
ICANN Transcription

GNSO Council Meeting

Thursday, 18 January 2024 at 05:00 UTC

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

The audio is also available at:

https://icann.zoom.us/rec/play/HKc9pVRJygf3uvPmZwUBHI4dER766Jff_uXUizxeQQfAJ3EGLDY_e0wbUzjc_KASsHDIpEQC4yxZ8v6D.p4uMHCrCkMDtFWf3

Zoom Recording:

https://icann.zoom.us/rec/share/h70LwqgrYUSSn4b6Z21CjiWdfthWZpBeWtKnmmkV3Q3sVIDygD2QJ046glDJSAbK.7f_yDPRt_CTdpryV?startTime=1705554058000

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page
<http://gns0.icann.org/en/group-activities/calendar>

List of attendees:

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

Contracted Parties House

Registrar Stakeholder Group: Antonia Chu, 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

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.

Non-Commercial Stakeholder Group (NCSG): Stephanie Perrin, Bruna Martins dos Santos (joined late, after vote), 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 (apology sent)

Guests: Carlos Reyes, Odeline MacDonald, Eleeza Agopian, Karen Lentz, and Dennis Chang - all from ICANN Org

ICANN Staff:

David Olive - Senior Vice President, Policy Development Support and Managing Manager, ICANN Regional (apology sent)

Mary Wong - Vice President, Strategic Policy Management

Steve Chan – Vice President, Policy Development Support & GNSO Relations

Julie Hedlund - Policy Development Support Director (GNSO)

Berry Cobb - Senior Program Manager, Policy Development Support (apology sent)

Caitlin Tubergen - Policy Development Support Director (GNSO)

Saewon Lee - Policy Development Support Manager (GNSO)

Terri Agnew - Policy Operations Specialist (GNSO)

Devan Reed - Secretariat Operations Coordinator

TERRI AGNEW: Good morning, good afternoon, and good evening. Welcome to the GNSO Council meeting taking place on Thursday, 18th January, 2024. Would you please acknowledge your name when I call it? Antonia Chu?

ANTONIA CHU: Present. Thanks, Terri.

TERRI AGNEW: You are welcome. Nacho Amadoz?

NACHO AMADOZ: Present. Thank you.

TERRI AGNEW: Jennifer Chung?

JENNIFER CHUNG: Present. Thank you, Terri.

TERRI AGNEW: You are welcome. Kurt Pritz.

KURT PRITZ: I'm here. Thanks, Terri.

TERRI AGNEW: You're welcome. Greg DiBiase?

GREG DIBIASE: Present.

TERRI AGNEW: Prudence Malinki?

PRUDENCE MALINKI: Present.

TERRI AGNEW: Desiree Milosevic?

DESIREE MILOSEVIC: Present.

TERRI AGNEW: Lawrence Olawale-Roberts?

LAWRENCE OLAWALE-ROBERTS: Present.

TERRI AGNEW: Mark Datysgeld?

MARK DATYSGELD: Present.

TERRI AGNEW: Damon Ashcraft?

DAMON ASHCRAFT: I'm present.

TERRI AGNEW: Susan Payne?

SUSAN PAYNE: Present.

TERRI AGNEW: Osvaldo Novoa? I don't see where Osvaldo has joined, but we will go ahead and see if we can get him to join. Thomas Rickert?

THOMAS RICKERT: Present.

TERRI AGNEW: Wisdom Donkor?

WISDOM DONKOR: Present.

TERRI AGNEW: Stephanie Perrin?

STEPHANIE PERRIN: Present. Thank you.

TERRI AGNEW: You're welcome. Peter Akinremi?

PETER AKINREMI: Here, TERRI.

TERRI AGNEW: Tomslin Samme-Nlar?

TOMSLIN SAMME-NLAR: I'm here.

TERRI AGNEW: Manju Chen?

MANJU CHEN: Here. Thank you, Terri.

TERRI AGNEW: You are welcome. Bruna Martins Dos Santos? I don't See where Bruna has joined, but we'll go ahead and see if we can get her to join. Paul McGrady?

PAUL MCGRADY: Present.

TERRI AGNEW: Anne Aikman Scalise?

ANNE AIKMAN SCALISE: Present.

TERRI AGNEW: Jeff Neuman?

JEFF NEUMAN: Present.

TERRI AGNEW: Thanks for joining, Jeff. Jeff was thinking he'd be late but look at that. On time. Good job, Jeff. Justine Chew?

JUSTINE CHEW: Present. Thank you, Terri.

TERRI AGNEW: You are welcome. Everton Rodriguez sends his apologies. We will have on this meeting as guests, Carlos Reyes, Odeline MacDonald, Eleeza Agopian, Karen Lentz, Dennis Chang and they are all from ICANN Org. From staff, we will have Steve

Chan, Julie Hedlund, Caitlin Tubergen, Saewon Lee, Mary Wong, Berry Cobb, Devin 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. Councilors are panelists and can activate their microphones and participate in the chats once they have set their chats 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 multistakeholder process are to comply with the expected standards of behavior. With this, I'll turn it back over to the GNSO chair, Greg DiBiase. Please begin.

GREG DIBIASE:

Thank you so much. Welcome everyone to the January 2024 GNSO Council meeting. Fair amount on our agenda this evening but let me start with asking if anyone has an update to their statement of interest. Okay. Would anyone like to amend the agenda or add something to the agenda?

Seeing no hands, I'll note that the minutes for the previous council meetings have been posted, the most recent December meeting was posted on January 2nd. As always, please review those minutes to make sure that staff and leadership has captured all comments correctly. And so, I think with that, we can move into our consent agenda, which is the recommendations reports for the GNSO guidance process for applicant support and the EPDP on international domain names Phase 1 final report. Oh, Manju?

