
ICANN68 | Virtual Policy Forum – GNSO - NCSG Policy Committee Meeting
Monday, June 22, 2020 – 16:30 to 17:30 MYT

MARYAM BAKOSHI: Thanks very much, Rafik. Hi, everyone. Welcome to the ICANN68 NCSG Policy Committee Meeting. My name is Maryam Bakoshi and I am the remote participation manager for this session. Please note that this session is being recorded and follows the ICANN expected standards of behavior. Bearing this, I—

RAFIK DAMMAK: Okay. Thanks, everyone. I think we started the recording. So, thanks again for joining today's session. I know it's challenging for many of you because of the time difference but that's about sharing the pain and it's good timing for those in the APAC.

So, for today, for the NCSG Policy Committee Meeting, since we have only one hour we might get, maybe, a few minutes extra. But we will focus on some of the topic for the Council meeting and to prepare for that. So, we'll try to do our best to cover as much as possible. But let's focus on what is, maybe, critical and important to share updates on.

So, let's go with the GNSO Council meeting agenda. Okay. So, let's move forward and go to the first substantive agenda item. So, we don't have anything in the consent agenda. But the first agenda item is item

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number four, and that’s a vote to request an issue report in the transfer policy.

So, in terms of background, we had what we call a “scoping team” that was tasked by the GNSO Council to do a review as a following-up of the policy review of the IRTP and to make recommendations for the GNSO Council on how to proceed.

So, they submitted their recommendation or report and, basically, it’s suggesting to initiate initial report, which is the first step or milestone for a normal PDP. I think, in terms of process, it’s fine from an NCSG perspective or standpoint. Okay. Sorry. It seems there is a problem. Can you hear me?

MARYAM BAKOSHI: Hi, Rafik. We can hear you. Can you hear me? Rafik, can you hear me?

RAFIK DAMMAK: Hello? Can you hear me? It seems I cannot hear anyone.

MARYAM BAKOSHI: Rafik, can you hear me? Hi, Rafik. Can you confirm if you can hear me?

RAFIK DAMMAK: Hello? Okay. There’s a problem again. Should I try to reconnect? Okay. Please do it, Natalie. I’m sorry, everyone, for this technical issue.

MARYAM BAKOSHI: Hi, everyone. Apologies while we try to get Rafik back online. Thank you very much for your patience.

RAFIK DAMMAK: Hello, everyone. Can you hear me?

MARYAM BAKOSHI: Hi, Rafik. Yes, we can hear you but your audio isn't too clear. Can you try again, please?

RAFIK DAMMAK: Can you hear me now?

MARYAM BAKOSHI: Yes, I can hear you Rafik. Thanks.

RAFIK DAMMAK: Okay. Thanks, everyone. Sorry for this technical trouble. Okay. So, I was talking about the agenda item number four, which is related to the motion to vote in the report for a transfer policy. The main recommendation is to initiate or to request an issue report, and I believe this is the normal request, for the first phase of the PDP. And it will help, later on, the Council to decide how to move on.

So, I think, from that perspective, I don't see any problem. But I would like to ask if there is any comment or question, or if anyone has anything to share regarding the report. The recommendation about the report is not just about issuing an issue report but it's also about what is proposed as a working group structure. So, asking here if there is any question or comment on this?

Okay. I don't see anyone in the queue. So, I assume there is no concern with regard to this motion. I'll just ask if there is any comment. You can also share in the Zoom chat. Okay. So, I guess we can move to the next agenda item. Oh, sorry. Stephanie? Yeah, please go ahead.

STEPHANIE PERRIN: Thanks. Can you hear me? Just checking.

RAFIK DAMMAK: Yes, I can hear you.

STEPHANIE PERRIN: Oh, wonderful. I'm sorry. I may not be following what you said on this one. With respect to that motion on the transfer policy, they had a privacy issue that folks were concerned about in the transfer policy. Did they discuss this at all or is it just going to come in the issue report?

RAFIK DAMMAK: Sorry, Stephanie. What issue [inaudible]?

STEPHANIE PERRIN: I beg your pardon?

