
ICANN Transcription

GNSO Council Meeting

Thursday, 17 October 2024 at 13:00 UTC

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The recordings and transcriptions are posted on the GNSO Master Calendar Page:

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List of attendees:

Nominating Committee Appointee (NCA): – **Non-Voting** – Anne Aikman Scalese

Contracted Parties House

Registrar Stakeholder Group: Hong-Fu Meng, Greg DiBiase, Prudence Malinki

gTLD Registries Stakeholder Group: Nacho Amadoz, Kurt Pritz, Jennifer Chung

Nominating Committee Appointee (NCA): Desiree Zeljka Miloshevic Evans

Non-Contracted Parties House

Commercial Stakeholder Group (CSG): Lawrence Olawale-Roberts, Mark Datysgeld, Osvaldo Novoa (absent) Thomas Rickert, Damon Ashcraft, Susan Payne

Non-Commercial Stakeholder Group (NCSG): Stephanie Perrin, Bruna Martins dos Santos, Wisdom Donkor, Tomslin Samme-Nlar, Peter Akinremi, Manju Chen

Nominating Committee Appointee (NCA): Paul McGrady

GNSO Council Liaisons/Observers :

Justine Chew : ALAC Liaison

Jeff Neuman: GNSO liaison to the GAC

Everton Rodrigues: ccNSO observer

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

Guests:

Donna Austin, EPDP-IDNs Chair
Sebastien Ducos, Chair of RDRS Standing Committee

ICANN Staff:

Mary Wong - Vice President, Strategic Policy Management (apologies)
Steve Chan – Vice President, Policy Development Support & GNSO Relations
Julie Hedlund - Policy Development Support Director (GNSO)
Berry Cobb - Senior Program Manager, Policy Development Support
Caitlin Tubergen - Policy Development Support Director (GNSO)
Saewon Lee - Policy Development Support Manager (GNSO)
Feodora Hamza - Policy Development Support Manager (GNSO)
John Emery - Policy Development Support Senior Specialist (GNSO)
Terri Agnew - Policy Operations Senior Specialist (GNSO)
Devan Reed – Policy Operations Coordinator

TERRI AGNEW: The recording has started and this is Terri Agnew. Good morning, good afternoon, and good evening, and welcome to the GNSO Council Meeting taking place on Thursday, the 17th of October, 2024. Would you please acknowledge your name when I call it?
Jennifer Chung.

JENNIFER CHUNG: Present. Thank you, Terri.

TERRI AGNEW: You are welcome. Hong-Fu Meng.

HONG-FU MENG: Present. Thank you.

TERRI AGNEW: You are welcome. Kurt Pritz.

KURT PRITZ: Present.

TERRI AGNEW: Greg Dibiase.

GREG DIBIASE: Present.

TERRI AGNEW: Prudence Malinki.

PRUDENCE MALINKI: Present. Thanks, Terri.

TERRI AGNEW: You are welcome. Desiree Milosevic.

DESIREE MELOH: Present, Terri. Thank you.

TERRI AGNEW: You are welcome. Lawrence Olawale-Roberts.

LAWRENCE OLAWALE-ROBERTS: Present. Thank you.

TERRI AGNEW: You are welcome. Mark Datysgeld.

MARK DATYSGELD: Present.

TERRI AGNEW: Damon Ashcraft.

DAMON ASHCRAFT: I'm present.

TERRI AGNEW: Susan Payne.

SUSAN PAYNE: Present, Terri. Thanks.

TERRI AGNEW: You are welcome. Osvaldo Novoa.

OSVALDO NOVOA: Present. Thank you.

TERRI AGNEW: You are welcome. Thomas Rickert.

THOMAS RICKERT: I'm present. Hi.

TERRI AGNEW: Hi. Wisdom Donkor.

WISDOM DONKOR: Present.

TERRI AGNEW: Stephanie Perrin.

STEPHANIE PERRIN: Present. Thank you.

TERRI AGNEW: You are welcome. Peter Akinremi. I don't see where Peter's joined, but we'll try to reach him. Tomslin Samme-Nlar.

TOMSLIN SAMME-NLAR: Present.

TERRI AGNEW: Manju Chen.

MANJU CHEN: Here. Thank you.

TERRI AGNEW: You are welcome. Bruna Martins dos Santos. And Bruna put in chat that she's present. Paul McGrady.

PAUL MCGRADY: I'm here.

TERRI AGNEW: Anne Aikman Scalese.

ANNE AIKMAN SCALESE: Here, Terri. Thanks.

TERRI AGNEW: You are welcome. Jeff Neuman.

JEFFREY NEUMAN: I'm here. Thank you.

TERRI AGNEW: You are welcome. Justine Chew.

JUSTINE CHEW: Present. Thank you, Terri.

TERRI AGNEW: You are welcome. Everton Rodriguez.

EVERTON RODRIGUES: I'm present. Thank you.

TERRI AGNEW: Thank you. Nacho Amadoz. And Nacho will be joining, he'll just be joining a few minutes late. We have guests today, Donna Austin, EPDP IDNs Chair, and Sebastien Ducos, Chair of RDRS Standing Committee. We also have a policy team supporting the GNSO, which is Steve Chan, Julie Hedlund, Caitlin Tubergen, Saewon Lee, Feodora Hamza, John Emery, Berry Cobb, Devan Reed, and myself, Terri Agnew. May I please remind everyone here to state your name before speaking as this call is being recorded.

A reminder that we're in a Zoom webinar room. Counselors are panelists and can activate their microphones and participate in the chat once they have set their chat to everyone for all to be able to read the exchanges. A warm welcome to attendees on the call who are silent observers, meaning they do not have access to their microphones nor the chat. As a reminder, those who take part in ICANN multi-stakeholder process are to comply with the Expected Standards of Behavior and the ICANN Community Anti-Harassment Policy. With this, I'll turn it back over to the GNSO Chair, Greg Dibiase.

GREG DIBIASE: Thank you so much. Welcome everybody to our October meeting, our last meeting before we come together for ICANN81 in Istanbul. A couple of the presentations in this meeting will prepare us for votes during that meeting, so be sure to pay close attention to our speakers. I will start off with asking if anyone has updates to their statement of interest. Hearing no one, would anyone like to review or amend the agenda? Hearing

no one, I'd note that the minutes of the GNSO Council meeting for 19th September were posted on the 7th of October.

So great, let's dive in. The first item, I'm just noting that we had something for the consent agenda, but we've moved it to November. This was a vote to defer RPM's Phase 2 work concerning the UDRP and revise the PSR. Susan and Lawrence on list, hopefully noted that the PSR could use more discussion. And since we're pretty tight on time in this meeting, they graciously agreed to move that to next meeting. So, we will discuss that next meeting, but just noting why that it is no longer on the consent agenda here.

The next item, very exciting. The Expedited Policy Development Process on Internationalized Domain Names Phase 2 has produced their final report. We will vote on that in next Council meeting. But before we do, we have a guest, Donna, to provide an overview of what is in the report and what councilors should focus on. So, I'll turn it over to Donna.

DONNA AUSTIN: All righty. Can you hear me okay?

GREG DIBIASE: I can hear you great.

DONNA AUSTIN: Okay, it's perfect. Thanks, Greg. And thanks, councilors. Just a little personal shout out before I get started here. As most of you know, my husband's also on this call. So happy anniversary, Kurt. All righty. So, Saewon, are you driving for me?

TERRI AGNEW: Donna, it's Terri. Fedora is going to be doing that for us today.

DONNA AUSTIN: Okay, all right. Thanks, Fedora. So, I'm very happy to be at this position in our three and a half year long expedited PDP to have the final recommendations for phase 2 for the Council to consider. So, Fedora, if you can go to the next slide, please. And next slide. Wow. I don't have these slides. And the next slide. All righty.

So just a reminder that this was a PDP that operated as a representative plus open model, which meant that we had representatives from designated stakeholder groups or constituencies, and we also had people that were interested could also join and be part of the team. So, the representative plus open, I think it worked pretty well, but it was a little bit interesting when we came to consensus that it seems that we were only required to check in with the representative groups on our consensus level. So, I think that might be something moving forward that just, I think it would be better if it's the representative plus open.

We did have liaisons from ICANN Board, GNSO Council, which is part of the course. Also, the ICANN org. So, ICANN org was interesting because we had the Council staff support. We also had somebody from the GDS team who attended every meeting, I think, Michael Karakash.

