

Transcription ICANN Beijing Meeting

Preparation for meetings with Board and GAC

Sunday 7 April 2013 at 10:00 local time

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Jonathan Robinson: ...could have an indication when you're ready to start the recording on the next session that would be great.

Man: For the transcript this will be the GNSO working prep session April 7, 2013 10:00-10:45 am.

Jonathan Robinson: So we're good to go? Thanks, everyone. So we've obviously - started the morning with a couple of presentations. And our third session this morning is a follow-on from yesterday.

We're ahead of meeting with the GAC Board Recommendation Implementation Working Group which is what we intend to do at 11:00. We have an opportunity to review the inputs for both the Board meeting - our meeting with the Board later and our meeting with the working group at 11:00 this morning.

So let me give you a couple of both practical updates and overnight updates as to what went on. We finished our session yesterday having talked about our inputs and you stayed late and gave some good contributions. I think we made good progress in that last session yesterday. Mason sent around a

summary of the discussion that had taken place as an aide-memoire for our discussions.

I prepared that in an email and sent, in relation to the Board, a summary to Steve. He's written back very positive saying he'd welcome that style and format of interaction. And so I think we're in pretty good shape although I'd like to review that.

The opportunity I think we have as far as the meeting with the Board is concerned is since that takes place immediately after lunch we are able to - we can cover that potentially at lunchtime as well since we don't have anything apart from having lunch specifically on the agenda during that lunch slot. So given the timing of the meeting today I think we should make sure that we are, first of all, in shape for what we want to be able to discuss with the GAC and then come on to our meeting with the Board.

Now I - just to cover first of all the practicalities of our meeting with GAC Board Recommendation Working Group - the BGRI Working Group - we are going to go - we're going to leave this room and go upstairs. We've got three seats at the table if the GAC is all seated and meeting with the Board reps on that.

And so I expect that it will be myself, Mason and Wolf at the table - Wolf-Ulrich at the table. But very much encourage councilors to find a place in the room and be prepared to contribute in the session where we have an open discussion.

I think it'd be good to pull up the agenda for that meeting. I wonder if that's possible. You were just looking for that, Marika, great, thank you very much. I did send that around and I know some of this stuff came overnight and we were out last night and then start this morning with breakfast and things. So we'll pull that agenda up for that meeting and talk through that a little now I think that would be useful to do so.

Yeah got it. Thanks you, Lars.

So one of the things that I should perhaps update the Council before we go in to this is that what's not apparent - and, I mean, I've talked to a couple of people about this last night is that I would take for granted that the role of the Chair is to - is to reach out to others with whom we need to work and talk directly with them and feedback.

So in talking with, in fact, Thomas and others there was a - it's not apparent perhaps that, you know, I've had reasonably regular contacts with various people. And in this context with Heather Dryden of the GAC but also with - I've talked previously about having a one-to-one meeting with Steve Crocker in advance of this ICANN meeting. I've either met with or spoken with Fadi Chehade a couple of times.

And so I have had regular contact with people trying to feed through some of the issues that are on the - on our Council agenda so that when we meet with Fadi or with the Board today or with their Board GAC Working Group they are not entirely surprised by some of the Council positions.

Because I think one of the issues we might have is if we come into those sort of meetings where people have got no sense of where we're coming from our what's going on. So from my point of view that's the natural work of a chair.

And some of that happens through, for example, as I talked about the other day, the SO and AC chairs get together on the Thursday; it seems to be a tradition that they get together on the Thursday with senior ICANN staff to simply have a forum where things are - issues are talked through ahead of the meeting.

So, you know, and so while there's not - these are not necessarily secret or private meetings they give an opportunity to feed back some of the topics and issues that are of concern to the Council.

Let's just talk through this agenda. I don't know if anyone's got any comments immediately or if I can walk through it. Let me walk through it for a moment and then see what feedback comments or questions there are. Thomas.

Thomas Rickert: I have an instant reaction to the GNSO overview on work methods. A couple of ICANN meetings back I think it was - yeah, Marika, you explained the PDP process to the GAC members quite eloquently as always.

And there was one question from the GAC members and that was how long does that usually take? And then Marika gave an answer and then the respective GAC members said thank you and that was the end of the conversation basically.

