

7 July 2020

Pam Little
Rafik Dammak
Generic Names Supporting Organization (GNSO) Council Vice-Chairs

Dear Pam and Rafik,

Thank you for your [letter](#) of 29 May 2020 detailing the Generic Names Supporting Organization's (GNSO's) steps to provide clarity to guide the implementation of the Expedited Policy Development Process (EPDP) Phase 1 recommendation 7. We appreciate the confirmation and agreement from the GNSO Council that the Thick Whois Transition Policy was not overturned by the EPDP work, and that it is the role of the GNSO Council to initiate an appropriate policy development process to review and recommend any required changes to impacted consensus policies. The Board appreciates the attention of the GNSO Council to this matter, and understands the Council is engaged in planning and prioritizing its work.

Regarding the implementation of EPDP Phase 1 recommendation 7, the Board notes that the GNSO Council has requested the Council liaison to engage with the Implementation Review Team (IRT) to attempt "to resolve the disagreement, and better understand the potential impasse." We understand that following this engagement, the Council will consider the assessment of the Council liaison to make a determination on how to proceed.

The Board would like to ensure that when the Council is considering this matter, it has a full understanding of the Board's concern at the principle level with regard to how consensus policies are developed, changed, and overturned. The Board agrees with the Council's statement that any changes to existing consensus policies must be recommended as a matter of policy by the GNSO. Policies developed through the bottom-up multi-stakeholder policy development process should not be overturned or changed during the implementation of another consensus policy, absent an express policy decision to do so.

We ask that the Council carefully consider, when and if reviewing the issue, that implementation of EPDP Phase 1 recommendation 7 be consistent with the current Thick Whois Transition Policy, and that any change to that policy needs to be done through a GNSO policy development process, as you have already acknowledged.

The Board is looking forward to policy guidance as necessary to avoid a potential impasse, and recalls its resolution directing implementation of recommendation 7 in line with existing policy until that policy is changed.

The Board looks forward to hearing from the Council and will be glad to make itself available for a discussion if needed and helpful to the Council.

Sincerely,



Maarten Botterman
Chair, ICANN Board of Directors