
ICANN75 | AGM – GNSO: ISPCP Membership Meeting
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BRENDA BREWER:

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full name. And with that, I will hand the floor over to Wolf-Ulrich Knoblen, chair of ISPCP. Thank you.

WOLF-ULRICH KNOBEN: Thank you, Brenda and hello, everybody. Good morning, good night, good whatever where you are. So I'm especially happy that we have some guests here and especially happy that Susan Mohr can attend from the US. It's very, very late. Thank you all for attending this meeting today.

We have a little bit more than an hour available to discuss the agendas. And before we enter the agenda, then I would like to formally ask for any statement of interest. Anybody, anything to disclose? It's not the case. Thank you very much.

With that, let's directly move into the agenda, which was sent before the meeting. So everybody could prepare as much as possible. And I would like to ask Philippe if possible, because we just go into some words about the GNSO Council, what's going on? Usually we do that, discuss if there is something of interest for the constituency where we have to take some decisions or especially to have some specific opinion on that. So it will be helpful to know from you and also any other interesting activity on the Council is of interest to us. Philippe, please.

PHILIPPE FOUQUART: Thank you, Wolf-Ulrich. This is Philippe Fouquart speaking here. To your first question, the answer's no. There's nothing on under the consent agenda nor on the vote for this meeting. Other items include discussions on the PDP tracker that we just briefly discussed this morning for those of you who were at the working session of all the GNSO Council.

We will have other presentations from I believe Ajay will be presenting the progress of the UA readiness program with [Christian.] I think we have a presentation from Lise Fuhr on the PTI IANA activities and also discuss some of the ongoing projects at Council, notably the GGP, for which there's an ongoing call for interest that has just been circulated, I think on the list. And I would encourage people to step forward. And there's the ongoing call for interest on the closed generics effort dialogue that we will have with both the GAC and ALAC. I know that we would probably have a discussion with the CSG on this given that there is one seat per SG for the effort. And just for those of you who weren't around, or didn't follow the recent calls, we will have a team of overall six members from both the GAC and the GNSO, plus the ALAC liaison in that effort.

The odds are that this will be a very condensed effort in a two-day format, rather than something that would be lingering over a number of weeks. The idea is to do the opposite, is to gather people in one room, try and start from—I wouldn't say start from

scratch, because that's not the right word, but try a different method from what was undertaken within the SubPro PDP with a view to coming up with a different result than what we ended up with in the PDP, i.e. no results other than saying the various respective positions on that topic.

As to the remit of the effort, at the Board's request, the dialogue will be undertaken without the, let's call them the extreme positions of rejecting closed generics altogether or allowing them under no constraint whatsoever. So that would have to be a middle ground somehow, let's put it simply.

And the other thing is that in terms of rules of participation as we can call them, the participants, despite them being nominated by the SGs, will not be bound by positions. Their only commitment is to drive towards a commonly agreeable result.

So that sort of sums up hopefully what's going on at Council. I would just mention the discussion that we just had during the working session with SSAC—I don't know if some of you were there—on the need to incorporate players like DNS security people that are not—and I say security, not in the sense of SSAC, but more like system, backend security, etc. and also players like alternative DNS resolver people, and the realization that the development of certain protocols and the ecosystem that's associated with them have changed the landscape a bit.

And there was a link to that holistic review, for good reason. So given that this is a project that's subject to discussion here, and in the next—not only a pilot, I mean, in the next few months, I thought I'd mention here. And I'll stop here. Over to you, Wolf-Ulrich.

WOLF-ULRICH KNOBEN: Thank you, Philippe, for that. That's why it was interesting to hear this morning as well. Thank you for that. I have one question regarding the closed generics, the composition of the team and the deadline. There is a deadline to nominate. Is that this Monday or the end of this week? Because I'm asking—we have several interested people in the CSG. I can disclose that you are also interested for that. And I would like to ask everybody in talks with other people from the CSG to advertise for Philippe being a member. But anyway, as it is, we have to discuss that internally on the CSG. And it may be—if there's time so that we finalize that on Tuesday in the CSG meeting, is there time enough for that or not?

PHILIPPE FOUQUART: Thanks, Wolf-Ulrich. And just to be clear, as far as I'm concerned, I am happy to step in if no one else would. I would hate this to be overlooked by the community. Because I think that's a really, really important topic. If there are unbiased—and I'm sure there

are—people within the CSG that are known to be unbiased and committed to being so in that group. I'm stressing this because this is really important to Council. If we can find them, I'm happy.

I'm just here to help because there was no interest expressed within the group. But I'm happy to—I wouldn't even say step down because I didn't step in, if you see what I mean. But that's a really important thing to stress with our CSG colleague. We don't want this to turn into what happened in SubPro. Once is enough, I think. There we are.