MANJU CHEN: Hi. Thank you, Greg. I just wanted to mention that the recognition report for EPDP on the motion Wiki page is like a red line version, which I think they changed the page number of council vote. So, I thought maybe we can clear it to a clear version before we do the vote, or we can do it afterwards just we don't send the relevant version with only the page number was changed.

GREG DIBIASE: Great catch, Manju. I'm sure staff can get that updated, perhaps not in real time, but I'm sure they will be able to post a clean copy. Someone from staff confirm that we're all on the same page there.

STEVE CHAN: This is Steve. Manju, sorry. Can you point me to what exactly needs to be updated? I think the recommendations itself for one of the oh, the EPDP one. Okay, I think that's what you said. So, yeah, we'll take a look and make sure that the clean version is the one that is linked to in the motion. Thanks.

GREG DIBIASE: Great. Thank you, Manju. And so for these, I'm not going to read the motions aloud because they're pretty straightforward, But I did want to just touch upon that during the strategic planning session, we had talked about improving the recommendations reports, and as a council looking at the format for ways to improve, the leadership decided It's probably prudent to send these reports

before we went to that exercise to make sure they were expeditiously sent to the board.

However, we've been informed that staff did take some feedback from our session and tried to incorporate the notes that we came up with in these recommendations' reports. So for example, they asked the reader to consult the final report for full detail details and context instead of relying solely on the recommendations report. So, Progress in that direction and that's something we will continue to revisit. Aside from Manju's helpful comments, does anyone have any comments or questions about these recommendations reports before we move to a voice vote? Hearing none, I think we can move to a voice vote.

TERRI AGNEW:

Thank you. And before we conduct the voice vote, I do want to note that we do have two missing councilors, and they'll be marked as absent for Osvaldo Novoa and Bruno Martins Dos Santos. So, here we go. We'll go ahead and move to a voice vote. Would anyone like to abstain from this motion? Please say, aye. Hearing no one, would anyone like to vote against this motion? Please say, aye. Hearing none, would all those in favor of the consent agenda motions, please say, aye.

GREG DIBIASE:

Aye.

ALL MEMBERS:

Aye.

TERRI AGNEW: Thank you. No objection. The motion passes. Greg, back over to you.

GREG DIBIASE: Thank you so much, TERRI. Next item is a council discussion. We're having a small team update on the non-adopted SubPro recommendations, and we have Paul McGrady, our faithful leader of the small team plus, to give us a quick update of where we are and what's on our road map for the next couple weeks. Paul, can I hand it over to you?

PAUL MCGRADY: Thanks, Greg. Let me see if I can find my notes. All right. So, as a general matter, we are reasonably on time and-- which is that's sort of the big update, on progress of where we are right now. We are still working on recommendations 24.3 and 24.5. These relate to the singular and plural issue and specifically the board's concern about their being a binary there and details around how those will be, whether or not they'll be automatically considered to be confusingly similar or not, those kinds of things. We did our best to wordsmith on our actual calls, but there were some wrap up details that a smaller group is handling, they are drafting to come back to the larger small team plus.

They've done some back and forth on email and we're currently planning a special call for them. So, we hope to hear from them for next week's call and we'll hopefully have a stable draft to that. This week we dealt with recommendation 9.2 which had to do with

the single registrant exemption to certain parts of specification 11 of the of the base registry agreement that seemed to resolve quickly.

And so now we have a stable supplemental recommendation that the small team plus is comfortable with. So, all that to say this, we're moving along and we encourage everybody if they have questions to listen to the call recordings or to reach out to me or anybody else in the small team plus to get any questions that they need answered. Happy to do it. So, that's it. Very brief update. We seem to be mostly on track, Greg. thank you.

GREG DIBIASE:

Thanks, Paul. And just to make sure that we're staying on track of Kind of when this is brought back to council and then we vote on this. We're voting on all these at the same time as opposed to individually. Correct? And then do we have like a general timeline of when we think that would come to council for a vote before we return our suggestions to the board.

PAUL MCGRADY:

Yeah. So, there was some talk about doing these one at a time and there's obviously some efficiency in doing that. It's in such that the IRT could keep moving and the board can keep moving on these. But the way that we've baked in a community consultation process for the Puerto Rico meeting, really it made us need to do these altogether all at once. In terms of the timeline, I don't have the timeline up. I apologize for that. But maybe Steve can tell us sort of our target delivery date for the small team plus

work to be wrapped up. But we're talking about weeks not months and months. We are about to go into February and Craig, I don't want to guess wrong, but Steve, what's our target delivery date? Do you have the timeline handy?

STEVE CHEN: Sure. Thanks, Paul. This is Steve. So, as Paul is noting the idea is to try to make sure that the small team plus wraps up its at least proposed supplemental recommendation language prior to ICANN79. And so, Paul is alluding to is some consultation at ICANN79. And to the extent, there's feedback received that requires any modification of those supplemental recommendations there's time allowed for that to happen. And so, what the work plan that I just shared envisions is that the council would be voting on the package supplemental recommendations in April. So, the April council meeting. Hopefully that helps. Thanks.

GREG DIBIASE: Got it. So, I think that's clear that we'll present them to the community at Puerto Rico then vote in April if all goes according to plan. Great. Any other questions for Paul from the council? Kurt?

KURT PRITZ: So, as far as the council becoming educated so they can vote knowledgeably on it, should we take the briefing in Puerto Rico, the public briefing in Puerto Rico as also the Council briefing on substance or would there be a separate council briefing on the substance of the recommendations.

GREG DIBIASE: I am not sure. I think I would encourage all councilors to read the output and then rely on the presentation at ICANN. I would assume that we'll touch upon these in council as well, but I don't know if Paul or Steve know the actual answer to that?

PAUL MCGRADY: Yeah. So, this is this is Paul again. And I would say yeah, though these will be hopefully stable for Puerto Rico, so that we can get good consultation while there. And I expect that these will be stable enough and we'll be ready to talk about them. I think that this might be something that's really good for our informal council session but obviously would leave that to council leadership where they would like that. But Kurt yeah, I do anticipate us chewing these up while we're together So, that we can have a hopefully a very easy vote in April.

