
ICANN82 | CF – GNSO Council Meeting
Wednesday, March 12, 2025 – 13:15 to 15:15 PST

TERRI AGNEW The recording has started, and this is Terri Agnew. Good morning, good afternoon, and good evening, and welcome to the GNSO Council meeting on Wednesday, the 12th of March, 2025. Would you please acknowledge your name when we call it. Nacho Amadoz, he sends his apologies and the proxy goes to Samantha Demetriou. Jennifer Chung.

JENNIFER CHUNG Present. Thank you, Terri.

TERRI AGNEW You are welcome. Hong-Fu Meng.

HONG-FU MENG Present. Thank you, Terri.

TERRI AGNEW You are welcome. Samantha Demetriou.

SAMANTHA DEMETRIOU Present. Thanks, Terri.

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TERRI AGNEW You are welcome. Greg DiBiase.

GREG DIBIASE Present.

TERRI AGNEW Prudence Malinki.

PRUDENCE MALINKI Present. Thanks, Terri.

TERRI AGNEW You are welcome. Desiree Milošević.

DESIREE MILOSEVIC Present.

TERRI AGNEW Lawrence Olawale-Roberts.

LAWRENCE OLAWALE- Present.
ROBERTS

TERRI AGNEW Vivek Goyal.

VIVEK GOYAL	Present.
TERRI AGNEW	Damon Ashcraft.
DAMON ASHCRAFT	Present.
TERRI AGNEW	Susan Payne.
DAMON ASHCRAFT	Present. Thanks, Terri.
TERRI AGNEW	You are welcome. Osvaldo Novoa.
OSVALDO NOVOA	Here. Thank you.
TERRI AGNEW	Thomas Rickert.
THOMAS RICKERT	Present.

TERRI AGNEW

Julf Helsingus.

JULF HELSINGUS

Presently present.

TERRI AGNEW

Farzaneh Badiei.

FARZANEH BADIEI

Present.

TERRI AGNEW

Thank you. We do have remote, Peter Akinremi.

PETER AKINREMI

Here, Terri. Thank you.

TERRI AGNEW

Thank you. You're welcome. Just in case there's connectivity issues, which there does not seem to be, Peter does have a proxy in play, and if needed, then it'll be Julf Helsingus. Tomslin Samme-Nlar.

TOMSLIN SAMME-NLAR

Present.

TERRI AGNEW Thank you. Was your mic on, but he's present. I didn't hear him.
Sorry. Manju Chen.

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

TERRI AGNEW You're welcome. Bruna Martins dos Santos.

BRUNA MARTINS dos SANTOS Present and voiceless.

TERRI AGNEW Oh yeah, you are. Paul McGrady.

PAUL MCGRADY Here.

TERRI AGNEW Anne Aikman Scalese.

ANNE AIKMAN SCALESE Present.

TERRI AGNEW Sebastien Ducos.

SEBASTIEN DUCOS

Present.

TERRI AGNEW

Justine Chew.

JUSTINE CHEW

Present. Thanks, Terri.

TERRI AGNEW

You're welcome. And remotely, we have Antonia Chu.

ANTONIA CHU

Present. Thank you.

TERRI AGNEW

You are welcome. Also, at the table you'll see our guest, Roger Carney, Transfer Policy Review PDP Working Group Chair. We also have the policy team supporting the GNOS in the room. May I please remind everyone here to state your name before speaking as this call is being recorded. All are welcome to use the chat. Please use the dropdown menu in the chat and select everyone if you would like to see your chat messages for all to see your chat messages.

Councilors, if you'd like to speak during the session, please raise your hand in Zoom. When called upon, please unmute and state your name clearly for the benefit of other participants. During the

open mic portion, those in the meeting room will be invited to the queue at the standalone mic.

Those participating remotely will be able to raise their hands in Zoom and unmute their mics when called upon. As a reminder, those who take part in ICANN multi-stakeholder process are to comply the Expected Standard of Behavior and the ICANN Community Anti-Harassment Policy. With this, I'll turn the meeting back over to our GNSO chair, Greg DiBiase. Please begin.

GREG DIBIASE

Thank you so much. Welcome, everyone, to our GNSO council meeting at ICANN82. We have a fair amount on our agenda, so I'll dive right in and ask if anyone has an update to their statement of interest. Manju.

MANJU CHEN

I thought we're doing raising in the Zoom, that's why I raised my hand on the Zoom, but yeah, I'm updating my SOI. I left my job last week, now I'm jobless. So anyone's hiring, please come to me. Thank you.

GREG DIBIASE

Great update. All right. Does anyone else have updates to their statement of interest? Okay, seeing none, I'll ask if anyone would like to amend the agenda. Okay. I'll note that the status of the minutes for previous council meeting of 13 February was posted on March 3rd. And with that, I think we can go straight into-- oh, and

I'll also note that we are going to skip a review of projects and action items because we did that in our working session. And with that, I'll move on to the consent agenda. Tomslin, I think you're helping with that.

TOMSLIN SAMME-NLAR

Yeah, Greg. Thanks. So for our consent agenda today, we have two items. First being to confirm the GNSO standing committee on continuous improvement leadership team .si. I think Manju is chairing that. And we also have the second being the appointment of Greg DiBiase to Board seat 13. I assume no members want to remove any items from this consent agenda. If not, so we'll proceed with the vote then.

TERRI AGNEW

Thank you. Before we start the vote, for this vote only, to comply with the ICANN bylaws, Greg will not be voting and in his place, it'll be Hong-Fu. So here we go. Would anyone like to vote against this motion? Please say, aye. Hearing none, would all those in favor the motion, please say aye.

SPEAKERS

Aye.

TERRI AGNEW	Would anyone like to abstain from this motion, please say aye. Councilors holding proxies, please say, aye. So, Hong-Fu Meng for Greg DiBiase and Samantha Demetriou for Nacho Amadoz.
HONG-FU MENG	Aye.
SAMANTHA DEMETRIOU	Aye.
TERRI AGNEW	Thank you. With no abstention, no objection, the motion passes. Back to you.
GREG DIBIASE	Thanks everyone. That's really nice. Okay. Damon, I see your hands raised.
DAMON ASHCRAFT	Sure, Greg. Just on behalf of the IPC, we just wanted to extend our congratulations to you and thank you for being such a fantastic chair. I think the Board's going to be in really good hands with you on the board, and it's been a real pleasure working with you. We've got a couple more meetings to go, but wanted to convey that publicly at this meeting. So thank you.

GREG DIBIASE

Thanks, Damon, I appreciate that. Yeah, and to be clear, I'm still the GNSO chair for the time being. Okay, great. Let's move on to our council vote on the Transfer Policy Review Policy Development Process. And I believe we have Osvaldo helping with us with this item.

OSVALDO NOVOA

Hello. Yes, this is Osvaldo. Should I read the whole resolution or just the resolve part?

GREG DIBIASE

I think it's just the resolve clauses, right, Terri?

OSVALDO NOVOA

Okay. Well first off all, I would like to congratulate Roger and the ICANN Org support staff for this great work. The result part, the GNSO council approves and recommends that the ICANN Board adopt all 47 final recommendations in the transfer policy review working group's final report.

Should the final recommendation be adopted by the ICANN Board, the GNSO Council requests that ICANN Org convene an implementation review team to assist ICANN Org in developing the implementation details for the transfer policy review final recommendations to ensure that the result and implementation conforms to the intent of the appropriate recommendations.

The GNSO Council recommends that the IRT shall operate in accordance with the IRT principles and guidance approved by the

GNSO Council on June, 2015. The GNSO Council thanks the leadership, members, participant, and liaison to the transfer policy review working group for their commitment and hard work in completing the final report for this working group. That's it.

GREG DIBIASE

Thanks. Terri, should we move to a vote?

TERRI AGNEW

Okay. Just wanted to make sure there is no questions. And this will be a roll call vote. So here we go. Desiree Milošević.

DESIREE MILOSEVIC

Yes.

TERRI AGNEW

Farzaneh Badiei.

FARZANEH BADIEI

Yes, but NCSG has a statement to make.

TERRI AGNEW

Would you like to go ahead and do that now?

FARZANEH BADIEI

Yes, the NCSG appreciates the consideration given to issue of importance to the non-commercial community by the Transfer Policy Review Working Group. Even though not all of our

comments were fully accepted, we remain satisfied that the recommendations included in the final report streamlined and facilitate the transfer processes. We look forward to learning how some of the challenging issues such as registrant participation in transfer disputes and the standalone change of registrant data policy will develop.

