
ICANN79 | CF – GNSO Council Meeting
Wednesday, March 6, 2024 – 1:15 to 3:15 SJU

TERRI AGNEW: Good morning, good afternoon, and good evening, and happy birthday to Julie Bisland in the back. Woo! Welcome to the GNSO meeting taking place on Wednesday, the 6th of March 2024. Would you please acknowledge your name when I call it? Antonia Chu?

ANTONIA CHU: Present.

TERRI AGNEW: Nacho Amadoz.

NACHO AMADOZ: Present from afar.

TERRI AGNEW: Jennifer Chung?

JENNIFER CHUNG: Present.

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TERRI AGNEW: Kurt Pritz?

KURT PRITZ: Present.

TERRI AGNEW: Greg DiBiase?

GREG DIBIASE: Present.

TERRI AGNEW: Prudence Malinki?

PRUDENCE MALINKI: Present.

TERRI AGNEW: Desiree Miloshevic? I don't see Desiree in the room or online. We'll see if we can get that accomplished. Lawrence Olawale-Roberts? Lawrence was in the room. He must have just stepped away. But Lawrence is present. Mark Datysgeld? I don't see Mark in the room or online. Damon Ashcraft?

DAMON ASHCRAFT: Present.

TERRI AGNEW: Susan Payne?

SUSAN PAYNE: Present.

TERRI AGNEW: Thank you. Osvaldo Novoa. He actually did send a proxy in, and the proxy will go to Thomas Rickert. Thomas Rickert?

THOMAS RICKERT: Present. Wisdom Donkor?

WISDOM DONKOR: Present.

TERRI AGNEW: Stephanie Perrin?

STEPHANIE PERRIN: Present. Thanks, Terri.

TERRI AGNEW: You are welcome. Peter Akinremi?

PETER AKINREMI TAIWO: Present, Terri. Thank you.

TERRI AGNEW: You are welcome. Tomslin Samme-Nlar?

TOMSLIN SAMME-NLAR: Present.

TERRI AGNEW: Manju Chen?

MANJU CHEN: Present. Thank you, Terri.

TERRI AGNEW: You are welcome. Bruna Martins dos Santos. She's sent in a temp alt, and the temp alt today will be Farzaneh Badiei.

FARZANEH BADIEI: Present.

TERRI AGNEW: Paul McGrady?

PAUL MCGRADY: Here.

TERRI AGNEW: Anne Aikman Scalese?

ANNE AIKMAN SCALESE: Present remotely.

TERRI AGNEW: Awesome. And I do see Lawrence Olawale-Roberts is now back in the room.

LAWRENCE OLAWALE ROBERTS: Present.

TERRI AGNEW: Awesome. Jeffrey Neuman?

JEFFREY NEUMAN: Present.

TERRI AGNEW: Justine Chew?

JUSTINE CHEW: Present. Thanks, Terri.

TERRI AGNEW: You are welcome. Everton Rodrigues.

EVERTON RODRIGUES: Present. Thank you.

TERRI AGNEW: We will have a guest today, Chris Disspain, co-chair of DNS Abuse Subgroup. Also in the room is the policy team supporting the GNSO. May I please remind everyone here to state your name before speaking as the call is being recorded. A reminder that we're in a Zoom webinar room, and councilors are panelists and can activate their microphones and participate in the chat once they've set their chat to everyone for all to be able to read the exchanges. A warm welcome to attendees in the call who are silent observers, meaning they do not have access to their microphones, but do have access to the chat. There will be an open mic at the end of the session where attendees' microphones will be activated at that time. All are welcome to use the chat. Please use the dropdown menu in the chat and please select everyone in order for all to see your chat exchanges. Councilors, if you'd like to speak during the session, please raise your hand in Zoom. When called upon, virtual participants will be given permission to unmute in Zoom, and on-site participants will use physical microphones to speak and should leave their Zoom microphones disconnected. For the benefit of other participants, please state your name for the record and speak at a reasonable pace. During the open mic, those in the meeting room will be invited to put their hands up in Zoom and queue at the stand alone mic. Those participating remotely will be able to raise their hands in Zoom and unmute their mics when called upon. As a reminder, those

who take part in ICANN multi-stakeholder process are to comply with the expected standards of behavior. With this, I'll turn it back over to the GNSO chair, Greg DiBiase. Please begin.

GREG DIBIASE:

Thank you so much. Welcome, everyone, to the council meeting at ICANN 79. We have a fairly busy agenda today, but I will start with asking if anyone has updates to their SOI. Seeing none, would anyone like to suggest a revision to the agenda today? Okay. And I'll note that the minutes from the previous council meetings have been posted on the GNSO site, and I will move on to the consent agenda and hand it over to Tomslin.

TOMSLIN SAMME-NLAR:

Thanks, Greg. So I'll take this one as the council small team on communications chair, small team chair. So as you're aware, during the December 2022 council strategic planning session, the council identified the need to enhance its communication efforts to broadcast its work and efforts to a broader audience. Last year, in April, the council tasked a small team on communications to develop a strategic communications plan. So the team submitted its report to the council, and I think that report in its draft format was discussed during our last SPS and also during the January meeting. So today we'll be voting or consenting to the report that was submitted. And with that, I'll ask Terri to help us with the voting.

TERRI AGNEW: Thank you very much. One more time before we begin, Mark Datysgeld is not in the room nor in the Zoom room. I'm just making sure. Okay, so he is absent for this vote. I just wanted to double check. We'll go ahead and do a voice vote now. Would anyone like to abstain from this motion? Please say aye. Hearing none, would anyone like to vote against this motion? Please say aye. Hearing none, would all those in favor of the motion please say aye.

