ICANN80 | PF – GNSO Council Meeting
Wednesday, June 12, 2024 – 13:45 to 15:45 KGL

TERRI AGNEW: Good morning, good afternoon and good evening and welcome to the GNSO Council Meeting on Wednesday, the 12th of June, 2024. Would you please acknowledge your name when I call it? Antonia Chu.

ANTONIA CHU: Present.

TERRI AGNEW: Nacho Amadoz.

NACHO AMADOZ: Present.

TERRI AGNEW: Jennifer Chung.

JENNIFER CHUNG: Present. Thank you, Terri.

TERRI AGNEW: You are welcome. Remote, we have Kurt Pritz.

KURT PRITZ: I'm present, Terri.

TERRI AGNEW: Greg DiBiase.

GREG DIBIASE: Present.

TERRI AGNEW: Prudence Malinki.

PRUDENCE MALINKI: Present.

TERRI AGNEW: Desiree Milosevic. Don't see where Desiree is in the room or zoom. Lawrence Olawale-Roberts.

LAWRENCE OLAWALE-ROBERT: Present.

TERRI AGNEW: Joining us remote will be Mark Datysgeld.

MARK DATYSGELD: Present.

TERRI AGNEW: Damon Ashcraft.

DAMON ASHCRAFT: Present.

TERRI AGNEW: Susan Payne. Susan's going to be joining us remote. I don't see where she's logged in quite yet. Osvaldo Novoa.

OSVALDO NOVOA: Present. Thank you.

TERRI AGNEW: You are welcome. Thomas Rickert. I don't see Thomas yet. Wisdom Donkor.

WISDOM DONKOR: Present.

TERRI AGNEW: Joining us remote is Stephanie Perrin.

STEPHANIE PERRIN: Present. Thank you.

TERRI AGNEW: You are welcome. Peter Akinremi.

PETER AKINREMI: Present.

TERRI AGNEW: Tomslin Samme-Nlar.

TOMSLIN SAMME-NLAR: Present.

TERRI AGNEW: Manju Chen.

MANJU CHEN: Here.

TERRI AGNEW: Bruna Martins dos Santos.

BRUNA MARTINS DOS SANTOS: Present.

TERRI AGNEW: Paul McGrady.

PAUL MCGRADY: Present, and I've been here for some time.

TERRI AGNEW: Anne Aikman-Scalise.

ANN AIKMAN-SCALISE: Present. Just here for a few moments. I need to go do a panel with the name collisions folks, and then I'll be back very soon after that. Thanks.

TERRI AGNEW: Thank you, Anne. Joining us remote, Jeff Neuman.

JEFF NEUMAN: Happy to be here.

TERRI AGNEW: Joining us remote, Justine Chew. Don't see where Justine has joined yet, but do we have Thomas Rickert in the room?

THOMAS RICKERT: I'm here.

TERRI AGNEW: Okay. Also, Everton Rodriguez.

EVERTON RODRIGUEZ: Present. Thank you.

TERRI AGNEW: You are welcome. We have guest Chris Mondini, Managing Director, VP Stakeholder Engagement from ICANN org. We also have the policy team supporting the GNSO in the room. 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 the chat to everyone for all to be able to read the exchanges.

All are welcome to use the chat. Please use the drop-down menu in the chat pod and select everyone if you would like your chats to be seen. A warm welcome to attendees on the call who are silent observers, meaning you do not have access to your microphones, but you do have access to the chat. There will be an open mic at the end of the session where attendees' microphones will be activated. Councilors, if you'd like to speak during the session, please raise your hand in Zoom.

When called upon, virtual participants will be given permission to unmute in Zoom. On-site participants will use the physical microphone to speak and should leave the Zoom room microphone disconnected. For benefit of other participants, please state your name for the record and speak at a reasonable pace. During the open mic, those in the meeting room will be invited to put their hands up in the Zoom room and a cue at the standalone mic, which is located in the back right corner back there.

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 so much. Welcome everyone, to the GNSO Council meeting at ICANN80. Pleasure to be here in Rwanda with all of you. I will kick off this meeting to see if anyone has updates to their statement of interest. Seeing none, would anyone like to amend or have questions about the agenda? One quick note that we did have a consent agenda item on aspirational statement for councilors, but pending some further discussion in the GNSO closed meeting, that has been removed for that meeting.

Next, I note the status of the previous Council minutes are available online. The minutes for the May 16th meeting were posted on June 1st. With that, I think we can go into our main agenda. So, our first item is a Council vote request for a policy status report on the expiration policies. As you'll recall, we've been discussing the ERRP and EDDP, collectively known as the expiration policies. The ERRP has been around, I think, 11 years now, but it has not been reviewed. As per standard practice, policies are periodically reviewed to confirm that they are still fit for purpose. And we had been discussing whether these two policies could be delayed, given other priorities before council.

However, in recent meetings, some councilors noted that it had been a long time since these policies had been in existence, and noted that it was worthwhile to start a review. Other councilors noted that review seems worthwhile, but there are competing priorities. So, leadership proposed kind of a compromise, where we're requesting the policy status report, but noting in the motion that staff can complete this report within one year to give staff a little flexibility to work on any competing priorities. Unless anyone objects, I was thinking about proceeding with a voice vote.

So, I'll pause to see if anyone has concerns with that. If not, I'll move on to reading the resolved clauses. Resolved. Number one, the GNSO Council requests a policy status report for the expedited domain deletion policy, the EDDP, and the expedited registration recovery policy, the ERRP. The GNSO Council notes immediate work is not needed on this PSR, and would request either, one, the delivery of the PSR, or two, confirmation that work on the PSR has begun, and an updated estimate on when the PSR would be delivered within one year of the passage of this motion. And three, the GNSO Council leadership directs GNSO policy support staff to notify ICANN org Global Domains and Services, of the request for a PSR on the EDDP and ERRP. With that, I think we can go to a vote.

TERRI AGNEW: Thank you. As Greg stated, this will be a voice vote, and everyone is now present for this vote. Would anyone like to abstain from this motion? Please say aye. Hearing no one, would anyone like to vote against this motion? Please say aye. Hearing none, would all those in the favor of the motion, please say, aye.

ALL: Aye.

PETER AKINREMI: Aye.

TERRI AGNEW: Aye. Thomas, we're having--.

THOMAS RICKERT: Oh, aye.

TERRI AGNEW: Thank you.

GREG DIBIASE: Too many ayes at the same time, I guess.

TERRI AGNEW: No abstention, no objection. The motion passes. Back to you, Greg.

GREG DIBIASE: Thank you. So, the next item, I think we're switching it around slightly because there are some conflicts. We're going to item seven, and this is a Council discussion and an update from ICANN org implementation team on the second level international government organizations, the IGO protections. And I think, Tomslin, you were going to introduce this topic?

TOMSLIN SAMME-NLAR: Thanks, Greg. Yeah, I was going to. I think you've already given a head start there. So, yeah, I think councilors will remember that we got an update from Mary on the mailing list with, I think, a visual plan of the work that ICANN org will be doing, but I believe she has an additional update to give us today. Okay, so she's not given an update. I misspoke or misunderstood. So, she's here to take or answer any questions that councilors have on this, based on the information she shared on email. So, I don't know if councilors have any questions based on that update. I don't see your hand but I heard your mic. I don't see any hands. Greg.

GREG DIBIASE: Yeah, maybe, Mary, can I ask you to just give maybe the briefest overview of the timeline for people's edification in case it's been a while since they read the email?

MARY WONG: Sure, Greg, I'm happy to. And hi, everybody. I'm Mary Wong from ICANN org. Apologies for the slight confusion there. We do not have an update from the last update, just to clarify. And that means, I hope this is good news, that from the ICANN org site, the work on the work streams that we showed in the timeline continues apace. We're making progress.

We are sticking to the timelines that were provided to you in the visual. I'll also say that my colleague Karen Lentz from the Global Domains and Strategy Team is here in case you have any questions about one of the things that we will be kicking off shortly with the GNSO and the community, which is the implementation review team for implementing the Board-adopted policy on curative rights.

If you recall from the timeline, we had said that we planned to do that in the third quarter of this calendar year, so obviously after this meeting, and we are still on track to do that. So, you'll see communications from us about that. And I'm trying to remember the timeline from memory. I'm looking at our program manager, Alp, over there, who will probably shake his head if I get it wrong.

