

GNSO Activity Update for ccNSO Council: October 2016

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Auction Proceeds CCWG

Until now, the only formal response (which was asked ideally by 30 Sep) received was from the ccNSO. The GNSO discussed it briefly during its meeting (29 Sep) with one Councilor suggesting that it might be helpful to have public comment.

It appears few have been able to focus on the charter and so a webinar has been scheduled for 13 October at 16.00 UTC* to ensure everyone is on the same page. The ccNSO is requested by the drafting team to hold off on adoption of the charter pending this webinar and other input.

Selected points on the drafting teams work (29 Sep)

- Drafting team well aligned with Board (given a couple of Board liaisons)
- funds are ring-fenced and a single revenue source.
- Substantial discussion about conflict of interest provisions.
- Discussion and care taking about not prejudicing or impacting on ICANN's tax status.
- Recognition of issues like transparency, lean and effective work, diversity issues.
- Prospects for experts/advisors to contribute paid or unpaid. If paid it would be part of a formal ICANN budgeting process.

*contact gnso-secs@icann.org for webinar details (open to SO/ACs)

New gTLD Subsequent Procedures

Steve Crocker sent (Aug 2016) a letter to the GNSO concerning the new gTLD Subsequent Procedures PDP regarding the following key questions

1. Must the entirety of the New gTLD Subsequent Procedures PDP complete before advancing a new application process?
2. Can a new application process proceed while policy work continues and be iteratively integrated into the application process?
3. Can a set of critical sub set of issues be identified that must be identified and resolved prior to advancing a new application process?

Early responses from different groups in the GNSO (expected to be finalised and voted on as soon as practicable):

- New gTLD Subsequent Procedures PDP WG unable to reach consensus on the questions
- In regards to question 1, convergence among BC, ISPCP, and IPC that a new application window should not be opened until all necessary reviews are complete.
- The IPC added that, specifically, Phase 1 of the RPMs PDP (i.e., RPMs related to new gTLDs) must be complete, as well as SSR Reviews. ALAC held similar views.
- RySG felt that only work required to address significant deficiencies in policy or implementation should occur prior to the introduction of additional gTLDs.
- In relation to questions 1 and 3, RySG identified closed generics, distinct registry agreements for exclusive-use TLDs and geographic names as key priority topics.

WHOIS Conflicts with local law

A report submitted by the Implementation Advisory Group (IAG) in May 2016 recommended a modification to the existing Whois Conflicts Procedure to allow a party to trigger the procedure by obtaining written statement from the government agency charged with enforcing data privacy laws indicating a Whois obligation conflicts with national law and then submitting the statement to ICANN. A motion to adopt the report was since withdrawn after concerns were raised about PDP consistency with original policy recommendations. It's expected to be resubmitted at ICANN57 with potential modifications.

Appointment of Interim GNSO Rep to Empowered Community Administration

The GNSO confirmed that GNSO Chair (James Bladel) will represent the GNSO as the Decisional Participant on the Empowered Community Administration on an interim basis. (2 abstentions citing issues of speed of decision process). Three months after completion and adoption of DT report, GNSO are to finalise a decision on appointment of GNSO representative to the EC Administration

GNSO Validation of FY17 Budget and Cost-Control Processes for CCWG-Accountability

GNSO Council has accepted the proposed CCWG-Accountability FY17 budget, as well as the cost-control processes presented in conjunction with the CCWG budget.

Upcoming Topics/votes

Below are selected topics expected to be discussed at the meeting on 13 October.

- Adoption of the Final Framework of Principles for Future Cross Community Working Groups. If both the ccNSO and GNSO Councils approve the Final Framework, the Framework will be forwarded to all other SO/ACs with the suggestion that principles it contains serve as guidelines for the formation, chartering, operations and closure of all future cross community working groups.
- Adoption of Consensus Recommendations from the GNSO Bylaws Drafting Team (20 minutes)
- Responses to Board letter on new gTLD subsequent procedures (see above)
- GAC-GNSO consultation group status update
- ICANN57 meeting schedule planning
- Results of GNSO Newcomer Survey