PARTICIPANTS: Aye.

TERRI AGNEW: Thank you. Councilors holding proxies, it will be Thomas Rickert for Osvaldo Novoa.

THOMAS RICKERT: Aye.

TERRI AGNEW: Thank you. With no abstentions or objections, the motion passes. Back to you.

GREG DIBIASE: Thanks, Tomslin. And congrats to the small team on their report. It's a great step forward. Moving on to a reaction to the program management tools that we discussed during our working session. So as a reminder, in our strategic planning session, we reviewed the tools that

help councilors keep track of what is on our plate basically, what items we need to work on. And it was agreed that we should review these tools on a tri-annual basis because at least some of the projects that are on our list, not all councilors were familiar with, and perhaps that would improve our productivity. So we put together some slides with the help of staff and Paul presenting and went through the slides and discussed their content to understand what they were and potential next steps. So I wanted to include this discussion item to get a kind of reaction from the group. Was this worthwhile? Should we do this again or how should it evolve? Should we potentially pick certain topics? And then broader than that, for the items that we did identify as potentially stale or that had been on this list a long time, potential paths forward to make progress there. So maybe I'll start with the first question to councilors on initial reactions. Was this worthwhile? Is this something we should do in the future? Damon.

DAMON ASHCRAFT: Damon Ashcraft, thank you so much, Greg. I definitely thought it was worthwhile, but did you say, are we going to do that or is the plan to do that every three years?

GREG DIBIASE: Sorry, did I say three years? Did I say tri-annual? I don't know what that word means.

DAMON ASHCRAFT: So I would like it to be more often than that, maybe at least once a year.

GREG DIBIASE: Yeah, so skip to my second question. What is the appropriate timing, once a year?

DAMON ASHCRAFT: Yeah, and I would say once a year probably makes sense. So thank you.

GREG DIBIASE: Jennifer.

JENNIFER CHUNG: Thanks, Greg. Jen, for the record. First off, I guess a big thank you to Paul and staff for presenting those slides for us. I think it's a really useful exercise to do. What I really wanted to note, because we had a pretty good discussion on some of the things when we were going through the slides, both in terms in the council and I guess people watching in on our working session, do we have kind of next steps on what we're doing there afterwards? Because I thought it might be quite an interesting and useful part where we have a kind of a short list on, these are the things that council needs to deal with. These are the things we're waiting on the board. These are the things that different working groups owe us, et cetera. I think that might be a kind of a natural next step to take, but I wasn't quite clear at the end of that session whether or not we're going to take that step. Thanks.

GREG DIBIASE: So I think that's part of my question here. I think we had identified some open questions at least. And so I'm also curious to hear people's thoughts on that question. What do we do next? There's a letter to ICANN on these certain topics. Is it further categorization? Yeah. Manju.

MANJU CHEN: Thank you, Greg. So I think once a year, probably a bit too little. I think twice a year would be good. I think once in the meeting that we meet face-to-face first time in the year, this one, and then the last one, which is AGM, would be nice. It will be like, oh, an overview of the year coming and then overview of the year just past, right? So that probably will be a good frequency. So that's my two cents. And also, I just wanted to note that in the council project list of this month for the working group part, we haven't changed the vice chair of the IDN EPDP group. I know we're all still in denial that Justine has left us, but we really have to change that, okay? So that's it. Thank you.

GREG DIBIASE: Thank you. And that just kind of reminded me of one thought I had is perhaps if we do it more than once a year, we could send out like the list of projects and people could say, I want to hear more about XYZ, right? And we could narrow that list for maybe the second meeting. So just a thought. Tomslin.

TOMSLIN SAMME-NLAR: Thanks, Greg. I think we should certainly work out a way to look at some of the action, well, probably not action items yet, but outcomes from

that conversation because I think we identified some things that were really old, which we weren't even sure if they should still stay on there or we should just drag them out. So we have to find some mechanism. I don't know whether we need staff's help with this one, but to identify those that are just too old and perhaps have been overtaken by other events or that require updating or something. So we definitely need to review the list in some form. Thanks.

GREG DIBIASE:

Thanks. I agree with that recommendation. Maybe we do need to take a closer look at the notes from that meeting to get a refresher. Maybe that's something staff can help us with. Desiree.

DESIREE MILOSHEVIC:

Thanks, Greg. Supporting to what Tomslin has said, I think we had some good discussion. So it was very useful exercise. I believe we also discovered that some items are with the board and we discussed whether it's up to us to follow up with a letter on those items because we don't know how long they're going to be there. So this is this mechanism that once the staff reports back what's on our follow-up list, it will be good to do. Thanks.

GREG DIBIASE:

Thank you, Desiree. Paul.

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- PAUL MCGRADY: Thanks, Paul McGrady. The other thing was identifying liaisons for some of these, right? Because we have gaps now, but we also could put people in those roles now. I know it said that a liaison will be appointed once an IRT starts or whatever, but we don't have to. We can sort of informally identify who wants to be in that role when the time comes, put them in that role now essentially and ask them to keep an eye on things so that we don't feel like we have to constantly pull information from staff. We can go get it ourselves. And so I like for us to do that if we can.
- GREG DIBIASE: Thanks, and if I recall correctly, we had some volunteers in that session to track certain projects. So maybe that will be reflected in the notes as well.
- UNIDENTIFIED SPEAKER: And for any of those that we don't have a volunteer, of course, it automatically defaults to Susan.
- GREG DIBIASE: Well, we can ask her because she's going to say yes no matter what. So we'll go through that formality. Tomslin, did you have your hand up?
- TOMSLIN SAMME-NLAR: Yeah, there was one in another category where the items were still on the board and we're discussing who should follow those. And I think there were some suggestions. And one of those was whether the vice

chair should follow those or whether you should or whether we should. So I don't know whether this is the right time to discuss who we want to follow those items that are sitting with the board.

