

Minutes of the GNSO Council Meeting 15 March 2023

[Agenda](#) and [Documents](#)

GNSO Council meeting on Wednesday, 15 March 2023 at 18:15 UTC: <https://tinyurl.com/y4naum35>

(Wednesday) 11:15 Los Angeles; 14:15 Washington DC; 18:15 London; 19:15 Paris; 21:15 Moscow;
(Thursday) 05:15 Melbourne

List of attendees:

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

Contracted Parties House

Registrar Stakeholder Group: Antonia Chu, Theo Geurts (remote), Greg DiBiase,

gTLD Registries Stakeholder Group: Nacho Amadoz, Kurt Pritz, Sebastien Ducos (remote),

Nominating Committee Appointee (NCA): Desiree Miloshevic

Non-Contracted Parties House

Commercial Stakeholder Group (CSG): Marie Pattullo, Mark Datysgeld, Osvaldo Novoa, Thomas Rickert, John McElwaine, Susan Payne

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

Nominating Committee Appointee (NCA): Paul McGrady

GNSO Council Liaisons/Observers:

Justine Chew – ALAC Liaison

Jeffrey Neuman– GNSO liaison to the GAC (remote)

Maarten Simon – ccNSO observer (absent)

ICANN Staff

David Olive – Senior Vice President, Policy Development Support and Managing Manager, ICANN Regional

Mary Wong – Vice President, Strategic Policy Management

Marika Konings – Vice President Policy Development Support

Julie Hedlund – Policy Development Support Director

Steve Chan – Senior Director, Policy Development Support & GNSO Relations

Berry Cobb – Senior Program Manager, Policy Development Support

Emily Barabas – Policy Development Support Senior Manager (GNSO)

Ariel Liang – Policy Development Support Senior Specialist (GNSO)

Caitlin Tubergen – Policy Development Support Director (GNSO)

Terri Agnew – Policy Operations Specialist (GNSO)

Nathalie Peregrine – Manager, Policy Development and Operations Support (GNSO)

[Zoom recording](#)

Transcript to be added upon receipt

Item 1. Administrative Matters

1.1 - Roll Call

1.2 - Statements of Interest (SOI).

Anne Aikman-Scalese, Non-Voting NCA, announced updates to her [SOI](#).

1.3 - Review / Amend Agenda

The agenda was accepted as presented.

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

[Minutes](#) of the GNSO Council meeting on 19 January 2023 were posted on 02 February 2023.

[Minutes](#) of the GNSO Council meeting on 16 February 2023 were posted on 02 March 2023.

Action items:

- None

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

There was no time for this agenda item.

Action items:

- None

Item 3. Consent Agenda:

There were no agenda items on the Consent Agenda

Item 4. COUNCIL VOTE - Adoption of the Council Committee for Overseeing and Implementing Continuous Improvement (CCOICI) Working Group Self-Assessment (WGSA) Recommendations Report

Manju Chen, CCOICI Chair, seconded by **Greg DiBiase, GNSO Council Vice-Chair**, submitted the [motion](#) for Council to approve the CCOICI [Working Group Self-Assessment Recommendations Report](#).

WHEREAS,

1. The GNSO Council [initiated](#) the GNSO Framework for Continuous Improvement Pilot Project on 16 June 2021;
2. As part of this Framework, a Council Committee for Overseeing and Implementing Continuous Improvement (CCOICI) was established;
3. As part of the pilot, the CCOICI was [tasked](#) to consider if/how the GNSO WG Self-Assessment can be improved and possibly enhanced with a periodic assessment as well as exit interview with interested parties to help identify at an early stage potential issues as well as future improvements to be considered. This could potentially be combined with the WG Chair assessment as outlined in PDP 3.0 improvement #13. Council Committee to also consider the findings of the most recent WG Self-Assessments to determine if there are other improvements the GNSO Council should consider.

4. The CCOICI commenced its deliberations on 8 September 2021 and [presented](#) its [preliminary report](#) to the GNSO Council during its meeting in February 2022;
5. The preliminary report and resulting changes to the GNSO Operating Procedures were published for [public comment](#);
6. The CCOICI [reviewed](#) the input received and submitted its [final recommendations report](#) to the GNSO Council on 5 January 2023;

RESOLVED,

1. The GNSO Council adopts the CCOICI [Working Group Self-Assessment Recommendations Report](#).
2. The GNSO Council directs GNSO Staff Support to implement the changes as outlined in the Recommendations Report and convey the survey tool technical requirements as outlined in section F to the relevant ICANN org department.
3. The GNSO Council instructs ICANN staff to post the new version of the GNSO Operating Procedures, effective immediately upon adoption.
4. The GNSO Council thanks the CCOICI for its work on this topic.