We know that the security and integrity of the transfer policy remains a key issue for all stakeholders, including NCSG. And we welcome the working group's focus on this issue. We recognize that although security begins with registry accounts protection, this rightfully remains outside the scope of transfer policy. Nevertheless, as the world moves into a period of growing instability and increasing cybersecurity risks, the challenges to all the registrants only grows, but especially for many of the civil society organizations that we represent.

Therefore, we call on all stakeholders in the domain name management environment to strengthen cybersecurity protection, both internally by applying robust cybersecurity practices and for their customers by offering services like multifactor authentication and for public facing actors like registrars to publicize how they are enhancing their security practices and offering so registrants can make informed decisions when selecting a registrar that meets their needs. Thank you.

TERRI AGNEW

Thank you. Samantha Demetriou for Nacho Amadoz.

SAMANTHA DEMETRIOU Approved.

TERRI AGNEW Samantha Demetriou for yourself.

SAMANTHA DEMETRIOU Approve.

TERRI AGNEW Peter Akinremi.

PETER AKINREMI I approve.

TERRI AGNEW Greg DiBiase.

GREG DIBIASE Yes.

TERRI AGNEW Jennifer Chung.

JENNIFER CHUNG Yes.

TERRI AGNEW Vivek Goyal.

VIVEK GOYAL Yes.

TERRI AGNEW Damon Ashcraft.

DAMON ASHCRAFT Yes.

TERRI AGNEW Prudence Malinki.

PRUDENCE MALINKI Yes.

TERRI AGNEW Julf Helsingus.

JULF HELSINGUS Yes.

TERRI AGNEW Osvaldo Novoa.

OSVALDO NOVOA Yes.

TERRI AGNEW Hong-Fu Meng.

HONG-FU MENG Yes.

TERRI AGNEW Susan Payne.

SUSAN PAYNE Yes.

TERRI AGNEW Paul McGrady.

PAUL MCGRADY Yes.

TERRI AGNEW Tomslin Samme-Nlar.

TOMSLIN SAMME-NLAR Yes.

TERRI AGNEW Bruna Martins dos Santos.

BRUNA MARTINS dos SANTOS Yes.

TERRI AGNEW Thomas Rickert.

THOMAS RICKERT Yes.

TERRI AGNEW Manju Chen.

MANJU CHEN Yes.

TERRI AGNEW Lawrence Olawale-Roberts.

LAWRENCE OLAWALE- Yes.
ROBERTS

TERRI AGNEW

Thank you. For the Contracted Party House, there were seven votes in favor, zero votes against, and zero abstentions. For the non-Contracted Party House, 13 votes in favor, zero against, and zero abstention. The motion passes with 100% in the Contracted Party House and 100% in the non-Contracted Party House. Thank you. Back to you.

GREG DIBIASE

Thanks, Terri. Yeah, I'd like to echo the comments from Farzaneh and Osvaldo, this is a huge step forward and improving the security of the DNS and the operability of the DNS. I think is an example of something ICANN does well, and maybe more importantly, it was on time. So, great work, Roger. Is there anything you'd want to say, Roger, before we move on?

ROGER CARNEY

Thanks, Greg. This is Roger. And again, Osvaldo said it earlier, but I want to thank staff because they did a lot of work and it was smooth, so good.

GREG DIBIASE

Okay. So quickly before we move on, I want to raise something that was raised in one of our working sessions. It was noted that a human rights impact assessment checklist was developed in between the time this group began and it ends. It was still within this group's remit and they checked to be sure they were compliant with human rights. But given the new tool available, we are suggesting that Roger and members of the NCPH look at this policy

through the lens of the checklist and report back to council and we'll decide on next steps.

But we thought this checklist is developed, let's put it into action. It's something that's going to be on things going forward, like the Latin Diacritics PDP, but we're also going to do some work on that in this policy as well. Any questions on that?

Okay, all right. Moving on to a more challenging item, Registration Data Accuracy. So, as the background that we've been discussing for a while, there was a Data Accuracy Scoping Team that was working on the issue of scoping the issue of accuracy, determining if there was consensus on an issue to be addressed, and whether that issue was ripe for policy development.

That group was looking for more data to assess the problem, and they initially were looking for sample registration data that was deemed to be problematic due to data of privacy laws, and there was also some contention on things like the definition of accuracy. So we regrouped, tried another approach where we sent out an accuracy framing assignment to try to get feedback by asking the various groups of ICANN what they believed. And so, before I'll go on to next steps, maybe I'll just run through some key statistics and insights from that.

We had broad participation across the community, ALAC, BC GAC, IPC, ISPCP, NCSG, RrSG, and RySG. We also had some feedback from ICANN's team tracking regulatory developments. They did not identify a current or near-term legislation globally that would force changes in accuracy requirements. And they also concluded

that NIS2 is the primary new regulatory development on accuracy, but its mandates are largely in line with existing ICANN requirements.

There seem to be broad overlap and input that more information is needed on both sides, how challenging or bad or good the accuracy situation currently is and what measures have worked elsewhere.

Next slide. There was also comments on timing, when we should start this work in earnest. Some thought it might make sense to start after NIS2 implementation. And ALAC also suggested a preparatory phase using a third-party study. And we have some other inputs to consider in this work, the INFERMAL study, the CC1 recommendation, which is a recommendation from a WHOIS review by ICANN that took place in 2019, or the recommendations were released in 2019 as well as the EUs NIS cooperation group on Article 28.

So there's a lot more in the assessment, and I think we should be straightforward with ourselves, there's some divergence of opinion. So leadership is discussing the next step of forming a small team going through the results of this accuracy framing assignment, noting where there is some overlap in opinion, noting where there may be disagreement, and then making recommendations back to the group, and also thinking about the questions of where do we agree there is an issue and how that issue may or may not be best addressed, whether that's through policy development or otherwise. So I'll stop there and open it up for comments on this topic. Farzaneh.

FARZANEH BADIEI

Farzaneh Badiei. So potentially, we are going to convene a small team. Do you have any other or does the leadership have any other suggestion?

GREG DIBIASE

No, but we're open to other suggestions. We just thought there's a fair amount of information to synthesize here, and that would be a good first step to kind of synthesize the feedback we got back and return with potential next steps for council to consider. Any other comments? Susan.

SUSAN PAYNE

Sorry. Yeah, I think I'm very supportive of that. I do think different parts of the ICANN community obviously have different views on this topic, but I think it's been made pretty clear to us in our meeting with the GAC and the GAC when they met with the Board that this is really important to the GAC and that there's certainly a perception from some parts of the GAC that we are stalling and not treating this sufficiently importantly. And so really supportive of us obviously being seen to be taking this seriously.

GREG DIBIASE

Thanks, Susan. Desiree.

DESIREE MILOSEVIC

Yes, I'm supportive of this initiative, but just to continue on what Susan said, having listened to the GAC and the Board discussion yesterday, this impression that you just talked about, I think was answered by the Board because the GNSO was waiting for the results from the survey, and they have not arrived in time for us to do much on this. Therefore, I think we have given them an assurance that we will form and look at this as soon as possible and probably prepare something before the Prague meeting.

GREG DIBIASE

Thanks. Excuse me. Thanks, Desiree. Sam.

SAMANTHA DEMETRIOU

Thanks, Greg. This is Sam. Just to note additional support in line with Susan and Desiree's comments and to echo the urging for this small team to move as quickly as it can. And I would be happy to volunteer when that call goes out.

GREG DIBIASE

Great. I guess I didn't mention that. If we're all aligned, I think we should just start immediately, start getting volunteers and get to work on this and start thinking about what the small team assignment looks like. Jen, you're next in the queue.

JENNIFER CHUNG

Thanks, Greg. Jen, for the record. Absolutely supportive of the proposal about forming a small team to look at what we can do with it next. I did hear, I forgot who mentioned it, by Prague

meeting, I think we probably should move a little quicker than that and get this socialized with the entire community in whatever way, shape, or form that's appropriate as I guess after we took a look at it in the small team. And specifically for GAC looking at our lovely liaison over there, Seth, to ease the communication because there was some frustration expressed by GAC when we met with them. Thank you.

GREG DIBIASE

Thanks, Jen. Thomas.

THOMAS RICKERT

Yeah, also supportive, but I'd like to go on the record again, and for some, I may sound like a broken record, that we should be very clear in our communication amongst ourselves, but as well with other stakeholders in this community and beyond. The accuracy is not the solution to the issue of cybercrime or abuse.