We also had Sarmad and Pitinan who were our, I guess, IDN experts to some extent. And then we also had ICANN Board. So, it was never a problem, but it did raise some interesting issues for me as chair, as we worked through some of the issues, understanding what part of ICANN the person was coming from, what they were doing, what their role was. So, that was something I had to be mindful of as we move forward.

We also had some interaction with the ccNSO ccPDP4. We had more interaction during Phase 1 than we did phase 2. And I think most of our phase 2 interaction was actually done at a staff level. It wasn't done with the two PDP groups. Our mission was to develop policy that will allow for the introduction of gTLDs at the top level and the second level. So, the top level we dealt with in Phase 1, and this phase 2 was specifically about second level, IDNs at the second level. And we were building on the SubPro PDP outputs to support that implementation and facilitate the launch of the next round.

Next slide, please, Feodora. Okay. So, Phase 1, my understanding is that the Board has adopted all of the recommendations, but there are two that are pending, 7.4 and 7.5. And I think they're recommendations that relate to gTLD registry fees. With the phase 2 work that we've just completed, we have 20 outputs, 14 recommendations, 6 are implementation guidance. So, the recommendations, if they are supported by the Council and approved by the Board, the intent is that they would be implemented as they stand. And then the implementation guidance is, as a result of the conversations that we had, we thought it was worth providing some guidance on how we thought the implementation should go for the respective recommendation.

So next slide, please, Feodora. And next slide. Okay. I haven't looked at these slides for a little while, so I might be a bit rusty. So, as I said, 20 final outputs, 14 recommendations, and 6 implementation guidance. So, the high-level principle for us was same entity and its implications at the second level. So, we have tried to adopt, well, we have adopted the same entity at the second level and for the harmonization of IDN tables. There are some adjustments to some various processes that are already in play by registries and registrars for IDNs to accommodate second level. And there's some adjustments in registration dispute resolution procedures and trademark protection mechanisms. So, I think there's one recommendation in that regard. And then the process to update the IDM implementation guidelines, we've got four outputs on that one.

So, let's go to the next slide, please. These underlying principles are similar to what we had for Phase 1. So, it's the same entity, the integrity of the set, which is the variant set as it is at the second level and also the gTLD, but more fundamentally the second level because that's what we were dealing with. Conservatism, so being cautious in the approach so that we're reducing the possibility for consumer confusion.

And then this is something that I'll get into in a minute, exempted, which previously people probably understood it as the term grandfathered, but we have moved away from that, is that no change should occur to the contractual and allocation status of existing domain names that did not conform to the same entity principle. So, what we're trying to address there is there'll be a line in the sand. So, what's happened today before this policy is implemented will not be required to abide by whatever we develop through this process.

So next slide, please. Next slide. Okay. So, there's a couple of charter questions that we did not provide recommendations for. And some of this, maybe if I take a little bit of a step back, because this PDP was looking at second level, and second level is usually the purview of the registry operator. So how they would manage and operate their TLD at the second level is really at their discretion. And what we did with Phase 1 was top level. So purely within the remit of policy setting as it relates to ICANN processes.

So, with the second level, it was, there were a few challenges trying to be respectful of that discretion that the gTLD registry operator has for second level. So, in some cases, that's predominantly why we didn't respond to some of the charter questions. So, the charter questions were C3, C3a, C4a, and C6. And I can come back to this if people want to discuss it, but I think it's probably spelled out here well enough. So next slide, please. And that's a continuation. So D5, D7, F1, and G1a, also known outputs.

Next slide, please. Okay. One of the things that came up during our public comment process, we had used the term grandfathered throughout our report, which was basically to say that anything before this point in time doesn't have to abide by the policy. So, whatever practice is being undertaken now is okay, but from this point forward, you have to abide by the new policy. We had a request from ICANN org during the public comment process to reconsider using the term grandfathered for something else, because grandfathered has deep rooted racial history in the United States.

So, we did have quite a bit of discussion about this within the team. And we acknowledged that grandfathered is used widely within ICANN, and certainly we used it in the Phase 1 report, and there were no concerns raised at that point. But we did agree to see if there was a term or terms that we could use that we could basically do a global replace with within the report. And there isn't really a word that matches, but what we have done is replace grandfathered with exempted or excluded, depending on the context of the recommendation. And one of the things that we challenged that was difficult for us is there is no single word that will allow you to do that global replace.

So, when you see exempted or excluded in any of the recommendations and also through the body of the report, and it may not make sense when you read it, it's not terrific English. If you replace it in your head with the word grandfathered and see if it works, then hopefully everyone will be okay with that. So, that was a little bit of a tricky discussion that we had with the public comments, because personally I had some resistance to it, and certainly some members of the team, but we did acknowledge that maybe it's why not start with us. So, this is our best shot at replacing the term grandfathered with something else.

The other global replace we did, in the initial report, we had just registry operators throughout the report, and we changed it to gTLD registry operators just to be sure that this is a GNSO policy development process. So, whatever recommendations we have, it

impacts gTLD registry operator. I just should say, if anyone's got questions along the way, I think it's probably okay for me to take them, otherwise we'll just leave it to the end while everyone's taking notes. The next slide, please.

Okay. So, the biggest recommendation, I suppose, is that the same entity principle applies to the allocation of future variant domain names at the second level of gTLDs. This means that all allocatable variant domain names from a variant domain set must be allocated or withheld for possible allocation only to the same registrant. And additionally, all allocated domain names must be at the sponsoring registrar. So, this is probably the most important recommendation for us is that the same entity principle applies for future variant sets at the second level. And additionally, that it must be with the same registrar.

So, sorry, I was just reading Paul McGrady's comment. So, Recommendation 3, immediately prior to the policy effective date of the same entity principle as set out in Final Recommendation 1, the existing variant domain names that do not conform to the same entity principle must be exempted. Or previously that would have been grown parted. This means that there will be no change to the contractual or allocation status of such existing variant domains. The requirement of having the same registrant and the same sponsoring registrar will not be applied respectively. gTLD registries must determine variant sets for each exempted label as if it is a source domain name and protect from registration or variant labels in all such, variant label sets in all variant gTLDs as appropriate.

So basically, what we're saying is that anything up to this date is okay. And also, any of those variants at the second level that may exist and may be held by a new registrar or by a different registrar or a different registrant, the intent is to ensure that there are no further registrations within that variant set until it comes down to a single registrant and a single registrar, if that ever happens.

So next slide, please. Recommendation 4, so this relates to 3 and what I was trying to get at, that any allocatable variant domain names of exempted domain names pursuant to the last recommendation cannot be allocated unless and until one registrar and one sponsoring registrar remain for the exempted domain names from the relevant variant domain name set. If there was a variant set in existence that had different registrants and different registrars at the point in time where there's only one registrant and one sponsoring registrar, that at that point, the set would be that the registrant would become the owner of the complete set and the one sponsoring registrar would be the only one that they could go to to have future allocation.

So next slide, please. Okay. All of the existing and future IDN tables for a given gTLD and its delegated gTLD variant labels, if any, must be harmonised. So currently there isn't a requirement that all IDN tables be harmonised. So, this is new, and I guess in the scheme of things, this is pretty big. We do understand that many of the registry operators do this now, but it's not actually a requirement. So now it becomes one or will become one if the Board approves. So, this means that all the IDN tables for a gTLD and its delegated gTLD variant labels must produce a consistent variant domain set for a given second level label registered under that gTLD or its delegated gTLD variant label.

So, that's probably in terms of the recommendations, I think recommendation 1 and recommendation 5 are probably the important ones. Recommendation 6, and this is a recommendation that was a long time in the making. The challenge that we had here is that we agreed that IDN tables should be harmonised. The group also agreed that-- And this is where practices of the registry operator and how that do things is for them to decide meets concerns coming from ICANN org that perhaps there should be some. And when I say ICANN org, really it was the IDN team, Sarmad's team would like to see some kind of minimum security, some kind of baseline for the harmonisation of the table.

So, as I said, this actually took a very long time and Jen can attest to that because we actually, or I asked the registries, registrars and ICANN org to go away and trying to sort this out. And this is the language we've come back with. So, the baseline criteria for implementing IDNs at the second level must be security and stability of the DNS. ICANN org and gTLD registry operators shall be responsible for reaching mutual agreement on a minimum set of IDN variant deployment requirements, including variant sets at the second level.

