

Title: GNSO Activity Brief for ccNSO Council

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Date of Meeting: September 27, 2018

Status: Most Recent GNSO Meeting

Review of Projects & Action List

The following points were raised from the existing Project List

- The WHOIS Procedure Implementation Advisory Group (WPIAG) has moved to Phase 3 Implementation with the EPDP Initial Report and WPIAG call for volunteers as prerequisites.
- The GNSO Review Working Group (WG) has moved to Phase 6 Board Vote, the timing of which is yet to be determined.
- The Consumer Choice Competition and Trust Review Team (CCT-RT) has completed its work and will be removed from the Project list in its next iteration.

Full [Projects List](#) can be found here.

The following updates to the Action Items' list were noted

- The IANA Function Review (IFR) will begin its work early October 2018. The Supporting Organizations (SOs), Advisory Committees (ACs) and GNSO Stakeholder Groups (SGs) and Constituencies (Cs) have already submitted appointees, the GNSO Council will need to consider a GNSO co-chair position to be shared with a ccNSO co-chair.
- The Geographic Review and the Registration Directory Services leadership team action items are still in progress.
- PDP 3.0 is in progress, the first step is completed thanks to the PDP 3.0 webinar (<https://participate.icann.org/p1s5rcio69b/>) held on the 11th September 2018 during which feedback and numerous recommendations were received.
- The consolidated New gTLD Subsequent Procedures (SubPro) PDP and Review of all Rights Protection Mechanisms (RPM) PDP timeline is in progress and of high importance as these two PDPs work towards their major milestones.

Full List Available here: [Action Items' list](#)

Consent Agenda

There were three items on the Consent Agenda:

- Approval of the 2018 slate of members and liaisons on the Customer Standing Committee (CSC) ([motion](#))
- Approval of the approach for the CSC Effectiveness Review and appointment of Donna Austin and Philippe Fouquart as GNSO representatives ([motion](#)).
- Acceptance of the Standing Committee on Budget and Operations After Action Report ([Standing Committee on Budget and Operations' \(SCBO\) After Action Report.](#))

All councilors present on the call voted in favour of the motion.

COUNCIL VOTE – Approval of the CCWG-Accountability WS2 Final Report

Motion was brought for the GNSO Council to approve the Cross Community Working Group (CCWG) Accountability Work Stream 2 (WS2) Final Report.

Whereas,

1. The GNSO Council, together with other ICANN Supporting Organizations and Advisory Committees, chartered the Cross-Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability) on 13 November 2014 'to deliver proposals that would enhance ICANN's accountability towards all stakeholders'.
2. The GNSO Council approved the CCWG-Accountability Supplemental Final Proposal on Work Stream 1 Recommendations on 9 March 2016, which included recommendation #12: Committing to Further Accountability Work in Work Stream 2 (WS2).
3. The GNSO Council approved on 18 May 2017 the extension of WS2 for one year to the end of June 2018.
4. The CCWG-Accountability published its WS2 Final Report for public comment on 30 March 2018 (see <https://www.icann.org/public-comments/ccwg-acct-ws2-final-2018-03-30-en>).
5. Several GNSO Stakeholder Groups (SGs) and/or Constituencies (Cs) submitted their input on WS2 Final Report (see <https://mm.icann.org/pipermail/comments-ccwg-acct-ws2-final-30mar18/2018q2/date.html>).
6. The CCWG-Accountability reviewed all the input received and submitted its WS2 Final Report Recommendations to the Chartering Organizations on 9 July 2018 (see <https://mm.icann.org/pipermail/accountability-cross-community/2018-July/014458.html>) for their consideration.
7. The GNSO Council has reviewed and discussed the CCWG-Accountability WS2 Final Report and Recommendations.

All councilors present on the call voted in favour of the motion unanimously.

Action items:

- *GNSO Secretariat* to share the results of this motion with the Chairs of the CCWG-Accountability as soon as possible.

COUNCIL VOTE – Adoption of the Final Report on the Protections for Certain Red Cross Names in All gTLDs Policy Amendment Process

Motion was brought for the GNSO Council to adopt the Final Report on the Protections for certain Red Cross names in all gTLDs policy amendment process. This motion was first presented during the August 2018 Council meeting, it was deferred by Non Commercial Stakeholder Group (NCSG) request.