GREG DIBIASE:

Okay. Yeah, I think we might have said vice chairs is my memory. But maybe the next step would be for leadership and staff to look at the notes, categorize the notes into some categories and then refine some questions to bring back to council on next steps. Does that sound right to folks? Okay.

One other related note, we didn't get to the ADR portion of this. We also have some slides on what's on the action decision radar, which are things that we need to act on in the coming year. So I was planning to present those at the wrap up unless anyone objects. Okay. Any other comments on this topic? Moving on. Okay. And I think, Nacho, are you there remotely to introduce the topic, the next topic?

NACHO AMADOZ:

I am, Greg. Thank you. So this is Nacho Amadoz. And I'm going to introduce the topic in connection with the policy webinar of the prep week that we discussed in the SPS. We discussed, what should we do with this webinar? How do we make it more useful to us? Because we concluded that the audience was us. It was not the general public. It was us. And it was a tool to get us apprised of everything that was going on in the working groups by the chairs. And that we should help chairs focus on what was meaningful for us to hear through the webinar and

among all the other things that we have to prepare for an ICANN meeting when we are running into it.

We agreed on a couple of things. The first one was that this could be outside the prep week because it didn't need to go into the program of the prep week having the audience at large in mind because it was us. And we did it this time. We did the webinar on the 26th, I think. And I think my impression and our impression after discussing how it went in our leadership call is we established that it was good. We had the impression that attendance was better and that it looked like there was a higher degree of engagement and that was what we were aiming for. That was one of the main aspects that we were considering.

And the other one, this is something that we work under something that we already had to try to elaborate the list of questions that could help chairs focus on what was needed in that two-hour webinar. And this is something that we worked with a couple of volunteers and that we elaborated kind of questions of the main questions that were already there that we think help get the information through with very concrete questions for the chairs to not go into every detail of what is going on with the group, but bear in mind that we are going to try to condense all this information and have it ready in our mind when we need to tackle all the other things. And we think that it was also a good effort and that it worked well.

So the main focus here in our discussion is if we agree that this is the case, if we think that this was successful, if we think that the questions serve a purpose, how can we improve this? And if this is something that we should still be working on, and if you have ideas about how to better

improve what we did, start floating them and help us see if we need to get these into our agenda so that we still work on this a little bit further. I guess that we are only really going to be able to reassess once we get to the next webinar, when we see if there are any changes or if these proposals for questions have created any impact at all among the chairs of the working groups. I'll shut up here. And what we want is to have your feedback on whether this was useful or not. And for that, I think that we—I'm not seeing the room. So if you guys in the room see anything clearer than me, please help me with the queue if there is any.

TOMSLIN SAMME-NLAR: So I'll help you Nacho with this one. Look around. I'll be your eyes in the room.

NACHO AMADOZ: Thank you. I see Kurt and Greg raising their hands. Sorry, go ahead.

KURT PRITZ: Okay, thanks. Thanks very much, Nacho. That was good. In the RySG this week and in other places, we talked about the council mission or objective of making our policy recommendations Board-ready. And I think in order to do that, the council has to become more involved in the substance or interactive in the substance development of the policy recommendations. Typically, we take policy recommendations, pass them right through. And who does the de novo review? The board does. We don't do anything. So what's our role in making them board ready? And I think the engagement with the PDP chairs is one of those tools we

have to do that. So we need to think about in that engagement to the things that were brought up in this session were all toward that. But how do we suss out issues where the staff might disagree with the rest of the community? So the staff might relitigate it with the board or where we see, because we're like a third set of eyes that hadn't been talking about this a lot, where we see inconsistencies or vagueness or unimplementability. How do we, so how do we use this interaction with the board chairs? It's not easy. If I had a good answer for this, I'd just blurt it out. But I think this engagement with the PDP chairs is one of the tools in our toolbox. And we have to think about the questions we ask going into those engagements that'll help us make the recommendations more board ready. Thanks.

If I may, Kurt, I think that this is a very, very useful approach that goes beyond what we had initially in mind and that is not anything to discard. So the fact that goes beyond should make us reconsider how we could then approach the working group chairs, right? Because what we are seeing now is how we help them provide the information through the webinar in a more concise matter. Whereas what you were saying, if I read it correctly, is that we should help them go back to their work as working group chairs to drive the effort towards making this more board palatable. And I think it's a good focus for us to help them. But then we should think about how we take this to other interaction sessions rather than the webinar itself, right? And this is something that we could consider so that we expand what we were initially approaching here. I see your hand, Greg.

GREG DIBIASE: Thanks. Yeah, I guess no strong opinion on what Kurt said other than generally it makes sense. I was just going to note in the updated questions, I like the one where it said to explain this issue simply. I don't know if it was as if I was a child or something along those lines. I was just noting I thought that was helpful, albeit very difficult with EPDP IDNs.

NACHO AMADOZ: Thank you, Greg.

TOMSLIN SAMME-NLAR: There are no hands in the room either.

NACHO AMADOZ: So I guess that we can conclude the discussion. I guess that we are going to take that suggestion from Kurt as to how we could make our effort in helping the working group chairs making things more board ready and discuss if we could integrate that within what we were discussing here. Tomslin, I see your hand.