For compromised domain names, that has nothing to do with the quality of the data of the registration. Also we know real life examples of TLDs that are heavily validated in terms of registration data, and statistics show that they're also heavily abused. So I think whilst we should be on top of all the developments and know what's happening in the area of accuracy, we should be very clear that this can only be a part of the puzzle.

GREG DIBIASE

Thanks, Thomas. Farzi.

FARZANEH BADIEI

Supporting what Thomas said, but also the accuracy conversation should be limited to the ICANN mission and what ICANN does and what is in ICANN's mandate, and it should not go beyond that. We cannot solve all the cybercrime problems through ICANN and through accuracy. So I think that should be like-- I'm going to suggest that in the small team. I just thought I put it on record here as well.

GREG DIBIASE

Thank you, Farzi. And I think that maybe speaks to question two is a PDP suited to what the issue may be. Vivek.

VIVEK GOYAL

Thank you. I agree with Thomas and Farzi. And working in this industry, I don't think there is a solution to all cybercrime problem in the world or there ever will we want till the internet exists. But it's the small, small solutions that come together to help fight this, and every day we bring a solution that helps fight this problem. We are one step forward. So whatever we can do in our capacity within ICANN remit, if we can do it, we should do it.

GREG DIBIASE

Thanks, Vivek. Okay. Any other thoughts on this topic? If not, we will be working on sending out the call for volunteers, putting together team, and I think Staff has already gotten a head start on trying to summarize the positions within the accuracy framing

assignment to maybe give us a headstart on this work. Okay. Vivek, is that an old hand? Let's move to the next topic then. All right.

Do we have slides for this? So we've been talking about this procedural issue that we ran into in which the registration data policy, which outlines the registrant data to be collected and processed, does not mention billing contact. The IRT related to this policy team has gave a determination that that was a drafting error and what was provided was meant to be an exclusive list. However, there is still language in the 2013 RAA that references billing contact.

So in our last meeting, we tried to kind of parse down what our potential paths here are. Oh, and other members noted some procedural discomfort of an IRT making a determination of what the policy meant without an explicit policy recommendation that would supersede what is in the 2013 RAA.

So we moved on to kind of these options, a motion agreeing with the IRT determination, but making it clear that that should not serve as precedent, that this is a unique case that we discussed at length and we agree it was a drafting error. And then the second one is an acknowledgement that this work should be brought up in a subsequent PDP that is related to the issue, so it'd be related to registration data, but suggesting a compliance deferral until this work is started.

And so two notes on that, Compliance has signaled that that compliance deferral is fine from their perspective. And we had also talked about starting a new PDP, but there was a number of

concerns of those among re-litigating issues and looking at kind of what was on our plate. So I guess I'll open it up and maybe we can start with the first option, get people's thoughts and see if we can try to get to consensus on the best path here. So I'll open up the queue. Manju.

MANJU CHEN

Thank you, Greg. So during our last discussion, I think the concerns regarding the procedural issues was because mostly we couldn't pinpoint where this issue was discussed during the EPDP. But with Farzi, and that's the research to the mail list, we were able to find a lot of discussions during the EPDP phase one. So I felt like this could have sufficiently addressed the procedural concerns. So I think NCSG overall were in support of the this option motion agreeing with the IRT determination.

GREG DIBIASE

Thank you, Manju, and apologies to Farzi for not commenting on her work finding where this was discussed. Damon.

DAMON ASHCRAFT

Sure. Thank you very much, Greg. The IPC has discussed the first and the second options up here and we're not really comfortable with the first one. The main reason is, and Farzi, you've done some great research in pointing out multiple locations where apparently this issue was discussed, but at the same time, having an issue discussed multiple times, not having an outcome, and then trying

to go back and then say, well, there should be an outcome even though they never actually came to one, is concerning.

And so I think the main concern from the IPC's perspective is really a procedural one. As council, we're managers of the process, we're not supposed to be developing things here on the fly, it's supposed to go before groups such as PDPs. And in this case, the group simply didn't reach a final determination. I understand some of my colleagues will disagree with me on that, and that's okay. That being said, we have a second option here, which I think offers a compromise.

Greg, as you just said, apparently Compliance said that we can do this, no one in no registrars are going to be unfairly impacted if we do number two and at the same time will be able to go through, we'll have much more clear direction. And in fact, in the IPC meeting, we had one of our members who was on the EPDP didn't necessarily-- she didn't have a clear recollection as to what was decided on the billing contact issue. And so we're not comfortable with option one, and so I would ask for compromise in this group and go for option two. Thank you.

GREG DIBIASE

Thanks, Damon. So I put myself in the queue just to say that registrar position on this. So we agree with Manju's position that option one is ideal. We are willing to compromise on option two, but one thing we did want to be clear on that it is just a procedural concern and we wouldn't be re-litigating an issue. So we would want that motion to specifically cite the IRT determination. And so

if that is amenable and we're all on the same page that this is a procedural issue, the Registrar Stakeholder Group would prefer option one, but can compromise on option two. Farzi.

FARZANEH BADIEI

Thank you. So I am willing to do even more research on this because I don't think it was only discussed, but the conversation was with ICANN Legal and it was about changing the contract, and those conversations happened. And I know that it's like many years ago, but I don't think it was just a discussion. And last time we discussed, Susan rightly said that I want to know that they actually discussed this. NCSG is not going to compromise on this. But the solution on that if we have like we can discuss it in a further PDP and just say billing contact should not be collected, then good. But if not, if we want to re-litigate the issue, no, we are not going to agree with that.

GREG DIBIASE

Okay, thanks. I'm going to skip to Caitlin to see if I got something wrong procedurally.

CAITLIN TUBERGEN

Thanks, Greg. This is Caitlin Tubergen for the record. I just wanted to be clear about a small detail on the second option, which is that if there were to be a compliance deferral, that would ultimately come from the Board. So the council based on its discussion could

note that a compliance deferral may be needed while this is sorted out.

But we did not mean to suggest that ICANN Compliance said a deferral is okay, no one said that. But these options were reviewed with council leadership and support staff, and they're both procedurally okay. I just wanted to note that the compliance deferrals ultimately come from the Board, not from the council, just so everyone's clear on that.

GREG DIBIASE

Thanks, Caitlin. And apologies for misquoting ICANN. Nevertheless, ICANN has reviewed these options and has not objected to them. Is that a fair statement, Caitlin?

CAITLIN TUBERGEN

Yes. Thank you, Greg.

GREG DIBIASE

I have Thomas in the queue.

THOMAS RICKERT

Yeah, we've discussed this in the ISPCP as well, and I'd like to present our, our findings. Now. First of all, what we're dealing with is an issue of language. So we have the RRA 2013, which has this escrow specification that requires the billing contact data to be deposited into escrow. And then we have the registration data

policy that overrules what's in the RRA without the need to change the RRA formally.

And what was omitted in the course of the EPDP was to explicitly mention the billing contact. Had we done so in the EPDP, we would've said that the billing contact data should no longer be collected nor put in escrow. The billing contact data has not been used in years. I don't know a single registrar that is utilizing this data field because billing is done vis-a-vis the account holder. Nobody looks into the registration data to see to whom the invoice shall be sent. So it's a data element that is useless. Nonetheless, we need to be very careful, and I think we need to look at this in two different areas.

One is the procedural aspect, the other is the substantive aspect. Let's look at the substantive aspect first. Damon mentioned that no decision on the billing seat was made, and I beg to defer because we pretty much worked on this topic through the lens of GDPR compliance methodology. That means data that you can't justify to be collected, you need to find a purpose to processing that data and you need to have a legal basis for processing.

We were not able to establish that because nobody was using the billing contact. It was a facile in the list of data elements. So the fact that you don't find it in the registration data policy means that we did not find a good use for it, that there's no legal justification for collecting that data or forcing people to collect that data and otherwise process it. Unfortunately, we did explicitly mention this for others like the admin C and that was the drafting error. But on

substance, there's unanimity in the EPDP that the billing contact data is a waste of resources that it should not be utilized.

So on substance, I feel very comfortable, so does the ISPCP that we should not require that data be further collected just because we made this drafting error. On the procedural aspect, I think all those who have mentioned that we need to be very careful with such changes are spot on. We are doing this on world stage. We can't risk to make policy on the fly, yet everything that we did was fully documented. We saw the research by Farzaneh that the billing contact discussion took place.