RAFIK DAMMAK: What issue in particular? I am not sure to get what you are asking about. What issue that is covered in the scoping team?

STEPHANIE PERRIN: It was a question regarding the exposure of the registrant’s personal information during the transfer process because of the requirement, I guess, to publicize the fact that there was a transfer. And I don't know the details. That’s why I’m trying to catch up, here.

RAFIK DAMMAK: Okay. Thanks, Stephanie. No, the scoping team was not working on the substance. It’s more about the policy review of the consensus policies, the IRTP, which is kind of something new, even for the Council, is to review existing policy and to recommend on how to proceed—if there is need, for example, for a PDP or not, and so on.

But I don’t believe they discussed to initiate or to request an issue report. And I believe this is the normal request to ... The first phase of the PDP. And it will help, later on, the Council to, basically, decide how to move on.

So, I think, from that perspective, I don’t see any problem. But I would like to ask if there is any comment or question, or if anyone has anything

to share regarding the report? The recommendation about the report is not just about issuing an issue report, but it's also about what is proposed as a working group structure.

So, asking here if there is any question or comment on this. I don't see anyone in the queue. So, I assume there is no concern with regard to this motion. Just asking, again, if there is any comment. You can also share in the Zoom chat. Great. So, I guess we can move to the next agenda item. Sorry, Stephanie. Yeah, please go ahead. Yes, I can hear you clear. Sorry, Stephanie. What we hear is different.

STEPHANIE PERRIN:

Sorry. That was an old hand, Rafik.

RAFIK DAMMAK:

What issue in particular are you—[in reference] to get what you asked about? What issue have you covered in the scoping team? Okay. Thanks, Stephanie.

No. The scoping team was not working on the substance. It's more about the policy review of the consensus policies, the IRTP, which is kind of something new, even for the Council, is to review existing policy and to recommend in how to proceed—if there is need, for example, for a PDP or not, and so on.

But I don't believe they discussed to initiate or to request an issue report. And I believe this is the normal request at the first phase of the PDP. And it will help, later on, the Council to decide how to move on.

So, I think from that perspective, I don't see any problem. But I would like to ask if there is any comment or question, or if anyone has anything to share regarding the report? The recommendation about the report is not just about issuing an issue report, but it's also about what is proposed as a working group structure. So, asking here if there is any question or comment on this?

MARYAM BAKOSHI:

Hi, everyone. We're so sorry. We have audio issues with Rafik's line. We're trying to get him back in and we'll do that as soon as possible. Apologies for this. Hi, everyone. Please give us a few more moments while we try to get Rafik back into the meeting. Thank you very much.

RAFIK DAMMAK:

- regard to this motion. I'm just asking if there is any comment. You can also share in the Zoom chat. Great. So, I guess we can move to the next agenda item. Oh. Sorry, Stephanie. Yeah, please go ahead.

MARYAM BAKOSHI:

Hi, everyone. I'll continue to apologize for this. Tech support is trying to get this sorted, and we'll do that as soon as possible. Please bear with us while we try to rectify this. Thank you. Hi, everyone. Please note that we're trying to resolve this issue and we will get back to the meeting as soon as possible. Thank you.

RAFIK DAMMAK: Hello?

MARYAM BAKOSHI: Hi, Rafik. Yes, we can hear you. Can you hear me?

RAFIK DAMMAK: Yes, finally I can hear you.

MARYAM BAKOSHI: Oh, great. Thank you very much.

RAFIK DAMMAK: Okay. Sorry, everyone. It seems we had several technical issues, and I could not join, and I was dropped. It seems someone was pretending to be me. I'm deeply sorry for this. We wasted 36 minutes, so let's try to catch up and to go through the agenda.

So, I hope I answered, first, Stephanie's question. So, maybe to reply again, I'm not sure if the scoping team covered that question. But at the end, this is about an issue report, and we can bring that topic again during the charter drafting, which is when is really the right time to do so. Okay. Sorry, everyone, about all of this.

Okay. Let's move to the next agenda item, please. I'm sorry, please scroll up. Okay. So, this agenda item is with regard to Council discussion on the ePDP. So, in fact, we have two topics under that agenda item.