TOMSLIN SAMME-NLAR: Yeah, I decided to put my hand in the queue as well. The question whether the structure is still fit for purpose is something I don't know whether we've considered. And that's because when we looked into this webinar in the communication small team, at the time, we thought it needed improvement, but we had no specific recommendation on how

to improve it. But I was wondering whether the structure, I know we made two primary updates to the format which we had in our last webinar, the questions and the timing of the webinar, but regarding the structure, is it still fit for purpose is something I wonder if anyone has thoughts on.

NACHO AMADOZ: I think that the structure still serves the purpose. Maybe we should consider going beyond that, trying to integrate what Kurt said. But in, and this is my personal experience, when I need to prepare all the issues, knowing where to go for all this feedback condensed in one session is very useful for me.

TOMSLIN SAMME-NLAR: I see Manju's hand up.

NACHO AMADOZ: Please go ahead.

MANJU CHEN: Thank you, Nacho. Thank you, Tomslin. So I think I agree the session has been very helpful, but I was wondering if it is necessary that we do that before the face-to-face meeting. Is it possible if we just incorporate it into the first session of our council working session when we're having a face-to-face meeting? Because for this year, especially if we're doing time zones, matching the meetings where we're going to have the meetings, it's always going to be shitty time for me. And I really don't

like it. And I don't see why we cannot just do it when we're in person. When we have more questions to the chairs too, we can just, sometimes when the time is up, we can just come to them afterwards and then ask them in person. So I thought it would be better if we can incorporate that into our council working session.

And another point I wanted to make is that, so I really agree with Kurt that this, we need to be more substantial in our input to the working group. But also I wanted to remind us of the discussion we had during the working session or during when we were reviewing the projects. In essence, the ICANN policymaking process, it's a bottom-up multistakeholder process. So I guess while we are managing the process, we try to, of course, not micromanage the process as well. We have, as stakeholder groups and consultancies, representatives in the working group who should be doing the job and alerting concerns to us when there are concerns. I'm wondering if we're trying to make it more ready. It's like, I don't know how to say that in English. In Chinese, we have this word. It's like, [inaudible]. It's like, you're always guessing, like the one above you, what they're thinking. We're trying to make things that they like, but it's not how the multistakeholder or bottom-up process should work. We should make our recommendations. If they don't like it, they have to suck it up. So just finding a fine line between making it more ready and still maintain this bottom-up process is my point. Thank you.

NACHO AMADOZ:

Thank you, Manju. I think that is a very, very, very, very good point because especially when English is not your language and you need to

twist the language and make constructions and really read that to see if that is palatable or not. It's a bit of an effort that sometimes it's difficult to understand, but I think it makes sense. But still keeping that balance, as you said. Before going to Susan, just let me go through something that Justine noted in the chat room, which I guess that you were also pointing out, which is the plus one to go to them, maybe using the liaisons as well, and not only the webinar and the chairs. But that is what we are kind of expanding in the session, right, how we make this wider. Susan, please go ahead.

SUSAN PAYNE:

Yeah, really brief. Just to say I thought that session was useful. I do think it's still worthwhile. I don't feel strongly about whether it's in prep week or in person when we're at the meeting. I think it might have been something that used to be done in person at the meeting and maybe the feeling was it was taking up so much time and that's why they shifted it to prep week. But it may be that it depends on the circumstances and what the updates are going to be, because I think at the moment we only have two PDPs, so that wouldn't take up a huge amount of time from our first day, I guess. But I did think it was really useful. I thought the fact that it was very much focused on kind of where they are and what's happening next and what the timelines are. I, yeah, I found it helpful.

GREG DIBIASE:

I'm going to go to Steve real fast.

STEVE CHAN:

Thanks very much, Greg. This is Steve Chen from staff and you're right, I want to provide a little bit of historical context about why the sessions were moved prior to the meeting. So part of it was the GNSO working sessions used to actually be on Saturday and Sunday. And so with the reduced time, there was an intention to try to focus more on dialogue. And so those prep week sessions have trended heavily towards purely updates. And so the intention was to get the update and then if there was the need for dialogue to make sure that there's time allocated during the actual ICANN meeting when people are face-to-face. And so, you know, just a larger trend to make sure that sessions at ICANN meetings are trending towards dialogue. That's the reason why we moved it prior to the meeting, get purely updates then, and then facilitate dialogue during the actual session. Thanks.

NACHO AMADOZ:

Thanks for the context, Steve. And I think that that makes total sense. Jennifer, you're next. And I think that we are running out of time for this topic. So you may be the last one in the queue.

JENNIFER CHUNG:

Thanks, Nacho. I think Steve pretty much answered a lot of things that I was about to say. I do think that it's still quite useful to have this dialogue because even though the two PDPs or e-PDP and PDP that we're looking at right now is going pretty smoothly, there could be a point in the future where we have more of these processes going on where we actually do need to deep dive into any issues that come up. And also kudos to the liaisons we have currently to those two processes.

That's why it's making it seem like, are we kind of doubling up on these sessions? But I think it is in all a pretty useful thing to keep things.

NACHO AMADOZ:

Thank you very much. Manju's comment now in chat room, I think it also goes in that line. Now that we are trying, she says, now that we're trying to make this update more into a dialogue as an effective two-way communication, I would argue, she continues that it makes sense to move it back to working sessions too. And I kind of agree. So the webinar is useful. And then when we need to have a more, a deeper exchange, then we should allocate time for that. I'm agreeing. And I think that I will be finishing this topic and give the voice back to you, Greg.

