ICANN73 | Virtual Community Forum - GNSO Council Meeting
Wednesday, March 9, 2022 - 12:30 to 14:30 AST

NATHALIE PEREGRINE: Philippe, this is Nathalie. We do have quorum.

PHILIPPE FOUQUART: So let's start. Thank you, Nathalie.

NATHALIE PEREGRINE: Thank you. Nick, could you start the recordings, please.

Recording in progress.

NATHALIE PEREGRINE: Thank you very much.

Good morning, good afternoon, good evening, everybody, and welcome to the GNSO Council meeting on the 9th of March 2022. Would you please acknowledge your name when I call it. Thank you.

Antonia Chu.

ANTONIA CHU: I'm here.

NATHALIE PEREGRINE: Maxim Alzoba.

MAXIM ALZOBA: Here.

NATHALIE PEREGRINE: Kurt Pritz.

KURT PRITZ: Here.

NATHALIE PEREGRINE: Sebastien Ducos.

SEBASTIEN DUCOS: I'm here.

NATHALIE PEREGRINE: Greg DiBiase.

GREG DiBIASE: Here.

NATHALIE PEREGRINE: And for whom it is the first council meeting as registrar councilor stepping into complete Kristian Ormen's term, Theo Geurts. Welcome, Theo.

THEO GEURTS: Thank you. I'm here.

NATHALIE PEREGRINE: Desiree Miloshevic.

DESIREE MILOSHEVIC: I'm here.

NATHALIE PEREGRINE: Marie Pattullo.

MARIE PATTULLO: Here. Thanks, Nathalie.

NATHALIE PEREGRINE: Thank you.

Mark Datysgeld.

MARK DATYSGELD: Present.

NATHALIE PEREGRINE: John McElwaine.

JOHN McELWAINE: Here.

NATHALIE PEREGRINE: Flip Petillion.

FLIP PETILLION: Here.

NATHALIE PEREGRINE: Philippe Fouquart.

PHILIPPE FOUQUART: I'm here. Thank you.

NATHALIE PEREGRINE: Thank you.

Thomas Rickert.

THOMAS RICKERT: Here.

NATHALIE PEREGRINE: Paul McGrady.

PAUL McGRADY: Here.

NATHALIE PEREGRINE: Wisdom Donkor.

WISDOM DONKOR: Present.

NATHALIE PEREGRINE: Stephanie Perrin.

STEPHANIE PERRIN: I'm here. Thank you, Nathalie.

NATHALIE PEREGRINE: Thank you.

Farell Folly.

FARELL FOLLY: I'm here.

NATHALIE PEREGRINE: Manju Chen.

MANJU CHEN: Here. Thank you, Nathalie.

NATHALIE PEREGRINE: Thank you.

Juan Manuel Rojas.

JUAN MANUEL ROJAS: Here. Thank you, Nathalie.

NATHALIE PEREGRINE: Thank you.

Tomslin Samme-Nlar.

TOMSLIN SAMME-NLAR: I'm here. Thanks, Nathalie.

NATHALIE PEREGRINE: Thank you.

Olga Cavalli.

OLGA CAVALLI: Here, Nathalie. Thank you.

NATHALIE PEREGRINE: Thank you.

Jeffrey Neuman.

JEFF NEUMAN: I am here and happy to be here with all of you fine people.

NATHALIE PEREGRINE: Thank you, Jeff.

Justine Chew.

JUSTINE CHEW: Present. Thank you, Nathalie.

NATHALIE PEREGRINE: Thank you.

Maarten Simon.

MAARTEN SIMON: I'm here, too.

NATHALIE PEREGRINE: Thank you. We have guest speakers joining us today. We have Taiwo Peter Akinremi from the NomCom Outreach Subcommittee, and Karen Lentz and Lars Hoffmann from the ICANN org Global Domains & Strategy, GDS team.

We have GNSO support staff also in the Zoom room. I'd like to remind everyone here to state your name before speaking as this call is being recorded.

A reminder also that we're in a Zoom Webinar room. Councilors are panelists and can activate their microphones and participate in the chat once they have set their chat to "Everyone" for all to be able to read the exchanges.

A warm welcome to attendees on the call who are silent observers, meaning they do not have access to their microphones but do have access to the chat. During the open mic session scheduled at the end of this session, observers will be invited to raise their hands to be unmuted and to ask questions or make comments.

Questions and comments from the chat will only be considered during the open mic if posted in the correct format as explained in the chat.

For all panelists and attendees, please sign in with your full name. If you haven't done so yet, you will need to exit the Zoom Webinar room and rename yourself before signing in again.

If you do not use your full name, you may be removed from the Zoom session.

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And as a reminder, those who take part in the ICANN multistakeholder process are to comply with Expected Standards of Behavior.

Thanks, Philippe, and it's over to you.

PHILIPPE FOUQUART: Thank you, Nathalie. Philippe Fouquart here, GNSO chair speaking from Normandy, France. Welcome to this ICANN73 council meeting. I hope you're all well and have had a productive ICANN meeting so far despite of the current international climate, if I can say so. Welcome to Theo, our new councilor for the registrars. Virtual welcome for the moment, but hopefully within a few months we'll meet face to face, and as soon as possible anyway.

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So with this, I think we can move on with our agenda that we have on the screen.

Any updates to --

KURT PRITZ: Yes, so we have minutes from this meeting, and I think -- I think what we're trying to assemble is a set of documents. One is about us. So you were talking about, you know, who our team is, what our assets are, what our developments are, that sort of thing.

PHILIPPE FOUQUART: I'm sorry, Kurt. I think you have --

KURT PRITZ: And have --

PHILIPPE FOUQUART: Excuse me, Kurt, is it just me? You have your mic on, and you're probably attending two meetings at the same time. So if you would just mute yourself. Thank you, Kurt. Unless you have a Statement of Interest along those lines, but I doubt it.

We're on 1.2, on the updates to statements of interest.

Any -- anyone? Any hand here?

Yes, indeed, Michael. We've all been there I think.

1.3, any updates to the agenda that people would like to see? I would just note the email that Flip shared this morning, our time, on the list for an item under AOB, which we will have essentially for consideration of the councilors in terms of having a review of policy-related impacts of Goran's response that I shared last week, I think, with --

KURT PRITZ: Okay.

PHILIPPE FOUQUART: -- the list.

So let's -- let's move on to 1. -- 1.4. That's the minutes.

Any other -- I'm sorry. I did the talking. Any other addition to the agenda?

Okay. Seeing no -- including on the consent agenda while we're at it? Anyone?

Okay. Seeing none, let's move on. Status of the minutes. We have those of the February meeting as well as those from the March -- I'm sorry. No. January meeting and February meeting. We're in March.

Any -- So we'll just note that and move on with the -- with the agenda to item number 2 and our usual review of the project list that, Berry, you shared with the list earlier in March. It was on the 2nd or 3rd, according to my notes, depending on where you live. Just to note that the portfolio is on the Council wiki space, and it's an essential source of information on the project of the ongoing policy-related work, not only PDPs but all policy-related work that's undertaken by Council.

So with this, I'll turn to Berry, not only for an update as you would wish but also on the next steps on this.

Berry?

BERRY COBB: Thank you, Philippe. Berry Cobb for the record. Apologize, my camera is not working well but the update will be brief. I don't think you will need to see me visually.

As Philippe noted, you know, for the March period, I don't have a specific update with respect to the projects list or the ADR that was not already provided in the summary email that was sent out last week, but the update that I did want to provide is a little bit more forward looking.

One of the things, if you haven't noticed, the ADR, the Action Decision Radar, for February and March have been a little quiet compared to prior months; however, in the coming months, especially starting in April and May time frame, we will start to see some increased activity that is -- that will be before the Council here very soon.

You know, first and foremost, the EPDP for the IGO curative rights protections is anticipated to submit its final report. I believe we'll be getting the policy status report regarding review of the UDRP. Somewhat more informational to the Council is that the transfers policy review is anticipated to deliver its initial report, and those are just a few of the highlights. And this is, of course, in addition to the three active small teams -- small might be -- is only relative to the number of people on them, but they're tackling big issues such as DNS abuse, you know, responding to the Board on the SSAD ODA, as well as the modifying consensus policies.

So, you know, more specifically for the April period, what you'll start to see is going to be a more crisp view of the activities in front of the Council that will lead up to the Annual General Meeting that is in September, which is really a very short six months from right now. And in addition to our policy work, what you're going to notice is that it will also include all of the activities related to normal operations surrounding the GNSO Council. So, you know, that time period is -- starts to become rather active.

The last update that I wanted to provide is based on some of the inputs we received from the strategic planning session and follow-up discussions with Council leadership about the program suite. Over the course of this month and March and part of early April, we'll be producing materials in an attempt to try to demystify the tool suite. You know, we received feedback that they were rather complicated to follow. It's not easily understandable how they work together. But in essence, what we're hoping to accomplish is to demonstrate how the tools work together from the project level, how they need into the program level as well as kind of the overall portfolio view, and how they feed into either our projects list and the Action Decision Radar. And most importantly, how these are maintained on a monthly basis.