The first is the project change request, and the other in how to deal with the next priority two items.

So, what happened here is, as the GNSO Council liaison to the ePDP, I submitted on behalf of the ePDP leadership a project change request to ask for an extension of the Phase 2 until the end of July and to allow the ePDP team to finish deliberation regarding the SSAD and to be able to finalize the report and the recommendation.

On the other hand, I worked with the policy staff for a framework of the GNSO Council to consider in how to deal for next steps for priority two items. So, we have, in particular, three topics that is really likely with regard to the time and also the prior deliberation for the ePDP team to each conclusion. So, the topic is the accuracy, the legal versus natural, and, if I'm not mistaken, it's about anonymized e-mail.

So, we have those two topics to discuss for the Council to get approval for this extension. And it's important to stress and emphasize it's really about finalizing and deliver the final recommendation in SSAD, and to respond to the concerns in how to deal with priority two items. So, there is two documents to be reviewed by GNSO Council [on Wednesday]. Okay. So, let me see if there is any question or comment.

TATIANA TROPINA:

Hi. I just saw that I have been unmuted by the host. Can you hear me?
I'm sorry for asking.

RAFIK DAMMAK: Yes.

TATIANA TROPINA: Oh, super. Thank you, Rafik. So, I wanted to ask about priority two items. If they are already aligned from the Council leadership how we are going to handle these? As far as I understand, you are not going to be involved after July 31st if we extend the priority one deadline.

Is there going to be a new group which will be tasked with priority two items? I remember the discussions during the last meetings, but I somehow cannot wrap ... Where did we end there? What are the main lines, how we are going to deal with this? I don't know if this is important for this Council meeting, but what are we going to argue here, as NCSG, for?

RAFIK DAMMAK: Okay. Thanks, Tatiana, for the question. So, I think it's important to be clear that we have two separate documents. Even like the discussion in the Council list, there was some kind of confusion about that because the change request is really just to get some few days so we can finish the work. And I really want to emphasize it's about the SSAD. So, I think from an NCSG standpoint, it's that important.

For the framework of the next steps, that's really open for discussion. What was proposed as a framework is just some ideas. I put three alternatives or approaches. I kind of recommended the third one but,

at the end, it's really for NCSG to discuss what can be better in terms of process here.

For example, the accuracy issue is the kind of topic that the ePDP team spent a lot of time in deliberation and it's not clear we will reach a conclusion with the same set-up.

So, maybe having—and this one, I think, one of the recommendations—a proper PDP, and I think it's, maybe, there is kind of something to discuss about going through the scoping, and maybe issue report, and so on. It can help to reach some conclusion on that topic, but I don't think, with the same set-up we have now, we can do that.

Again, it's like two issues, so they might be interrelated because, some groups, they are insisting that we need to cover the priority two right now. But not even speaking here as an NCSG member but as the GNSO Council liaison and vice-chair for that ePDP team, I don't think we can do that. It doesn't really ... It's not going to work. My recommendation is let's finish with what we have right now to get that SSAD done. I'm not sure, Tatiana, if I responded to your question.

TATIANA TROPINA:

Hi. Sorry, there was some problem with unmuting, apparently. Yeah, Rafik. Thank you very much. I also think that the line, at least for now, is not to conflate these two issues—priority one items and priority two items. So, to be clear, we agree as a Council.

And the discussion about extending this ... I mean, we have to extend it anyway, right? It expired on the 11th of June, so it is already past the deadline, past the delivery date.

But I think the clear line here is just to say that these are two interrelated but separate issues, and whatever we are going to change right now will be only with regard to priority one items—will we extend? And priority two items should be discussed and addressed separately. And I think that, in a way, this is the line which I'm going to hold at the GNSO meeting. Thank you.

RAFIK DAMMAK:

Okay. Thanks, Tatiana. Okay. So, let me see if there is any comment or anyone in the queue. Okay. So, in terms of this topic, during the Council meeting, I will introduce it and explain about the PCR and the framework document. I have to be neutral. So, that's why I'm asking, really, for the NCSG here to build the position they think is appropriate. So, what I can advise is, really, only in terms of the process here. Okay. So, let me know if anyone wants to speak on this issue and topic. Seeing no one, I guess we can move to the next agenda item. Okay.