GREG DIBIASE: Thanks, Paul. Peter? Yeah.

PETER AKINREMI: Thank you. Just wanted to confirm how is this small team actually want to get community feedback during the ICANN committee. Just wanted to get a clarification on that.

GREG DIBIASE: Paul?

PAUL MCGRADY: Yeah. Steve, please feel free to jump in and rescue me at any point. But I do think that these will be hopefully stable enough for prep week. And so, there'll be some introduction to them there. And Steve, I don't know if we're running a special session if that made it onto the calendar for San Juan or not, or if we're thinking about that as a mechanism or if it'll just be via the council process.

GREG DIBIASE: Steve?

STEVE CHEN: Thanks, Greg. Thanks, Paul. Thanks, Taiwo for the question. So, good question. So, the sequence of sessions both proceeding ICANN79 and during ICANN79 is the prep week webinar that Paul just mentioned. And the idea there is to report outwards and to brief the community as a whole on what the supplemental recommendations look like. And then what Paul was just mentioning is a separate session during ICANN79 proper. So, the idea there is to actually make that more of a dialogue and consultative process to allow the community to opine and share their concerns or support or whatever the case may be and essentially feedback on the supplement or conditions.

And so that's scheduled for Wednesday of the ICANN79 meeting. And then lastly, there is a session for the small team plus on Thursday, of ICANN79 where the small team will have an opportunity to take into account the feedback they received at the consultative session and then try to amend the recommendations

if needed. And then the other thing that could be added, and I guess it's to be determined if it's needed, is a dedicated council time that might be warranted to actually discuss the recommendations in detail as well. Hope that helps. Thanks.

GREG DIBIASE:

Thanks, Steve. And then I guess I'd also mention that small team is a small team plus with other members in the community that are presumably working with their respective SLs and ACs. So, I think there's ongoing community feedback as well. Great. Thanks, Paul and Steve. Any other questions on the SubPro small teamwork. Great. All right. Moving on to item 5. We are going to discuss follow-up from the communication small team, follow-up to our conversation in the strategic planning session that was cut a little short given how much content there was in their report. So, I'm going to hand it over to Tomslin to get us up to speed and maybe queue up a couple questions for discussion.

TOMSLIN SAMME-NLAR:

Thanks, Greg. So, basically like Greg mentioned, this is continuation of that conversation and that's because some points were raised or rather questions were raised during the SPS where councilors wanted to discuss a bit more regarding the report. And on the screen, I believe we have some of those questions. Questions like what is the best way to communicate with outsiders and make the information more understandable or readable?

Another question was, how can should the council reach the people who care about ICANN but do not have time to Participate.

The third question was, could or should the council consider having a liaison to the broader community similar to what we have to GAC and ccNSO. Then there was a question on how can the Council effectively target fellows and get them to focus on the GNSO. As I was reading this, I also remember that there was also a comment about I think the item 2 or assignment number 2 of the small team where it was about the overall objective of the council communications effort.

I think there were comments about that it should not only be about the success and progress, but it should be more as well. So, today we would like to have that conversation and hear from councilors. These questions are to guide us but, yes, happy to hear what councilors think about or would like to comment about the report for further discussion. So, I'll just monitor the queue to see if councilors have anything to add? Kurt?

KURT PRITZ:

Yeah. Thanks. I don't know. Nobody else raised their hand so I thought I'd try to start a conversation. But I thought we had a really good discussion during the strategic planning session. I think it was one of the highlights of the session. And I'm reading these high-level questions but, I wonder if we could just start using some of the tools identified in your study to communicate what we're doing as alternate channels of communication and therefore might be effective.

So, for example I'm thinking of social media and the number of followers we have in some areas are our opportunity to be exploited. And so, I wonder if there's a transition here from a

small team that's studying our communications to a small team that's our communications officer is effectively, our communications officer that we can start using some of the tools at our disposal while we think about these high-level questions.

TOMSLIN SAMME-NLAR: Thanks, Kurtz. Yes. I think to your point, if we could start. I was hoping that at the end of this conversation we'll probably get a way forward with the report as well from council, whether we would need to make some amendments or if we can like you mentioned, council agrees that we start using some aspects of it. Peter?

PETER AKINREMI: Yeah. Thank you, Samme-Nlar Tomslin. And I agree with Kurt. We can start using some of the tools that the team actually identified. I just remember that during the meetings that we had, if possible we can kind of do a survey during the ICANN79 to really get on-site perspective about how GNSO Communication should work. That will really be helpful as well.

TOMSLIN SAMME-NLAR: Thanks, Peter. And noted the idea of doing the survey, it's noted. Yes. And I noticed, Jeff had a comment in chat as well regarding Doug mentioning, recommending that ICANN's information should be more user friendly. So, Greg?

GREG DIBIASE: Yeah. On the user friendly, yeah. I feel like it might be helpful, and this is something I talked about in recent SO/AC Leaders Conference. I feel like sometimes we don't explain things at a high level like what this is and why it is. We immediately jump into the acronyms or the Policy. I think some writing exercises to put these ideas into like bigger picture language and maybe even using analogies and things like that could be helpful. I forgot, there was a couple mechanisms to disseminate this. Right? That we had a Twitter. Tomslin, can you remind me what the other ones were?

TOMSLIN SAMME-NLAR: Yes. Absolutely. There was LinkedIn. There was also the suggestion well, to primarily send information out of LinkedIn but also make sure that that information is also sent to Twitter using already existing programs. And then there was also the ability to optimize existing reports. I think like the community digest report newsletter, the policy and advice update webinar, the outcomes report and the outlook port where some oh there was also the PDP working group newsletter. Yes, that to use for distributing the content.