So, if we do start the implementation work, and I'm looking at Karen as well, if we do start the implementation work in Q3 of 2024, as you all know, once the consensus policy language is actually finalized, after it works with the implementation review team, we do go out for public comments. And if that is then the final language, the contracted parties will have six months to implement that policy. And so, what we're anticipating in the current timeline is that we are looking at mid-2026 for that completion. And that is the timeline we gave you. That's the first work stream.

The second work stream is essentially to prepare to release the IGO acronyms of the IGOs that are on the GACs list for registration at the second level. And that entails a couple of things. One is the development by ICANN org of a notification system for the affected

IGOs. When a third party registers a domain name that exactly matches that IGO's acronym, we have essentially finished the basic development work on that project. And what we are now continuing to do is to obtain the updated contact information for each and every IGO, because as you recall, this is some longstanding work.

So, we do want to make sure that we have the accurate contact details, because when the system goes live, obviously we want to make sure that the notification goes to the right party. And the other piece of work for the release of acronyms is all the other internal work that we will need to do to really make sure that the acronyms are released in an orderly and predictable fashion. And finally, what I'll then add is, and some folks in the room may not have been looking at this, that the Board at its meeting last month accepted GAC advice, which is really the last remaining piece of GAC advice on the curative rights work. And what the Board said was that we accept the GAC advice to not release these acronyms on the temporary reserve list until the work on implementing the curative rights policy is completed. And you remember I said that our current timeline for that is mid-2026.

So, that is also the timeline that we're looking at to release the acronyms. And the last word, if I may, Greg, is if you are recalling that this work is one of the dependencies for the next round, is a strategic dependency, we believe that we can complete all this work in time. Obviously, you know that the next round is targeted to begin receiving applications around that timeframe. But this, we believe, gives us comfortable room to release the acronyms before, obviously, the delegation of the first new gTLD. So, that was the timeline we provided, and that's the one we're working to.

GREG DIBIASE: Great. Thank you so much, Mary. And sorry to put you on the spot there. I see a question from Susan. Susan, go ahead.

SUSAN PAYNE: Yeah, thanks very much. And thanks, Mary, for the update. Really appreciate having a timeline. There's some disappointment that of, how long it will take, but appreciate that there is work to be done. And so really do appreciate having a timeline.

I just really have a question about this dependency for the next round point. I mean, clearly, we need to have the applicants in the next round shouldn't find themselves in the same situation as the 2012 applicants who are still waiting in 2024 to release these names. But given that we ran the 2012 round, and we have had people, TLD operators waiting for currently 12 years to be able to release them, I'm questioning why it's a dependency for the next round.

MARY WONG: Thank you, Susan. And this is Mary again for the transcript. And I'm just going to say that I don't believe I'm in a position to answer that, and that may be a question better put to members of the next round team from the Global Domains and Strategy Division of org, who may be here in the room, but I just hesitate because I do not have all the context for that question. Karen?

KAREN LENTZ: Thank you, Mary. So, this is Karen Lentz from ICANN org. And I can, I think, maybe speak to what you're asking, Susan, as I was involved in the next round work when, about a year ago, we were working on the implementation plan. And when it came to dependencies, we listed in the implementation plan a couple of different types. One was operational dependencies, meaning this needs to be in place for us to even be able to accept applications, such as completion of all of the Board action on all of the recommendations, for example. Things like that, that are a must-have.

And then there was a set of other things that we called strategic dependencies. And it was work that we identified had been around for a while, things that were still on our plate. And we identified those in the terminology of strategic dependencies, meaning that we didn't want to leave those still inactive or still waiting at the point that we were putting a lot of resources towards opening the new round. So, I hope that clarifies. Thanks.

GREG DIBIASE: Thank you, Karen. Jennifer, you're next in the queue.

JENNIFER CHUNG: Thanks, Greg. Jen Chung, for the record. I managed to pull up the, I guess, the image timeline that was sent to Council. I don't know if it's useful to pull it up on screen, because I'm going to kind of speak to it. But I will speak to it right now. I don't know if staff is going to pull that on the screen.

So, thank you, Mary, for giving us the summary again about the timeline. It is a good thing that we actually now have a more concrete timeline, in addition to the updates that we had at the last meeting in San Juan. I think that there is still some question that I have, because when we're looking at the three tracks or the swim lanes, as I'm using the same terminology on this image, the creative rights track, if I can call it that way, is quite clear right now. The IGO notification system seems quite clear as well. But what's not so clear, and I think maybe Karen just mentioned a little bit more, is what the process is internally. It is that you need to develop for the orderly release of the temporary reserved IGO acronyms.

And then finally, when all these three things, it looks like it's interdependent, and what does that mean for us? Does it mean that if one track gets delayed, then everything needs to still sync up? I do see there's quite a large portion of this timeline highlighted in blue. Is that the earliest and the latest? Is that what it means for us? Or is there a worst-case scenario here if you need to re-sync? So, maybe some more information and details, if you have it right now, would be quite appreciated. Thank you.

MARY WONG: Thank you, Jennifer. And you mentioned a few things. I'll try and see if I can cover them adequately. The first was really the third swim lane, I believe, if I got that right. And what I'll say is that we have only just started work to essentially identify what are the different things we need to do in addition to having the permanent notification system ready and the accurate contact list from the GAC, which are the second swim lane. So, at this point, I don't have details for you. That's work that's only just beginning.

We do anticipate that this will require or at least involve some discussion and consultation with the contracted parties, because essentially part of this is also what you will need to make sure that you are ready for the timing of the release. And obviously, that will not be something sprung as a surprise. So, I'm sorry that I don't have more details on that. But the plan does include engaging with the contracted parties to make sure that we're all on the same page for that.

I think your second question was about the blue area. And I think what we can probably do now that we have the Board action and now that we're about to kick off the implementation work on the policy is to update this visual, not to change the timelines, because as I've said, the timelines remain, but probably to make it clearer. Because at the time that we prepared this, the one unknown was whether or not the Board would adopt the GAC advice. And we now know that they have.

So, to your question, Jennifer, about dependencies, that was, I think, the dependency to see what the timing would look like. And that has been removed. It does not mean that these three tracks would necessarily affect one another, because from the org side, they are three separate projects, and we have them staffed and we're working on it.

GREG DIBIASE: Thank you, Mary. Jeff?

JEFF NEUMAN: Yeah, thanks. I'm just curious, Mary, to recall in 2016, ICANN authorized the release of two characters which involved, if my math is correct, about 525 strings. All it did was issue a letter. There was no preparation. There was no orderly release. And here we're talking about, I think, only 192 IGO acronyms. I'm just kind of confused by why org thinks that a process needs to be developed for these 192 names. That has to be more onerous than just giving contracted parties a letter saying it can be released for almost four times less the number of names. Just curious. Thanks.

MARY WONG: Thank you, Jeff, and thank you for giving me the opportunity to clarify. To the extent I gave the impression that this is going to be a lot of complicated work, I apologize. We hope not. It may well be, Jeff, that it is something as straightforward as what you described. Like I said, we're only just starting the work. What we do know is that because this work has been on our plates for a while, we do want to be sure, particularly given some of the use cases that we've all looked at together over the years, that we're not leaving anything out that we should be aware of. But like you said, it could be something as simple and straightforward as what you said.

And like I said, we'll have at least some discussions with the contracted parties, again, to make sure that we're not missing something that we should not be missing.

GREG DIBIASE: Thanks, Mary. I have Paul in the queue.

PAUL MCGRADY: Paul McGrady for the transcript. Just to counterpoint, Jeff, IGOs are different than two-letter, and there are consumer confusion aspects to IGOs and fundraising aspects to IGOs that two-letters don't have. So, thank you for taking your time and being careful with this, and we're glad to hear that it is not something that's going to hold up the next round. But thank you, Mary.

GREG DIBIASE: Thank you, Paul. Thank you, Mary. Justine, I see your question in the chat. Would you like me to read it? I see a question from Justine. Oh, sorry.

JUSTINE CHEW: Yeah, I'm here, Greg. Sorry. Yeah, I just posted in chat to say that maybe part of the so-called care to be taken is the fact that there needs to be a notification system as part of the agreement with GAC. So, unless there is a workable system already in place, and that has to be developed, although I don't think it's going to take a long time to do that, really. Thanks.

