Minutes of the GNSO Council Meeting 18 November 2021
[Agenda](#) **and** [Documents](#)

Coordinated Universal Time: 06:00 UTC: https://tinyurl.com/36vkby2e

(Wednesday) 22:00 Los Angeles; (Thursday) 01:00 Washington DC; 06:00 London; 07:00 Paris; 09:00 Moscow; 17:00 Melbourne

List of attendees:
Nominating Committee Appointee (NCA): **– Non-Voting** – Olga Cavalli (absent)
Contracted Parties House
Registrar Stakeholder Group: Antonia Chu, Kristian Ørmen (apologies, temporary alternate Owen Smigelski), Owen Smigelski, 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, Tomslin Samme-Nlar, Farrell Folly, Stephanie Perrin, Juan Manuel Rojas (absent)
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

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

Paul McGrady, NomCom Appointee (NCA), indicated that his SOI has been updated.

1.3 - Review / Amend Agenda

The agenda was accepted without change.

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

Minutes of the GNSO Council meeting on 23 September 2021 were posted on 09 October 2021.

Minutes of the GNSO Council meetings part I and part II on 27 October 2021 were posted on 12 November 2021.

Action items: none

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

Berry Cobb, GNSO Policy consultant, reviewed the Projects List and Action Item List, included in the Project Management portfolio, as circulated previously on the GNSO Council mailing list.

He mentioned structural changes to several products. On the Action Decision Radar (ADR) in the Unplanned Section, the letter received about modifying the gTLD Consensus Policies has been added. Several small teams have been formed to cover various topics. This warrants a change under the Operations Program, where these small teams will be listed as inventory items. The ADR has been reset for the new 2021 - 2022 Council, with a separate section with decisions taken by the previous Council. This is the case also for the Action Item list. The Action Items page will change slightly, moving from Google sheet to a new toolset, although it will still be posted on the same wiki page. On the Project List, on the summary page, there are three active Policy Development Processes (PDPs), two of which are planned to go into 2022. The Curative Rights IGO group is planned to end at the end of this year. There will, however, be further work for Council, unrelated to policy work per se, Work Stream 2 implementation for example. There are also several items in the pre-implementation phase, which is a topic Council has been discussing recently. He also raised the recent talks Council has held in seeking to improve the review of these documents, notably the possibility of forming a small team ahead of Council meetings, to help form the agenda and improve on work organisation.

Action items: none

Item 3. Consent Agenda

There were three items for Council consideration on the Consent Agenda:

- 3.1 - Confirmation of Tomslin Samme-Nlar to serve as the GNSO Council liaison to the Standing Selection Committee in an ex-officio capacity.
- 3.2 - Motion for the confirmation of Philippe Fouquart to serve as the GNSO representative to the Empowered Community Administration

- 3.3 - Motion to adopt the GNSO Review of the GAC ICANN72 Virtual Annual General Meeting Communiqué for submission to the ICANN Board

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

Vote results

Action items:

- The support staff to notify the Standing Selection Committee (SSC) that the GNSO Council has confirmed Tomslin Samme-Nlar to serve as the GNSO Council liaison to the SSC in an ex-officio capacity.
- The GNSO Secretariat notifies the ICANN Secretary that the GNSO Council has confirmed that Philippe Fouquart, GNSO Chair will represent the GNSO as the Decisional Participant on the Empowered Community Administration until the end of his term at ICANN75.
- The GNSO Council Chair communicates the GNSO Council Review of the ICANN72 GAC Communiqué to the ICANN Board.
- The GNSO Liaison to the GAC informs the GAC of the communication between the GNSO Council and the ICANN Board

Item 4. COUNCIL VOTE - Revised GNSO Councilor Job Description for the Nominating Committee (NomCom)

Tomslin Samme-Nlar, GNSO Council Vice Chair, Non Commercial Stakeholder Group (NCSG), seconded by **Desiree Miloshevic, NomCom Appointee (NCA)**, submitted a motion for Council to approve the revised GNSO Councilor Job Description for the Nominating Committee (NomCom).

Whereas,

1. Section 11.3 of the ICANN Bylaws prescribes the number of Council representatives selected from each GNSO Stakeholder Group and three representatives selected by the Nominating Committee.
2. The Contracted Parties House consists of three members from the Registries Stakeholder Group, three members from the Registrars Stakeholder Group, and one voting member appointed by the ICANN Nominating Committee for a total of seven voting members.
3. The Non Contracted Parties House consists of six members from the Commercial Stakeholder Group, six members from the Non-Commercial Stakeholder Group, and one voting member appointed by the ICANN Nominating Committee to that House for a total of thirteen voting members.
4. The Nominating Committee reviews applications and selects candidates, taking into account the criteria or guidance provided by the GNSO Council.
5. The GNSO Council is invited on an annual basis to review the job description and criteria contained in order to better assure that the Nominating Committee selects appointees that is consistent with the intent of the Bylaws in furthering the Council's roles and responsibilities as the manager of the policy development process of the GNSO.
6. The GNSO Council has elected to make incremental changes to the job description each year when invited.