So, this bit here is pretty important. So responsible for reaching mutual agreement on a minimum set of IDN variant deployment requirements. So, we've identified variant sets as an inclusion here, but it doesn't mean that there are other things that could be discussed as well. So over time we may find that there are other things that it could be helpful to develop what's the baseline for some other requirements.

So, in developing the minimum set of IDN variant deployment requirements, ICANN org and the gTLD registry operators shall consult with other relevant stakeholders including ICANN accredited registrars and script community. So basically, what we're saying here is that security and stability and this is the important baseline criteria and ICANN org and gTLD registry operators will be responsible for deciding what the minimum set is and in the process of doing so, they should consult with other relevant stakeholders which we call out here as registrars and the script communities who are involved in developing the root zone LGR. So, they have some expertise for what they did to develop the root zone LGR at the top level.

Okay. Next slide please. So similar to what we did with Phase 1, we had a source gTLD that will determine what the variant set looks like. So basically, our conversation here was how do we decide what's the source domain name? And our agreement was generally that somebody is going to come to a registrar and want to register an IDN at the second level and as a result of that registration, there is going to be a corresponding

variant label set. So, what we're saying here is that a registrar and its sponsoring registrar must jointly determine the source domain name which must be registered for calculating the variant domain set under a given gTLD and its delegated gTLD variant labels if any. The registrars and sponsoring registrars are exempted pursuant to recommendation or excluded from this requirement.

So, in our conversations, it was interesting, we recognise that a registrar probably isn't going to know at the time that they want to register an IDN label anything about a variant set. They could be clueless as to what that is. So, I think we do have a recommendation somewhere about education, but certainly the registrar will understand that if they get a registration for an IDN at second level, they'll have to find out whether it's in existence already. If it's not, then they can educate the registrar about this might be part of a variant set or this is the first registration and will cause a variant set to be created.

Same entity principle, as set out in Recommendation 1, must be adhered to in all stages of the domain name lifecycle of the allocated variant domain names in the same variant domain set. And so, it applies, same entity principle applies throughout the lifecycle of the domain name. So, if you register it and then you decide not to renew it, that collapses the variant set and so it's open to anyone else. So, it's not just cancelling your one registration, it cancels the set. Next slide please.

Recommendation 10. In the event of an inter-registrar transfer process is initiated for a domain name, which is a member of a variant domain set, the process must encompass all of its allocated variant domain names, if any, together. So basically, what we're trying to say here is that previously a registrar transfer may only be for one registration at the second level, but what we're saying here is that if there's a request to transfer one then they will have to go, all parts of that set have to go. And that's also taking into

account the fact that Recommendation 1 says that you have to use the same registrar for each of the domain names in the set.

Recommendation 11. In the event that a domain name is ordered to be transferred as a result of a UDRP administrative proceeding, the transfer process must include the domain name and all of its allocated variant domains, if any, together. So, what we're trying to achieve here is just make sure that the set is kept together, so we're not breaking that same entity principle. Recommendation 13. ICANN org must conduct outreach to dispute resolution providers, registries, registrars, registrants and market owners to enhance their understanding of gTLD variant labels and variant domain names, in particular their potential impact on dispute resolution proceedings.

One of the conversations we had was, and I think this was for URS, is how would a registrant or somebody who's making a complaint under a URS know that there is a set attached to the string that they have a particular problem with and how to include that in the URS. So, this recommendation is intended to assist with helping everybody understand the consequence of the same entity principle with IDN variant domains at the second level. So, understanding if you've got one, you've got all, and if one goes, they all go.

Recommendation 14. Sorry, next slide, Feodora. Thank you. So, 14 and 15 were challenging discussions as well and took us a long time to get to this point. We had a lot of back and forth on these two recommendations. So, to account for the same entity principle and its implications for variant domain names, gTLD registry operators should work with ICANN accredited registrars to determine a mechanism to communicate between each other to facilitate the registration and management of domain names, variant domain names, including an indication of the source domain names and initial source domain of the variant set.

So, we recognise that there may not be practices already worked out. So, what we're trying to do here is accommodate for that, that the registries and the registrars should do some work to ensure that there is a way that they can communicate and not drop or miss any variant domains that should be part of a set and which might result in somebody else being able to register an IDN at the second level that was part of a variant set but didn't get captured with the initial registration. So, that's what we're trying to accommodate here.

Implementation Guidance 15 was a little bit challenging. So, I think in principle all of the team acknowledged that it should be possible for anyone to find out if there is an IDN registered at the second level that they should be able to find out what's the other labels in the set. And the how this would be done was the source of some consternation. So, our guidance here is in order to allow a requester and this for whatever reason to discover the allocated variant domain names for a given domain name, corresponding sponsoring registrars should accept requests for disclosure of this information and unless there are data privacy concerns the information should be granted.

In considering whether to disclose the information the corresponding sponsoring registrars should balance the interests of the requesters with those in the data subject where such balancing is required by applicable law. So, we're basically saying that if you want to find out for whatever reason whether a label is part of a variant set then your first protocol would be a registrar. Next slide, please. How am I going for time? I think I'm almost there.

DEVAN REED:

Hi, Donna. You're over by about four minutes so far.

DONNA AUSTIN:

Oh, God. I'm sorry. Okay. I'll just let you read Recommendation 6 and if anyone's got any questions come back to it because I think where I want to go to is the IDN implementation guidelines. So, Feodora, if we can go to the next slide, please. Okay. So, this is about the IDN Implementation Guidelines, and I honestly thought that this would be one of our more difficult conversations but as it turned out it wasn't. There was some pretty good agreement on this.

So, what we're basically saying in this recommendation is that there is a process in place for developing and updating the IDN Implementation Guidelines, but it just isn't documented. So, what our recommendation is basically saying is that the process for developing and updating the IDN Implementation Guidelines must be formalised and documented to enhance its predictability, transparency, rigour, efficiency and effectiveness.

The ICANN Board will be responsible for documenting the process in consultation with the community and the documented process must be approved by the ICANN Board in consultation with the GNSO Council and ccNSO Council. So, the ultimate responsibility is going to sit with the Board, which is the case at the moment, but before they sign off on the actual process, they have to have a conversation with the GNSO Council and the ccNSO Council and make sure they're on Board.

Recommendation 20, which is about future versions of the IDN Implementation Guidelines must be approved by the GNSO Council prior to consideration by the ICANN Board. So, this is new and some of this is because this time around in version 4.0 I think the Board was ready to approve it. The GNSO Council stepped in and said we don't think that's appropriate as it's policy effort, so you need to pull back some of those. So, there's a bit of back and forth. So, what we're saying is any future versions of the IDN Implementation Guidelines must be approved by the GNSO Council prior to consideration by the ICANN Board.

And then Implementation Guidance 21. Originally, we had the ccNSO as part of the approval process under Recommendation 20, but as a result of public comment and some concern that this process is a GNSO process, that we can't make any requirements on the ccNSO. We have provided implementation guidance that the GNSO Council should consult with the ccNSO Council prior to taking action on any future version of the IDN Implementation Guidelines.

So, we appreciate that the ccNSO it's a little bit different. Any policies developed by the ccNSO and certainly the IDN Implementation Guidelines previously are intended as guidance only for the ccNSO, that they won't have the same weight as a gTLD registry operator. But we still think there is value in some consultation with the ccNSO prior to approval.

Next slide, please. Okay. And there we have it. So, sorry, that's a lot of reading and some very fast talking, but it's all there in the slide deck. So, hopefully it's easy for folks to understand.

GREG DIBIASE:

Thank you so much, Donna. I see Anne has a question.

ANNE AIKMAN SCALESE:

Yeah. Thanks, Greg. And thanks so much, Donna. Really appreciate it. Very, very difficult subject matter. I have two questions. First question relates to the recommendation involving the transfer that is of those that are not exempt or excluded if there's a UDRP action that the variants would be transferred. So, can we go back to that recommendation for a minute?

Certainly, makes a lot of sense. I guess what I'm trying to understand from an implementation standpoint is the filing of a complaint where the owner is not actually

known, for example. Are we saying that in the implementation phase we'll end up having to modify the rules so that the dispute resolution provider can discover those variant labels and the owner of those variant labels? In other words, I'm getting at how this is implemented. I hope the question is clear.