As to the next question on the deadline, people are hoping that the team can get together on Thursday morning, and I think the deadline was tomorrow. I think that's feasible. It's just one name. Sometimes one name is the most difficult thing to come up with. But the others have named their representatives already.

WOLF-ULRICH KNOBEN: Okay, thanks for that. So I do my very best with the CSG ExCom to finalize that. So the Council is formally having two meetings. The one, the first part. And the second part is with regards to the chair elections of the new Council. I think we had in prep calls also and on emails exchanged, and we had a call together with Sebastien Ducos, the current vice chair who is applying for the position as chair. And I would like just formally to ask, is there any objection

to support Sebastien to be elected as chair? No. Thank you very much.

So we can take that and then for as a position for our Councilors as well, and for the election for the new Councilor, incoming Councilor here, Osvaldo as well. And with regards to the vice chair election, it is, as usual, not a big issue, but it is a procedural issue with the NCSG to come to a result, to a point for the house and vice chair.

But this time, we have two applicants, one from IPC and one from BC. And then I see incumbent Tomslin from the NCSG. So we have to find out how to deal with that. I'm in contact with my colleagues from BC, from the IPC. I talked to Bruna from the NCSG today. So while I'm still confident, you will have that available, the name for the position in time when the new Council is going to be seated. I can't say anything more at the time being but it is underway. If you can help, anyway have good ideas, tell me.

THOMAS RICKERT: Just a quick question. Sorry, this is Thomas. You mentioned Tomslin.

WOLF-ULRICH KNOBEN: Yes, he is the incumbent for the NCSG.

THOMAS RICKERT: I know. But I thought that at least there was an understanding between the CPH and NCPH that they would rotate and that we would only have the discussion between the IPC and BC candidate, but is there still a discussion between the NCSG and the CSG?

WOLF-ULRICH KNOBEN: I think from our point of view, there is no discussion about that, but the NCSG is still a little bit hesitant to say yes to whatever candidate we present. So, they were asking which is the candidate and they would want to know, and tell me, okay, you have not too much time, we wanted to discuss with the candidate and all these things. So, besides of the agreed process. So I do hope that I came to the result with Bruna that she can convince her constituency on her stakeholder group that it's our turn so that it wouldn't be a further discussion on that. But you never know. So, for me, this is gone. But it's just a question of how to deal with that from our side. I think from our side, it's not a big problem. But then at the end, we have to find the approval from the NCSG.

THOMAS RICKERT: But then, so sorry for jumping in again, just in case so that we have a clear path as a group, if let's say the BC and the IPC don't get to terms with making up their minds between the two of them

and if the NCSG held up Tomslin as a candidate, who I'm perfectly fine with, I think Tomslin did a great job as the vice chair, what would we do? Would we then support Tomslin, absent an agreement with the BC and IPC and if the BC and IPC get an agreement, that we will then support the CSG candidate, or what's the plan?

WOLF-ULRICH KNOBEN: Maybe to explain the process, there is no election of the [inaudible] vice chair on Council.

THOMAS RICKERT: No, but I think we would be asked whom we would support.

WOLF-ULRICH KNOBEN: No, I don't think so. I think the new chair of the Council, he has to say who is the appointed vice chair of the Noncontracted Parties House. If there's nobody at that time, there will be nobody in the worst case.

THOMAS RICKERT: So we wouldn't chime in at all.

WOLF-ULRICH KNOBEN: No. Philippe.

PHILIPPE FOUQUART: Thanks, Wolf-Ulrich. Maybe just to phrase what Thomas just said, indeed, there's no vote. There's no formal consultation. But I think you're right. I think the way we can put it to our CSG colleagues is that obviously we can't get to Wednesday without a name. So I think the contentious part is the rotation on the VC seat. And we can say to our CSG colleague, look, if you can't come up with one single name, and we're certainly happy to help with this, then we're fine with supporting what is not our initial choice by position with supporting Tomslin as the next vice chair, just to put some amicable and friendly pressure on our—

THOMAS RICKERT: Because I think it would be perceived as very immature if we—

PHILIPPE FOUQUART: Exactly. I agree.

WOLF-ULRICH KNOBEN: So we got through those processes of immaturity already years ago. It's not a big problem. So I'm pretty sure that we will find a solution on time, but I'm just wanting to explain the steps we have to go. Okay. Finally, to that point, let me say—because Philippe has to do still some work on Council for the week. But for

us at the ISPCP meeting, it's the only chance to say him, thank you for your work on Council and for the hard work you've done.

And you had not an easy job, because you started with virtual meetings. And you had just two meetings where you met your counterparts and your colleagues on Council, which is really not an easy job. So I would like to formally and officially thank on behalf of the constituency for your work you have done, and it gave us—I think it was for us, for our consistency, really a good time to have somebody in this position. So it helped us also to be more visible in the ICANN arena. So thank you very much for that. With that, let's go to the next point. Thomas, just briefly, is about the registration accuracy scoping.