GREG DIBIASE: Thank you, Justine. I do not see anyone else in the queue, so maybe I'll draw a line there. Thank you, Mary and Karen, for the update. I know it's something we've been anxious for a while, so we're excited to have it and work towards that goal. Terri, help me. I know we reorganized. Are we going to item 7 now?

TERRI AGNEW: It would be 6. Yeah, but Anne's not here, so then I guess we'll go to item 5, the accuracy check.

GREG DIBIASE: Accuracy check-in. Okay. Item 7, accuracy check-in. So, this one, I suppose, warrants a little bit of backgrounds. After the EPDP Phase 2 concluded its work, a registration data accuracy scoping team was convened. The purpose of this team was to scope issues surrounding accuracy. As that work progressed, it became clear that the group needed more data to inform its work, and the team went on hiatus, I think back in ICANN73 or 74, pending some more developments in the community.

One of those was the completion of a data protection assessment between contracted parties and ICANN, which I think is nearing completion. And then I think more relevant for today's discussion was the ICANN Board asked ICANN staff to evaluate situations in which data could be obtained for this purpose of helping scope this issue. So, ICANN staff developed a report noting some challenges in obtaining accuracy for this purpose.

One part of the report I'd highlight is that they noted that collecting sample data for the sole purpose of testing it to confirm accuracy, they did not believe had a legal basis. And then they noticed some challenges about looking at existing publicly available WHOIS, noting that much of it had been redacted. So, their paper returned two alternatives. One was to look at historical ICANN compliance audit data or existing audit data that could be provided offering insights into registrar compliance with validation and verification requirements under the 2013 RAA. And that could be part of a continuing audit program.

Another suggestion they had was for ICANN to engage with contracted parties to review ccTLD identity verification processes and whether that would be helpful in tackling this issue. And then I'd say for today's conversation, we're also kind of thinking about what other possible approaches we could have to-- what other alternatives we could have in light of this assessment.

So, I guess the first question before us is, does pursuing these alternatives make sense? Are there other alternatives to consider? And then more broadly what would be our next step on this topic? So, a little open-ended, and I think that's just a result of we're discussing this topic for the first time in a while. So, I'll stop there and open the queue to see if councilors have thoughts. Damon?

DAMON ASHCRAFT: Sure. Damon Ashcraft for the record. Just from a broad topic of accuracy, I mean, I think this is, this is an important topic. The data protection agreement is something we've been waiting on that apparently is close to being done. And from our meeting with the GAC yesterday, there certainly was some interest from members of the GAC for us picking up accuracy again. And so, I think lots of details to hammer out, but this is something we should certainly move forward with and re-engage in.

GREG DIBIASE: Thanks, Damon. If I don't see another hand, I'll put myself in the queue and kind of speak to, register our perspective here, I think one of the challenges that the scoping team had was scoping what the issue is with accuracy. Is there a problem to address? And that was one of the reasons for data. I think we know that maybe the first topic may speak to that.

But the second topic was kind of maybe suggesting a solution, which we thought that might be out of order that we'd be first trying to scope the problem and address what the issue is before recommending solutions. And then there was also some commentary that ccTLD practices probably won't be global in scale, and any solution, when time is warranted to work on it, will have to be global. So, those are some initial thoughts that we can take back and further consider. Tomslin, I see your hand.

TOMSLIN SAMME-NLAR: Yes, I do. I have another question, and that's because I didn't understand something in the information that was provided. Maybe people with more knowledge can help here. We've scenario two, which was related to proactive contractual compliance audit. There was a concern that that data would not confirm the accuracy of underlying data related to registrants' identities. And the new proposal is to use historical data from ICANN compliance existing audit program. Is that data set different from one that would have been collected from the proactive audit or compliance audit?

GREG DIBIASE: So, that is a good question. So, I think there is a difference between assessing accuracy and verification, I think, is a different process. So, what the verification processes are don't necessarily indicate whether data is accurate, but that is just kind of my on-the-fly take. That's something I think we could look closer at.

Any other comments? If not, maybe I'll urge everyone to take this back to their stakeholder groups, just kind of start thinking about how can we address what the issue is and alternatives on the way forward. Okay. Just checking the chat. Oh, Lawrence?

LAWRENCE OLAWALE-ROBERT: Yes. Sorry, I'm a bit confused here. My understanding is that we had a team who was looking at this, and they had to pause because they needed additional information, which was to come from the internal report that I think we now have something. There was also the concern that there was an ECP fall from right in place. There were definitely some dependencies. So, are we going back to-- so it looks like the action actually is do we now have those dependencies in place, and if we don't, how can we get those so the team can continue their work? So, I'm just trying to find, I'm going to wrap my head around what are we taking back to the constituency to ask about?

GREG DIBIASE: Right. So, I think this challenge of obtaining data to determine if there is an issue with accuracy, determine what the issue is, and then potentially go determine whether policy is warranted, that's still kind of the goal. I think there was a thought that when data protection agreements were in place between ICANN and contracted parties, that may allow for more data, but then subsequently ICANN staff submitted a report saying that sampling registrant data for the sole purposes of determining whether that data is accuracy might not have a valid basis under law. But that's at least my understanding of ICANN's report. I'm open to other interpretations, but I think the challenge is still in alternatives to gather data to scope the issue and what the next step may be. But again, this is, I think, open to a lot of interpretation. Thomas?

THOMAS RICKERT: Yeah, I think I'm not really clear on the next steps. So, I've been on this accuracy small team and we said that we need support from the outside by getting legal advice on whether we can even get to that data. We now got this advice clearly stating that the data can't be used for that purpose. Wouldn't that mean that it's end of story for us at this stage? So, I'm wondering whether we should make this actually a cliffhanger and bring it up every couple of meetings. An alternative could probably be to put a marker on our calendars to bring this back, let's say, in 18 months or something.

There will be guidance from the task force that has been established by the corporation group, by the EU, and that will speak to validation and verification in the context of NIS2. I'm not saying that this is something that should guide us, or that EU law should now be governing everything that ICANN is doing. But I have hopes that the task force outcome, which is going to be presented to the corporation group's plenary this summer, will likely have something in it that could inform the discussion here.

So, I think with our own resources of what we have in here, we can't get much further, but maybe there's going to be some intelligence or some assessments on how NIS is going to change the environment that would be worthwhile looking into in one and a half years.

GREG DIBIASE: Thanks, Thomas. And to your point of what is the goal, I think you described it well. It's trying to figure out what next step, if any, is there. One alternative would be as you described, but I think it's up to councilors to try to think about this and come to a conclusion. Stephanie?

STEPHANIE PERRIN: Thank you very much. Stephanie Perrin, for the record. Please forgive me if I've missed something, but this decision on the part of ICANN or that it has no role in gathering data for the purposes of verifying accuracy. Is that based on your finished controller, co-controller processor agreements with ICANN? Maybe Thomas could answer that question. I haven't been keeping up to date on those agreements, nor have I read them. Thank you.

GREG DIBIASE: No. So, I think the answer is no. That was a separate analysis done by ICANN staff. Damon?

DAMON ASHCROFT: Sure Thomas, you brought up two different sort of timeframes. I think you said check in in two months and then maybe check it in like 18 months. Everything here is in flux. So, I would say, why don't we just sort of revisit this in two months? That would be my suggestion.

THOMAS RICKERT: I hope I didn't say two months. What I meant is that we should not bring this up every couple of months because then we waste our time without having new input into the discussion. So, either we stop the conversation entirely because within ICANN, I think the legal assessment that we got from ICANN legal clearly states that we can't do anything. An alternative that I brought up is that we look into what might be, what the outcome of the NIS cooperation group is and whether that could stimulate another perspective from which we can approach.

DAMON ASHCROFT: Apologies for misquoting you. I thought you said two months. I guess I would be in favor of we can't solve this today, obviously, but I wouldn't be in favor of just putting it off indefinitely or 18 months. We should revisit it in some regular sequence or something. It doesn't have to be two months, but something much faster than 18 months.

GREG DIBIASE: Thanks. Oh, sorry. Stephanie, is that an old hand?

STEPHANIE PERRIN: Yes, sorry.

GREG DIBIASE: Susan, you're next in the queue.

SUSAN PAYNE: Yeah, thank you. And again, I don't like Danan says, I don't think we can fix this on this call, but I do think at a minimum we have, we need to be explaining to the community, and I'm thinking particularly here of the

GAC, on whatever conclusion we come to, even if it's an interim conclusion that we can't do anything until X happens. Because I think we heard really clearly from the GAC yesterday, was it? Their frustration on this and a number of other issues. And I think we tend to assume perhaps that they will be reading things like reports that staff give us, and it's clear that they don't. And indeed, they why would they have the time for that?