7. Considering that each GNSO Stakeholder Group and Constituency is represented on the GNSO Council, the role of the Nominating Committee Appointees on the GNSO Council, and the importance of independence and diversity, the Council revised the job description to reflect the traits it is seeking for appointees.

Resolved,

1. The GNSO Council approves the revised GNSO Councilor job description for use by the 2022 Nominating Committee.
2. The GNSO Council requests that the GNSO Secretariat provide the updated job description to the ICANN Org staff supporting the Nominating Committee in a timely manner

Phlippe Fouquart, GNSO Chair, indicated that even though there was no need for formal approval via Council vote, the timeline to communicate the decision to the NomCom was extremely tight.

Tomslin Samme Nlar, GNSO Vice Chair, pointed out that the small team could not find a time to meet for a call, so the work on the document was done via email. The intent was to highlight independence and diversity in Council, with the previous document accomplishing this with a preference for un-affiliated appointees, which triggered disagreement within Council. The revised text proposed qualities and traits which NomCom should consider when selecting candidates.
Some comments on the text were that the request for experience could limit the pool of candidates to GNSO applicants only. The Non Commercial Stakeholder Group (NCSG) requested that previous text be added back about candidates from other groups, ensuring they are remaining neutral and independent.

Flip Petillion, Intellectual Property Constituency (IPC), thanked Steve Chan, ICANN Org, for his assistance to the small team. He also encouraged small team members to provide comments in a timely manner.

Greg Dibiase, Registrar Stakeholder Group (RrSG), agreed with the revisions proposed by Stephanie Perrin, NCSG, in regards to not limiting the pool of candidates.

Stephanie Perrin, NCSG, went through the proposed revisions.

Marie Pattullo, Business Constituency (BC), mentioned that the text had been circulated to the BC, and approved it, however the latest revisions had not been reviewed by the constituency. She also added that prior knowledge of the GNSO was key to understanding the policy development process.

Mark Datysgeld, BC, expressed concern that someone not deeply involved in the GNSO may not be able to make valid contributions given the complexity of the policy development process. It may be helpful perception-wise, but would not be productive.

Maxim Alzoba, Registry Stakeholder Group (RySG), reminded Council of the current depletion of volunteers with lack of travel and involvement in local attendees outreach.

Greg Dibiase, Registrar Stakeholder Group (RrSG), agreed with the issue of the steep learning curve to get up to speed with GNSO Council procedures, but that the aspect of independence is also important.

Desiree Miloshevic, NCA, was in support of getting new people involved who have deep interest in the ICANN model.

Farell Folly, NCSG, mentioned that there is a difference between the Job Description (JD) and the NomCom criteria to select the candidates. The JD should broaden the pool of candidates, which the NomCom can then select from taking into account the criteria.

Flip Petillion, IPC, suggested an alternative to the term "interest" as it could be interpreted in different ways.

Philippe Fouquart, GNSO Chair, proposed two solutions in light of the late revisions: a vote on the initial motion or take the time now until early December to accommodate the comments made on the current call and work on a non-objection principle.

Tomslin Samme Nlar, GNSO Vice Chair, reminded councilors that the revised NomCom JD had previously taken place with a non-objection procedure.

Marie Pattullo, BC, proposed that a NomCom member come to Council to clarify what they are seeking in terms of input.

Philippe Fouquart, GNSO Chair, suggested Tomslin withdraw the motion, and take the text to the list.

Marika Konings, ICANN Org, clarified that there is no need to withdraw the motion, leaving the option for an email vote open. The email vote needs to be announced with a 7 day notification.

Tomslin Samme Nlar, GNSO Vice Chair, withdrew the motion to proceed with non-objection.
The motion was withdrawn.

[Vote results](#)

Action Item
- Staff to circulate the revised text and summarize comments from the GNSO Council meeting via the GNSO Council list for review and non-objection.

Item 5. COUNCIL DISCUSSION - Update from the Universal Acceptance Steering Group (UASG)

Dr Ajay Data, Chair of the UASG and Maria Koleskinova, [presented](#) the most recent updates. Dr Data thanked the Council for recognising the importance of UA (the aim of which is that all domain names and email addresses work in all software applications). The strategy is to accept, validate, process, store and display. Validation is the key step for IDNs. The aim is to have all websites UA ready in order for businesses to grow their customer base, for end-users to gain better access, and increased competition in the domain name industry. From a technical standpoint, remediation as well as outreach steps are necessary. The work effort needs to be global, with diverse mindsets to accommodate UA local initiatives. The UASG is encouraging promoting UA local ambassadors. UASG stakeholders for FY22 are technology enablers and developers as well as TLD registries and registrars taking part in the [FY22 Action Plan](#). The GNSO can promote UA by encouraging members to update their systems to support UA, continue to include UA in internal discussions, and help broaden awareness. The UASG would be grateful if the GNSO would gather input from Stakeholder Groups (SGs) and Constituencies (Cs) and

propose volunteers for the UA effort. Dr Data also suggested all SGs and Cs appoint liaison officers to the UA effort.