THOMAS RICKERT:

Sure. Thanks, Wolf-Ulrich. On the small team dealing with accuracy, this small team has submitted its writeup to the GNSO Council. So it should be read by Councilors anytime soon. And the main findings of this are that we had this difficulty of making up our mind whether we want to support measures that require the review of existing data in order to find out whether there's smoke or there's fire with accuracy. And so far, we are focusing on measures that do not require ICANN to get access to personal data with contracted parties in order to assess their accuracy.

So basically, what we've come up with is a recommendation for the GNSO Council to carry out a registrar survey. And this survey, I'm not going to go through it but I can share the link to the write up so that you can look at it for yourself, but it's to find out information from the registrars on the accuracy level for the domains that they have under management. That's the first recommendation.

The second recommendation is that further work should be undertaken by the scoping team in collaboration with ICANN Org to explore the option of conducting a registrar audit. And the third recommendation would actually be something that would require access to registration data.

And there we are suggesting that the GNSO Council pause the work of the scoping team in relation to that, because we do know that ICANN Org is currently liaising with the European Data Protection Board in order to get some guidance on whether accuracy can be assessed by ICANN in a compliant fashion so that ICANN can actually see the personal data that is processed by the contracted parties.

So that's it in a nutshell, the write up is certainly a much longer document. So we've been looking at current accuracy requirements and listed all the ones that we have in place, such as in the RAA and in the WHOIS accuracy specification, and so on

and so forth, and also add enforcement mechanisms that ICANN has.

I'm not going to bore you with details, but maybe it's worthwhile noting that currently and interestingly, although the accuracy discussion has been keeping us busy for the last 15 or 20 years, probably, in all ICANN policies, you don't find a definition of what data accuracy actually means or what that should entail.

So although we have contracts and policies in place that pose some requirements on the contracted parties, we don't really know what we're talking about and what acceptable levels of accuracy would be or what can be improved. And that's basically what we're trying to drill down on deeper. But as I mentioned, we need to take one step after the other.

First step would be go on a fact finding mission with the registrars. And if we can, if this gets green lighted by the European Data Protection Board, we would then go further and have the data assessed by ICANN or likely a third party that's going to be engaged by ICANN for that purpose.

So I think I should pause here, I think that all of you need to do a little bit of reading. But I think that the course of action, as outlined in this document, is probably the best that we can come up with at this stage. And therefore, I would recommend that the ISPCP through its Councilors endorses the recommendations of

the small team at this stage. That would primarily be the registrar survey. Thank you. Philippe, do you have anything to add to that? Did I forget something important?

PHILIPPE FOUQUART: Thank you. Nothing to add, other than adding my voice to your suggestion for supporting the conclusions of phase one. I think that idea of a survey is a good one. I would just note that on a somewhat purely procedural basis, we will need to be—the chair has stepped down for phase two. And the new Council leadership will need to appoint a new chair. So obviously, anyone interested should step forward for this.

And I would also note that one of the questions that Council and leadership in particular will have to deal with is the fact that contrary to the impression of this being a hugely important topic, the contributions to the work from some parts of the community have not been as constant as one would have expected. So there's a sort of disconnect between the willingness to address this and the actual commitment to the work.

So I think people should be aware that if it becomes really difficult to find a chair, if it proves equally difficult to encourage contributions, the question of whether that effort could be posed will be asked. As you can tell I'm being really cautious because there are unknowns on the way. But I think it's going to be a fair

question to ask, and maybe this constituency will need to address it at some point.

But again, given those two questions, the lack of contributions— I'm thinking of the GAC, for example. The turnout for the meetings has been somewhat weak despite this being flagged as an important topic by them, as well as the question mark on the chair will be things that will need to be addressed jointly with the question of whether that activity needs to be continued right now. I'm being cautious as you can tell. Thank you.

WOLF-ULRICH KNOBEN: Thomas again.

THOMAS RICKERT: Yeah. Well, I hope you don't mind me taking this even a little bit further. Because I think that the reason that we are having difficulties finding a chair or a successor for the chair of this group may be that this exercise is not really as valuable as some think that it was.

I mean, certainly there is an accuracy issue with registration data. But we do know by now that when it comes to DNS abuse, and let's face it, we're doing all this, we're jumping through all these hoops on accuracy in order to help mitigate DNS abuse, but now we know that 50% of all DNS abuse that we see out there in the

wild is not occurring using maliciously registered domain names but compromised legit domain names. And compromised legit domain names, it doesn't really matter whether the data is accurate or not. Likely, it is accurate with a higher probability. So we wouldn't even solve the issue if we created additional burdens for contracted parties to measure or to improve the accuracy of the data.

