Revised GNSO Working Group Charter Template

Version Date: 25 April 2023

WG Name:	Registration Data Request Service (RDRS) Standing Committee to help inform the next steps on the SSAD policy recommendations	
Section I: Working Group Identification		
Chartering Organization(s):	Generic Names Supporting Organization (GNSO) Council	
Charter Approval Date:	<Enter Approval Date>	
Name of WG Leadership:	<Enter Elected WG Leadership)>	
Name(s) of Appointed Liaison(s):	<Enter Liaison>	
WG Workspace URL:	<Enter Active Project URL from GNSO Site>	
WG Mailing List:	<Enter Mailman archive link>	
GNSO Council Resolution:	**Title:**	<Enter Resolution Title>
	Ref # & Link:	<Enter Resolution link>
Important Document Links:	●	
Section II: Mission, Purpose, and Deliverables		
Mission & Scope:		

On 3 December 2021, Philippe Fouquart shared an [update](#) on the GNSO Council mailing list, noting that the SSAD Operational Design Phase (ODP) Team was in the process of finalizing its analysis,

including work related to the SSAD Cost Model. As such, and in connection with the Council's request for a consultation[1] with the ICANN Board related to concerns around financial sustainability, the next phase of that consultation was to be scheduled in January 2022.

Ahead of the January consultation, an update session for the Council and GNSO-appointed EPDP Team members was scheduled for 20 December 2021, focusing on the SSAD Cost Model information. During that meeting, the Council, GNSO-appointed EPDP Team members, and GDPR Board Caucus members discussed the findings from the Operational Design Assessment (presentation) and the implications on the viability of the SSAD. On 4 January 2022, Philippe Fouquart shared a summary paper capturing the different ideas and suggestions that were made during that meeting. The Council scheduled a follow-on call on Wednesday 12 January 2022 to determine if there was convergence within the Council on possible next steps (see recording, presentation as well as follow up email sent on 17th January 2022 with an updated SSAD ODP Next Steps document). While the Council received an early update, a general webinar on the SSAD ODP was held on 18 January 2022.

During its meeting on 20 January, the Council further considered procedural options (see slides), as well as the proposed approach for analyzing the Operational Design Assessment (ODA) which is seen as an essential step before making a determination about next steps. The Council considered a small team of Council members with the support of EPDP Team representatives to be best positioned to analyze the ODA and provide guidance to the Council on possible next steps.

The Council met with the ICANN Board on 27 January (see recording) as the next step in its consultation related to concerns around financial sustainability of the SSAD. In advance of that meeting, the ICANN Board sent the GNSO Council a letter outlining some of its concerns as well as questions it hoped to receive input on from the Council.

At the request of Council, the small team considered the ODA and whether it had correctly interpreted the intent of the SSAD recommendations as well as provided its views on the concerns identified by the ICANN Board and potential options that could be considered. This resulted in a preliminary report to the GNSO Council, which was supported by the GNSO Council. The small team also developed an addendum where it recommended and outlined a "proof of concept" approach to gather further data to help inform a decision on if/how to proceed with the SSAD recommendations. Following the Council's support for this approach and request to the ICANN Board to proceed in this way, the ICANN Board directed ICANN org on 27 February to "proceed to develop and launch the System as soon as possible". The ICANN Board also "directed ICANN org to continue to engage with the Phase 2 Small Team throughout the development and operation of the System, and ensure periodic publication of the collected usage data, once operational". On the recommendation of the small team, the Council submitted to the ICANN Board the proposed RDRS success criteria on 1 June 2023.

The Council also requested the small team to consider "the approach and format through which, following implementation of the system, data should be reviewed and analyzed to help inform subsequent decisions on how to proceed with the SSAD recommendations". The small team has put forward this charter for an RDRS Standing Committee to help inform the next steps on the SSAD policy recommendations for the Council's consideration.

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[1] See p. 4 of the GNSO Council Recommendations Report to the ICANN Board - Regarding Adoption of the Final Recommendations from the Expedited Policy Development Process on the Temporary Specification for gTLD Registration Data Phase 2.

Scope

The Standing Committee is tasked to review the data that will be produced by ICANN org on a monthly basis following the launch of the RDRS (see data points outlined here). The Scoping Team is expected to analyze the data and consider:

Assignment #1.   Trends that can be identified over a month-by-month period;

Assignment #2.   Possible technical updates* that should be considered to RDRS and/or related messaging and promotion (recognizing that the RDRS will only be running for a two-year period and limited resources may be available to implement such updates);

Assignment #3.   Specific lessons learned that should be factored into the consideration of how to proceed with the SSAD recommendations;

Assignment #4.   Suggestions to the Council for a proposed recommendation(s) to the ICANN Board in relation to the consideration of the SSAD recommendations**.

Although the monthly data reports are expected to be made available to the Council, it is not the expectation that the Standing Committee will provide a monthly analysis of this data to the Council as it may be necessary to review the data over a longer time period before certain conclusions can be drawn. As noted in the small team's addendum: "Any conclusions and/or recommendations stemming from this review, would be provided to the GNSO Council for a decision on further steps. Although the reports are expected to be provided on a monthly basis, in line with the preliminary report, the small team anticipates that any conclusions and/or recommendations in relation to the SSAD recommendations would only be developed after 6-month intervals, up to a maximum of two years, at which point a decision has to be taken on how to proceed (if a decision has not been made before that time). To be clear, although further enhancements may be considered by ICANN org based on the actual experience with the Whois Disclosure System once it is operational, it is not the intent or objective of the 6-month intervals to focus on technical enhancements for the Whois Disclosure System".