GREG DIBIASE: Right. Yeah. I guess I'm ambivalent on what the method is but yeah, I see Justine in the chat, and I really agree with this. The key is having a really good executive summary that explains in simple terms what this is and why is this important. So, I guess a plus one to Justine in the chat. I think she said what I was trying to say and fumbling over my words.

TOMSLIN SAMME-NLAR: Awesome. Mary?

MARY WONG: Thank you, Tomslin and councilors. I was waiting to see if anyone else from the Council had their hand up, but seeing none so far, I just wanted to chime in. Although I have not had the benefit of being part of your discussions at the recent strategic planning session, I do know that my colleagues who are on the call, Carlos Reyes, Daniel Gluck and their team, particularly Andrea Glandon, has met with members of your communications small team to discuss how you as the GNSO Council, can leverage the mechanisms and the communication channels that ICANN org already provides for the community and specifically our policy communications team that is led by Carlos.

So, I just wanted to reiterate for one thing that, obviously, to the extent that your needs are something that we in the org and the policy team can continue to support with our existing channels. We will of course, gladly do it because that will obviously reduce any kind of duplication of effort across channels and hopefully help you get your message out without Adding to your workload which is already immense as I know. Secondly to the point I think Greg that you just made and the chat that's going on it does seem to Carlos and me and the team that works on communications for the community as a whole, the different community groups that there is a distinction between the substantive messaging, if I can use that term and then the mechanisms channels and formats that we can use to get the message out.

And obviously, as policy staff, we are here to assist you with streamlining and improving and sharpening the substantive messaging. And that may be something that we can look at, as we help you produce reports webinars and so forth. But like I said that seems to me that we're agreeing that it's not the same thing, as utilizing communication channels and such.

So, on both things one is, we can certainly work with you to help sharpen as I said the messaging, the sort of plain English, the streamlining, the precision and the brevity of the messaging but also, to help you leverage existing communications channels such that if specifically, you as the GNSO Council find that the existing channels are not sufficient for whatever reason, we can then look at additional ways to get the message out and to hit the audience that you may be targeting that may be different from say the general audience that we normally try to reach. Thanks, Tomslin.
Thanks, Greg.

TOMSLIN SAMME-NLAR: Thank you, so much Mary. And that's certainly both optimizations or improvements that you mentioned are actually something that the small team wrote in the report. The small team certainly recommended using existing communication practices but, improving them to target that audience, that additional audience and that aligns with what is in the chart where it should be a bit user friendly and like the word you used there was sharpen them. Certainly, it's something we highly recommended and yeah, I think we'll ask, the small team will ask the council to consider using those existing mechanisms and work with you your team to sharpen them.

All right. I do not see any other hand in the queues, before I hand it over to Greg, I guess the only other question from me is, what does the council want to do with that report, is the intention that the small team or new volunteers will improve the report and then share that again with the council as perhaps in parallel starting to utilize some of those tools that were in the report. Greg?

GREG DIBIASE: Thanks, Tomslin. I think the idea was for the small team to update if necessary, if there's new ideas we discussed today just make a final update, then send it out to the council for review. And then I guess my personal hope would be that the small team would continue on and actually, trying to spearhead implementing some of the ideas that the report identified.

TOMSLIN SAMME-NLAR: Thanks. All right. We'll do that then I suppose. Back to you here, Greg.

GREG DIBIASE: Thanks, Tomslin, and thanks to Tomslin and the small team for all their work here. I think there's a lot of great ideas and I think we're at the stage where we can actually move forward and try to action some of these. Great. Moving on to the next topic, is item 6, council discussion on engagement with the PDP working group chairs.

This was another thing that was discussed at the strategic planning session, how we can make updates better or more

substantive or if we even need them. So, it's something we started at the, excuse me, strategic planning session but the conversation was ongoing, so we wanted to pick that up here with a couple more questions. And I think I have Nacho to introduce this topic. Nacho, are you there?

NACHO AMADOZ:

Yes, that's right. Thank you, Greg. So, as you said this is something that we discussed on day two of the USPS, when we were considering whether the council had the tools to be an effective manager of the PDP and one of those was the prep week conference briefings.

And one of the outcomes that was listed, was that we should work to make them more effective because we saw that they should be more purpose driven and that maybe they should be removed from the prep week and moved out to some other timing and we still don't know what that timing would be. In the recollection here in the presentation of the item, you see a list of 4 questions.

And this is the list of questions ask the chairs during this conference webinars. What we agreed at that time and one of the listed to the SPS report when where the design, sorry. Let me find the words for that was the-- How is that written? The proposed action item, was for staff to leverage the existing format and to propose a checklist of elements. So, the idea I think now would be to find a group of volunteers within the country to work along with staff for these two objectives.

First of all, review the list of questions and make suggestions about how we could elaborate, add new list or add to the existing list so that the presentations from the chairs of the working groups are more purpose driven. And the second item would be, where do we take them If we are getting them out of the break, because what we saw was that the that the audience was the council and not General public. So, these are the two things that we need to discuss. I volunteer for that. And I guess that we should open now the room for people that may have ideas or that may want to volunteer to work on this and to see how do we come back to the council with a proposal? Greg, please.

GREG DIBIASE:

Sorry. So, just on the list of questions, I almost feel like there should be a question asking them how they can explain this in simple terms. Like, how would you explain this to a 6-year-old? What is the big picture idea here? I think that might be more helpful to people coming in because the challenges are often similar. That's good to know, but some question that provides a more basic summary of what is actually happening here, possibly could be helpful?

NACHO AMADOZ:

I think it's super helpful and that also touches upon what we were saying before in the communication efforts. Even though in this case, the audience, which is us, is supposed to be more knowledgeable about the issues. It is true that we can get lost very easily when we are presented with specific topics that we are not following. So, that could also be part of the remit that we

provide to the chair, state make this simple so that we can understand what's the wider picture. So, I think that could be one of the questions and the approach that we can work with this to make it more effective. Susan, please go ahead.

SUSAN PAYNE:

Thanks, Nacho. Yeah. So, I'll come on to the questions in a minute if you don't mind but, I was thinking about this reference to removing the webinar from the prep week schedule. And I don't really remember that as such, but it is true that the prep week schedule is pretty full and so moving this sort of a week either side of that might help, but I think the principle behind this was more about the fact that if this is a session that is for councilors or intended aimed at councilors, and it's one that in theory, we all should attend as a kind of compulsory session, then it would be really helpful if we didn't have to wait until the prep week schedule comes out, which is quite last minute before we've got a date in our diaries, so that we can be sure that we do keep it ring fenced to attend.

And so, I suspect taking this out of the prep week schedule is one way to achieve that by the planning of this meeting therefore doesn't have to be coordinated with all of the rest the prep week. And so, from that perspective maybe the week before or something like that is helpful. But I think it was much more about, can we get this in our diaries now so that we don't all book other meetings around it or that clash with it.

I think that would be incredibly helpful. In terms of the questions, when I was looking at them I was minded to say something like I

think we need an introductory question here which is kind of like at a kind of high level, what is this group doing? What are they talking about? How are they doing on timing? But I did also wonder whether that actually just makes these updates too long and would make this whole session perhaps too long and as I was sort of thinking about this as people were talking, it occurred to me that we do have the policy update, don't we? Which is aimed at sort of the wider community and so is a really kind of like high level of what each group is doing.

Maybe, this session needs to coordinate with that. We get that policy update issued. We all read it and then we get together with the working group chairs for a sort of deeper dive, so that maybe, we don't need to get to spend too much time, actually on kind of what is this and what's it about. But I think we do need a, how are you doing on your timing? Are things going to plan type of question.

NACHO AMADOZ:

Thank you, Susan. I think that that the first comment is spot on because it's not only that it's the week before and it's planting with meetings. It's that it's last minute. And I understand that this presentation from the chairs has to be in some way associated with the ICANN meetings pace and agenda. Right? Because we are going to go to the meeting and we are being prepared, but it doesn't look to be associated with all the preparation for the prep week.

So, I think that's great. And that only helps understand why this needs to be moved out of that joint effort. And on the second one

about making it It's too long, if we can prepare on our own this policy report or following what we have for the meeting for the general ICANN meeting, I agree with you on that but, I also think that if this is going to be purpose driven on how the working group is working and what are they seeing and they are providing us with feedback that they cannot put in this written report because it's more about how the group is working, then depending on the number of working groups and depending on how much they have to report on, maybe it could be too long or maybe we could do two of them.

And maybe that could be a good use of our time because that could be maybe more beneficial to us than having to go through the all the documentation without having that specific feedback that the chair is providing. I guess that in my view that would depend on the circumstances that we have, what we are going to the ICANN meeting in question. I don't see anyone else in the queue.

I'm taking the comments and Jeff has already volunteered in the chat room, so I don't know. I think that I will get back to leadership and staff to see how we prepare this and then reach out to release for volunteers and then start compiling these questions and how do we make this transition out of the break week that if I remember correctly, was already agreed in the SPS that, that was a good idea. So, with that, I see you're coming, Susan, now. Greg, you're up next.

GREG DIBIASE: Yeah. So, it seems like we have volunteers to think about the questions and how this is presented and then Susan's comment on trying to provide more notice right so it's not last minute. I guess I just want to check-in if there's anyone that thinks that this should simply not exist. Are we all aligned that that this is a thing that can be improved and is worthwhile. And if so, Nacho and Jeff wherever else can work on comments and we can try to get more notice around it. But I just wanted to I guess close that question out to give us direction and let if there's someone that thinks, no. We should just not have this at all, Speak up.

NACHO AMADOZ: Oh, we are seeing disagreement. So, Manju, please go ahead.

MANJU CHEN: Well, no. I think we should have this just to put it out there before everybody's like accusing me of not supporting. No. Actually, I think we should have this, but I was thinking because we were also discussing how, during ICANN meetings, we will be reviewing our project management list. And I think this is in a sense an essential part of our project management. I thought it would be a good idea to combine these two efforts in one session so we can do both in one session. We review the projects, and we invite the working group chairs to come and share if there are any concerns what can we do to help to move their projects along smoothly? Those kinds of things. So, just one minor suggestion. Thanks.

NACHO AMADOZ: Thank you, for the suggestion Manju. Noted. And I think with that, I bring it back to you, Greg. Thank you.

GREG DIBIASE: Thank you, Nacho. Next on our list is something that it's very regularly on our list but we need to keep tabs on it. Registration data accuracy and the scoping team's work that has been on hold for quite a while now. So, to give a brief recap on what the status is here, the scoping team convened after considering some of the issues, they had preliminary recommendations to conduct a registrar survey and a possible registrar audit.

Those two pieces of work were put on hold pending the execution of a DPA between contracted parties and ICANN, which I understand is getting closer, but it's still Not completed. And then at the same time, they also look to question 3 in the scoping team, which was on the effectiveness of mechanisms to enforce accuracy. And one of the things the scoping team pointed out as there wasn't a lot of data on which to examine this question. To examine whether data was accurate. That work was difficult because it's difficult to obtain registrant data to test assumptions and assertions.

So, ICANN did a little more work on that and looked at a couple ways by which more data could be obtained including analyzing what's publicly available, conducting an audit, analyzing a set of registration data in a voluntary registrar survey. The report that was sent out to council a couple months ago identified a lot of potential problems with pretty much all of these methods and that it may be difficult. ICANN might not have a legitimate basis to

request data for the sole purpose of assessing accuracy, the cost of a full-scale registrar audit may not be worth the effort. So, they highlighted a lot of concerns.