DONNA AUSTIN:

Yeah. So, Anne Scalese, I think my answer as chair of this work would be to punt it to the implementation and say that's your problem. But I think the intent here is in order to follow the same entity principle, which is our Recommendation 1 and our fundamental recommendation, and also there's another one in there about the domain name life cycle, that everything stays together. I think the intent here is certainly if there's a UDRP and an IDN from a variant set is transferred to somebody else, then the rest have to go with it.

And I just, in my mind, I thought that works if it's the source domain, but I wonder if it's not the source domain. But the intent here is that if one is ordered to be transferred, then they all have to go in order to maintain that same entity principle. So, I guess you're right. It's an implementation issue that will have to be sorted out.

ANNE AIKMAN SCALESE:

Great. Thanks, Donna. Appreciate the guidance. On the second question, there's a slide that refers to source domain name and initial source domain name. At the moment, I'm not-- I'm sure you're probably more familiar where these terms are used.

DONNA AUSTIN:

No, I'm not. I can't remember. But I don't think there's-- Unless Steve or Saewon can help me, but I'm not sure there's a distinction between the initial and the source.

ANNE AIKMAN SCALESE: And that was my question. I think it's farther down in the slides. One of the recommendations contains a phrase that says source domain name and initial source domain name. So, I guess the basic question here would be about those definitions. And it's farther down than this.

DONNA AUSTIN: Okay. We do have a glossary, Anne, and it may be contained in that. But what I will do is ask Saewon and Steve and we can follow up on the email after this.

ANNE AIKMAN SCALESE: Okay. Super. Thanks so much. I think that will be helpful in implementation. I had a couple process questions, but I'm going to defer to anyone else who has other questions.

GREG DIBIASE: I don't see any other questions in the queue.

ANNE AIKMAN SCALESE: Okay. Really quickly at the beginning, Donna, you had said that you ended up discovering in the group that the consensus level was to be determined only by the representative groups. And in your opinion, this was not necessarily the best way to go, if I understood you correctly. Could you comment further on that?

DONNA AUSTIN:

So, what I was talking about, and Saewon and Steve, I may be misremembering this, but when we went into the working out consensus levels, so we went to-- Obviously, the consensus level designations was done over email. As the chair I had determined that we had full consensus on all the outputs. We sent that to the list.

My understanding was that we were only looking for agreement or responses from the representatives of the groups that were on the PDP and not those that were attending as individuals. Which I thought if somebody had been following this for three and a half years and had a view on whether they agreed with the consensus level designation, then I think as a courtesy, if nothing else, they should be part of the consensus call. So, maybe I'm misremembering, but it just seemed to me that if you have a representative, I think we call it a hybrid, a representative plus open, then that consensus level designation should include everybody.

ANNE AIKMAN SCALESE:

Thanks, Donna. Is that something you think we could clarify in future charters then? Would that be a question for a charter?

DONNA AUSTIN:

Yeah, I guess so. I guess it's in the operating principles procedures, I don't know. But certainly, Steve and Saewon would be able to help.

ANNE AIKMAN SCALESE:

Okay, thank you.

GREG DIBIASE: Thanks, Anne. Thanks, Donna. Really appreciate this update. Councilors, please review this work with your stakeholder groups, and we will proceed to a vote at the ICANN meeting. So, thanks again, Donna.

DONNA AUSTIN: Thanks very much, Greg. Thanks, council.

GREG DIBIASE: Okay. Moving on to Item 5, Council discussion on the final issue report on a PDP for Latin script diacritics. I hope people have had a chance to review the final report. This will also go to a vote in ICANN81, and we have John to provide a little more background for what is contained.

JOHN EMERY: Thank you so much, Greg. This is John Emery from ICANN org. So, just to take you real quickly through a bit on Latin diacritics. Next slide, please. So, basically, a little bit of background of potential PDP here would only consider a single issue. Circumstances where a base ASCII gTLD and the Latin script diacritic version of the gTLD are not variants of each other. We need a mechanism to essentially allow a single registry operator to operate both simultaneous gTLDs.

Next slide, please. So, this was obviously raised by .Quebec, but just so for those of you unfamiliar to understand with diacritics and diacritics omitted, you can see different languages here, how that works. And this obviously presents a problem for many languages because sometimes this word can have a completely different meaning. Next slide, please.

So, I just want to draw your attention to the final issue report. For next meeting, I went ahead and dropped it in the chat, but especially pay attention to Annex A, the preliminary draft charter. That's something that we'll need to kind of be focused on as we go ahead. Especially as you read through the Final Issue Report, the discussion of issues is going to be kind of your real bread and butter here. It's going to give you the kind of basic explanation of everything that's going on, draw in the work of IDNs, which we just heard about, kind of the past work on string similarity and Latin generation panel as well. So, really, really good primer for those of you to understand what this issue is all about.

Next slide. Just summary of public comment. Really robust public comment from a wide variety of stakeholders. Overwhelming support of initiating a PDP. There's a real sense that this is a fundamental part of many languages in the Francophone world and in Latin America. This is important progress toward UA and a multilingual internet. The only risks that were raised were kind of issues with users unable to distinguish authentic websites, but I think that's something that could very much be handled in the PDP. But overwhelming support.

Next slide. So, a handful of proposed charter questions. Again, I would tell everyone to kind of read through the proposed charter and Annex A. These are some of the questions that will kind of guide what we will be doing if we decide to initiate a PDP. So, pay attention to the charter because if we need substantial revisions, we would need a charter drafting team.

Next slide. The membership model for the working group would be the exact same as IDNs, which Donna just raised. This model has been used for PDPs in the past. It has a representative structure when you need it. You can go through consensus call process when you need to get input from representative organizations, but it does allow for

open participation for anyone interested in the topic. So, it really is the best of both worlds with Council liaison and GDS liaison as well.

Next slide. So, basically, I want to throw the floor open for Council discussion whether or not to initiate a PDP. That'll be on kind of next meetings vote. And if there is a decision to initiate a PDP, we need you all to review the draft charter and annex A of the issue report, and if so, Council would need to form a charter drafting committee for minor revisions. We can go ahead with the charter as is. So, I'll open the floor to discussion now.

GREG DIBIASE:

Mark?

MARK DATYSGELD:

Thank you, Greg, and thank you, John, for the presentation. So, my essay is titled next meeting we should vote to go ahead with a PDP on this. So, actually, staff put a lot of work in the draft charter, and it's tightly scoped. Any changes will not be material to the work that needs to be done. This is also the correct timing for this project as it aligns with other ongoing discussions and things that are already being solved in different areas of ICANN and with the IDNs, PDP, EPDP. So, this is actually very good timing for this.

Several communities have reached out over the past few months mentioning just how much they have been waiting for this since the previous round of gTLDs. Sort of a silent crowd, but they indeed have been looking towards an answer for this. And this involves a lot of communities that have strong linguistic commitment and attachment, right? This is very important to them, and this is something that those of us who have been working with this question have been hearing a lot from the community.

And finally, this is about linguistic rights and something that aligns with our broader GNSO interests. Both houses agree that we should be furthering universal acceptance and allowing people to communicate better. So, let's give this a very good think because the timing is good, the charter is good, and we should definitely consider going ahead. Thank you.

GREG DIBIASE: Thank you, Mark. Justine?

JUSTINE CHEW: Greg, this is Justine. On the outset, I can just inform Council that the ALAC and At-Large is supportive of this PDP going ahead. But of course, that's a Council decision. But I had a question regarding timing in respect, in particular, to the charter. So, if John could help me understand again. I think what he attempted to say was that we are supposed to consider the draft charter now in conjunction with Council making a decision in November about whether to proceed with the PDP or not. So, that means that, but there's still time to re-look at the charter after the November meeting? Is that right?

JOHN EMERY: Yes, there will still be time to look at the charter after the November meeting. The November meeting will simply be a vote to proceed with the PDP. And looking at the charter would just somewhat expedite the process. But there will be time after the November meeting to look at and add any revisions to the charter if needed.

JUSTINE CHEW: Okay, thank you for that clarification. I just needed the confirmation because I would like to take this draft charter back to my community and get some input on it. Thank you.

GREG DIBIASE: Thanks, Justine. Steve, is your hand on this topic?