Second thing is that identity theft is on the rise in this sphere. So you might end up having perfectly correct data just with the individuals displayed in the database, not knowing that domain names have been registered under their names.

And if we push harder for validation, verification of data, we might just end up seeing more abuse with more compromised domain names rather than folks doing more accuracy.

So that is to say that in my view, this whole exercise is questionable. And I've been saying for many years that we are trying to use WHOIS or what was previously WHOIS, which was meant for a completely different purpose, we're trying to shoehorn this into a database useful for law enforcement at the global level. And the question is whether that can ever work.

And I think that we will probably not see active people on the small team volunteering for chair, because since you are doomed to be impartial and neutral as chair, they would silence

themselves rather than advocating for their positions. So there are some that say I'd rather see this group die rather than being ready to act as chair for it.

I think that this work is important and we need to explore things, but I just wanted to offer a little bit of background as to where this hesitation might come from. And maybe also the reason why certain actors don't show up, because they might now recognize that this is not the shiny silver bullet that have solved all the issues.

WOLF-ULRICH KNOBEN: Yeah, thank you very much, both, Philippe and Thomas, for that. Yeah, as usual, and Philippe especially, you may have seen during your term on Council chair. So to get this organized then in a way that you are sure that there will be an outcome satisfying everybody. So that is the most—it's very difficult. And then you can see if it comes to that point, if there is no interest, nobody's showing up for the chair, then, well, some of the reasons you offered, Thomas, are clear, the reasons for—rather than to have a working team at all in that, then they have to be discussed.

So if it comes out that way, yes, everybody's saying it's important to do that, and then start the problem. So how to work it out. I'm just asking whether that has been discussed enough at Council or in the community, how to find a line here. I wouldn't have also—

nobody likes to have a group working on something that everybody is not really convinced that you will succeed with that. So that makes sense. So it's a load also for the next GNSO chair, isn't it, Philippe?

PHILIPPE FOUQUART: Thank you. Yes, it's very likely to be. To your question as to whether that was raised at Council, it was raised belatedly, because the accuracy scoping team was not right on schedule and there was some implicit or explicit understanding that the chair would not be holding that position past September this year. So hence where we are.

But this will be raised, I'm sure, during our discussion with the GAC as to understand the reasons behind that. But that's likely to be put to the community next year.

I'm not so sure that it's totally explicit to the whole GNSO community at this point, because as you said, the communication on this, for those who were not like Thomas directly involved in the team, has not been perfect. That communication has not been perfect. Thank you.

WOLF-ULRICH KNOBEN: Thank you very much, Philippe. So let's finish that point and spend some time for last preparations of the meetings we have at

ICANN 75 on the CSG level with other entities. So we have on Tuesday two meetings, the CSG open meeting, and then the meeting follow-up with the Board and then on Thursday, we have a meeting with the CSG and the Contracted Parties House. Brenda, Is it possible to display the planning grid where we can see the CSG open plus the next one? Thank you.

So, in the open meeting, we have Xavier available for two points, auction proceeds, planning prioritization. The BC wanted to discuss internally the SSAD pilot, and Thomas, I see you as well, data accuracy discussion on CSG level. We may bring that up, the last issues we have just talked about here.

And then final meeting with the Board. So the question is, which are the topics we have with the Board. We can see down at the bottom we'll have a main discussion point about DNS abuse and there was some preparation was done already between Thomas and Susan and Mason from the BC about the questions we would like to put towards the Board.

The discussion should be about what the Board is doing, the Board caucus groups, and what are their results as well as then having also a kind of overview about the initiatives outside ICANN. And there was a question whether we should also chime in, for example, with the initiative which has been already

presented to us some time ago about the so-called top DNS initiative.

I would say it depends on how much time we really have on that. So if you come to that point—I talked to Mason—he's open to that, but you should find a way not to go into much detail, just to give them some words, what is it about and the different approach, if there is a different approach to other initiatives as well. So that is to be discussed finally on Tuesday. And I would say if there is some more question about that, we can always discuss that here.

We have done something which is ODP process, there's two process—well, it's a process itself. And so it's called ODP. And then that will be covered by the IPC. And then there is the big topic, more general which was raised by the Board, what collaborative actions should the community, Board and Org be undertaking to further progress achieving our strategic priorities.