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The idea, the approach that we're taking is that once the materials are produced, it will obviously be specific engagement with the GNSO Council, but we're also contemplating or expecting to do some outreach to the stakeholder group and constituency leadership teams as well and provide opportunities for additional input or questions.

And finally, in this regard, you know, I think the key theme that will come out of the materials that are produced here is to really emphasize that the current state of this tool suite is not anything to do with prioritization, which is a popular topic now, but they are really more geared towards having a framework to manage the work that has already been committed by the GNSO Council and/or that is a normal course of operations, you know, through any particular council year.

So expect to see more activity in this regard end of March, early April. And hopefully we can provide more clarity and improvements to the tools as necessary to make them more effective.

Thank you, Philippe.

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PHILIPPE FOUQUART: Thank you. Thank you, Berry. This is Philippe here. So councilors should brace themselves for some inputs to that, those webinars and attempt to, and I'm sure success into, demystifying, as you put it, Berry, the tool. So making sure that we're all familiar with that -- or probably more familiar than we are already.

Any questions for Berry?

Okay. Seeing no hands, moving on, then to item 3, and that's consent agenda.

We have two items for this consent agenda. We have the reappointment of Becky Burr to seat 13 of the ICANN Board, and the motion to extend the GNSO Framework for Continuous Improvement, the pilot that we approved -- I think it was late last year. That extension, we discussed it during the last council meeting. You will remember that those Work Stream 2 items are related to five different issues and recommendations relative to Work Stream 2, and I think the resolved clause of the motion expresses that. So I'm not going to repeat this. And just turn to Tomslin to read the Resolved clause of the motion as is customary for our consent of the motions, at least.

Tomslin, would you like to read the resolved clause for us?

TOMSLIN SAMME-NLAR: Certainly, Philippe. I'm happy to do that.

So the motion resolves the following: The GNSO Council extends the GNSO Framework for Continuous Improvement pilot project by directing the CCOICI to undertake the following Work Stream 2 items.   a, review the staff assessment of GNSO Council's implementation status of Recommendation 2, guidelines for good faith conduct. And 2.1 and 2.2, and Recommendation 6 SO/AC accountability, 6.1 to 6.5. b, Recommendation 1 diversity. Revisit Council's initial prioritization and carry out implementation for applicable sub-recommendations, if any. c, Recommendation 3, human rights framework.   Carry out implementation from GNSO Council's perspective.   d, Recommendation 6.1.5, which is nonmandatory.   Discuss whether the GNSO Council wishes to implement, and if so, how to implement. And e, rank Recommendations 1, 2.3, and 3 from Council's perspective to help inform the prioritization by the Community Coordination Group.

Resolved 2, the CCOICI is expected to reach out to the GNSO SGs and Cs, that's the stakeholder groups and constituencies, to identify Work Stream 2 experts that may be in a position to advise the CCOICI in its tasks.

The staff support team is requested to prepare a background briefing on the items identified above that will help inform the CCOICI's deliberations and develop of a -- development of an approach and project plan.

Resolved 4, the GNSO Council requests Olga Cavalli, as the Council's liaison to the Work Stream 2 Community Coordination Group and chair of the CCOICI to provide the Council with regular updates on the status of progress of implementation.

Thanks, Philippe.

PHILIPPE FOUQUART: Thank you, Tomslin. So I think we can go through our board votes on the consent agenda, those two items.

Nathalie, would you like to take us through that?

NATHALIE PEREGRINE: Thank you, Philippe. I would like to note for the record that all councilors are present for the call.

Would anyone like to abstain from this motion, please say aye. Hearing no one, would anyone like to vote against this motion, please say aye.

Hearing none, would all those in favor of the motion please say aye.

[Chorus of Ayes]

NATHALIE PEREGRINE: No abstention, no objection, the motion passes. Thank you, Philippe.

PHILIPPE FOUQUART: Thank you, Nathalie. And thanks, everyone. And congratulations Becky for the reappointment. We can now move on to Item 4, and that's our discussion and the presentation from the NomCom Outreach Committee.

NomCom started their process in December, and they will be selecting one member of our council again this year. So you would recall that we provided advanced criteria for this. And this is intended as an update from that Outreach Committee.

I believe we have Taiwo with us for this. Taiwo, would you like to take the floor? Or do we? Do we have someone? I thought he was -- Taiwo was supposed to introduce this. Do we have someone from the NomCom committee on outreach?

NATHALIE PEREGRINE: Yes, he's here.

PHILIPPE FOUQUART: All right. Okay. So the floor it yours. Thank you.

TAIWO PETER AKINREMI: Thanks so much for the opportunity. I would like to thank the GNSO Council for this opportunity. Can you hear me clearly? Can you --

PHILIPPE FOUQUART: This is Philippe here. You are breaking up a bit on my end. But let's see how that goes, and maybe -- we may ask you to turn off the video if that's not good enough.

TAIWO PETER AKINREMI: Let me do that then. Yeah. Okay. Is it better now?

PHILIPPE FOUQUART: I think it's better. Let's do it this way.

TAIWO PETER AKINREMI: Yes. Thanks so much, once again.

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Let me start by answering this question, if any of the stakeholders on this call is aware of NomCom. And if you are aware of NomCom, are you aware that we're actually recruiting for ICANN leadership position? And if yes, are you going to apply? So you should be submitting application right away for consideration.

If you are aware of NomCom -- yes, I can see those responses. Yeah, okay.

NomCom has a key task with responsibility to select leaders for the ICANN leadership position. We're an independent committee. And we are recruiting. We value diversity looking to balance as well as speak. And we're looking for cultural, geographic (indiscernible).

And the questions that you need to consider is: Do you have a people that are leader-capable? What are we looking for? We are looking for leaders that have critical thinking skill set. And we're looking for cultural awareness. If you have that, then submit an application. We're looking for people that have (indiscernible). We are looking for professional experience in the finance sector, in government, nonprofit, technology. So we're looking for you especially and want you to obviously apply. Once you apply, it's a NomCom decision.

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And why should you apply is a big question. And to give you just points why you should apply for NomCom position in ICANN environment, first of all, you have the influence to influence your vote into the policy. And then you'll be able to impact the evolution of the Internet.

Another thing is you will be able to enhance your professional skills in this environment.

One thing I tell people is that ICANN is blessed with leaders from different background, top careers, and careers that you will be able to relate to them, relate with leaders in the industry, increase your network, engage with the global Internet. You will be happy to shape the global Internet policy.

Next slide, please.

So you can see we're looking for leaders like you. And you can see it does represent that we value diversity, and that's why we are looking for you, especially in business-like.

Now, we're looking -- part of what we're looking for is the ICANN board of directors (indiscernible) that we're looking for. In this position, we're looking for integrity. We're looking for management experience. We're looking for knowledge of the

IANA functions, knowledge of the Internet, architecture, ICANN Board function, people who understand ICANN functions. And most especially we are looking for people outside the ICANN environment because in the ICANN environment, we value diversity. And we are looking for people with Internet governance experience that have sufficient backgrounds. We encourage you to apply.

We are looking for people that are ready to commit (indiscernible), ready to commit the resources into attending -- relating to the ICANN committee. And we are looking for people that can have ICANN (indiscernible), not just (indiscernible), because the mission of ICANN is to secure the Internet and the stability of DNS.

So we're looking for one on the technical identifier board of directors. So don't be scared with "technical" here. So we're looking for people who understand the operation of the gTLDs, ccTLDs, people who understand our registry function, the chemistry of registry operations, as well as the corporate governance. And another thing to emphasize here is we're looking for people that understand financial details, that are financial martyrs. So these are the people that we're looking for. And if this is you I just mentioned, kindly submit your application because we have a few days for that.

So please, next slide.

So for the At-Large, we're looking for regional representatives to apply for the committees. So here, we're looking for one from Europe and one from North America. So if you are in North America and also you reside in Europe as well, you can submit your application. This might be your opportunity.

And I would like to state it here that this is a community process, so we are looking for leaders and people that are ready to volunteer, ready to commit their time.

For the GNSO, so we're looking for one member from the GNSO to appoint. Here the Board -- we're looking for people that understand what stakeholder policy-making process. We're looking for people that understand the GNSO structures, people that are ready to commit their time into it. We are looking for people that understand the ccTLD, gTLD as well. We're looking for people that understand -- that can demonstrate the ability of function in the policy development environment, not particular to a stakeholder but to the entire GNSO stakeholder.

Next slide, please.

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The country code, we're looking for people that -- here the criteria we're looking for is to be able to grasp the decision to uphold diversity, diverse of view. We're looking for corporate governance. We're looking for people from nonprofit organizations, people that understand ICANN environment, understand how ccTLD operates. We're looking for that. If you are on this call here, you need to shoot your application.

Next slide, please.

So here is the entire positions that we are looking for. We're looking for three Board members, one member of the technical identifier, we're looking for two ALAC, we're looking for one generic -- GNSO to join. And we're looking for one ccNSO. So if you are looking, please, we encourage everyone on the call to submit their application for consideration. It might be the right time for you to contribute to ICANN mission.

So we have few days to the deadline. You can still make it. And I encourage everyone on this call to submit your application right now. Don't wait.