STEVE CHAN: It is, actually. Thanks, Greg. Just a quick addition to what John said, which is correct. I think one nuance is that the Council could adopt or initiate the PDP, and also adopt the charter in one motion. So, that is a possibility, but as John said, if that is not what the Council would like to do, they can also separate it, initiate the PDP, and then still adjust the charter as needed. Thanks.

GREG DIBIASE: Thanks, Steve. Kurt?

KURT PRITZ: Thanks very much, and thanks for the excellent work on the issues report and the draft charter. The draft charter explains what the Latin LGR group decided, but it doesn't explain why the Latin LGR group made those decisions that effectively banned or made more difficult the registration or the delegation of diacritic TLDs. And I think it's really important that the PDP group fully understand the reasons for that before essentially changing those decisions that were made by essentially a technical group.

And so, my suggestion would be to either both, or both of augmenting the membership of the PDP to include the former LGR members that are willing to not just have access to

those people, but really actually have a member of the team, maybe it's a non-voting member of the PDP team, so that during deliberations, and you never know when questions are going to come up, can explain why those decisions were made. And or make part of the charter an explanation of the balancing that took place regarding the decisions of the Latin LGR group and why we feel comfortable changing them to a certain degree. Thanks.

GREG DIBIASE:

Thanks, Kurt. I'll go to Susan. I'll note we are a little behind, so try to keep it brief, but go ahead, Susan.

SUSNA PAYNE:

Okay, thanks. Briefly, and this is really about the charter again. And so, if we won't necessarily vote on the charter, we can maybe have this conversation in the future, but I wasn't sure whether this is the opportunity really just to have that kind of conversation. So, it's largely about the structure, and I'd like to understand why we feel that every PDP needs to be representative, or in this case, representative plus open, and why we wouldn't simply have a PDP that was open, perhaps by setting some expected level of expertise or understanding of members who join. But it doesn't seem to me that there's 1,000 people who want to be in this PDP, so why would we restrict it to limited numbers from particular groups when some groups almost certainly have more interest in this than others?

GREG DIBIASE:

So, that's a great question, Susan, and I note regarding your point on the Charter, I think you're the third person to ask a question about the Charter, so I'm thinking that we

would give this Charter further discussion and maybe separate the vote on initiation of PDP and then allow for more time on discussion on the Charter. Jeff?

JEFFREY NEUMAN:

Yeah, thanks. And I think, Greg, that that makes sense. As you know, the GAC is very interested in this PDP, and to have it go as quickly as possible, I know, I should say GAC members. I'm not sure the GAC as a whole at this point has issued advice, but certainly there are a number of members that are very interested. And I agree with Susan, I think that having more of an open model is probably a good idea, although I do take note of what Donna said earlier, which is that when it came down to determining consensus, it was easier to have some sort of representation in order to figure that out.

But just to highlight, this is very important to GAC members. I'm pretty sure of the GAC as a whole, but we'll certainly have this up for discussion at the meeting next month. But completely encourage no delay on going forward to PDP, even if it means the charter has to wait a little bit. Thanks.

GREG DIBIASE:

Great. Thank you, Jeff. Before I go to Mark, Steve, did you have a comment on that?

STEVE CHAN:

Thanks, Greg. I can wait. I was just going to try to address, it provides on the backstory on the model. But it can wait for after.

GREG DIBIASE:

Okay, great. Mark, go ahead.

MARK DATYSGELD:

Thank you. So, the concerns we see emerging have a lot to do with structure and not to the actual subject matter, right? So, we should definitely try to go ahead with this vote. We should definitely go for it, and those smaller considerations, we can definitely work with them, but let's make use of the timing to get the actual vote, to get the PDP started going. Let's focus some of our energies there, because we can always decide if it's two people, or three people from here, from there, that's fine. The point is, let's get this going, because there's a lot of community pressure overall. As Jeff was mentioning, the GAC is also very interested in this, the registry side, the commercial side, the non-commercial side.

So, let's maybe focus on that, and we can get to those smaller charter questions when the time comes. And to quickly answer Kurt, having Sarmad would be very good, because from talking to LGR members, the reason they arrived at this is because there is no clear-cut answer, which is the same thing that we will work with in this PDP, but we are trying to carve some niches where it makes sense to go a different way. But we could get the LGR members, but the idea is they settled on something. It's not necessarily the best answer, or the only answer, it's the one that they decided upon. Thank you.

GREG DIBIASE:

Thanks, Mark. Yeah, I think people seem aligned with separating the vote to initiate the PDP with finalization of the charter. Steve?

STEVE CHAN:

Thanks, Greg. This is Steve from staff, and I just wanted to, I guess, maybe provide an explanation for, or maybe even rationale for the purpose of the representative plus open model. The expectation is that this is supposed to sort of straddle the line and sort of be best of both worlds, in the sense that it provides the structure where it might be

needed for, say, the consensus call, of course, but also when the inputs and opinions of the representative organizations are specifically being sought. So, those representative members can actually provide that. They're responsible for providing that. But at the same time, it is also open in the sense that if there's any interested parties, they are more than welcome to not only join the calls, but also to contribute substantively.

So, the expectation, and I guess even experience from past PDPs, is that this provides that flexibility that you need. So, it provides a structure for representation of when it's needed, if it's needed, but it also does not hamper participation from any member that's interested to participate in the process. So, we're happy to discuss this further, but that's hopefully a little bit helpful in understanding the basis and rationale for the suggested model.

GREG DIBIASE:

Thanks, Steve. I think we'll bring that feedback into a discussion on the charter, which can happen after the initiation of the PDP. I'd also note in the chat, Paul's comment that the vote to initiate this PDP should be clear that this will not delay the next round. I'm seeing support for that in the chat, and I think that is something councilors have raised before as well. So, I will note that and move on to the next topic, unless anyone has issues.

Okay. So, the next topic is accuracy of registration data. As you'll recall, we were grappling with deferred recommendations from the scoping team, which were complicated by the ICANN's determination that there was not a valid legal purpose for using registration data to assess if there was a problem. As part of those conversations, I think Council realized that there was perhaps more bigger divergence on views on what the problem to be solved here was.

Other councilors also noted some confusion or ambiguity on whether upcoming legislation might impact our work on this topic. So as a path forward, we devised a set of questions that will first go to ICANN legal or ICANN staff for a summary of upcoming legislation and how it might impact our work, and questions for councilors to take back to their stakeholder groups to help form a mutual understanding of what the issue is here that could be solved, and whether a small team or other mechanism is best suited to tackle this issue.

So, these questions have gone out. They've been reviewed by a small team with representation from both houses. There were a couple comments worth noting. Just real quickly, registrant data was changed to registration data because it's broader than just the registrant. The IPC had some clarifications on these legal questions that ICANN should not be saying whether policy work is advisable, but simply giving feedback on upcoming legislation. So, these have been reviewed. We'd like to move, or leadership would like to move forward with these questions.

So first, we'd be sending these to ICANN. Then we'd be sending to the stakeholder groups. If everyone is aligned with that, then I think we just need to decide on kind of a time period for feedback. So, I'll stop there and open the queue. Jeff?

JEFFREY NEUMAN:

Thanks. I know you said stakeholder groups, and you probably also meant advisory committees, but I just wanted to note for the record that the GAC is obviously interested in this topic and would want to provide feedback. Thanks.

GREG DIBIASE:

Thanks, Jeff. Anne?

ANNE AIKMAN SCALESE: Yeah, thanks, Greg. I think this thing is properly worded, but I just want to make sure that I know what Council's asking for because I hope we're not asking for a legal opinion from ICANN Legal because Council is not a client of ICANN Legal. So, I'm not sure if we're just asking ICANN to determine where this summary is properly advised. Are we asking for the legislative group to advise us, or does it matter, they just need to determine it?

GREG DIBIASE: Yeah, so I think Damon provided updates and edits that address this concern squarely. So, I'll let Damon provide feedback.

DAMON ASHCRAFT: Great. Thank you, Greg, and thank you, Anne. Yeah, the clarification that we put into the questions was basically to flag to Legal to say we're not looking for you to opine on the issue as a whole, but rather if there are statutes, potential legislation, etc., that's germane to this topic, let us know about that. So, that's all it is. So, thank you very much.

GREG DIBIASE: Thanks. Okay. So, I think our next step is to see if there's objections on moving forward with sending this to ICANN. Then we can sort out the time period to give SGCs to respond, as well as kind of nailing down the advisory committees that we should send this to as well. So, I'll stop there and see if there are any objections and concerns moving forward with this approach.

