confirm Specific Curative Rights Protections for Intergovernmental Organizations EPDP (EPDP_SCRP_IGO) [Project Change Request](#)

Kristian Ørmen, RrSG, mentioned that the RrSG had concerns around the EPDP moving away from the scope of the Charter, and requested this be noted, should the Council vote be in favour of the Project Change Request. In the Zoom chat he further explained “We would like to comment that with this extension approval, we would like to request that the EPDP also use this time to make sure the recommendations are within the scope of the charter”.

Mary Wong, ICANN Org, added further clarity to the topic in Zoom chat: “Just to be clear, the Project Change Request is being made solely to allow the EPDP team to duly consider all the Public Comments thoroughly.” “Given the variety of views received and the fact that the EPDP team put out several options/alternative solutions for comment, this time will allow the team to try to reach consensus.”

John McElwaine, Intellectual Property Constituency (IPC), submitter of the motion, read out the motion.

Councilors present on the call voted in favour of the motion.

[Vote results](#)

Action item: The GNSO Council instructs policy support staff to update the EPDP Team's project plan and other materials accordingly and post them on the EPDP wiki project space.

Item 4. COUNCIL DISCUSSION - System for Standardized Access/Disclosure (SSAD) Operational Design Phase and Next Steps

Philippe Fouquart, GNSO Chair, reminded councilors that the SSAD ODP is nearing completion and that Council has expressed willingness to get involved in the financial sustainability of the SSAD and the cost assessment. There is a session scheduled on the topic on 20 December 2021. ICANN Board members will also be present as well as the GNSO appointed EPDP members. The first part will be informative, and the second will open up to a discussion. There are several possible next steps: either the

Board will consider that adopting the recommendations is the best solution for the community, either the Board does not adopt the recommendations and the GNSO would have a second look to affirm or modify the recommendations. Before the Board consideration however, and in light of the elements provided by the ODP, Council may decide to modify or amend the recommendations.

Janis Karklins, SSAD ODP Liaison, mentioned that he has updated the Council on all interactions with the SSAD ODP. The latest intervention was the previous week and based on the results of the webinar held in relevance to recommendation 2,. There are some questions raised by the GAC in relation to the proposed model but Janis' task is to review the proposed model in relation to the EPDP team proposal which is in keeping with recommendation 2, which is a subset of activities that are organised for the government entities. The lack of reaction to updates has been dealt with as a silent approval.

Philippe Fouquart, GNSO Chair, opened the floor to questions.

John McElwaine, IPC, asked if the GAC's recent letter was going to be part of this discussion.

Philippe Fouquart, GNSO Chair, added that there will be a need for the GNSO Council to respond to the letter, especially as there does not appear to be strong disagreement on the reading of the recommendation but that it would not be part of the discussion on 20 December 2021.

Philippe Fouquart, GNSO Chair, referred Council to his [email](#) on the topic.

Action Item

- GNSO Councilors to review the email from Philippe Fouquart at <https://mm.icann.org/pipermail/council/2021-December/025259.html> on the EPDP Ph2 SSAD ODP and next steps to be prepared to provide questions during the closed session Update on SSAD ODP for GNSO Council and appointed EPDP Team members on 20 December 2021 at 21:00 UTC

Item 5. COUNCIL DISCUSSION - Update on the SubPro ODP

Philippe Fouquart, GNSO Chair, provided background information. The SubPro ODP has not been launched officially, but the **GNSO Liaison, Jeff Neuman**, has already met with staff and kept Council informed via the mailing list.

SubPro ODP GNSO Liaison, Jeff Neuman informed Council there will be a second liaison call held on the day of the meeting, councilors can expect a follow up email with reports of the discussion. Council input and feedback is welcome and will be brought back to the team. Jeff Neuman requested that councilors provide their input on Questions Set 1 on a Google doc ([📄 ODP Question Set 1 for Council](#))

Philippe Fouquart, GNSO Chair, raised his concern about the delay in responding to the ODP Team.