The link is on the screen already in the next slide. Kindly use the link to start the application and then ensure you complete it before the deadline. So thank you. Really appreciate.

Philippe, if there are any questions.

PHILIPPE FOUQUART: Thank you, Taiwo. This is Philippe here. You were breaking up at times. But I think we could hear you. We certainly got the gist of your presentation.

Any -- so any questions for Taiwo? And note the deadline. Be quick if you want to apply.

And noting that we are slightly over time, thank you again, Taiwo. And look forward to your choice for next year after the AGM.

And we'll move on to the next item, and that's Item 5: Discussion on the follow-up to the SSAD ODP. And just a few elements of context, mostly for the observers because you, councilors, would be familiar with that. Before the application of the SSAD ODP, we will receive letters with questions for the GNSO Council. And after some exchanges with the Board, I will put together a small team of members including EPDP members to review these questions as well as the ODA findings and also develop a paper to outline the various options. That's at our disposal procedurally speaking.

And we just had, just yesterday, a bilateral meeting with the Board where we discussed this and had some initial feedback on

the process at a very, very high level. The Board indicated their interest in our input and our findings and will welcome some more informal exchanges potentially with the Board on GDPR. There's obviously a timing issue given the votes that they will have to take.

And regarding the prioritization of the recommendations and conclusion of this group, I think that the Board insisted on the need to be very specific if such received a recommendation as well by the small team and eventually by council, that we be very specific in terms of the subset of the recommendations that would apply and provide as much guidance as we can to the Board.

So with this rough outline of our discussion yesterday, I'll hand over to Sebastien who is leading that small team just to take us through, well, the details of that discussion potentially, the exchanges that you might have had since yesterday, and the next steps for our discussion.

Sebastien.

SEBASTIEN DUCOS: Thank you, Philippe. This is Sebastien Ducos for the record.

So I'm not going to go again through the report that I gave yesterday in front of the Board and that Philippe reminded us of, but wanted to note for those that weren't, so the (indiscernible) the main have been on the Board, on top of everything that Philippe said, that we engage the Board to also have concrete discussions with us before we formulate any recommendation, if we do so, and that the Board welcomed the discussion, wanted to participate.

Part of the -- one member of the small team is already Becky Burr from the Board. We asked to extend that to other members of the Board; more precisely, the GDPR caucus that oversee these questions on their side.

Sorry; I have a four-year-old assistant making noise in the background.

So we have in the last -- since the -- since yesterday, since the last report, we went back to the small team, first of all thanking them for all their input in the last two weeks and confirming that those had been sent to staff who will respond in the next few weeks, I believe. And also to schedule the different dates. We wanted to have this work done in the course of the month of March, which means that we will have meetings at least weekly and biweekly, actually, after the first week, alternating just between the small

team calls, calls also possibly with the Board. We're waiting confirmation from them. But amongst the five calls scheduled for the coming weeks, there are two that are with -- with the Board.

I wanted also to drive the conversation, at least in the beginning whilst we wait for staff to come up with other clarifying questions, on the topic of the pilot. This is a topic that has been raised in the comments before, in the comments that the small team gave us as well as the clarifying question, and also something of interest, happily, on the Board side.

I wanted to have this discussion because it's not an easy one and with one that might need reflection beyond the small team with the different SGs and Cs. If a pilot was to be proposed, what would the aims of it be? What would be -- would be trying to gather information, test those hypotheses, et cetera, in order to be able to -- to sort of calibrate this pilot.

The pilot obviously can't be the end all and be all. We can't reproduce an SSAD as a pilot because that would be the whole project. We need to sort of piecemeal it. And I'd like to have a discussion first to see where we need to go and to also suss out how much time the small team may require to go talk to their people and figure this out.

And that's basically where we're at today. I'm very happy to answer any questions, but this is what I have. Thank you.

PHILIPPE FOUQUART: Thank you, Sebastien. Any -- any questions or comments?

SEBASTIEN DUCOS: I see one from Kurt.

PHILIPPE FOUQUART: Yeah, could you -- Sebastien, maybe you can handle the queue, if you would.

SEBASTIEN DUCOS: Yeah, yeah. I'm happy to do so. I'm happy to do so.

PHILIPPE FOUQUART: Okay.

SEBASTIEN DUCOS: Kurt.

KURT PRITZ: Thanks for leading this group and everybody that's taking part on it. I know it's hard work, and I saw the list of questions.

So I don't know if this comment's too early or misplaced or not, but a pilot could take a lot of different forms, but I think whatever form it takes, it has to answer at least two questions that were a part of the Board's concerns, and one is -- one is the overall cost, right? So what the pilot should do is kind of verify at least a section of the ICANN estimate that those costs are on the mark. Is it really expensive as it is or maybe there's ways to do it more cheaply. So that would address one of the Board's questions. So to verify a subset of the costing -- enough of the subset of the costing that we can say, yeah, the costing seems accurate.

And the other area of controversy that I've heard and believe in is the rate of uptake and that the usage figures in the ODA are overstated. so I think the other question the pilot would answer is, you know, what do we think the rate of uptake would be? Can we verify the ODA projections or is it -- or do we think it's substantially less than that? So as long as the pilot answers those two questions. And I'm sure others -- others here will have other questions that need an answer.

So I think, you know, figure out the questions you want to have answered and design the pilot around that, make sure those questions are answered.

Thanks a lot for this opportunity.

SEBASTIEN DUCOS: Thanks, Kurt. So I'm -- Again, to be discussed with the small team, and I want to remain as open minded as possible here. And I'm not sure if and how a pilot can determine the accuracy of the financial scope. I'm sure it can be a question and something that we look into. Again, we have only a month, so it's not like we're going to reengage into an ODP version 2 to check every hypothesis in it either. So that part, I'm not quite sure but I'm happy to challenge those questions and to better understand where the -- the ODP team came with these figures. Again, I'm -- in my own personal opinion, I'm not sure how a pilot would do that.

In terms of testing the usage of it, the audience for it, the number of queries that we're going to get, yes, I think that could be a key question, indeed.

Now, again, we would need to decide a -- and calibrate a pilot to do this in a way that is relevant. Obviously a pilot is not going to be able to be the entire service to be tested live scale. So we need to find some kind of a measure that allows us to, at small scale, still have information that is -- that is relevant and that we can extrapolate at full scale.

And John, I see your hand up. And, Kurt, I still see your hand up, but I assume it's an old one.

KURT PRITZ: It's a new one, but I'll respond to your question -- your points later.

Go ahead, John.

SEBASTIEN DUCOS: John.

JOHN McELWAINE: Thanks. Yeah, John McElwaine for the record. So I have been one of the folks that supported a pilot. And I kind of agree that I don't think it's going to be able to be utilized to extrapolate out to say there would be this number of uses in the future, but I was just jotting down some notes as to what's some of the data points that users would be interested in. And that's going to be the quality of the information received, the time it takes to get that information, the time it actually takes for you to fill out all the forms and get authenticated and verified and to request the information.

Then, also, I think that it would be useful not -- in connecting a pilot not only to look at those issues, you know, what's the user's

experience, but ask them, you know, what were you looking -- what kind of information were you looking to get.

There's been some discussions in one of our calls with the Board where I was making the point that sometimes the only field we may need is whether there is a registrant that is a corporation, right? And that I don't need to have -- to know what the name of the technical contact is.

So we might want to be asking, you know, are there pieces of information that are more important to some of the users to try to develop a system that is, for lack of a better word, you know, attractive and valuable to the users.

Thanks.

SEBASTIEN DUCOS: Thank you, John.

Sorry, so responding quickly, I -- I fully hear you. Again, try to think and remember that this is a task for the month to come. We're not going to go and articulate this in possibly in that many -- that many details.

I'd like to hear from the -- the small team itself, but I'm very conscious of the small amount of time that we have. And if we need to make recommendations, to have them clear enough to be actionable. This is not about telling the Board that we need a pilot and go and figure out what that needs to be like. If we need to answer the Board with this is our recommendation, it needs to be a clearly defined structure.

And again, a pilot that (indiscernible) the whole interface to check user -- user friendliness or the full details of it, it's no longer a pilot. It's the development of the tool itself.

Before I go to Greg, Kurt, you wanted to answer the previous points quickly?

KURT PRITZ: As quickly as I can. Thanks.

So with regard to cost, you wouldn't be able to build the whole system, but you say pretend we're building a ticketing system. Then you would look at the ODA estimates of cost for the ticketing system only and compare those to the actuals, and that would either give you confidence or a lack of confidence that the cost estimates were true.

And I think -- you know, I understand the reticence or the difficulty in trying to project or extrapolate to what the final usage number is going to be, but I think it's literally the most important question, because if the usage numbers are substantially less than what is projected in the ODA, and many people think that, then -- then -- then the costs are not going to be recovered in accordance with the policy. So I think that's the difficulty.

As Stephanie Perrin once said, why would people use this if there's another free system. So realizing the shortcomings, I think an effort should be made.