So I guess they were quite interested in hearing how cumbersome this process is. And so I thought that we shouldn't - maybe not run into that again, you know, just highlighting how long things might take and how difficult they might be.

So I'm not sure whether your presentations are carved in stone. But as I've said a couple of times on the Council I guess it would be beneficial for our position to present the range of options that the GNSO Council can pick from when providing policy advice so that it's not all PDP work resulting in consensus policy but that we have other means that lead to quicker results, you know, to show more flexibility and...

((Crosstalk))

Jonathan Robinson: Yeah, that's a good point, Thomas. And it's - I think whilst, I mean, the reason for this being structured like this is to try and reset the - if you like, do

a reset. And there've been changes in the Council, there are ongoing changes on the GAC. There's a real danger - we all assume, oh but we talked about that two or three meetings ago.

So there is an opportunity to reset the clock and make sure that everyone is on the same page at least from a starting point from where we then look at how we might interact. So there's almost no point diving in at the deep end without saying this is how we work.

That said your point is very well made that the GNSO Council isn't only - or that the GNSO working methods aren't confined to the rigors of a PDP. How would you suggest that's covered though? I mean, my - the intention here is to set a baseline of understanding of how we work so I'd welcome any suggestions. Joy.

Joy Liddicoat: Joy Liddicoat for the record. Well one option might be - picking up on the discussion we had yesterday about talking to the Board more sort of frankly about the role of the Council in managing policy development that there be more of a focus on the various - the various - that management role to just (unintelligible) a little but to say, you know, we've got these various work methods, we've done on PDPs, these other things and sort of overall just how we try to manage the functions that we have. Perhaps that might be one way.

Jonathan Robinson: Joy, thanks. And I just must apologize because I've kind of - I've managed all of this up and then taken a step back. What would be really helpful from my point of view, and I suspect from all our point of views, just focus on the GAC for the moment on this interaction and...

Joy Liddicoat: Sorry...

((Crosstalk))

Jonathan Robinson: ...okay so you're suggesting...

Joy Liddicoat: What I'm suggesting is if we take a similar (unintelligible) approach to be saying to the GAC in our role in managing, you know, these are the various methods that we have and so on. And picking up on Thomas's suggestion that we try and pitch it slightly differently. Just - it's just one idea.

Jonathan Robinson: Thanks. Wolfgang.

Wolfgang Kleinwachter: Yeah, just to give you a brief information. I was the last 20 minutes in the joint GAC ATRT meeting. And I was surprised that 50% of the discussion between the GAC and the ATRT Team was about early engagement of the GAC in GNSO PDP. So this was a little bit a surprise for me.

And the position - and just to let you know before we go into the details for the joint meeting with the GAC that in particular Australia made the point that it's for the GAC extremely difficult to have an early engagement in GNSO PDP.

And there was no further explanation why this extremely difficult. But, you know, in the debate it became clear that, you know, if there is - if the GNSO would expect a GAC advice would need a certain GAC consensus which is impossible to deliver because at an earlier stage of the policy development process there is no really (GAC) consensus.

And as a compromise then the discussion moves into the experiences of the early warning with the new gTLD process. Well that, okay, why not let individual governments can give individual advice or can become engaged on an individual basis not on behalf of the GAC as a whole which would need a certain consensus but in a more individual engagement.

And I think this could be, you know, one point for our discussion and interaction with the GAC, you know, to invite them and to say okay, we

understand it's difficult, you know, early engagement would need, you know, an early consensus among the GAC members which is very often impossible at an early stage of the process.

But we want to have, you know, different views from different governments which will help us to understand the process much better. So this could be a very proactive approach in the discussions we will have in the next hour.
Thank you.

Jonathan Robinson: So Thomas I know is in the queue. That's a - it's an interesting point sort of early warning input rather than, you know, okay Thomas.

Thomas Rickert: Wolfgang, I guess that's very interesting and important information although I would hope that the GAC doesn't only give early warnings in an early stage of a PDP but constructive input. So if we can, I guess, we should rather phrase it or encourage GAC members to be - to act as more or less a liaison.

Certainly there is no expectation on our side that the views of individual GAC members could be representative of the final GAC decision on a certain matter. But I guess it would be beneficial for our work to at least get some insight into what the thoughts of the GAC are with their work methods and - because we're digging in the dark to a certain extent.

