

Minutes of the GNSO Council Meeting 16 June 2021

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

Coordinated Universal Time: 10:30 UTC: <https://tinyurl.com/4wy66z7y>

03:30 Los Angeles; 06:30 Washington; 11:30 London; 12:30 Paris; 13:30 Moscow; 20:30 Melbourne

List of attendees:

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

Contracted Parties House

Registrar Stakeholder Group: Pam Little, Kristian Ørmen, Greg DiBiase

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

Nominating Committee Appointee (NCA): Tom Dale

Non-Contracted Parties House

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

Non-Commercial Stakeholder Group (NCSG): Juan Manuel Rojas, Stephanie Perrin, Tatiana Tropina, Wisdom Donkor, Farell Folly, Tomslin Samme-Nlar

Nominating Committee Appointee (NCA): Carlton Samuels

GNSO Council Liaisons/Observers :

Cheryl Langdon-Orr– ALAC Liaison

Jeffrey Neuman– GNSO liaison to the GAC

Maarten Simon – ccNSO observer

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

Julie Hedlund – Policy Director

Steve Chan – Senior Director

Berry Cobb – Policy Consultant

Emily Barabas – Policy 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

Philippe Fouquart, GNSO Chair, welcomed all to the June 2021 Council meeting.

1.2 - Updates to Statements of Interest.

There were no updates to the Statements of Interest.

1.3 - Review / Amend Agenda

The agenda was accepted as presented.

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

[Minutes](#) of the GNSO Council meeting on 22 April 2021 were posted on the 06 May 2021

[Minutes](#) of the GNSO Council meeting on 20 May 2021 were posted on 03 June 2021.

Item 2: Opening Remarks / Review of Projects & Action List

2.1 - The review of the [Projects List](#) and [Action Item List](#)

Berry Cobb, GNSO Policy Consultant, reminded councilors that progress is shared monthly on the GNSO Council mailing list, and thanked **Maxim Alzoba, Registry Stakeholder Group (RySG)** for his diligent monitoring of content. One of Maxim's questions was in relation to the EPDP P2 SSAD recommendations that Council adopted and passed to the Board, and also in relation to the initiation of the Operational Design Phase (ODP) which will force a change of the program tool timelines. **Berry Cobb, GNSO Policy Consultant**, added that the program management tool was a complex document, and that he was always available to assist councilors should they wish.

Item 3: Consent Agenda: no item.

Item 4: COUNCIL VOTE - Initiation of the GNSO Framework for Continuous Improvement Pilot Project

Tatiana Tropina, GNSO Council Vice Chair, Non Commercial Stakeholder Group (NCSG) seconded by **Kurt Pritz, Registry Stakeholder Group (RySG)**, submitted a [motion](#) to initiate the GNSO Framework for Continuous Improvement Pilot Project.

Whereas,

Council leadership started conversations with the GNSO Council and GNSO community, via Stakeholder Group and Constituency Chairs, on how to address several items on the Council's Action Decision Radar (ADR) 0-1 month timeframe dealing with process and procedural improvements such as Accountability Work Stream 2, Accountability and Transparency Review Team 3 and PDP 3.0.

1. This resulted in a proposed GNSO Framework for Continuous Improvement Oversight and Implementation. Following the circulation of an initial proposal in January 2021, Council leadership solicited feedback via email as well as a dedicated call with SG/C Chairs as well as Council. Taking into account the input received, an updated proposal was circulated to the Council and SG/C Chairs on 26 May 2021 (see <https://mm.icann.org/pipermail/council/2021-May/024730.html>).
2. This updated proposal includes a proposed pilot which allows for a more limited roll out of the Framework from which lessons can be drawn and possible updates can be made, should the Council and GNSO community decide that it is worthwhile to continue.
3. The Council and SG/C Chairs reviewed this updated proposal.