Now, this is a question to the entire CSG community, not just to one constituency. Every constituency should be prepared a little bit for that. From my thinking—so we didn't talk in detail about that, how we approach that. So in the Board topic—let me say the meeting of the opinion from the IPC and BC is, “Oh, that is such a big topic,” so we had raised several times our concerns with the output of Org and the Board in relation to PDPs, for example, PDP implementation. And so why should we just repeat that? So we

can [relay it] again and make it clear with some examples, and then can ask the Board about his opinion and what he's going to improve in the organization with regards to improve the process of implementation, for example. So we have a lot of hanging implementation work there. I think that is going to be put forward. I would like to leave it off and to ask here in our group, so whether there are ideas from our point of view which we could specifically raise on this topic. Thomas.

THOMAS RICKERT:

Thanks very much. I wanted to speak to this, but also, I had raised my hand quite a while ago for the accuracy and the DNS abuse topic. So I might get back to that in a moment. I think for this question by the Board, collaborative actions, we had a GNSO Council meeting earlier this morning where we also talked about resourcing and competing priorities.

I think we should probably put a stake in the ground and make it abundantly clear that it is our expectation for the Org to be directed by the Board and to be sufficiently resourced by the Board to kick off implementation work if and when policy recommendations come out of the GNSO.

We are making these processes more and more complicated. We have hordes of people working with ICANN Org in all sorts of phases during the PDP phase, and then we've been landed with

the ODPs that take up enormous resources. And now, the plans are to have ICANN staff be more active during the PDP work in order to predict what implementation might entail.

And that sort of begs the question whether the Org is duplicating efforts in that regard. So if we are already monitoring closely the developments during the PDP phase, which I think is a great idea, I've been advocating for something like an implementation preview conducted by ICANN so that we know before the consensus call takes place what the impact would be technically, organizationally, financially on the implementation, so that the working group itself has an opportunity to do course corrections if they come up with something stupid or overly complicated, right.

But if we do this, and then do ODPs afterwards, on top of that, it looks like we are creating a recipe for disaster in terms of finances and time. So I think we should probably push for the community to work with the Council in particular to inform Council about what the expectations are in terms of timing when the community does its PDP work. And you know, we don't craft policy overnight. So that's a pretty predictable process, so that ICANN can make sure that they have the sufficient resources in place and that we don't have to talk about delays in one implementation effort if something new arises. We need to push SubPro as we need to

push the WHOIS disclosure topic. So that would be my main point for that session.

WOLF-ULRICH KNOBEN: Thank you. The question is, then—well, I think all is important to raise awareness on Board level for those things. And from my experience, from Council, from the policy development itself, that would be good to do that here and bring it forward. So let's talk about that at the meeting with the CSG, who is doing what, that we need some speakers from—some from the BC, some from the IPC. And I think we can do that, bring that up from our side here as an opinion and then ask the Board for—well, you never can expect that you directly get an answer also, which is then after the meeting is being used for executive actions from Board side. But it would help us, I think. So I take that, Thomas, and if I may, I put you on the list for that. Thank you.

THOMAS RICKERT: Please do. When do we have our prep with CSG?

WOLF-ULRICH KNOBEN: It's slightly before the Board meeting on Tuesday morning, two hours before we have the Board meeting, we start the CSG meeting.

THOMAS RICKERT: Just because, if I may, because you mentioned top DNS and that we should be very brief. The only point that I would make is that we have the issue that in ICANN, we have the bylaws limitations, and we only have contracted parties that we can talk to. But that in order for the fight against DNS abuse to be effective, we need other players at the table and that in top DNS, we are basically covering the entire spectrum of infrastructure providers and looking for opportunities to improve collaboration with them. So it's not going to be more than that, but just so that the Board is aware that there's a broader discussion than just the ICANN bubble when it comes to countermeasures against the NSA abuse.

WOLF-ULRICH KNOBEN: Okay. Good. Thank you. Next side of that page, yes, okay. That is what you have with the Contracted Parties House, is also DNS abuse, and they will discuss with us and the WHOIS disclosure system and accuracy scoping. So these are the three topics we are meandering also with the Contracted Parties House about.

This time, we did not succeed well to have Göran with us on CSG level. So that was a timing problem. And so we couldn't have him available. Any more question about these meetings? Not the case. Thank you.

Our next topic is—I'm just looking around because we have also invited people with regards to the pilot—are you the ones? Yes, here, Larisa. As we have just time until I think half past two, yes. Let's do the following. Susan, I'm asking you because you brought up this Internet fragmentation topic. And could you be a little bit brief? Thank you. That would help be helpful. And then we go into the next discussion with the [RSA] team. Susan.

SUSAN MOHR:

Sure. Hi, this is Susan. Thank you, Wolf-Ulrich. We decided that we would carve out this time because this is the first plenary session that ICANN will have hosted on the topic of Internet fragmentation. And it is timely due to the geopolitical issues that we're seeing around the globe. And I think everyone may know that the IGF has actually launched a policy network on Internet fragmentation that's looking at definitions and developing some definitions or some recommendations.