You know, and as we found out, for example, on the IGO matter yesterday it would be good to know earlier what the GAC is up to and what potential options might be so that we're not running towards confrontation but that we can work together in a constructive manner.

And I guess, you know, I have lowered my expectations so far that there is no illusion that GAC members might join each and every call or each and every email that has been exchanged on the list but just to be there maybe for a 15-minute phone call every now and then to exchange thoughts on the progress that we made so that we're not running out of sync.

Jonathan Robinson: Yeah, it's quite clear that the structure as it stands at the moment is there's a potential for - and whether you take Milton's views expounded yesterday that this is structurally deficient the fact is we have an existing structure where at the end of the process there is a prospect for a collision course. And so the spirit of the discussion, I believe, is to minimize the risks of an ultimate collision and build some effective working en route.

Jennifer.

Jennifer Wolfe: Yes, Jennifer Wolfe, the Nominating Committee Appointee. Jonathan, I was just looking at the deck that you circulated under the agenda for the purpose and scope of the BGRI. And it looks like, to me, that a lot of this is already being done in these decks but it's just applied to the Board as opposed to the GNSO.

So I'm wondering why, you know, why do we have to reinvent the wheel? Why can't we just take what's being done here and extend it to the GNSO?

Jonathan Robinson: That's a good point, Jennifer. And that may well be a way of working. I think the key point is that we literally didn't meet with the GAC in Toronto. We've had some pretty challenging interactions over thorny issues in particular the INGO NGO work. And so this work simply hasn't been done.

And the issue is that we can't presume a way of interacting because that hasn't existed in the past. So here's an opportunity to sort of reset the slate by making sure it's clearly understood what the limits and scope of each group's working methods are to understand the work of the BGRI and then to say well, you know, is this applicable as you suggested. Is that way of doing things applicable to the - working with the GNSO or are there others?

So just looking at this agenda just to make sure that the, you know, there is some very constructive and interesting inputs coming - I'll come to you, Jeff,

now. But so I'd just encourage you because where it goes on to say new season of GAC GNSO interactions GNSO views and indications of preferred working methods I'm down to speak as moderator but I'd very much like to be the moderator of the GNSO input rather than the speaker.

So, Jeff.

Jeff Neuman: Yes, this is Jeff Neuman. So there's a document in the - what you'd sent around that I've never seen before. Can I just ask you some of the background? It's called - it's a PDF document, the GNSO GAC 2012 PDF. I don't know if you can put that up on the screen?

But it's an interesting document that I don't know who it was drafted by but it's got a way for the GAC to provide input to the GNSO process. Did you guys open that?

Jonathan Robinson: This is the one which takes a slide of the way in which the - we work. That's - yeah, I mean, I've seen that more relatively recently. That's - in fact I think that's probably Suzanne's work. I don't know who was actually...

Jeff Neuman: Well shouldn't we be discussing that document?

((Crosstalk))

Jonathan Robinson: Yes, yes I think it's...

Jeff Neuman: And while they're pulling it up - do you guys have that? Yeah, okay. So while they're pulling that up I also think it's important just from a - take a step back. We should - regardless of whether some of us feel like there should be improvements to the PDP process the GAC believes wholeheartedly that the PDP process is broken.

Some people have argued that to them. It got in their head. That's what they believe. Even if some of us believe that there should be tweaks to it I think we all need to be pretty firm and defend the PDP process. If any of us are seen in that GAC meeting as saying that the PDP process is broken we're doomed.

That's all I have to say. We need to be seen as a cohesive body. Now I personally don't believe that the PDP process is broken. I think some people that participate may be broken. But I don't think the PDP process itself is broken. And I think that's shown time and again with some of the PDPs have moved very rapidly.

And I think we need to make this point. We look at all the transfer PDPs. We look at the Whois PDP that's moving now. I mean, those are moving in a well-timed, well-machined manner the way it's supposed to be moved. The process is not broken and we need to keep repeating that over and over again.

Because they will tell you it's too cumbersome, it's too long that they don't understand it and they think it's broken.

Jonathan Robinson: That's a welcome point, Jeff. Thanks very much. And just to look at this - either this slide that we'll come on to in a moment or the GNSO 101 all of these show that the latest variant of the PDP process and assume that it is our method of working.