Jeff Neuman, SubPro ODP GNSO Liaison, asked if silence should be taken as non-objection.

Marie Pattullo, Business Constituency (BC), asked if she could take the Google doc and circulate it to BC for comments.

Jeff Neuman, SubPro ODP GNSO Liaison, clarified that the documents contained his suggestions only, but that all should proceed in the correct manner to gather input, with the backing of the Stakeholder Groups (SGs) and Constituencies (Cs).

Marie Pattullo, Business Constituency (BC), assured the document will be sent to the BC today, but bearing in mind the end of year holiday, input may be delayed.

Phillippe Fouquart, GNSO Chair, asked that for this time, the deadline be set at the second week of January 2022, but that for future input, the accepted delay should not extend the 2-week duration which worked for the SSAD ODP.

Jeff Neuman, SubPro ODP Liaison, suggested highlighting the points which would warrant full Council attention and discussion, and the creation of the small team could help share the burden.

Action Item:

- GNSO Councilors to review the responses suggested by the Liaison to the SubPro ODP at <https://docs.google.com/document/d/1vpL6xHHVlmm5Q1Q1MuPz8l4ZgthV6EkO58JE4SAOF2Q/edit?pli=1> and provide comments if any by 13 January 2022.

Item 6. COUNCIL DISCUSSION - GNSO Council ODP Input Review Process

Philippe Fouquart, GNSO Chair, signaled that in light of comments made for the previous agenda item, there had been overlap with items 5 and 6. He drew attention to the [guidance](#) document which had been drafted for Council to consider in supporting the ODPs.

Maxim Alzoba, Registry Stakeholder Group (RySG), suggested adding ICANN Meetings and public holidays to the proposed duration.

Steve Chan, ICANN Org, stated that the process used for the SSAD ODP was non-objection on the mailing list with a two-week period. For the SubPro ODP, that practice will be followed with additional formality for the cadence and timing. The ODP Team will try to work around Council meetings, to formulate questions and comments ahead of a meeting, with the Liaison proposing answers for Council to consider.

Maxim Alzoba, Registry Stakeholder Group (RySG), underlined that the process should not be used to extend the duration of the ODP.

Jeff Neuman, SubPro ODP Liaison, replied that ICANN has a ten month timeline for the ODP, and understood Maxim's concern about the time taken to respond to questions adding to the estimated duration. He suggested that ICANN Org should be asked to clarify whether certain questions are a dependency to moving forward.

He added that ICANN Org is following the SSAD ODP process about the Liaison being privy only to items needing clarification from the GNSO. He reminded councilors that this was raised during the previous Strategic Planning Session, with councilors requesting more insight into the process.

Philippe Fouquart, GNSO Chair, reminded councilors that the aim of the process was not to duplicate the information flow which also takes place during informational webinars.

Steve Chan, ICANN Org, added that the aim was to ensure information was received by all the community and that the Liaison role is to assist in clarifying points.

Paul McGrady, NomCom Appointee Non Contracted Party House (NCA NCPH), thanked Steve for his explanation.

Jeff Neuman, SubPro ODP Liaison, encouraged Council to think about its response with a focus on policy development, and that as such, Council should have access to further information pertaining to the ODP.

Action Item:

- GNSO Council Leadership to revise the GNSO Council ODP Input Review Process guidance at <https://gnso.icann.org/en/drafts/council-odp-input-review-process-07dec21-en.pdf> per the discussion by the GNSO Councilors

Item 7: COUNCIL DISCUSSION: ICANN73 Planning and Evolving Council Planning for ICANN meetings

Philippe Fouquart, GNSO Chair, noted that planning has just started for ICANN73; it will be virtual once again.

Tomslin Samme Nlar, GNSO Council Vice Chair, explained that the goal of this item is to gather early input on ICANN73, and ICANN meetings moving further. He presented the [google doc](#) circulated to Council for input.

Maxim Alzoba, RySG, asked how to plan so early in advance when other sessions are not known yet. He suggested ICANN Org teams provide briefings ahead of time.

