
ICANN71 | Virtual Policy Forum – GNSO - NCSG Policy Committee Meeting
Wednesday, June 16, 2021 – 10:30 to 12:00 CEST

MARYAM BAKOSHI: Hello and welcome to the NCSG Policy 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.

During this session, questions or comments submitted in chat will only be read aloud if put in the proper form as noted in the chat. I'll read questions and comments aloud during the time set by the chair of this session. If you'd like to ask your question or make your comment verbally, please raise your hand. When called upon, kindly unmute your microphone and take the floor. Please stake your name for the record and speak clearly at a reasonable pace. Mute your microphone when you're done speaking.

With that, I will hand over the floor to Tomslin Samme-Nlar, chair of the NCSG Policy Committee. Tomslin, please.

TOMSLIN SAMME-NLAR: Thank you, Maryam. Thank you very much. And welcome, everyone, to the NCSG Policy Call at ICANN71 where we'll look at preparation for the Council meeting which is coming up in a few hours and look at some other policy items interesting to us.

We'll jump straight into it and go into agenda Item #2 which is updates from the GNSO Policy Action Decision Radar. I don't believe there is too

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

much there that has changed in the last month since we last met, but I'll just highlight a few things that have changed. I do know that the last time we spoke, the IDN (Internationalized Domain Names) EPDP charter was up for adoption in the Council meeting that was coming the following days.

And that was adopted, and I did put out a call for volunteers for that EPDP. We expected to have three members volunteer for that EPDP. So far, we have only one Expression of Interest. That call expired two days ago. However, we still have a few more days before we submit the names to GNSO secretariat. So, if there is anyone interested in this, they could please come forward and let me know, please—and let Bruna know.

The other item in the ADR that I'd like to mention some are changes that are actually going to happen to the ADR due to another item that will be discussed in the upcoming meeting, I think. There is a motion for the GNSO Framework for Continuous Improvement pilot project. We'll hear that more when Tatiana walks us through the agenda for the Council meeting, but I bring this up because it has a potential of changing or influencing dates on some items on the ADR, especially related to the Policy & Implementation PDP 3.0 task and all the tasks related to ATRT3 and the GNSO Review. I believe there is a proposal to move them to a section on the ADR with no timeframe or [either an] unspecified timeframe pending determination by the pilot project. So, I thought I'd bring that to your attention, too.

And the last one for me is that the EPDP Phase 2A initial report has been published for public comments. Earlier this week I did send the call for volunteers to draft the report. So, if there is anyone also interested to volunteer for that, please let me know. And Stephanie is happy to help as well with this, so please let us know.

I'll pause there to see if there are any questions, any hands raised. I don't see any hands at this time. I hope that was helpful to the membership.

With no hands raised then, I'll move to the agenda Item #3 which is our walkthrough of the Council agenda. So, I'd like to call on Tatiana to help with that.

TATIANA TROPINA:

Thank you, Tomslin. Hi, everyone. Good morning from The Hague. I hope you're all doing well whatever place in the world you are. So, good morning, good afternoon, good evening, good night.

Yes, I'm going to walk you through the GNSO Council agenda. I can share my screen now, so I'll just do it. Give me a second. So, what you see on the screen now, hopefully—let me know if you do not see it—is the final proposed agenda for the GNSO Council meeting which is going to happen today.

And I do understand that, for those of you who are not aware of this agenda, perhaps there is not much time to prepare. I'm going to cover it on the overarching level, sometimes going into more details. But the

Council meeting is going to take place, I think, in less than two hours. Please do attend.

So, as usual, the Council meeting will start with agenda Item #1, administrative matters of the Statement of Interest—nothing that should concern us here—opening remarks, then Item #3. We have nothing on consent agenda at this time, but we have one motion to vote for in the agenda Item # 4, and this the motion that I submitted, the motion that was seconded by Kurt Pritz. And this the motion about initiation of the GNSO Framework for Continuous Improvement as a pilot project.

A bit of the background here, because those of you who have attended the meetings of the Policy Committee know that we have discussed the path forward with this Framework for Continuous Improvement with some sort of a committee which will do with the outstanding items that are on the GNSO Council Action Decision Radar, in the plan; but we have no time or capacity to deal with them.

And these range from some very important items like ATRT3 Review Recommendations, like Work Stream 2 Recommendations which many of you know were all ready several years ago but the action has not been taken forward.

So, some cross-community work recommendations, but also some specific issues pertaining in the GNSO Council work which are quite small, but we're not [dealing] with them, like the proper Statement of Interest form. Does it need updating? Or another issue is the review of the working groups like SubPro. When they finish their task, the group

reviews this work. What to do with this? How to convey this to the Council? How to analyze it?

So there are various items scattered across our agenda and there seems to be no way we actually can prioritize these and solve this at the same time. So, what this Framework for Continuous Improvement pilot project is intended to do is it proposes to create various task forces in the framework to deal with some small issues and see how it goes.

So the first issues in front of this task force are going to be segment of Statement of Interest and exactly the other one I mentioned, the working group reviews. And based on this, the Council can discuss how it goes and whether we need this additional layer of bureaucracy, or whether there is any other way to address this problem of resource and allocation of these items on our work list.

I'll pause here. But, no, I will not. Before I pause here, I wanted to say that perhaps you remember me being very critical of this initiative itself because I am very much against an additional layer of bureaucracy instead of streamlining things. However, now, more than half a year being on the Council leadership, I do think that there should be a way to start addressing this. We can't just have on our agenda all the time and rehash them, "Okay, we're not dealing with them."

So, I do consider this as a sort of compromise, and a compromise which will require to do something, and at the same time review it and see if this if this a good instrument or not. This has been done after consultation with stakeholder group and constituency chairs, so one of

the reasons I support this motion is that I do think that it [would down] the bureaucracy significant while offering some sort of a compromise.

Now I'll pause here. And, Rafik, you have your hand up.

RAFIK DAMMAK: Thanks, Tatiana. Sorry, I missed you last comment, so I hope maybe I'm not saying something that you already said.

TATIANA TROPINA: Yes, Rafik. I said bad things about you. Sorry.

RAFIK DAMMAK: [inaudible].

TATIANA TROPINA: Sorry, Rafik. Please do continue. It's either me losing my sound or we lost you somehow. Yeah, the sound seems to be gone so I would like to ask on the chat, can you hear me?

MARYAM BAKOSHI: Yes, we can hear you, Tatiana. We can.

TATIANA TROPINA: So it is Rafik's problem then. Rafik, can you hear us?

MARYAM BAKOSHI: I think Rafik has Internet connectivity issues and [inaudible].

TATIANA TROPINA: Okay. Maryam, Maria I wonder if there is any way to dial Rafik in. Let's see so maybe he can reconnect.

MARYAM BAKOSHI: Yeah. I'll [call up] with him now. Thank you.

TATIANA TROPINA: Tomslin, please go ahead. Your hand is up.

TOMSLIN SAMME-NLAR: Yeah. I'll just fill that gap while Rafik is being called. I wanted to ask, considering that the proposal is asking for a member from each constituency, does it feel like it's another big team going to move out of the main room to do the work of the committee from the Council members? It feels like it's another big group moving out to do the work.

TATIANA TROPINA: Thank you, Tomslin. So, I do think that this is another group moving out to do the work. But if you also look at this Framework for Continuous Improvement, there is a committee. And within a committee, there is a task force which is much, much smaller. Right? This is the first thing.

Secondly, I do not believe that the work such as updating the Statement of Interest form or review of the working group will require more than a few hours of somebody else's time. So, the pilot is small itself. I can't

believe that I'm defending this framework, but on the other hand, it's a compromise because, otherwise ...

And Tomslin, you know it because you are covering this Action Decision Radar and everything. You know it. We have these on the top of the list all the time over and over again, and there are small and big items. And some of them are those which do not depend on GNSO only, but they will affect GNSO like Work Stream 2 or like ATRT3 Recommendations. They all depend on decisions of somebody else and on the work being done by the community. So, how to watch these?

And, yes, I mean the choice is we watch it as a Council and address it as a Council which is 20-something people and have it on the radar. Or we just cut it into pieces and address at least some small items and see if it's workable.

Because if it's not, if it cannot work on the work group reviews and on the statement of [inaudible] update and on some prioritization, that's not going to work. Right? It's just going to fall apart. And this is going to be, once you see that it's not working or it should work differently, well—closed, done. And this why I like the idea of the pilot project with the subsequent review.

I will pause here. I will ask Rafik to say what he wanted to say, and then I have Stephanie in the queue after Rafik.

RAFIK DAMMAK:

Thanks, Tatiana. And sorry, everyone, for the connection problem. So, I think, Tatiana, you covered many, many points but it's important to

emphasize again why the Council needed such a structure or committee. I mean, we can debate about maybe the—how to say—the composition and so on, but it's not the first time that the Council delegated some of the tasks to committees. But I think this is a good balance because usually, what happened for other committees, even if there they're a councilor ...

For example, for the Selection Committee, it was mostly a representative from the stakeholder group constituency. And I do believe that the councilor need to own those tasks. We cannot just keep delegating to others.

So, what is suggested here, I think, it's a fine balance to have the councilor involved in managing the process while creating the task force to bring other representatives or volunteers who can bring expertise. And also, that allows to work on more of those topic. So, I think it's fine. I may be missing some of the kind of—how to say—nuance of what is proposed. But since it will be a pilot, I think that will give us some insight how things will go and if it's effective or not.

But if we have something to take care of all those orphan topics ... As you mentioned, some of them are in the ADR for too long even if you do some planning. But if you don't give ownership to some group, they will be just postponing it endlessly. Probably it's not the perfect solution, but at least you can experiment and see how things will go.

And just I will ask our councilor to volunteer for the committee and, depending on your interest, maybe also to join some of the task forces.

But I think the task forces are open to the stakeholder groups and constituency representatives.

TATIANA TROPINA:

Thank you very much for these, Rafik. And thanks for your support and for such a thorough explanation. As I said, I wasn't comfortable with the established committees and whatever, but I'm very much comfortable with the pilot project because some of these items ...

And—how do I put it—yeah, you said it's not perfect. I think that in the current situation, almost nothing is perfect. The only bar we can aim at is not intermediate effectiveness, but at least some sort of effectiveness. Anything beyond this will be perfect for me already. Sorry.

Stephanie, you're the next in the queue.

STEPHANIE PERRIN:

Thanks. I'm a little leery of volunteering for anything, but I was wondering about the timing on this. There's this kind of vague thing about how it's being moved into an indefinite timing slot. I just wonder if that's going to last or if somebody isn't going to put some kind of deadline on us that's going to impose more work than one might want.

TATIANA TROPINA:

Thank you, Stephanie. None I am aware of. So, the pilot will start. The small group will establish their own path. And after that, it's going to be reviewed.

I do hope that it's not going to take ages, you know, because the tasks are relatively small. I'm term limited until October. I do hope that while being on the Council, I will still see some results because of the relatively smallness—can you say it in English—of the tasks. But we will see. And, certainly, one of the reservations I had about all this, but I was convinced to come to a compromise.

One of the reservations I had about this was exactly resources and the workload. But I also do believe that we have to strike a balance here. We have to start at least with something because if we can strike three small items out of this Action Decision Radar or GNSO agenda or whatever, that would be great already. There would only be three items left, even if they are small. And then we can see if this is effective or not.

But, yeah, I do understand. I wouldn't say that I'm burned out, but I'm certainly very tired. I think everybody is. Any further comments or questions on this?

All right, then I will move to the next agenda item, and perhaps I will need a bit of help from Tomslin here because, IDNs, I wouldn't say that they're not my cup of tea. Of course, they are. And I'm very much interested in them, but I haven't followed them in all the intricacies. But Tomslin, it's not necessarily that you have to speak. I will just give the high-level overview here.

So, you probably remember, all, that at that last GNSO meeting—I think it was last meeting, they're all lumped in my memory—we adopted the charter for the IDN Policy Development Process. And there were some concerns raised by the Contracted Party House about various parallels

efforts which are going on now with regard to IDNs, and they have been taking place for quite a number of years now.

So this agenda item is to discuss the potential next steps of how to make all these various tracks which exist with regard to IDNs—on the level of GNSO but also within the ccNSO—more coherent because this is quite a perfect opportunity right now as we launch the Policy Development Process to bring this all together—to revisit, to revise them, and ensure that all of this is aligned. And I will stop here.

Tomslin, did I get it right? Do you want to add anything?

TOMSLIN SAMME-NLAR: Yes, you did. I think the concern was that there were some items on the operational track that might overlap with the policy track. And also, like you said, aligning it with the ccNSO effort. That’s absolutely correct.

TATIANA TROPINA: So, if there are no details to add here, I would like to ask you if you have any questions or comments. Rafik, please go ahead.

RAFIK DAMMAK: Thanks, Tatiana. And thank, Tomslin. Tomslin, I would like to suggest one IDN. Maybe it’s something we should have tried before. Many times we raised the point that, as a group, we really should be more involved in IDNs as we are a diverse group and we have many non-speakers who use non-Latin script.

So I'm just wondering if we can leverage this EPDP on IDNs in a way by reporting with some capacity or knowledge about IDNs in general. Because I think, in terms of charter, it's not just about variants but, also, there is discussion about the IDN guidelines and so on. It might be that we are late in the game, but at least if we can leverage this opportunity now to wield some knowledge and more expertise and get people to learn more about IDNs so we can find them now or in future.

So, if there is any way to do that by some ad hoc group or to encourage more people to join, even if not being quite active participants but at least to be a learner and listener there. So, [inaudible].

I know it's not that necessarily straightforward, but something maybe we can have and try to [build in].

TATIANA TROPINA:

I see that Tomslin has his hand up. Right? Tomslin, just go ahead.

TOMSLIN SAMME-NLAR:

Yeah. I just wanted to follow the process. Thanks. Yes, I absolutely agree, Rafik, because I had a concern similar to that about the fact that we obviously have members with non-Latin script/languages but, from my understanding, we do not have the skills to participate other than ...

I do know that Farell has put us on up to contribute to this. And so, I do the idea of the group so that even if members are not participating or

members of the working group, they can they can gain some knowledge coming out of this process. Thanks.

TATIANA TROPINA: Thank you, Tomslin. Rafik, anything you want to add here or comment on what Tomslin said?

RAFIK DAMMAK: I think we're in violent agreement, so nothing to add.

TATIANA TROPINA: Great, great. Thanks to both of you. And any further comments on the agenda Item #5. I see no hands, It's up. So, I see that there was something on the chat. Oh, okay. No. Nothing on the agenda Item #5.

And with this I'm going to move to agenda Item #6, one of our favorite topics, Accuracy Scoping Team. And here we do have some discussion about an update on the progress on the small team of accuracy which will be led by Pam Little. And we'll have a discussion on the Council.

So just a bit of feedback. In May there was there was a feedback [thought] from councilors following several steps like ICANN Org doing the study on accuracy. Several stakeholders—not only our stakeholder groups like BC or IPC—expressed their concerns that these topics should be addressed. And following this, the GNSO Council asked for Expression of Interest to find potential volunteers for the Accuracy Scoping Team. So, you probably know that this has been going on for some months already.

So the Council finally agreed to convene a small team to refine the proposed next steps, and so this update is going to be about the work of the small team. And I know that this a controversial topic for us because we didn't want this team or any effort to start before the ...

I'm sorry. It's just that Zoom is sending me strange messages like participants can now see my application. I wonder what kind of application.

Anyway, hopefully you can see my screen. So this quite a controversial topic for us, and I know that we haven't been happy about this for starting so early. In particular, I know that Stephanie will have something to say here, but it is what it is. The horse is out of the barn.

And also, EPDP Phase 2A report for public comments is already out, so we just cannot delay it anymore. And we have to have these discussions and we have to participate in them. So we'll see during the Council meeting what kind of progress has been made and what kind of next steps the Council and this team can do. Basically here, the question is about the potential scope of the Scoping Team work. A bit of redundancy here in how I describe it.

Anybody have any comments? I see no hands up so far. Oh, Stephanie, please go ahead. I was hoping that you would be the one who would tell us something about it.

STEPHANIE PERRIN: Yes. You've well described my feelings on this. We were trying to make sure we weren't double booked here between the EPDP and this thing because I fear that accuracy is a big ...

There's a long history about the attempts on WHOIS accuracy, and I fear greatly that all of the unresolved arguments that, basically, the advisory committees and the business community and the IPC fail to win in the EPDP will surface again in the Accuracy PDP. So we definitely need to staff this, and we just can't leave it to one or two poor souls to hold the flag up because pretty well every fight can reemerge in this arena.

Now I know that the Registrar Stakeholder Group is concerned about this as well and are sending some of their better EPDP people, so the NCSG won't be all alone fighting off some of these attempts. But it matters a lot to our folks, so please, somebody other than me join the darn thing. That didn't sound very encouraging. Sorry.

TATIANA TROPINA: Most definitely not. You have to employ more skills of encouragement about [inaudible].

STEPHANIE PERRIN: Yes, sorry. I'm going to blame not having my coffee yet for my failure in diplomatic skills here. Join up. It'll be fun. How about that?

TATIANA TROPINA: Still not convinced, and you probably need that coffee.

STEPHANIE PERRIN: Yeah, I do need the coffee. No question about it. Yeah.

TATIANA TROPINA: Thank you very nice, Stephanie. Any further comments? I see that Rafik had the question on the chat about accuracy as one of the topics for discussion between GAC and Council.

Yes. We had the Council and GAC meeting this morning, and accuracy was one of the topics along with some others, interrelated topics with DNS abuse and also the EPDP 2A efforts. But I would say that, on the topic of accuracy, before this team for the scoping team started, it felt like immense pressure coming from all the sides—from GAC, from the constituencies, and stakeholder groups within GNSO. So, it seemed that it was just the small team taking some steps forward.

This pressure is not that immense anymore and we can certainly see how the next steps can go. So while we might be very much concerned about volunteer burnout and us not having enough resources for this effort, but certainly, again, as a compromise, as possible way forward which will not burn us almost immediately with these topics. It's probably good to have it so the controversy is a bit less now between various stakeholder groups and also various parts of the ICANN communities to how quickly this has to be addressed because it isn't being addressed now.

Any further questions or comments? I'm seeing none, so I'm going to move to the agenda Item #7. This the Council discussion on the

interaction with GAC, Governmental Advisory Committee. So the purpose of this agenda item, we as the Council are going to look at the role of, in particular, GNSO Council liaison to the GAC. However, it's not going to be no evaluating what Jeff is doing. It's just evaluating the [scales] of this role because when they role was first introduced years ago, the point was that the GAC want to be informed. And we wanted to be informed of what's going on in the GAC now. GAC members are directly participating in some of the Policy Development Processes. For example, EPDP, all the phases.

So we need to see if this needs to be finetuned. We need to see if this has to change a bit because GAC now has direct engagement in the PDP. So we need to see how this change of GAC role and GAC engagement is influencing the role of the GNSO liaison for the GAC; also, in general, how these meetings between GNSO and GAC could be more productive than just blaming each other and rehashing on some of the issues which turn out to be sometimes, "Go into that direction." I'm not calling them unproductive, but there can be some tension. So, how can we remove this tension and make it more fruitful.

So, we are going to look at this question and discuss it. And as a part of this discussion, we will have an update from Jeff who is the GNSO Council liaison to the GAC. And we will have a Council discussion about the next steps.

I'm not sure if we are able to discuss the role of the liaison and all of this [context] in 20 minutes. We probably can, but we will see what comes

out. At least we can have an overview and discussion and provide for some next steps.

Rafik, your hand is up.

RAFIK DAMMAK: Thanks, Tatiana. If you can clarify. So, it's more about the interaction between the GAC and the Council, not just about discussing the role of the liaison. Right?

TATIANA TROPINA: Rafik, yes. I believe. I believe that this is much broader because the role of the liaison cannot be taken apart. It doesn't exist in a vacuum. Right? It has to be taken in the context of the current GAC/GNSO interactions, at least for me. And again, as I said, the GAC enrollment changed over the years. Now they come directly to the PDP. So what kind of ...

Shall the role of the liaison change in this regard? Shall our meetings with GAC—bilaterals—change in this regard? So, it's more an attempt to have a 360 overview of various elements of not only liaisons as a part of this GNSO/GAC interaction, but also the GNSO/GAC interaction itself in terms of how it changed, what it is now, do we need to readjust something. I don't know if I'm clear here.

RAFIK DAMMAK: Yeah, yeah, [inaudible] I wanted this clarification because I think people cannot ... It's very good to check the background, the agenda, all those because we have to talk a lot about liaisons. But there are other

recommendations coming from the group between the GAC and the Council. So I'm just wondering if, of course it's important to do the review of the liaison role, but maybe to think, in the last years, I think there are more interactions in particular, even, between the Council leadership and the GAC leadership that probably we can maybe move a different format.

For the liaisons, basically they're supposed just to attend the GAC meetings and to maybe let them know that they should maybe, I would say, if there is anything they need to get noticed like some PDP or something. But I think the dynamics and the way the GAC is interacting changed, that maybe the liaison role is not that, as it was envisioned in the beginning, as irrelevant. I cannot talk about the current liaison, but there are maybe things to say in the way of engagement. But, yeah, if it's an opportunity really to rethink the interaction, in particular, since they're already in [inaudible] like the interaction between the leadership and so on, yeah. I think it's good to have this and to start the discussion. So, thanks, Tatiana, for this.

TATIANA TROPINA:

Thank you. Thank you very much, Rafik. And, again, thank you very much for letting me point to this distinction yet again. The role of the current liaison is something that is not particularly the subject of this discussion because it is the ways in which the GNSO Council can interact with the GAC better. GNSO liaison is just one of the parts of this discussion as a role only.

But the discussion will start, of course, with the presentation from the liaison who is going to reflect on the ways we're interacting. And then, starting from there we can take it further and discuss what should be changed, what should improve in the entire context. So thank you very much, Rafik.

Stephanie, you have your hand up.

STEPHANIE PERRIN:

Yes. This a tad delicate, but I don't see how we can discuss the role of the liaison without discussing the current incumbent and how he is interpreting that role. Let's face it. The GAC is much more engaged than it used to be. They used to be off in their world and come rocketing in commenting on the results of PDP work at the end of the process. And we appreciate, now, their greater engagement and their participation on the various committees. Obviously, I'm thinking mostly of the EPDP because we've had pretty strenuous engagement from GAC on that committee.

But the fact is that the GAC liaison which is basically a diplomatic role, attending and reporting between the two bodies, the current incumbent is one of the most active members on Council. He joins every small group and has opinions and advice on pretty well every matter that comes up across the board, topic wise. And I hope people will understand. This is not an attack on Jeff's character as one of the most active people at ICANN.

It is that the way he is performing this role which, as I say, is liaison and sort of a diplomatic, is totally changing the way the GAC is participating at the GNSO because, quite frankly, I don't think he's representing the GNSO Council as much as he's representing the GAC and their interests. And we didn't buy into having a GAC member participating on the group. What we bought into was better information flow between the two bodies and separate activity, not joined activity.

And one might almost say that the same kind of process may be happening with the other advisory Council. The ALAC also is more engaged than hitherto. So, this something to think about in terms of how the GNSO Council functions. Thanks.

TATIANA TROPINA:

Thank you very much, Stephanie. And indeed, it is hard for me to speak about this because I think that these are the issues that have to be raised because they have been raised in our stakeholder group from time to time, and there is a genuine unhappiness in our stakeholder group—I can speak only for us, right—with how the incumbent is holding this role and what the incumbent is doing.

I'm just wondering. If there is anything about this agenda item I don't want it to be is to turn it, as you said, an attack on Jeff's character or anything personal. So perhaps the best way to address this ... I mean, Stephanie, if you remove the "you" ... You actually express it very well. I think that the best way to address this to remove the idea of current incumbent and say that we do not have the role of this liaison defined.

We have an idea what it has to do, but we have to also establish that what it cannot do.

The liaison, whoever this liaison is, cannot be an ad hoc councilor. The liaison cannot intervene here and there. You know? So, not about Jeff, but about the role itself. I think that this important because today it is the current incumbent. Tomorrow, it can be somebody else and we will pray for Jeff to come back, if you know what I mean. We always think that the next one, the next person, might be better but it's not always the case. Right?

So I do think that this gives us an idea to define this role much better by establishing the boundaries, the borders, of acceptable. So not only what is actually expected but what is expected not.

Rafik, is your hand still up or is it an old hand? Rafik lowered his hand. Tomslin, you are the next.

TOMSLIN SAMME-NLAR: Thanks, Tatiana. I was just going to say I absolutely agree that the question of whether we should define what cannot be done by this role is an important one which, hopefully, falls within the remit of this discussion so that we can ask that during this discussion today. Yeah. That's just what I wanted to say.

TATIANA TROPINA: Thank you, Tomslin. And I think that there is absolutely a way to frame it without making anybody unhappy with the meeting going personal

because I do believe that, apart from general happiness with sometimes Jeff stepping outside of [what is perceived to be] the remit of the GNSO GAC liaison—which, by the way, is not defined. So, it's sort of like, what are we bashing him for, is the first question.

And secondly, he's doing some good jobs, so it's hard to separate the thing that he's doing quite well from this stepping over the boundaries. And I think that the problem with that is just that we don't have the boundaries defined and we just simply have to put the sleeves up, roll the sleeves up, and define them somehow. Perhaps the task for the Framework for Continuous Improvement. Sorry, that was a bad joke.

Stephanie, your hand is up. Please go ahead. Tomslin, I take your hand as an old one for now.

Stephanie, please.

STEPHANIE PERRIN:

Yes. I just wanted to say that I think the way to discuss this—and I'm definitely going to jump in on it—would be around the question of a job description for the function as opposed to a discussion of how Jeff is going way beyond any logical job description.

And I quite agree. I don't mean to sound critical. He does some great work and he has vast knowledge and all the rest of it. But that's not what the job is and we don't want an unelected position to become an ad hoc councilor. Ad hoc councilor is a good way of putting it. He's not a councilor. He's a liaison.

And so, bad on us for not defining that function more clearly in the past. Of course, it's grown. It started out as a very tentative function way back. I guess it was my first term on Council. And now it's become really quite something that requires corralling. Thanks.

TATIANA TROPINA:

Thank you, Stephanie. And thanks, everyone. Any further comments on this?

So, Manju, to answer your question. So, the GAC has actually the contact point for GNSO right now. It's Jorge Cancio. The GNSO had to send one. It was the GNSO's choice as far as I understand because the problem for years, a persistent problem, was that the GNSO was making policy and then the GAC issued the GAC advice. And there was no early warning or coordination about this.

So, sometimes the GNSO had to face the issues that the GAC advice was issued problematically on the areas where GNSO had a say. And so the GNSO GAC liaison was sent there for better coordination, for keeping GAC informed but also for keeping GNSO informed [inaudible] what is going on in the GAC. So, for better coordination on this so there are no surprises in what is going on.

And as far as I understand, GAC has a bit of a different function here, so they don't send the liaison to the GNSO. It's a sort of one-way road. In the same way, I think, they don't send liaisons anywhere except the Board. Right? So, yeah, it's a bit of a complex system here, of course.

But also, yeah, they did not ... Stephanie has more of a history overview here.

No, Jorge's job description will not overlap with the one of on Jeff because Jorge's just a conveyor here. A conveyor in terms of—not like production conveyer—but somebody who conveys some of the GAC positions and—as far as I understand—helps Jeff to scope and identify them and also some of the early warning. So, Jorge is a part of GAC, but Jeff is not a part of the Council. Because Jeff wasn't elected he—or any liaison for that matter is not elected.

Oh, Marika. This is very helpful. Thank you very much.

Any further questions? Very much appreciated your help, Marika. Thank you. And Stephanie as well. I hope I'm not saying anything that is absolutely off of real historical context or whatever. Just providing my understanding. Any further hands up? All right. Seeing none. Nothing on the chat. Nothing on the hand raising tool.

So what I'm going to do now, I'm going to move to the last two agenda items which should not cause too much trouble for us, at least now.

The Item #8 is the Council update which is status update regarding the EPDP Phase 2A. And I believe that this is perhaps something that Stephanie will cover as well for us, tailored for us—or Manju, who are [other] the members of the EPDP Phase 2A—in the next part of this meeting.

So, what we're going to have here at the Council is just an introduction of the topic by the GNSO Council liaison to the EPDP Phase 2A and

Council discussion. We have only five minutes for these items, so not that much.

Any questions or comments here? Because otherwise, I would say that ... Tomslin, I don't know, if we planned anything on EPDP. I think I saw it, but I don't remember. My memory's not that sharp these days.

So, I'm still seeing no comments, so I will move to the agenda Item #9 unless your raise your hands in the next few seconds. We'll just see. None yet again.

So moving to the agenda ... I'm sorry. I'm juggling several things when I'm sharing my screen, so sometimes it's a bit too hard. So agenda Item #9 is Council discussion about EPDP Phase 1 Recommendation 27 Wave 1.5. And here we have this Wave 1 report where the Staff Support Team conducted the first analysis of the support identifying the possible next steps for consideration.

So this basically a continuation of discussions which we already had, and we will discuss the input from GDS staff on this to help to determine the next steps of this recommendation.

Again, Stephanie, do you have anything to add here? Because I'm covering it at quite a high level seeing what kind of discussion the input from GDS will bring, and take it from there because now I don't know the result of the Council discussion. I cannot predict it.

Steph, anything to add here?

STEPHANIE PERRIN: Not really, frankly.

TATIANA TROPINA: Yeah, okay. Thank you, Stephanie. To me this item looks pretty straightforward and I do not see anything that we should discuss right now about it. Maybe post meeting, that something interesting will pop. But for now, for our policy meeting, I do not see what we can do here.

With this, if there are no questions and no comments on this one, I will get to the last agenda item of the GNSO Council meeting which is Any Other Business, and we'll have the review of the topics which the Council is going to discuss with the ICANN Board. We are going to discuss the GNSO Council liaison to IDNs EPDP.

And then at the end, we'll have open microphone where I hope there will be more questions and interventions from the community than we had a Monday during the GNSO working session.

But, yes, with this I'm going to wrap up on this agenda Item #3 of our meeting. And thank you all for all your questions and comments. Special thanks to Stephanie, Tomslin, and Rafik for their interventions. To Manju and others for comments in the chat. To Marika for her help with some procedural and historical data and explanations.

And with this, any other questions and any other business? Seeing none, I'm going to stop sharing my screen and I'm going to hand it back over to Tomslin. Thank you very much, all.

TOMSLIN SAMME-NLAR: Thank you, Tatiana. Thank you very much for that very helpful walk through there. I think that got us ready for the meeting already.

So, we'll move on to our agenda item #4 which is the policy updates. I do have three updates on the agenda, but I just wanted to say that the first one which is the update from the review of Transfer Policy PDP. There's no substantive update to be given from that working group at this time. They're just beginning their discussion in that group, so there's not much as a way of update from the group at this time.

The group members did promise that they will share updates when there are substantial things to share on the e-mail list if that happens before our next meeting. If not, they will be available at our next meeting to give us an update.

I'll move to the update from EPDP Phase 2A and request Stephanie to give us an update on that. Thanks.

STEPHANIE PERRIN: Yes. And this just a brief update. We have finally released the initial report on EPDP 2A. You will perhaps have noticed that we had a big discussion on the NCSG list regarding reaching a common position in the NCSG on one of the particular questions that was up for discussion in the group, namely the desirability of differentiating between natural and legal persons. So, we managed to resolve that and come to agreement on it.

Now, quite frankly, I have been missing the middle-of-the-night sessions this time around because they do show up at 3:00 in the

morning for me. And Alan Greenberg did reach out to me and Milton as to how he was going to describe the NCSG position, and Milton said, “We have a common position.” So, I trust that Alan will carry that forward and not misrepresent us. Because I think we did have a rather elegant conclusion to that whole debate.

The list is how we are, by our charter, supposed to resolve issues, all of them. I mean, frankly, there isn't enough time in the world on the list to debate every issue that's been a struggle in the EPDP, but nevertheless it worked. And just a good reminder for future work that that is what the charter says. We use the list to resolve our differences. So, that's just a note.

The report is out for comment now, and we are as happy with it as we expected to be. So I think it's very important that our members contribute. We purport to represent them, but there are quite a few organizations holding domain names that we should try to get to put in comments because I suspect there will be some ...

There's an expression for this that the IPC used to describe the issue when it came up in the PPSAI. Something about, “It's not carpet bombing, but it's something like that.”

We really need to get more than our own comment in, so those of you who represent organizations, please consider having your organization send comments in because our arguments have been that our non-commercial organizations who we represent and who participate in are excellent examples of why the differentiation between legal and

natural persons is not a good one because it's quite difficult to determine who's a legal person in many states.

And we've argued this extensively. I believe we argued it in the PPSAI successfully and stopped a bid to make it impossible for legal persons to use privacy proxies other than, of course, lawyers. But now it just is a hardy perennial at ICANN. We're going to have to fight this battle on a regular basis.

And for those of us who volunteer ... I volunteer as a privacy officer for a couple of places, one of them being quite a large organization. And let me assure you that control of domain names it's not something that is managed in NGOs like it is at Procter & Gamble. So the question of legal persons is a very difficult one.

So please reach out to your groups and get them to put comments in. And since I'm working on our comment, I volunteered to come up with kind of a cheat sheet for the key points that we have argued over the course of the EPDP that you might want to convey to your groups as relevant policy points for them because most of them are blissfully unaware of what happens at ICANN. Thanks.

TOMSLIN SAMME-NLAR:

Thank you, Stephanie. Thanks very much. We all look forward to the cheat sheet being shared. I'm sure volunteers will find that useful as well, including the organizations that would like to respond to the comment.

There was a question in the chat from Akinremi about the review of the Transfer Policy. He was wondering whether NCSG has any formal position on Transfer Policy. Especially, he brings the Auth-Code, and I believe because that's the first item that has been discussed in that group.

I know that Stephanie had mentioned that Kathy from ... If I'm not mistaken, Stephanie, that Kathy might have had a position in the past. But I don't believe Kathy's on this call, so maybe we'll follow up with Kathy that.

But I'll take that question, Akinremi. I see Stephanie's hand is up. Stephanie, please.

STEPHANIE PERRIN:

Yes, Kathy's on deadline for the publication of her book on the ENIAC women pioneers. For those of you who are new to ICANN, Kathy Kleiman has done extensive work over decades acknowledging and doing a film on the work of the women engineers who worked on the ENIAC coding way, way back. I can't tell you exactly the years that they were on this, but they were totally ignored in history. So she did a film and there's a book coming out. And she's on deadline for that this week, so we won't be seeing her at too many sessions.

But I'll certainly be in touch with their on this Transfer Policy, and I believe I copied her. But she hasn't responded. It's probably this deadline, so I'll give her another nudge.

It is an important privacy issue that, at a certain stage in the transfer the details of the registrant were—in the interest of transparency, I gather—actually getting published. You know, sometimes we focus at ICANN too much on the competitive issues and not the registrants' rights. So I believe that's what's happening in this, but I haven't followed the Transfer Policy myself as closely as perhaps one would want.

So I think Kathy's our person. If there's anybody else who's aware of these issues, maybe we could have another round on the list and see if they'd come forward. Thanks.

TOMSLIN SAMME-NLAR:

Thanks, Stephanie. And the last bit you mentioned there is my proposal as well—having a go on the members list so that we can form a current position like Rafik has called out on chat, taking into consideration all the recent changes that have happened on policy, the EPDP and the rest. I will suggest that the members in our working group bring the question to the members list so that we can have a nice debate on it and form a position.

I'll pause there to see if there's any other comment or hands up. I see none. On this I'll move on to our last update which is the IGO. And I currently only see Juan on the call. I don't see Ioana. So, Juan, if you are able to give us an update it would be much appreciated.

JUAN MANUEL ROJAS:

Thank you very much, Tomslin. Hi, everyone. Really, there's not much to add for IGO Work Team. But our update here is that we are facing two

topics, two challenge. We are working on that. We are working on a proposal document to discuss these more effectively. But the challenges ... I think I mentioned the last time that I was giving an update here. It was about how the domain name is similar or confusing—similar to a trademark who has [complaint] rights.

And another problem is about a mutual jurisdiction. This is discussed because if you fail the UDRP or URS decision phase. So we are discussing this. This [inaudible]. What we have working on now is just for clarifying what are the topics in these cases. We are working on that.

In the second, in the mutual jurisdiction, still we are talking about the appeals panel or about the arbitration about this initial panel determination. So we have pros and consensus. We have taking notes and discussing right now. We are going to be doing this document because the discussion in the calls are around all these topics so far.

So, we hope moving forward from this point now. And I think that's it for now. Thank you very much.

TOMSLIN SAMME-NLAR:

Thank you. Thank you so much, Juan. I'll pause there to see if there any hands or comments. All right, I don't see any.

That brings us to the last working group we're expecting updates from. The only thing I'd like to add to the policy update is the fact that, like Stephanie mentioned, we do have a public comment proceeding running for the EPDP Phase 2A. And we would like to have volunteers to

help draft with Stephanie as well, helping with that. So if there's anyone happy to join the party, please do join.

With that, I'll move on to our last agenda item today. We seem to be doing very good with time today. Any Other Business. Any other business from the Policy Committee members or Council members, please? Normally, we would have our administrative items on this, but Bruna is not us today and she sends her apologies.

With no other comment or hand up, I believe ...

JUAN MANUEL ROJAS:

I think that maybe in Any Other Business we should congratulate Rafik for his award, I think. [inaudible] NCSG a little bit meeting, so I think that he has done an excellent job on it. He deserves it, just to bring here in Any Other Business. Congratulations, Rafik.

TOMSLIN SAMME-NLAR:

Absolutely. Thanks, Juan. Congratulations, Rafik. That's a big win, so congratulations.

All right. That's all we have had today. Thanks, everyone, for coming. And hopefully we'll see you see you all in the Council meeting in a couple of minutes, also. Thank you. Bye.

MARYAM BAKOSHI:

Thank you all for joining. The recording will stop now.

[END OF TRANSCRIPTION]