And so, we if there's nothing that we can do, because the law doesn't allow it, then I think we need to be making that really clear to the GAC, and or getting input from people like the EU representative as to whether that assessment is correct. Because I know that the EU will never give you legal advice, but we're getting an enormous amount of frustration and anger, and I just don't think we're engaging on this properly and trying to sort of set the record straight.

So, yes, we probably don't come back to these, every five minutes. But I think we do need to be, we need to be setting out our stall. We've talked about comms and the importance of sort of messaging out, and we're just not doing it.

GREG DIBIASE: Thank you, Susan. And I definitely agree if there is a determination that there's not a basis to move forward at this point. I think we need to articulate why, and certainly better than me on the mic right here. So, yeah, I'd agree that if that is our determination, which I'm not saying it is, I think we need to have a good rationale. Caitlin?

ELEEZA AGOPIAN: Hi, this is Eleeza Agopian from ICANN org. I wanted to offer a little bit of clarification around a couple of comments I heard regarding requesting data to do any further accuracy checks. And I think this is an issue we clarified with the Council a few months ago. I can't remember the exact timeline. But just to be clear, in terms of requesting data from registrars as the RA limits what we can request. And this is irrespective of what the law requires and of whether or not we have a data protection specification in place. So, even if we had the data protection specification in place, we couldn't just ask for whatever we want, nor could we necessarily require it. So, I wanted to clear up that piece.

The other piece of it, of course, is under the law, particularly under European law, we'd have to show a legitimate purpose for requesting that data. It'd have to be proportionate to the processing that we're proposing and what the scope of the question that we're trying to answer is. So, those are some of the kinds of challenges and constraints that we outlined. And the memo that we had provided noted that we do have historical audit data that may be helpful in this purpose. And, of course, that is looking at the current verification requirements. And that information might be useful for the scoping teams or the council's decision. So, I just wanted to point to that as well. And I think that is it. But I'm happy to answer any questions insofar as I'm able.

GREG DIBIASE: Thanks, Eleeza. And just to confirm, the historical compliance data is information on the processes of the registries and the registrars as opposed to pulling data with the purpose of assessing its accuracy?

ELEEZA AGOPIAN: That's correct.

GREG DIBIASE: Thanks. Okay. I don't see any other hands in the queues. Maybe I'll put the task on Council to keep thinking about this problem. If, indeed, it does make sense to wait for other outcomes, I'm inclined to agree with Susan. We should be articulate in our rationale. But I think we can continue to revisit this until we land on a path forward and have a strong rationale for it. Any other comments or concerns on this topic? Okay. Terri, help me. When is Anne back?

TERRI AGNEW: She is. Item six, we go.

GREG DIBIASE: Okay. So, Anne will be providing an update on the standing predictability implementation review team draft charter. Take it away, Anne.

ANNE AIKMAN-SCALESE: Great. Well, if I could get staff to post the slides. Thank you. So, in the SubPro process, as you all know, because you forwarded the recommendations to the Board and the predictability framework was adopted, it's a tool that is designed to address issues at the beginning of the next round. The standing predictability implementation review team, which we call the SPIRT, in the SPIRT of cooperation, is designed to help address some of these issues as they arrive, collaborating with ICANN org, but under the supervision of GNSO council. And in the IRT process, it was determined that council, as a supervisor, the SPIRT would be the body that would be in charge of drafting the charter for the SPIRT.

So, what we're doing here today is we're trying to familiarize you with some of the deliberations that have occurred and go through some of the issues that have arisen, particularly in relation to the Annex E implementation guidance. So, I guess if we can go through the slides one by one. My suggestion, subject to the chair's prerogative is that if you have a question on a slide, it should probably be raised at that time rather than at the end if we think we have enough time. But if Greg says we don't have enough time, then I'll go through all of them. So, how are we doing on time?

GREG DIBIASE: I think we're doing okay on time.

ANNE AIKMAN-SCALESE: Okay, perfect.

GREG DIBIASE: Yeah, we're ahead of time.

ANNE AIKMAN-SCALESE: Good, that's great. Well, let's go ahead to the next slide, please. And the next slide after that. So, our objective on the team and my role is as Council liaison to the team. The team is representative team. I will have to say that we've had some issues in relation to attendance, but we're getting through it. It's a limited assignment. We have as chair Nitin Walia from Business Constituency and Alan Greenberg has been the vice chair and we've had a few members who are regular attenders and regularly commenting on the draft document.

We do have representation from other members of the community. Nigel Hickson has been actively involved from the GAC. So, previously, the GAC had expressed some concerns about how this team would operate and happy to say that Nigel's been involved as well in developing where we are right now in the draft charter. So, the SPIRT, according to the final report, was to be formed in accordance with Annex E, which is implementation guidance. And the SPIRT and the predictability framework do not come into play until the applicant guidebook is actually published. So, the timing on this is next year.

The objective is for us to draft a charter that outlines the proper functioning of the SPIRT and how the predictability framework should be utilized when issues arise. So, where we are now is we have a draft, but in terms of the timing, we will not be finalizing that draft until our

June 24th meeting. So, here we'd like to review a few things with council, maybe get some feedback, and then this will not come before Council for a vote until the July meeting. You will actually see our finalized draft charter that's being recommended to Council in time before the July meeting for a vote.

So, this is the timeline for the work that we've done. We've had eight meetings one of which was canceled. We've had some leadership meetings. There is an existing draft. There are a few more things that need to be discussed and coordinated with the IRT. We've got Lars Hoffman has made a few comments here and there. So, our June 24th meeting and your input will be important for that process of finalizing the charter.

Let's go ahead to the structure. This is the existing structure of the document. We've got the identification of the role of the SPIRT, the chartering organization, the approval date, the workspace. We have mission, purpose, and deliverables. Basically, what the SPIRT is designed to do. Formation, staffing, organization, what's our membership model. Much of this is covered by Annex E in the final report. So, we are faithful to Annex E wherever we can be. There have been some variations, which we'll go over in later slides.

The rules of engagement. Next section is the statement of interest, the statement of participation, what happens when an issue is categorized as a policy issue and needs to be brought to the Council level. Formal complaint process. Also, the decision-making methodologies, which what was determined by the team is that essentially decision-making would follow the PDP working group guidelines for the most part. So, and then the document history, of course, will be in there.

So, under the section for mission, purpose, and deliverables, the discussion revolved around what happens when a minor operational change is needed. So, you have ICANN org needing to make a change that the issues arisen after the applicant guidebook is published and they need to make that change going forward quickly. There was an issue that arose for discussion as to whether that should be brought to the SPIRT to get the SPIRT's agreement to it before that change was implemented. But in further conversations with the IRT, the SPIRT team charter drafting team members determined that they could live with the classification by ICANN org as a minor operational issue and have them go ahead and make the change, but that the SPIRT would then react within a quick time frame if it felt that the issue was improperly categorized.

And so, one of the issues around this is that, to some extent, the Annex E implementation guidance implies that it's the SPIRT that will be triaging and classifying the issues, but in the case of a minor operational change, what was worked out and agreed on by the drafting team was that if it's a minor operational matter, ICANN org can classify it as such. The SPIRT is not going to be notified formally by ICANN org of this minor operational change, but the SPIRT will have the responsibility to monitor the change log because it was an important part of the SubPro final report that every change that might be made subsequent to the publication of the applicant guidebook would need to appear in a change log, and how that was going to be dealt with.

If it's classified by ICANN org as something other than a minor operational change, then ICANN org needs to come to the SPIRT team members and say, hey, do you think that this is going to, we can deal with this under existing policy, or do you think there's a new policy issue here that needs to be raised to the Council level? So, that is a slight difference from Annex E, but one that the team felt was practical and needed to be instituted that way to allow that initial classification by ICANN org. So, the change log will be monitored carefully by SPIRT members. That will be individual responsibilities.

This slide is about who can raise an issue with the SPIRT, and according to the final report, not just anyone can bring an issue to the SPIRT that needs to be dealt with. There would be too many issues that could potentially just bog the whole process down. So, the final report says that an issue can be raised by the ICANN Board, ICANN org, or the GNSO council, and what the draft currently says, the issues forwarded to ICANN org are limited to ICANN Board or the council, but ICANN org can refer an issue to itself, and issues forwarded to ICANN org should be subject to thoughtful analysis and have an impact beyond a single applicant.