Resolved,

1. The GNSO Council initiates the GNSO Framework for Continuous Improvement Pilot as outlined in section 4 of [this document](#) where step 4 of Section 4 is replaced with the fourth resolved clause below.
2. The GNSO Council requests the GNSO Secretariat to circulate the call for volunteers to form the Council Committee for Overseeing and Implementing Continuous Improvement.
3. Once formed, the GNSO Council expects regular updates from the Chair of the Council Committee to the Council as well as SG/Cs in relation to progress made.
4. Once the pilot completes, the Council, in close collaboration with SG/Cs as well as the Council Committee and Pilot Task Force, will review the functioning of the Framework and decide whether to continue with the other assignments as outlined in the updated proposal (see [section 3](#)), make modifications to the framework and continue with the other assignments, or, identify another path through which the assignments identified are to be addressed.
5. For the time being, the items that are expected to be addressed as part of the Framework (incl. WS2, Policy & Implementation, PDP 3.0, Empowered Community, ATRT3, GNSO Review) will be moved to a section in the ADR with no timeframe associated with them as the timing will be determined as a result of the pilot. However, this does not prevent the Council from determining if one or more of these items need to be addressed in a different manner before the pilot concludes, for example, as a result of external factors or changes in the dependencies that were identified (see [section 5](#)).

Philippe Fouquart, GNSO Chair, reminded councilors there had been interactions with the Stakeholder Group (SG) and Constituency (C) Chairs on the matter, as well as several drafts of the proposed framework document circulated to the Chairs and to councilors. **Kurt Pritz, Registry Stakeholder Group (RySG)**, had seconded the [motion](#) and [submitted](#) an amendment proposal on 14 June 2021. **Tatiana Tropina, GNSO Council Vice Chair, Non Commercial Stakeholder Group (NCSG)** accepted the amendment as friendly.

Tatiana Tropina, GNSO Council Vice Chair, NCSG introduced the motion outlining its direct relationship to the Council work on the [Action Decision Radar](#) (ADR), more specifically, the 0 - 1 month timeframe items which have been on the ADR for a long time. She clarified that this motion initiated a pilot project focussing on two small tasks as outlined in the framework document, which will be reviewed and

reassessed when the pilot is completed. The larger tasks in the 0-1 month timeframe would be moved to a section of the ADR with no associated timeframe. Comments about limited resources and representation were expressed by the SG/C Chairs, and were taken into account.

Kurt Pritz, RySG, presented his amendment which requested that Council, and not the committee formed for the pilot, be the body deciding whether the committee would stay in place after the first efforts. He added that further time for discussion with the RySG would have been welcome, mainly on topics of representation and consensus, but that the SG did not want to delay the initiation of the pilot project. He raised concerns about the potential increase in administrative burden the pilot might trigger. He added that improving on the Policy Development Process (PDP), making better use of PDP3.0 and the Consensus Playbook, would also increase the efficiency of the GNSO Council work.

Tatiana Tropina, GNSO Council Vice Chair, NCSG, thanked Kurt and clarified that consensus levels would be also revised during the pilot reassessment.

John McElaine, Intellectual Property Constituency (IPC), raised that the IPC believed certain items assigned to the Framework for Continuous Improvement were outside of the GNSO's remit and that there were other processes already in place that would serve the same goal. The IPC supports increasing the GNSO Council's efficiency, but did not have time to discuss the amendment with the IPC membership as it was submitted too close to the GNSO Council meeting.

Tatiana Tropina, GNSO Council Vice Chair, NCSG, confirmed that the items for consideration were of the GNSO's remit. She added that whilst there were Council small teams formed to tackle certain issues, the lines surrounding the notion of ownership of issues were sometimes blurred between the Council's remit and that of the SG and Cs.

Olga Cavalli, NomCom Appointee (NCA) asked for further information regarding the pilot project and what could be the final Framework for Continuous Improvement.

Tatiana Tropina, GNSO Council Vice Chair, NCSG, clarified that the pilot project was to allow for re-adjustment of resources, composition with the SGs and Cs and further discussion with the GNSO Council before moving onto a more definitive structure.

Philippe Fouquart, GNSO Chair, accepted that the concern regarding administrative burden was a valid one. He expressed hope that using the consensus building decision process would alleviate concerns over composition.

Flip Petillion, IPC, confirmed that he agreed with his fellow IPC councilor John McElwaine, regarding the lack of time for discussion with their constituency members.

Kurt Pritz, RySG, offered to withdraw his amendment to allow for voting on the original motion.

John McElwaine, IPC, declined the proposal, as the late amendment had impacted IPC discussions on the original motion.

Councilors voted in favour of the amended motion. There were two abstentions (John McElwaine, Flip Petillion, IPC).

