EN

ICANN Transcription

GNSO Council Meeting

Thursday, 16 May 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/LPi5KW5x9NmrKN00MBTfBckHjXreMoW2X77k8SX-oM8PGRexWXZxsY7WLeX0QLASATkJgwcgSQ8oj9OB.gOZJz_MzECYtGebY

Zoom Recording: https://icann.zoom.us/rec/share/wCk-Zmdzc4TuptOTtI9i11IPGjiXQMvS6s4wzmFshGzSI8mNn-wo8DEtZ5SAiV4.WYIV7BTnbXm6-ygQ?startTime=1715835711000

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page
http://gnso.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 (joined late, after votes) , Osvaldo Novoa (absent), Thomas Rickert, Damon Ashcraft (apologies, proxy to Susan Payne), 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

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.

Everton Rodrigues: ccNSO observer (absent)

Guests: None

ICANN Staff:
David Olive - Senior Vice President, Policy Development Support and Managing Director, ICANN Regional (apologies)
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 Operations Senior Specialist (GNSO)
Terri Agnew - Policy Operations Specialist (GNSO)
Devan Reed - Secretariat Operations Coordinator

TERRI AGNEW: Good morning, good afternoon and good evening, and welcome to the GNSO Council meeting taking place on Thursday, the 16th of May, 2024. Would you please acknowledge your name when I call it? Thank you. 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: Present, Terri. Thanks.

TERRI AGNEW: You're welcome. Greg DiBiase?

GREG DIBIASE: Present.

TERRI AGNEW: Prudence Malinki?

PRUDENCE MALINKI: Present. Thanks, Terri.

TERRI AGNEW: You are welcome. Desiree Milosevic?

DESIREE MILOSEVIC: Present. Thank you.

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

LAWRENCE OLAWALE-ROBERTS: Present. Thank you.

TERRI AGNEW: You are welcome. Mark Datysgeld? I don't see where Mark has joined. We'll continue trying to chase Mark. Damon Ashcraft has sent his apologies and the proxy goes to Susan Payne. Susan Payne?

SUSAN PAYNE: Present. Thanks, Terri.

TERRI AGNEW: You're welcome. Osvaldo Novoa? I don't see where Osvaldo has joined. We'll go ahead and see if we can get him on. Thomas Rickert?

THOMAS RICKERT: Present.

TERRI AGNEW: Wisdom Donkor?

WISDOM DONKOR: Present.

TERRI AGNEW: Stephanie Perrin?

STEPHANIE PERRIN: Present.

TERRI AGNEW: Peter Akinremi?

PETER AKINREMI: Present.

TERRI AGNEW: Tomslin Samme-Nlar?

TOMSLIN SAMME-NLAR: Present.

TERRI AGNEW: Manju Chen?

MANJU CHEN: I'm here. Thank you, Terri.

TERRI AGNEW: You are welcome. Bruna Martins Dos Santos?

BRUNA DOS SANTOS: Also, present. Thanks, Terri.

TERRI AGNEW: You are welcome. Paul McGrady?

PAUL MCGRADY: Present.

TERRI AGNEW: Anne Aikman Scalise?

ANNE AIKMAN SCALISE: Present.

TERRI AGNEW: Jeff Neuman?

JEFF NEUMAN: Present.

TERRI AGNEW: Justine Chew?

JUSTINE CHEW: Present. Thank you, Terri.

TERRI AGNEW: You are welcome. And Everton Rodriguez? And I don't see where Everton has joined. We have no guests joining us today, but from the policy team supporting the GNSO, you have Steve Chan, Julie Hedlund, Caitlin Tubergen, Saewon Lee, Feodora Hamza, John Emery, Barry 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. councilors 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 microphone nor the chat. As a reminder, those who take part in ICANN multi-stakeholder 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, Terri. The agenda just went off the screen. Can we put the agenda back on?

UNKNOWN SPEAKER: One second. Feodora was on screen share and she dropped, so let me grab the agenda.

GREG DIBIASE: Well, I guess I know the next two parts, which is, would anyone like to update their statement of interest? Hearing no one, would anyone like to comment or amend anything on the agenda that has been sent out and updated today? Then I'll go ahead and note that the status, the minutes of the previous Council, the Council meeting have been posted on 3 May 2024, and with that, I think we can go straight into our first item, which is the consent agenda. And I think Nacho is going to help us start with that.

NACHO AMADOZ: Thank you, Greg. This is Nacho. We have two items on the consent agenda, and I see that now the agenda is back on screen. We have the motion to approve. Sorry. I'll start with the first one. The motion to adopt the revised description of role of the GNSO liaison to the GAC. And in the agenda now, we have the job description, I think that's been [inaudible 00:05:00]. And then we have the motion to approve the items for proposed amendment to the cross-community working group and action proceeds, the Recommendation 7, which we also now have a response on the agenda. If I remember well, we don't have to read them. We just have to say, if there are any comments or any proposal to remove them from the consent agenda, but otherwise, we will go straight to the vote. Right, Terri?

TERRI AGNEW: You are absolutely right.   Before we go, are you ready to go ahead and do that? Go to the vote?

NACHO AMADOZ: I am.

TERRI AGNEW: Perfect. We'll go ahead and do that. Before we do, we do have two voting councilors who still have not joined Mark Datysgeld and Osvaldo Novoa, so we'll note that as such.   But for those councilors that are on, let's go ahead and vote. Would anyone like to abstain from this motion, please say, aye. Hearing none, would anyone like to vote against this motion, please say, aye. Hearing none, would all those in favor of the motion, please say Aye.

ALL: Aye.

TERRI AGNEW: Thank you. With no abstentions nor objection, the motion passes. Back to you, Nacho.

NACHO AMADOZ: Sorry, thank you very much. And with this, we move on to the next item. That means back to you, Greg. Thank you.

GREG DIBIASE: Thank you, Nacho. So, the next item is a Council vote on the request for a preliminary issue report for diacritics in Latin script. This is something we've been discussing for a while, trying to figure out a solution to this issue that was raised initially by PointQuébec, but we have subsequently determined that there may be other use cases that may deal with this issue. So, a broader solution is needed. We looked into an option of developing a supplemental recommendation related to the non-adopted SubPro recommendations, but ultimately, councilors expressed procedural concerns with that option, so that route didn't seem viable.

So, instead, there seemed to be rough consensus that the Council wished to pursue an issues report where it can determine whether or not a PDP is needed and we can kind of get all the information that's been floating around nailed down in one place and hopefully make an informed decision on how to go about this issue. I will note that earlier this week, Kurt had proposed additional language in the form of a whereas clause. As proposer of this motion, I adopted that as friendly. I'm not sure the second agreed as well, the seconder agreed as well. Perhaps they did.

NACHO AMADOZ: They did.

GREG DIBIASE: They did, okay. And then I also saw some other potential concerns Manju raised and Manju and Susan had some back and forth. I think that can be resolved in, I guess, a recommendation

EN

that, or I don't know if that needs to be in the motion. So, I'll stop there and ask, I know Anne and Manju had some comments on list and just want to double check that there is not a formal amendment to this motion they would like to raise and we could proceed. I see Manju in the chat saying no need to revise. Susan, your hand is up.

SUSAN PAYNE: Yeah, thanks, Greg. I agree, I don't think we need to revise the motion. If and to the extent that we wanted to revise the request for the issues report, I just wasn't sure whether we need to agree that now before we vote or whether we just can kind of do that afterwards. But maybe just to summarize where Manju had raised a question from her constituency about the use of the term confusingly similar in the request for the issues report. And so, I just responded to her an hour or so ago saying, we actually tending to use the term visually confusingly similar because that's the test that was applied in the 2012 round and in which was affirmed by SubPro. And I think maybe there's a gap in that.