We have evidence in the registration data policy that did not establish that the billing contact data shall be collected. And therefore, I think this is an area where we should be pragmatic. Not only are we under scrutiny for doing our work right, but we're also under scrutiny because sometimes we overcomplicate things and I think that this is an area where we can show that we can come to pragmatic solutions where they're warranted.

And if we need to involve the Board to defer compliance action, if we need to shelf this for another PDP to take a look at it, we're going to put endless volunteer hours into this effort again. And I think this, unlike potentially other areas, is not a question where we should put that energy into. Thank you. And therefore, the ISPCP is in favor of using option one.

GREG DIBIASE

Thanks. Excuse me. Thanks, Thomas. Anne.

ANNE AIKMAN SCALESE

Yeah, thank you. Anne Aikman Scalese. And I suppose all of you know I don't represent any constituency or stakeholder group, and so I do tend to be concerned about procedure. I did look through the links that Farzi provided and I thought it was great information, but I personally didn't find it conclusive because I know that trying said it would be helpful if the group would state whether they're requiring billing contact information or not.

And then I think Alan Greenberg had said, well, he didn't object if it were eliminated. And so I didn't get the same sense of well, that was conclusive. And I'm kind of wondering, I have a couple of questions. The first one being, what does the term in option one IRT determination mean? In what form did the IRT determination come? Because I think I may not have enough information on that.

GREG DIBIASE

Thomas, do you want to answer that real quickly?

THOMAS RICKERT

Well, I would then again need to do some research on exactly what the IRT did, but we thought it was a drafting error.

GREG DIBIASE

Well, the meeting was convened of the IRT team, there was I think universal consensus among those IRT members that it was a drafting error, and then they sent an email to council saying we

have this determination, we think this is what happened, can we proceed by saying this is a drafting error or not?

ANNE AIKMAN SCALESE

Okay. And second question maybe Thomas can answer as to whether it's ever used. One member of EPDP team that I heard from said that in a case where the TLD goes out of business or somehow can't continue to conduct business, that there could be a relevant use of this information out of the escrow. I don't know if it would require subpoena or what. In terms of your statement, that it's never used, the question relates to that practical question of a TLD going down.

THOMAS RICKERT

I think we would need to talk to our contracted parties house colleagues, but to my knowledge, even if a registrar or a registry for that matter goes bankrupt and a successor needs to be found, it'll be the gaining registrar or the succeeding registry operator that would then charge the account holder for the registration. I'm not aware of a single case, and we have community members here that can tell otherwise. I'm not aware of any cases where the billing contact data has been used. It's a historical data point from the very early days of domain names.

ANNE AIKMAN SCALESE

And I should correct myself, I think that the example that was given to me was a registrar going out to business, not a registry. So I guess thirdly, I don't think it would make sense to say, we're going

to choose option two, but we're going to decide the issue for option two before we agree to option two. I don't think that's a real agreement to option two, that's all procedurally. And personally, procedurally, I do believe that option two is better because, yeah, kind of procedure not. Thanks.

GREG DIBIASE

Thanks, Anne. Damon.

DAMON ASHCRAFT

Sure. Greg, I wanted to address your suggestion for potential compromise. We'd obviously have to see the motion, but yeah, the IPC would certainly welcome a compromise to work with the registrars and to get to a spot where I think we're all more comfortable with how the process worked. And Thomas, thank you also for your comments as well. It's appreciated. Thank you.

GREG DIBIASE

Thanks, Damon. Paul.

PAUL MCGRADY

It would be really nice just to get this done and not have all these dangling charts and participles out there. This is basically going to be a homework assignment to the Board, it seems silly to me. We've got to start wrapping stuff up. It doesn't sound like anybody is pining away for the olden days of billing data.

Nobody can explain why it would be used, what it would be used for. I love principles and I love detail orientation, that's all great. But at some point, we do need to get some stuff across the finish line and just move on to the mountain of work that's in front of us. So option one, everybody, let's just do option one. Wouldn't that be great? Thanks.

GREG DIBIASE

Thanks, Paul. Vivek.

VIVEK GOYAL

It's very hard to disagree with Paul. It's really hard, but I can't do what I feel like, I have to do what the BC wants me to do. Here's a tricky question for you, Greg. The first sentence says that we will do this, but a precedence will not be set. Is there a precedence where this was done and a precedence was not set?

GREG DIBIASE

So there have been cases where they've identified drafting errors and noted that, and the policy is adjusted. But I don't know if I have an answer to the rest of that question.

VIVEK GOYAL

So wouldn't this be setting up something that, okay, if something happens, comes out of an IRT or there is what considered drafting error, then we will just decide amongst ourselves and then do that and call it, let's not set a precedent, but we will do it this time.

GREG DIBIASE

I'm not sure I have an answer to that.

VIVEK GOYAL

A secret is something you tell everyone not to tell anyone, so once you do something and say, I am doing this, but let's not make this a precedence, that kind of becomes a precedence. So is this something that has happened before so we know that it's okay to do it again? Or are we going to start something completely new, which will come up every time an IRT results are discussed and we say, Hey, let's think of this as a drafting error, let's do this, and let's not make a precedence, is my worry.

GREG DIBIASE

Well, I guess that assumes that every policy will have a drafting error, which I don't think is that comment.

VIVEK GOYAL

You can't assume they won't.

GREG DIBIASE

Yeah, I guess that would be my opinion that I wouldn't presume that drafting errors are necessarily going to happen. Sam.

SAMANTHA DEMETRIOU

Thanks, Greg. This is Sam. I did notice Caitlyn jumped in. So Caitlyn, if you want to come in with a procedural point before I jump in, I'm happy to yield to you.

CAITLIN TUBERGEN

I was just going to note one thing that might provide some comfort to those who are concerned with option one, and this is not meant to advocate for either option. But just to show the unique circumstances that this EPDP team was working under. We just voted on A PDP that took almost four years, the transfer policy, and this was a group that began meeting in August and had a final report by February.

And for that reason, there were drafting errors, they could have benefited from longer discussions and more clear recommendations, but there just wasn't the time. And so that could be something that's written to the motion to show this was a very unique circumstance. There's been a temporary specification once in ICANN's history, and this was it. So I don't know that the concern for precedent, I think there's a way to tailor the motion to kind of alleviate those concerns, I hope.

GREG DIBIASE

Thanks, Caitlin. Sam.

SAMANTHA DEMETRIOU

Thanks, Greg. This is Sam again, and I'm so glad I yielded my time to Caitlin because I think you raise a good point as we're talking

about the concept of precedents broadly, which is that we also don't want to find ourselves in a pretty dangerous territory of not being able to go back and correct errors if errors emerge. Like we've been so focused this week on how to get things done, how to get things done efficiently.

And so, to me, you guys are pretty familiar with my views on this, if we can take care of this fairly quickly, acknowledging that it was a drafting error and correct it in a way that makes everyone feel comfortable with how this proceeded, I think we need to take that win. I think Paul's in the same vibe as me on this one. I will just reiterate for the record my previous views that I've expressed on this, which is that the billing conduct was very clearly in scope.

It was explicitly mentioned in the charter question. The recommendation in the EPDP's final report that addressed the question of what data elements should be collected by the registrar, which then informs which elements are put into escrow by the registrar did not explicitly mention billing contact. Notably, it also did not explicitly mention admin contact. Everyone has agreed that the admin contact and the need to collect the admin contact is now eliminated.

There's no proactive statement in the final report recommendation text eliminating the admin contact. So in that sense, the billing contact is not unique. I know that previously we had discussed that in another part of the final report, there are these workbooks that do include admin contact as part of the things that were reviewed. Billing contact happens to not be on that list. However, I will once

again just note that those are truly what their name implies, they're workbooks.

It was a bit of an organizing tool, they are not the final recommendation themselves. So given all of these procedural aspects, the registries agree that the preferred path forward is option one. That said, in the spirit of getting things done, we are open to compromising and landing on option two with the guardrails that Greg had recommended, that the future, excuse me, if and when this is brought up in a future PDP, the task at hand be to confirm or assess the IRTs determination. Thank you.

GREG DIBIASE

Thanks, Sam. Farzi.

FARZANEH BADIEI

Actually, Sam said everything that I wanted to mention. It's just that as NCSG, we don't have a compromise. Actually, I would like to think about rewarding the-- like writing up the motion, rewarding the precedents and stuff like that and talk about that a little bit more.

GREG DIBIASE

Yeah. To be clear, this is a very rough draft of an option. Thomas.

THOMAS RICKERT

Yeah, sorry for putting myself again in the queue, but maybe I need to make this a little more clear. The temporary specification that

was reviewed by the EPDP was an immediate reaction by the ICANN Board to the GDPR coming into effect.