[Vote results](#)

Action Items:

- *The GNSO Secretariat* to circulate the call for volunteers to form the Council Committee for Overseeing and Implementing Continuous Improvement.
- *The Chair of the Council Committee* to provide regular updates to the Council as well as SG/Cs in relation to progress made.
- Once the pilot completes, *the Council*, in close collaboration with SG/Cs as well as the Council Committee and Pilot Task Force, to review the functioning of the Framework and decide whether to continue with the other assignments as outlined in the updated proposal (see section 3), make modifications to the framework and continue with the other assignments, or, identify another path through which the assignments identified are to be addressed.
- *Staff* to move the items that are expected to be addressed as part of the Framework to a section in the ADR with no timeframe associated with them as the timing will be determined as a result of the pilot.
- Staff to update [this document](#) to reflect the change required in resolved clause 1 of the motion.

Item 5: COUNCIL DISCUSSION: Potential Next Steps for the Internationalized Domain Names (IDN)

Operational Track

Philippe Fouquart, GNSO Chair, introduced the topic reminding councilors that the IDN Implementation Guidelines are contractual requirements for both registries and registrars. The GNSO Council requested the deferral of IDN Guidelines 4.0 due to concerns around the process but also specific requirements. In May 2021, Council discussed these concerns taking dependencies into account. On 4 June 2021, the Contracted Parties House (CPH) [suggested](#) a path forward.

Kurt Pritz, RySG, [presented](#) the proposed path. He explained that the proposal was to reconsider the GNSO Council's recommended approach for proceeding with an operational track as initially discussed. This operational track was intended to review issues that would have been raised with regard to the IDN Implementation Guidelines and to develop a path forward. In the meantime, Council initiated the IDNs Expedited Policy Development Process (EPDP) which will consider some of the same issues addressed by the IDN Implementation Guidelines, so there is an overlap and the risk of contradicting results. Dennis Tan Tanaka, Chair of the IDN Charter Drafting Team, as well as the rest of the RySG, suggested pausing the operational track, given the issues raised would be better dealt with in the EPDP. There are no stability nor security issues being addressed within the IDN Guidelines v.4.0 so the pause would be of low impact. A [draft letter](#) from the RySG could begin the discussion on these issues. The ccNSO is also beginning a related PDP, collaboration between both Supporting Organisations (SOs) would be beneficial.

Tomslin Samme-Nlar, NCSG, asked if there were any other items within the operational track to be dealt with which wouldn't be included in the IDN EPDP.

Dennis Tan Tanaka, Chair of the IDN Charter Drafting Team, confirmed that there were no issues left out pertaining to the operational track. The operational track was envisioned to look at issues raised by the RySG pertaining to the IDNs Guidelines v.4.0. Other items were not to be considered. V.3.0 of the IDN guidelines is in full force, and covers all security and stability concerns.

John McElwaine, IPC, asked for further information regarding the differences between the work, deliverables, resource, composition of the operational track and the IDN EPDP. He agreed pausing the operational track seemed like a good idea.

Action Items:

- The RySG to provide further information to Council regarding the differences between the work, deliverables, resource, composition of the Operational Track and the IDN EPDP.
- *The GNSO Council* to defer the work of the IDN Guidelines v4.0 Operational Track.
- *The GNSO Council* to advise the Board that the Council will defer the work of the IDN Guidelines v4.0 Operational Track and recommend that the Board continue deferring the adoption of the IDN Guidelines 4.0 until the issues overlapping with the IDN EPDP can be fully deliberated and resolved by the IDN EPDP.

Item 6: COUNCIL DISCUSSION - Accuracy Scoping Team

Pam Little, GNSO Council Vice Chair, RrSG, reminded Council a small team was convened to work on the set of instructions to be provided to the Accuracy Scoping Team. The work is still in progress, with all SGs & Cs bar the NCSG represented on the small team. The topic is challenging but there is agreement on the task and focus areas, staff help will be needed to update the document and submit before the July 2021 document deadline.

Marie Pattullo, Business Constituency (BC), added the progress had been made, and that completion was close. The BC is very eager to begin the work, and is grateful to the Government Advisory Committee (GAC) for their input.

