

Dear Theresa,

As you are aware, in response to your email of 23 October 2021, the GNSO Council formed a small team consisting of Council members as well as interested SG/C representatives to review the discussion draft and propose to the GNSO Council how to proceed. The Council and the small team appreciate the engagement with ICANN org on some of the procedural questions and welcomes the invitation to engage on this important topic. However, instead of sending papers and letters back and forth, the Council is of the view that this topic may benefit from a dialogue between Council, interested SG/C representatives, ICANN org as well as interested Board members. As such, we would like to propose to schedule a meeting, or a series of them, during which we can go into further details on topics and questions such as:

1. Ensuring a common understanding of the problem we trying to fix;
2. Is the “fixing” expected to require changes to existing procedures or do existing procedures provide for sufficient flexibility to address the problem should it arise again?
3. A common understanding of the urgency of the problem so we can decide how to prioritize this effort and ensure that community resources are available to work on this topic jointly;
4. [other themes/questions]

The GNSO Council does wants to emphasize that it fully supports the notion that any modifications to existing gTLD Consensus Policies need to be clear and should be identified as part of any policy recommendations that are submitted to the GNSO Council and subsequently the ICANN Board. The Council realizes that because of the time constraints under which it and the ICANN Board operated in the context of the EPDP Phase 1, this clarity may not have been provided in all cases which resulted in delays and questions around the intended impact on some existing Consensus Policies. Fortunately, we have been able to resolve these issues through our existing processes and procedures, but obviously, we would have saved substantial time and frustration if we would not have found ourselves in this position.

If you are supportive of this approach, we would suggest that you work with the GNSO Secretariat to identify a time / date that works for all those that should be part of this conversation.