GREG DIBIASE:

Thank you, Nacho. Okay, great. So I'm hearing that they are useful with the updates. And I think I was about to say what Manju was saying is, I think we're revising it to make it more of a dialogue with the questions. So that makes sense. So maybe overall with the improvements, the session still makes sense. And perhaps we can decide in advance of a particular meeting whether it should be in the prep week or during a working session going forward. Sound right to folks?

Okay, let's move on to the next section. And we have a very special guest that will give us an update on the contracted party house abuse subgroup meetings. We've talked about this effort a couple of times in council, more given vague updates about that they're happening. And

now we have someone, a chair of one of these subgroups to describe their activity in more detail.

CHRIS DISSPAIN:

Thank you. Hello everyone, this is Chris Despain, co-chair of the DNS abuse subgroup. So we've had as part of the catalyst of the DNS abuse amendments, we decided that it would be sensible to have a series of outreach meetings with other parts of the community. So the CPH DNS abuse subgroup has organized so far meetings with the NCSG, with the BC and with the IPC. Three separate meetings in which we basically asked each of those groups to talk to us about what their expectations were for the future, how they would measure the success of these amendments and so on.

As an upshot of those meetings, it's I think become pretty clear that the key to all of this moving forwards is the C word, communication. If we keep communicating properly and regularly, even if we don't actually think we have anything to say, amazingly if we get together, there's always something to say. So we're going to work now to bring these series of discussions into a more sort of regular cadence. We're considering asking each of the groups to appoint a person in their group that is the sort of person that we would go to in respect to DNS abuse and vice versa. I think we all feel that having these sessions is a far more beneficial way of communicating than having messages delivered in a statement at the public forum, not that I'm suggesting that that means people shouldn't go to the public forum and deliver messages, but if we can keep these lines of communication open, then that will be great.

The other key point I think is that we also all agree that we need to have a closer communication line with Compliance because right now the situation is that the amendments go live on the 5th of April and those amendments are now in the hands of, and the actions from those amendments are now in the hands of Compliance. We ran an outreach session earlier this week here in this room, in fact, and we had panelists from each of the, we had Farzaneh, John and Mason, Susan Chalmers from the GAC, and Leticia from ICANN Compliance all came and chatted about what's going to happen going forwards, what our wish list is, what we want to have happen next. And I think there is general understanding that the amendments are a step and there are more steps to come. And the working group, the DNS abuse subgroup rather, will continue to operate these amendments, not the end of the road, just the beginning. I'll be very happy to answer any questions that anybody has.

GREG DIBIASE:

Tomslin?

TOMSLIN SAMME-NLAR:

Thanks, Greg, and thanks for the update, Chris. I was just wondering, with the input or discussion that came out of the panel you had, what plans do you have to look into the input or the conversation that, I don't know, not the conversation, but the input that was given by the panelists in that conversation? How do you plan to, or what do you plan to do with those?

CHRIS DISSPAIN:

Thank you. I think most of us understand and agree that we really are at the moment in sort of wait and see mode to see what happens next. I forget, I think it was Mason who said what we need is metrics, so we've taken that and we've asked Mason to work with us and see if we can start thinking about metrics. As far as next steps are concerned, I was asked this question in the GAC the other day and I think my response is that it might sound like it's being evasive, it isn't. We really are in wait and see mode and the next steps are very much dependent on what happens in the next six months or whatever when we see the effect of the amendments. But the key, I think, for all of us is that if we have open, ongoing lines of communication, then we can get feedback and input from all of the constituencies and make sure that the next steps are in line with everyone's expectations. Thanks.

UNIDENTIFIED SPEAKER:

Yeah, so I have a question I think related to Tomslin's regarding kind of the output. Is there information you can share? You know, the different groups are raising certain concerns. I think on council and when the council abuse small team reconvenes, we're always looking for inputs, information about where potential issues might exist to consider whether they can be addressed by policy. Are those type of inputs something that can be shared or being noted?

CHRIS DISSPAIN:

I think with more, as discussions have been more based on, rather than looking at next steps, more based on what are we going to do to measure the effect of these amendments? Because it's that that will then lead to the next steps. And I think that there is an understanding

amongst the groups that, you know, as I said, the key to this is a clear line of communication with Compliance. We need to be talking to Compliance about things like getting a hold of data that shows particular players in the market have a particular way of behaving that's a problem. So rather than dealing with necessarily individual specific complaints, they can look at data and take a more of a helicopter view. The metrics, as I said, I think is very important. But no one has said the next step should be paint everything green. To use an example that was obviously not real. Although ... So we haven't got to that point as of yet.

UNIDENTIFIED SPEAKER: So I guess my question was not like conclusions on what the next step should be, but maybe more along the lines of issues parties are seeing or general concerns parties are seeing. There's an uptick in X type of abuse. That's too specific, but ...

CHRIS DISSPAIN: No, there hasn't really been any discussion about that specifically. There are anecdotal suggestions made often in the GAC that there is an increasing amount of abuse, but that's anecdotal and we don't have any real evidence. We've discussed, how do you measure the success of these? And we've talked about the fact that you could actually see more, seeing more DNS abuse might actually mean it's a success because the things are being picked up and actioned. And that's why it's so complicated to try and figure out how you measure that and what the next steps are. I'm conscious I'm not giving you a very specific answer, but I think fundamentally we are all agreed that we need to work together and communicate and follow what happens next as

closely as possible so that we can figure out what the right next things to do are. But there's nothing specific. No one has said, this is an issue that I want to see dealt with, not in the three calls that we had. Fears have been expressed about what may happen next. And I think, I mean, Farzaneh is here and I know that she has a particular view about what she thinks might happen next and a particular fear that's for her to express, not for me, if she wants to. But other than that, there isn't really anything to say.