Jeffrey Neuman, GNSO Liaison to the GAC, informed the Council that he was on the small team to improve GNSO/GAC relations, and not on the GAC's behalf.

Action Item:

- *Staff* to include the Accuracy Scoping Team as a topic on the agenda for the 22 July 2021 GNSO Council meeting.

Item 7: COUNCIL DISCUSSION - Interactions with the GAC

Philippe Fouquart, GNSO Chair, introduced the topic which was in context of the annual confirmation or renewal of the GNSO Liaison to the GAC role. The 2020 GNSO Liaison to the GAC Annual Report referred to the need to evaluate the effectiveness of the role.

Pam Little, GNSO Vice Chair, RrSG, added that this was a long overdue exercise, given the way in which the interactions between the two groups seem to have changed over the years. For example there is a higher GAC participation in the GNSO PDPs and regular interactions with the GAC during ICANN meetings. Previously there had been the need for mechanisms such as the Quick Look Mechanisms for the GAC to be informed of the content of Issue Reports, as well as the current GNSO Liaison to the GAC

role. The aim here is to improve on the quality of the GAC - GNSO interactions given the importance of the relationship between the two groups.

Jeffrey Neuman, GNSO Liaison to the GAC, [presented](#) his update on interactions with the GAC. He agreed that the GNSO-GAC relations had changed over the years, and for the better. Previously the GAC communicated to the Board directly with little or no GNSO involvement. It was important to bring the GAC into GNSO processes earlier which is what he and **Cheryl Langon-Orr**, as New gTLD Subsequent Procedures (SubPro) PDP Working Group (WG) co-chairs, did frequently. He also emphasised that addressing GAC concerns does not necessarily imply adopting them as recommendations. He added that the main reason why the GAC is not active in all GNSO PDPs is generally due to lack of resources. However, certain GNSO PDP WG Chairs are invited to present updates to the GAC frequently. The role of the GNSO Liaison to the GAC has changed a lot: monthly meetings with the GAC point of contact the week after the GNSO Council meeting to discuss GNSO resolutions and outcomes, increased communication of GAC input to the GNSO Council, GNSO Council & GAC leadership prep meetings ahead of bilateral sessions. **Jeffrey, as GNSO Liaison to the GAC**, attends all possible GAC sessions during ICANN Public Meetings, but is not invited to intersessional meetings which are closed to non-GAC members. He added that he represents the policy work of the GNSO in a neutral manner and provides as much information as possible to ensure the GAC understands the GNSO position. He mentioned that an area of concern was the briefing on GNSO activity that the GAC receives from GAC Support staff prior to every ICANN Public Meeting, which would benefit from initial review by the GNSO Support staff to avoid misunderstanding. In addition, bringing back GNSO Council prep sessions for bilateral meetings with the GAC would be helpful. He suggested having GNSO topic leads invited to bilaterals to create better understanding and engagement as well as holding leadership bilaterals after ICANN meetings as well as before. He advocated for more honest tackling of issues during conversations with the GAC.

Pam Little, GNSO Council Vice Chair, RrSG, clarified that this discussion was about the role itself and not about the person. She asked councilors to focus their attention on the GNSO Liaison to the GAC job description.

Olga Cavalli, NCA, commended Jeffrey Neuman for his great work, and emphasised the importance of the GAC briefing materials which are highly valued by GAC members.

Philippe Fouquart, GNSO Chair, added that he found the GNSO GAC bilaterals interesting and useful and that feedback had been positive.

Stephanie Perrin, NCSG, joined the many in the chat congratulating Jeffrey on his active role, and on his recommendations to improve the relationship. She however noted that information provided seemed to be mostly in one direction, from the GNSO to the GAC.

Action Item:

- *The GNSO Council* to continue discussion on the issue of its interactions with the GAC.

Item 8: COUNCIL UPDATE - Status Update Regarding EPDP Phase 2A

Philippe Fouquart, GNSO Council Liaison to EPDP P2A, reminded councilors the team published the Initial Report for early Public Comment early June 2021. This Initial Report includes preliminary recommendations and a number of questions. The Public Comment period closes on 19 July 2021. He highlighted the tremendous effort put in by the EPDP P2A team.