Although we tried to make it as agnostic to specific privacy laws, this was an exercise responding to the GDPR. And when the temp spec that was before the EPDP started, when the temp spec kicked in, registrars stopped collecting certain data elements because they thought that they needed to do so to honor the principle of data minimization.

And ICANN sued EPAC domain services requesting the court to oblige EPAC to collect all the data elements, including the billing C, and ICANN lost. So that shows that the courts obviously held the view that this was one of the data elements that should not be collected.

Also, unlike other privacy regimes where you can process data, unless a law tells you otherwise, the GDPR is a general prohibition of processing data unless you find a reason to process it. So the report being silent on the use of the billing contact means that it can't be collected.

And we have these workbooks that Sam rightfully mentioned, those are all archived, you can look that up, we tested for every purpose, for every processing activity, what data elements you needed and could justify in order to achieve the purpose that we required to achieve with this in the DNS space, the needs of the registrants for security and safety and all that.

But the billing contact was not amongst those, and therefore, I think it's safe to say that the billing contact can't be justified under any circumstances. And Caitlin, you are right, we did pretty much everything in a rush, and there were a lot of mistakes in there.

GREG DIBIASE

Thank you, Thomas. Anne.

ANNE AIKMAN SCALESE

Thank you. It's Anne again for the record. And I actually think Sam just provided a great solution in her proposed compromise, because some of the language she used at the end of her intervention was that compromising on the second approach, but to have the next PDP assess the IRT determination.

In other words, it's not a reopening, it's not a re relitigation, it's, okay, have them take a good strong look at all of the proceedings of the IRT and confirm hopefully what it is that you want confirmed the word assess in that motion, I think would be extremely helpful to compromise along with everything that Caitlin said.

GREG DIBIASE

Thanks, Anne. Bruna.

BRUNA MARTINS dos SANTOS

See if my voice works. No. Just to say that I agree with what Thomas was bringing up about this point. And maybe coming back to the initial point in this discussion, I think that in this case, a non-

outcome is a very clear outcome specifically for the principles he was mentioning, including data minimization and so on. I was going to put my hand up for helping draft the motion on point one, just so we can make it very clear that this is not a precedent, shouldn't be interpreted as such, and it was proceeded under specific circumstances and so on. So just that.

GREG DIBIASE

Thanks, Bruna. Lawrence.

LAWRENCE
ROBERTS

OLAWALE- Thanks, Greg. So the BC has had a number of robust discussions around this particular subject matter, and a number of things have come out of that discussion. One is some unclarity around the data sets that we're even talking about. Does ICANN have a definition or rather, is there definition for the billing contact and the other data sets that are being collected to be able to intelligently determine that it should no longer be collected?

Interestingly, at our meeting yesterday where we had some discussions around this, there appeared to also be some interest around a situation where the billing contact is no longer collected if it's not needed.

But the challenge with option number one has to do with the process. So rather than just reaching a decision on the fly, which Vivek was trying to be a very good guy by not directly saying that,

that could set the precedence of a process that is not known to the community or to our processes.

Bottom line is, we don't have, when I say we now, I'm talking for the BC, we don't have such a strong position or can't take such a strong position until some clarity is also given around what we're doing away with. But at this particular point, I think we would comfortably want to stay with the second option.

GREG DIBIASE

Thanks, Lawrence. Manju.

MANJU CHEN

Thank you. So I believe there was a fourth option that was not even the first three option, which was the contract amendment. And I believe the reason given for not included it in the first three options was because we thought it would be too difficult or stuff. But then seeing the discussions here, I suddenly feel like that option probably is not as difficult as us reaching compromise here. Should we be considering that, bring it back to our option, and see if that's possible. Thank you.

GREG DIBIASE

Thanks, Manju. Speaking on the registrar perspective, it wasn't necessarily that it was difficult, it is because it's not just registrars in the stakeholder group. But also, the contract amendment isn't a tool of council. That is something set apart from what we do here. The contract parties can bring that up, but we pulled back on that

with concern stated from the contracted parties about kind of mixing up what are the GNSO tools and what is the scope of a contractual amendment. Does that make sense? Okay.

So I see the queue is clear, we didn't come to an agreement, and I think we have to move on or we have to find resolution. So I think leadership is going to propose that we do a vote next meeting. I think both sides have articulated strong arguments, but I think there's just a difference of opinion. And so my proposal would be for leadership to propose a motion on this issue and put it out to a vote to try to get resolution. Susan.

SUSAN PAYNE

So just to be absolutely clear, this is a motion on whether we go with option one or option two, or are you proposing the motion on option one?

GREG DIBIASE

So, looking at the room, I would air towards option one. I think it has more support, but I don't know. As far as I've gotten is I think we need to take some type of vote. I think I can have feedback on option one or option two, or the council can respond to the motion that we propose. But yeah, I think we just need to move on. Susan, is that an old hand or no? Vivek.

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- VIVEK GOYAL I thought option one was going to be redrafted and circulated, and if it's tight enough to do away with some of our worries with setting a precedent, wouldn't that help if you do that before the vote?
- GREG DIBIASE Yeah, we'll put out a motion that tries to address the concerns that were cited and have council review and go from there. Anne.
- ANNE AIKMAN SCALESE Yeah, thanks. I thought there was option two, perhaps we could have two motions drafted and the second one being really something that Sam had talked about, which was the possibility that compliance deferral and a later assessment of what the IRT actually determined. And so it would be great if council had the opportunity to look at two different motions following this discussion.
- GREG DIBIASE Thanks, Anne. We'll take that back and think through the best way to present it. Sam.
- SAMANTHA DEMETRIOU Thanks, Greg. This is Sam, and apologies 'cause I know you want to close the queue on this. I think it does seem like on the balance there right now, at this point in time seems to be slightly more favor for option one.

So I would maybe suggest that rather than looking at two motions, which I think is going to leave us in exactly the same position we are in right now, that we attempt to incorporate as much of the feedback and the views of the option two favoring into the motion for option one to try to get folks comfortable with that and consider that one. And then only if it turns out that we can't get comfortable with it, then consider a different motion.

GREG DIBIASE

Thanks, Sam. I agree with that, and I also have Caitlin in my back channel already saying she's working on it, so we got the best minds that'll work. So, yeah, I don't know what the-- I'm sure the motion may have further discussion, but I think we have a starting point and let's try to move past this issue.

Any other thoughts on this issue? Okay. Thanks, everyone, for the vigorous debate. I think if nothing else, we've explored some intricacies of ICANN policy that maybe we're educational. All right, let's move on to our next topic which I think is urgent requests. And Tomslin's going to help us out with this one.

TOMSLIN SAMME-NLAR

Thanks, Greg. So for this one, I still remember we had a trilateral meeting on this topic or this issue, urgent request, in November last year. And so I'll try to give an update first on what was discussed in the meeting, then we'll look at what our next steps as council are on our general request. So first thing, there was agreement in that meeting among GAC colleagues and GNSO that IRT is the

appropriate forum to continue work on the urgent request timeline issue.

We however note an email in February where the GGP was suggested as well. But we thought because we had already sent a letter to the GAC reiterating the IRT, it was a bit not the right time to go back on that letter. The other thing that came out of that meeting was that the ICANN Board confirmed its alignment with this approach of going back to the IRT to look at the urgent request timeline issue.

And thirdly, GAC, GNSO, and GAC Public Safety Working Group agreed that authentication work is needed, and the PSWG, that's the Public Safety Working Group did tell us that the work is progressing, but implementation will take some time. And the GNSO Council emphasized the importance of involving the GNSO, the registrars, the registries in this discussion, and GAC welcomed brother community participation in the authentication discussion.

The GNSO also agreed to facilitate outreach to ensure that there was diverse stakeholder engagement in that conversation, and there was a call for volunteers in that meeting as well. And we immediately had Anne, Lawrence, Farzi, and Seb as well volunteering. In terms of where that work is at, I understand the PSWG has engaged Europol and Interpol to assess existing and potential authentication mechanisms for law enforcement, and they're looking at next steps.

And that includes meetings that they're currently holding, which is every two weeks, to develop a set of feasible authentication

options and also pushing, sorry, publishing a high-level summary of progress after each meeting. Now, in terms of before I come to how we proceed, I don't know if Seb has something to add to this as the GAC liaison and also a member of that meeting.