GREG DIBIASE:

Thank you. Peter.

PETER AKINREMI TAIWO:

Thank you, Chair. Thank you, Chris, for the planning, the outcomes and the discussion. I'm still curious to know what are the costs to the registrant when domains actually got taken down. So I still want, because I asked this during the planning. So, and there was no substantial output from that. I just want to know, did you actually take that into consideration? How do you actually measure the cost to the registrar? I know that we came to come up with success criteria for this, but how do you factor in the cost to the registrant and how do you measure that in your success criteria? Thank you.

CHRIS DISSPAIN:

Thank you, Peter. I think, so yes, is the answer to the question, but it's sort of answerable in a slightly more complicated way. If having gone through a process of checking that a domain is being used for DNS

abuse, that domain is taken down, then there is obviously a cost to the registrant, but one would imagine that whilst it's not impossible for there to be mistakes made, that having gone through the process of investigation, that there is certainly an issue.

The more complicated area is where you have compromised domains rather than malicious domains. And that of course means that it may well be that the domain itself is perfectly fine. It's just that there is a compromise on that. And that is a different matter and something that we're working on to figure out, but the best ways of dealing with that, because the last thing you want is to take a large domain down because a particular sub portion of it is being used for abuse.

So the consequences, perhaps rather than the word cost, the better word might be consequences for the registrant are absolutely factored into the equation and are absolutely factored into the amendments and the ongoing discussions about what to do in respect to compromised domains. Thanks.

GREG DIBIASE:

Thanks. Thomas, you're next.

THOMAS RICKERT:

Thanks, Greg. Hi, Chris. Thanks for being here. I think a lot of folks in this room have heard me say this before during this week, but I think that the question about the abuse level or how much abuse do we see is the wrong question in this context. And I think we all need to be cautious not to create a recipe for disaster because whether or not there's going

to be abuse is not in our control. And it doesn't really have anything to do with the question of whether the contract amendments are successful or not. So we've made the point with the board that we would like to obtain intelligence as a council on whether contracted parties that have previously been unresponsive are now becoming responsive, whether Compliance action is being taken against those who remain to be unresponsive, and whether this non-responsiveness has led to de-accreditations. Because we want to make sure, or we wanted to make sure, that ICANN Compliance gets a tool with which to increase the chances of the non-responsive contracted parties to live up to the responsibility that they have. And so I think that's important. And I do hope that your group in liaising with ICANN Compliance ensures that we stick to this narrative of what these changes can do and what they can't do. I mean, hopefully a side effect of this is going to be that we're going to see less abuse. But this is not the primary focus of this exercise.

Out of curiosity, are you discussing with ICANN Compliance on where the limited resources should best go? Because we understand that the team shall not be increased in size. So I think it's the same team of 15 people. And I think it would be good if a particular attention would be given to this topic, because it depends on ICANN Compliance actually following through with those who are continuing to be unresponsive. Thank you.

CHRIS DISSPAIN:

Thank you, Thomas. On your sort of first paragraph and explanation, I can do nothing other than agree. And I think you've said it absolutely

correctly. And I think there's a general understanding that whilst it's great to be able to trumpet a number that says this number of abuse complaints dealt with, it's not about that. It's about dealing with the bigger picture and dealing with people who don't respond and so on. And the only other point I would add is that you're right, that we wanted to give ICANN the tools to be able to do that. And if it turns out that the tool is not sharp enough yet, we'll find ways of sharpening it, because we're all on the same page that we think this needs to be dealt with.

To your question, my understanding is that the Compliance team has been expanded or is about to be expanded. I certainly got that impression from talking to Leticia in the outreach session yesterday. I think they're looking for three more people or something. I may have got that wrong from the number, but I'm fairly certain I'm right that it's being expanded.

The bigger question is about, it comes back to that thing about communication. What we're working, we hope to be working with Compliance on over the next few weeks and months is to find a way of ensuring some transparency and not just reporting on numbers, but actually having regular meetings with Compliance, sitting in a room. Sometimes they may need to be private because you're talking about individual cases, but fundamentally having a transparent process where Compliance and the interested parties sit down and talk about what other things can we do? What is available that we can use to help with data and so on and so forth? And all of that stuff.

So what we're hoping to achieve, I think is a widening of the view of what goes on and an open understanding of the community of what's

happening. And all of that, of course, at the end of the day, the bottom line is do the tools work? Can they do what they need to do? And is there an appetite to do that? I believe that there is an appetite to do that, but as they say in English, the proof is in the pudding.

GREG DIBIASE: Thank you. Lawrence, you're next on the queue.

LAWRENCE OLAWALE-ROBERTS: Thank you. Lawrence is my name from the BC. And I would like to start by thanking Chris and the contractor parties for this efforts towards helping to mitigate DNS abuse. So the amendments are basically built to give some teeth, I believe, and help org enforce rights against abuse. So when you say, which is a general mood that most of the community is in. So when you say that, we're waiting to see what happens in the months ahead. If eventually weeks down, months down the line, nothing happens, should this be a cause for concern?

CHRIS DISSPAIN: Yes.

GREG DIBIASE: Mark.