*Any requests to ICANN org for substantial updates requiring significant resources need to be reviewed and approved by the GNSO Council. If there is disagreement between the Standing Committee and ICANN org in relation to the technical updates requested, the Council liaison is expected to mediate, and escalate to the GNSO Council as deemed necessary.

** As noted in the small team's preliminary report: "As part of the checkpoint review, it would also be discussed what happens with the SSAD proof of concept once the 2-year period ends. The small team noted that it would not be prudent to decide this at the outset as it will depend on the take up and use of the SSAD proof of concept. However, while decisions are taken and/or until a replacement solution is agreed, the small team can envision maintaining the proof of concept tool online, in existing or modified format, if it is proven useful enough, noting that there will be cost implications associated with such a decision. The small team does expect that before the 2-year period ends clarity is provided on the expected next steps in relation to the EPDP Phase 2 SSAD Recommendations which could include: 1) Approval of EPDP Phase 2 SSAD recommendations (in current or modified format) which would replace the SSAD proof of concept; 2) Determination that adoption of EPDP Phase 2 SSAD recommendations is not in the best interest of the ICANN community or ICANN and termination of SSAD proof of concept; 3) Modification of EPDP Phase 2 SSAD recommendations by GNSO Council informed by SSAD proof of concept findings; 4) A variation and/or combination of the above scenarios."

Deliverables:

The Standing Committee shall establish its expected meeting cadence following its first meeting and shall consider how and how often it expects to communicate to the Council in relation to assignments #1 and #2 before it ultimately shares its expected reporting cadence with the Council. In relation to assignments #3 and #4, the Standing Committee may communicate findings and recommendations to the Council on an ongoing basis, but the expectation is that towards the end of the two-year period for which the RDRS will run, the Standing Committee will compile its findings and recommendations in relation to assignments #3 and #4 in the form of a report. The Standing Committee should consult with the GNSO Council on whether this report should be published for public comment.

The Chair is expected to provide regular updates to the GNSO Council on the status of work and timeline for implementation. This can be done in writing or through updates during Council meetings.

Section III: Formation, Staffing, and Organization

Membership:

The Standing Committee will consist of interested Council members and interested EPDP Phase 2 members that participated in the EPDP Phase 2 small team, as well as an ICANN Board liaison and an ICANN org liaison. To ensure continuity, Council members that have participated in the small team effort are allowed, if interested, to continue even after their term on Council has ended. Also, new Council members may join the Standing Committee but they will need to review and show demonstrated knowledge of previous discussions and documents on this topic. The Standing Committee members may identify alternates to take their place in case of absence. Such alternates are expected to have been part of the Standing Committee as observers to ensure that they are up to speed on the discussions.

- For the EPDP Phase 2 small team membership, see https://community.icann.org/x/EgciCw

On the suggestion of the Standing Committee, the Chair may invite external participants with specific expertise or knowledge to contribute to Standing Committee deliberations.

Note that the mailing list of the Standing Committee will be publicly archived. Calls are recorded and will be accessible to observers.

The GNSO Council will appoint a Chair for the Standing Committee.

GNSO Council Liaison

The GNSO Council shall appoint a liaison who is accountable to the GNSO. The liaison must be a member of the Council, and the Council recommends that the liaison should be a Council member and be able to serve during the life of this Standing Committee.

The liaison shall review the Guidance documents below.

Guidance: New Liaison Briefing and Liaison Handover & GNSO Council Liaison Supplemental Guidance

Support Staff:

The ICANN Staff assigned to the Standing Committee will fully support the work of the Standing Committee as requested by the Chair including meeting support, document drafting, editing and distribution and other substantive contributions when deemed appropriate.

Staff assignments to the Working Group:
- GNSO Secretariat
- ICANN policy staff members

Section IV: Rules of Engagement

Statements of Interest (SOI) Guidelines:

Each member of the Standing Committee is required to submit an SOI in accordance with Section 5 of the GNSO Operating Procedures.

Problem/Issue Escalation & Resolution Process:

Please reference Sections 3.4 and 3.5 of the Working Group Guidelines and the Guidance document below.

Guidance: [Guidelines Concerning ICANN Org Resources for Conflict Resolution and Mediation](#)

Formal Complaint Process:

Please reference Section 3.7 of the Working Group Guidelines and the Guidance document below. The Complaint Process may be modified by the GNSO Council at its discretion.

Guidance: [Clarification to Complaint Process in GNSO Working Group Guidelines](#)

Section V: Decision Making Methodologies

Consensus Designation Process:

Section 3.6 of the GNSO Working Group Guidelines provides the standard consensus-based methodology for decision making in GNSO WGs. The Standing Committee is only expected to apply this decision-making methodology for recommendations stemming from assignment #4, if the recommendations do not achieve full consensus. For the other assignments, the Standing Committee is expected to document if there are different views or positions and indicate by whom those views / positions are held.

Standing Committee Self Assessment & Termination or Closure of Working Group:

The Standing Committee will close upon completion of its assignments, unless assigned additional tasks or follow-up by the GNSO Council. Following the completion of its assignments, a closure self-assessment will be conducted.

The GNSO Council may terminate or suspend the Standing Committee prior to the finalization of its assignments for significant cause such as changing or lack of community volunteers, the planned outcome for the project can no longer be realized, or when it is clear that no consensus can be achieved.

Section VIII: Charter Document History

Version	Date	Description
1.0		

Staff Contact:	<Enter staff member name>	Email:	Policy-Staff@icann.org

Translations: If translations will be provided please indicate the languages below: