ICANN NON-CONTRACTED PARTY HOUSE

20 December 2024

Tripti Sinha, ICANN Board Chair
Members of the ICANN Board of Directors
Kurtis Lindqvist, ICANN President and CEO

Dear Tripti, Kurtis and ICANN Board Members:

On behalf of the Non-Contracted Party House (NCPH), we are pleased to attach here a review of outcomes from the full-day meeting of our house on "Day 0" immediately prior to the ICANN81 meeting in Istanbul.

The Commercial Stakeholder Group (CSG) and Non-Commercial Stakeholder Group (NCSG) – together comprising the NCPH – thanks ICANN Org for sponsoring this daylong session which, as you will note from our report, was collegial and productive. It is our hope that such a meeting can become a recurring annual event. We further thank ICANN staff for their attentive and skilled support during our meeting.

In particular, thank you as well for the opportunity to interact with the Board during the Board workshop on 8 November. We appreciated the opportunity to answer questions from the Board and look forward to future similar discussions.

Kindly review our attached report and be in contact with either or both of us with your questions or follow-up thoughts.

Best wishes for the holiday season and for a productive 2025.

Sincere regards,

Julf Helsingius
For the NCSG

Mason Cole
For the CSG

ICANN CSG / NCSG

Report to Community: Outcomes of ICANN81 Day 0 Collaborations

20 December 2024

Submitted by: Julf Helsingius, Immediate Past Chair, NCSG
Mason Cole, BC Chair on behalf of the CSG
Paul McGrady, GNSO NCPH NCA (Facilitator)

Executive Summary

The Commercial Stakeholder Group and Non-Commercial Stakeholder Group (together, the Non-Contracted Party House, or NCPH) met for a daylong Day 0 session on 8 November 2024, immediately prior to the opening of the ICANN81 meeting in Istanbul.

This meeting follows one of a similar nature conducted prior to ICANN78 in Hamburg, which was the first joint NCPH meeting following the pandemic. That Day 0 event helped the NCPH successfully recalibrate the working relationship between the two SGs, which had become fractured over time. Our Istanbul sessions were equally beneficial, with discussions ranging from ICANN policy development to the improvement of house operational procedures to a helpful briefing to the ICANN Board of Directors.

The NCPH thanks ICANN Org for making available the necessary resources and support to conduct a useful and productive daylong meeting. It is the hope of our respective SGs that, similar to the yearly summit enjoyed by the Contracted Party House (CPH), this can become a recurring event.

The NCPH also thanks, in particular:

- Paul McGrady for his skilled facilitation of discussions;
- Andrea Glandon and Brenda Brewer of ICANN Org staff for their helpful support; and
- The ICANN Board, for making time for a briefing from the NCPH during its 8 November workshop.

Outcomes

Following is a review of specific outcomes resulting from the daylong collaborative session:

<u>House Operations</u>

- The CSG and NCSG agreed to **formalize intra-house communications** (e.g., establishment of a new opt-in mailing list), believing this will be useful for collaboration and consultation when away from face-to-face ICANN meetings. The two groups will move forward with this as an action item.
- The house further reviewed other **operational matters**, including member management systems useful for tracking membership (without disclosing sensitive data) and new member registration. SGs agreed that existing systems are inadequate and further agreed to move forward with discussions on available alternatives.
- Importantly, the SGs agreed to a more **formal schedule for regular and goal-driven meetings**, with the objective of maintaining healthy and productive discourse. These will include in-person and virtual meetings, likely on a quarterly schedule. House membership supports regular house sessions at ICANN meetings, preferably with once yearly daylong consultations.

Policy Development

- In the area of **DNS abuse**, the two SGs discussed that while there is not always agreement on how to tackle abuse, it is a well-documented and ongoing problem that causes financial, reputational and other types of damage. It was further agreed that abuse threat vectors evolve over time, demanding re-examination of the ICANN community's approach to abuse. While the CSG and NCSG differ somewhat on the definition (or the potential evolution of a definition) of abuse, the groups agreed that discussions on the efficacy of the April 2024 contract amendments should proceed with the participation of the NCPH, and that both houses should continue to advocate for a healthy, balanced approach to abuse mitigation.
- The CSG and NCSG conducted a discussion on the **European Union's NIS2 Directive** and its impact on ICANN participants. Following a general update on the status of NIS2 implementation, the two groups agreed that while NIS2 may not present a global standard (e.g., limited to EU), it has had a disproportionate impact on the industry and must continue to be evaluated in the context of operational impact. The house believes that disengaging on NIS2 and allowing governments to supersede ICANN policy could further endanger the ICANN model.
- The NCPH talked about **the role of small teams on the GNSO Council** as a model for advancing policy work. While progress has been observed and applauded, the NCPH believes teams must remain small and nimble (and, importantly, transparent) in order to continue moving work forward. There is concern in some quarters that small groups "shrinks" the GNSO Council's remit – a concern to be mindful of over time. The house advocated for a guidelines document, which could formalize for community evaluation the scope, remit and operational model for small teams so the community is not taken by surprise. Such a document will be raised by house representatives to the Council as a whole.

ICANN Board Briefing

- One representative each from the CSG (Mason Cole) and the NCSG (Julf Helsingius) were invited by the Board to provide an overview of the NCPH and how each SG fits within the house and operates within the GNSO. The house hopes this briefing was useful to Board members who may have been unfamiliar with the NCPH.
- Following this briefing, Julf and Mason stayed with the Board for nearly an additional hour for the purpose of answering questions and exchanging thoughts with Board members. Questions raised were widely varied and included topics such as DNS abuse, transparency, the RDRS system and other ICANN-specific matters. The NCPH hopes for such an exchange between its house and the Board to be a recurring event.

Other updates

- Following previous difficulties in **appointing a Board member to Seat 14**, the NCPH received an update from ISPCP leadership on "Team 14" (the small team tasked with recommending new procedures) outcomes. These recommendations are now subject to follow-up action prior to the expiration of the current Seat 14 incumbent's term. Both the CSG and NCSG are gratified with increased communication between the house and its appointed Board representative.
- The NCPH discussed the incoming installation of a **new ICANN CEO** and was provided an update by those who have worked previously with Kurtis Lindqvist. There is general agreement within the house that further transparency from ICANN Org would be helpful during the hiring process. There are shared concerns that the new CEO will be subject to negative feedback about the NCPH, which the house intends to address directly. The house plans to introduce its leadership to Kurtis once he is in office and seeks a meeting with him as soon as practical in order to brief him on house priorities and other matters of concern.

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The ICANN Environment

- The NCSG raised concerns over a **safe and healthy ICANN environment** – specifically, the ongoing problem of harassment. The house agreed that this is unacceptable and calls on ICANN leadership to more forcefully and expeditiously address the problem. Ideas for advancement include a standing Board committee to interact with the community directly and, further, ensuring that the office of the Ombuds remains independent of ICANN Org.

Conclusion

In conclusion, the NCPH again thanks ICANN Org, the Board, and house colleagues for a productive and useful day of discussions. These meetings have contributed significantly to the improvement of working relationships within the house and, consequently, to the house's participation in ICANN work. The NCPH looks forward to further interactions of this kind, and to continually improving contributions to the multistakeholder model.