Okay. In the interest of time, because we're a little behind schedule, we'll follow up on the next steps there over email, but it seems like we're aligned that this information gathering exercise is the appropriate next step. Okay. Let's move to the next topic.

Update on Board Readiness Project, and I think we have Kurt on his happy anniversary to provide an update here.

KURT PRITZ:

It is I. Thanks very much. And I'm set to report my anniversary. Our anniversary is now over in Australia since it's after midnight. You'll recall that a couple of meetings ago, the Council agreed with the idea of having a team look at the Board readiness. So first, the team members, a small but mighty crew. So, the talent's exquisite, but I worry a little bit about the workload because everybody is particularly busy right now with ICANN stuff and other stuff. But that's it.

And we're also surprisingly and terrifically have excellent staff support with John and Caitlin and Terry and Berry Cobb sometimes. So you'll remember that what's the deal here was to perform a study that will inform the improvement of policy development practices that will improve Board readiness, where Board readiness is measured by the likelihood that GSO policy recommendations will be adopted by the board. So, this really sprang from the fact that the term Board readiness was creeping its way into our lexicon and we seem to talk about it quite a bit.

And so we had the idea to create the study that occurred this way, and the flow of the study is to compile and organize sets of rejected recommendations across different PDPs, and then in an interview format, develop sets of questions for the Board, certain staff members and PDP chairs and members, and then can conduct those interviews and then look at the results of those interviews and maybe do some follow-up and identify causal relationships between gaps in the policy recommendations or in the process and the rejections themselves. So leading to us identifying a set of possible improvements. And then I don't have a feedback loop in here, but then feedback, what our findings are

maybe with the interviewees or maybe through public comment and then report on that. So, that's the basic MO for this.

So, to show you a sample of our work products so far, so John and Steph here has done a lot of work compiling rejected recommendations. So, we have them from the PDP Phase 1 and 2 for registration data, subsequent procedures. So remember that 38 recommendations were rejected or appended by the Board with some more actually to follow. So, those by the small team and by us were sort of put into buckets. John's also done work compiling rejected recommendations by the IGO and INGO PDP. So, that's another sample with which we'll work.

Here's a sample set of questions that we've developed. So, we developed sets of questions for PDP members, for Board members, and for some of the staff that participated. Not necessarily policy support staff, but rather staff that were there as experts. And when I say Board members, I mean Board liaison. So, that's that work product. And so where are we? We're still kind of in early days. And I wish we were further along, but that's the chair's fault. So, the status is the board rejections have been compiled. We're looking to others that are compiled. We just heard from the PDP. I know two recommendations were appended by the Board from Phase 1. So maybe that's fertile ground.

We sent invitation letters to some of the chairs of the PDPs, we haven't gotten to SubPro yet. And some of the members, we have more selected. We have more than four that have been accepted so far. We sent a letter to the Board asking for their participation in this, and we've gotten some positive feedback, but are waiting to hear back officially. We've conducted a test interview with me as chair of PDP, and Thomas's interview was supposed to take place yesterday, but it's going to take place in the next couple of days. And what we're doing is reviewing the notes from those to see if we need to tweak or material change our process. And like I said, we're currently selecting

interviewees for the SubPro PDPs. So anyway, I think I've said all I need to say there. Anne, you have your hand up. Go ahead.

ANNE AIKMAN SCALESE: Yeah, thanks so much, Kurt. I appreciate all this work. Can we go back a couple slides. There's a SubPro slide, the first item in it. It says subsequent procedures. The Board provided advice during the initial report public comment period, which was not followed. I mean, I participated in SubPro actively. To the best of my recollection, the Board raised questions or concerns via letters, but that they weren't really stated as the Board is telling you that we can't do this or that it violates the bylaws. And so, I have to question the way this comment is phrased. And I'm certain others would have input on that question, but I don't remember it as being something where SubPro has said, well, you guys, you can't do this. And it might be helpful in the future if PDPs were told, guess what? We believe you can't do this, but I'm willing to be interviewed. Thank you.

KURT PRITZ: Oh, thanks. Thanks very much. Maybe the wording here is a little bit too blunt in trying to get some material onto a single slide. And I think that actually the interviewing process will sort of reveal whether this comments on this bullet points on the marker, whether the Board advice was more subtle. And so that'll be an interesting focus of the story, but I apologize for the too blunt language. Jeff, did you have your hand up?

JEFFREY NEUMAN: Thanks, Kurt. I think we have to move on because we still have two speakers and we're a little behind, but maybe I'll say, please reach out to Kurt and Thomas with any questions. And I'm sure counselors can provide feedback directly to them.

KURT PRITZ:

But I am not done. So just to kind of settle where we are, in this flow chart, the darker boxes are essentially done, and the lighter boxes are essentially started. And so, we're moving along that way. And here's an aspirational schedule. So, when I first suggested this, I think it was in a June or July Council meeting, I had a view to finish this by the Istanbul meeting. So, that's certainly not going to happen, but we think we'll conduct 16 to 20 interviews. And I think maybe at the rate of two a week, it'll take some time. So, the team is trying to figure out how to spread itself a little thinner and only have one or two people at each interview. I think that'll be fine.

So, I won't go over that, but there is a kind of-- and I'm sorry for taking time for this, Greg, but there is kind of an important issue. Maybe it's not important, but I suggested this hoping to finish in Istanbul and it's certainly not going to happen that way. And I'm stepping down from the Council in November. So certainly, I'm willing to continue serving as chair. And I understand there's precedents for that, a precedent for that, but certainly it's up for the Council to make that determination.

So, the current chair, me, could continue in that role or the Council could select a new chair, or I could continue until a replacement is selected. I now understand there's some talk, why isn't this in the continuous improvement group? So, it could be just folded into that, or maybe we'll get more data and say, well, this isn't such a good idea anyway, maybe it's not going to work. So, we might discontinue it, but for future consideration, probably by the Council leadership, but I don't know how these things work, but I wanted to raise the issue that, yep, I'm leaving. So, that's it, Greg. Thanks very much.

GREG DIBIASE:

Thank you, Kurt. This is great work. Yeah. And so, I heard that you are willing to continue to chair, even though you're not continuing on council?

KURT PRITZ: Yeah. It was my big idea in the first place. So, it'd be kind of disingenuous for me to say that.

GREG DIBIASE: Great. Okay. We need to move on, but please direct any questions to Kurt. And we can have a continued discussion on how to transition or not transition at all from Kurt's leadership at our next meeting. So, I'm going to go on to our favorite acronym and item eight, the Council Committee for Overseeing and Implementing Continuous Improvement and the Continuous Improvement Community Coordination Group. And I think we have an update from Manju, the chair of the CCOICI on the status here.

MANJU CHEN: Thank you, Greg. Hello, everyone. I'll try to play through the presentation. Next slide, please. And also, I have a cold, so if I sound a bit more sexier than usual, it's because of my cold. So, what is CCOICI? Where we came from? If you guys don't know, CCOICI is still, for now, a pilot. So, at first, it was a pilot to kind of try out whether Council or how Council should conduct its continuous improvement work. And then after the trial, we thought it's valuable to establish it as a standing committee.

Next slide, please. So, starting the 2024, after we feel like-- sorry, again, starting 2024 in April, we kind of did this survey result to the CCOICI because we have to establish a standing committee. So, we have to ask people what they thought about pilots. And regarding this feedback, we started to redraft a new charter for the future CCOICI. And that's what we've been doing during the June and October this year. Now we have finalized our first draft. And this is now I'm presenting to you about what we've done.

And we have also provided our draft to the Council. So, if you have time, please read it, because we're going to have a substantive discussion about the charter and our meeting in November. And hopefully by the end of this year, the pilot will end and CCOICI will become a standing committee. Next slide, please. So, this is just a review of our work plan. We have been working according to our schedule and we have done, we have finished what we were supposed to finish. So now we're reporting our progress to you.

Next slide, please. So, what did we identify from the survey? If you remember, we were asking around, especially those who have been on CCOICI and their several groups or consistency about how they thought about the CCOICI as a pilot. And according to the answers, we found there are three key issues. One is the scope of assignments. The other is membership model and structure. And the last but not least is the decision-making methodology. As you can see from the slides, we found two of the three issues quite easy to fix. The scope is very clear cut. It's nothing about policy. It's going to be only continuous improvement. And the decision-making methodology, since we have very well-established consensus model in the GNSO, so we just adopted it to our charter as our new decision-making methodology.