I do think using that phrase, I mean, you couldn't repeat the whole of what SubPro says every time you try and refer to confusingly visually similar, but maybe a footnote that just, the first time that term is used, just that then highlights what the two recommendations are that SubPro affirmed so that people are aware of what we're meaning by visually confusingly similar. I think would probably address the point that Manju made and would seem to work for me if people think that that's acceptable. But that, as I say, would be in the request. It's not in the motion.

GREG DIBIASE: So, I would think we wouldn't need to revise the motion. We can just pass that information along to staff developing the issue report. And I'm sure they would be accommodating, assuming Council is on the same page. Justine.

JUSTINE CHEW: Thanks, Greg. This is Justine. So, I wonder if we might want to consider just adding the word visually in front of confusingly similar in whereas three. That's up to obviously the mover and the second in motion. So, that might resolve some of the concerns that Manju raised.

GREG DIBIASE: I'm certainly happy to accept that as a friendly amendment, if that makes sense to other councilors as well. I see Susan supporting that addition in the chat. Is there anyone that may have a problem? I see a floating thumbs up from Tomslin, which I think is approval as seconder. Okay, great. So, we'll instruct staff to make that change. And then I think we can proceed with reading the resolve clauses and going on to a vote. Does that sound right to staff?

TERRI AGNEW: Yes, it does.

GREG DIBIASE: Great. Okay. And now we'll go down to the resolve clauses. Resolved. 1. The GNSO Council adopts the request for an issue report and directs staff to create the report. 2. The GNSO Council requests that the GNSO liaison to the GAC notifies the GAC secretariat of this request. And I think we can proceed to a vote.

TERRI AGNEW: Thank you. Just to dot all my I's and all my T's, before this vote, Susan, I forgot to ask you how you voted for Damon in the consent agenda. If you could just quickly do that and that way that one's all wrapped up nice and pretty.

SUSAN PAYNE: No worries. I voted, yes, thank you.

TERRI AGNEW: Thank you very much. Okay, so on to the vote we're talking about now. Again, this is going to be a voice vote. So, we'll go ahead and proceed at this time. 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 this motion, please say, aye.

ALL: Aye.

TERRI AGNEW:	Thank you. And councilors holding proxies. So, Susan Payne for Damon Ashcraft.

SUSAN PAYNE:	Aye.

TERRI AGNEW:	Thank you very much. And again, missing from this vote is Mark Datysgeld and Osvaldo Novoa. With that, there were no abstention nor objection. The motion passes. Back to you, Greg.

GREG DIBIASE:	Okay. Thank you, Terri. Thank you, councilors for your patience on that issue. We went around for a while on that one, trying to see if there was another path, but it looks like we have some direction now. Moving on to item 5, which was originally a vote, but has moved to a Council discussion. And this is regarding the deferral of the policy status report request for the expiration policies, which are the EDDP and the ERRP. So, Council has been discussing this for a while.
	The ERRP contained a recommendation that this policy should be reviewed to see if it was implemented as intended. The Council has considered what, well, the Council seems aligned that this policy would benefit from review. There has been discussion that given the numerous things on our agenda, perhaps there were more pressing matters and this could be deferred. The original motion presented a five-year deferral. We heard some concerns

with the five years seemed long from the non-commercial stakeholder group.

So, we changed that to two years. And then recently, Susan articulated some more specific concerns that the IPC had, not about the policy per se, but, or maybe more accurately to say rationale for why a PSR was appropriate at this juncture. So, before I move on, Susan, is there anything you'd like to add? I'd add from the email you sent around to Council. I think it was pretty clear, but I just wanted to double check before moving on to a broader discussion.

SUSAN PAYNE: No. Thanks, Greg. I mean, hopefully it was pretty clear. Obviously, I'm happy to sort of set it out here on the call if people think it would be helpful or if there are any questions. But I mean, I think there was just a general feeling that doing a policy status report itself doesn't necessarily mean more work needs to be done, doesn't necessarily mean there's a problem, but at the same time, it's a step, in order to flush out whether the policy is working as intended and whether there's been any unintended consequences. And so, I think that there's just a sort of reservation about us continuing to defer this in that context. And given that some of my IPC members did highlight some issues that they thought warranted at least flushing out.

GREG DIBIASE: Thanks, Susan. I think that's clear. I guess I just add kind of my two cense as chair and kind of manager of the process. I do want

to note that there is a fair amount on our plate. We did just a couple of seconds ago, vote for another issues report on the diacritics issue. There's going to be a lot of things seeming like they're going to come on our plate from privacy proxy, who is accuracy, the holistic report. So, this is not a registrar position. We haven't discussed it, but just kind of as chair, I did want to note that concern about bandwidth, I think is still very relevant. We also had-- Sorry. Susan, did you want to say--? No? Okay.

SUSAN PAYNE: After you finish, sorry.

GREG DIBIASE: Okay. And then in talking with staff after reading Susan's email, Caitlin, who had worked on the ERP, had some background that might be helpful to share with Council about that ERP. So, I wanted to let Caitlin share because I found it interesting at least, and then we can open it up to a broader discussion.

CAITLIN TUBERGEN: Thank you, Greg. This is Caitlin Tubergen from support staff. As Greg noted a while back, many years ago, I was part of the staff support team that helped implement the expired registration recovery policy. And I also helped facilitate the small team of councilors who looked at the compliance report and wanted to provide just a little bit of context given some of the concerns that were expressed in the message that Susan had forwarded. Particularly when the ERP was implemented or that group was looking at some of the expiration concerns.

At the time, the registration accreditation agreement required registrars to send two notifications to registrants notifying them that a name was about to expire. And there was no prescription as to when those notices were sent. There were no prescriptions as to how. And so, one of the goals of that policy was to make it very clear to customers that their names were going to expire and make it consistent across all registrars that those notices were to be sent one month and approximately one week before expiration.

However, what that group did not set out to do, was to change or make it consistent what happens following the expiration of a name. And that was to recognize that registrars operate different types of business models. And so long as it is transparently communicated to the customer how those names will be treated after expiration, it is perfectly within the policy to allow registrars to transfer the name to a third party so long as they do send those notices prior to expiration. And that was to allow for the aftermarket to continue operating as it was, but also ensuring that work was done on the front end both before the names were to expire and ensuring that it was consistent across all registrars.

The educational effort went into informing customers to keep their contact details up to date so they receive those notices, keep their payment information up to date if they were to be on some sort of auto renew cycle. And the main reason I'm saying that is that some of the concerns expressed in the email regarding how some names are deleted and some are not, that's actually by design. It allows different registrars to operate their businesses based on different business types. And I say that because, if that is what's happening, which as we know, anecdotally, that is what's

happening, the policy, at least in terms of the original goals of the ERRP are being met.

And so, in terms of suggesting a policy status report at this juncture, that might not be the appropriate avenue to deal with those specific concerns because the PSR will likely confirm that that was one of the goals, was to allow flexibility with registered businesses, but of course to ensure there are safeguards prior to the expiration of the name. So, I just wanted to provide that background so that if there are expectations that a PSR could potentially cure that that would not be the case. Thank you, Greg.

GREG DIBIASE: Thanks, Caitlin. I think that's helpful background. I'll go to Susan, then Stephanie.

SUSAN PAYNE: Thanks, Greg. And thanks, Caitlin, that was helpful background. I think what I put my hand up to say, and I think I still think this, is that I do appreciate, and I did mention in my email that, we do appreciate that there's a lot on our plate, but at the same time, if we were to defer this, originally, we were talking about five years, now we're talking about two. If we defer it, then the notion of doing a policy status report doesn't even go into the kind of queue. And so, it doesn't even figure in staff's planning at all.

We then come back to this in two years and we're in the same position again. And so, it just felt that given that we have in our GNSO procedures, this expectation that the kind of operation of policies will be reviewed from time to time, and these policies are

very longstanding and they haven't been reviewed, it just seems like as a matter of good practice, because of the length of time we've been talking about this, it's already been deferred for like a couple of years, and it's still not in the queue. And so, I think that's all I would say is, I do appreciate there's other work and I'd be the first to say that we've got plenty going on, but if we push off even making a decision on asking for a PSR, the resources aren't even, it doesn't even figure in decisions about resourcing.