There's no question that this is - that the process itself is up for question in this. It's really how and when...

((Crosstalk))

Jeff Neuman: Right but just to respond with some feedback I've gotten is that the GNSO process is undergoing a review this year and that it's going to be dramatically

changed because it's broken. There are a lot of people out there that - even in this group - that say it is broken. And we need to be very careful with the message we deliver to the GAC.

I do not believe it's broken at all. It works. There could be improvements and there needs to be a shift in some changing mindsets. But the process itself is not broken. I think we should...

((Crosstalk))

Jonathan Robinson: Okay I've got Wendy in line and then I'd like to make one remark before we go on to this.

Wendy Seltzer: Thanks. And I will make a clear distinction in what I've said. I believe the voting mechanisms in the GNSO Council are broken; I do not believe the PDP process is broken. And I will stand with Jeff and others on Council in defending our process as managers of policy.

And I think we do need to stand together and defend our role that Council can effectively manage the policymaking process. And we need to take those policies and move them forward.

Jonathan Robinson: Thank you, Wendy and Jeff. So - and then I'll come to you, Jen. One of the things I would like to emphasize at this meeting and at our meeting with the Board for me what's critical is to say there may be methods by which we can improve any elements of either the Council's functioning or any of the tasks undertaken by the Council.

But the very first step is to ensure that within the methods of working and the individuals involved we work as effectively and as efficiently as possible. I think we've shown that we've made great strides over the last few months in showing that we can turn around issues quickly, notwithstanding the

concerns over whether that's the mechanism by which the Council should be working on a long - on an ongoing basis.

And we've shown a collegiate and effective way of working together. So I'm very, very encouraged by that. And I think we should be saying that to the GAC and to the Board that we have demonstrated to one another that within the constraints of our existing working methods we've been able to work effectively. That doesn't mean they're cast in stone forever.

But I think your points are well taken that we need to demonstrate them and be quite confident in, A, our ability to work together and, B, our ability to work within the existing structures and processes. And, Jen.

Jennifer Wolfe: Yes, Jennifer Wolfe. I'm just looking at this. I had not seen this slide before. I don't know if anybody else had. But, I mean, this is - really has the solution mapped out right here. I mean, I'm not sure who created this but it looks like they're creating a process for the GAC to provide some review within the working group process.

So it seems like we don't, you know, again we don't have to reinvent the wheel, we can just take a natural extension of the work that's already being done. And it also seems since they were working on something like this with the Board that this could just continue in terms of further refining this process.

Jonathan Robinson: Yeah, but to the extent that any work's been done on this the Council hasn't been involved. And so this is critical. And what I've - the expectation I've set is this is fine; you might have sketched this out but the Council has not had an opportunity to either see or discuss this so this is our first opportunity to look at this, see it and discuss it and give feedback.

What I don't - what I'm anxious to do is make sure that certainly from my perspective I'm not presuming a solution. I'd love to hear if you think this works or doesn't work or has problems associated with it. John.

John Berard: John Berard with the Business Constituency. In the way the wheel looks right now, to use your metaphor, the GAC is an advisory committee to the Board. And the Board has committed that if it ignores or chooses not to take the advice of the GAC that it offers a reason why. Here is the basis for our not taking that particular advice.

In this regime on the screen right now where we would publish the initial report of the working group and then send it to the GAC for review are we creating our own workaround to the current structure, in fact, reinventing or redesigning the wheel so that we now - so the GAC now serves as an advisory committee to the Council?

And if we choose not to accept their advice then would we be on the hook to say here's why? And if then we send our work to the Board does that inoculate the Board from even having to listen to the GAC because they could say hey, you've spoken to the GNSO Council, they've sent us this PDP - the results of the PDP. We're just going to move on it; the case is closed.

I think that we are looking at some organizational modifications that need to be made. In just this very day a Board member said that we have to figure out how to change the methodology at the Council because right now it is designed for stalemate. Okay, that word, stalemate.

So whether we are broken or merely beleaguered, whether we are designed to progress or to stall are, I think, questions that are legitimately raised answers of which I don't have right now. I'm not sure that any of us do.

But I would worry that as we are concerned about workarounds to the PDP process that we are creating workarounds to the wheel of the organization.