Councilors present for the session voted in favor of the motion.

[Vote results](#)

Action Items:

- The GNSO Council directs GNSO Staff Support to implement the changes as outlined in the Recommendations Report and convey the survey tool technical requirements as outlined in section F to the relevant ICANN org department.
- The GNSO Council instructs ICANN staff to post the new version of the GNSO Operating Procedures, effective immediately upon adoption.
- The GNSO Council thanks the CCOICI for its work on this topic.

Item 5. COUNCIL DISCUSSION - Next Steps for Consideration of Expired Domain Deletion Policy (EDDP) and Expired Registration Recovery Policy (ERRP)

Greg DiBiase, GNSO Council Vice Chair, reminded councilors of the steps leading to this agenda item. The GNSO Council was asked if it was timely to request a Policy Status Report (PSR) for the EDDP and the ERRP. There was tentative agreement within Council that whilst it was important, there were other ongoing and important topics, so the review of the policy was postponed. Following this, ICANN Compliance put together a [report](#) which showed registrants having issues with renewals, confusion with the terms of the policies. A small team of councilors (Nacho Amadoz, Greg DiBiase, and Susan Payne) reviewed the report as well as the recommendation to review the PSR. Incremental work could be done to improve on clarity of the policy language. ICANN org will be asked about educational materials in existence to assist with this task. The PSR will be reviewed in 6 months, a period during which ICANN org would be reached out to. A formal vote may not be necessary to validate the small team's [report](#).

Kurt Pritz, RySG, mentioned that Council had been briefed several times on the topic, hence why councilor discussion wasn't necessarily needed.

Stephanie Perrin, NCSG, suggested that clarification around certain terms would be helpful.

Action Items:

- Support Staff to reach out to ICANN org colleagues on behalf of the Council to request further information on educational materials relating to the Expired Domain Deletion Policy (“EDDP”) and Expired Registration Recovery Policy (“ERRP”).

Item 6. COUNCIL DISCUSSION - Review GNSO-owned projects that may impact SubPro timeline

During the Council’s Strategic Planning Session (SPS), a recurring theme emerged. The Council emphasized it should take care to ensure that any SubPro related work within its control should be carefully managed for timely delivery. The Council does not want its work to serve as an impediment to the timely implementation and launch of the next round of new gTLDs.

In order to address this recurring theme, the Council agreed that it would like to receive frequent updates on the work that is connected to the next round of new gTLDs. Those projects include:

- IDNs EPDP Phase 1 (top-level charter questions)
- GNSO Guidance Process on Applicant Support (GGP)
- Closed Generics Facilitated Discussion
- Yet to be formed Small Team to review SubPro recommendations likely pending Board action.

Steve Chan, ICANN org, presented the item which is recurring for Council. SubPro is a priority for Council, as is any parallel effort which would impact the effort. These updates can be found in the Program Management documents Berry Cobb circulates on a monthly basis. There is expected Board action on the SubPro recommendations.

IDNs EPDP Phase 1: Group will soon pivot to phase 2 (second level charter questions) whilst initial report for phase 1 is out for Public Comment and delivered to the Council. There are dependencies for phase 2 with the new gTLD program which are currently being investigated. Phase 2 work is dependent on data gathering being facilitated by the contracted parties. Council contribution is also being considered in regards to increasing group efficiency. Group is considering meeting more frequently and maybe in a face-to-face setting.

GGP: is working to completion on task 3, 4 and 5. Identifying what success means for the applicant support program and which data and metrics are needed to measure that success, in light of all phases of the application process lifecycle (outreach, awareness, application submission etc). The group is on schedule at the moment, the Initial Report is expected to be published for Public Comment in the July timeframe.

Closed Generics Facilitated Discussion: Meets in closed sessions with regular updates to the community. A face-to-face meeting was held in January 2023. The team has made progress on its assignment and is working on a draft framework document. Expected completion is ICANN77.

Small Team to review SubPro recommendations: Council needs to make a decision on which model is preferred as soon as possible. (see agenda item 7)

Council has also been asked for its advice on the composition of the SubPro implementation review team (IRT). Lars Hoffman, ICANN org, has drafted a document clarifying the differences between an open model and a representative and open model for Council to deliberate.

Susan Payne, IPC, raised that the Board was writing to different groups where there are dependencies to the SubPro work, asking for timelines of work completion by the end of ICANN77. Is the list of groups in the item exhaustive? Regarding IDNs EPDP, dependencies for the next round are still being worked on in phase 2, can it be determined if these dependencies need to be met for applications to be open? There are second level names put on hold during the first round, some of them are still on hold. Knowing from the IDN EPDP ahead of time if some of these would be released would be helpful for applicants.