GREG DIBIASE: Thanks, Susan. And I think that's a good point that if it goes into the queue, we can still have that conversation about prioritization. Stephanie?

STEPHANIE PERRIN: Yes, Stephanie Perrin for the record. I'm just curious, have we ever considered when we are deferring these reviews, have we ever considered doing a call for public comment? Because I'm struck by the fact that we really don't know what the practices are out there in terms of, as Caitlin said, there are different business practices and a month isn't a very long time, at least not to me, I'm rather forgetful. And everybody has a whole mountain of spam.

I can imagine a lot of people actually getting caught on this, but how would we know? So, if we did a call for public comment, not that the individual who gets stuck losing their domain necessarily knows to watch the ICANN public comments, but at least we'd be attempting to get some data on what's happening. Just wondering.

GREG DIBIASE: I'm not aware of that, Stephanie. I still think the place to start
                          would be a policy status report to kind of outline what the issues
                          are, but maybe after looking at that, we could consider something
                          like a public comment, but yeah, I don't know if that, I don't know
                          of a precedent specifically. I see Justine's chat. Could we rework
                          the motion to say that unless they're extenuating circumstances,
                          the request for a PSR will automatically happen in two years? I
                          suppose we could. And how I'm thinking about this at least is,
                          when the deferral ends, the PSR happens.

                          I think we need at least something on the consent agenda to
                          signal to staff, all right, start this, but so let's say, if we have this, if
                          we vote at next meeting on whether to defer and that deferral fails,
                          then I think the immediate next step would be to put on the
                          consent agenda to vote for a PSR and put that on staff's radar.
                          So, I think my proposal would be that to for sure have this vote
                          next meeting on the deferral of two years. And if people vote
                          against the deferral, then we'll put it on the consent agenda to
                          formally put the PSR into staff's queue. Does that sound right to
                          folks? Susan?

SUSAN PAYNE: So, it's a reasonable suggestion. Don't believe I would get the
                          support from my members to vote for that. We do feel that we
                          should be asking for a PSR now. Notwithstanding that we
                          recognize, asking for one now doesn't mean it's happening next
                          week. And so, I think we'd probably, perhaps a compromise, we'd
                          be more likely to support would be something like, we ask for it

now, not to begin any later than, I don't know, six months or something like that. Where, so that something's, properly on the roadmap for some work to be done, but with some flexibility to allow staff to manage their workload.

GREG DIBIASE: So, sorry, Susan, you don't think IPC would be open to a Council vote on this, on whether to defer it?

SUSAN PAYNE: I think if there was, I mean, we clearly have to vote on whether to defer it. What I mean is, had we been voting today, my instructions were to vote no. And I think if what comes back for vote is to defer for two years and at the end of two years, we did the PSR, I think I would still have instructions to vote no, I think we'd see that as too far off.

GREG DIBIASE: Yeah. That's what I'm suggesting. There's a vote, whether to defer for two years or not. If people vote no, then we put that PSR, then the PSR goes into staff's queue. I'm struggling with what the terminology is here, but to start the PSR when feasible. And perhaps we could put something more definite around that.

SUSAN PAYNE: So, I guess what we're asking Council to consider is not to vote to defer it. We would prefer to see a motion that actually was requesting a PSR.

GREG DIBIASE: Sure. Okay. How about this, we'll ask councilors to go back to their constituents between now and June, and then we'll ask for feedback in the interim, and we'll figure out the best way, whether that's a vote for deferral or a vote for the actual PSR in June, based on kind of what feedback is that people get from their constituencies. Does that sound all right, Susan?

SUSAN PAYNE: Yeah. Thank you.

GREG DIBIASE: Great. Any other comments or concerns on item number five? Okay. Moving on to item 6, which is discussion on the GNSO Council Committee for Overseeing and Implementing Continuous Improvement, otherwise known as the CCOICI, and that's this group's pilot survey results, and I think Manju will help lead Council in this discussion.

MANJU CHEN: Yes. Thank you, Greg, and thank you, whoever has put on the slides. Can you all hear me well? I'm not hearing, no, so I guess you can hear me. I'll start with presenting the, so the CCOICI, I know it feels very formal now, but still, it's actually still a pilot, and to decide whether we move this pilot into a formal thing. We decided as CCOICI to do a survey to get a sense of the community whether they think CCOICI is worth continuing, and here I'm going to share with you the results of the survey.

EN

So, the survey, the purpose, as I said, is to evaluate whether we should continue the CCOICI framework and determine whether the objective and scope of the framework is useful and if it is or if it's not, how should it be improved, and of course, we will react to issues identified in the survey, if any. So, in this survey, we had 23 questions in total, 14 multiple choices, and nine open-ended. The survey period was February 1st of 2024 to March 5th, and eight SGs and Cs in total responded to the survey, and you can see from the participants, these are the SGs and Cs who responded to the survey.

So, you can see the average scores of all questions. It's not bad. It's like three out of four on average, and three means agree, if you didn't know what that means. So, mostly, people agree with the questions. For example, whether the objective of the framework is clear, whether it is appropriate, and whether the scope of the framework is clear, so on and so forth.

And questions with the highest score is question 20 and question 22. The first is the use of CCOICI and TF structure. TF stands for task force, which is what the task force used to deal with the issue of SOI, statement of interest. Question 20 is the use of CCOICI and TF, the right mechanism for working on the remaining assignments. This, I think you can see strongly agree one, agree six, neither agree nor disagree as one. So, it's like 75% of agreement and whether the CCOICI and task force structure is fit for purpose, this is also 75% of agreement.

The lowest scores, which is below 75. For example, question 24 with the zero score is like that question that really lowered average for everyone. That one is whether to change the name of

CCOICI. I'm very sorry to our beloved Barry. No one cares about the name of CCOICI. We think it's a good name. And the other kind of questions, for example, is the decision-making methodology of task force is fit for purpose. Mostly, you can see, actually, it focuses on the task force. And as we all remember, I think we all remember it, how the issue dealt with the task force is very controversial.

So, I guess we can definitely review the censors with the grand assault in the sense that we know the result, people were not as happy with the result. And that definitely, although we all try to be neutral, but that definitely kind of affect how they answer the questions. Next slide, please. And these are the results like by questions and all the detailed response from all constituencies and SGs. Of course, I will not force you guys to read these tiny words on screen, and I'm not going to read it either. The slides are in the agenda. So, if you're interested, you can definitely see through all the details for yourself. But I'll move past these detailed answers to, I guess, page 16. And I'll bring you the consolidated summary of the survey.

So, the survey is actually grouped into five sets. The set one is about the CCOICI framework objectives. And according to the answers, all groups at a minimum agree that the framework objectives are clear. And the set two questions actually focusing on the scope of the framework. And same here, all groups within GNSO, at a minimum, they think this framework and scope is clear. And regarding the use of the framework from set three, the groups are rather ambivalent. So, I think it's mostly about structure and decision-making methodologies and focusing on the

decision-making methodologies, which we'll explain later in the next slide. And for the task force, we already saw these sets of-- Can we move back to the slides?

So, set four is the task force from our use. We know from previous presentation that these sets of questions got the lowest scores. And we all kind of remember why it got the lowest scores. And for the set five, which is should we continue to use CCOICI framework in the task force? People agree, but we will explain later too if we really need to continue to use this framework. And CCOICI, we really need some improvement before it is formalized.

The strengths and weakness we have identified from the surveys [Audio break 00:38:51] is working. We think people generalize that the scope of the framework is working. And what is not working? I think most people think the membership structure of the task force should be improved, and also the decision-making methodologies of CCOICI should be improved. And as a matter of fact, there's no actually decision-making methodologies written down within the CCOICI charter. And that's why there's no 16 methodologies. And that's a major point of improvement. We actually identified even before we conducted the survey.