But the membership model and structure was quite hard, not only because I think there were a lack of agreements on what kind of membership is fit for purpose for CCOICI. And also, because a member should have a direct link to the decision-making methodology and balanced representations. Whenever we touch on representations, consensus-making, people get nervous, people get sensitive. So, it's very hard to kind of distinguish what we want to do with the membership.

And also, one other point we didn't really realize before we started to draft the charter, and now we know because we are reminded by lovely Berry, is that there are a lot of work incoming for CCOICI in the coming years. And with that kind of workload, the current CCOI structure will not be able to handle the workload. As Jen has pointed out

in the chat, we not only have a full play, we have a buffet going on for the next few years. So, with the current structure, it's going to be very hard to handle those kind of workload. But we kind of figure out, or we hope we figure out how to fix this. So, it's going to be on the next slide.

Actually, no, this is how we figure out how we're going to fix this. So, we kind of did the research, compared the charter contents to those we feel like it's good to reference. And we also review the previous GNSO efforts related to continuous improvement. And we review all the kind of coming work in the future to realize or to decide what kind of structure we need.

Next slide, please. So, this is what we kind of found out. You see the green text? Green text is what has been working and what we wish stays working. So CCOICI framework is set for purpose, which is a happy result for everyone. And we feel like Council, we definitely decide that Council ultimately will perform the oversight. So CCOICI, everything, every result, every report, every decision of CCOICI will have to go back to Council and Council will make the final decision. Also, Council will initiate new assignments for CCOICI. CCOICI can recommend Council that all this probably is one task to handle by the CCOICI, but Council will make the ultimate decisions.

And so we also realized that CCOICI and Task Force must have balanced representation to effectively use the consensus model. What have been a problem in the past is sometimes, especially for the task force, if you guys remember, it's a task force for the statement of interest. The membership of the task force is so small, they didn't even have a chair from the community members. At the end, the staff had to chair the Task Force, which was very weird. And it's unfair for staff to handle such big kind of controversy issue as a chair too. So, that was a problem. And we realized the future CCOICI and Task Force have to have a balanced representation.

So, the current CCOICI structure actually consists nearly one-half of the GNSO Council. And it's a huge task for both the Council members and, well, just for those Council members who are on the CCOICI, who are having their personal lives, having their professional lives, have their Council work on top of all this. So, this is not going to work in the future if we're having more incoming work. And then these half of the Council members still have to do all the work of CCOICI.

So, we definitely need to seek resources from the broader GNSO community. And most continuous improvements of the GNSO and GNSO Council need not solely rely on councilor resources, because we all got our lives to live and we all got our work. And it's unfair to ask only councilors to handle so much.

So, what we're not sure about is how the membership structure we are proposing will really manage the forecast workload demands. But we figure we can improve as we go. If anything, this is a continuous improvement project, right? And so previous continuous improvement efforts did not typically involve the GNSO SG/C leaders or our GNSO Board members. And we figure that should not be the case in the future. In the future, they should be involved. But the level of involvement, we had quite a discussion about.

Currently, we're suggesting leaders to be observers, which means they are aware of what is happening, but they don't have to be actively involved. And for Board members, we are having discussions, something observers will be enough, something the Board members should do more, they could act as liaisons, and they should be able to talk during the CCOICI meetings. And that will be a part we seek your feedback in the charter.

Next slide, please. So, this is what we envision. And this is actually what in design how the CCOICI should work. GNSO Council will decide what assignments to give to CCOICI.

They also make the ultimate decision when CCOICI has any report to come back to council. And when the CCOICI find out that, oh, there are too many assignments assigned to us by the Council, they will be like, okay, probably we should establish some Task Force to kind of spread out the workload. And that's what Task Force will come into place. Or CCOICI might think, oh, there is issue specific or needs certain sets of CL sets and professional background knowledge. They can also establish a Task Force to do the assignments. Basically, Task Force will be an overflow mechanism for the assignments assigned to CCOICI by the Council.

Next slide, please. So, our call to action to you guys is to review the current draft of the charter, please. And not review only by yourself. Don't read along. Read with your respective groups. Discuss what you think should be flagged out. What do you think is appropriate? What do you think is not? Show us your support or opposition. And if you don't like it, please provide why you don't like it and tell us what to do better to fix it. And yes, please pay particular attention to the formation, membership, and staffing of the future CCOICI as I have explained as the major change we are making to the future CCOICI.

Also, since the future CCOICI will not only involve Council members, we are actually suggesting to have at least two, I don't remember, is it two or three representatives per say other groups and constituencies. If we want the CCOICI to get the ground and running on-- touch the ground and running next year, we have to kind of start the CCOICI. So next year, say other groups or constituency will be interested in the CCOICI thing, tell them it's not a Council only thing anymore. Everybody, as long as the point about a set of groups and constituencies can join. And that will be the CCOICI thing. And as you see from the last line, continuous improvement assessment period 1 begins in Q1, 2025. What does that mean?

Next slide, please. If you remember, there's this class community group on continuous improvement. And I was the representative of Council on this group. Now it's Damon, who is doing an excellent job. I'm the alternative to Damon. And this group will begin their first assessment starting next year. Now they're planning to open public comments on the principles of the future CIP assessments. And this work majorly for the GNSO Council are going to fall on CCOICI.

Next slide, please. So, this continuous improvement framework will take place for three years. And these assessments will act as a source of input to future holistic reviews. As you know, the pilot has, they have stepped up their review teams and will be going or will be starting probably next month or next year, which is soon too. And for IDR4 probably will be starting next year too. All those things are all continuous improvement work. So, there are a lot of continuous improvement work will be going on in the future.

Next slide, please. So, this is the principle that they're selecting feedback from all the structures within ICANN, the SO/AC, NomCom, SG and Cs. You are, wherever you belong to whoever, whatever SO/AC or SGC, you are representative on this group, should be consulting you, should have been consulting you about this, whether you agree or not. And what do you suggest to edits?

Please, next slide. So once the principles are finalized, each stakeholder group's SO or AC will, according to the principle, started to design the criteria as indicators for the criterion to this principle. So, if CCOICI successfully become a standing committee starting next year, this is going to be the first task of the future CCOICI to do, which is developing criteria as indicators of the principles you just saw in the previous slides.

Next slide, please. Thank you. And if I missed anything from the CIPCCC thing, Damon will know better than me, so he could correct me or add on anything. Thank you.

GREG DIBIASE:

Thank you so much, Manju. Counselors, feel free to follow up with Damon and Manju. But for now, we need to move on to our next speaker, who is Sebastien Ducos with an update on the RDRS Standing Committee.

SEBASTIEN DUCOS:

Hi, I hope you can hear me. And there was a few slides. Yes. So, we're coming to a year, the first-year anniversary on this pilot. And I just wanted to take an opportunity to present a bit where we're at to you, and particularly to do it ahead of an ICANN week, so that if discussions need to be had, you're warned of them and prepped for them.

So, if we can go next slide. So, at the inception of this pilot, we had agreed with the ICANN Board. Sorry, just one step back. Everybody remembers, we have been working on this for a year and a half following the ODA. A year ago, we launched the RDRS and the Standing Committee that I'm now chairing was launched with the launch of the RDRS. And we've been following that for the last year. So, at the inception of the pilot, we agreed on a number of success criteria. Those success criteria also ran with the Board to make sure that they were up to their standards.

These were long debated, in particular, because this is a pilot, there is no obligation to participate either for requesters or responding registrars. And there were concerns that we would not have enough traffic to make the pilot relevant. People wanted to make sure that we weren't just measuring traffic and trying to extrapolate and estimate what the usage of such a service was and etc. So, the metrics were voluntarily fuzzy, sufficient number was never defined, but we'll see in a minute with the statistics that we have that I think that we are indeed witnessing enough traffic and we can have a good idea of where we're going with this.

So again, making sure that we have a system that is available for possible requesters and ICANN accredited registrars. Essentially, it's a website, part of the ICANN suite of websites that is accessible indeed the world around. Being able to track metrics, and we'll talk about that in the second, having sufficient participant from registrars and from requesters, and I'll show some stats. And making sure that we are getting registrar and requester satisfaction, at least with the system, with the forms. And we'll have the discussion also shortly after, possibly more next month.