And finally, in response to your question, and also John's, you know, I'm not so sure it's the job of the small team to design a -- design the pilot. I think -- I think -- I think you could, you know, set out the questions that need to be answered and have a general scope of what you think it should be and say, "Org, go tell --" we could ask the Board this or the Board could just do it with a nod from us. You know, tell -- ask the staff to design a pilot that answers these questions. So people with the wrong -- you know, people with the right expertise are designing the pilot. Thanks.

SEBASTIEN DUCOS: Yeah, on your last point, I totally agree with you. Sorry, I misspoke. It's still -- it's still a fair amount of work just to answer those questions.

Greg.

GREG DiBIASE: Hey, so I just wanted to touch upon I guess just the scope of what we're talking about here. You know, we are not building a new SSAD, I don't think, because that would require acceptance or modification of the recommendations that are before the Board, and that's not appropriate at this time from my perspective.

I think what we can do is say, all right, there's an open question of volume that might impact, you know, the design of the SSAD. You know, we can note that, hey, compliance already has this system. Maybe we can use the existing system to, you know, create a new intake, a centralized intake where we can gauge demand.

But I think we just need to be cognizant before we go on to, quote, unquote, building an SSAD that we're not modifying or approving recommendations at this point. We're brainstorming ways in which we can inform and provide context around the SSAD and

provide, you know, more detail that may be helpful for the Board's -- for the Board in their determination.

SEBASTIEN DUCOS: Thank you, Greg. Yes. I have nothing else to say. Yes, I think I agree with you.

Philippe.

PHILIPPE FOUQUART: Thank you, Sebastien. This is Philippe here. I'm not going to say anything different, I think, from other interventions. I think the small team should probably bear in mind the sort of primary and secondary goals of what's at hand here. And coming back to our discussion with the Board by defining the pilot, if such is the choice of the small team.

I think the question -- the primary goal is to be clear as to whether recommendations stand as they are, at least from the Board's perspective, if they would take a vote on those or whether they would need to -- in light of the ODA, or whether they would need to be amended or added to a supplementary recommendation.

In addition to that primary goal, maybe there's room to provide some inputs to the implementation phase, say. After all, that's an

ODA, so it's more or less to shed some light on that phase as well. But I think the essential mission of the small team is the first one, which is to sort of say do we keep them as they are, the recommendations, or do we need to amend them.

Thank you.

SEBASTIEN DUCOS: Thank you.

I don't know how much we have on time. I see no further question unless anybody wanted -- and I'm very sorry, but I'm a mono-tasker, so I haven't followed the chat. If there was anything that was said in the chat that should be spoken, please speak now.

Otherwise, and I see that Nathalie tells me that I have another five minutes on this item, but I'm done.

PHILIPPE FOUQUART: Okay. This is Philippe here. And I'm sure we can use them if we're five minutes ahead of schedule.

Thank you, Sebastien. Oh, I see -- I'm sorry.

SEBASTIEN DUCOS: Stephanie.

STEPHANIE PERRIN: Thanks very much. Stephanie Perrin for the record. And I don't want to drag us off on a higher-level look of what's going on. But I'm deeply concerned at how we have pulled these items out -- I should say that I'm on this small team.

We have pulled these items out, but we are facing the oversight when we started the EPDP of doing the groundwork on our definitions and our assumptions and placing them in the context of the work that we scoped on the EPDP. Specifically, I'm concerned, if you followed the chat here, there are various things that could impact the uptake of the system. And one of them is accuracy. And we are busy debating accuracy in another scoping team. And I'm concerned that we cannot even agree in accuracy on doing a decent process for establishing the definition of "accuracy." And I don't want to take up this council's time on that matter.

But clearly, if we initiate a pilot and then get complaints that the data is unusable because it is not accurate enough, which is not an issue that was dealt with particularly extensively in the EPDP, we are going in another circle.

And far be it for me to nag again and again and again that we should have done a privacy impact assessment across the ecosphere before we initiated the EPDP, but we would have at least isolated some of these fundamental definitional problems. So just throwing that out there. Thank you.

SEBASTIEN DUCOS: Thank you, Nathalie.

Sorry, I heard, noted. I have no comment having not participated in the EPDP development, but certainly something that we should bring back to the small team and discuss there. Thank you.

With this and assuming that Stephanie's hand is the previous hand -- yes, I guess, Philippe, this is all yours.

PHILIPPE FOUQUART: Thank you, Sebastien. Thanks for those who took part to that last comment. That was a point -- sort of commonsensical point that was well made of the point of accessing data, that if it's not accurate, what would be the point of having the SSAD in the first place. That was a comment that was repeatedly made and how those two things ongoing initiatives are interrelated.

That's a good point, Stephanie. Thank you.

So with this, I think we can move on, almost on time, to Item 6 on our agenda. That's our discussion and our updates on the SubPro ODP and the debrief of our meeting with the Board yesterday.

The ODP was launched in December, and we had at that time already some inputs from our liaison, Jeff, Jeff Neuman.

In mid-February, Jeff shared a second set of questions from the ODP team for council to consider. So we have three goals here: To have an update from Jeff, to ensure that we're all aware of those questions that were shared last month; debrief from the meeting we had yesterday on this, and on Monday, with the GAC and discuss the next steps; and potentially as a third topic which was not anticipated and stated at the time of writing the agenda but also make room for discussion on the letter inasmuch as it's framed at this stage. The letter relative to SubPro in general, not to the ODP. And we'll take that as councilors would see fit as a third item for our discussion.

So with this, I will turn to Jeff for the first part, the update on the ODP and the set of questions that you shared.

Jeff.

JEFF NEUMAN: Sure. Yep. Thank you. And hopefully you can hear me okay. I just put on a headset, so hopefully it's better.

Yeah, so as part of the update, I just wanted to just reiterate that a couple weeks ago the ODP team, ICANN's ODP team, provided us with a timeline that set forth the milestones at least at a very high level. And that was in response to a previous GNSO Council request, I want to say, from January. And I think it was provided before our February meeting.

So, again, if anyone has any comments on that timeline, just let us know and we'll make sure to -- or I'll make sure to pass it on to the ODP team.

Also want to draw your attention to a blog post that was on February 28th. It was posted on the ICANN site and that was on project -- the project governance work track. And that's one of the, I think it was, nine, if I'm not mistaken -- I forgot the number, I apologize -- work tracks that was presented during the -- also presented during the specific ODP session that was on Monday.

And then getting to question set 2 -- and I'm wondering if anyone can post that on the screen. I did take a minute to -- a few minutes to try and summarize what I think are the discussions.

Sorry, yeah, the Google Doc actually. If you could put it on the screen, that would be great, so people can see it at the same time. And, yes, the link is in the chat.

So if you scroll down a little bit. Keep going a little bit more. After the question.

So essentially just to summarize the question, the ICANN ODP team essentially asked if the council was concerned about the work of the applicant support that was recommended by the SubPro final report and whether that work is technically out of scope for an implementation review team, at least according to the consensus policy implementation framework which is commonly referred to as CPIF, C-P-I-F.

Essentially the question asks whether we share those concerns, we the council and the community share those concerns. And if so, then what is the proposal for handling those issues? Which issues should be for an IRT, and which should be handled otherwise?

And so I tried to write, if you scroll down a little bit more, just a summary at least from my perspective of the conversations that we've had so far. And I'd like to share that and see if there's any

comments. And, of course, this will be up after the meeting so don't feel like you have to comment now.

But essentially I wrote: The council believes the intent of the implementation guidance as set forth in the report was that a group of people that were knowledgeable about financial assistance programs should address the specific elements of the applicant support program. The council does not opine on whether those elements are truly policy, implementation, or both. It is essential that the dedicated team that works on these issues is both representative of the community but also that it possesses the required skills and knowledge to develop such an important program.

I'll skip the next sentence right now because that was just when we discussed it and continuing discussion.

But then go to: Rather than going down the path of classifying any of the work as "policy development," "implementation," or something else, the GNSO Council is considering whether there are mechanisms other than through a formal implementation review team where discussions can take place within the broader community to start doing some of the work envisaged by the SubPro final report GNSO Council-approved recommendations. These would include applicant support but may include other

distinct topics such as the registry service provider pre-evaluation program, challenges/appeals from evaluation results and/or disputes, and the SPIRT. and I can't quite remember what it stands for other than it's the Standing Implementation team that the SubPro recommended be in place to handle any changes.

At ICANN73 -- okay, this is where I go into my summary. Please do let me know if you think this is correct or not.

At ICANN73, the GNSO Council discussed this approach with the ICANN Board which seemingly welcomed work beginning on these topics despite the fact that the ICANN Board has yet formally -- has not yet formally approved the SubPro final report recommendations. One of the goals of such discussions taking place in the near future would be to inform the work of the ODP in assessing the costs of the new gTLD program.

The GNSO Council takes note of the concerns expressed by the ICANN CEO to take care that we do not do work which may impede or delay the work of the ODP. In addition, the GNSO Council acknowledges that this work would have to, (a), be narrowly focused on only the specific tasks set forth in the SubPro final report recommendations; (b), have clearly delineated milestones and timelines, (c), involve persons from the entire

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community including the ACs; and (d), not be used to "relitigate" any issues handled during the SubPro PDP.