Jonathan Robinson: Okay, I've got Chuck in line and I've got Thomas. I would just make a comment that the existing process does call for comment from SO and ACs into the working group model. Chuck.

Chuck Gomes: Well when I look at this diagram - it's the first time I've seen it too - there's really nothing new there, nothing new at all. And the crux of making this work is to find ways behind what you see there. How do we get that GAC input early? How do we get them to consult with us as necessary in those steps?

And that middle column there, you know, if - we can ask for consultation. We can do a lot of things but until we figure out how we can facilitate getting the responsiveness from the GAC - and you heard what Wolfgang said - that's really the crux behind this whole thing.

Jonathan Robinson: Thanks. I've got Thomas - I'm not sure I know your name.

Poncelet Ileleji: Poncelet from NPOC.

Jonathan Robinson: Thank you. And then I've got Ching.

Thomas Rickert: Thanks, Jonathan. Thomas Rickert, an NCA. First of all I'd like to agree with the three previous speakers. We have the request for input from SOs and ACs. And I think therefore that part is covered already.

I'm very concerned with the proposal to have initial reports that are already drafted reviewed by the GAC. I don't know what the expectation there is. I'm not sure whether we will have enough time to discuss this with the GAC.

But, you know, with my earlier intervention what my aim was to get feedback from the GAC prior to the publication of the initial report because this, I guess, would create an additional layer of complexity. If the working group has almost finalized its deliberations and publicized its recommendations for public comment and at that stage the GAC says well we run things differently.

I think it would be good to know during the deliberations what they - what the GAC is up to or what it might be up to most likely in order to put that into the equation of our deliberations.

Jonathan Robinson: Thanks, Thomas. I think I've got Poncelet next.

Poncelet Ileleji: I think we have to try to simplify the process in a manner that we have an exact message that we are transmitting to the GAC so it's very easy - it's easier for them to be able to advice.

Right now, to me personally, it looks very complex so it has to be very simplified so that we are all in sync and it doesn't look like a stalemate among ourselves in the message we're trying to transmit to the GAC. Thanks.

Jonathan Robinson: Thank you. Ching.

Ching Chiao: Thank you, Jonathan. Ching Chiao. I'd just like to have one follow up point with what Chuck just brought up and, Jonathan, you mentioned, is that I'd like to emphasize - and I actually agree with your point that this is nothing new. But we must understand where GAC stands and GAC members are standing.

Many, or maybe some of them, are constantly change - I mean, the GAC members - the representatives - to some of them I would say that the education process and to understand the process, the wheel here, are actually new to them. So just a point.

Jonathan Robinson: I think that's my understanding as well that a necessary condition is to make sure that we keep bringing - making sure that everyone's with - understanding where we're at. I've got Jeff and then Joy.

Jeff Neuman: Thanks. Yeah, people have to turn off their mics when they're done because - this is Jeff Neuman. So I agree that there's nothing on this but there's actually

- if this was truly drafted by a GAC member then it is new. I think it's wonderful.

In fact this is now a recognition by them of the need to participate. So there may be nothing new in this document itself. The fact that it was given to us by the GAC is actually very new and very encouraging. And let's let them talk because I think they're the ones presenting this document.

I think they're going to, you know, if they're proposing this then we welcome it with open arms and say great. Now how would you like to do that? How would you like us to get your input? So, right, the document is not new but I'm encouraged...

Jonathan Robinson: Marika, you want to respond?

Marika Konings: Yeah, this is Marika. I think it goes partly to Jeff's point but also this point that Chuck raised because, again, many of these things already happen so, you know, we ask them for input at the start. You know, the initial report when it's published is sent to all the SOs, ACs asking for input and comments.

So really the question at least from my perspective is like we are, in principle, already doing these things but how we can get your response? So what is that we're doing currently that doesn't work for you?

I mean, we're already telling you as well if you need more time let us know or if you want a conversation, you know, so I think there are different mechanisms. So I think it's really about - a lot of this indeed is already in place, our working groups are already actively doing and reaching out so how can we, indeed, get that feedback from the GAC's perspective?

Jonathan Robinson: Okay thanks. I know we're coming to you, Joy. So I've got two outstanding questions I want to make sure we deal with. One is Thomas's

original question on this whole issue of timing. You know, okay that's great but it takes too long.

