ICANN68 | Virtual Policy Forum – GNSO - NCSG Open Meeting (2 of 2)
Thursday, June 25, 2020 – 16:30 to 17:30 MYT

MARYAM BAKOSHI: Thanks very much, Stephanie, you may continue now, please.

STEPHANIE PERRIN: Thanks very much. And if we could resume the policy discussion for 10 minutes. I'm not sure whether you heard me, but I hadn't clicked that welcoming box, which we all have to click. I see we've lost a few people. I guess that's understandable under the circumstances. Hopefully, they'll rejoin in a moment or two if they feel like it.

We finished with Ephraim giving us the update on the human rights impact assessment that was presented in the GAC session. And frankly, I think one of the worries that we all have had with respect to the human rights impact assessment is whether we're going to be able to implement that assessment. Speaking frankly, on the EPDP we haven't even been able to do a privacy impact assessment, which some would argue would have been mandatory under the circumstances. So, if we can't get that in what amounts to a legal implementation of the requirements of GDPR, how are we going to enforce doing a human rights impact assessment?

And believe me, I'm supportive, I'm just looking at ways and means here. And if anybody has any thoughts on that, I'd love to hear it. Thank you.

Okay, I'm not seeing any hands up, but I could be missing them.

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MARYAM BAKOSHI: [There are no hands up].

RAFAEL BEAUREGARD-LACROIX: Hi, Steph. I'll just put my hand up and jump in myself.

STEPHANIE PERRIN: Wonderful, thank you.

RAFAEL BEAUREGARD-LACROIX: I think maybe one way which we can think about that, which I think

might be the more [collective] way, is not to see that as something, not understand that as a matter of like enforcing it, right? Because if you put enforcement and human rights together, it's always a tricky question and I'm sure that every lawyer has an opinion about that.

And precisely not to bring the discussion on the point of how to enforce human rights or whether human rights are meant to be enforced or enforceable or whatever. I think it's more to use that tool as a guideline, to think about how we do certain things and just to think about our processes and God knows that there are things that are missing in our processes and we notice it regularly.

And so, precisely, maybe because right now we're in the phase where we'll have to think about that a little bit and so, in crafting certain processes, then how we can think about certain elements and just use

these tools as a way to review that. And I think probably the same is true for policy as well.

I mean, I don't have as much experience in policy, but again, I think it's a thing that can be useful now, [in turn], when it comes to policy, I would believe that it might be better to start with that in a way, or to have that integrated from the start, rather than kind of come in halfway or at the end of the policy process and say, "Well, now we need to start thinking about human rights all sudden." That might make it a bit difficult and I can think that it would create a lot of resistance probably from certain members, certain parts of the community, or individuals who just think that this has nothing to do with what they're doing.

While if it's something that's kind of agreed from the start, it might come down a bit more easily and it can kind of be discussed from the start, and everyone knows that this is part of the picture from the beginning. So, that might also be easier.

STEPHANIE PERRIN: This is definitely speaking for the record, and I should remind everyone to say their names for the record. I'm bad, I haven't done it myself.

I totally agree with you. It's better at the start and certainly in a government environment. At least in my country, it's a requirement to do that human rights impact assessment before any legislative initiative. You don't get your cabinet document through to cabinet

unless you have done a human rights impact assessment, and that's a very thorough assessment. You have to look at poverty and groups and indigenous and disabled and you name it, everybody's in there. So, you do that impact assessment.

ICANN has to accept that, in its bylaws, if we're going to insist on getting it done at the early phases. So, for instance, it should be in the scoping of a PDP that the human right impact assessment be done.

And I guess that's what I'm talking about in terms of ways and means, how do we get that through? I think it's going to be a real challenge. Anybody who's on the EPDP knows that I repeatedly bring up the European Charter of Fundamental Rights, which underpins the GDPR and it will be looked at by a court. So, one would think that everybody who's planning on being in court would care about that charter, but it's ignored as if it were out of scope.

And that's on what I consider a fundamentally legal PDP, we're trying to implement the GDPR. So, that's pretty legal. So, I've got real concerns about how we get this through, but if you can think of a way, let us know. They have to start going through Council at any rate. Thank you.

RAFAEL BEAUREGARD-LACROIX: We have people with their hands up. I don't know who was first,
probably Kathy. At least she's the one who mentioned it in the chat first.

KATHY KLEIMAN: Well, I'm happy to wait for Tatiana because I [inaudible].

RAFAEL BEAUREGARD-LACROIX: Okay. Sorry for jumping into moderating, Steph, but since I know that

…

STEPHANIE PERRIN: No, please do. Tatiana, please, thank you.

TATIANA TROPINA: Hi, everyone. I can't unmute my camera but whatever. So, you listen to my voice.

A bit of institutional memory here. So, basically, what Rafael talked about enforcement and human rights shouldn't be enforced, or should they be enforced. When we were discussing the human rights core value in the Work Stream 2, when we were developing the framework of interpretation, and even earlier when we were trying to get these into the bylaws, there was this big discussion about enforcement because it's up to governments to actually enforce and uphold human rights and, for ICANN, it is to respect human rights like for many businesses, right?

And here, it would be the difference between, for example, the government human rights impact assessment before going for any laws and regulation because they have a duty to enforce human rights. For ICANN, it would be different because it would be rather [respected] and taken into consideration, human rights.

And interestingly, I think that, of course, it should be in the policy process and this core value, the bylaw is not dormant anymore, it is already valid.

And right now, how we can channel our concerns and our suggestions is via GNSO because it would be up to GNSO to decide on how to provide this respect for human rights in the policy process, and there is no way for the GNSO to get out of this.

So, the question is not whether it is going to happen. The question is how it is going to happen. So, there is no fight for us to get human rights impact assessment of particular policies into the policy. This fight already happened two, three years ago. The question is, right now, how.

And I am just probably going to repeat what has already been said in this regard, but at the last GNSO Council meeting yesterday, we actually started the discussion and the suggestion was that we will create a group of GNSO councilors on the implementation of Work Stream 2 that will consult stakeholder groups and constituencies at ICANN. So, work together with the council, ICANN Org, and ICANN community, GNSO community in particular.

And, of course, it's a long way, because it would be about the Work Stream 2 in general, not only about human rights, and there is a lot there. But the sense of urgency, I think that we definitely can convey to GNSO because basically if we start anything without integrating respect for human rights in the policy process, it would already be in

contradiction to ICANN bylaws because we have this respectful core value.

As with regard to GDPR and alike, when we are developing policies that are actually dealing with the laws, there is a clause in these bylaws and framework of interpretation that respect for human rights, as provided by applicable law. I'm probably not citing it correctly, but you got the point. The spirit is that it is about applicable law.

And I'm not sure about the charter, but if we are talking about human rights aspects of the GDPR, in my opinion, there would be definitely some aspects of human rights respect as provided in applicable law or as required by applicable law.

So, I think that what we have to do now is, of course, to be ready to provide this input to the GNSO discussion and also highlight the urgency of implementing the human rights core value. Highlight it because the bylaw is already valid. It is already applicable, it is already there. And if GNSO is not compliant, it's just not compliant. Thank you.

STEPHANIE PERRIN: Thanks very much, Tatiana. Kathy, you had your hand up as well.

KATHY KLEIMAN: Yeah. Thanks, Stephanie. So, it sounds like there's agreement among speakers. I'm really glad to hear, Tatiana, that this is part of the management and oversight of the PDP, the policy development process, through the Council.

My concern, and Rafael addressed it a little bit, is timing. How do we put the results of human rights impact assessments into the policy development processes, which are often going very quickly?

And so, maybe it's possible to do them upfront. Often, however, a lot of the issues in technology policy emerge as we're doing the evaluation. I'm not sure we can anticipate all of them up front. If there's a way to do that, that would be great.

But, let's say the human rights impact assessment, the HRIA, is going on in parallel with the policy development process. How do we make sure it gets fed into the working group by people who are knowledgeable about this? Because often the people in the working group are not—we're stakeholders from a lot of different communities with a lot of different backgrounds.

Human rights is often it needs to be explained, just like everything else, and it needs to be put into the process. And right now, it seems to be going on in parallel. How do we feed in the results, like some great results from the current work on subsequent procedures, the new GTLD procedures? And yet, we're not seeing whatever was done, the human rights impact assessment, hasn't fed into the working group. So how do we merge the gap? How do we narrow the gap? Thanks.

STEPHANIE PERRIN: Apologies. Next person is Rafik.

RAFFIK DAMMAK: Hey, thanks, Stephanie. In fact, just to build on what [inaudible] just said as a comment. The most important part, when we talk about PDP, is the drafting of the charter and the scoping. And so, you can leverage what exists already and the working group [inaudible] about the policy impact assessment. So, as [inaudible] said, we can [arc] at the time of the drafting to human rights impact assessment.

The Work Stream 2 will give us more tools when we start the implementation, and that will be systematic, but just I want really to … Maybe to be [pretending] here is we need to pay more attention about when we do the chartering, when to do the drafting, and to include all what we are saying. We need to be careful.

We can spend a lot of time discussing about this now, but to bring more impact, it's during the chartering. There when we negotiate, when we discuss, what we work at the Council level, where we need to add all what we are discussing right now.

And so, the point is, in the future, since we have in the pipeline several PDP coming, maybe not now, and likely it's for the new Council after AGM, is to be careful about that and to be involved in the drafting. There where you can have the most impact and you can ask those who had previous experience to help you on that matter.

STEPHANIE PERRIN: Okay. Now, I fear that we are creeping into the time allotted to NPOC. So, I would like to pass the microphone over to Joan Kerr, our chair of NPOC, to discuss NPOC priorities for the next few minutes. Thank you.

JOAN KERR: Great. Thank you, Stephanie. And everyone can hear me okay? Yes? You can hear me?

STEPHANIE PERRIN: Yes, we can hear you.

JOAN KERR: Great, wonderful. I just want to say that this is the first time in my life I've ever gotten up at this time for a meeting. Just want to say that I'm not a morning person, as everybody knows.

So, if it's okay with everyone, I'm going to talk about NPOC's—I'm the outgoing chair, first of all—then I'm going to ask Raoul to talk about our forward plans for a couple of minutes, if that's okay.

So, I just wanted to point out some of the things that NPOC has done because I think that one of the criticism that we've gotten from the membership is when they discover how much we've done, and they praise us, they say, "I wish we'd known you've been doing all this stuff." And I think that we do. And so, that's one of the things that we have to address in the future.

So, first of all, when I became chair, which has been three years, three terms, it was in disarray, that's the best word I can use. So, we took a long term approach to develop the organization, the constituency. And obviously, with the knowledge that we have to be involved in the PDP process and working groups, et cetera, but if you didn't have a

strong EC that was educated and that had capacity, then that wasn't possible. So, that was one of the long term strategies that we have.

So, we set out to build a really good team, build the capacity of the EC. Most of the members were new to, not just to NPOC but to ICANN as a whole. So, there was that education side of it as well, including myself. And then we had some other issues that we had to deal with from the previous organization I call it because I feel we have a new and really great organization now.

So, we put some transparency policies in place for NPOC to operate. There were no promotional literature, so we developed those. One of our best ones that have received a lot of attention is the beginner's guide, so much attention that we're also going to be translating it into Spanish and French. We rebranded NPOC with cards, postcards, and a new logo.

And we really spent a lot of time on defining what operational concerns are. One, so that they we could articulate them, two, that we could get members to understand them and then to then actively participate in trying to address the policy issues from the ground. Spent a lot of time rewriting the charter and we haven't received any feedback yet. I believe that we will be receiving feedback from a staff member shortly. I had wished that we had done that before my term was up, but hopefully that can still happen in the next few months.

Our membership grew from 30 when I started to 102. And the great thing about having members and seeing some of the work that we've done is that we're now having people volunteering to be part of the

policy committee and to volunteer to be experts for some of the PDP work. So, I think that is a really great result of what we've done. They're asking to be part of it. So, we're pretty happy about that.

Some of the other things that we've done is a management tracking system. We first started with [TRAVO], and what that meant was that we had so much work to do, and people wanted to do the work for ICANN, so we needed to get some of the administrative work done. And so, there was 104 major items that we had to address, and which we did and get them done.

So, one of the things that we developed was this management system. And what it will do in the future—so, it hasn't been employed yet to do it, and maybe Raoul will talk about it, I'm not sure. Not only does it track our actions, but it also will give updates to our members as well. So, we think that's a really good way to do that. It's a cloud storage, which archives all the materials that we have, speaking notes, and PowerPoint slides. We've also collaborated with ALAC and we'll do more collaboration in the future.

And, for now, I'm just going to let Raoul talk about the future and then I'll come back and wrap it up. So, Raoul?

RAOUL PLOMMER: Okay, thanks, Joan. Can you hear me?

MARYAM BAKOSHI: Yes, we can hear you, Raoul, please go on.

RAOUL PLOMMER:	Okay, great. Right. So, I'm just going to talk to you about what's going to happen in the next year or so. Joan already mentioned Nextcloud and our new task management. We will probably be able to set it up … Nextcloud is like a cloud service that you can install on your own server, which, in our case, it's work.NPOC.org. And we are going to use it for all the document management and also task management. It also has like a little feature for that. So, I think it will be really beneficial for us to get all the work that we do in NPOC under one subdomain. So, we'll be able to find all of our documents there and be able to collaborate there as well. You're also able to write text documents there collaboratively at the same time. So, I think that's going to be a big step for us to get this work more systematic and more easy to track it after.

We've been thinking about registering NPOC as a not-for-profit organization in Estonia. And the reason for that is to be able to have international members who are able to be a signatory without actually ever visiting the bank itself. Now that can be arranged with an electronic ID—they call it citizenship, but it's more of an ID really. And that is something that we'd be really keen on testing [after].

But, the only thing we are lacking at the moment is the charter of that not-for-profit in Estonia. So, if there's any Estonian people here, please hit me up. It will be a very minimalistic charter, so shouldn't be too much work to translate. That would be very nice.

Okay. Then we are also planning to restructure our executive committee a little. In fact, we're cutting down two easy spots to make it slightly more competitive to get to one of these live meetings. At the moment, we usually get four NPOC people to come to the live meeting, and those could basically be the EC members. Of course, if there's somebody else, I think we will start using [crowd] funding for the fifth person who is not in the EC, but otherwise very active. So, hopefully they'll create some buzz to have more people working for NPOC.

Then we're supposed to be getting a seat at NomCom. Might be optimistic to think that's going to happen in the next year, but I think—hey, in the next two years. At the moment they've sent this letter to GNSO, which is now supposed to determine by the end of July whether the NSSG or NPOC will have another seat in the NomCom. Currently, the business stakeholder group has four seats, all the other stakeholder groups have one. So, that should really be balanced out and I hope our brothers and sisters in the registries and registrars will help us with that because, yeah, that's like way too much. They actually have more seats than all of us put together, which is ridiculous. So, yeah, we do want to change that.

Then I think one of the things also, we want to create a guide for a cheap and secure website to prevent some obvious security breaches from happening and using free open source software. Now, there are a lot of not-for-profit organizations that have very little money, especially in developing countries, and just to be able to use our resources and networks, we have people from all the biggest internet

giants attending these ICANN meetings. So, I think we can get a little expertise around this and sort of trying to find some kind of best practice, cheap solution that is also secure and would prevent some of the cyber security issues that some of these not-for-profits have.

And then, of course, we'll be recruiting relevant not-for-profits to join NPOC in our policy work. And hopefully that includes reviewing our cooperation with Red Cross. I think they might not be beyond redemption.

And finally, we are thinking of creating educational resources for not-for-profits on the DNS hopefully with the help of PIR and ICANN. And the process with ICANN has already started. The PIR is basically waiting for us to show some learning documents and hopefully we'll be supported from then onwards.

I think that concludes what we have planned for the next year or two. And I'll give it back to you, Joan. Thank you.

JOAN KERR: Great, thank you, Raoul. So, just to pick up on the membership. Like I said, we have a number of members who have volunteered to be part of the policy committee, as well as to lend their expertise to our priorities. ICANN staff has also given us a list of webinars that we can have for our members, which we'll also be initiating probably not before September. So, a big thrust on policy work and educating the members and getting them involved in the ICANN ecosystem, as I say, but preferably more of an NCSG focus.

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And that's all we have to say. There's lots more, but we only had 20 minutes so we tried to curate it down. Questions?

So, Raoul, did you want to expand on the PIR? You mentioned it.

RAOUL PLOMMER: Yeah, okay. So, basically PIR has told us that they'll be able to help us with some resources if we create educational material for not-for-profits. It wasn't really related to .Org.

JOAN KERR: NPOC has a historic relationship with PIR from before, as well. So, they're always looking for any education with not-for-profits.

RAOUL PLOMMER: Anyone else?

BRUNA SANTOS: Joan, Raoul, there is one question at the Q & A. Oh, it was already—it's still open, but it's a question.

MARYAM BAKOSHI: Hi, there's another question in the Q & A. Stephanie, can I go ahead and read that?

STEPHANIE PERRIN: Yes, please do. Thank you.

MARYAM BAKOSHI: Thank you. This question is from [Inaudible]. And it says, "ICANN has adopted open data initiative to help improve its data quality in a more structured way. This initiative is also supposed to improve the quality of work and activities across ICANN communities, and also bring about innovation. I remember last year or two, NCSG and [NCCU] submitted comment on the initiative. I want to ask if there's any updates on this initiative on what steps have been taken to make sure this initiative is part of our process?"

UNIDENTIFIED MALE: Well, I saw there was an update just on the new ICANN webpage and the open data initiative is right there at the forefront. But I haven't had time to check it right now, and, well, I think we should have a look at it again just to see what's happened there. I think a lot was supposed to happen by Cancún and we were sort of looking forward to that presentation with some people like, for example, Mark, we've been sort of hassling them like what's going to happen with the ODI.

But I have to admit, I haven't checked it myself in the last few months. So, if anyone else has any news about that? Perhaps Mark is here on the call, I saw him earlier.

BRUNA SANTOS: [Steph], I am not sure if you're following this, we do have Matt with his hand up and myself as well. I just wanted to make a short note on this that also ICANN have been working a lot in repairing the public

comment part of the website. So, a lot of things have been already changed so far. And I think a good part of the NCSG leadership has been engaging with ICANN staff in reviewing those changes to the website, and also seeing how to better contribute to this initiative as well.

So, it's not fully ODI, but it's also something that's regarding to how some information is being showcased on the website.

STEPHANIE PERRIN: Thanks very much for that intervention, Bruna. And over to you, Matthew.

MATTHEW SHEARS: Thanks, Stephanie. I think Maryam had actually posted into the chat a couple of updates on the open data. We're calling it the Open Data Platform now rather than ODI. And that's consistent with Org's commitment to updating the community in terms of the latest developments.

So, I think probably the best thing is to look at those for where we stand on that. And that process of updating the community is going to continue as next versions or releases of the platform are made available. Thanks.

STEPHANIE PERRIN: Okay. On a fast scroll, I'm not seeing any other hands, but I could be missing folks. Nope.

Okay. Well, if there are no further questions for the NPOC team, I'd like to thank them very much and wish them the best of luck with all these initiatives that are coming.

And now, perhaps, we could invite Matthew Shears to help us discuss future priorities and managing the work. And I sent around messages to the NCSG list to please have a look at the discussion of future meeting strategy, how we transition back to some kind of meetings. And there has been, I think, a good discussion between the GNSO Council and the Board on this.

So, Matthew, would you like to say a few words on this? I don't want to dump the entire discussion onto you, but perhaps if you could kick us off. I, frankly, am quite worried about how the non-face to face meetings are going to impact our people from all kinds of perspectives. So please. Thanks very much.

MATTHEW SHEARS: Thanks, Stephanie. Thanks, everyone, and thanks so much to all of you for participating in this first virtual policy meeting.

So, what I wanted to do was perhaps to kind of separate this into two things, although they are, of course, very linked. One of which is the meetings issue and, as Stephanie was referring to, this phased return to face to face meetings paper that's out. And then just talk a little bit about—and this is where I think having a real discussion about this—is how do we progress the work in these somewhat unusual and challenging times?

So, let me turn to the phase return paper, which is out and has been circulated amongst the SO and ACs. And I should say from the outset that this paper was very much a response to concerns and discussion that were held with the SO/AC leadership. And this is an attempt to map, if you will, a way that we can get back to, as much as is possible, the way that we have been interacting and progressing our work in the past.

The paper reflects, I think, what are some pretty kind of obvious challenges that we're facing at the moment. We used to think that COVID was a single wave and it was coming at us and it would eventually go away, we'd have vaccines and everything else. But I think now what we're realizing is that this is affecting different parts of the world in very different ways. The levels of preparedness in different parts of the world and approaches to dealing with COVID are very different. Countries are responding to greater or lesser degrees and now we're in different parts of the world seeing either a first wave or a second wave or spikes or whatever.

This uncertainty, in terms of how we address this given the importance of the face to face meetings that we've had in the past, is really something that's posing a significant challenge. Hence, this kind of four phase strategy in a way reflects many of the strategies that are now being implemented elsewhere at a national level or state level or in other companies, which is a very measured approach. And notably, it doesn't really come with a timeline, because that timeline, as I think everybody is very aware, is very unpredictable.

So, what it does is it's a phased, 0, 1, 2, 3 and 4. And basically we're in the phase zero at the moment, obviously, no face to face meetings. The idea is that this would move to another phase, which is a kind of hybrid approach, which would be face to face where it's possible and safe because, at the end, what we're trying to do is to ensure, above all, the safety and the security of the community and the Org. And those have to be the primary criteria, if you will.

So, that hybrid is really based upon where it's possible to have face to face meetings, and otherwise to really remain with the virtual meetings.

Phase Two is where you move to, when hopefully there is a greater handle on COVID and different parts of the world are back to a point at which we can assume it's safe and secure to meet there, that there would be those face to face meetings. But probably still with a good component of virtual for those parts of the world where it may not be possible to meet.

And then, of course, phase three will be back to the traditional face to face meetings that we're familiar with. The interesting thing here is that, and I think we saw quite a bit of it in the last plenary session, was that there are many who are assuming that for a variety of reasons, we may see a future that is a greater combination, or more of a hybrid, simply because we have this continuing uncertainty and for a number of other reasons.

And so, that phased approach is what's in that paper that was circulated by Org. And so, what we're looking for, what we'd love to

see, is his feedback on that phased approach. And, of course, what we're not really getting to hear, which is what I also wanted to address, which is how do we progress the work in those different phases? Because it will obviously be very different.

And so that's the purpose of that paper. It's to kick off a discussion. It's really to put out there a very measured approach really, as I said, driven by the safety and the security. It's a framework, so it does give the ability to adapt based upon how we see COVID in different regions and different parts of the world. And what I should also say is that Org has very good mechanisms in place to track and assess how things are progressing in different parts of the world. So, we have that, in addition to this relatively flexible approach.

And hopefully between the two that will enable us to respond and show safety and security, but also move as is possible toward something that's closer to what we're more familiar with.

So, what we're looking for is feedback from the SOs and ACs on this phased approach. And hopefully Org will get that back and we'll come out with a finalized version that would guide us going forward.

It goes without saying, and I share the comments that others have made that obviously getting back to the face to face meetings, or some face to face meetings, is absolutely desirable. Just on a very personal note for myself and other Board members, the face to face meetings are essential. We don't spend enough time with the community. Having those face to face meetings gives us that opportunity.

And in fact, the policy meeting that we've just held is one of those times where the focus is less on the Board and more on the community doing its work. So, it's actually a really good time for us to catch up on what the community is working on, what the issues are, where the challenges are, and that doesn't quite work as well in virtual form as it does in face to face.

So, that's kind of the strategy side. The other challenge, of course, is how do we progress the work when we're working in a virtual sense. And I think the one thing that this meeting has showed is it can be done, and everybody here participating and moving the work forward, et cetera, shows that that's absolutely what the community is doing, and it's committed to it and that that's great.

And the question is kind of then, so how do we keep that momentum going? And how do we adapt according to this kind of phased strategy that will take us back to more typical meetings?

And I think then, in that sense, are a couple of key elements there. The prioritization of the work, the scoping of new work, the managing of resources, and being realistic about what can be achieved, and in the context that we're working in now. And in some ways, for example, the GNSO is taking a much more holistic view at its own priorities in the sense that becomes ever more important when we're working as we're working at the moment.

But those are the two challenges in terms of how we move forward. Obviously, we want to move in the direction of face to face as quickly as possible, but at the same time, safety and security are the

overriding concerns. We've had to cancel Cancún—not canceled, but make it go virtual—we had to make Kuala Lumpur go virtual, the AGM will go virtual. And it's difficult now to anticipate to what degree this is going to continue in that way.

Hopefully, we'll be able to take those steps to get it back to where it was, but I think that's why we're looking for input on this strategy. And hopefully we'll be able to move forward once we've have a better understanding and countries and states are better able to deal with the COVID challenge.

So, anyway, Stephanie, that was a bit of a long introduction, but I'll leave it there and turn it back to you. Thanks.

STEPHANIE PERRIN: Thanks very much. I see we have a question from Jim Prendergast in the Q & A. I'll just read it because I think it's you that should answer, Matthew, it's: "What is the mechanism for providing feedback on that phased paper? I don't see it listed in the public comment portion of ICANN.org."

MATTHEW SHEARS: Great question, Jim. I'm not sure that it is listed in the public comment part, I'll have to check that. But my understanding is that Org has kind of left it with the SOs and ACs to gather input. I'm not sure what mechanisms that they would use to do that. But let me check that.

STEPHANIE PERRIN: And I think that was, indeed, my understanding of it as well. And that's why we've been sending out messages to the to the list.

Now, Rafik has his hand up. Rafik, over to you.

RAFIK DAMMAK: Thanks, Stephanie. And thanks, Matthew for this.

So yeah, I mean, we have to discuss about the paper and share our input. But my take I think is even beyond that. All of this is somehow an opportunity to rethink how we are doing things in ICANN. Now we are facing this issue maybe to not have face to face meeting for a while, maybe for a long time, and even the phases we are discussing, they are not necessarily easy to apply.

Why I'm saying this is because we need to change first, and I think [while] it's maybe [comment] from [inaudible], about what we are discussing during the virtual meetings or face to face meetings. We are getting for granted to have free face to face meetings, but at some level, we need to think why we have those meetings.

The face to face or virtual meeting are means, they are not goals on themselves. So, we need to reconsider how we are using them. A lot of work, and kind of maybe I repeat that many times, even with the new [inaudible], a lot of work in ICANN is done between meetings. It's not necessarily during the ICANN meetings. They have other benefits like to create a better relation between the community members, to know each other and so on, and that cannot be dismissive. But, at the end, in terms of managing the workload, about priorities and so on, we

need to be careful to not [weigh] everything about the face to face meeting.

And so, I guess this is supporting you to think in a more holistic way, and how we do priority, how we can leverage better the different tools while we maybe try in future and how maybe to have that face to face meeting when all of the conditions are there.