So, Jeff, I see your questions. I can't remember what the membership structure was. So, in terms of task force, I guess it was before my time. When I entered, the task force was already there. But the task force, according to my impression, it was every SG and C can appoint one member to the task force. It's not like the CCOICI, which is limited to the councilors. And the CCOICI is only for councilors. So, each standard groups and

constituency within the GNSO, they will appoint one of their councilors to the CCOICI.

So, these are the major points we identified that should be improved. First, we have to establish a decision-making methodology for the CCOICI, as I have stated. And second, we feel like from the responses of the survey, people are not [Audio break 00:40:49] the differences between CCOICI and the task force, how the membership is different and how the scope of assignments are different. And we will definitely have to clarify that before moving on, or else not only outside, like outsiders or like those who are in CCOICI or the task force will be confused and kind of this confusion can cause us less assured about the results or the assignments of the CCOICI and task force. But also, task force and CCOICI members themselves might be confused.

So, this is definitely one of the major points to improve in the future. And like I said, CCOICI itself is actually still a pilot. And if we need to continue this framework and to continue CCOICI to conduct or undergo any assignments, the charter should be revised and formalized before. And these are the major points. So, next step. The first step has already been done, which is in April, we have reported the survey results of CCOICI. And CCOICI, we have discussed what are our next steps.

In May, we are going to present the results to the Council, which is what I'm doing now. And we hope probably next month we will. I don't know if we need to vote. Probably not. But Council will kind of approve the CCOICI to start reviewing and modifying the CCOICI charter to make the improvements as I pointed earlier.

This charter, hopefully, we will be able to deliver it in October this year. And hopefully, we will be able to approve it. So, by the end of this year, CCOICI will be formalized. These are the next steps of our plans. And I think that's the last slide. And I'll shut up now and I welcome any questions and any suggestions and comments from my fellow CCOICI members. Thank you.

GREG DIBIASE: Thanks, Manju. So, the question before Council today is whether everyone is on board with the CCOICI taking the next step of reviewing the charter. Am I understanding that correctly?

MANJU CHEN: I kind of assume the decision will be made in the next meeting. But of course, if we can agree now, it will be better. I don't have a preference of what time do we agree to this. I think it's an easy decision. So, probably, we can do it now. If there's no procedure problems, I'm not sure.

GREG DIBIASE: Okay. Well, I will do my homework on the procedure. But I guess I'll open it up to any councilors that have broader questions or concerns about the next step. Stephanie?

STEPHANIE PERRIN: Thank you. Stephanie Perrin for the record. I'm all for going ahead as soon as possible. But I'm kind of stumped as to how we're going to get around the kind of impasse we had that made

EN

us all unhappy about the previous experience. The questionnaire, I think, was effective in raising the concerns about decision making. But what's the alternative? Changing the way we vote?

I think there was some discussion that bringing in outside experts might be useful on issues where we need some outside guidance, because it's sort of intrinsic that if you examine yourself, you may not be a complete critic. And this is the kind of work we're doing with this group. So, just wondering, I'm not saying that's not a reason to not go forward. I'm just saying, has anybody got any bright ideas about how we do better next time? Thanks.

GREG DIBIASE: Not bad ideas, but plus one to highlight that concern, and councilors should be thinking about it. Kurt, you're next in the queue.

KURT PRITZ: Yeah, I want to echo Stephanie's concern that the failure to reach consensus within the SOI task force was really a significant failure of the ability of this structure to operate. I'll use the word competently, but there's probably a better word than that. So, clearly not the fault of those that were engaged in the process, but I think some sort of structural issue, like Stephanie said, and you just said, I think it's a difficult problem. And so, I think that rather than in the last slide, the march towards making the CCOICI permanent, this is kind of a feedback loop.

So, we're going to make changes to the charter and the operation of this committee, and then it'll be time to see if those changes are

effective. And so, maybe it's a second pilot rather than the last chance to make any changes, and then going ahead to make the thing permanent, it is a hard problem and so, I think that we do need to meet, those concerned do need to meet and develop some bright ideas and test those out and see whether they work, whether it's on the SOI again or some other problem. But in ICANN land, we map out a timeline, we say we're going to finish here, and then we kind of disregard the results along the way somehow. And so, I think we ought to pay close attention to these results and maybe take a second crack at the pilot to see if our corrective action does the trick. Thanks.

GREG DIBIASE: Thanks, Kurt. Manju?

MANJU CHEN: Thank you, Stephanie and Kurt. I definitely agree with all of your assessments and your observations, and I'm not trying to be defensive of CCOICI, but I personally think it's not a CCOICI issue. It's a Council structure issue. So, fixing CCOICI doesn't fix all the problems you guys have pointed out. Actually, there's another mechanism going on that I think is a better place to deal with this issue, which is the CIPCCG, the Continuous Improvement Program, the cross-community coordination group. And our rep from the Council to that group is Damon.

And so, I think that that CCG, sorry, I'm not able to pronounce the whole name. CCG is actually, it was intended to replace the organization review that has been going on beforehand. And that

is also what is going to probably lead to the holistic review. And it's there where you can review the general structure and how it is working or not. But I think CCOICI has a rather limited scope and objective, and we are dealing only the assignments that has been given us from the Council. And actually, the issues have been passed, it's not only faced by CCOICI, we have seen it before regarding other policy issues either.

So, I don't agree it's an issue, but I'm not sure if it's something to be addressed within CCOICI. Of course, we will definitely try to address it if Council thinks it's our responsibility. We will have to discuss further to kind of carry out what the issues are and whether really it is within scope. But yeah, just brief clarifications. Thank you.

GREG DIBIASE: Thank you, Manju. That all made sense to me. Stephanie, is that an old hand?

STEPHANIE PERRIN: Yes, it is. Sorry.

GREG DIBIASE: No worries. Okay. Thank you, Manju. I think we can proceed with the understanding that so far, we do not have any objections to going forward with the charter, but I'll take that back and see if we need a more formal approval method than simply what's taking place on this call. Moving on to Item 7. Council discussion, Intellectual Property Constituency request for consideration, and

some concerns around how the RFR was dismissed. I think we have Susan to introduce this topic.

SUSAN PAYNE: Yes. Thanks, Greg. Yes, and we have talked about this before. So, I'll try not to spend too much time going kind of back to the beginning again, but just really briefly. This is about the IPC board request for reconsideration, challenging the Board resolution from October last year. And it was about how the auction proceeds Recommendation 7 would be taken forward. And that's the recommendation that we were actually just amending a little earlier.

It's about the disapplication of accountability mechanisms, like the RFR and the IRP, in the context of the grant program. But this, for the avoidance of doubt, this isn't really a challenge or a concern about the grant program. It was about the decision that the disapplication of those accountability mechanisms could be done by terms and conditions, rather than fundamental bylaws change. So, that request for reconsideration was put in at the beginning of April, we got a summary dismissal from the Board accountability mechanisms committee.

And the IPC feels that that dismissal and the decision was problematic on a number of fronts. But most relevant for kind of for us here now, is firstly on in relation to kind of standing, there was a determination effectively that the IPC didn't have standing because it wasn't sufficient, it didn't sufficiently demonstrate that it's adversely affected by the Board's decision. They said that it

merely speculated about possible future adverse effects. And it didn't identify any specific harm to the IPC.

Now, we think that's wrong. There's legislation around the world that envisages concepts of foreseeability and not having to actually wait until you've suffered the harm before you can challenge something. And from my perspective, I find it easiest to think about this in the kind of context of the GNSO. And the GNSO is a member of the Empowered Community. It's identified as a part of the process and a decision maker in changing a fundamental bylaw. But if you purport to change a fundamental bylaw by using a process that cuts out the GNSO, and effectively, therefore, also its constituents and stakeholder groups, then clearly there's a harm there. But it's not about whether someone didn't get awarded an auction grant or not.

