

Possible next steps following adoption of Temporary Specification for gTLD Registration Data

21 May 2018



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Background

- On 11 April 2018, the GNSO Council and RDS PDP WG Leadership team had a call with a number of ICANN Board members to exchange ideas about the potential impact on the RDS PDP of the finalization of an interim model for compliance with the European Union's General Data Protection Regulation.
- This discussion revealed that the Board was considering adopting a [temporary policy/specification](#) as outlined in the Registrar Accreditation Agreement (RAA) as one possible option for implementing the interim GDPR compliance model.
- On 14 April 2018, a follow-up briefing note was provided to the Council providing information about the call and outlining a proposal for the path forward. This was followed by a discussion by the GNSO Council during a call on 26 April 2018.
- On 17 May 2018, the ICANN Board a Temporary Specification for gTLD Registration Data (temporary specification)

Current status / Objective

The objective of today's discussion is to ensure a common understanding by the Council of what is needed following the adoption of the temporary specification and how procedurally to achieve it; not here to discuss substance.

- ICANN Board has adopted a temporary specification on 17 May 2018.
- This has started the 365 day clock for the GNSO to complete a policy development process to confirm whether the temporary policy becomes a consensus policy. Council is the manager of the PDP, and as such responsible for ensuring effective set up, management and oversight.
- Uncertainty about the exact scope of the PDP – follow up communication with the ICANN Board needed to discuss expected scope of the PDP, timing considerations, and relevant procedural requirements. Also, impact on the PDP of potential future changes to the temporary specification is unclear.
- However, there are already a number of issues that the Council, with the support of SG/C leadership, could work and agree on to ensure optimal preparedness for the next steps.

Proposed Immediate Next Steps (see briefing doc)

1. Informational Q&A-style webinar for GNSO Council and SG/C leadership (timing: today)
2. GNSO Council meeting time (50 minutes scheduled) to further discuss next steps and answer questions arising from webinar
3. Schedule follow-up call with the ICANN Board to share information, set expectations and establish a common understanding of next steps (timing: as soon as possible, but no later than 30 May)
4. Drafting team to develop proposed EPDP Initiation Request, if EPDP (timing: as soon as possible, but no later than 4 June)
5. Schedule a special GNSO Council meeting to initiate an EPDP, if EPDP (timing: 14 June, with Council meeting on 27 June as a backup)

Questions

EPDP?

EPDP Leadership?

- Strong and experienced leadership a must – someone with no strong position on WHOIS/RDS? Small team to develop skills and criteria.
- Council has the option to appoint Chair(s).

EPDP Team Composition?

- Various options outlined in the briefing doc. Possible features: representative, manageable, empowered, experienced and sustainable – current practices and approaches are not viable. Significant commitment will be required from members. Which option has the best chance of success?
- Refer to PDP 3.0 inputs.

EPDP Working Methods?

- Must enable meeting the one year deadline. How to optimise face-to-face time?
- What budget implications, if any, would these working methods have?
- How to facilitate Council oversight?

Discussion & Next Steps

Reference Slides

EPDP Initiation Request – Required Elements

1

Origin of Issue

In this case, adoption of temporary specification

4

Proposed EPDP Mechanism & Method of operation

If different from GNSO WG Guidelines

2

Scope of Effort & Description of how it meets EPDP criteria

Detailed description of the issue or question that the EPDP is expected to address and how it meets EPDP criteria

5

Decision-making methodology

If different from GNSO WG Guidelines

3

Opinion of Legal Counsel

Whether the issue proposed for consideration is properly within the scope of ICANN's mission, policy process and, more specifically, the role of the GNSO

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Desired completion date

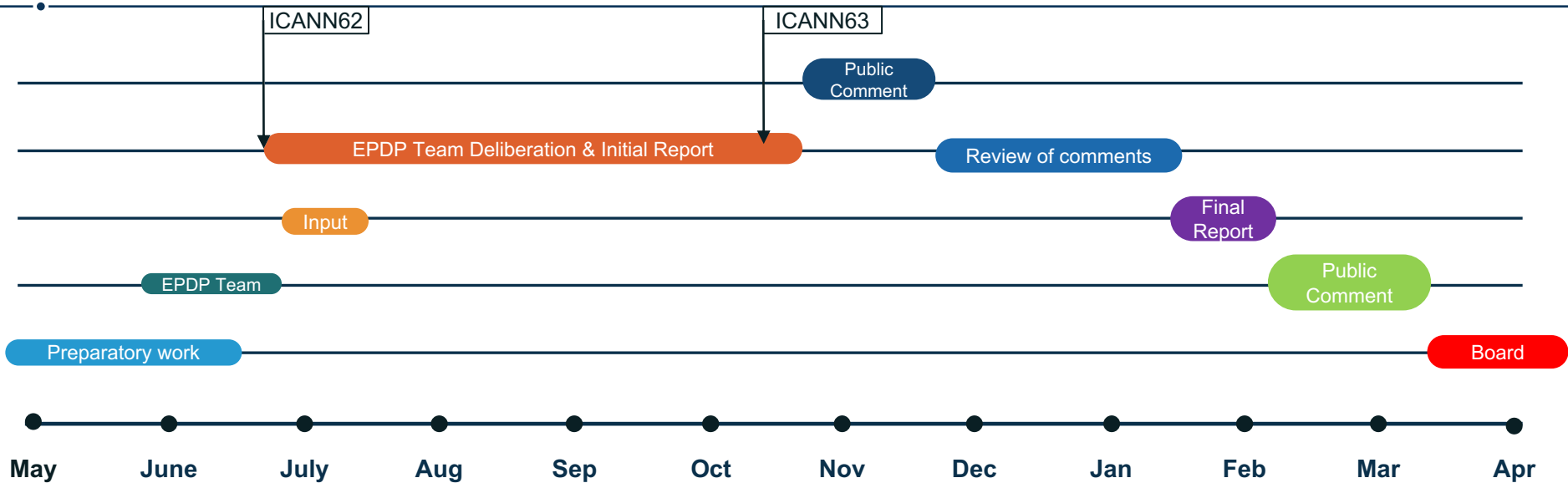
Set completion date and give rationale

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EPDP Team Charter

Include in Initiation Request to optimize time available for EPDP

Draft EPDP Timeline



- Prep work, incl EPDP Initiation Request & Charter adoption
- Formation of EPDP Team; first meeting at ICANN62
- Input from SO/ACs & SG/Cs
- EPDP Team Deliberation & Publication of Initial Report
- Public Comment on Initial Report
- Review of Public Comment & Submission of Final Report
- Council consideration of Final Report
- Public Comment prior to Board consideration
- Board consideration

To Summarize

365 days available to carry out all required steps in an EPDP. Draft timeline assumes first meeting of EPDP at ICANN62 at the latest.