So, the next agenda item is about the Cross-Community Working Group new gTLD proceeds. So, the GNSO is one of the chartering organizations, with the ccNSO, of this Cross-Community Working Group. And they delivered their final report, and it was sent to the supporting organizations for review. I think we have a deadline in terms—when we should respond to the working group.

So, this will be an opportunity to hear from the co-chair from GNSO, [recommend] to the CCWG, about the auction proceeds recommendation—and so, based on that and the expectation that everyone in the Council, and also based on the position from the different NCSG, in how to proceed with those recommendations.

We don't have to vote or to make any decision at that time, but I think it's a good opportunity to understand why the working group decided to put, I think, two options and to leave that to the board to decide.

So, I think it's important for us to prepare some questions and to review the recommendation prior to the Council meeting. Okay. So, I'm not sure if we have [Hugh], who is our representative to the CCWG. I don't think he's here. But maybe this was all a good question for him. Maybe he can give us some background about the deliberation and how the CCWG reached such a conclusion. So, asking if there is any question or comment? Okay. I don't see anyone in the queue. I guess we can move to the next agenda item. Okay.

So, this one is the follow-up of the last Council meeting in May, when the point was raised during the review of the Projects List, and that's with regard to the CCWG Accountability Work Stream 2 recommendation. In fact, it was me who raised this. It's that we are here, I think, in kind of a strange situation. It's that the CCWG Work Stream 2 delivered its recommendation a while ago. The ICANN Board went to review it and adopted them at the Montréal meeting.

So, the question here is what are the next steps, and how we should proceed. We know that some of the recommendation will come to us. For example, the human rights impact assessment, and so on.

But it's not clear how this process is managed, and what we are supposed to do, and if we are supposed, for example, to wait for ICANN Org to form the plan, or should wait for the Board, and so on. So, we are trying, here, to clarify that, and also, from the GNSO Council standpoint, to be more proactive and to prepare for what is coming.

So, this will be an opportunity for us to review the document coming from Work Stream 2, like implementation assessment report that was prepared by ICANN Org, and to see how we can get this work within the GNSO Council work plan. And so, what we need to prepare, and what are the next steps we should take?

So, I think we can describe this as kind of preparatory or groundwork that needs to be done by the Council, and also a good opportunity for our Councilor to get familiar with the Work Stream 2 recommendation.

So, I think it's a good way just to really do that planning and to be more proactive. So, I'm not sure what will be the outcome of this discussion, but at least to have it in our agenda and to be able to plan it. Okay. So, let me see if there is any question or comment on this topic.

TATIANA TROPINA:

Hi. Rafik, sorry. I am probably intervening too much. I was going to ask you, as Council leadership ... I see that it's 15 minutes on the agenda

and, as you've said, it is just to flag this topic. I doubt we can actually go through all the recommendations, and prioritize them, and see what concerns during this.

Of course, some of us who were involved in Work Stream 2 like you or me can probably hint what would concern GNSO directly. Like, I would say human rights, because the framework of interpretation and the Bylaws are already enforced and, basically, we already have to obey them. This just comes on our agenda for the next 15 minutes.

So, are there already plans on how this is going on the agenda of the next GNSO meeting or on GNSO in the community, how it is going to be dealt with? Is it going to go on the level of the stakeholder groups, and then come back to GNSO? So, what are these 15 minutes about in addition to flagging? Thank you.

RAFIK DAMMAK:

Okay. Thanks, Tatiana. So, again, we flagged this during the Projects List, or maybe the work plan discussion. So here, we need to, probably, start outlining what can be the next steps. For example, we are suggesting maybe we need to go back to our respective SO/ACs and ask them for input. That can be one way. Maybe to have a small team to work on some proposal.

So, it's quite open and as you already made some suggestions, something that can be helpful and a way to proceed. But myself, I'm always concerned about having this Council discussion topic. If we are not clear in how to proceed and how [inaudible] like in many times in

our agenda for several Council meetings. So, we need to be more action-oriented.