But the purpose of this session is to provide an opportunity for the ICANN community to build a common understanding of Internet fragmentation and the challenge it presents to the ICANN mission. And I do think that the challenge of the plenary session itself is that there's a lot to cover in 90 minutes. And I think everyone would agree that this is a topic that people feel very passionate about. And so we do expect it to be a lively discussion.

And in the interest of time, I'll just say the focus of the discussion really be will be on—there's lots of debate over definitions and the use of the phrase, Internet fragmentation. But the focus of this discussion will be around the technical and sort of logical components of our activities related to Internet fragmentation. And those are things like the alternative DNS roots, standards organizations that are in the sort of the tension around the multi stakeholder model versus the multilateral model. But really those aspects of Internet fragmentation that are important to ICANN.-

There'll be a section of the discussion where they'll take a deeper dive into those into those technical aspects. And then there'll be a panel discussion where we talk about things like what's the impact of Internet fragmentation on end users? How is ICANN affected? What's the role of ICANN? And what can or should ICANN do?

So it should be really interesting, again, lively discussion, I do think there's an opportunity here for the ISPCP to consider how we might define Internet fragmentation, and discuss our views on those technical aspects that are covered during the discussion. And I do think that the outcome of this plenary session will be will lead to further plenary sessions, where we will be able to take deeper dives into specific topics.

So really encourage folks to attend the plenary session, be sure to look on the site, there's a white paper that that has been published, it provides kind of a real basic framework around how the team is thinking about it. But I do think again, it will be lively, interesting, and ongoing. And so, back to you, Wolf-Ulrich.

WOLF-ULRICH KNOBEN: Thank you so much, Susan, for that, to raise awareness. I think really, that is a discussion starting from—it will come down to us, to the ISPs, to the network providers, traffic providers and all the things. So it's timed well to start this discussion.

So the question is how we could deal with that and in the future. So maybe we start with a discussion on the plenary, pick up what is going to be said there and try to find our place in there for the future discussion with regards to technical aspects and so on. And I would say, Susan, as you are behind that, so would be great if you pick that up as well and come back to that to our next meeting, or to one of our next meetings, if time is material for that, and start a discussion, and I'm sure there will be other people also interested to chime in. And maybe we can elaborate on that and some input for the further discussion.

SUSAN MOHR: Thanks. That sounds great. And it looks like Christian might have his hands up.

CHRISTIAN DAWSON: Yeah, I do. I won't take long. I just wanted to simply note that one thought to keep in mind as we're figuring out our position in this is that one of the things I've heard talked about in discussions of Internet fragmentation, when legislators around the world are looking to regulate the global DNS in a regional government, it's generally because they're looking to existing institutions like ICANN, and they're seeing them, they're perceiving them as not effectively doing their jobs. And whether there is truth to that or not, it's another thing altogether, but looking to the health and resilience of the ecosystem here and the policy process here is a key aspect of Internet fragmentation, I want to bring it back there, and make sure that we have our thoughts focused on how Internet fragmentation is affected by a lack of effectiveness within the organization.

SUSAN MOHR: So if I could respond to that. So I kind of avoided—that's definitely going to be absolutely a piece of it, Christian. There's different concepts related to Internet fragmentation and certainly government reactions to and government legislative aspects of Internet fragmentation will be discussed. The plenary session will sort of recognize this very broad approach to Internet fragmentation that includes government responses,

infrastructure responses, but the focus really will be on that technical piece, and the technical sort of initiatives or emerging services that have the potential of impacting the Internet, and then what are the solutions? You know, how does ICANN react to that? But I do think you raise a good point and that is part of the broader discussion. For the purpose of the plenary, certainly the focus will be on the technical aspects. But looking forward to having more discussions within ISPCP along those lines.

CHRISTIAN DAWSON: That's helpful context, Susan, thank you.

WOLF-ULRICH KNOBEN: Thank you very much, Susan. And we will pick that up again, thank you. So now we come to the terms of reference for the pilot holistic review. As you know, so the holistic review, it was one of our favorite items over the last year. So it's now given by the prioritization team a high priority as well. I'm happy that this team was working here, already in advance to work on the terms of reference for the pilot, and happy to have Larisa here, and her team, and would be happy to give you the floor. Thank you.

LARISA GURNICK: Thank you very much. Hello, I'm Larisa Gurnick. I'm joined by my colleagues, Jason and Evin, and we're happy to bring to your

attention as Wolf-Ulrich said that there is a public comment open right now on the pilot holistic review draft terms of reference. So if we could go to the next slide. I know your time is short. So I'll try to be brief and kind of go quickly through the slides. We'd like to touch on what the holistic review is and its origins, talk about the current public comment proceeding and also reflect on next steps. So next slide, please.