So I wrote it down and I read it because I think that summarizes the update at least in terms of how I interpreted it during this meeting. So rather than talk off the cuff, it was easier for me to read.

So with that, Philippe, I will turn it back to you and take any questions.

PHILIPPE FOUQUART: Thank you, Jeff. And, indeed, thanks for coming up with some text. I think that's, indeed, easier for people to review, especially the part that captures the discussion with the Board that we had yesterday.

So initial reactions to the text, bearing in mind what Jeff just said? We'll use some time to review it after the meeting. But then that's good that we used the time that we have available here.

So, Tomslin, you have your hand up.

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TOMSLIN SAMME-NLAR: Thanks, Philippe. And I just had a very brief question with regards to the concern about using IRT.

And, Jeff, I'm hoping you can help with the answers to NCUC co-chair with SubPro.

And the question is: Why SubPro had specifically chosen an IRT to implement those elements and not propose any other group in its report? Thanks.

JEFF NEUMAN: Yeah, Tomslin, that's a great question. And it brings up two points. One is that there was some discussion during the Board-Council meeting which created the impression that SubPro might have kicked the can, so to speak, down the road on certain issues. And some members of the SubPro working group contacted me and wanted me to make sure I said that that's not a fair characterization. And I don't think it is either.

I think SubPro basically knew that certain work needed to be done after the Board approved a recommendation. And that work could -- or would be better done by experts in certain areas. And the policy PDP team, the working group, recognized that we

didn't necessarily have the expertise or skills needed to assess things like -- or to create an applicant support program.

And so we recognized the skills that we had. And then the reason we set forth an IRT as opposed to something else was -- and although the Board -- or although Goran said this might have been an unfair characterization, the reality is back then there was no such thing as an ODP. And so the assumption, whether optimistic or not, was that the final report would be approved by the GNSO Council, which it was then the Board would put it out for comment; and then several months later the Board would approve the recommendations and then an IRT would be created.

So people were thinking, you know, maybe three to six months after the final report was delivered, you'd have an IRT.

Well, now that the ODP is being introduced, and this is not a judgment at all on the ODP work at all, but the reality is that because the Board hasn't approved the recommendations, technically you can't start an IRT. And so, Tomslin, the short answer is that an IRT was selected because that was what everyone believed was the natural progression of what it would go to after the recommendations would be approved. And I don't believe, and others can correct me, there was any thought given as to, you know, does it really have to be an IRT, or can it be some

other group created, except I will say that the Sub Pro Working Group, PDP Working Group thought it was important that whatever group is created to do this is representative and, you know, accurately reflects what the SubPro report had recommended.

I hope that helps.

PHILIPPE FOUQUART: Thank you. Thanks, Jeff, and thanks, Tomslin.

So coming back to the SG/Cs, I think the obvious question is whether those -- the aspects that are relative to applicant support and those that would be otherwise relevant to an IRT would need to be decorrelated for the reason you gave, Jeff, or whether people think, quite the contrary, that they would need to be done together and the latter would actually wait, for good or bad reasons. So, as you said, Jeff, so be it.

Thank you.

Kurt, you're next.

KURT PRITZ: Yeah, thanks very much, and thanks for writing this out, Jeff.

I have one nit with the wording that I'll say first and then some broader statements. So instead of saying, you know, despite the fact that the Board hasn't approved this yet, maybe saying, you know, to inform the Board consideration of approving it, because I think the information if we pull some of this work forward would be valuable to the Board, and actually the ODP.

So my broader statement, though, went to whether this is a policy discussion or an implementation discussion. And I think one of the -- it's either a feature or a bug of the ICANN model is that some policy -- policy recommendations are very broad, and some are very specific and administrative. So the policy recommendation could have been just there should be an Applicant Support Program to support, you know, TLD applicants from developing countries or those that couldn't afford to otherwise do it or something like that and stop right there. So it could have been even less detailed than it is.

And so, you know, I think it's for the IRT and the follow-on work to the policy recommendations to take the policy recommendations as they are and implement them. And there's sort of a -- you know, as an example of this, in the previous round, there was a recommendation something to the effect of, you know, the introduction of new gTLDs will not affect the stability, security, or

resiliency of the DNS or some technical requirements like that and that was it.

So ICANN, just like this recommendation suggests, consulting with experts to develop the pre-delegation test and other tests that were developed. And so the implementation team took it upon themselves to take the broader and less detailed recommendation and implement it.

So I think, you know, whatever the report says, that's the policy. And the implementation team, you know, is required to fill in the gap. Sometimes there's a lot of gaps because it's a broad statement of policy and sometimes it's fewer gaps or smaller gaps because -- because it's a very specific policy pronouncement.

Thanks.

JEFF NEUMAN: Yeah, thanks, Kurt. And all I would say -- and I agree. And with this text, yeah, feel free to make any changes. I actually wrote this down as to what I was going to say during this call, and I thought it was pretty good, so I actually posted it in the document. But, yeah, so feel free to change the wording.

And I would strongly urge us not to go down the rabbit hole of policy versus implementation. And this is my own personal bias, and maybe it's because I went to law school and my favorite teacher in a class called civil procedure basically said to me that don't ever get into an argument about policy versus substance because you'll never win and you'll never lose, meaning that there is no discrete line between those two things. And the same thing here, right? One person's policy is another person's implementation, and vice versa. And we can spend months, years trying to come up with a line, and we'll never come up with a line.

The bottom line -- sorry for using that word so many times, but the bottom line is that this work needs to be done. And so really what the Council should be considering is whether to do some of this work now or do it all later. But either way, it needs to be done.

Thanks.

And, Kurt, yes, civil procedure was -- it was my favorite professor. It wasn't my favorite subject. Sorry. (Laughing).

PHILIPPE FOUQUART: That's all right, Jeff. And as an IETF participant for some years, who heard the argument that we there wouldn't do policy, and

hearing that with some skepticism, I have some sympathy with what you just said, Jeff, as an individual, as they say.

Next is Paul. Paul.

PAUL McGRADY: Thanks, Paul McGrady here.

So this is a quick question for Jeff, I guess, which is I'm trying to understand sort of the background of this. Have we been asked for this by the Board or is this something that you're proposing that Council take on to do of its own accord? I just kind of want to understand where it's coming from.

I understand how you got there in terms of how, like, your ideas and all that, but was this -- you know what I'm asking. Thanks, Jeff.

JEFF NEUMAN: Yeah, yeah. Great question. So these are questions by ICANN staff, ICANN org that's responsible for doing the ODP. And let me also give one kind of other factor that we may not be thinking of that was told to me during a call that I had with the ODP staff.

So if something is classified as an IRT or an issue to be handled by an IRT, and Kurt sort of said this, too, it's actually controlled by ICANN org as opposed to being controlled by the community. Meaning that, yes, ICANN org can create an IRT, right? It doesn't have to, technically. And then it can take the IRT's comments as input, but at the end of the day, it's really the responsibility of ICANN org to implement the policies from the GNSO.

I think -- not "I think." But during the call that I had with the ODP team, the question they posed to me was do you really want ICANN org to control all of these elements that SubPro had put in as work for an IRT to do? And they weren't saying that to -- to make a statement that do you trust us or not. It was, hey, we want to make sure that the community understands that this future work will actually all be under the control of ICANN org and not the community. Is this really what you intended?

So I just add that in as background. And no, this has not been a request from the Board. This was from ICANN org. Although when we discussed this with the Board, the Board did seem to be -- again, my interpretation, did seem to be supporting this type of approach.

PHILIPPE FOUQUART: Thanks, Jeff. And thanks, Paul, for the question.

Any other question on this?

Okay. Seeing no hands, then, Jeff, can we ask you to update the text with the comments that were made during the discussion? Hopefully within quite a short time frame for people to review. People should bear in mind that with this ODP, our cycle should be as short as possible and for people to go back to the SG/Cs and provide their feedback, say by the end of next week on, the updated text. Is that fine?

JEFF NEUMAN: Yeah, that's fine. And also, anyone can go into -- any councilor -- actually, I think anyone can go into it. And it should be in "suggest" mode or where you can make comments.

So, yes, I can do that. And feel free for others to go in as well.

PHILIPPE FOUQUART: Thanks. Thanks, Jeff.

So with this, we'll move on to our next --

JEFF NEUMAN: Actually, Philippe? Sorry, Philippe.

PHILIPPE FOUQUART: Yeah. Jeff Neuman Yesim Nazlar question --

PHILIPPE FOUQUART: Yeah, sorry. It's not the -- I mentioned the third item on that list. Thank you, Jeff. I just want to make sure that if there are initial, I'm hesitant to putting a term on this, comments on that, given that the framing paper, which is expected from org, if you have -- and I'm sure you did, read the letter from the Board, the floors is yours. If there are any initial comments on the letter that is asking both us and the GAC to have a dialogue on closed generics and provide some guidance prior to -- in parallel to the ODP ask prior to their vote. And thanks for putting the letter on the screen.

If there are any comments on this, and my apologies for forgetting that those would be welcome.

Anyone?

Paul.

