7. Update – GNSO-GAC Consultation Group and Related Work (10min)

An ICANN Board and GNSO Discussion Group was formed to develop recommendations on how to best effect next steps in the Board-mandated GNSO PDP on the purpose of WHOIS (including taking into account the work of the Expert Working Group). This group has been meeting regularly. An update on the group's progress was provided to the GNSO during its working weekend at this meeting. Following that session and in light of other WHOIS-related work going on in the community, the Council will discuss here the options and timing for conducting the PDP.

7.1 Update on GNSO-GAC Consultation Group (Mason Cole)

7.2 Discussion

7.3 Next Steps

Recommendations for GAC Early Engagement in GNSO PDP Issue Scoping Phase

Five Phases:

1. Issue scoping
2. Initiation
3. Working Group
4. Council Deliberations
5. Board Vote

Recommendations for GAC Early Engagement in GNSO PDP Issue Scoping Phase

Preliminary Recommendation #1

As part of a standard request for an Issue Report, the requestor is encouraged to identify whether there is any standing GAC advice on the topic on which an Issue Report has been requested, if known to the requester.

As such the template for a request for an Issue Report <u>template should be modified</u> to include a field related to this information.

Preliminary Recommendation #2

CG recommends a <u>GAC Quick Look Mechanism Committee is created</u>. The GAC leadership group may assume this responsibility as a start.

The GAC may decide later whether other GAC members should be added or whether a new dedicated committee should be created.

Recommendations for GAC Early Engagement in GNSO PDP Issue Scoping Phase

Preliminary Recommendation #2

CG recommends a <u>GAC Quick Look Mechanism Committee is created</u>. The GAC leadership group may assume this responsibility as a start.
The GAC may decide later whether other GAC members should be added or whether a new dedicated committee should be created.

Recommendations for GAC Early Engagement in GNSO PDP Issue Scoping Phase

Preliminary Recommendation #3

The responsibility of <u>GAC Quick Look Mechanism Committee to develop a recommendation</u> (following notification of a request of an Issue Report by the GNSO Liaison to the GAC and/or GNSO Secretariat) on whether the issue:

a)   Has public policy implications and the GAC will then commence preparations to provide input on the issue to the PDP WG;

b)   May have public policy implications and the GAC will then consider further whether to provide input on the issue to the PDP WG;

c)   Is unlikely to have public policy implications, but the GAC reserves the right to provide input on the issue to the PDP WG should it determine at a later stage that there are public policy implications e.g. in view of developments in the WG (one-pagers could serve to facilitate following developments for the GAC).

Recommendations for GAC Early Engagement in GNSO PDP Issue Scoping Phase

Preliminary Recommendation #4

GAC Quick Look Mechanism Committee is expected to forward its recommended response (a, b or c) within a proposed time period of 15 days to the full GAC for consideration.

Recommendations for GAC Early Engagement in GNSO PDP Issue Scoping Phase

Preliminary Recommendation #5

The GAC reviews the GAC Quick Look Mechanism Committee recommended response and <u>decides whether to agree or disagree within a proposed time period of 20 days</u>. (this could include referring issue back to Quick Look Mechanism Committee or the GAC deciding as a whole on a response).

Recommendations for GAC Early Engagement in GNSO PDP Issue Scoping Phase

Preliminary Recommendation #6

<u>If the recommended response is agreed to, this response is communicated by the GAC secretariat</u> on behalf of the GAC Chair to the GNSO Council liaison to the GAC who communicates this information to ICANN Staff responsible for developing the Issue Report as well as the GNSO Council.

Recommendations for GAC Early Engagement in GNSO PDP Issue Scoping Phase

Preliminary Recommendation #7

<u>The response from the GAC is incorporated in the Final Issue Report</u> which is prepared following public comment on the Preliminary Issue Report and submitted to the GNSO Council for its consideration.

Recommendations for GAC Early Engagement in GNSO PDP Issue Scoping Phase

Preliminary Recommendation #8

If the GAC response is

a)   has public policy implications and the GAC will commence preparations to provide input on the issue to the PDP WG, or

b)   may have public policy implications and the GAC will consider further whether to provide input on the issue to the PDP WG,

<u>the GAC will create (in case of a) or should consider creating (in the case of b) a committee</u> that will review more detailed input to be provided to the GNSO PDP Working Group after its formation.