And the other is Wolfgang's point about how we - whether we can help in any way with - or at least how we tease out this issue of - it's all very well that - something like this slide says, "Input from the GAC." But we know that the GAC will find it challenging to provide input as a whole.

So really the question we want to be asking is how would this input be given without slowing things down further in fact because it has to go back to the whole GAC? Joy, I'm conscious we've been holding up to hear from you.

Joy Liddicoat: Joy for the record. I think I need coffee. I had a particularly insightful comment and now it's completely escaped me. But I just actually wanted to pick up on a comment that Thomas made which was this proposal of sending an initial report to the GAC for review, quote unquote.

While I think it's great to see innovation and creative thinking involving the GAC I'm nervous about something going to the GAC for review. And I'm nervous about that from the point of view of expectations around substantive input as opposed to GAC comments on the quality of the process or the overall management of the process in terms of, you know, reflecting diverse views.

I'd really be concerned if there was anything that there was some kind of, you know, veto or other lever that might be thought to be exercised particularly if the GAC is unable to respond quickly resulting in delays in policy development. So, you know, I'm just - would need to have that teased out...

((Crosstalk))

Jonathan Robinson: Joy, I think that's insightful. I think those are clearly the two issues, substantial delay and the prospect of veto. So the issue we have to face is

how that input can be given in such a way that, A, we don't come to the end of the process and find we get GAC - that's the only time at which the GAC input comes in as the advisory committee to the Board, that we are not surprised and they are not surprised by the work that's going on yet it doesn't either substantially disrupt or substantially slow down the work without good reason.

Steve.

Steve DelBianco: Thanks, Jonathan. This came up briefly last night - Steve DelBianco with the BC - when Milton was discussing abolishing the GAC; and I know he was just joking because I love Milton. But I think it would be a mistake for us to forget that the GAC sometimes weighs in very early with things like statements of principles.

It was 2007 when they gave us principles on new gTLDs and there were several paragraphs in there that were highly specific with respect to geographical names, sensitive strings and rights of others.

And when the GAC submits something like that they may not weigh in again. They may well assume that in our process we'll pay attention to those principles.

And the burden may actually shift it to us to say that if we're going to differ from a principle it behooves us to explain that we have and to let that be known and acknowledged rather than wait for the GAC to determine that we differed from a principle and come back in with a advice to the contrary that says, you know, refer to our earlier principles.

And I don't know why we would be surprised by that. There's a pattern here that they've done that where the GAC says you want to know our input? Refer back to 2007, that's our input.

And if we know that's how they work well then why don't we embrace that that if we principles let's take it on our responsibility to suggest that if we're going to ignore it or differ from a principle let's explain early on and don't be surprised if that creates a problem at the last minute with the GAC.

Jonathan Robinson: Comments, responses to what Steve said? Any other thoughts, comments on these slides? Sorry, I've got Jen but I've got - is there someone else - okay, Jen.

Jennifer Wolfe: Jennifer Wolfe. I think I'd just like to say - the overall tone, I think, of this conversation has to be about asking them questions because it seems like that the solution is already here and it's just figuring out how to make it work and make it work more effectively.

So I think, you know, as the facilitator of that conversation, you know, to stay focused on solutions, questions, not the problems that have occurred in the past, not the substance of issues but really hey from a process standpoint how do we make this easier for you so we can get what we want.

And then in the - in our follow up session on Thursday we could certainly review and discuss and determine some next steps.

Jonathan Robinson: Thanks, Jennifer. And that's very much been the tone of the setting of this agenda and the intention of the work that we are going to do today and going forward. So I appreciate you sort of bringing us back to that point.

If there is a question on - I would like a little bit of input on if there is a question of, A, the time taken to do a PDP, that fact that a PDP is, you know, it goes back to Thomas's initial point - or other mechanisms by which - with which the Council or the GNSO might work to develop policy.

Can I just have some input on those two questions? The PDP is clumsy, slow, inefficient, whatever those criticisms might be I wouldn't mind some input as to how we think we might answer that.

Joy.

Joy Liddicoat: Yes, Joy Liddicoat for the record. I think this gets back to the discussion we were - the point that I made earlier which is that we should talk to the GAC members about how, as a council, we manage policy processes.