SEBASTIEN DUCOS

As the GAC liaison, no. As a member of that team, I actually raised my hand more from the relationship with the RDRS than the GAC itself. No, I think that you've said, you've said most. I just want to emphasize that this is not a small team, this is not a PDP, let alone, it's not an ICANN thing, it's a PSWG and other law enforcement thing where they invite us to make sure that they're catching everything as they're trying to think of a solution.

And to that extent, I've invited them to get in contact with the CPH Tech Ops to make sure that none of the solutions that they come up with are incompatible with what we do. And that first meeting has happened last weekend. Gabriel Andrews was able to present to the PSWG.

TOMSLIN SAMME-NLAR

Thanks, Seb. So in terms of how we move forward on this, I think leadership understands that from the conversations we've had and from what we've communicated to GAC as well, that input from the PSWG on the authentication mechanism will be put to the IRT to use that to discuss the urgent request timeline issue. And in the event that there was additional work that came out of the registration data policy, rather the authentication work that PSWG

is doing that relates to policy, that will be handled separately from the IRT. So with that, I'll open it for discussion from colleagues.

GREG DIBIASE

Anne.

ANNE AIKMAN SCALESE

Yeah, thank you. This is Anne for the record. And I think that you have a great way to proceed that you've developed within leadership, and I think it's an important point that the authentication mechanism needs to come into the IRT for review. And I think that as far as the timeline is concerned, there's probably really not a reason to delay the continued work by the IRT.

Those tracks can, I think, proceed in parallel, and I note that even though I had raised the prospect of a GNSO guidance process, if we did that, then that results of that would have to go into an IRT anyway. So I think it's more efficient to proceed directly to the IRT. And I think there's some new information that the IRT has never actually been ended, that it's open and running, and so we should be able to move rather quickly on this.

GREG DIBIASE

Thanks, Anne. Just putting myself in the queue. Yeah, I wanted to reiterate that because I thought your last email raised that good question about the status. The IRT has never ended because this recommendation 18 is still pending. So what we're doing is writing a letter to ICANN saying, we agree with the approach of allowing

this IRT to consider that specific issue of timeline, and noting that when an authentication is developed, the IRT will need to review that, and then noting that there may be other issues that arise, but we'll deal with them as they're identified.

ANNE AIKMAN SCALESE Yeah, great. Thank you for figuring that all out, we appreciate it, and hopefully it'll move forward quickly.

GREG DIBIASE Great. Thanks, Anne. Anyone else have questions or comments on this point? Manju.

MANJU CHEN It's mostly a question. So if we've given it back to the IRT, but it's not going to change the original policy recommendations, I suppose, it's still considering the recommendation as something something days.

GREG DIBIASE Right. There was just a blank spot open question that was left to implementation, but the policy is set.

MANJU CHEN What conditions change that we expect something's going to be a bit different this time.

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- GREG DIBIASE So in the initial discussion, there was concern that the lack of authentication would add time to the review of these requests. So what the request is from GAC and the Board saying, can we think of a timeline for urgent requests that are properly authenticated through this authentication mechanism that's developed?
- MANJU CHEN I'm sorry. So it's based on an empty imaginary promise.
- GREG DIBIASE A promise that is in progress of being developed. Anne.
- ANNE AIKMAN SCALESE Yeah, may I ask the question of who is the council liaison to the existing IRT?
- GREG DIBIASE I don't know. The staff. Oh, Thomas. Yeah, the guy.
- ANNE AIKMAN SCALESE Congratulations, Thomas.
- GREG DIBIASE Farzi.
- FARZANEH BADIEI Yeah, just wanted to put on the record that for the technical PSWG team that also we are a part of, we discussed this before, but NCSG

is worried that they go to the territories of policy. So what we are going to do is to flag that if that happens, then we flag it and we bring it back here.

And also, another thing is that there's going to be policy about how the system is used, that authentication system, and I don't know if we have the mandate to talk about that. So the access and terms of use for the system by law enforcement, who sets that up? How do you send your authentication documents, what sort of documents are required, stuff like that. I think those are the things that the, I guess, PWG is going to set up, right?

GREG DIBIASE

So I don't think we have the answers though, but I think what you said is exactly right. Like, we'll participate in the authentication mechanism development, and if issues arise that we consider policy, then we will address them.

FARZANEH BADIEI

So I will flag whatever I feel like is policy, and I will bring it here, and then we can decide what is within our mandate.

GREG DIBIASE

That is my understanding. Yeah. Anne.

ANNE AIKMAN SCALESE

Thanks, Greg. I think it goes a little bit beyond that because I think we are specifically saying that whatever comes out of the LEA, of

the Law Enforcement Agency work on authentication should then-
- the proposed system for authentication needs to come formally into the IRT because the GAC PSWG is not an implementation body, that the formal proposal coming out of LEA, even if it's implementation, has to come into the IRT, and I think our letter to the Board should say that.

GREG DIBIASE

Thanks, Anne. Yeah, I agree. So that's like the one part that's known, that we'll have to accept the authentication mechanism. And I think Farzi's saying there's unknowns, as you're working, there may be additional things.

ANNE AIKMAN SCALESE

I don't think the IRT is required to accept as proposed the LEA authentication system. In other words, if there are disagreements in the LEA and the PSWG, and if there are parties that are part of the IRT that have different comments from what comes out of the LEA work, we are the active members of that process within the IRT. Of course, IRT, is it normally open? Is it open? I hope this IRT is open.

GREG DIBIASE

Yeah, it's open and I'm agreeing with you. We'd have to assess the-
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ANNE AIKMAN SCALESE

You just said the word accept.

GREG DIBIASE

Sorry, review. And if the review past month--

ANNE AIKMAN SCALESE

Sorry to be so nitpicky, but it's review.

GREG DIBIASE

Yep. Sam.

SAMANTHA DEMETRIOU

Thanks, this is Sam again. I'm actually not sure I'm in agreement that the IRT is necessarily required to review the authentication mechanism once it's completed by the PSWG. And the reason for that is because the policy itself does not dictate that once that is put in place, then registrars who receive requests for data that are authenticated will have to respond in one way or the other.

To me, this is just a tool that will help registrars assess urgent requests more quickly, and hopefully, more effectively. And since the ultimate decision is left to the specific companies themselves, I'm not sure there's a strong need for the policy arm and the implementation arm of this policy work to also get involved. And the reason I'm bringing that up as a concern now is because I think that will also take a very long time.

GREG DIBIASE

Thanks, Sam. And yeah, I didn't mean to imply that registrars wouldn't be making their determination yet, yeah. Okay, Anne.

ANNE AIKMAN SCALESE

Well, maybe I have this wrong, but I think that it's the authentication process that's going to trigger the related timelines. And I know that the Board, Becky Burr, when she was answering questions in the meeting with the GAC and the Board had said that one of the Board's concerns was that the timeline for the four triggering events for urgent requests, but the timeline of 24 hours might be too long. So if an authentication process actually triggers a short timeline as determined by the IRT, if it's approved, then I think the IRT is going to have to look at authentication to make sure that the timelines that the IRT is working on correlate properly with the condition being met of authentication.

GREG DIBIASE

Thanks, Anne. Did that answer your questions or are we still not in?

SAMANTHA DEMETRIOU

I think at this point, it's just piddling over semantics, so we need to keep going on.

GREG DIBIASE

Okay. So we'll draft the letter, and that will be a part of the letter and we can decide if we have it right there. But I think the over idea - oh, idea of a letter to ICANN, we seem agreed. Okay. Thanks for that. Let's move to our next topic, which is action items or

outcomes of the strategic planning session. And I'll hand it back to Tomslin.

TOMSLIN SAMME-NLAR

Thanks again, Greg. I think I'm not doing most of the talking on this one. It's really Caitlin who is doing the talking. But yeah, this is about the action items that came out of our SPS session in January. So, Caitlin.

CAITLIN TUBERGEN

Thanks, all. This is Caitlin Tubergen for the record, and I'm going to take you all back to a cold two days in DC when we came out with some agreements. So if we can go to the first slide, yes. So I did send these by email, but just wanted to get a confirmation from everyone. The first set of slides was part of the council's discussion on its role as the manager of the policy development process.

And as you may remember, a large part of those discussions dealt with discussing hypotheticals that weren't necessarily hypotheticals or looked familiar to some of the things that we're currently dealing with. And the council talked about what a process could look like when the board has to un adopt a previously approved GNSO PDP policy recommendation.

So support staff had put together a straw man, which was based on a lot of the council's discussions, and the next step would be what was discussed with the Board during the bilateral meeting, which

is to find the best way to memorialize that process and how that could look going forward.