PAUL McGRADY: Thanks, Paul McGrady. And I don't want to preempt Jeff, if he has comments, but yeah. So I think this letter -- you know, I wish I had written it (laughing). But, you know, the bottom line is, you know,

it kind of sets out where we're at, which is the 2012 guidebook did not exclude closed generics, and in fact, lots of folks applied for them. And the PDP took a look at it. We talked about it until, you know, we were, you know, done talking about it. We talked about it a lot. We all remained friends, though, which is good.

And the PDP Working Group, you know, could not reach consensus to ban them, and so we were always operating under the MO that the applicant -- the 2012 Applicant Guidebook would stand as is and -- unless it was changed.

And so basically we have the GNSO having not banned them. And as they say, they're implicitly allowed from the 2012 round. And we have the GAC that said, again, not banning them. They just said they need to serve a -- you know, a public interest. I don't know if I'm using the exact words and I don't want to get them confused but you get the idea.

And so the divide here is very small. I think that there may be some -- some folks who really don't like them that might want to imply that we didn't look at this or the issue is completely wide open. It isn't. We are basically -- the GNSO saying we're not -- essentially, there's nothing -- no policy banning them, and the GAC also not banning them but wanting a little extra something.

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So all that to say this. I think the delta between the two positions is not very big, and I think that, you know, a nimble team ought to be able to wrap up this issue pretty quickly.

Thanks.

PHILIPPE FOUQUART: Thank you, Paul.

Any other initial comment on the letter? Tomslin?

TOMSLIN SAMME-NLAR: Thanks, Philippe. I think I just wanted to follow up on Paul's comment about there being little delta. And if I understand well, he says that the GNSO supported the bid to be closed generics. And I'm not sure if that's really the case because I think the PDP didn't really agree whether there was support or not. I think -- I think there was both sides did not come to any sort of close agreement.

I still think there is a -- there is a delta between -- within the GNSO itself whether there should be closed generics.

Thanks.

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PHILIPPE FOUQUART: Thank you, Tomslin. I think what Paul said was that there was a delta nonetheless, even though that PDP working group didn't manage to come up with consensus. But that delta existed, but the effort would be worthwhile.

Paul, I'm characterizing your intervention fatefully.

PAUL McGRADY: Thank you. So I've set off a bit of a firestorm in the chat. And to respond respectfully to Tomslin, I'm just reading what the Board said, right? It said: Existing provisions of the 2012 new gTLD program, i.e. the GNSO policy recommendations and gTLD applicant guidebook intended for them, "them" being closed generics, to be implicitly allowed as stated by the council in its 2013 correspondence with the Board.

So the PDP working group always operated under the M.O. that if we didn't come up with recommendations that changed the 2012 applicant guidebook, then the status quo would remain. And the status quo, I just quoted the Board, that these were to be implicitly allowed and that that's something that the GNSO Council wrote about in 2013. And so I understand people may not be happy with the fact that the PDP working group did not come up with a recommendation to ban these. But it didn't.

And so that -- the status quo was set out there in that paragraph from -- in this letter from the Board.

And so we have to focus on the facts we have rather than the facts that some people wish they have and the facts we have really are very small difference between the GNSO Council position as the Board wrote to us about, reminding us that's what our position is, and the GAC's position. And I think it's a bridge that can be quickly built and crossed. And we will end up hopefully with something that's agreeable to everybody and we can scratch this off our to-do list. Thanks.

PHILIPPE FOUQUART: Thank you, Paul. Next is Jeff. Can you make sure that your intervention is brief. I won't say we are slightly over time. We are outrageously over time. Jeff.

JEFF NEUMAN: quickly just as one of the co-chairs, the working group spent a lot of time trying to argue as to what the status quo was and, yes, the Board has now defined it. Had this type of letter come while the PDP working group was working on the issue, I don't know how the discussions in the PDP working group would have turned out.

So I think, you know, long story short, I think now that this is out there, a small, narrowly tailored group to discuss these issues, sticking to bridging the divide between this statement from the Board and the GAC advice, I think, would be a good step forward. Thanks.

PHILIPPE FOUQUART: Thank you, Jeff.

So the -- just in terms of next steps, the next part of the jigsaw will be the framing paper that we should be receiving quite soon from Org. And then we will have a more -- a longer discussion at our next council call on this.

But I wanted to make sure that we have at least some time here to discuss this as we had briefly with our GAC colleagues yesterday -- Monday, sorry.

With this, I think we can move on quickly to a brief update on the small team on DNS abuse, small team established at our last ICANN meeting.

And Mark who is co-convener with Paul of that small team, we discussed that already with the GAC, but I think observers here would welcome some updates on this.

So, Mark, would you like to do this for us?

MARK DATYSGELD: Yes. Thank you very much, Philippe.

I will repeat some information that I already conveyed. So sorry for those who already heard it.

Anyway, we had been focusing very much on the outreach aspect of this effort. We do feel that there are a lot of different impressions from the community on this subject, DNS abuse, as we just saw in the session that took place before this one.

At the same time, there are also points that are very similar or intentions that are at least in the same direction. And the priority that the small team has now is trying to understand where we could actually find these commonalities to help develop policies and help steer the community using our role as the GNSO Council to actually enable us to move forward with this subject in a way that's meaningful for the community.

So the communications had been sent out to key players and key stakeholders within ICANN, the ICANN community. We have also been discussing matters with some other bodies, industry bodies, to try to get a feel for what the situation is.

And at the end of the day, what I think we all hope is to bring a good impression to the entire council of what the situation looks like so that we can discuss and vote upon something that actually has impact.

So at the end of the day, the intention is to steer away from a big scope type of project, something that would be too overarching and instead try to see what actually we can accomplish, what are realistic goals for us to help steer towards as the council.

And I'm expecting -- we have a deadline for that. I think it is by the end of March that we expect to hear back from all of the people that we've reached out to. And that means that by the next GNSO Council meeting, we will at least have that feedback, and we'll be able to start discussing this in a more substantial and meaningful way.

I would like to give the opportunity for Paul to speak as well since he's able to join us.

PAUL McGRADY: Thanks, Mark. Paul McGrady here again.

So I won't say much other than, you know, I really appreciate Mark's summary.

The -- one of the things that I'm hearing a lot is that the scope of what we're up to should be very narrow and basically trying to find some things where there's agreement already in the community, or close to agreement.

I think when it comes to DNS abuse, we really all need to exercise our "yes" muscles, right? If we can get one or two low-hanging pieces of fruit that we all basically agree on across a finish line, that will get us used to solving this problem instead of talking about it.

And what I found -- and I'm sure everybody else on this call that's listening, this was a data-rich week on DNS abuse subjects. There were so many sessions and so many smart ideas and clever people. And so I really think that we're in a position as a small group to gather up some other inputs more formally through the correspondence process.

And I think that we're in a position to take a leap forward on this. So we're looking forward to getting back to council the work of the small team. I hope you guys will be as excited about it as we're all getting. Thank you.

PHILIPPE FOUQUART: Thanks, Mark. Thanks, Paul. And I would just add to what you both said that in terms of coming up with a limited remit, obviously the question that is asked in that outreach exercise is whether any policy-related work is necessary from those ACs' point of view and how that task can be tightly curtailed to a limited scope.

Any questions of Mark or Paul? I see Tomslin.

TOMSLIN SAMME-NLAR: Thanks. I just had a quick question for Mark and Paul regarding the choice of organizations to send outreach to.

I was just keen to know -- I noticed that there was one organization, the DNS Abuse Institute, which is external of the ICANN stakeholder groups and advisory committees, who was also requested for input. And I wanted to know how they came about the selection of this organization. Thanks.

MARK DATYSGELD: Thank you very much for the question, Tomslin.

I think that actually we wanted to do this a little bit broader. We were trying to reach out to more organizations, but it was brought

to our attention that the effort would not be exhaustive, that we might leave actors outside of the process, which is true. I think we all ended up agreeing on that.

So the choice of the DNSAI, DNS Abuse Institute, in particular comes from their listening to the community, their involvement, the engagement that they have been doing with the contracted party and the kind of very direct work that Graeme has been doing with the community.

He has been chairing a lot of sessions on the subject over here at the ICANN space. He has been working together as a bit of a liaison to the subject in particular.

So I believe the group felt that it was -- even though it's outside of the direct ICANN community, it's still very much a part of our day-to-day working procedures, both in terms of the DNS Abuse Institute. So I believe that's why.

But on the other hand, we do feel that there are other actors that we should be reaching out to. And this is something I believe that we as a council can come to agreement.

And once we start scoping this better, I believe that the more actors that we manage to actually acknowledge at least, at the

very least tell them that we understand their work and that we are observing what they do, the better our chances are of actually getting something done instead of being stuck in this endless definitional discussion, which, you know, of course, they have their value. They are important. But at the end, they want us to try to make people on the Internet safer. I hope that answers your question. Thank you.

PHILIPPE FOUQUART: Thank you. Thank you, Mark. And thanks, Tomslin. And to this, I'll just repeat what I said during our discussion with the GAC, for those interested in the question in that outreach exercise as well as the discussions of the small team, feel free to have a look at the Wiki space. And I believe the text was also shared on the council mailing list. So people interested can have a look at that.