So, again, this is a triaging function. It's anticipated there will be collaboration between ICANN org and SPIRT to classify issues, and there, within the IRT, issues have been defined as three possible different classifications. Now, SubPro final report came up with five different classifications of types of issues, depending on whether they were minor or had a material impact on applicants or whether they were major, whether they involved policy issues, et cetera, et cetera, but at the IRT level, we all agreed and put out for public comment the notion that we really ought to just have three classifications of issues to make it simplified.

The team essentially determined, sorry, Jeff's thing is actually showing up over some text that I want to read. So, the team's decision was that, essentially ICANN org has taken on the SPIRT's role of triaging issues and that that's consistent with the predictability framework that went out for public comment.

Again, under mission, purpose, and deliverables and time frames. In order to operate efficiently in the charter, we are specifying a number of days that SPIRT has to get back to ICANN org. So, it says when ICANN org notifies the SPIRT of the type of change considered by ICANN org, the SPIRT shall endeavor to provide guidance, if any, within seven calendar days for changes designated as minor operational changes, no more than three calendar days to provide guidance if it disagrees with that classification.

So, ICANN org says this is a minor operational issue and we need to go ahead and fix it now. And the SPIRT's monitoring the log and says, what? We don't think that's a minor operational issue at all. We need to talk about this. Let's come to the table and talk about this.

So, this is about, the GNSO Council's role in terms of considering issues that arise either because they're proposed by some party other than the Council and potentially issues that arise that involve a policy issue. And it's about the timing for when that has to be resolved. I will say that what Annex E says is that there's a 60-day timeframe for getting to a resolution on that issue. But what the predictability framework says, I believe at this stage, is that the ICANN org can proceed with solution if it doesn't have answer back from the SPIRT within 30 days.

Well, what appears in the charter now is, I think, is a little more loosey-goosey timeframe of 30 to 60 days. So, I view this as something that in our June 24th meeting, we are going to have to try to work out with ICANN org to make sure that it's clear how quickly an issue needs to be resolved before ICANN org proceeds with the solution. Call for volunteers. Annex E was not clear on the call for volunteers. So, we put in a provision that said, that there would be at least an annual call for volunteers.

And if we ended up in a situation where we didn't have enough team members on the SPIRT team, we could issue a call for volunteers more frequently than one year. So, that's in the draft. Formation, staffing, et cetera. Oh, sorry.

Next slide, please. This is about leadership term because Anne E wasn't specific. We were, Annex E out of the final report was specific about terms for SPIRT members. Initial term for three years for some of the members. We want to get to staggered terms. I keep seeing Jeff's comments. There were two-year terms specified for members. This is about a void in terms of how long chair and any vice chairs might serve.

So, some draft language was developed to state that the leadership team shall serve a two-year term with the role being reviewed by GNSO Council every two years. And as part of this review, GNSO Council is expected to request the SPIRT and or Council liaison to the SPIRT for input on the role and functioning of the SPIRT leadership. So, again, SPIRT's supposed to be supervised by council. There should be a reporting process, which so far, I think is not covered specifically enough in the chart or frankly, some have expressed the notion that it's the liaison to the SPIRT team that needs to keep Council informed of what the SPIRT team is doing. Some are of the opinion that it's the chair of the SPIRT team. And I think that's an issue that we need to resolve in our June 24th meeting.

Okay, leadership. This is about the support for the SPIRT team. Obviously, we would expect to have policy staff, since this is a GNSO Council supervision role and policy staff has confirmed that Annex E also says that GDD staff should be readily available because all that communication that needs to come from ICANN org when it decides to make a change. So, that role, we are specifying that there should be some interaction with GDD staff, but we don't want to try to specify who exactly that should be or what title that person has, but just make it clear that that's a critical element of interaction with the SPIRT and a go-to point when the SPIRT needs to contact and say, gee, ICANN, you've misclassified this issue or, gee, this is a policy issue and needs to be raised at the Council level.

Okay. Statements of interest and transparency. Within Annex E, there's a statement that those who join as members will have a special statement of participation and that they will need to specify whether they employed by under contract with, financial interest in or providing consulting financial, legal, or other services to any new gTLD applicant, objector, or commenter. And so, at this point of joining the SPIRT, that is a neutral sort of statement about a role that the proposed member has.

However, then moving on to the next slide, just so we don't get bogged down in too much text, at the point where in the new gTLD applications come in, the SPIRT member would be required to certify in their application to participate on the team that when new applications come in, that SPIRT member will need to disclose the specific applications that it's involved in, no matter what the role is, and no matter whether it's involved in an objection or providing a back-end services or the application itself, and the SPIRT team member needs to, when they sign on to begin with, it was determined by the team that they will need to say specifically which applications that they're associated with at the time of the publication of the new gTLD applications.

So, we can read this one out, just so we're all very clear on this. Where relevant, I agree to disclose on a regular and ongoing basis whether I am in any way associated with an application for a new gTLD string in the current round. This includes being an employee, consultant, outside advisor, including legal or any other association with the applicant, a back-end operator, and or any other service provider in the new gTLD program. Prior to applications being revealed, I must only disclose that I am working with one or more applications, provided, however, that after all applications are revealed to the public, I must specify which applications I am associated with. So, that's the requirement that was determined by the team. It was the only fair way to go on a SPIRT team member participation.

I should also have added that it does not actually require a SPIRT team member to recuse himself or herself from deliberations. It's really the disclosure that is important. And there are situations where a member may want to recuse himself or herself, but it's not required under the terms of the charter. And next we move to the decision-making methodologies.

Essentially what all this text boils down to is that we're going to use the same decision-making methodologies as are used in a PDP working group. They're in cases where there's a need for consensus determination, we'll follow the PDP working group rules. If there's some people on the SPIRT who think, well, this issue that has arisen, it can be addressed under existing policy. And then there's some people who say, no way, this is a real policy issue. This has to go up to Council and council's going to have to deal with it as a new policy issue.

Well, you get a consensus determination, presumably at that point, there might be an ability then for the SPIRT team to outline the issues, send something forward and say, hey Council what do you think? We're not the decision-makers here. How should we treat this? Requires new policy or can be implemented without new policy. So, think PDP working group methodologies for guidelines.

This is a final slide, something that I wanted to point out. The SPIRT isn't always going to raise every issue with council. Okay. It's going to try to work things out with ICANN org. If SPIRT thinks there's a policy issue, if there's disagreement about whether there is or isn't, that'll come to council's attention. But the provision that is our safeguard coming from directly from the final report with respect to guardrails and decision-making is that, under the existing GNSO operating procedures, any Council member can raise an issue via the input process or the guidance process or EPDP process. And so, it specifically states in the SubPro final report, in the event of a conflict, existing GNSO processes and procedures, including the GNSO input process, GNSO guidance process and EPDP as contained in the annexes to the GNSO operating procedures take precedence.

So, the predictability framework and the SPIRT are not intended as methods of overriding council's jurisdiction on policy issues. It's just supposed to be a practical tool as a standing implementation review team to get us through the fact that changes occur and are needed and new issues arise based on our experience when new rounds open. Spirit determination is subject to the GNSO Council operating procedures, which allow any Council member to request further review at the Council level. And does anyone have a question?

GREG DIBIASE: Thank you for that detailed report, Anne.

ANNE AIKMAN-SCALESE: Did I put you guys to sleep?

GREG DIBIASE: Not at all.

ANNE AIKMAN-SCALESE: Some yawns.

GREG DIBIASE: Necessary in the weeds work.

ANNE AIKMAN-SCALESE: I prefer to think of that as wandering through wildflowers.

GREG DIBIASE: I'll use that going forward. Does anyone have any comments or questions for Anne? Great. Thank you so much, Anne.

ANNE AIKMAN-SCALESE: Thank you.

GREG DIBIASE: Okay. With that, we'll move to item 8, an update on the Internet Governance Forum Support Association. We originally had Chris Mondini to speak on this topic. He is unavailable. So, Jen has graciously--, no? Who's talking? Someone's giving an update.

JENNIFER CHUNG: Greg, this is Jen. I'm going to defer to the chair of the group, Amrita Choudhury.

GREG DIBIASE: Wonderful.