They did note two possible alternatives which were contractual compliance RAA audit program and to engage with ICANN's contracted parties on current developments with respect to European policymaking. The reference to the upcoming NIS2 and then separately, but also of reference, there is a study called the inferential analysis of maliciously registered domains, also known as the informal study which is coming I believe by October 2024, September 2024 and that could also inform this work. So, we voted on an extension 5 months ago. 6 months is coming up in the February meeting.

So, we'll need to vote on whether to pause work again given that the DPA is still not executed. The informal study is not executed, which may be of help. There're things coming down the pipeline like NIS2. We're not sure what the requirements in this two are. So, this session is really just kind of calling out and deciding whether further deferral is appropriate and I guess highlighting the fact that we would have a vote on this next council meeting. So, I guess I'd invite Councilors to share your thoughts on whether continued deferral of work on data accuracy scoping is appropriate, given those constraints or any questions on the information I just provided. Anybody? Stephanie?

STEPHANIE PERRIN: Thanks, very much. Stephanie Perrin for the record. It seems to me that until we see the data processing agreement between

ICANN and the contracted parties, those problems are stemming from ICANN's. I'm trying to find the right word here. Lack of taking up the role of being the data controller because they can't do quality review without it. And correct me if I'm wrong please, contracted parties. If we have to evaluate that report that's coming in September, there's not much point in starting up again in February, because all we have to do is restrike the committee. It's not a big deal. So, I would like to kick the can down the road another 6 months. Thanks.

GREG DIBIASE:

Sorry. Stephanie, you pointed out something I think I misspoke. It's six months or until there is an event such as the DPA or something else that may make this work more feasible. I'm seeing a plus one to Stephanie from Desiree and then Prudence, Thomas and Paul adding their support for a deferral at this point. Speaking in my personal capacity, I think that makes sense to me as well. I think ICANN staff may have had an update on the DPA. Is that right, Steve? There may have been some more from someone on the call that could provide an update. Sorry. Damon, I see your hand.

DAMON ASHCRAFT:

Sure. And I'm obviously new to this issue but, I don't have a problem with a deferral. But at the same time, I mean I don't think we should wait for the DPA indefinitely. So, I would say defer but continue to check-in as we're doing now. And if we don't see some movement on it, maybe within three or four months, reconsider whether the deferral makes sense.

GREG DIBIASE: Ye, I think that makes sense. Did someone in staff answer my question? Did I make that up that someone might have an update on the DPA? Maybe I did. Odeline?

ODELINE MACDONALD: Thank you, Greg. Adeline here. Actually, we don't really have an update. It's ongoing. We have ongoing discussions with the contracted parties but we don't have anything sufficient to communicate to the group quite yet. So, hopefully we'll have more to say at the next meeting.

GREG DIBIASE: Okay. Thank you for that. And sorry if I was misinformed about the update. My apologies. And I would stress Susan's point in the chat that the DPA has been nearly there for a very long time. I know there's a lot of councilors that are very anxious to see this concluded. Stephanie, is that an old hand?

Okay. Great. Yeah. In the DPA, hearing Susan and Damon and Paul's points, maybe if we don't have an update by next time, it may be worth a letter or a small team or something like that to try to document this and get some documentation around our request for progress here. Okay. We are moving at a blazing speed here, team. I think we're already at any other business. Okay. ICANN79 planning and GNSO draft schedule. I think we have TERRI up for this.

TERRI AGNEW:

Indeed. Thanks, Greg. So, just to give you an update on ICANN79. The GNSO draft schedule has been published. Thank you, Saewon, for sharing that on screen. I appreciate it. Just some highlights to point out. We'll have one IDN meeting and two transfer policy meetings. Both of those are taking place on Saturday. In addition to all of the SGC's team meetings and smaller group meetings throughout the week, there will also be three SubPro IR Team meetings, they are peppered throughout the week as well.

The GNSO Council will hold three working sessions on Sunday. It's the first three spots. You'll notice they're in green on Sunday, so be prepared for Sunday morning folks. The joint ICANN board and GNSO meeting will take place on Monday afternoon. Tuesday will be our normal GNSO Council and informal meeting at 17:30 local time. We will have no services for that meeting and we will invite the SGC chairs to join. And this meeting is where we discuss any matters we need to for the next day council meeting. I just wanted to let you know that that's still taking place. Also, good news, we'll have cocktails available for that meeting.

On Wednesday we'll have our joint GAC and GNSO Council first thing in the morning and then later in the day, is our GNSO Council meeting. And on Thursday, we'll have the GNSO Council SubPro small team first thing in the morning. Boy, we like that first slot, don't we? And then later in the afternoon, will be our GNSO Council wrap up meeting. Nacho is working on the GNSO Council team dinner. So, thank you, Nacho.

More information will be shared shortly on which night that will be held and we're at. It's a work in progress but as soon as we have

additional information to share, we certainly will on that. That is a quick highlight. Just as a quick reminder once the schedule is published, which will be published shortly, that's where you'll go and add all the meetings to your calendar and the GNSO secretariat team will send out a handy how to get all these meetings added to your calendar. So, don't fear. Those emails will be coming as well. So, before I turn this back over to Greg, any questions or comments regarding ICANN79? All right. Seeing none, Greg, back to you.

GREG DIBIASE:

Great. Thank you, TERRI. Thank you, Nacho, for organizing the dinner. Looking forward to that. The next update, I just wanted to provide an update. There was an SO/AC leadership roundtable, where the chairs and vice chairs of all the SOs and ACs met with ICANN staff as well as Tripti and some members of the board just to discuss at a high-level concern that the community is seeing, how we can work better together.

There will be a report of this coming out and disseminated to council but I wanted to highlight two themes kind of for food for thought for the council that were discussed. The first Discussion point which I think we've touched upon this at least in the I think that folks in the SubPro have. There's kind of a discussion of ICANN's risk tolerance or maybe risk calculus would be a better description of it.