I mean, this phases scenario, it's good to think, but until the end of the year, I don't see what we can do. I mean, I'm not even sure that I can leave this country and go back to home to see family. So, thinking about ICANN meetings not even a priority for me right now.

So, the question here, maybe not getting stuck to the idea of face to face meetings, but how as community we should manage our work, how we can ensure that people can participate.

So, for example, for the virtual meetings, we have the two different time zones, and people are discovering the issues when you have to wake up in the middle of the night in a strange time to participate. So, we need to think maybe about the format. And also, about doing it to have all these kinds of sessions, many times we discover that we don't need really them. I mean, we tend to prioritize. We need to think what is really important to have a virtual meeting, and then organize our work outside of that and so on.

So, I just want to emphasize and stress here we need to really not get stuck to the face to face, but to thinking in general is how as a community we should work in the next years while the face to face

meeting or virtual meeting are means among others. So, just opening here and to discuss with others.

MATTHEW SHEARS: If I can respond, just briefly, Stephanie. Rafik, I completely agree. I think that we do have to be very realistic about when we will return to face to face. And I think this is, as you say, the right opportunity to consider what other ways of working may be appropriate, what are the tools you say, and everything else.

I mean, at the end of the day, what's most important is not having a meeting for the sake of a meeting, but it's having a meeting so that you can progress work. Now, whether that happens face to face or whether that happens virtually I think will depend on what one wants to achieve. Right?

So, I think that, in a way, this is an opportunity. While we're talking about a phased strategy to get back to kind of the new normal, it's also an opportunity to raise those questions. And I think it's a good time to do it. When, as you say, we're looking at the horizon that's certainly beyond the spring of next year. Thanks.

STEPHANIE PERRIN: Yeah, if I could jump in here, we did have a bit of a back and forth on the list on this topic. And I think that there is a plus to working virtually. I don't know about the rest of you, but I didn't bother going to sessions that I considered to be fluff.

So, I think we will whittle out some of the stuff that we did at face to face meetings that really wasn't necessary, that doesn't progress the work. However, and I may be warped because of my longtime serving on EPDP, WHOIS, RDS Review, all of that, everything related to WHOIS, which is a very fractious debate. But face to face meetings are useful in getting to know your counterparts and developing some trust, the kind of trust that leads to compromise.

Now those who are on the EPDP know that when you're dealing with lawyers who are being paid to stop reaching consensus, you're not going to reach consensus, to be blunt. And I believe this was identified on the Council when we were doing our review of the PDP 3.0. So, that's a recognized risk.

But I do think that for new people, it's very hard for them to get the feel of the working groups if they've never met the people. Now, I noted that in the previous discussion, it was either in the session that we had at my one o'clock—five o'clock UTC—on the meeting strategy going forward, or it could have been on the discussion with the Board and the GNSO Council, but Donna from the registry stakeholder group said they had started having sort of virtual get togethers to have informal discussions. I would think we should try to do that ourselves because it might help some of our members get to know one another better.

I'm worried that we're not going to be able to recruit new people without those face to face meetings. But I'm also worried that some countries where COVID is going to be endemic will never ever get a

visa to go to most of the countries that we hold ICANN meetings in. So, we're caught there. Thanks. I see we have six minutes left, and Bruna has her hand up. So, over to you Bruna.

BRUNA SANTOS: Thanks, Stephanie, and I'm going to be really short. I just wanted to dialogue as well with the same proposals, both from Matthew and Rafik. But I also think that this might be a good moment for us to go back to actually finding means of reporting those meetings and sessions back to our membership.

It was often the case that the part of us that used to attend the meetings, we did attend the meetings, and at least in [NCSG] I felt this kind of gap in between what was actually discussed at the meeting and so on, but also thought our gap and reporting back to the membership. So, maybe a way forward will be for us to better develop those ways of reporting discussions and also bringing our members in, and whether it's through some informal online gatherings or anything like that, that will definitely help us build community and so on. But we can also work on the policy and reporting side of things, just so we have pretty much everything on the same table.

And I'm not saying this is something that should be pertaining to the BC, I'm saying that this might be something that newcomers and other members who are not as experienced, but they can take on and also do those reportings in order to try and [to train] some policy writing or things like that.

So, I see perks in both things. I see perks in both on-site meetings and online meetings. But then, given the situation we have, which is exclusively online meetings, let's take some [profit] from them, and try to build up on this. So, thank you.

STEPHANIE PERRIN: Okay, I don't see any other hands. Please let me know if I'm missing other hands. But we have something like five minutes left apparently—my goodness, time flies. And we need to move to any other business.

So, let's mosey over to any other business. Now, I'll just turn it straight over to Kathy because she had a couple of items she wanted to put before us under AOB. Thanks.