As a matter of background, it was the third accountability and transparency review—ATRT3—that examined if ICANN reviews function effectively, if they produce the desired effects and things like that. And as a result, the ATRT3 issued a number of recommendations pertaining to reviews.

Recommendation 3.5 was to add a new review, a specific review, which means it would be a community-led review. And there's also a companion recommendation that's really difficult to separate from this one. And that's recommendation 3.6, which talks about evolving organizational reviews into a continuous improvement program. And as we've been doing these briefings for different groups, it's become very clear that the two recommendations are kind of tied together and have some dependencies. So just wanted to mention that upfront.

The Board approved the recommendation to initiate a holistic review, subject to prioritization which you already heard it was

deemed high priority by the community and also directed Org that implementation be done via a pilot. And the purpose for doing it as a pilot is to address a number of gaps that the Board identified in going through the recommendation to initiate a new specific review. Next slide, please.

ATRT3 had four primary objectives that they wanted to accomplish with the holistic review. First, to review continues improvement efforts of the SOs and ACs and the NomCom based on good practices. Secondly, to review the effectiveness of various inter SO/AC and NomCom collaboration mechanisms. Third, to review the accountability of the various structures to their membership and constituencies. And fourth is a bit of a complex point, I believe, review the SO/AC and NomCom as a whole to determine if they continue to have a purpose within the ICANN structure as they're currently constituted, or if any changes in structure and operations are desirable to improve the overall effectiveness of ICANN as well as optimal representation of community views.

So these four objectives were taken as a framework by the team that was put together to develop the draft terms of reference. And you will see more about that in the public comment proceeding. Next slide, please.

Several Board-identified information gaps that are to be addressed by this pilot review are listed here. And I'm just going to touch on a few of them. Guidance as to how the holistic review teams should determine and prioritize their work areas in order to ensure effective review outcomes given that the ATRT recommended this review be conducted within a period of 18 months timeframe. A reflection on estimated resources and budget required to complete this type of work. And finally, determination of how future holistic review teams would measure success of the implementation of recommendations that are issued by the pilot holistic review and also the future continuous improvement program. So all of these elements that the Board identified as potential gaps are included actions and deliverables designed to address these gaps are included in the proposed terms of reference. Next slide, please.

Key components of this pilot holistic review are here and I'll just highlight a couple of interesting things. So the primary goal of this review will be to address the information gaps. Also, the pilot holistic review team will work to create a holistic review program, which will develop principles and criteria for evaluating all these different areas by the future holistic review teams.

Because this review will touch all the structures within ICANN, every SO/AC and the NomCom, there is quite a bit of focus on developing principles and criteria that are practical and relevant

to the different groups which will be accomplished through collaborative engagement between the review team and the various groups. So for that reason, we're highlighting this here at ICANN 75 because this work will have implications for every group.

And finally, the SO/ACs and the NomCom will then have an opportunity to participate in the future holistic review by doing a self-assessment giving the future holistic review team the necessary objective information to complete their evaluation as it was envisioned by the ATRT3. So the pilot creates the standards and the criteria for the evaluation. Then later there is a self-assessment of sorts and then the next phase, the next holistic review would then have a baseline for conducting their assessment is what is referred to as the program. Next slide please.

So this is the public comment proceeding information. It was opened on the 30th of August and it will stay open through the 20th of October. The public comment was in shaded that the direction of the ICANN Board. And as I already mentioned, this work will have implications for various community structures and groups. So we want to make sure to share information and provide the insights that will give you all an opportunity to consider your positions in a public comment.

And so in addition to just the normal expected community time and attention and participation on this pilot holistic review, it's also expected that there could be potential changes to how the various structures are organized and evaluated in the future.

So the Board is seeking input on two primary areas: whether the draft terms of reference seems fit for purpose, and whether it is tailored to the community expectations based on what the ATRT3 envisioned in their recommendation 3.5. And the second point is pilot holistic review scheduling. So seeking input on the timing in light of other community and stakeholder work. Next slide, please.

So what happens next? After the public comment, as is the normal practice, there will be a summary report of public comment and analysis that staff will prepare to be presented to the Board through the Organizational Effectiveness Committee of the Board, who oversees all reviews. And depending on the nature of the public comments, possibly there will be an involvement back to the TOR team, the group of Board members and former ATRT3 members that drafted the TOR to respond to public input and public comments.

And after that, once the terms of reference is in final form, that would then lead to a call for volunteers to serve on the pilot holistic review, and the composition of the review team and the

process for selecting the review team members would follow the same process as is currently outlined in the bylaws for other specific reviews. So essentially, every SO and AC has the opportunity to nominate an equal number of participants, then the SO/AC chairs have a responsibility to actually select the members and the final review team will be comprised of up to 21 people, plus a Board liaison.