So, for example, let's say there's a specific risk that recommendation that came from the community may open up ICANN to a specific type of lawsuit. How is that weighed against a

more macro risk that ICANN is not expeditiously performing its mission. So, those kind of that idea of how ICANN thinks about specific risks first these kind of big picture risks of as ICANN moving fast enough is the multi-stakeholder model working?

And so that is kind of something the board said they were taking back and thinking about and that I guess they have a committee that considers these things on how ICANN as an org, thinks about risk. So, that was one of the interesting discussions. And then, I think the other interesting discussion from the council's perspective was regarding the holistic review and correlated to that the continuous improvement efforts that are going on in the community.

Now that the terms of reference for the holistic review have feedback, that is something that the board is going to consider and one of the things they're thinking about is (a) how to make this more efficient as I think someone council have noted that the holistic review was supposed to start a while ago and now we're starting on a pilot. And just there's some questions around that.

So, how can this be more efficient and be done in a matter that makes sense. So, that's something they're considering as well. There was also some talk about improving tools and communication, something we're talking about in our own small team. So, yeah, that's kind of a general high-level update of what was discussed. And like I said, more information will be sent out and available to the group. Any questions on that update? Great.

We also have an update on the diacritic study request and apologies for the delay here. Mark, the gracious volunteer sent

something back to leadership and staff. It was very detailed but we're trying to frame it as a study. And ICANN staff is working along with leadership to kind of present this in a way that we're not policy making, that we're actually requesting a study and we should have that shortly. And so, I guess the question for council is making sure that everyone's okay with the fact that leadership and staff are working on what Mark, provided and just kind of polishing it and finishing it up and hopefully, sending that out to council in the next couple weeks. But apologies for the delay there. Any questions on the diacritic study before we move on?

Great. I see we have an update on PPSAI, which is the acronym for the Privacy Proxy Services Accreditation, I lost the I. I forgot what the I is. And I think we have GDS staff to provide an update issue.

KAREN LENTZ:

Sorry, I'll take this item. Great. This is Karen Lentz. For those who don't know me, I work in the global domains and strategy area of ICANN. My team is responsible for implementation of the policies that come through the GNSO process. And so, this item with the recommendations around proxy and privacy services accreditation issues relates to the pipeline policies that are pending implementation.

And so, as you've been hearing for in our updates for a while, we've been focusing quite a bit recently on trying to wrap up the EPDP Phase 1 implementation, the first one on the temp spec relating to registration data. And so, as we are [inaudible – 01:05:34] Path and are working to close that out. We are

anticipating being able to actively work on the proxy privacy set of policy recommendations in 2024. And so, we're in the middle, we're currently creating a work plan to do that.

That's something that we do for every set of policy recommendation before it can be in an IRT, just buying the scope and how we're going to go about the work and so forth. And in this particular case, there's a little added layer of complexity because there had been Implementation work already started that was paused. And so, the exercise that we're going through now is looking at what if any of the implementation work needs to change based on either new technical developments that have happened since the work stopped in 2019.

New laws have come about and identifying what is the best implementation for where we are in 2024. At the Hamburg meeting, we invited members of the previous IRT for an informal discussion about this. And I thought it was a very good discussion, very much support for making sure that the implementation path makes sense. Some of the things that people brought up, the changes in the industry since this was last being discussed.

The registration data request service came up quite a bit in that discussion also in terms of how might we take advantage of that work. And so, I have two colleagues also on the call, Dennis Chang and Isabelle Colas who are part of the team who's going through that. We took the action from that informal discussion in Hamburg to develop and share our review and analysis as far as the proposed path for implementation. We do anticipate sharing that with the council.

There may as a result of, I was doing this work, there may be specific questions that we have for the council. There may not. It may end up just being an FYI. But we do plan to assure that and so are we're targeting having another update ready by the time that we're meeting in Puerto Rico, and also hoping to be a pretty advanced stage of having the draft work plan by the end of the quarter. So, that was the quick update on that item, and I'll turn it back to you, Greg. Thanks.

GREG DIBIASE: Thanks, Karen. So, quick question to make sure I understood that. So, in Puerto Rico, we Should have the proposal for the draft work plan for the IRT.

KAREN LENTZ: No.

GREG DIBIASE: Putting words in your mouth.

KAREN LENTZ: That would be our aim for the end of the quarter meeting end of March. We definitely do plan to have an update for the council in Puerto Rico, but it probably won't be the full reporting.

GREG DIBIASE: Okay. So, but the proposed path forward is for the IRT for forming the IRT and how the IRT would proceed?

KAREN LENTZ: Agreed. Yes. Before we ask people to commit to doing the work on the IRT, we want to make sure that we've thought through any potential roadblocks or issues that might come up before we go down the path. So, the work plan is intended to lay out here's our intended approach. Here's why. If what if anything has changed from the previous implementation, what if any policy questions might not be present.

GREG DIBIASE: Great. Thank you, Karen. Does anyone have any follow-up questions for Karen? Susan?

SUSAN PAYNE: Yeah. Thanks, Karen. So, just a quick one. You said there was a meeting in Hamburg. Is there any kind of recording of that or some notes you can share or anything for those of us who weren't aware of it?

KAREN LENTZ: Sure, I can circulate some notes. It was an informal meeting, and it was sent to the mailing list for the proxy privacy IRT and then we did have people ask if those who were still involved and I can ask if they could share it. So, that was the channel. But there's no recording but we can share some notes on them.

GREG DIBIASE: Thank you, Karen. We will follow up with the notes, we'll make an action item to do that.

KAREN LENTZ: Thank you. And if I may, would also respond to Justine's question in the chat. I wouldn't really compare it to an operational design phase. That was something for the board when they're making a decision about whether to proceed with policy recommendations, for example. In this case, the board has already accepted these recommendations. What we're looking at is what is the implementation plan that we're using.