Proposed GAC Quick Look Mechanism

Step	What	When	Who	Comments
1	Request for Issue Report submitted to ICANN Staff, which should indicate whether there is standing GAC advice on the mentioned topic if known to the requestor	Day 0	GNSO Council / ICANN Board / Advisory Committee	
2	Communicate to the "GAC Quick Look Mechanism Committee" that an Issue Report has been requested, including information on the topic, and that a Preliminary Issue Report is expected to be published by X date (usually 45 days after transmission of request to ICANN staff)	Day 0 - 5	GNSO Liaison to the GAC	
3	Publication of Preliminary Issue Report for public comment, including information on any standing GAC advice on the topic, if available.	Day 45	ICANN Staff	Note, ICANN Staff has up to 45 days to prepare the Preliminary Issue Report but may ask for an extension if additional time is needed
4	Submit notification of publication of Preliminary Issue Report for public comment to the GAC	Day 45	GNSO Liaison to the GAC / GNSO Secretariat	
5	Convene Quick Look Mechanism Committee to review Preliminary Issue Report (by email and/or conference call)	Day 45 - 60	GAC Secretariat	

Proposed GAC Quick Look Mechanism

Step	What	When	Who	Comments
6	Quick Look Mechanism Committee communicates its recommended response to GAC	Day 60	Quick Look Mechanism Committee	Recommended response options are: a) Has public policy implications and the GAC will commence preparations to provide input on the issue to the PDP WG b) May have public policy implications and the GAC will consider further whether to provide input on the issue to the PDP WG c) Is unlikely to have public policy implications, but the GAC reserves the right to provide input on the issue to the PDP WG should it determine at a later stage that there are public policy implications, e.g. in view of developments in the WG (one-pagers could serve to facilitate following developments for the GAC)
7	GAC reviews Quick Look Mechanism Committee recommended response and decides whether to agree or disagree (this could include referring issue back to Quick Look Mechanism Committee or the GAC deciding as a whole on a response)	Day 60 - 80	GAC	In principle by email and/or teleconference, but in case of disagreement or need for further discussion, a decision could be escalated to a GAC F2F meeting.
8	Communicate outcome of quick look mechanism to the GNSO Council	Day 85	GAC Secretariat on behalf of the GAC Chair	

Proposed GAC Quick Look Mechanism

Step	What	When	Who	Comments
9	If outcome of quick look mechanism is option a or b, form a Drafting Team to develop input (option a) or consider whether input needs to be provided (option b) that can be provided to the PDP WG when it commences its deliberations	Day 85	GAC	Note: the PDP WG would be formed after the GNSO Council reviews the Final Issue Report and decides to initiate a PDP.
10	Closing of public comment forum on Preliminary Issue Report	Day 85	ICANN Staff	
11	Submit Final Issue Report, including outcome of GAC Quick Look Mechanism to the GNSO Council	Day 100 (estimated)	ICANN Staff	Note: this marks the conclusion of the first phase only (Issue scoping) of the five GNSO PDP phases.

Questions for Consideration

- Is there support for the creation of a GAC Quick Look Committee?

- Are the timeframes proposed (see also Annex A) workable?

- Are there any objections to implementing this as a pilot so it can be tested and reviewed?

- Are there any other concerns or issues the GAC-GNSO CG should consider before finalizing these recommendations?

8. Discussion – Potential CWG for Use of Proceeds from New gTLD Auctions (10min)

The Council has commenced deliberations on whether and when to convene a Cross-Community Working Group to develop suggestions on ways to best use the proceeds received by ICANN from new gTLD auctions. Having received initial feedback from the GNSO community on this potential idea (including at the GNSO weekend working session), the Council will now consider whether and, if so, how to move forward with an initiative to convene such a CWG.

8.1 Update (Jonathan Robinson)

8.2 Discussion

8.3 Next Steps

9. Update – GNSO Review (15min)

The Council has commenced deliberations on whether and when to convene a Cross-Community Working Group to develop suggestions on ways to best use the proceeds received by ICANN from new gTLD auctions. Having received initial feedback from the GNSO community on this potential idea (including at the GNSO weekend working session), the Council will now consider whether and, if so, how to move forward with an initiative to convene such a CWG.

9.1 Update (Jennifer Wolfe)

9.2 Discussion