MARK DATYSGELD:

Thank you very much. As chair of that dormant small team, we did not exactly end our mandate. Where we stopped was, we want to see the results. We want to give the contracted parties ample time to implement this and start bringing in statistics so that we can discuss this, not from a theoretical point of view, but rather from a, where do we stand? What are the things that we are accomplishing? And in that sense, one of the big priorities, I guess, from the council standpoint, is to start getting that data. And in whatever way seems logical to the CPH. At this point, I don't think we're demanding, oh, you need to give me specifically this, specifically that, right? It's not that kind of thing. It's more like, give us some sort of metric of where do you think this is going so we can work together on continuing to evaluate the progress of that work.

So in that sense, I wonder if, what timeline do you think is reasonable to start looking into this? Maybe three months after it comes into force, the contract changes. What are we looking towards in terms of saying, hey, this is a general metric. We could at least get a first look into, and where do we go from there, right? Because we want it to be reasonable. So it would be good to understand what reasonable is. Thank you.

UNIDENTIFIED SPEAKER:

Thank you, Mark. That's an excellent question. I think, I don't have at my fingertips the process that ICANN Compliance uses to deal with individual complaints, but we all know there is a process, and that process is there and is used, and it takes a certain amount of time for things to happen in whatever way they have to happen. So notice is given, this happened, so there's a breach reported. Notice is given,

responses must be made in a certain time. No response is made, the following things happen. So I can't give you a straight answer to that question because I don't know, but I think we are expecting to have, we're expecting to be talking to Compliance over the next few weeks to get clear about what the answer to that question is so that we can all manage expectations because along with the key being communication, the other key is managing people's expectations. If people expect that as of tomorrow, DNS abuse is going to stop happening, that's an expectation that needs to be managed. So I think the answer is, we'll find out and we'll come back to everybody and say, but I just off the top of my head, I've got no idea. But I do agree with you, it's an important question, and it's one that is on our agenda to discuss.

GREG DIBIASE:

Thank you. Manju.

FARZANEH BADIEI:

Thank you. So I kept hearing during the GAC meeting that they were talking about a PDP on DNS abuse and the future PDP on DNS abuse. And I'm sorry, but these amendments just are going to go into effect on April 5th and we need to take our time to see how they play out. And then if we see that there is a need for PDP, we are going to go through those processes and we are going to discuss them. So one of the things that I want the CPH to make sure is that these outreach sessions that you have, it should not be, like they should not get the impression that they are as like a preparation for a PDP.

CHRIS DISSPAIN:

Farzaneh, I agree with you. To be fair, in the 20 something years I've been around in ICANN, I've never achieved giving the GAC the impression of anything. They will make their own impressions and decide what they want to decide. They have clearly got the impression that they understand that the way policy gets made as a PDP. So they think policy needs to be made, therefore there should be a PDP. I think, I don't think I can make it any clearer than to say to you, from our side of the fence, that it may be that there is a need for a PDP at some point, but I never have given anyone the impression that there will automatically be PDPs following this. It's just about taking the steps, going forward, seeing what happens next and then being ready and willing to do whatever it takes to move on to the next step, which could possibly be a PDP, but equally possibly could not be. So I appreciate the GAC has latched onto that and I'm very happy to give you my commitment that I will continue to tell them that they shouldn't assume that these things will happen. Thanks.

GREG DIBIASE:

Thanks. And sorry, I did not note that that was Farzaneh who Manju raised her hand for. And I would just note, at least my impression from our session from the GAC, I didn't get a clear sense that they were calling for a PDP. They were asking about the next steps. So, you know, perhaps it is one, but I guess I didn't get that impression that there's a pending demand for one, for whatever that's worth. Stephanie.

STEPHANIE PERRIN:

Stephanie Perrin, for the record. I get over my depths in abuse matters rather quickly and I suspect there's quite a few people in the community

who are not actually registrars and registries that also get over their depths quickly. A part of the problem, it seems to me, is that we don't have a clear set of definitions and codification of the abuse. And we're now talking about metrics, but until we actually clarify what we're measuring, I worry that we'll get more junk statistics about what's going on. I think there's lots of progress being made in that respect, but we're not quite there yet, unless you can point me to such a codification scheme and weighted metrics. Thanks. I hope that was clear.

CHRIS DISSPAIN:

Stephanie, it's Chris. Yeah, yes, it was clear. I think it depends on what you mean. There is a very clear definition of what the term DNS abuse means. It is in the contract, it's in the new amended contract. It flows from one of the SACs, I don't remember which one. If you're asking, is it very clearly defined somewhere, what do we mean by phishing? What do we mean by malware? I think the answer is probably yes, but I would need to go find out where to point you to. But the overarching definition of what we mean by DNS abuse is actually very clearly set out. Some people disagree with it, but it is very clearly set out. And I'm sure someone with access to a computer can pop that into the chat for you so that you can have a look at it. Thank you.

STEPHANIE PERRIN:

If I may, Chris, Stephanie again, I didn't phrase it clearly enough then. I've read those SAC papers. I'm very cheered to see the new language in the RAA. What I'm trying to say is that when stats are put up and presented to the various parties at ICANN and frankly, outside of ICANN, we don't necessarily count according to those definitions. So for

instance, someone said earlier, is there more abuse or are we just catching more abuse? That's an extremely valid demarcation to make when we do the stats. And if you don't do that, then you're going to be assessing trends wrongly. Thank you. I hope that's clearer.

CHRIS DISSPAIN: Stephanie, yes. Chris, yes. Thank you. Yes, it is and I agree. I think the stats that are going to be coming out of Compliance are going to be of a level that makes it clear what sort of abuse. And I know that those stats that are produced by the DNS Abuse Institute do take that sort of line. So I think we're getting there, but I accept that there's more work to do.