Next slide, please. The council also talked a little bit about what happens when a PDP working group has a final report that contains non-consensus recommendations. And we talked about how generally speaking, the council would not approve a non-consensus recommendation from a working group, but there are some exceptions to that process, particularly when a working group notes that all of its recommendations are a package and need to be voted on as one single package.

So there are examples of the council approving non-consensus recommendations. In reference to that, the council had talked about that it would be helpful for some data on the last five years and non-consensus recommendations on how those were treated. Also, some counselors talked about possible ways of handling non-consensus recommendations, whether that could be through some sort of scorecard to the Board, remanding those recommendations or re-engaging if circumstances were to change and talking about those recommendations and sending those on to the Board readiness small team that's talking about that Board continuum.

Next slide. We also talked about the picket fence, and there was some confusion about, I believe it was Annex G1 and G2. So GNSO support staff took an action to consolidate the relevant bylaws language to make sure that everyone's on the same page when it comes to what the picket fence means.

Next slide. We went back to the aspirational statement, and just as a reminder, this statement was not meant to be binding or a voting directive or intended to limit the actions of councilors in any way. And Sam very generously offered to take a first cut of this, which was distributed to the council. And I think we'll be talking about that in an upcoming meeting. So thank you, Sam.

Next slide, please. And then lastly, when it came to talking about the council's role as manager of the PDP, we had a close look at the tools that the council has at its disposal to conduct its work. And a couple of things that came out of that were that counselors agreed that two comprehensive reviews of the project list should occur every year. One before the community forum and one before the AGM.

It was noted that these reviews should occur as part of the pre-ICANN webinar, so that anything that's identified during the project list review that needed further discussion could be talked about in person. Jen led our first one, so thank you, Jen. And then there was also a question about if we could do a better job in the projects list of flag interrelated projects.

So support staff took an action to highlight the interrelated projects by calling out interdependencies and including anchor links so that councilors can see when there are interdependencies. Those are called out clearly. Next slide, please.

So we also talked about some of the council's ancillary work that it does through various committees, small teams, and liaisons. As you may remember, there was a very detailed presentation, or

there was supposed to be a very detailed presentation on the standing committee on continuous improvements, but that did not happen. So that's going to happen at a future council meeting led by the expert, Saewon, who was unable to be at the SPS.

Next slide, please. We also had a presentation from Sebastien as the GNSO Council liaison to the GAC. And Sebastien has already talked about this in the bilateral meeting with the GAC, but in essence, Seb talked about identifying subject or topic leads in the GNSO and pairing those topic leads up with GAC topic leads to help with information sharing and improve communication between the two groups.

And then Sebastien had committed to provide a progress report on that initiative and enhanced communication effort in six months. And then lastly, the idea came up to have an informal internet governance tracking team. And there were several volunteers that raised their hand. You can see the volunteers on this slide. But this team is tracking the progress of IG related work and plans to provide ad hoc updates during council meetings as the need arises.

I think that's all of the slides. So the next step with these is for GNSO support staff to start working and actioning these items and also to consolidate these into the strategic planning session outcomes report, which all councilors will have an opportunity to review. It'll include all of these outcomes and actions as well as the report will be appended with additional information and talking points that came out of that meeting to remind everyone and to memorialize

what happened during our recent SPS. So with that, anybody has any questions or concerns, we can address them.

GREG DIBIASE

Jen.

JENNIFER CHUNG

Thanks. This thing is really far, or I'm very short, or I'll sit here. Okay. Thanks, Caitlin, for the comprehensive review. You just brought back the two days cold January days. Just wanted to go back to, I think the first slide, or I don't really know which slide it is. Oh, yeah, that one. Oh, yeah, that one. So I know the action, I see the action, I'm not going to read the action, but I think this also has a lot of implications for the work that the board readiness small team is working on. So it would be really useful and comprehensive for that part also to go to the Board readiness small team. Yeah.

GREG DIBIASE

Thanks, Jen. Great suggestion. Other questions for Caitlin? Anne.

ANNE AIKMAN SCALES

Thanks. It's Anne. I appreciate Jen's suggestion, but I had also thought that it's potentially part of continuous improvement on the procedures related to on adoption or reverse or whether it's a PDP or that SCCI, excuse me, the Standing Committee on Continuous Improvement, otherwise known as SCCI, is another possible avenue for approaching that procedure.

GREG DIBIASE

Thanks, Anne. Jen.

JENNIFER CHUNG

Maybe this is better answered by, and I'm really looking at her right now, the chair. Oh, sorry. I didn't want to kind of bring the discussion to whatever the Board readiness small team is doing, but it there is some feeling amongst people working in that small team thinking that that effort would kind of bleed back into SCCI. But that has not been fully discussed yet, and I'm not going to prejudge anything. Maybe Manju would like to add to it.

GREG DIBIASE

Manju, you've been called on.

MANJU CHEN

So SCCI has been patiently waiting the Board readiness, we're not in a rush. Once they're ready, they're ready. We don't want to push for any-- we just talked about how errors could occur if things are done rushly. So we appreciate them taking their time, we're standing ready whenever they're finished and they feel like or council feel like SCCI should take on whatever further should be done. But yeah, that's currently what we are planning to do. Thank you.

GREG DIBIASE

Thanks, Manju. Anne, is that an old hand? Steve.

STEVE CHAN

Thanks, Greg. This is Steve from staff. And perhaps one other idea to consider is this is a fairly discreet task. Maybe you just don't actually send it to a small team and leave it at the council level for simplicity. Thanks.

GREG DIBIASE

Thanks, Steve. Okay. So I don't know where we left that then. Council will draft the GNSO recommendations on how to unadopt, but maybe send that to SCCL for review. No, I retract that statement.

STEVE CHAN

This is Steve again. If you look at the text of the action item, it essentially assigns leadership and staff to start formulating some things. So the first part would, I think, be documenting the procedure itself. And then the second piece of that was to try to figure out where the mechanism could be memorialized. So we have two pieces, and I think the proposal would be that staff and leadership will work together, propose it to the council for them to consider, and then it doesn't necessarily need to go to a sub team unless it really needs to for some reason. Thanks.

GREG DIBIASE

Great. Thanks, Steve. Other questions or comments on strategic planning action items? Okay. Seeing none, I think we're in any

other business. And our first item is a GNSO Chair election timeline announcement. Terri, is that a Terri item?

TERRI AGNEW

Sure, I'll drop the link in the Zoom chat. Please take a look at it. Please notice all of the dates in June, we'll need the house nominee. I'm sorry. We'll need the new SGC councilor members, it will be announced. It's also when the house nominee selection begins. The 29th of September is important. The house is to submit their nominees to us. That's a very important date, and then you can follow the rest of them in October. And then the next really important date is the 29th of October. Our election should be held at the AGM. Back to you.

GREG DIBIASE

Thank you, Terri. Any questions on the election timeline? Okay, moving along, we have an update from the GNSO INFORMAL Internet Governance Tracking Group speaking of SPS items. Desiree, you going to give that? Great.

DESIREE MILOSEVIC

Yes, certainly happy to. Thanks to Caitlin to introducing what happened at the SPS where we formed the GNSO Informal Internet Governance Tracking, and you've seen the colleagues who are on that team. We have met once and already updated the council last month, but this week we also had a few activities. We have reached out to the ccNSO Internet Governance liaison co-chairs, and they have informed their working group that we exist. We also having a

informal discussion with the GAC topic leads on internet governance.

Actually, the GAC itself has a tracking team and they have over 48 members working on the topics. They had a recent IG webinar, which was commented throughout their session the other day, which other government members who are not members also find useful. I think there is a feedback, there was a whole session yesterday that we heard on one specific process, which is the World Summit on the Information Society Review that is ongoing.

So our informal committee is active connecting links. We have also learned there is a cross community, or it's not a cross community, it's AC and SO Working Group. And we believe that that's led by ICANN Staff, and there are some representatives from GNSO, Bruna yourself, you are on that group. But they're looking for more members from GNSO perhaps to coordinate better. So we will send an email there and find out if they wish to work more closely with us to coordinate along other internet governance matter.

One important thing to mention to update the council is that the registration for the Internet Governance Forum is open, and it's taking place in June in Norway. It's going to be the 20th Internet Governance Forum, and that's part of the WSIS or the World Summit on the Information Society Review plus 20. It's been 20 years, the IGF is the outcome of that process, and there is a strong support for the way how the IGF works because it adopts the multi-stakeholder approach to discussing public policy issues pertaining to the internet.