Any other questions? Okay. Seeing no hands, I think we can move on to our next item and that's Item 8 and that's our discussion with the Global Domains and Strategy department, GDS.

I would like to welcome Karen Lentz for this dialogue. GDS being the team that's responsible for implementing the recommendations. So there are essentially three goals for this dialogue. Well, first, for us to have an update of the work that's going on and what's coming soon; understand the challenges

that may have arisen and discussed potential changes to the PDP. There's been a number of changes, hopefully improvements, over the last five years. And it's important that we have that sort of retrofit-design approach with the PDP. And the third goal is to discuss with them how such collaboration and dialogue can evolve and how we can approach the issues, with a small "i" that we will discuss here.

So with this, I'll turn to Karen or Lars.

One of you want to take that forward?

LARS HOFFMANN: I think I'll head it straight off, if that's all right.

PHILIPPE FOUQUART: Sure.

LARS HOFFMANN: Thank you very much. Hello, everyone. My name is Lars Hoffmann and it's been a long time since I was talking to the Council. I started with ICANN nine years ago and my first gig was with the GNSO team. I enjoyed that very much, and I still said that I left, but I guess I'm somehow back now.

And I have been with GDS for just over a year, and I'm talking to you today because I lead a small team, and our main focus within Karen's larger team and within GDS, obviously, as well is the policy implementation lifecycle. And so as Philippe said at the outset, I'll give a quick overview of some of the projects. I think you're probably all familiar with most of the statuses there. So I suspect there's nothing going to be ground-breaking about this, but I hope we can take this as an opportunity to, yeah, maybe look at some of the challenges, some of the workload ahead, and start a dialogue. And hopefully this won't be the last meeting we have, and maybe we can have them more often, as well, than just during the ICANN sessions.

And with that, can I have the next slide.

The beautiful graphics are all thanks to me. So if you need any help, just hit me up.

A quick overview. Agenda, I think we covered that. Can I see the next slide, please -- Steve, I believe.

I spoke about this a little bit. So Karen, she's the vice president for policy research and stakeholder programs, and she oversees the Policy Research Team, which is my team. And our main responsibility is to support GDS's work related to policy

implementation. Obviously subject to requirement and subject matter expertise. There's other members within GDS that support that work. I'm sure you're familiar with most of our colleagues who support that -- who support that work.

The members of the Policy Research Team, in German you say the donkey names himself first, so there you have it, it's Lars. Then we have Antoinetta Mangiacotta who is the policy research manager; Isabelle Colas who is a policy research specialist; and Michael Karakash who is also a policy research specialist. And you will see in a moment that there's quite a bit on our plate, and so I'm as pleased as anybody that there are two open positions as well for that team that we hope to be filling soon.

The next slide, please.

So these are some of the projects that we're working on, and I'll give a brief update where appropriate on these as well many. If you have questions, obviously please raise your hands. Alternatively, we can do it at the end as well. I'm happy to go back to these slides, whatever you prefer.

So the Policy Status Report for the UDRP. We led on that. You've seen it has been posted for public comment just before the ICANN

meeting. Extended public comment, which was over before the meeting, of course.

And I'm leading the work track 2 within the ODP. If you were in the Monday session, there is a wonderful slide that has all the work tracks on, and work track 2 is most of the of the policy implementation and AGB work. We contribute to the project management of the ODP. Liaison with Jeff, for example, is one of those issues, and internal meetings and coordination as well to make sure all the work tracks work together and look at things in the same way, use the same methodology.

We also support the Board caucus on the SubPro work. They have biweekly meetings.

And then something I think really very important is the liaisons to the ongoing PDPs. I think at the moment, we have liaison with the transfer PDP as well as the IDN EPDP. I think Isabelle is our liaison for the transfer PDP and Michael for the IDN EPDP, and there's also other members from Karen's team, Sarmad Hussain and his team, who support the IDN EPDP as well.

We also provide support for the EPDP Phase 1. I guess I left the phase out there (indiscernible) on the bullet point. I apologize. Implementation, Dennis obviously leads, that but we have

Isabelle and Antoinetta as well who support that in parts. You have probably seen that the timeline has been shared recently, looking to, yeah, complete the six open sections of the transfer policy -- sorry. Transfer policy. The -- where is my cheat sheet? I apologize. Registration data policy. I don't know why I blocked that, but there you have it. So looking at completing that and posting for public comment by the third quarter of this year. And which then hopefully also will free up some resources. You'll see that on the next slide. Jeff, thank you.

And then also, we provide subject matter expertise on other relevant topics. The modifying consensus policy paper, for example, something we contributed to as well.

The next slide, please.

This is some of the work that's on our radar. None of this will, obviously, come as a surprise to you, but at the very least, you can see that we are planning -- we are planning for this and are aware this is coming our way. Rights Protection Mechanisms, Phase 1. You will recall that the Board has put the recommendation in three categories. This was all close. Ones that are maybe easier, quote, unquote, to implement, some that are -- probably will be taken up by the SubPro implementation team once it's in place, and others that are maybe more difficult and so we're working on

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a plan that we will hopefully be sharing with the Council soon on how we intend to tackle those and maybe be able to stagger the easy ones before we do the more difficult ones later on to get some of the easy stuff, quote, unquote, out of the way.

Obviously subject to Board approval, the SubPro implementation we'll be working on very hard when this comes to rounds. I'm channeling Paul. Surely the implementation of that is just a small bridge that can be easily and nimbly crossed when we come to that.

And then there is subject to the Council and Board approval, the EPDP on specific curative rights protections for IGOs.

And then the two implementation processes that are paused for the time being: The privacy/proxy services accreditation issues, and translation and transliteration of gTLD registration data. For those two, as well, we're working on a possible timeline. And as you know, there's obviously a timing issue. There's overlaps with the EPDP Phase 1. And so at the moment, I think the thinking is that the smartest way to restart this, the most effective way to restart this is once the EPDP Phase 1, there's end -- there's light at the end of the tunnel and we know that the implementation is completed or almost completed so we can reallocate resources

and also have a more clear understanding of the full implementation of the registration data policy.

Again, as soon as we have that concretized, we will share that with the Council and others as appropriate.

Liaison work. I know that -- I think this work's maybe doing a session yesterday. There was talk about maybe slowing down the RPM Phase 2, but it's definitely on our radar as well to have liaison works there. And for the accuracy policy work comes to be as well. A question mark there.

And the UDRP status report. Obviously once the public comment closes, that is something we will have to finalize.

The next slide, please. There's only two more slides.

Yeah, the last two sections are a little bit about cooperation going forward and areas we're looking to improve. You know, we're contentious of some of the concerns that were raised in the community, in this group and in others as well. And so, you know, while we can't do everything better and differently overnight, and I think there's a lot of things we're doing quite well, if I may say so myself, with the resources we have, but I think there's obviously always room for improvement. And so we've been looking at

improving more regular and consistent progress reporting on implementation work. I have to say I'm a big fan of the GNSO I think instigated it first, the policy briefing that you put out for the ICANN meetings. I think that's something we could beg, borrow and steal, for example. I'm just sharing some ideas. Again, we will -- we will provide with you more details when appropriate.

Alerting the Council and other relevant community groups if issues arise in the implementation work, and then, you know, work as quickly and efficiently as we can through this. I think there's already some examples in the past but that I think can be better institutionalized.

Something else that, you know -- you see I used to work for the GNSO -- that I think was a very good or is still a very good idea is introducing surveys that you have at the end of the PDPs. And I think to do something for the IRTs as well. I think will be giving important feedback to staff, but also to fellow IRT members I think it comes close to -- 360 is a big word but a look at what worked and what didn't work and how we can improve the IRT work going forward.

Looking ways to increase visibility on our planning. I said this, and we will be better or working harder on sharing timelines and projections.

And then the liaison role. As I say here strengthening. I think the work that Isabelle and Michael and Sarmad and his team are doing on the IDN, and transfer PDPs has been very effective. There's some real-time feedback that we give on the draft recommendations that the working group then takes on board, and, you know, acts on it as it sees fit, obviously, but get more information. The more informed we are, surely the better the recommendations are. And we think that's a good and productive way to cooperate.

The next and last slide, please.

Yeah, going forward -- I see, Jeff, your comment there. I will take that on board as well.

Maintaining a dialogue about workload expectations on a more regular cadence. I kind of said this at the outset. You know, I used to support the GNSO. I said that I was down there Saturdays and Sundays when that was still a thing, you know, with half of ICANN coming through. And I'm not saying -- you know, those updates are really helpful and prepare the Council and the wider community. In fact, I think it was a lot more people than just GNSO members in the audience. But it doesn't -- it doesn't really -- you know, there was never time, really, for a discussion and for an exchange of views. And maybe that is something that we can -

- we can look at to introduce maybe in the not-too-distant future, whether it's roundtables or whatever else.   But I feel that the Zoom pandemic that we live through has -- you know, has shown us that interaction is -- you know, face to face, trust me, I'm very much looking forward to the Hague if it comes to pass, but I think there's a lot that can be done intersessionally as well.