This is not a challenge of the auction grant's decisions. It's a challenge of the Board's decision on how it's going to change the bylaws. And then the second concern is about mootness. It's also argued in the decision that this is all moot, because the Board has decided now that they will actually make fundamental bylaws change. But it's still only a proposal to make fundamental bylaws change that hasn't happened yet. And indeed, there's been significant pushback, including from the GNSO on the manner in which that's proposed to be happening.

So, that's not a done deal. And secondly, the October 2023 resolution hasn't been set aside. So, it's still there saying that the Board considers it doesn't need to make fundamental bylaws change and that it can do it by terms and conditions. And then the grant program applicant guidebook includes a purported

contracting out of access to accountability mechanisms. So, the very thing that we were challenging as being impermissible, is in there in the applicant guidebook for the auction proceed grants. So, we don't think it's moot.

In terms of next steps, obviously the RFR has been rejected. The next step would be an IRP, independent review process. And so, the IPC has entered into the precursor to that, which is a cooperative engagement process, which is kind of a discussion and mediation effect, what sort of a mediation and discussion about the issues and to try to narrow the issues and see if they can be resolved. But I think what this whole process has shown is that it's really clear that like constituencies or stakeholder groups will have real difficulty in withstanding the ICANN machine. It's a really expensive process to challenge these kinds of decisions.

We asked if other constituencies and stakeholder groups would be able to join the IPC in bringing that RFR and no one had the finances to do it. Well, there is a process under the bylaws, which was developed as a result of the CCWG on accountability in context of the transition, which is this thing called an Empowered Community IRP. And that's effectively, something that's brought at a kind of higher level than an individual constituency or stakeholder group or whatever. And an Empowered Community IRP is funded by ICANN and that's specifically set out in the bylaws. And I wouldn't, it's certainly not easy. It's a complex process. There are many steps.

It looks like it includes things like an initial mediation phase. But what we're sort of looking for some support for is at least for the GNSO to explore the possibility of taking that kind of step, that

sort of kicking off that Empowered Community IRP process. And that, I think in order to explore that, I think that's something that really, we'd want to be sort of just asking our Council leadership to take forward, because clearly you can't have sort of discussions on the legalities and appropriateness of an action, in a group of this size and in a public meeting like this. There are sorts of issues of privilege and so on that also need to be considered.

And then, just the other thing to flag really is, again, as a sort of precursor to any action, and the Empowered Community has to be made aware of the BAMC decision and explore if that community is materially affected by it. And whilst obviously we in the GNSO are aware about this, that's not to say that the rest of the Empowered Community structural groups necessarily are. And so that's another thing that I think, as a sort of formality that we ought to be doing is to kind of have the GNSO take that step of notifying the other Empowered Community decisional participants so that they are aware of this decision that's been issued and some of the ramifications of it and can consider it properly.

So really welcome to hear views from others here. Clearly, we're not looking here to have some kind of a decision that we should launch an Empowered Community IRP, but really just for kind of support for the idea of this being taken forward and explored further by our leadership team. Thanks.

GREG DIBIASE: Thanks, Susan. I'll open up the queue for questions. I think just speaking of my personal capacity, I also found the argument that the IPC didn't have standing concerning, given that it seems-- So,

they didn't have standing because they were harmed because they didn't submit an application, but the application window wasn't even open yet, right? It almost seemed like an impossibility that they could have, even if they were planning to apply for a grant, you have to submit the RFR within, I think, 30 days, right? So yeah, that part of denying standing because there wasn't actual harm was curious to me and raised a bunch of concerns for me as well. Yeah. Regarding the bigger steps, I'll defer to councilor's opinion, but at least personally speaking, I think it's something worth looking into. Anne?

ANNE AIKMAN SCALESE: Yeah. Thanks, Greg. It's Anne for the record and not speaking as a member of the IPC, but just as generally in the NomCom non-voting role. Yeah, I too am very concerned about the standing issue as it was addressed in the summary dismissal. Because it kind of seems as though it would provide a precedent that none of our SGs or constituencies would end up having standing to object to this kind of decision or action.

And what's concerning is if they've proceeded to include the contract language that was the alternative that was adopted in the resolution in Hamburg. That language is in the grant program now. And so, one possibility is that the Board might move forward to do nothing, not even to have the narrow amendment that was previously adopted and to only try to cover things by contract, which is concerning, but in a much more general way and in terms of garnering support from other SGs and constituencies.

Again, it's this standing issue that I don't think as a community that we should let rest with that type of summary dismissal, because it is so fundamental to how the multi-stakeholder model works, that we should be concerned about how final recommendations are adopted and then not just thrown out after they're adopted. And so, I think that all constituencies and stakeholder groups should be concerned about that issue of standing and should find a way to support this effort. I don't know what the deadline is for making that determination. And I don't know, maybe Susan can help on that.

GREG DIBIASE: I see Tomslin, then Kurt.

TOMSLIN SAMME-NLAR: Thanks. I just had a question regarding the next steps, really, if there was support, for example, just to understand what constituencies and SGs should be supporting. That wasn't clear to me from Susan's presentation, so I just wanted to take that clarity.

GREG DIBIASE: I mean, I don't have a clear idea. I think that's something we need to look into. Susan, I see your hand. If you know the answer, but I'm assuming the answer is we're going to have to look into it.

EN

SUSAN PAYNE: Yeah. I mean, I would say both in terms of the timing and the next steps, I don't want to profess to be an expert or to have all the answers here, and I wouldn't want to mislead people. I know that for a regular IRP, there is a timing that runs for 120 days from when the claimant in question becomes aware or should have become aware of being materially affected by the decision.

And so, there's a sort of a bit of a kind of legal argument about when you should have become aware, when you're actually aware. I mean, you obviously become actually aware but aware of also being harmed by the decision. That's one of the reasons why, in the context of the Empowered Community process, I was suggesting that there's a question about whether the Empowered Community, the participants are all even aware of this decision and therefore are they even in a position to be bringing an IRP because they're not even aware of the decision yet.

So, it's definitely a legal question and there's a real argument that I think quite often is an argument about exactly when time starts to run, but there's a 120-day time limit. So, if one looks at when the decision was made, there's a sort of four-month period from that arguably. And in terms of next steps, I think a useful next step might be, for example, for as I say, for Council leadership to sort of look into this more. The IPC did have some legal advisors who assisted us with the RFR, and I believe that they'd be willing to talk to Greg and Nacho and Tomslin, for example, and they're obviously much more aware of all the procedural processes.

I would say just from my own attempt to read the procedure for bringing an Empowered Community IRP, it's not terribly clear in the bylaws. It's very complex. It's sometimes quite hard to work

out how the different timings work because it's not quite the same procedure as a normal IRP. That's one of the reasons why we're sort of suggesting it's looked into rather than coming to you all and saying you guys need to launch a community IRP because I think it's a complex issue that needs some thinking about.

GREG DIBIASE: Thanks, Susan. Yeah, sorry for the very difficult question. I guess before going to Kurt, I think that's another, I guess, thing to consider when we're talking about the Empowered Community is like this is a muscle that hasn't been flexed yet, so there's so much that's not defined and it maybe it's worthwhile as an exercise to try to figure out what are the rules here and how could we proceed if we wanted to. Kurt.

KURT PRITZ: I think the muscle that has not yet been flexed is just an excellent metaphor, and I'm going to put that in my toolbox. Reading the RFR, I gained an appreciation for how close an issue that standing was. The majority of the write-up was about standing rather than the violation itself, and I had a real appreciation for the elegance with which the RFR was put together. And recognizing that it's a close issue, even if the Board came down on the side of it that they did, I thought the response was kind of tone-deaf because a constituency such as the IPC or any of our stakeholder groups wouldn't undertake writing a request for consideration lightly. It's a significant step, and the response could have recognized that and gone on to say actions that the Board is in fact taking to repair what it's done.