And we'd encourage all the councilors who can, and other parts of ICANN community to register and also be at the upcoming IGF. But we stand here for any questions, and we'll provide any further updates. So feel free to reach out to me. And I'm a leader of this informal group, but also to Anne, Farzi, Jen, of course, and Sebastien.

We like to thank Sebastien for doing the co-donation with the GAC IG topic leads. We are meeting tomorrow during the coffee break at 14:30. And that's all we have to report for today. Thank you.

GREG DIBIASE

Thanks. One just quick initial question. The email you're going to send with those updates, are you sending that to the internet governance list or the full council list?

DESIREE MILOSEVIC

The updates we'll send to the full council list.

GREG DIBIASE

Great. Just wanted to make sure everyone saw that information. Bruna, you're next in the queue.

BRUNA MARTINS dos SANTOS

Thanks. I would just like to understand the point of representation of GNSO in the WSIS group, but I'm a little bit lost. To be honest, it's not a working group. It's a small community dialogue group that there was a call for it before, and both myself and Tony were

the GNSO nominated folks for that group. So I just did not understand why do we need more GNSO representation there if we are represented there.

DESIREE MILOSEVIC

Thanks, Bruna. I'm not sure who Tony is. So he's not from GNSO, but from the constituency, nominated. Yes, your question is about the something that came up yesterday at a discussion that the ICANN Staff had with the board saying that this group meets on a monthly basis and it's coordinating well, and we are to confirm with the staff directly whether they wish to see any more, if you like, any more bodies on this discussion group. But it's also an informal group, so just to make that clear.

GREG DIBIASE

Thank you, Desiree. Jen.

JENNIFER CHUNG

Thanks, Bruna, for summarizing a lot of the really good ideas that the group were-- can't speak anymore, it's the end of the day, the group was thinking about. I think it's important to note that we are an informal group and the outset, we're trying to be as lightweight as possible. There are many, many informal groups and efforts in different parts of the ICANN community working towards this.

We are trying to assist and alleviate the info gap that we see at the GNSO Council level, as well as GNSO as I guess different SGs and Cs to actually understand more what's happening. So to the extent

that we can help and facilitate all these good discussions and bring this information back, both to the GNSO counselors and then through, I guess to the different constituencies and SGs, I think that is a good idea and good thing. I don't think anything is meant to make it any more confusing or add complexity, can't speak anymore, complexities on top of things. Thank you.

GREG DIBIASE

Thanks, Jen. Farzi.

FARZANEH BADIEI

Thank you. So I think that it would be really good for the GNSO to have a strong presence in whatever ad hoc groups there are about these internet governance processes and discussions to like to strengthen the communication channels and to tell them what we are doing, because many people don't know what we are doing in the council. So I think that it shouldn't be like just restricted to two members. I think that maybe if we can have more people attending those ad hoc meetings, I would be good.

GREG DIBIASE

Thanks, Farzi. Paul.

PAUL MCGRADY

Thanks. Paul McGrady. So for those of you that are participating in these various informal groups, I would like to ask if there's anything that can be done to help cool some of the rhetoric?

I read the WSIS, I signed up for the list to read it because I just don't have enough anxiety in my life, I guess, and there's chatter on here about California and do we need IANA 2.0 and all this other stuff? And I kind of view the world stage right now as a bunch of candles and we don't need to throw gasoline on top of the candles to see what happens.

So if there's any way as you guys participate in these informal groups, if you could tell everybody be careful what you write, be careful what you say, I'm not trying to control speech, but on the other hand, things that maybe would be read one way internally, could be read very differently externally. So I think whatever we can do to try to cool down the situation would be very helpful. Thank you.

GREG DIBIASE

Thank you, Paul. Anne.

ANNE AIKMAN SCALESE

Thank you very much. It's Anne. And I completely agree with what Paul just said, and I don't know how many were able to attend the ALAC session this morning talking about some of these issues, but of course, Tripti remarked that ICANN is not a political organization and we stay out of politics.

And I think Jen, as a panelist in the ALAC meeting this morning, made some great comments about these various multi-

stakeholder for discussion purposes on internet governance being an oasis of the multi-stakeholder model.

I love her term oasis, and that the predominant sentiment, hopefully that's coming out of this oasis of multi-stakeholderism would be please don't break the internet. And thank you so much to Farzi and Desiree for their leadership and also for Seb for coordinating with the GAC in his communication efforts. And also with Desiree, thank you for coordinating with the ccNSO and I appreciate being part of this group. Thank you.

GREG DIBIASE

Thanks Anne. Bruna.

BRUNA MARTINS dos SANTOS

Just very briefly. I'm willing to give up my seat at the informal group, if either Desiree or Farzi, or anyone from the informal group want to sit there, the seat is open.

GREG DIBIASE

So, sorry to be clear, this is the informal group ICANN created. So we don't necessarily have control over that.

BRUNA MARTINS dos SANTOS

It's the community one, but it was-- sorry for interrupting you, Greg. it was a GNSO nomination, that's why I'm saying, so if you guys want to change the representative there, I'm more than fine. I just

feel that the conversation somehow questioned my presence there and I'm really uncomfortable with this.

GREG DIBIASE

Yeah, I think if anything, there was just adding more members as opposed to any questioning of your representation, was my take. Farzi.

FARZANEH BADIEI

Just going back to Paul's comment, I think that, Paul, that's a very important aspect that we have to consider. And the method that I personally use is to talk about how to emphasize the important role of multi-stakeholder model and approach in keeping the internet open and keeping the internet running for all these years and bringing people online through the multi-stakeholder approach as opposed to other methods of governance.

So that's one method that we can use. We can also talk about GNSO achievements throughout these years on doing policy about domain names, how our policies have contributed to security of the DNS and the internet. How it has also enabled access to domain names globally. So these are the things that we can think about and work on messaging to discuss to redirect the conversation from whatever they're saying to why we are doing this and how can we strengthen the multi-stakeholder.

GREG DIBIASE

Thanks, Farzi. Very well said. Jen.

JENNIFER CHUNG

Sorry I keep on taking the mic here and I can't speak. First of all, thanks Anne for quoting me back at myself. That was kind of embarrassing, but thank you very much. Okay, thank you.

I guess I'll just really briefly reiterate what I said a little bit at the panel of the things we can do. And now I'm speaking in the context of the GNSO Council. We are living, breathing exactly what it is, bottom-up policymaking in a multi-stakeholder way.

So we will keep on doing our work, but we have to get better at telling people in plain language what we do. First for them to understand exactly what it is we make policy on. But after we do that, we also need to translate this to people who actually will bring this into negotiations. These are government delegates who may not understand how, first, how the internet work or how they might break the internet. So that's the first thing I think is actually quite useful for the GNSO council to do.

We might leverage that through our informal group, we might leverage that through our lovely PR officer. I don't see him around the room, but he's here. So that's what we can do. The second thing is that we have to use real impact use cases, and that's another thing that the GNSO can do. We PR our successes in a way that other people understand what we're doing. And then finally, continuous engagement on all levels.

The informal group is really, really important to get that informal touch points. The formal, like really high-level stuff, obviously

we're going to bank and leverage on ICANN Org's connections with all of them, and then all the different kind of iterations within ICANN community, outside of ICANN community, and those who kind of have one foot in both, and we kind of leverage those touchpoint. I think those are the things we can do. Thanks.

GREG DIBIASE

Great. Thank you, Jen. Okay, I think that brings us to the end of AOB. No? Oh, quick note on the accuracy scoping deferral expiration. We had deferred accuracy scoping that's expiring, but now we are picking up that work. So did we need another motion, or no? I'm just noting that that expired, but now we're working on accuracy. That's the note, okay. And then we move on to open mic. In our public sessions, we like to hear from the community. Where is the mic?

TERRI AGNEW

Right behind you.

GREG DIBIASE

So if anyone in the room has anything they'd like to share with council, please do.

TERRI AGNEW

Also, if you're online, you now have the ability to raise your hand. So again, the mic is back here. Please form a queue if you'd like to speak or raise your hand in Zoom if you're remote, online, sorry.

GREG DIBIASE

Okay. Well, then I think that concludes our council meeting. Don't forget, we have a wrap up meeting tomorrow. Well, we'll go through kind of what we covered this week and talk about next steps on a number of action items. But really great council meeting. Thank you all. And I bring this meeting to a close.

TERRI AGNEW

Tech, Thomas, please stop the recording.

[END OF TRANSCRIPTION]