AMRITA CHOUDHURY: Thank you so much for having us here. And can we have the slides up, please, if it is possible? And before I begin speaking about the IGFSA, which is the IGF Supporting Association, we just wanted to ask how many of you have been at the IGF? And how many of you have heard of IGFSA? Anyone of you who are associated with a national or regional or youth IGF in your local communities? Okay. Thank you.

The idea of coming here, obviously, is to, again, speak about IGF, what we do, as well as we also will have an ask at the end of this presentation. And if we can go to the next slide. Many of you may have been hearing a lot about new processes being introduced at the global level, a lot of multistakeholder, a lot of multilateral dialogues happening at the Internet and Digital Governance Forum, etcetera. And for many of us, the Internet Governance Forum is one such UN-created platform where all stakeholders can come together to discuss on issues, deliberate on issues at equal footing.

And this is something which many of us have been and most of the ICANN community has been endorsing on. It also a testbed where people can come and test out what has been working in one particular region, discuss on issues. And then there are some statements which are made at the end of it, which many of the national regional IGFs take back to the community, as well as bring in new thoughts into the discussion.

And the Global IGF was set up in 2006 as a part of the WSIS Forum. And the IGFSA was set up in 2014 by many of the people whom you know, like the Maryland Cake, Tarik Kamal, etcetera. We have been operational, but we have been very low profile. But primarily, we support the national, regional and youth initiatives, which is known as NRIs, mostly in the developing world.

So, why should someone support the local IGFs? And there are many such things. But since we are speaking in an ICANN forum, we would say that we want to encourage more ICANN-related discussions in many of the national, regional initiatives. While there is a lot of other digital technology policies like content regulation, intermediary reliability, or artificial intelligence, which are discussed, but issues like understanding the DNS knowledge, or what differentiates between a technical issue and a content issue, etcetera, which is of relevance to ICANN, needs to be discussed so that even policymakers who participate in these forums can understand the subtle difference.

For example, if DNS abuse is being discussed, there is a content-related issue at the DNS abuse, which someone else would be looking after. But at the ICANN's mandate, the DNS abuse only would be looked after at the domain level. So, those slight differentiations are also important that the community comes to know.

So, the NRIs are now spread across more than 160 countries. We give grants, which to you may sound very less, but to many is quite a lot, ranges from $500 to $3,500. But what we do is we test it with the IGF Secretariat and we also evaluate the applications which come in before we provide any funds. The EC members wisdom is one of them out here. I don't see anyone else, but you will be seeing a slide on the EC members and Jennifer here manages the Secretariat. They do most of the job to actually look at the applications and see if it is viable or not.

These are some of the topics which are discussed. There are many more depending upon the national interests or the regional interests, but some of them which is of interest even to this community is like DNS operation, the DNS Abuse mitigation, obviously data protection, content regulation, safety, security rights are things which are discussed. The next slide, please.

This is just to give you a taste of what may be discussed, but there are more localized issues which are discussed. So, primarily what we do is we support the national regional initiatives as well as the IGF at certain point of time. You may also know that at times and at many times IGF is cash starved, so at times we do try to support in our own way. The IGFs also and why you should support is because the IGF supports a lot of talent, especially in the developing countries, many of the policy professionals, the youth, etcetera. come to these places and we feel that the conversations should continue in a bottom-up process of many of the issues rather than governments actually dictating things and people going and questioning the governments. And that is why we want to kind of encourage a more open forum where people can have communications and that's why we want to support the IGF ecosystem much more.

The next slide, please. And what we do is obviously we try to do a quality control. As I said, look at the proposals which are coming at times. We also ask them to clarify or modify a bit before they come. We don't go into the content, but if someone asks us for some help in terms of speakers or some content, we do suggest, but we try not to interfere with it. And obviously we go back to our donors also with feedback on what worked, what didn't, and request for support from people.

So, how you can get involved, this is our ask, is you can individually also become a member. The annual individual member's fee is 25 US dollars. And what we heard while talking to many of the SO ACs in the last two days is many are interested to also become experts or repository for information. For example, if there is an IGF in Benin and they are looking at a particular speaker who can speak on, say, root servers, if we have a list of people and from that region to have them speaking out, there is something which is an input we got, follow us on social media, sign up on letters. And our ask is that you all may be coming from certain organizations, if you could spread the word there and they can sponsor, we are looking for sponsorship to be blunt. So, if you could help us with that, we can always customize creatively. And Jennifer is also here in the Council to help you out. I'm putting it on you as our mascot.

So, if you have any comments, you could reach out to Chris Mondini. And we have the next slide. And this is our executive council. Most of them, you would be knowing they are from this community. And the next slide is, oh, in fact, if you have any inputs on whom we can reach out to in a particular organization, who could be potential donors, please do help us reach Chris Mondini's email ID is given. I thought we had another email ID. But that's from us. We are open to questions and Wisdom or Jen, in case I've missed something and you think is imperatively valid.

GREG DIBIASE: Thank you so much for that update. Does anyone have any questions? Jen?

JENNIFER CHUNG: I guess just a short note for councilors and also people here in the room. I think we had that plenary session about what I can do from the multi-stakeholder community and all of that. This is one quite concrete thing that you can do personally. And also, if your organization is already involved with IGF initiatives in your own region or country. I know that there are councilors who already participate individually. I know that there are registries and registrars who do also participate. But this is one very concrete step. Thanks.

GREG DIBIASE: Thanks for that, Jen. And I guess I just echo something Jeff put in the chat that these are helpful for many on Council that aren't able to attend IGF. So, this is really useful information for the council. And I'm glad we have a mascot now. Any other comments, questions? Thank you so much. Moving on to item nine. Council discussion on updated work from the strategic planning session. I think Nacho, I'll hand it over to you. Right.

NACHO AMADOZ: Thank you. This is Nacho. So, we added this item to the agenda so that we could get some updates on what we discussed in December in the strategic planning session where we discussed our role as manager of the policy development process. And we identified among others the three that we are going to get updates from staff, which are the working groups and implementation review teams, liaisons, the public comment periods, and the recommendations report. Well, I think that's going to-- What do you think?

STEVE CHAN: It's going to be a tag team between Julie and myself. And Julie's up first, I think. There you go.

JULIE HEDLUND: Hi. Thank you, Nacho. And thanks, Steve. I'll go to this. I'm Julie Hedlund. I am not in Cali. So, I'm joining you from Arlington, Virginia. And next slide, please. So, we've got three items today, as Nacho mentioned. The first is the GNSO Council liaisons to working groups. And this kind of came out of this SPS that there was a need to review the roles or the documentation for the liaisons to working groups and see if this is still up to date and whether there were any Gaps or changes that needed to be made.

So, next slide, please. So, the first action item is staff to review the resources existing that have guidance for the Council liaisons to working groups. And you'll see the list here. Essentially, it's the description that we've cataloged, the working group guidelines, PDP manual, the IRT principles and guidelines, the PDP 3.0 information final report, and the consensus policy implementation framework or CBIF.

So, staff reviewed the resources and then also reviewed the role description for the liaisons to working groups. And we determined after reviewing the description and the resources that the documents referenced in the role description are comprehensive and up to date. The description of the role is still valid and complete and we did not find any Gaps in the role description or in the reference documents. So, having completed the review of the description and of the various resource documents, it's up to the Council to determine whether there were no Gaps. It's up to the Council to determine whether further actions need to be taken with respect to the working group liaison description and resources. So, I'll pause there and turn it back over to you, Nacho.

NACHO AMADOZ: Thank you very much, Julie. Thank you for the work and for the updates. And we are now at 2.3. Sorry. There's a hand raised and it's right. You go ahead.

ANNE AIKMAN-SCALESE: Yeah, thanks, Nacho. And certainly, appreciate that comprehensive research, Julie. I have a vague recollection that when the Council liaison guidelines were modified, maybe it was in connection with 3.0, that it stated that that the PDP manual was to be amended to include that role. And I don't know if you got so far as to check on that or whether the PDP manual has been amended to include the Council liaison role in the procedures in PDP manual.

JULIE HEDLUND: Thank you, Anne. That's a really good question. So, the PDP manual and the GNSO operating procedures in general don't reference, well, don't incorporate, shall we say, documents that may change, possibly be changed frequently or more frequently than the operating procedures change. So, there is not a direct link to the current working group liaison description, although it is by reference included in the working group guidelines. So, what staff can do is we can link to where the descriptions reside on the GNSO website more directly in the next iteration of the operating procedures. But we would Council against linking directly to the document in case there did need to be updates at some further time at some time when there is not an update to the operating procedures that is scheduled. But happy to consider this further.