KATHY KLEIMAN: Great. Thanks, Stephanie. And I will try not to talk quickly because the translators, I am told, need me to talk slowly. I want to raise two issues.

I'm a member of the Subsequent Procedures Working Group, which is working on the rules for the new gTLD applicant guidebook, how you apply for new top level domains. And there are two issues that have arisen. We don't have time to really go through them in detail, but I'll introduce them and then I'd like to see if anyone would like to work with me on them.

There are two kind of wrap-up issues, there are many wrap up issues, but two of the key ones are, one has to do with auctions, how we decide if multiple applicants have applied for the same top level domain. How do you handle that? And in the first round, there was the auction of last resort, where if there wasn't any other way to settle it, there was an auction and the money went to ICANN and to the fund that the report is now out. The auction proceeds cross community working group was working on how to distribute those funds.

But there was also an issue of private auctions, where the money did not go to ICANN, but went to the other participants in the auction. And there's some question about private auctions in the future. I wanted to see if anyone wanted to work on that.

I went through our comments, we did not comment on auctions per se in the past, but we did come in on the importance of having kind of global diversity and making sure that applicants from the global south could win, basically, could submit applications and get registries. And certainly, the auction process is a bit of a barrier on that, particularly if you're going up against very large other mechanisms.

And the other issue has to do with something called highly sensitive strings. This came out of the GAC, the Government Advisory Committee, in the first round where they were concerned about strings—and let me read—that involve highly regulated sectors in many countries, and that they thought should have closed entry requirements and I use that term.

So, if we're talking about, and these are their examples, .hospital, .doctor, .bank, .lifeinsurance, .casino, .attorney, .CPA, are examples. These are [off from] the first round, so these are taken, but kind of similar questions for the second round and we're trying to figure out how to do this, how to kind of handle that evaluation in the new gTLD applications.

So, just looking to see if anyone's interested and I know there were hands up, so let me stop, Stephanie. Thank you. Thanks so much for the time on this.

STEPHANIE PERRIN: Okay, thanks. Those are very interesting and anybody who wishes to join in, I presume can reach out to Kathy Kleiman and get more information as to how they would do that. Over to Benjamin, who has had his hand up. Thanks.

BENJAMIN AKINMOYEJE: Can you hear me? Good morning.

STEPHANIE PERRIN: We can hear you now.

BENJAMIN AKINMOYEJE: Okay, so, I've been in some meetings all morning and I just wanted to suggest some of the things that are heard. And I think we could also

start using it to follow up on Rafik's point, which is rethinking the way we work and contribute to the policy process.

So, my contribution would be is it not a viable time we start thinking about tools? There was a suggestion about using Slack or Skype more productively. I'm thinking emails, like mailing lists, may not be the most efficient tool to use around now. Using some of these tools that make [us] constantly connected, are contributing, and engaging while we do the work might be an appropriate thing for the group to start thinking about.

So, that's just something I think I should let us start thinking towards as we consider the new way, or reimagine the new way we work. Thank you.

STEPHANIE PERRIN: Thanks very much, Benjamin. And I think we all agree that we love our social media tools for working. The problem is both structural and, I think from a policy perspective it's a concern, we have had concerns over the years of backchannels being where the work is done. Our charter requires us to use our publicly archived email systems in order that there'll be a public record of our decision making in our policy making.

So, my worry is that if we use other channels such Skype or Slack or any of the other tools that we do use right now for communication while we're doing things, that the decision making will migrate there,

and we will no longer be the open and transparent group that we are supposed to be.

So, that's an issue, unless we have an archive record of the discussion. Thanks.

Well, I don't see any other hands up, but I could be missing folks. Let me have a look over here in panelists again. And I see that we're actually over time.

So, thank you very much for your participation. I think this is a great discussion we've kicked off here. Obviously, I'd like it to continue possibly on the list. Maybe we need to have a special meeting to prepare our input because I think the feedback on how we're going to work better and replace face to face meetings, we need to get that feedback into ICANN Org and the stakeholder group meeting so that they can take on board some of our concerns. So, maybe we'll think about holding that meeting.

I'd like to thank everybody for their participation and thank you, Matthew, for coming and leading us on this discussion. I think it's a very important one.

So, with that, thank you all, and we'll see you next time.

MARYAM BAKOSHI: Thank you very much for attending, everyone. Have a good day, bye.

STEPHANIE PERRIN: I must thank the translators and our faithful and devoted Maryam who does all the real work here. Thank you.

KATHY KLEIMAN: Thank you.

MATTHEW SHEARS: Thanks, Maryam.

BRUNA SANTOS: Thanks, Maryam.

[END OF TRANSCRIPTION]

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