EN

And I guess given that, I'm agreeing with many people here that what's the effectiveness or efficacy of the RFR if this relatively lightweight mechanism can't be employed to bring issues to the Board. And maybe the answer isn't an Empowered Community IRP, but rather some sort of community looking to the RFR as a tool available to us and whether it can ever be effective.

GREG DIBIASE: Thanks, Kurt. Jeff?

JEFF NEUMAN: Yeah. And I was debating whether to say something, but I certainly have, as some of you, a lot of experience in ICANN's accountability mechanisms, and the way to handle this, I have to agree with the last thing that Kurt said. Once you get into the IRP process, ICANN buckles down, hands it off to their outside counsel, and you really get a nasty litigation fight. It ceases to then discuss any issues.

And I think the only effective way to deal with this, especially because the substance is being worked out separately, is have a discussion on the accountability mechanisms outside of an IRP. Otherwise, you're talking about years of litigation, outside counsel, and no progress. So, for what it's worth, take this outside the accountability mechanism and have the discussion so that we can have a civilized conversation with ICANN, the ICANN Board, and it doesn't just get thrown over to legal and outside counsel. Thanks.

GREG DIBIASE: Jeff, when you say IRP, the ones you're referencing, is it possible that one initiated by the Empowered Community would have a different result just based on that this is coming from a broader group of people? And I think maybe there's, I don't know. Could the facts be different there? I agree with you, this should happen, but how can we make that discussion happen?

JEFF NEUMAN: Yeah, I mean, we could talk to some former ICANN Board members, but I'm sure they would tell you that once anything is an IRP and you're challenging whether the Board has violated its bylaws, it becomes a whole new ballgame, regardless of who's making the accusations. And I've never found anything productive gets handled through an IRP, except an ultimate decision at the end, which, again, ICANN views as non-binding anyway.

So, I would strongly suggest figuring out a way to handle this through discussions and not through the accountability mechanisms, just because of ICANN's, the way they handle IRPs. Could it be different with Empowered Community? Yeah. Do I think it will be? No.

GREG DIBIASE: Let's see. Stephanie's very pertinent question. What was the point of establishing the Empowered Community then? I don't know. So, really interesting. Thank you, Susan, for sharing. I think leadership will take a closer look at this. I can't, I guess, commit, especially to my co-chairs, for how much bandwidth or

how deeply we can consider, but at least personally we will take a look at this and any further feedback from councilors is encouraged. But I definitely think it might be worthwhile to keep this conversation going.

SUSAN PAYNE: Thanks, Greg.

GREG DIBIASE: Yeah. Any other comments or questions on this item, for the time being, at least? Okay. Oh, Stephanie.

STEPHANIE PERRIN: Anne just raised a point about the document that Paul linked. Much earlier, we discussed having a discussion over this issue, which, that would be nice if it worked, but seeing as how they're playing hardball in the rejection, claiming no standing, doesn't sound like a discussion would work. But if mediation is required, perhaps that would have an impact. Anyway, we should definitely not drop this.

GREG DIBIASE: Interesting point, Stephanie. Thank you. Thomas?

STEPHANIE PERRIN: Anne raised it, not me.

GREG DIBIASE: Thank you, Anne.

THOMAS RICKERT: Thanks, Greg. Hi, everybody. Yeah. I think one factor that we should probably keep in mind is if we consider to assess this, I'm not saying to proceed with it, we need to line up outside council ourselves. For this process, ICANN would put up the cost for the law firm. But I think we would be forced sort of to work with law firms that are willing to wait for ICANN to pay their bills, so that the community doesn't have to come up with a retainer for the law firm, which would, I guess, be very challenging for the various groups in the GNSO.

So, I think that in parallel with making the decision whether or not to proceed, I think it would be wise to reach out to law firms that would be volunteering to work on this matter, and that would not ask for upfront money so that we-- This plays into the whole strategic thing. Because I'm not saying that there's any intention on the side of the Board to sit this out and hope that we're missing the deadline, but I think we should show that we are taking all the preparatory steps required in order to make this happen if need be. And that might incentivize ICANN further to come up with an amicable solution outside the accountability mechanisms that we have at hand.

GREG DIBIASE: Interesting. Thank you, Thomas. Paul.

PAUL MCGRADY: Thanks, Greg. Paul McGrady here. So, I guess that exploring the community, our community IRP sounds fine to me. I think we're looking into the deepest crevices of ICANN for that, right? Because it's not like anybody's ever used it. But in the meantime, I wonder if there's something practical that the Council could do for the IPC during these discussions.   And specifically, I remember in our communication to the Board, we really encourage them not to come up with a formalistic, legal resolution to the IPC's request for reconsideration, but instead to really engage in a dialogue and reach a resolution.

And the Board kind of did that, but it feels like they didn't because they left the language in the application process, right, for the grant folks. But they did reach a formalistic resolution by saying that the IPC did not have standing, right? And that to me is like they're doubling down on the mistake path here, right? And so, I'm wondering if it might be helpful, and maybe Susan could circulate something, but maybe a letter from Council saying to the Board like, hey, Board we really asked you guys not to come up with a formalistic legal reason to dismiss this. The non-standing is exactly that. And now you've really stuck your foot in it.

Everybody thinks they have standing.   That's why we're here, right?   And encourage the Board to withdraw that part of their decision and then let the IPC carry on the substance of the matter. Just a thought, just a suggestion. I know it's super late here so maybe this sounds like gibberish to everybody listening to it. But I'm wondering if there's something lightweight we could do now that would give the IPC a little support right now at the time that they need it.

And I'm not hearing anybody saying that they sure hope their constituency or stakeholder group doesn't have standing. If push ever comes to shove, I think it sounds like more like the opposite. We're all really surprised the Board did this. Thanks.

GREG DIBIASE: Thanks, Paul. And yeah, I'm going to skip ahead to one of the items I had in AOB. We actually have an informal meeting with I think it's Becky and Chris, maybe others on the Board, Monday morning at 13 UTC and an AOB I was going to suggest topics, this being one of them. So, it may be worthwhile to start the conversation there. If councilors think that makes sense. So, you not only made sense, you pre-empted my AOB. Great.

Okay. Thanks everyone for that. I think this is really interesting and worthwhile conversation. But for now, let's move on to Item 8, Council Discussion Review of the Action Decision Radar. If you recall, we did an exercise in our last ICANN meeting where we went through what was on the project management tool. We prepared similar slides for the action decision radar but ran out of time. And so, we wanted to get back to that, especially in light of some of the conversations we've been having around bandwidth with respect to the expiration policies as one example. So, I think Tomslin is going to help us run through these slides to just refresh Council on what is on our action decision radar.

TOMSLIN SAMME-NLAR: Yes, certainly. Thanks, Greg. And just before we look at the slide, can we have the actual action ADR put up so that we just

have a view of how it is? And though I'll use the slides because I think that's much more helpful to absorb the content, but I just thought I would just share that first. But again, like Greg said, this is something we agreed to carefully review before or prior to the next AGM, the action decision rather, and it is part of the PMT tool that is sent out every month.

So, I'm guessing everyone has seen this already and is familiar with it. We can now move to the slide. Thank you. So other slides are coming up. The idea is designed to show the Council what is potentially on the horizon in the next 12 months. And like Greg said, it's even more critical now as we've been talking about prioritization a lot in the last two meetings. So, we will take a look at the current projects on the ADR and we'll see what we can prioritize or how things are looking on our list or on our table.