And not just, you know, in this kind of linear way that we've been discussing but rather, you know, here's the size of our work programs over the course of a year, you know, we've got, you know, it's roughly, you know, six major policy reviews going on at any one time just by way of example.

We have a, you know, a long tail at the moment or, you know, giving a snapshot, if you like, of the current work program that the Council has. And then pitching in to some of the issues that go along with that. But overall basically saying, you know, given that our work program and the way we approach it and how we manage it we think it's working, we think it's working well.

Some issues are more contentious in the community than others requiring more, you know, more discussion, la, la, la. But basically to pitch the discussion in that way so that we aren't defending our, you know, individual policy processes or the length of time of any individual one but rather that we, as the Council, are tasked with managing, you know, this policymaking function just as they, as governments, are tasked with managing their own lawmaking and policy functions which also frequently take many years to conclude, law reform or other processes.

So I think there may be a way to reach with some shared, at least, statements on that even if the GAC don't agree.

Jonathan Robinson: Thanks, Joy. Chuck.

Chuck Gomes: Just one real brief comment - Chuck Gomes from VeriSign. I think we need to add to that the concept of the heterogeneity in the GNSO. It is very different from the ccNSO. It's even very different than governments. It's very important that we have that diversity but that complicates it.

And you can't look at this process and forget about the heterogeneity because that creates some complications that the only way to make it simpler is to maybe remove some groups and that doesn't work; that's not multistakeholder.

Jonathan Robinson: Chuck, there is a slide on the makeup of the Council and the representation so that's a useful prompt for me to highlight not only that this is just a structural slide but to emphasize that actually that structure is made up of diversity so that's helpful. Thanks. Jeff.

Jeff Neuman: Yeah, I mean, was going to just reemphasize that point that we are probably the most diverse organization within the entire ICANN structure. There is not any other structure that brings together such different interests in one place or different sides of interests in one place.

The ccNSO - who makes up the ccNSO? It's just ccTLD registries and a couple Nominating Committee Appointees. They all pretty much are on the same wavelength. They may not always agree on things but they're pretty much of the same caliber or ilk I should say.

They - the other thing is the ccNSO policy development process is the most incredibly narrow process. It's pretty much focused on redelegation and that's it. It's redelegation and then anything else that the ccNSO all agrees that they want to cover which is redelegation.

The GNSO scope is anything that involves gTLDs. I mean, you know, it's a little bit more narrow than that but not much. So we are not only the most diverse group, we have the largest scope of any of the organizations within ICANN. And because of that does it take more time? Yes. Is it more complicated? Absolutely. Is the process broken? No. I keep saying that. Not broken.

Jonathan Robinson: So thanks, Jeff. I think - I mean, just to try and capture the essence of what's going on here I think we do have a sort of golden opportunity to sort of reset things and work effectively.

We all know that life's moved on. The new gTLD program is coming now. I mean, I don't know how many of you will react or bridle at the suggestion but from my perspective it was - and the GAC's woken up to their role in ICANN.

We're not going to put it back in a situation where they simply sit on the sidelines. They are active, involved and engaged and I think we have to embrace that in a way that's still reasonable and still defends the way in which we work and manage it.

I would - I'm going to be in the hot seat so it's going to be hard to remember all of these inputs. So I'd very much encourage you, especially in that third session, put your hands up and speak and make these points in the style and manner in which they've been made. Jeff and then John.

Jeff Neuman: Yeah, I think the other thing that's important for us to emphasize is I know that there have been some groups that have gone to the GAC or GAC members that have said, well the GNSO community tomorrow, or a year from now, is going to be completely different than the GNSO community today. And that the GNSO is not able to accommodate that - the new influx of people.

As the GNSO Council I think it's important for us to say that we've been preparing for this, we've been having the discussions. Many of the groups have - the stakeholder groups and the constituencies within the structure have been preparing for this. We know it's going to be a change. It's going to be an influx of more people. But we're prepared and we're ready to take that challenge on.

You'll even see that the GAC is meeting separately with certain groups. That may give the impression that we're not a cohesive kind of body. Again I'm not going to say anything, if people want to meet separately with the GAC that's great, that's fine, it's their prerogative. But I don't think that in any way weaken the structure that we have.