Kurt Pritz, RySG, thanked Dr Data for his presentation, and mentioned that UA was relevant in his day job, and that UA issues were frequent. He asked if there was any data, information that could be communicated to registrants.

Dr Data replied that there are statistics to assist and that more data will be provided in the near future.

Philippe Fouquart, GNSO Chair, thanked Dr Data for his presentation.

Action Item:
- GNSO Council leadership to consider the request for a liaison to the Universal Acceptance Steering Group.

Item 6. COUNCIL DISCUSSION - GNSO Council Strategic Planning Session (SPS)

Philippe Fouquart, GNSO Chair, briefly updated councilors on the SPS, which is nearing closing. There were four sessions altogether with a focus on virtual effectiveness taking into account available resources, the project management suite and prioritization needs. The question of how newcomers within Council can be helped by those more experienced was equally considered. The SPS Wrap Up session will take place on 24 November 2021.

Action Item: none

Item 7: COUNCIL DISCUSSION: Thought Exercise Paper Modifying gTLD Consensus Policies

Philippe Fouquart, GNSO Chair, reminded councilors that a Council small team has been convened on the topic.

Sebastien Ducos, GNSO Council Vice Chair, updated councilors on the small team effort after its initial call. He stated the three questions for ICANN Org, as discussed by the small team. The main question was to understand where the request came from, if this was a thought exercise directly from Theresa Swinehart's team or from the ICANN Board. **Sebastien Ducos** added that the request seemed to be there to support a Board discussion, but further clarification was needed. The second question referred to events or topical discussions that happened in the last year or so, for example, one or two recommendations resulting from EPDP phase 1 or the IGO INGO. The small team would be interested to understand what the issues are, and how the GNSO can assist, more specifically, which process is raising concern. The last question focussed on the expected impact of these recommendations. Would it be merely a question of changing our operating procedures internally within the GNSO, or is there a perceived impact beyond that in the ICANN bylaws and more general documentation?

Karen Lentz and Isabelle Colas, ICANN Org, presented the Thought Exercise Paper on Modifying gTLD Consensus Policies. The origin of the paper is a collection of various inputs with the aim to trigger discussion and gather feedback. Issues have been identified within the implementation phase where new

policies impact existing policies requiring them to be modified, EPDP Phase 1 Recommendation 27 for example. There is an increased possibility that this may happen more frequently. Community discussions could help address these gaps in the policy lifecycle. The Thought Exercise was created to that intent, aiming to provide an overview of existing procedures, identifying gaps in procedures and supporting alignment between ICANN Org, ICANN Board, GNSO Council and broader community. The paper is divided into three sections: roles and responsibilities of the GNSO Council, ICANN Board, ICANN Org, Implementation Review Team through the Consensus Policy Lifecycle, the available practices for modification of policies at different stages of the policy development and implementation life cycle, as well as the illustration of possible process gaps and simple mechanisms to address them. Slides 5 and 6 provide further section information on sections 2 and 3. Regarding next steps, the 6-week deadline for Council input can be extended to allow for further discussion. Once the GNSO Council and ICANN Board are in agreement with the identified gaps, further discussions can take place to align on whether any org or GNSO procedures can be modified.

Philippe Fouquart, GNSO Chair, mindful of time, invited ICANN Org staff to attend the next Council small team meeting to take this further.

Action Item: none

Item 8 - Any Other Business

8.1 Update on the approach for the response to the ICANN Board's letter regarding the IDN Implementation Guidelines v4.0
Contracted Party House is required to provide further input on the Council mailing list.

8.2 Acknowledgement of the Registration Data Accuracy - Scoping Team (RDA_ST) Project Plan
Councilor input is expected on the Council mailing list.

8.3 Report on SubPro ODP
Jeff Neuman, in his capacity as GNSO Council Liaison to SubPro ODP, mentioned that he had discussed with Karen Lentz, ICANN Org, that by the document deadline of each Council meeting, if there are issues to be discussed by Council, they be received by that date. Failing that, he will email updates to the Council mailing list. The liaison role will be contacted by ICANN Org when there are questions for Council. Council discussed needing more transparency on ODP exchanges. Council now needs to discuss how to respond speedily to the ODP questions, as well as the proposed responses without waiting for formal validation on GNSO Council meetings.

8.4 Report on the SSAD ODP
Councilor input is expected on the list.

Action Item: none

Philippe Fouquart, **GNSO Chair,** adjourned the meeting at 08:04 UTC.

The next GNSO Council meeting will take place on Thursday 16 December 2021.