Whereas:

1. In November 2013, the Working Group for the Protection of International Governmental Organizations (IGO) and International Non-Governmental Organizations (INGO) in All gTLDs completed a Policy Development Process (PDP) and submitted its Final Report to the GNSO Council (<https://gnso.icann.org/en/issues/igo-ingo-final-10nov13-en.pdf>, including Minority Statements: <https://gnso.icann.org/en/issues/igo-ingo-final-minority-positions-10nov13-en.pdf>);
2. On 20 November 2013, the GNSO Council approved all the consensus recommendations in the PDP Final Report (<http://gnso.icann.org/en/council/resolutions#20131120-2>);
3. On 30 April 2014, the ICANN Board approved those of the GNSO's consensus recommendations that were consistent with advice received from the Governmental Advisory Committee (GAC). (<http://www.icann.org/en/groups/board/documents/resolutions-30apr14-en.htm#2.a>);

4. In March 2017, representatives of the GAC and GNSO held a discussion at the ICANN58 Public Meeting in Copenhagen, to discuss a possible path forward for reconciling GAC advice and GNSO policy on the topic of protection at the second level of the domain name system for IGO acronyms and the remaining names and acronyms associated with the Red Cross.
5. Following the March 2017 facilitated discussion, the ICANN Board passed a resolution requesting that the GNSO Council consider initiating the Policy Amendment Process documented in the GNSO PDP Manual in respect of certain of the so-called "Scope 2" identifiers for the Red Cross. (<https://www.icann.org/resources/board-material/resolutions-2017-03-16-en#2.e.i>);
6. In May 2017, the GNSO Council passed a resolution noting that the March 2017 facilitated discussions had highlighted a set of exceptional circumstances constituting a justifiable basis for the Council's taking the extraordinary step of reconvening the original IGO-INGO PDP Working Group pursuant to Section 16 of the GNSO PDP Manual. (<https://gns0.icann.org/en/council/resolutions#20170503-071>);
7. The Reconvened PDP Working Group held its first meeting on 14 June 2017, and has since worked diligently to develop a set of recommendations that were published for public comment on 21 June 2018 (<https://www.icann.org/public-comments/red-cross-protection-initial-2018-06-21-en>).
8. Following the close of the public comment period on 31 July 2018, the Reconvened PDP Working Group reviewed the comments and submitted its Final Report and finite List of names to the GNSO Council for its consideration on 6 August 2018 (<https://gns0.icann.org/en/issues/igo-ingo/red-cross-protection-policy-amend-process-final-06aug18-en.pdf>) (<https://gns0.icann.org/en/issues/igo-ingo/red-cross-identifiers-proposed-reservation-06aug18-en.pdf>).

Resolution:

1. The GNSO Council has reviewed the Final Report and approves all of the consensus recommendations made by the Reconvened PDP Working Group;
2. The GNSO Council thanks the Reconvened PDP Working Group for its diligence and its successful work in attaining consensus on all recommendations;
3. The GNSO Council thanks the International Red Cross and Red Crescent Movement for its efforts in providing the documentation and information needed to justify and underpin the consensus recommendations; and
4. The GNSO Council directs ICANN staff to prepare a Recommendations Report for delivery to the ICANN Board in accordance with the process outlined in the ICANN Bylaws.

GNSO councilors voted unanimously in favour of the motion.

COUNCIL UPDATE – new gTLD Auction Proceeds CCWG

- Councilors were reminded that the WG's task was to agree on the best mechanism to ensure that the auction proceeds money is spent on the right project that would fall within the scope of ICANN's mission and bylaws.
- The draft Initial Report of the CCWG will be issued shortly, on the 8th October 2018, to allow for comments to be submitted and for further exchanges to take place during ICANN63.
 - Four mechanisms were considered by the CCWG:
 - Creation of a new department within ICANN focusing on auction proceeds funds.
 - Merger between this new ICANN department and an outside entity that has expertise in funds.
 - Creation of a completely new mechanism and a foundation.

- Outsource it to a different existing entity that would be tasked with running this special auction proceed fund on ICANN's behalf.
- These four mechanisms would face the same limitations: the scope of ICANN's mission and bylaws, the existing oversight and fiduciary obligation as well as tax exemption. However, All four mechanisms will be presented to the community who will be asked to consider the role of ICANN and the community in such structures.
- Councilors then discussed the implications and merits of the two favoured mechanisms and how these would be developed in the implementation phase.

COUNCIL UPDATE – Temporary Specification for Registration Data Expedited Policy Development Process (EPDP) - Recurring Update

An update on the EPDP's recent activities was provided:

- The EPDP has completed its first deliverable: submission of the triage report
- Members have been working on several sections and appendixes of the temporary specification.
- Progress was made during the face-to-face meeting in Los Angeles in particular in regard to the topics of purpose and data elements (<https://community.icann.org/x/rQarBQ>).
- A blog post reporting on the face-to-face meeting will be published shortly
- Aim is to have a preliminary draft ready in time for ICANN63

Councilors discussed progress to date and stressed the fact that the EPDP Charter be referred to for guidance.

The next GNSO Council Meeting will take place is scheduled to take place during ICANN63 in Barcelona on the 24 October 2018 at 13:00 local time (11:00 UTC).