Steve Chan, ICANN org, replied that there was not a direct match between what the Board requested, and the list of GNSO efforts identified as SubPro dependencies.

Ariel Liang, ICANN org, main staff support on IDNs EPDP replied that the second phase charter has 20 questions which outline which areas of the new gTLD program would be impacted by dependencies. There will be prioritization on which to work on first to minimize impact.

Manju Chen, NCSG, requested that these updates be accompanied by visuals (slides) setting forth timelines for dependencies for non-native English speakers to be able to follow.

Greg DiBiase, RrSG, encouraged all to be able to deliver the requested timelines by ICANN77.

Action Items:

- Staff to validate the list of Board dependencies are versus the projects that the Council is managing.
- Staff to circulate to GNSO Councilors some SubPro IRT principles.
- Staff to develop simple timeline slides for each project to be provided and updated at each GNSO Council meeting, beginning with the April 2023 meeting.

Item 7. COUNCIL DISCUSSION - Continuation of Informal GNSO Council SubPro Discussion

Sebastien Ducos, GNSO Chair, informed attendees that during an informal Council session the previous day, there was discussion about the possibility and composition of a small team, to review and resolve the points which were presented by the Board. There would be collaboration with the Board caucus on SubPro to review the SubPro recommendations which would not be voted on this week by the Board. . Council as a whole has discussed working in small teams, and the model is one which works for the Council and the Board. A year ago, a small team was created to work on the WDS (see next agenda item). The small team work raised issues of transparencies, this has been acknowledged during the Strategic Planning Session (SPS) in December 2022. With a topic as important as SubPro, transparency will be key.

A small team could be tasked with discussing the points raised by Becky Burr and Avri Doria, ICANN Board SubPro Caucus. All agreed during the discussion the previous day that a small team would be the best way forward, however, there is yet to be agreement on the composition. A small team of 6 members, 3 per House, for example, could be tasked with discussing the 38 points in question. As a first task, a triage would be necessary to review the 38 points. A work schedule would then be created to focus on prioritization with work leading to ICANN79.

Kurt Pritz, RySG, several phases would be needed, An initial small team comprised of councilors would study the recommendations, and do the triage. Then further small teams could be created as per the division of recommendations.

Tomslin Samme Nlar, NCSG, raised no objection to NomCom Appointees being part of the small team structure, but objected to the NCPH NomCom Appointee being involved as he is an active IPC member.

Jeff Neuman, GNSO Liaison to the GAC, confirmed his understanding that there were several interpretations of how the small team would function (is it triage, or will it be involved in substantive discussions?)

Susan Payne, IPC, asked confirmation that the small team would divide 38 recommendations into different buckets. SubPro recommendations are complex, so representation should not count as much as prior knowledge.

Anne Aikman Scalese, Non Voting NCA, agreed with Susan.

John McElwaine, GNSO Council Vice Chair, asked councilors if anyone objected to a small team doing triage of the recommendations.

Sebastien Ducos, GNSO Chair, asked in addition, that if an undefined and non representative small team got started on triage that the triage results not be challenged at a later time on membership structure arguments.

Greg DiBiase, GNSO Council Vice Chair, agreed.

Mark Datysgeld, BC, also agreed with the initial triage group, and the second group being maybe more structured.

Kurt Pritz, RySG, insisted that the work plan developed needs to be discussed clearly, and that work needs to start as early as possible. This would allow the ICANN meeting in DC to host several face to face events.

Paul McGrady, NCPH NCA, reassured Tomslin Samme Nlar that his neutrality would extend to the small team. He did however warn against the 3 seats per House structure which would create an imbalance of representation within the NCPH.

Bruna Santos, NCSG, encouraged unity and to follow the open model for now, and address lessons learnt later after the triage stage. This group should be voluntary. She volunteered for the small team.

Greg DiBiase, GNSO Council Vice Chair, reserved the right to continue the discussion of balance after the triage stage,

John McElwaine, GNSO Council Vice Chair, agreed that there was consensus for the triage team to be open, and further discussion to be had on ensuing steps.

Anne Aikman Scalese, Non Voting NCA, drew attention to the [Small Team Guidelines document](#).

Action Items:

- Councilors to volunteer on the GNSO Council email distribution list by COB 15 March 2023 if they wish to join the SubPro Triage Small Team.
- Support staff should convene the first meeting of the Small Team at the earliest possible opportunity.