And at the end of today, I think we will make some determinations, one being what the Council action will be for some of the things that we discussed, especially if the items do not have a clear or obvious action for us. And then the second will be to discuss implications of expected Council actions. Then another is to determine whether we have enough resources to take on certain additional work, especially how we've looked at-- Well, today we just agreed to finish the request for study on the Latin diacritics and that could lead to a potential PDP. So, we have to look at what the resource requirements are for that.

So, let's jump in to the zero-to-one-month items that are on our list. So, we have four items in the zero to one month starting today. And we've already discussed the issues report on the IDN

Latin diacritics. As you can see, that was an unplanned work, wasn't on the ADR before, but now has come on. Well, before I move on to the next, I just wanted to mention that the ownership for this one is still sitting with both ICANN org and Council. And where we are is ICANN org-- Rather we now have voted to request for that issue report.

And so, the ownership temporarily, I suppose, will be moving to ICANN org to start working on that. And this might move on to, depending on when that issue report will come, I'm guessing this will at a lower point in our ADL where we'll be expecting the report and expected to consider it.

The next one in our zero to one month is the EPDP on temporary specification on gTLD registration data phase 1. And I think we have a slide for that. If we can just go to the next slide. Yes, that is, I believe the one, urgent request. Yeah. So, where the owner of this one sits with the Council, well, with the Board rather. And the Board had expressed concerns with the first 1 REC 18, specifically around a separate timeline for the disclosure of registration data for urgent requests. And they've committed to providing us in writing those concerns.

The decision point will be Council to review that Board communication when it comes through and we determine what the next steps are. So, we expect that within the zero-to-three-month period. The next slide, please. No next, not previous, sorry. Oh, I don't think I have a slide for the next one then. I think that was the expression policy, which we've discussed already. Yeah, I don't have a slide for that one. That's currently sitting with the Council. And I guess we've discussed today how we're proceeding with

EN

next steps. And next meeting, we will consider whether we're looking at deferring or requesting for that policy review.

All right. So, moving on to the one-to-three-month period then. We have the holistic review pilot where the owner is sitting with ICANN org. If we can just move to the next slide. I think I have a slide for that. Yes. And where we are at, Council is monitoring for that initiation of that pilot, and we would have to direct the SOC to select representatives for that.

The next one is, I believe, an operational one, which was up here, and that was the preparation of planning for ICANN80. And then, we also have the response to the GAC advice after ICANN80, or at ICANN80. And then, we do have the SOC launching the expression of interest for the GNSO Council to listen to the GAC, and we would have to confirm that as well, as part of the work we have in that period. And the ownership of that sits with us, well, we are sending that to the SOC, but we have to confirm that, the appointment rather.

The next, I think I have a slide for the SPIRT task that we have. Just the next slide, please. Yes. Ownership of the SPIRT implementation team sits with the drafting team/the Council. I think Council to receive the draft charter for the SPIRT as part of the SOP implementation for consideration. That's where we are, and as a decision point, we will approve that charter.

The next is the FY26-FY35 year strategic planning, and I think, while that is owned by ICANN org, we need to, GNSO and the Council need to determine whether we need to provide a comment for when that is released, and so we might need to

review it. We will need to review it rather, and then decide whether we need to comment on that.

Next slide, please. All right. I think I don't have a slide for the next items that I had in the one to three months. If you could just go on that, back to that slide. Yeah, we do have the delivery of the PDP on transfer policy review initial report for public comment coming up as well within that period. And we also have the registration data accuracy. I think on that, the Council will have to deliberate the extension that has been provided in February on those to see if there's this kind of-- That was already discussed as part of the project list in Puerto Rico, I believe.

So, the three to six months, things we have on the list in the three to six months, we have the EPDP on IDN Phase 2, and the ownership benefits for the Council. I think I have a slide for the EPDP on IDN Phase 2, yes. And where we are, Phase 2, the initial report is currently out for public comment, and Council needs to consider the final report. The final report is also on the ADR at a later period as well.

So, if we go to the next slide, we have the community consultation on the operational design phase as well. This one still sits with ICANN org, but the Council to consider if the final report published for comment of the two-phase review of the ODP. So, as a decision point, the Council will have to determine if comment is needed or not. Then, I think we also have to review and develop a response to, well, I think I already mentioned, the GAC 80 advice, yes. But next slide, I think is the RPM Phase 2.

I think this one will sit with the Council as the owner, and the Council will consider Council consideration of RPM PDP Phase 2charter referral. And the decision point will be Council to consider the charter of a review of the UDRP and confirm its target of the PDP. I think this was also mentioned as one of the things that might conflict with the RFR as well.

Another thing we have on our plate for that period is to consider next steps regarding DNS abuse for gTLDs. I think with the RA and RAA amendment in place, the Council will need to consider what data might need to be collected as well. So, that's something that is pending in that period. And then, the Council will also have to consider the annual report from the GNSO liaison to the GAC within that one-to-three-month period as well. And then, finally, in that period, we have to select a new GNSO Council chair.

So, we can move to the sixth to nine months. Thank you. What we have here for that period is on the ICANN life cycle of reviews project, where I think this one still fits with ICANN org, but Council will need to consider comments on the life cycle of reviews thought paper, which culminates into a draft revision of the operating standards of specific reviews.

Then on the ICANN Council to review response of ICANN81 GAC advice, that will also be on our plate then. And then, we also have the selection of a representative to the Empowered Community at that time. And we will also need to reset the ADR for the new Council year and look at the Continuous Improvement Program across community group as well. I think the Council will need to consider comments on that framework around November 2024.

And then with ATRT4, Council will have to pass the SSC to select candidates for the review team, for that review team. And then, finally, the Council will look at the FY26 operating plan and budget around the time. We'll determine if comment is needed as well. So, those are the things we have within our range for the 12 months, but there are some things that are out of range as well.

If you could just go to the last slide, I believe. One more. I think one more, please. Yes. So, we have three items that are out of range. Implementation of ATRT3. Then we have the security, stability and resilience review, too, as well. We will have to determine what the appropriate steps are once the recommendations-- Once those are implemented, we'll have to monitor if there are any appropriate next steps for the Council on that. And then, obviously, the evolution of the multi-stakeholder model, we are also in monitoring mode for this to see if there is anything that could come up for the Council as well.

So, that is how our ADR looks like for the next 12 months. I'll open it for any comments or input and a discussion before we move to the next item on our agenda. Thanks.

GREG DIBIASE: Are there any questions or comments on the ADR? Jeff?

JEFF NUEMAN: Yeah, sorry. Okay. You posted the link. I didn't see anything on the IRT for IGOs. And I know the Board-- That was supposed to be something staff was starting to implement already. Do you know about that?

TOMSLIN SAMME-NLAR: Just double-checking if I skipped it. I think I had something like that.

GREG DIBIASE: So, that's in the IRT stage, right? That's technically off of Council's plate, even though we've been pinging--

JEFF NEUMAN: Well, the Council will appoint a liaison, right?

GREG DIBIASE: Right.

TOMSLIN SAMME-NLAR: Yeah. I don't know if Barry could comment on that. I don't see it on my list. And I see Barry's comment in the chat that there has not been a CFD for the IRT.

GREG DIBIASE: Okay. So, Jeff, you're just saying that once that IRT starts, Council will have to appoint a liaison, and that should be potentially on the ADR?

JEFF NEUMAN: Yeah, yeah.

GREG DIBIASE: Yeah. Noted.

TOMSLIN SAMME-NLAR: All right. Thanks, Greg. I think I'll hand it over back to you.

GREG DIBIASE: Okay. Thanks, Tomslin. We're running a little behind. I think I can cover this aspirational statement very quickly. Basically, this is something that came out of SBS. It was an idea we had to develop an aspirational, non-binding statement to reflect that councilors would not seek to undo bottom-up, consensus-driven outcomes of GNSO working groups.

We have sent out a couple rounds of text in the last two times. There were a lot of edits which were encouraged, but kind of made the statement so unwieldy it didn't seem practical to send those back to stakeholder groups. Staff and leadership tried to take the feedback we've got thus far and incorporate it perhaps a little more efficiently, and we've sent that draft out. We haven't received comments yet, but we'd like councilors to look at it.