There is as part of that as part of standard project planning there's a look at what would be the resources that would be required from the staff side to support this? For example, legal technical and so forth. But I wouldn't, other than that, I wouldn't really compare it to an ODP. Thanks.

GREG DIBIASE: Great. Thank you, Karen. Okay. And then so, I have one more AOB over this. The next AOB regards expected standards of behavior, and this relates to kind of a back and forth our colleague Jeff Neuman has been having with ICANN staff. One of the letter's communication concern about a vendor, this was raised on the agenda because one of the letters raised a concept of a possible community discussion regarding what role if any ICANN should have in addressing conduct that violates the expected standards of behavior outside of ICANN to the extent it could

cause reputational harm to ICANN and the multi stakeholder model.

So, to be clear this is not something that has been requested of council or explicitly put on council's plate, but it has been something that has been kind of going on in the background and something that Sally has spoken to in her letter. So, we thought it might be prudent to let Jeff give a quick update to council on what has been going on there. Jeff, are you available for a quick update to council?

JEF NEUMAN: Yes. And can you hear me okay?

GREG DIBIASE: Yes.

JEFF NEUMAN: Yeah, great. Thank you for letting me talk about this and I wanted to turn my video on and just give some context. And I'm going to be reading from some notes and I'll actually send this to the council. So, as you know, this issue, it's very personal to me and I want to make it clear that I'm introducing this topic in my personal capacity and not as a member of any SG or C or even as the GNSO liaison to the GAC.

The purpose of this discussion is not to talk about the substance of the matter to which I filed the complaint, which is what Greg was sort of talking about. I may bring that up for context, but I've

been assured by ICANN org, that they're dealing with the specific substance of my actual complaint which involves the action of a vendor of ICANN and whether ICANN wants to do something about that in particular. But the issue and the issue of what ICANN does, that's a completely internal organizational matter for their vendors and it's not really the subject of the discussion that may or may not happen. But what is up for discussion as Greg said, it came out of the letter from Sally, on December 26th, 2023. Namely, what if anything is ICANN's role with respect to enforcing the ICANN expected standards of behavior against community members and or contracted parties.

The particular vendor for which I filed the complaint is also a community member and a participant and a registrar and a UDR team dispute provider, but I specifically did not mention that in my complaint because of the more complex issues I knew that would be raised. So, the first issue is what is an appropriate remedy for ICANN to enforce on a community member if it violates the expected standards of behavior or such violation occurs within an IPN activity.

So, that's kind of the easier, well, none of this is easy but it's sort of the easier question. If it happens in an ICANN meeting or working group session or during a webinar, that's one set of issues. The second set I think is much more complicated and that is, what if comments and their actions are made outside of the IT environment. And I've seen a lot of and people have kind of given me feedback saying that if that's outside ICANN, then ICANN should never do anything. But I think it's a little bit more difficult because, what if the comments were considered by community

members to be harassing or what if it's a threat to community members?

You can go out on the extreme right and say what if some community member outside of ICANN says that they want to kill everyone of a particular race or religion or gender. That may have happened outside of ICANN but that may also impact people within the ICANN community. ICANN already has some things with contracted parties where if it's in the contract that they've committed a felony or an officer has I think it's not subcontractor remedies. But again, what if we're talking about an issue or statements or actions that are not within the IPM community. And then this is just kind of a sample of issues and it's a very difficult subject. I think Sally's letter explained that it should be taken up by the community to help guide any ICANN actions in the future.

And I think the specific language was, currently there was no community guidance on what actions ICANN could or should take. But again, what if those actions have a significant impact on ICANN's reputation or its ability to accomplish its mission. And that's really the crux of the community discussion. I'm trying to be as objective as I can and not really mention the specific situation, but I think that's in general, what it boils down to. And again, not a very easy subject and the people that have said, well, it's outside of ICANN so ICANN's got no role. They shouldn't be regulating speech. And that is a valid point.

However, you also have to think about the impact on IPN and the impact of other community members that may or may not be impacted by those kinds of statements and our actions and they could be everything from just statements to lots of other more

things like if there's a community member that's convicted of [Inaudible 01:18:46] other people. Is that something ICANN should or could take some sort of preventative action. So, that's in general the issues I think that were raised in Sally's letter and I think it is something that the community should discuss. So, I leave it there. Thanks.

GREG DIBIASE: Thanks, Jeff. Appreciate those updates. Definitely hard questions probably broader than the GNSO, but definitely something that we should be considering, and we'll see how this develops. So, thank you. Moving on I think, Steve, you had another AOB?

STEVE CHAN: I did. Thanks, Greg. Mine is definitely a bit a little bit more of a lighter update and it'll also be very brief. It's just to note that we have a new member on the GNSO support team. She's currently running the Zoom room right now. And you may have seen her on the CCOICI calls already. So, I just wanted to let the council know that we're very happy to have Saewon Lee join the GNSO's support team. And so, feel free to say hi to her. I know it's an unpleasant time for her just like for many of you on this call. So, I won't have her, won't ask her to say anything. But just wanted to let you all know that she is here and ready to start doing some work for you all. Thanks.

GREG DIBIASE: Great. Thank you, Steve and welcome, Saewon.

SAEWON LEE: Thank you.

GREG DIBIASE: Great. I think that is it for any other business. Does anyone have anything else? Any other business to raise? Okay. Well, we are finishing a meeting in record time today for whatever reason. I guess I welcome the efficiency, maybe we need to put more on our plates. Who knows? But thank you all and we will talk soon.

TERRI AGNEW: Thank you, everyone. Good job on the efficiency. Once again, this meeting has been adjourned. I will stop the recordings and disconnect all remaining lines. Take care.

NACHO AMADOZ: Thank you.

JEFF NEUMAN: Bye everyone.

[END OF TRANSCRIPTION]