Item 8: COUNCIL DISCUSSION - Whois Disclosure System Next Steps

Greg DiBiase, GNSO Council Vice Chair, covered the Whois Disclosure System (WDS) next steps. There was a board resolution directing ICANN org to set up the Registration Data Request Service. The small team needs to reconvene to deal with the open issues raised by the Board: policy development process or other means to require the registrars to use the system, and the development of a success criteria for the system.

Marika Konings, ICANN org, noted that an updated version of the assignment form for the small team was circulated to Council. It aims to reflect the new asks in line with the Board having directed ICANN org to move forward with the implementation, Are there any concerns to what is being proposed?

Greg DiBiase, GNSO Council Vice Chair, asked if there was any opposition to reconvening the small team. No objections were received.

Marika Konings, ICANN org, raised that there is the question of the Board urging Council to consider a policy to ensure registrars to use the system. Will Council take this question, or, if this is a task for the small team, they may require further guidance from Council.

Greg DiBiase, GNSO Council Vice Chair, mentioned that he preferred encouragement than enforcement, which was in the original addendum, given the parameters of the system are still being designed.

John McElwaine, GNSO Council Vice Chair, raised that there had been very little time for Council to consider this, but did ask if it was possible to return to the Temp Spec to see if anything could be done to entice involvement in the system. The small team would be encouraged to proceed as such.

Sebastien Ducos, GNSO Chair, reminded councilors that the small team did discuss this, and they wanted to ensure the registrars would find all the incentives to participate rather than be coerced. The registrar community provided positive and useful feedback.

Desiree Miloshevic, CPH NCA, talked about having further conversations about how to ensure participation without making any involvement mandatory. Outreach to registrars who are not RrSG members would need to be done via ICANN org for instance.

Paul McGrady, NCPH NCA, wondered about the timeline, but insisted the main of the work would be done by the small team.

Thomas Rickert, ISPCP, insisted good promotional materials were essential for the success of the project.

Susan Payne, IPC, raised that if policy work was developed it would be applicable to all registrars, however she did acknowledge that creating a PDP to this end would prolong the process significantly. ICANN will need to communicate regularly and clearly to all registrars, inside and out of the RrSG.

Marika Konings, ICANN org, informed Council that promotional materials were already being worked on. There were no objections to the updated small team [assignment](#).

Greg DiBiase, GNSO Council Vice Chair and **Thomas Rickert, ISPCP** provided thoughts on what success criteria looks like in terms of levels of participation, overall number of requests, response delays, customer satisfaction forms.

Action Items:

- GNSO Council to consider response to the ICANN Board request to consider a PDP or other means to require, or strongly encourage, registrars to use the WDS, noting that the small team has already been assigned the task of how to best to promote and secure comprehensive use of the system, both by potential requestors as well as ICANN accredited registrars.

Item 9: ANY OTHER BUSINESS

9.1 GNSO Chair Election [Timeline](#) Announcement

ICANN org staff reviewed the published timeline which has also been sent to Stakeholder Group Chairs.

9.2 Policy Status Report

Marika Konings, ICANN org, reminded that this was an action item coming from the PDP Improvements, which relates to the Policy and Implementation recommendations adopted by the GNSO Council.

A Policy Status Report had been suggested and discussed during the last meeting. This is input provided to the GNSO Council to decide if and how to move forward with review of those recommendations. No further review needed could be a viable conclusion, or certain items could benefit from improvement., or information was missing to make that determination at this stage. The PSR would help inform the Council's decision. If Council raises no concerns, staff would move ahead and develop the PSR. **Anne Aikman Scalese , NCA**, requested updates on the status of work which would be made available when Council requested it.

Anne Aikman Scalese, NCA, former Policy and Implementation WG member, thanked Marika. She added that that the Policy & Implementation WG changes added important safeguards for the GNSO Council as the manager of the policy process, including mandatory establishment of IRTs (unless the Council determines otherwise) and the ability of any one Councilor to raise an issue at the Council level as to whether IRT work involves policy. Therefore, Councilors should be paying careful attention to the draft PSR before it goes out for public comment

Marika Konings, ICANN org, raised that this is a staff drafted document, and is informative, not an assessment. It would be under Council's responsibility to assess the policy recommendations.

Bruna Santos dos Martins, NCSG, mentioned the small team guidelines, and raised the question of leadership and representation. There should be an additional point about when the small team leadership represents Council to avoid community interpretation that the small team leadership represents full Council when it's only on a small, precise comment.

Action Item:

- Support staff to develop Policy Status Report (PSR) on the Policy and Implementation Working Group Final Report recommendations and provide the GNSO Council with regular updates on the approach and progress.

John McElaine, GNSO Council Vice Chair, adjourned the meeting at 14:51 local time.

The next GNSO Council meeting will take place on Thursday 20 April 2023 at 21:00 UTC