Jonathan Robinson: Thanks, Jeff. John.

John Berard: John Berard with the Business Constituency. I think that there probably is a point where when we speak of, to or about the GAC we resort to a phrase of the sort like you've got to understand.

And that's probably among the most - least persuasive phrases that we could use because you don't got to understand. We'd like them to understand but if they choose not to that's really - there's nothing we can do about that.

The point of information for the meeting today is that we share a responsibility. The governments are responsible to their citizens, ultimately the GNSO is responsible to the - to registrants, people who are registering these domain names that we are stewards of.

And so it is that shared commitment because registrants are citizens, citizens are registrants. We are - we have a shared commitment to making sure that they get what they expect, that their lives are not turned upside down because of the way in which we force them to interact with the Internet.

And I think if we can come up with some other instances where we share a commitment it might take some of the sting out of some of the other conversations that we have to have.

Jonathan Robinson: J. Scott and then Steve.

J. Scott Evans: This is J. Scott Evans from Yahoo and from the IPC. I want to build on a couple of comments that Joy and Jeff have stated earlier and something also that you said, Jonathan.

First of all I think one of the ways to frame it is not you should understand but we are as diverse as the GAC is. You understand because you operate in a similar fora with very different interests. They're aligned around some things but they're very - they're very divergent interests there.

And because of that they should understand that it brings into it complexity and does seem at times, from an outside view, to create drag when reality it's creating robust dialogue to reach a consensus on very difficult issues when you're trying to get very divergent views together. One.

And as Joy pointed out governments themselves deal with that when they try to bring together within their own microcosm outside the GAC of their own government's divergent views to a consensus viewpoint of how they're going to deal with issues.

Secondly you made the point that the GAC has woken up to its role. I think the reality is is the community as we have matured and evolved has a better understanding of how we work with the GAC.

Not - I think when you say something like the GAC has woken up to its role, it seems like they didn't understand, I think we've all become as we mature to have a better understanding of how we all need to work together to

understand that governments are what governments are and they aren't going to - we're not going to see any C-change.

And I said this earlier in a CSG meeting. We're the malleable body. We're the innovators. We're the body that's supposed to be fluid and quick to change and quick to reaction and be malleable. They're sort of intractable. And we need to take this opportunity to use our innovation and our malleability and our ability to adapt to harness what they bring to the table and make it work for the benefit of us all.

Jonathan Robinson: Thanks, J. Scott. Steve.

Steve DelBianco: Thank you. Steve DelBianco with the BC. I wanted to take John Berard's challenge to find ways we can identify to the GAC where we share a commitment to serve the same constituency that they do. John suggested half of it; he said the half called registrants and that both the GNSO and the GAC are accountable to registrants. Registration of names is only half of what ICANN does. The DNS does registration but it also does resolution. The name servers zone files, DNS servers, that ultimately resolve domain names is the other half of what we do both for emails and lookups. And who are the users of the resolution system? Everyone is. So that's every citizen of every country in the GAC who uses the Internet for an email or to look up a domain name.

So it's not just registrants; that's half of it, John. The other half is users. And the more we can make that point we find common cause with the GAC and the very same people they are trying to serve are exactly the same people that we are serving. So the interest of integrity and availability of the DNS cuts both ways. It's on the registration side but it also on the resolution side.

Jonathan Robinson: So thanks for some very high quality comments. The only complaint I've got about it is that it's kind of overfilled my head but I really appreciate all of those points. I guess the other - the one other shared thing is that we

wouldn't be in the same forum if there wasn't a shared commitment to the multistakeholder process so that's our other common ground.

And, you know, we should go into the meeting with that spirit. So thanks very much. We've got - the meeting is at 11:00 upstairs. Like I said earlier there'll be three seats at the table if you can - I don't know how full the meeting room is going to be or how difficult it's going to be to squeeze in. But like I say I'd really appreciate your support in raising these points, bringing these issues up in the way in which we have in this preparation session. Thanks again. We'll talk about meeting with the Board over lunch. Thanks a lot. So that calls this session to a close and we'll move upstairs for our meeting - the room number, Glen, do you know...

((Crosstalk))

Jonathan Robinson: Third floor grand hall. Thanks very much. We're set for 11 o'clock.

END