If councilors have detailed edits, which may well be the case, I think we may designate this as an idea that was well-intentioned but might not work out. So, I encourage councilors to look at this. If we can get it in a spot where it's acceptable, then we can bring it to a vote in the next couple of meetings. If people still have comments and want to change the language dramatically, then maybe it's an effort we should table. So, I'll stop there. Stephanie.

STEPHANIE PERRIN: Stephanie for the record. I just think in the context of what the Board is doing in terms of the no standing decision, anything that makes our accountability mechanisms look wobbly, and frankly, any aspirational statement is an admission that the decision-making is wobbly, I think we should knock it on the head soon. I hate to be brutal to those who had the best intentions in doing this, but quite frankly, if I were a journalist picking apart ICANN, I'd love to see this on top of the Board saying, yeah, we'll kill whatever you guys don't like. Thank you.

GREG DIBIASE: I'm not sure I followed that, Stephanie, but if you have comments you can add to the draft, I think that'd be helpful. Sorry, it's late here, so I might just not be understanding. Any other comments before we move on to AOB? Okay. Let's move on to AOB. So, first, we have an update on ICANN80 planning and the GNSO draft schedule and prep week schedule. I think, Terri, are you speaking to that?

TERRI AGNEW: I am. Thank you, Greg. I'll be quick. So, the ICANN80 prep week schedule is now out, and as you can see, it's linked on the agenda. It's also on the ICANN80 schedule itself. So, we encourage you to take a look at these sessions, download them to your calendar. It's always helpful to have that. As a reminder, the main schedule will be available on the scheduler starting on the 20th of May.

Some items of note for ICANN80 and the Council. Tuesday's GNSO informal Council session is a closed session. This meeting is for GNSO councilors and leaders of the stakeholder groups and constituencies only. Tomslin has very kindly offered to sponsor the GNSO Council dinner. An email was sent yesterday for some, earlier for others, depending on your day, was sent to councilors only, GNSO councilors only, with information, and a response is needed. If you could please take a look at that email and respond, we would appreciate it.

Just a quick note. Funded travelers' hotel confirmations are still in the works. Please be patient, and they'll be sent out about one to two weeks prior to your travel via email. If you have any questions, the schedule, the ICANN80 tentative schedule for GNSO is on screen. If you have any questions, please feel free to reach out to us. Greg, back to you.

GREG DIBIASE: Great. And 10.2, I think we might, we were going to skip this. It was going to be Desiree, but she's feeling under the weather. Sorry, Jeff, did you have a question?

JEFF NEUMAN: Yeah, for the GAC liaison. I know we approved the description. That's great, but if you could come out with an email just describing the exact timeline and when the steps are going to take place. Again, I'd like as much transition time as we can afford, and we're getting pretty close already. Thanks.

GREG DIBIASE: Okay. Noted. Thank you, Jeff. Okay. Then we have SBS action items. I think that is also staff. Steve?

STEVE CHAN: Thanks, Greg. Before we do that, with the time winding down, I would actually maybe suggest going to 10.7 first, and then we'll work through what's the times available. Thanks.

GREG DIBIASE: Yeah. So, at 10.7, as noted, we have an informal meeting with the ICANN Board. We have come up with a couple of topics. Steve, do you have those to put on the screen?

STEVE CHAN: One second, I can share the link with Feodora.

FEODORA HAMZA: Sorry, Steve, I haven't received anything.

GREG DIBIASE: Okay. So, I can read them in the meantime. Topic one was an update on the GNSO approved final recommendations and what the next steps were with the ICANN Board. So that's the IDN EPDP phase 1 final report and the GNSO guidance process on applicant support final report. So, a question on where the Board was with those recommendations.

Item two was next steps for the proposed bylaws amendment in respect of Recommendation 7 from the CCWG on new auction proceeds. And so, if you recall, the GNSO commented that the last proposed bylaw was inappropriately broad and that seemed to be shared by the community. So, I think our question there would be whether the Board is going to propose a new bylaw amendment that might more closely follow the language of Recommendation 7.

We had a question on urgent requests. If there was an update on urgent requests, the Board said that they were going to provide us some information about their concerns with urgent requests as related to the EPDP on the temp spec for gTLD registration data. As we discussed the issue regarding the RFR, the IPC RFR and the dismissal based on standing, our concerns there.

And then finally, we have a request for Board liaisons to the transfer policy review PDP as that is coming into a critical stage. And as we've talked about in our conversations regarding Board readiness, we really want to get ahead of any potential concerns the Board may have with that PDP. So that's what we have so far. So, I'll stop there and open it up for comments on whether these seem right or there are other topics we should consider. Susan.

SUSAN PAYNE: Thanks, Greg. So that's quite a long list already, but I do wonder in number one whether we just also flag that the IGO collective issue is still very much sitting and waiting implementation.

GREG DIBIASE: I would not object to that. Anne?

ANNE AIKMAN SCALESE: Thanks, Greg. It's Anne.   I'm just wondering if the order of discussion should be changed so that number four moves to number three because of the relationship between number two and number four, because they can tend to kind of run together.

GREG DIBIASE: I think I see Jennifer saying something similar in the chat. So, yeah, that makes sense to me. Okay. All right. If councilors think of other topics in the interim, feel free to send to leadership or enlist and we will be coordinating with the Board before the call on Monday. Do we have the invitation for the webinar? I think you should have the invitation for the webinar, and I would say it's mandatory and strongly encouraged for all councilors. Okay. It was sent out on April 26th, the Council mailing list.

Can we turn back to the agenda? Real quickly noting on privacy and proxy services accreditation implementation review team, a call for volunteers for the IRT will be sent out this week. This is something we discussed in Council, the critical nature of getting this restarted. But to note, this is a traditional IRT in that the group is tasked with implementing the recommendations. The group will be considering preliminary questions on the status of the work, whether the IRT can proceed with the recommendations as written or if part or all needs to go back to Council and the IRT liaison will bring back their conclusions for us to consider. So, just noting that that is imminent.

We received a letter from the Transfer Policy Working Group from Roger Carney as chair. I'd really like to highlight his concern regarding participation that there's been pretty consistent representation from registrars and registries. However, other stakeholder groups participation has dropped off.

I'd like to stress to councilors that this work is in a really critical stage and representation and being able to flag issues that may be of concern to a constituency while the work is going on as opposed to once it's in public comment period or later, I think is really important. So, please take that message back to your constituencies. And as I alluded to in the point on the meeting with the Board, we also have a request to for the Board to appoint a liaison to the transfer policy and we'll raise that with the Board as well.

I'll stop real fast and see if anyone has questions or comments on the transfer policy. No. Great. On 10.6, I'll note the pre-ICANN80 GNSO policy webinar is on May 21st at 2100 UTC. Note that GNSO councilors attendance is absolutely mandatory. I want to underline this and put an exclamation mark after it. So, please mark this on your calendars and attend to make this session worthwhile. And I think we've already touched upon the meeting with the Board. So, staff, unless I'm missing something, I think that brings us to the end of our agenda. Steve?

STEVE CHAN: Thanks, Greg. You skipped 10.3, but I don't think there's enough time. I don't think three minutes is enough to cover two items. So,

EN

I think from our perspective, it's fine to defer that to the next meeting. Thanks.

GREG DIBIASE: So, I'll pretend like I did it on purpose then. Great. All right, everybody. Thank you for all the contributions this week. And we have a lot to think about going into ICANN80. I wish safe travels to everyone traveling to Rwanda.   And I look forward to seeing people in person. Thanks all.

TERRI AGNEW: Thank you all. As you heard, the meeting has been adjourned. I will stop the recordings and disconnect all remaining lines. Take care.

[END OF TRANSCRIPTION]