So, I guess, if we come up with some proposal in that measure is to ... Let's say to have, maybe, a small team with those who are already familiar with the work stream recommendation in a way to speed up the process and to make some suggestions, or at least, to indicate to GNSO Council what can be the work that needs to be done at the Council level. So, for example, if we talked about the human rights, do we, for example, expect some changes, like in our operating procedure, and so on?

So, this needs to start fleshing out more details of what can come to the Council, or to be referred to the council or GNSO, and what can be the needed work, the required task for that, and to go more into details to really propose what ... We can have, like we did before, like for PDP 3.0, and so on, is to have, maybe, a small team by the Council or a small team that can be formed by members from the stakeholder group and constituency. They can work on that.

So, I'm just now thinking aloud about this. But yeah, that's the one way, is really to move forward. It's not just to spend time on discussing this again. It's really how we can proceed.

One way, also, is maybe to ask for an update from the MSSSI about what they are working on exactly and what, maybe, is coming from their side, if that can help us, maybe, in terms of managing the work and to avoid any duplication. Okay.

TATIANA TROPINA: Rafik, me again. Sorry. I unmuted myself. Yeah. I was thinking about the suggestion that we have scoping teams—small scoping teams, small working groups in the GNSO, and something. So, maybe we can suggest as an idea, as you said, a small team of the Councilors, but the team will collect the input from stakeholder groups and also from the MSSI. And I think that might be the way to go to coordinate this. Thank you.

RAFIK DAMMAK: Okay. So, you are suggesting a small team. Okay. I guess we are on the same page, here. I don't think there are so many options. At the end, it's really just to put this in our work plan and to get volunteers to work on that with the support from staff. So, at the end, it's also a question of priority, here.

In the next agenda item, I think we cover about the work plan. And so, the question for us, in how we can put that, with the expectation, maybe, it's more work for the council and policy staff—more than initiating a process that needs the community involvement. Okay.

I guess we can move, maybe, to the next agenda item. Okay. So, this agenda item, to some extent, is also related to ... It was Work Stream 1. It's about the Independent Review Process standing panel.

So, it was proposed by Keith because this topic was discussed by the SO and AC leaders with, I think, ICANN Org, with regard to about how we will set this IRP standing panel. There was something with regard to the

involvement of the IRP Implementation Oversight Team to serve as a small group to help to establish that standing panel. And the question was, is it the way to go or not?

So, this topic will be introduced by Keith. And so, the question here is I hope for those who are familiar with Work Stream 1 to give us some more background, and also for ... We have, I think, some of our members. I guess I see one, at least, Raphael, who is on the IRP IOT, who might give us some background and also some feedback from those involved within that oversight team, and what they think about a possible role for the IOT to help for the standing panel.

I think, also, there is still a call for a call for interest for those who want to join or to be in the standing panel. I'm not sure about the deadline. But anyway, this is all really about, from here, the GNSO standpoint, as well as of the SO and ACs, and a member of the Empowered Community in our role in how to deal with forming this standing panel for one of the important accountability processes, which is the IRP.

I think it's taking too long to implement. But anyway, this is one topic for discussion. And I don't want to put someone in this spot, but since we have Raphael, maybe he'll give us some input from the IOT about if they discussed this topic, and he can share some feedback. Yeah. Raphael, please go ahead.

RAPHAEL BEAUREGARD-LACROIX: Hi. Can you hear me?

RAFIK DAMMAK: Yes, we can hear you. Yeah. Please, go ahead.

RAPHAEL BEAUREGARD-LACROIX: Good. Thanks. Yeah. So, I will have written in the chat already, but now that we can for good reason ... So, I was not selected, at least as far as I know, to be on the IRP IOT. So, yeah. I mean, actually, I don't even know what the process is for selecting members because they just had asked me for more information, and I replied to them, and then the last thing that I heard from them ... So, yeah. Unfortunately, I cannot say much more on what's going on at that level, above that. So, sorry.