In the meantime, as part of the preparations for this review and to help the review function effectively, ICANN Org will be assembling a variety of data points and information to have at the ready for the review team when they begin their work. Let me pause here and see if there's questions about this.

WOLF-ULRICH KNOBEN: Thank you, Larisa. Any question from the floor? Otherwise, I would have two questions. The first is related to the very last point. Do we have a date in mind when this could happen?

LARISA GURNICK: Not yet. This is all while the public comment is proceeding. ICANN Org is also working through the entire group of prioritized recommendations. There is 40 some. So this is one of the entire group of recommendations. So we expect to have that process completed in a more precise timeline known in the next month.

WOLF-ULRICH KNOBEN: Okay. Thank you. And the other question is related to the four objectives. You mentioned the very last one as being the most complicated. I fully agree to that, because that touches on the organization itself. So is there any prioritization within the group, the team with regards to these terms of reference and the objectives? Because usually, a group doesn't like to start with the most complicated thing. So that's my question about how the group is going to deal with it.

LARISA GURNICK: Thank you. Maybe if we could flip back to that slide that has the four points just so that everybody can see, it might be easier. And I will make an observation that within the TOR team discussions— and they've had quite a bit of discussion about how to tackle these objectives and also had some substantive discussions on what the intent was of ATRT3.

So I'm not trying to speak on behalf of ATRT3, merely sharing their observations that there were some that felt that this was about how the structures come together and interact and how effectively they contribute to the overall effectiveness of ICANN, while others felt that this was intending to look at how the structures themselves were comprised. It's a pretty wide-ranging discussion and implications.

And they did not necessarily conclude on how this would proceed. But the terms of reference are designed in such a way that that topic would be—there would be a deliverable coming out of the pilot holistic review to define what that could mean with input, again, from the community, because it would be really important to do it in a way that is reflective of everybody's understanding and everybody's practices. So what's expected from the pilot holistic review is a framework of sorts and some guidance that could be applicable for how such an evaluation could be conducted down the line, and what are the measures and the principles that should be associated with it.

WOLF-ULRICH KNOBEN: Thank you very much. Please, Fiona.

FIONA ASONGA: I think in just in line with Item number four, based on experience in different reviews that I've been involved in, I think the onus is pretty much—this being the pilot, the first team has got a very critical role of coming in to put a number of systems in place because this then forms I believe the starting point of where as an organization we begin to evaluate our different structures and the interrelation between them, because that is what has been missing if you look at all the review processes that ICANN runs.

So the holistic review, I think, is important, and a starting point for it would be letting the team that you put together come in and have a deliverable on that number four, but agree on what that baseline is going to be. And then from there, we shall then be able to grow and to look more into the different structures and the operation. But we need the baseline, I think, set. That is my understanding of everything. And I hope that is what ICANN Org will do, because that then will be feedback that comes in from the community through the review team. Thank you.

BRENDA BREWER: Excuse me, this is Brenda, I do apologize for the interruption. We have come to the end of our time for this meeting.

WOLF-ULRICH KNOBEN: Thank you for that. I wasn't aware of that. Is it possible for two minutes? Thank you. Larisa.

LARISA GURNICK: Yeah, realizing the time is almost up. So yeah, I encourage you to take a look at the public comment proceeding, which includes the draft TOR, which gets into quite a bit of detail for each of these four objectives, what the proposed approach would be.

WOLF-ULRICH KNOBEN: Thank you for that, Larisa. So we're coming to an end. I wanted to give one minute for Christian. But it is one of the two minutes.

CHRISTIAN DAWSON: Appreciate it. Very quickly. Last we spoke at last public meeting, the charter was near completion. We submitted it two weeks later to ICANN Legal, the process was supposed to go about two weeks of review before we get something back. It's been about two months now. And we have not received it. We will, but a couple of weeks after this meeting, we'll have that. The goal will then be for the drafting team to take any ICANN Legal notes and resolve them and then put it up for public comment. Then we'll have another 30 days and I still have an objective by trying to complete this process by the end of the calendar year.

WOLF-ULRICH KNOBEN: Thank you for this, Christian. Thank you for the hard work you have done on that. The very last minute is one point under AOB, is nomination of an ISPCP representative to the SSC. This is the GNSO standing selection committee. Osvaldo was a member so far, so his term is out. So please think about and communicate with others whether there is an interest. There should be a representative from our side on that. And Brenda, if you could follow up just to circulate the deadline for the nomination as well. So that would be helpful. Thank you for that. Thank you also all

for the participation for today's meeting. Thank you very much.
The meeting is closed. Thank you.

BRENDA BREWER: And you may end the recording please. And we have an announcement on the screen. Please take note.

UNIDENTIFIED MALE: Yes, thank you very much.

[END OF TRANSCRIPTION]