ANNE AIKMAN-SCALESE: Yeah, I do think it should be linked to the current version because I remember previously when I was looking for it, I found different versions and I think it would be great if you could link in the PDP manual to whatever is the latest version of the Council liaison role would be super. Thank you.

JULIE HEDLUND: Thanks, Anne.

NACHO AMADOZ: Thank you, Anne, for that improvement proposal. And I guess that the next topic is recommendations report and that's you, Steve.

STEVE CHAN: Yes, thanks, Nacho. This is Steve from staff. So, just in summary, this action item is in recommendation support. The goal was to investigate the origins and then also the ability to amend as necessary. And then 5.2 is to determine whether or not any changes are in fact necessary. So, in respect of 5.1 about origins and how to go about making updates, the ICANN bylaws talk about the fact that a recommendations report must be delivered by the Council to the Board, but it doesn't specify the format.

So, the next step that we took was to look into the GNSO operating, or sorry, the PDP manual. And it says the staff should inform the GNSO Council from time to time of the format requested by the Board. And so, I tried to do some parsing of language here. And so that's what the next bullet here is about. And so, it's essentially the implications. And so, it seems to mean that the format is requested by the Board. But at the end of the day, the report is a product of the Council and they own the report.

And so, you can interpret that to mean that since the Council is the owner of the report, the Board is requesting the format of the council. And so that's a lot of parsing and probably a complicated procedure that's probably not necessary. And so that's where you get to the next bullet, which is essentially that practically, probably both parties should feel like they have the opportunity to request amendments, and then come to a mutual agreement on those amendments to the report.

So, that is my parsing of the language in the bylaws as well as the operating or the PDP manual, excuse me, parsing through but then also trying to put forward a more practical way to actually go about edits to the language. So, I'll get to the second action item. So, from the staff perspective, one of the concerns that had been identified, at least at the strategic plan session is that it seemed a little bit redundant.

And then also, may be misleading in the sense that the recommendations report includes the recommendations from the report, or the PDP final report, but not necessarily the full context of the report. And so, what we tried to do for two recent recommendations report, and that's the IDN's EPDP phase one, as well as the GDP on applicant support.

So, those two recommendations reports were approved by the council, I want to say in February of this year. And so, within the existing format, what we tried to do is make a reference to the full reports. In that existing format to make sure that it's well understood that if you want to look into the full context of those recommendations. That can only be found in the final report. Don't look at just the annex where the recommendations are. And so, we took that action on in drafting that report, because we knew that we wouldn't get to this action in time.

And we didn't want to hold those recommendation reports to try to amend them. Prior to actually deliver them to the, to the Board.

So, at least from the staff perspective, it seems that at least the 1 concern that has been raised. There's maybe an accommodation in the existing format and therefore, at least on the staff side, we didn't see any updates to the recognition support that seemed critical at the stage. But, of course, the Council may see differently. So, did actually. Thanks.

NACHO AMADOZ: Thank you very much. And it is very helpful to keep up. Anne, I still see your hand and that is from before, I guess. There is no new hand, so we can go for the next topic, is that still you? Oh, I see one hand. Sorry, go ahead.

KURT PRITZ: So, this is an elementary question, but what's. What's the purpose of the recommendations report and why cannot or just rely on the report issued by the. By the working group, what's that? What was the original purpose of requiring a recommendations report.

STEVE CHAN: This is Steve, I'll try to take the question. So, I don't honestly know the original origins of it, but it's part of the bylaws and requirement. And so, I just asked to go to the existing elements that are in there and you'll see that they're not. They don't match 1 to 1 to what's in the report. So, you actually get additional context. And so, it essentially, I would look at it as being an official handoff from the Council to the Board, provide additional context about what's in the report and things that the Board should take into consideration as it examines the report and the recommendations. I hope that helps. Thanks.

NACHO AMADOZ: I think it makes sense. Kurt, any follow up to that.

KURT PRITZ: So, I'm concerned that the Board doesn't pay attention to the working group generated report and pays attention instead to the staff elaborations on that and that's where the opportunity for the clash comes. Anyway, so I don't know. I think saying, just to blurt it out. I don't think saying it's part of the bylaws is if--. I think we should understand whether it's necessary or not. Maybe that's the thing we should look at. Anyway, I'm dropping it. Sorry. Let's get to the end of the meeting.

NACHO AMADOZ: And you're next right?

ANNE AIKMAN-SCALESE: Yeah, thank you. I did think of it and I did think of 1 question. But I believe there was a lot of discussion in the SPS about whether recommendations were in fact Board ready. And I wondered whether staff took a look at. Although I doubt that we specifically ask them to do this, but took a look at whether that recommendations report should have any kind of aspect of check in the boxes on Board ready. For the recommendations that I don't that we even came up with boxes that we would want to check, but there was a great deal of concern in the SPS meeting about, hey, are we sending forward things that are actually Board ready? And should we be checking on that as we send forward final recommendations.

STEVE CHAN: Thanks for the question and I think what I would just quickly respond to is that there's actually a separate action item from the SPS that is looking at what constitutes a Board readiness for the recommendations. So, that one's actually still pending and in development.

NACHO AMADOZ: Just a comment. I guess that that would depend on when we see the recommendations and we think that they are already enough, right? So, I think that this is a work in progress that we are going to be adjusting as we go, because I don't think there's a clear preset of boxes to take to make it ready, depending on context, the kind of content. So, I think that will keep on top of that. Right?

ANNE AIKMAN-SCALESE: Yes, thank you. It sounds like the recommendations report would then be amended after that process is complete. Thank you.

NACHO AMADOZ: Thank you. Next is Jeff.

JEFF NEUMAN: Yeah, so originally in PDP 1 and 2, the recommendations report was done usually before there was like an annex that we do now, which actually summarizes all the recommendations. It seems to me that it now has become redundant, especially. It was also intended that the recommendations originally again, the recommendations report that goes to the Board would also have an element of what's ICANN org staff and legal opinions added to it that the Council wouldn't see.

And so, it was supposed to speed up the process of getting things to the Board, but now with the recommendations report, you're taking a month to get approved after, at least a month after and then having yet another Board report drafted on top of that, it causes delays of 3 to 6 months before the Board actually gets to receive the report and even consider the recommendation. So, I do think at the next revisions of the PDP should look at eliminating the redundancies that we've created. Thanks.

NACHO AMADOZ: I guess that point taken and we'll see when we make those reviews about the timing. There's a hand from Manju.

MANJU CHEN: I'm here. This is Manju speaking. So, I definitely echo the sentiment of having the recommendations Board ready, but I'm not sure if it's the job of staff to determine if the recommendations are Board ready. I feel like it's more of the working group's job to doing their deliberations already consult the staff and consult their Board liaisons constantly, continuously to make sure everybody's on the same page, no surprises on the recommendations.

So, I feel like this is less of the job of the staff, but more of the job of the working group. So, I guess just checkbox, if somebody's taking the checkbox, they should be the working group to another staff. And to be honest, who knows if it's already because we're not the Board knows if they're ready. I definitely feel like we have to make the recommendations were ready and I think I've expressed some concerns of this thinking too. I'm not going to repeat them here, but yeah, that's my two senses. Thanks.

NACHO AMADOZ: So, I guess that we should get the working groups to be on top of what the staff provides for them, because they rely on the work that the staff does for them to take a look and then I don't know, maybe consult with any or liaison that they may have if it is ready, so to speak, but also we also need the expertise to understand if this is then later going to be creating some difficulties that are unanticipated by the members of the working. But this still has to be an equilibrium. Steve, sorry, saw your hand now.

STEVE CHAN: No problem, Nacho. Thank you very much. This is Steve Chan again from staff. And I guess I just wanted to reiterate the point that you, Nacho and also Manju made. And so, I mentioned that the Board readiness actually, it's still in progress, but I can give you a sneak preview of sort of what it looks like. And I think you just touched on it. It's not a checklist because Board readiness isn't a binary thing. And I think it's probably pretty easy to understand. So, it's going to be a set of things in the continue and actions that the PDP can take along the way to better ensure Board readiness, because, like you said, you can't guarantee that the Board acts on its own. It makes its decision. So, just want to reiterate your point. Thank you.