Next slide, please. So, we've started analyzing the months and months trends. The first reports that we started getting was in January. We just received earlier this week the latest report for September. With this, we've considered a certain number of technical updates of new stats that might be integrated or different ways of presenting these stats. We've sort of drew a line in the sand in late June after ICANN Kigali, ICANN80, to make sure that we're not in the constant flux with these stats, that we are able to gather over time the same stats in order to be able to compare them.

So, in terms of schedule, we're about halfway down, a year down, a two-year pilot. We're also two milestones down in the four milestones here presented. In Istanbul in ICANN81, we will start in earnest working on looking at the lessons learned and the recommendations. I know the registrars have been working on this for the last month and a half, and we'll have something to provide. I assume that the requesters on their side, or at least maybe in a different size within the requester community are looking at it too.

Next slide, please. So, as I said, we have reports. These reports are published monthly. You can find it on the link there. I assume that the slides will be shared and the links too. There's basically two types of reports. One is a very simple CSV with the data, which some of us enjoy more in order to go and do our own plan with numbers. Another one is a PDF with the same data, but also graphs and explanations and

background, and etc. I invite you, for those of you who haven't looked at it yet, to pick up the latest installment behind the link above and to get a feel of where we're going.

Next slide, please. So far, just shy of 6,000 unique requesters. That was the success criteria five on are we touching enough of the requester population. That is very, very difficult to analyze. I don't know how big and large the requester population is. I do see the other side of the map, which is the registrar side. Right now we have on board more than half of the domain names, 60% of the domain names almost under management. We started at just about 50. That is a big portion. All the big registrars, all the big global registrars are participating.

I know from them that we are receiving between 40-60% of the traffic that is coming to them. That is, they still have requests that come directly to them, but the IDRS is filtering about between 40-60%, let's say half of it, which means that there might be many more requesters out there, but these are not requesters that are getting directly to the registrars. We're not missing from the situation pre-IDRS a huge amount of the traffic. We're basically collecting or seeing half of it, as again, the rest of the registrars are telling me the participating registrar.

Because we only have about half of the domain names under management, half of half, I assume that we are witnessing about a quarter of what the natural traffic of these requests would be, ballpark figure. There might be a bit more requests for those registrars that are not participating. These are the same registrars that are also less active in the ICANN community, those registrars that may be less responsive. It might be slightly biased there but between a quarter and even if we have an error factor of twice, an eighth of the traffic. In any case, something significant, I believe. I am going to have to move fast because I've been receiving messages. Very good.

Next slide, please. Again, the slides will be shared. As you can see, we launched in November, in late November. Between December and let's say February, March, we did witness quite a bit of traffic, a lot of testing, tire kicking, but a lot of people trying this new system, which was great. This coincided also with an ICANN in San Juan, where there was a session from the requestor parties to discuss all this.

People wanted to test it before. We had a similar session in June. We're witnessing now, since basically after ICANN Kigali, a cruise speed. We're seeing month to month a traffic that is pretty stable, which is also an invitation for us to go and now pivot into the next phase, which is starting to look at recommendations. I'm very bad at looking at the chat same time as I'm talking, so I'll look at it as soon as I'm done.

Next slide. But do stop me if there are questions that are pressing. Disclosure requests, that's basically what I was talking about in terms of traffic early on, lots of requests, particularly from the larger requestor parties out there. Now we're witnessing, we're stopping here on the graph at August. September is in that same range as August and July was.

Next slide. What type of requests do we have? Each requestor chooses in a dropdown what type of requestor they might be. This is a breakdown of it. We found that there were some issues with requestors badly labeling themselves or labeling themselves maybe because the labels around the interface were not clear enough. We've worked on it to try to relabel and better explain what we wanted from requestors. We haven't quite seen yet the change of that, but in any case, we're working, as I will explain later, on an additional feature where the registrars could re-qualify the requestor if they see that it was badly sorted.

Next slide, please. Domain lookups. Again, we're only looking at gTLDs sponsored by registrars who are participating. The categories in red and yellow are simply domain

names that we're not looking at at all because there might be, well, first of all, not domain names at all, or domain names that are ccTLDs or registered with a Gov, Mill, EDU that is not participating in terms of TLDs. Then in blue, those that are not supported by participating registrars. Of those last two categories, the green and the blue, those valid domains, again, a majority of requests point to domain names that are sponsored by participating registrars. That's the success. Success is not the success of disclosure, but success in that we're able to proceed into actually requesting some data.

Next slide. That's the result. Sorry, I lost the track of where the colors were, but the green portion of the previous, all the successful requests, how are they then returned by the registrars? 22% approved. It's still a majority of denied, and I will have a quick sub box feel about it in a minute. Quickly, discussions there because of what is publicly available is everything that was under privacy and proxy. As you know, there's work being done in parallel by the community on this. The partially approved is somebody that requests the full disclosure of data on a given name and might be given only a part, a name, an email address, a phone number. Greg, I see your hand up. You're probably going to tell me to Speed up.

GREG DIBIASE: Yeah, this is the fault of leadership for scheduling, but I think we need to move. If you're willing to join us at ICANN81, we have a topic we have to get to in the last five minutes.

SEBASTIEN DUCOS: Okay. Well, yeah. I might send an email to you to share with the group because I did have a pressing question, but that's good.

GREG DIBIASE: Do you want to say you're pressing questions and then we can consider it over--

SEBASTIEN DUCOS: Yeah. Just very quickly, we had, during the first six months, many discussions over this particular chart, over how to improve that denial rate or the approval rate and reduce the denial rate. I have, because of conflicts between the product development that we're trying to do in IDRS and this more political discussion of what policy should be around and etc., I have decided to separate the issues. That more political issue is not one that we will tackle, and I wanted to make sure that the Council was aware of this in order to possibly spin another discussion specifically on that more political topic. But in any case, it's not something that this pilot is looking into. We will have recommendations to give specifically on what the pilot is giving back, but not on the policy side. But I'm happy to talk about it in Istanbul.

GREG DIBIASE: Yeah. Seb, leadership will work with you to rephrase that question. We'll bring it up for more discussion because I think there was, I think councilors also had more-- there's a lot to unpack here, right? So, let's move the discussion to ICANN 81. We'll send the slides out. Councilors, please review and we'll touch base again then. All right. Thanks, Seb. Sorry for our time management.

SEBASTIEN DUCOS: Thank you. All good.

GREG DIBIASE: Talk to you soon. All right. I, too quickly then I'd hope to move on to next steps on the Board letter regarding contention sets. So, we had our meeting with the Board in which

they explained their rationale for reversing or unadapting their decision on recommendation 20.5 on joint ventures. On that call and on list, there seemed to be consensus that this might be acceptable, or at least Council isn't formally pushing back, but a letter would be required to cite potential procedural concerns. Next steps on documenting a process here. And I know at least from the registrars, there was a concern that wanted to be highlighted on potentially a concern about interfering with the relations of private business actors.

So, I think the path forward that leadership is suggesting is to not to formally object to the Board action here, but to draft a letter explaining what we're thinking in regards to process going forward and to raise any concerns we might have. So, that is rushed, but I want to stop there and open it up for-- there's concern regarding the reversal? I'm going to open up the queue really quickly. And if we need more discussion on whether a letter is right, we can have that or I can ask for volunteers to help with the letter on list and we can proceed that way.

Okay. So, seeing no hands and we're at the top of the hour, let's bring this to list. I'm seeing some support for a letter in the chat. So, we'll gather volunteers and do that. We are at time. So, for the remaining items, we will address this over email. Of note, the IPC RfR Letter, the new draft has been out on list. There's been no objections to the NOR format. So, we plan on sending that. However, leadership will send a follow-up email.

Staff, anything really quickly that can't be handed on email regarding ICANN81 or GNSO prep week? Okay. Hearing none, I guess I'll just remind Council the GNSO prep week webinar is October 24th. It is strictly mandatory. So please come with your questions and we will see you there. Staff, anything before I close? Okay. Thank you to everyone. Sorry for the rush at the end and we'll be following up over email. See you all in Istanbul, hopefully. Bye.

TERRI AGNEW:

Thank you, everyone. As you heard, the meeting has been adjourned. I will stop the recording and disconnect all remaining lines. Take care and thank you so much for joining. Bye.

[END OF TRANSCRIPTION]