RAFIK DAMMAK: Okay. Thanks, Raphael, for this. Okay. So, let's see if there is any comment or question about this. Let me take the opportunity just to ... I'm not sure if ... Tatiana, I think you participated in the Work Stream 1 or Work Stream 2, so if you can really take the lead on this issue at the Council meeting, I think that will be very helpful. I'm not volunteering you. Just asking if you can do that. Okay.

TATIANA TROPINA: Rafik, it's me. I remember we had the issues with the process of selecting the panel, but I personally did not participate, exactly, in this part of the work stream. But I remember that we had a comment about the role of the Board in panel selection, and the role of the Org.

But I think it is going on already, so it's not really about the process on standing panel itself. It's just that we had some rather ... So, we were not very pleased with the process, at some point, but I think that it's going on now, and it is what it is. Thank you.

RAFIK DAMMAK:

Okay. Thanks, Tatiana. So, let's move to the next agenda item, if there is nobody in the queue, if there is any other comment. Okay. So, to some extent, this is linked to what we discussed before. So, this is about the GNSO Prioritization Work Plan and Program Management.

And so, as you can see the different topics, like when we discussed about the ePDP extension or how to deal with priority two, for example, about Cross-Community Working Group or about the transfer policy, they are all tasks or activities the Council has to manage and to make a decision or action upon them.

So, we had this topic regarding the work plan since the strategic planning session in [inaudible], when we started to have a sense of the different activities, at least in terms of Policy Development Process, and to try to work on the tool, or how we can outline a work plan. And we went through several iterations.

So, this is the topic we have in our agenda since, now, February. It's kind of recurrent now in Council meetings, but I think it's quite important for the Council to do that program management and, really, to do that prioritization.

And so, we will have a new ... It's a more detailed work plan compared to what we had in the last Council meeting. So, the last one, we had a timeline for this year and the next years, and we tried to do kind of a different program. And also, we had some criteria that we should not start a new activity before finishing another one, so to have available resources.

And also to be more granular in terms of which groups need to do some work. So, for example, an issue report that is more for the policy staff to work on. And then, we have the council for the chartering and scoping. And after, we have the whole community when we are talking about PDP. So, we went in more details for the different activities, and also to have more phases.

So here, are going to continue that discussion and to review a new version in a more near-term work plan. So, we have to make some priority ... To make decisions. So, for example, now, if we vote for the Transfer Policy Issue Report, it means we are already starting new activity, a PDP, with its first phase, which is the issue report. So, we have to have that in mind and think about priority.

So here, the question is more from an NCSG standpoint. It's to be aware about what's coming and to make a decision about the priority, but also to prepare. So, we know, for example, we are waiting when RPM and the SubPro deliver to start the next steps. Like for RPM, we have to go through a chartering and scoping phase for the Phase 2, which is concerning the UDRP review. So, we have to be ready for that phase, for that milestone.

And also, for example, we have IGO-INGO track. And one of the original tasks for us is to appoint a representative to that track. So, I'm just here trying to give a quick briefing, what we mean here by "work plan" and "program management." And so, we need to be familiar with all the activities.

Also, for example, we are talking about Work Stream 2 and previous agenda items, so we will have to make a decision if we are going to have that activity, when to start it, and what are the resources or the preparatory work that needs to be done. So that's, at the end, what we mean by the "program management."

So, I will stop here. I hope that I didn't confuse you more about this topic but it's quite critical and important for GNSO Council. So, let me know if you have any questions or comments on this one. Okay. I'm not sure. I don't see anyone in the queue. Okay.

So, I'm being told that we cannot go over the allocated time. So, I'm sorry, again, for all those technical problems. It was quite frustrating, but that happens. So, I'm sorry again, but beyond our control. I hope that we'll be fixed for the next session.

Thanks for staying with us for the whole hour. Unfortunately, we could not use effectively the whole allocated time. But we will follow up with NCSG members in the NCSG list, so we have some of the any other business topics, and we will try to recover as much as possible. So, thanks again for staying with us, and see you soon.

MARYAM BAKOSHI: Thank you, everyone, for attending. Bye-bye. Have a good day.

[END OF TRANSCRIPTION]