NACHO AMADOZ: And again, as we said, this is a work in progress. It's not something that ends today. So, we are always going to be able to look at what worked and what didn't in what we do. No more hands, no more questions. So, who's taking the next recommendation? Julie, right? Thank you very much.

JULIE HEDLUND: So, I'm going to go quickly because we're running out of time for this action item, this agenda item, I should say. And this is on the public comment review process and making sure that public comments are properly taken into consideration by working groups, PDP working groups and other working groups. So, we documented existing procedures and, in fact, we looked at what has been done most recently by the GGP, the GNSO guidance process working group in their development of their initial report and the final report. And in particular, the process begins by the initial report being posted for public comment. And then the staff produces a public comment review tool, which the working group uses to review all of the comments.

And I note here that it's mandatory for the working group to review all comments and the agendas are posted for working group meetings so that those who have submitted comments can take note of when their comments will be discussed and can participate as observers, or, if they're on the working group, must participate in that way. And then any discussion and actions coming out of that discussion get incorporated into the working group public comment review tool.

And at the bottom of that slide, it's hard to read. The public comment review tool is incorporated into the summary report of the public comments that's published on the public comment site. So, how are these deliberations documented?

Well, they go into the final report and as is most recently in the GGP final report, the deliberations are summarized and the rationale details how the concerns that were raised in public comment are addressed. And not all concerns have to be addressed, but they do get discussed and that is summarized. And in some cases, they may result in changes to recommendations as they did for the GGP. And then also in the Board paper, when the recommendations are sent to the Board, again, as we did in the GGP paper, it directly addresses how the community concerns were taken into account.

And so, next slide, please. And here you see where this occurs in the public comment process. So, the initial report is published for public comment. We're working to address the comments and the deliberations and the rationale in the final report. And community concerns are called out and addressed in the Board report, along with the recommendations. So, that was what staff conducted as a review of the current process and determined that there are procedures in place to address comments. And these procedures were followed most recently. And we'll listen to the Council if there are further actions that we should take in this regard. Thank you.

NACHO AMADOZ: Thank you very much, Julie. I think that was very clear and useful. Questions, hands, comments, proposals? We're good. Back to you, Greg.

GREG DIBIASE: Thanks. And I guess I have one question. So, I guess this information is going to be sent to council. This is an overview.

JULIE HEDLUND: Yeah, we can send a follow up.

GREG DIBIASE: Okay. Kurt, did you have a comment?

KURT PRITZ: Yeah, I had a comment about the comments. So, I think there's still some negative perception about how public comments is dealt with. And it may just come from those who makes a comment and then their comment doesn't make it into a final report or an edited version of the final report. And I'm wondering how we can, even if it's being handled properly, how we handle this from a public relations standpoint.

So, I think this is kind of a communications issue for us, even if the process is solid. And one idea I had that may or may not be good is that, we could compare, we could get like the chairs and a couple of members of different PDPs through the years starting with the PDP registration data had a couple of chairs and there's SubPro and IDNs and transfer policy. Maybe try to get lessons learned about how the differences on how comments were handled in each one of those and try to pick the best or something like that. I don't know. But I still see this as a sort of a communications PR issue that we need to address. Thanks.

GREG DIBIASE: Thanks, Kurt. Yeah, I think we can consider that feedback. We need to move on. Stephanie, can you be brief?

STEPHANIE PERRIN: Rarely, but I'll give it a shot. I'm a big fan of reply comments and I think that for-- let's take a hypothetical that a particular group might think that their comments never seem to make it to the final report no matter how often they raise them. How about a procedural mechanism where someone or a group could look at the final report and query, okay, how did you dispose of this? Because the summaries of how the comments are dealt with rarely takes individual comments and explains why they're being dropped.

Having done government comments and requests for comments and how you have to dispose of comments and standards organization, same thing. I don't think we meet that standard. I think this is more than a PR issue. I don't think we've got a good enough process in place to explain to people why their comments were disregarded. Thank you.

GREG DIBIASE: Thanks, Stephanie. And I think we can consider staff's output and continue what additional work might be needed there. Steve?

STEVE CHAN: Thanks, Greg. This is Steve Chan from staff. And I say this slightly hesitantly, but I think there's a little bit of difference in the way that a PDP considers public comments versus maybe a complete staff-owned process. And so, the way that PDPs go through their comments, there's a very robust comment review tool and it's very detailed, and it will actually show you clearly as a commenter, how your comment was or was not, well, they're all considered, but how it may or may not have impacted the final product.

And so that level of detail is there for a PDP. And so, I guess I'd wonder if there's concerns about the public comment process, is it in respect to how they are considered in the context of a PDP? And so, I think that might make a difference whether or not the Council itself needs to make changes for its processes for reviewing those public comments. Thanks.

GREG DIBIASE: Thanks, Steve. There's more to discuss on this topic. Okay, we're moving on to AOB. And we had, I think, an update from Desiree on the ccNSO, but I'm not sure if Desiree was available. She may have been feeling under the water or under the weather. Desiree, are you there?

DESIREE MILOŠEVIĆ: I am, Greg. Thank you. I just wanted to give a brief update that our Council and the ccNSO Council will have a joint meeting on July 11th, and we have our reminders already in the calendar. Also, I think there are some topics that we should be preparing ourselves for that meeting, and they include the election of the CSC, the standing committee, the holistic review, and also an update on the CCPDP4 that the ccNSO has been working for. As you might know, they had a fast-track policy for IDN, but CCPDP4 is now a policy process. So, that's quite interesting to look at, and I'd be happy to send more details to the Council about that as well. So, I'll keep it very brief and happy to answer any questions as well. Thanks.

GREG DIBIASE: Thanks, Desiree. And I note a comment from Manju in the chat asking if staff can kindly rescind that calendar invite. Any questions for Desiree? Okay. Moving on, I had a quick note on the Privacy Proxy Service

Accreditation PPSAI IRT call for volunteers. That first meeting is tomorrow. I heard that some people were a little confused about the sign that they needed to sign up in response to the email. So, if you are interested in IRT, make sure you follow the instructions and sign up. Glad to see that work getting underway.

The next item I had is from the GNSO informal meeting. We had discussed the possibility of a letter on the topic of the dismissal of the IPC's RFR related to recommendation 7 of the CCWG on auction proceeds. So, I'm just kind of restating it here and asking, or officially asking for a call for volunteers to maybe draft something for the Council to consider. I think if you're interested, reach out to staff and we can get that effort started. Any questions or concerns on that item? Great. Hearing none, I think we can move to the open mic section for anyone in the room, if you have comments to share with council, we have an open mic, kind of far over in the corner. Please come up. Please feel free.

TERRI AGNEW: And those online could raise their hand in Zoom.

GREG DIBIASE: Okay. Jeff. Go ahead.

JEFF NEUMAN: Yeah, thanks. I just like to watch you smile when I put my hand up. Now, it's just a pitch for applicants to, and if you could post a link somewhere to apply for the GNSO liaison to the GAC. It's an important position. And the description's out there and final, and hopefully there'll be a new one in place by the next meeting. So, just a pitch to apply. It's a lot more fun than it may seem.

GREG DIBIASE: Thanks, Jeff. That is a great reminder. Big shoes to fill, obviously, but I agree a really interesting and important role. Anne, I see your hand.

ANNE AIKMAN-SCALESE: Yeah, just a quick follow up on, not related to the letter that will be drafted in relation to the standing on the IPC RFR, but on the topic of the grant program generally. In an earlier meeting today, Becky Burr did confirm that there will be a more-narrow bylaws amendment proposed. It will still be a fundamental bylaws amendment, but it will be proposed in accordance with the recommendation of auction proceeds across community working group.

There are still three chartering organizations that need to formally agree to the deletion that the Board requested in recommendation seven to make sure that any point in the decision-making process for grants would not be challenged using those accountability mechanisms. And so, if you have friends in the SSAC, the address reporting organization or the GAC, please ask them to get that into the Board so that the Board can proceed with the recommendation that the working group recommended. Thanks.

GREG DIBIASE: Great. Thank you, Anne. Anyone else? Okay. Seeing no hands, thank you all for this meeting. Enjoy the rest of ICANN80, and I'll call this meeting to a close.

TERRI AGNEW: Thank you. We can stop the recording. The meeting has been adjourned.

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