And yeah. Then looking also for efficiency gains throughout the policy implementation lifecycle. Identifying and resolving issues that may have an impact on other issues, dependencies if you want, and deal with them as soon as possible. Ideally, as well, if possible during the PDP work even, if we can provide feedback and that is deemed appropriate, but also during the implementation itself. I say this again, here working with the PDP wherever possible. You may recall the ODP, we have one that's done, one that is happening. Both of those started after the PDP finishes. I was involved in developing the process of the ODP itself about a year ago, and a lot of community feedback we heard at the time was that, you know, it should start earlier, right? Why not do it during the PDP itself.   Jeff, I don't want to put you on the spot, but I recall Jeff was a proponent of that as well from -- from his experience doing SubPro. And so I think that is something that should be borne in mind as well, that it's now a possibility. The ODP doesn't have to happen after the -- after the working group

is finished. And there's a possibility to start that earlier if Council and Board both agree that that would make sense.

And then regularly reviewing the CPIF.   Jeff referred to that earlier, the Consensus Policy Implementation Framework. Yeah, to identify areas for efficient (indiscernible) improvements, and just also making sure that it kind of reflects the roles and responsibilities as they occur during the implementation and also policy development process with regards to liaison work. Obviously the PDP process itself is very much a GNSO matter.

And I think that is -- now, I don't think. I know. That is the end of my slides. I hope I didn't take too long and didn't raise too many eyebrows, but at least some hands.

Paul.

PHILIPPE FOUQUART: Thank you, Lars. Not at all. This is Philippe here. And I think a number of good ideas here, and that would be complementary to the dialogue we have with Board, with the ODPs at the moment, a number of things that we can build on from -- including on the improvements of the PDP itself.

Any questions? Mindful of the fact it's going to be difficult to go into substance. As Lars said, there's probably room for an intersessional meeting of sorts at some point between GDS and Council.

But just a -- some time for a few questions. Paul, you're first.

PAUL McGRADY: Thanks. Paul McGrady here. Lars, thank you. I think this is great. It's good to see it down on paper. Just thinking about the future, do you -- there's two kinds of things that I'm wondering if you see ever happening.

One is that since this is -- you're essentially now the traffic cop on the staff side, right? And Philippe and company are the traffic cop on the GNSO policy side.

Will we ever sync calendars, right? So a couple of slides ago you had all that work that you're doing, right? And you guys are probably working on, like, not only this is all the work we have to do but when are we are going to do the various things. Because I'm assuming you have limited resources like everybody else, right?

So I think it would be great as this evolves. And this is probably maybe the meeting in between that Philippe was referring to, or maybe it's two meetings in between or five meetings in between, where we can start to sync our calendar up with yours so that we know, for example, not to launch a big, heavy PDP in the middle of a big heavy IRT, right?

And so we don't burn out our volunteers because a lot of burnout volunteer comes from too much at once.

And the other thing -- and now I'm just dreaming out loud. Wouldn't it be great before we even started down the PDP road if we could actually baking in -- things happen and things can change, right? But baking in, like, the PDP will be this long and then the ODP will be in the middle and then the IRT will be here, we think the Board will be there, so that when we tell -- when we recruit volunteers, they don't get frustrated because something took -- it really took, you know, six years because it had to, right, but they thought it was going to be two years, right?

Our part may be two years but there may be a lot other things that need to go on, right? And so do we ever envision, like, with a brand-new project just sort of sitting down and saying, okay, how long is this really going to take from the beginning and building in all kinds of assumptions, all the way to the very end when we pull

the lever, and the new things happen. I think that would be a really fun thing to work on and maybe it's too pie in the sky.

Anyways, Lars, thank you so much. Lots to be excited about here.

LARS HOFFMANN: If I can quickly say, I think those are great ideas and that's really productive.

I think you are right; the calendar sync is probably easier than the second one. But, you know, small steps. And, you know, very good. Thank you for that. Appreciate it.

PHILIPPE FOUQUART: Thanks. Thanks, Lars. Thanks, Paul.

I see Stephanie, you're right. And then Kurt. May I ask you to be brief. Mindful of time. We'll take that forward during a dedicated meeting to go more into the substance of this because we need to.

Stephanie, you're first.

STEPHANIE PERRIN: Stephanie Perrin for the record.

Thank you very much. Excellent presentation, Lars.

I don't want to hit you cold with this question because back in 2014, we had this non-PDP working group that was looking at policy/implementation and we came up with what I recall was a decent framework. And there were recommendations to the Board.

I'm just wondering, if you think the mechanisms that we put in place through that process are working in terms of quickly identifying policy issues that are showing up at the IRT level that have to be tossed back to a PDP. I'm just wondering if our tech sheet is working because I'm afraid when I see you mentioning the polling at the end of it, that we might actually be uncovering policy issues through a poll as opposed to through some of the checks and balances we tried to put in place.

And sorry to hit you with that gigantic report. I don't expect an answer today.

LARS HOFFMANN: Appreciate it, Stephanie. I will get back to you.

Just to clarify very quickly that the poll at the end of the IRT was more about how it was run and whether the workload was

acceptable for the community members, whether the support staff was appropriate, whether ICANN Org led appropriately on the implementation work, et cetera, et cetera.

But I hear you and I will get back to you. Thank you.

PHILIPPE FOUQUART: Thanks. Thanks, Lars. That was very much, as you said, with what we do with PDP chairs at the conclusion of a PDP.

LARS HOFFMANN: If I can add one quick thing, Philippe. I know your time is tight.

Jeff, correct me if I'm wrong in the chat. But there's some policy question that has come up during the ODP, right, on the SubPro. And so I think those questions would have come up during implementation, right? Jeff laid out the alternative timeline there without an ODP earlier. We would have had those same questions. And so there's obviously an advantage to have that kind of conversation early on, right, even during the PDP. And I'm going to stop there. Thank you.

PHILIPPE FOUQUART: Thanks. Thanks, Lars.

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And just to note to Kurt that we can't -- apparently we can't run over time. So if you would be extremely brief. I'm sorry.

KURT PRITZ: Will not be a problem.

So I sat in a meeting yesterday where an IRT participant laid part of the blame on the length of the IRT on the poor wording in the policy recommendations. And a PDP participant laid some of the blame on lengthy PDPs on the vague wording in the charter.

And so it's sort of a classical organizational design problem, right? Every time you have a hand-off, there's a problem and you want to try to eliminate hand-offs.

So understanding that you only control your own little section of the universe, I would urge some mechanism where you guys can get upstream somehow in the process to look at the charter and look at the policy recommendation wordings to see -- as they're being built to see how the IRT could address them and with the idea of, if not eliminating the hand-offs, smoothing them out in some way.

And thanks for the really good presentation.

PHILIPPE FOUQUART: Thank you, Kurt.   And I would add to that, that with the succeeding phases that we tend to have these days with EPDPs, that needs to for the related IRT to have a look at those potential succeeding phases, would be useful. A discussion that we'll need to have during our dedicated meeting.

We will have to stop here.   I'm sorry because that's good discussion because I understand that there's -- we're back-to-back with the IDN working group. So I just want to make sure that -- thanks, again, Lars, for this. Looking forward to that dialogue or pursuing dialogue.

And we'll now go to AOB with the request for an additional point up from Flip.

If you can, again, I'm sorry, be brief and people would go back to their email on the list earlier this morning for this.

Flip.

FLIP PETILLION: Hi, Philippe. Thank you very much. I will try to be very succinct. I think we know what events I'm referring to. I'm referring to a

question by the deputy prime minister of Ukraine and the answer by ICANN.

I think from a technical point of view, I think we can all understand the response that was sent out. But I think that the events and the response call for some more from council.

I think it's really worthwhile to examine what the analysis is in the event of -- in the case of cyber warfare. What is the impact on the security and the stability of the DNS? And I would suggest that all representatives at the council go back to their constituency and discuss this and come back to all of us at the next meeting with a yes or no, we should dig into this more deeply. And we should have that analysis so we can make that assessment and come to a decision whether or not we should actually have some policy to handle these kinds of situations in the future.

Thank you very much, Philippe, for the time.

PHILIPPE FOUQUART: Thank you, flip. And, again, I should have apologized for giving so little time as a AOB to this important question.

But as you said, this is essentially a question. At this point, councilors should be free and encouraged go back to their SG/Cs

and consider that question and the need for policy work in that department and come back to council as they see fit and request/suggest any policy-related work this that area. Thank you, Flip.

With this, it's almost -- that was the first of the AOB item. We'll be running a few minutes over with the open mic I'd like to have now if there's any questions from observers. I know it's not as easy as we used to do it a long time ago when we had face-to-face meetings. Hopefully it's going to be better next time.

Any questions for this open microphone?

Maybe everyone has gone to the IDN working group already. Seeing no hands, then we'll thank you all for this. I hope you -- you're well, and I hope next time we'll have this in person. And speak to you soon. For councilors, that's tomorrow during the wrap-up. Thanks again. And bye for now.

NATHALIE PEREGRINE: Thank you all for joining. This concludes today's GNSO Council meeting. Please take care of yourselves. Have an excellent rest of day and night. Bye. You may now stop the recording.

[END OF TRANSCRIPT]

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