Justine Chew, ALAC Liaison, approved a joint meeting with At-Large.

John McElwaine, IPC, raised that meeting with the SSAC would be helpful, but with specific topics ahead of time.

Action Item:

- GNSO Councilors to review the GNSO ICANN Meeting session input at <https://docs.google.com/document/d/1i-vwvDaFAES02ClAYwLq2YIXUqfmJ72p3xMTvdIKSn0/edit?usp=sharing> and provide further comments, if any.

Item 8 - COUNCIL DISCUSSION - Update on Council Consideration of the ICANN Board's Letter Regarding the IDN Implementation Guidelines v4.0

Philippe Fouquart, GNSO Chair, provided background on the Board's [letter](#). The GNSO Council agreed that the RySG would recommend the best manner to proceed and respond to the letter.

Kurt Pritz, RySG, [presented](#) the input from the RySG: several of the IDN Implementation 4.0 guidelines and some of the items for consideration by the EPDP on IDNs overlapped, and it would be better for the recommendations to be deferred by the Board to avoid confusion. The Board asked if there were security stability and resiliency (SSR) issues in deferring consideration. The SSAC Liaison checked with the SSAC if this was the case.

The RySG suggests responding to the Board that there are no stability and security issues addressed in v4.0 of the Guidelines that are not already addressed in v3.0. The new v4.0 Guidelines apply to new registrations only. Only four of the ten new Guidelines are mandatory. Of the four mandatory guidelines, three collide with the IDN EPDP but none of these have SSR implications. In addition, Guideline 12 overlaps with the IDN EPPD but is not mandatory.

Philippe Fouquart, GNSO Chair, mentioned that the slide content could be sufficient for a reply to be drafted. He also will coordinate with the ccNSO on this after the call.

Action Item:

- GNSO Council leadership to draft a response to the ICANN Board's Letter Regarding the IDN Implementation Guidelines v4.0 for review by the GNSO Council.

Item 9: ANY OTHER BUSINESS

9.1 Additional Budget Requests (ABR)

The ABR deadline is January 24th, 2022. Several items, such as the Consensus Playbook and the SPS, have been requested through these means. Councilors to submit their proposals on the Council mailing list.

9.2 Liaison to the GAC and Review of the GAC Communiqué - reminder that input was requested (see <https://mm.icann.org/pipermail/council/2021-November/025245.html>)

No comments were provided on the call.

9.3 Update on the Consideration of the ICANN Board's Letter on EPDP Phase 1, Rec. 12

Caitlin Tubergen, ICANN Org, provided councilors with an update on the ICANN Board's letter on EPDP Phase 1 Rec 12. The recommendation focuses on the publication of the registrant's organizational field. ICANN Board adopted part of the recommendation, but expressed concern with the deletion of the field. Further discussions were held between the GNSO Council and the ICANN Board. There would need to be a contact measure prior to the deletion of the field, In October 2021, the Board sent a letter, with seven Board assumptions, which, if agreed by Council, would imply that ICANN Board would be comfortable with the Council recommendation. A GNSO Council small team reviewed the assumptions and noted textual imprecisions which were then shared with Council on the mailing list. The Small Team met with Becky Burr to confirm understandings. Becky understood Council's position on Board assumptions. Next step will be for staff to work with the small team to draft a response which will be shared with Council ahead of the January 2022 Council meeting.

Action items:

- GNSO Councilors to provide suggestions for ABRs if any.
- GNSO Councilors to provide input, if any, on the Liaison to the GAC and Review of the GAC Communiqué per the email at <https://mm.icann.org/pipermail/council/2021-November/025245.html>.
- Following a Council Small Team meeting with Becky Burr, the Small Team to provide draft Board response for Council review by 7 January 2022.

Philippe Fouquart, GNSO Chair, adjourned the meeting at 15: 41 UTC.

The next GNSO Council meeting will take place on Thursday 20 January 2022.