Action Item: none

Item 9: COUNCIL DISCUSSION -EPDP Phase 1 Rec 27 (Wave 1.5)

Philippe Fouquart, GNSO Chair, informed staff that the ICANN Org Global Domains Strategy (GDS) input on EPDP Phase 1 Rec 27 next steps had been [received](#).

Karen Lentz, ICANN Org, GDS, reminded councilors that EPDP P1 Rec 27 contemplated that some of the existing policies and procedures might need updating in light of the work in Phase 1. Both wave 1 and 1.5 identified possible areas of impact for Council to consider in determining whether any updates were needed to Proxy/Privacy or to Translation and Transliteration recommendations. In April 2021, the GNSO Council requested an estimated level of effort and an understanding from the former Implementation Review Team (IRT) members as to who would be willing to continue the work effort.

Action item:

- Council leadership, with help from staff support team, to develop proposed response to ICANN org in relation to restarting PPSAI in line with Council's feedback during the wrap up session.

Item 10: ANY OTHER BUSINESS

10.1 - Review of topics to discuss with the ICANN Board

Proposed topics are:

1. New gTLDs Subsequent Procedures PDP WG (ODP Timeline & SAC114)
2. IDN Guidelines 4.0
3. DNS Abuse, potential next steps?

Stephanie Perrin, NCSG, added that a discussion topic on accuracy would be helpful.

Philippe Fouquart, GNSO Chair, asked that councilors submit additional comments on the GNSO Council mailing list.

Action Item:

- *The GNSO Council Chair* to post the suggested topics to the GNSO Council mailing list for review.

10.2 - GNSO Council Liaison to IDNs EPDP

Staff mentioned that one councilor had expressed interest in the Liaison role, and that staff were discussing the role requirements and responsibilities with the councilor.

10.3 - Open Microphone

Martin Sutton, Brand Registry Group (BRG), informed the councilors of a BRG session held on 15 June 2021, where the BRG heard from future potential applicants and their frustrations at the perceived delay since the completion of the work of the SubPro PDP WG, worsened by uncertainty linked to the initiation of the SubPro ODP. He added that the community urged activities to move forward more efficiently and questioned the use of an ODP in this situation.

Philippe Fouquart, GNSO Chair, took this as an item to be raised to the Board, and added that there were Board members attending the GNSO Council meeting,

Susan Payne, IPC, raised concerns about GNSO Council levels of transparency especially regarding lack of feedback from certain Council small team efforts. She supported the small team structure wholeheartedly but wished to see more input on the work being undertaken on the GNSO Council public mailing list for all community members subscribed as observers to be able to follow.

Philippe Fouquart, GNSO Chair, replied that members from the GNSO Community should rely on their councilors to, insofar as possible, join small team efforts, to be able to report back effectively to the community groups they represent. He then insisted on the importance of the Council's representative model. He also appreciated that the disappearance of informal information channels made possible during face-to-face events, implies information received currently is mainly only accessible on the Council mailing list. He acknowledged that the process could improve in efficiency.

Maxim Alzoba, RySG Councilor, added that small team work is not possible via mailing lists as it focuses mainly on document editing. Once the document is ready, it is then circulated on the GNSO Council mailing list. He mentioned that the level of transparency expected of councilors should be reasonable.

John McElaine, IPC Councilor, added that whilst the GNSO Council small team working on SAC114 has yet to provide any output, the SAC114 paper is listed as a discussion topic for the upcoming bilateral with the ICANN Board,

Rafik Dammak mentioned that GNSO councilors needed to be able to cover different topics and that small teams were necessary to that process. There needs to be trust conveyed to councilors representing the different Constituency and Stakeholder Groups, these councilors should then be reporting back to

their groups accurately. Councilors should be allowed the necessary flexibility to complete their work as efficiently as possible.

Amr Elsadr's question posted in the chat in relation to agenda item 4 was read out: "Why is this being treated as a pilot program when there have been previous groups within the GNSO that have pretty much done this exact type of work, I'm thinking of the SCI and the GNSO Review Working Group."

Philippe Fouquart, GNSO Chair, replied that this question was considered in the initial stages of the discussion around the Framework for Continuous Improvement. The idea is not to replicate those past initiatives, as the remit in the pilot program is much more limited in scope.

Action item: none

Philippe Fouquart, GNSO Chair, *adjourned the meeting at 12:30 UTC on Wednesday 16 June 2021*