GREG DIBIASE: Thanks. Jeff, and I'll give you the last question here and we'll go on to the next topic.

JEFFREY NEUMAN: Yeah, thanks, Jeff Neuman. I'm GNSO liaison to the GAC. I just want to emphasize the point that you made, Greg, that there's been no call from the GAC on having a PDP on any of this. The discussions have all been on what are the next steps. That doesn't mean that individual GAC members may not make statements, but there's not been any GAC advice or even issues of importance that call for a PDP. And I think it's kind of, I think we have a responsibility to make sure that we do not—it hypes up the emotions when we make those kinds of statements. So for the record, there has not been a call for a PDP by the GAC. Thanks.

GREG DIBIASE: Farzaneh.

FARZANEH BADIEI: I need to correct the record. I did not say that GAC in a consensus document or advice said that we need another PDP on DNS abuse. What I simply said, which is in the record during the GAC meeting, and it hasn't said it only with the GNSO council meeting, there has also been repeatedly GAC members talk about the future DNS abuse PDP, and this is not inaccurate, right? Is that inaccurate?

GREG DIBIASE: Yeah. I think, yeah. I'll just say, yeah, I think, Farzaneh, you raised the concern that GAC or GAC members may be calling for a PDP. While we recognize that, I don't think we've gotten any formal or direct feedback from GAC that a PDP ... Yeah. Great. Well, thank you, Chris. Appreciate it. Appreciate the conversation around this. It really seems like this team is doing great work.

Moving on to the next topic. We added this to the agenda to see if there are responses to the implementation update with the interaction with the ICANN board. In particular, I think a number of councilors had questions on PPSAI and the proposed approach that ICANN put forth. And I'm also curious, a lot of councilors didn't quite understand the next steps for IGO and the release of IGO acronyms. And I thought it might be worth touching upon here to see if we're on the same page, whether understanding at least, even if there's not necessarily an action item.

So maybe on taking PPSAI first, it seems, I gather that the next step proposed by staff is to let the IRT commence and possibly identify issues. And that's as far as I got. But I kind of want to just open up questions for councilors to see if they had reactions from that update and if it's a specific question on whether restarting the IRT seems appropriate. Paul, are you raising your hand in person?

PAUL MCGRADY:

Thanks, Greg. So this is the PPSAI and we just came from that session. It started out kind of chaotic, frankly, with questions like, what do we all want out of this? And things like that that really, I didn't think were helpful because we didn't get really right down to that question, which is what should staff do? Staff recognizes that some of the recommendations that came through council to the board are hefty, they're heavyweight implementation and that the industry may have changed. For example, the idea of standing up a new kind of accredited entity that's a privacy proxy service when GDPR has essentially destroyed that business is perhaps no longer a super useful recommendation. But at the end of the day, we have rules to follow, right? And I hope that staff got the message from the people in that room that they should proceed with an IRT and any issues that come up that they think have been dramatically left behind by events or have become illegal in some way, that they need to take those to the board since it's board policy that they have been told to implement. And that presumably the board would open a dialogue with the GNSO council about what to do with those things. But simply not moving forward forever with implementation is not an option that the staff has. And once those issues were isolated, then the council would react to

whatever it is. But right now it's super hypothetical and we feel sorry for them because it does look like a lot of work, but here we are.

So that was the kind of the takeaway from that session. I tried, me, others tried to steer it away from philosophical debates about privacy proxy and what we all want and back to sort of how the workflow works here. So I expect we've not heard the end of it. I don't know when they will get back to us with anything that they want council to consider, but they are talking about kicking off the IRT by Kigali. And Dennis was asking for people to raise their hands to volunteer to be on the IRT. So, I think they're moving. So we will hear more, but I definitely did not get a sense that there's a clear vision about how they can implement this thing in a speedy, unconfused way. I think there's going to be a lot of work that's going to be done by staff and board and probably us. Thanks.

GREG DIBIASE:

Thanks, Paul. So that was my understanding as well. The IRT is reconvening. There may be issues or there likely are issues. If there are, they will raise those to preferably or what seems like is the right process. They would raise those to the board and the board might consult the GNSO on how to address these issues. Thomas.

THOMAS RICKERT:

Yeah, on the privacy and proxy, or PPSAI, I should better say. It's obviously missing the point today. And I think we need to have a discussion on how we want to navigate that. I think that for these scenarios, we might not have the appropriate tools at our fingertips to

say, okay, we've done this a couple of years back. Now it looks like it doesn't really match the reality anymore. Therefore, to try shoehorn this through an IRP putting resources into that, seems crazy, you know? So in business life, you would say, even if you've invested a lot in something that turns out to be stupid, you should better bin it, you know? And I think that we've concluded more or less during the discussion earlier this week that independent proxy service providers, law firms or something like that, we will never be able to catch because you can hardly identify them. They need to be approached as you would approach a registered name holder. So you would go to them and then request information from them. And other than that, we don't seem to have any independent WHOIS privacy services anymore. So they're all associated or otherwise intertwined with existing contracted parties. So I think that the tools that have been established in the PPSAI are not the right tools for what we see after the temp spec and the subsequent registration data policy.

GREG DIBIASE:

Thanks, Thomas. And I think when we say, you know, the IRT is restarting, that doesn't necessarily mean they're going to try to implement these recommendations as written, but it currently sits with the IRT to go out of the IRT. I think they need to write a letter to the board or involve council or take whatever step needs to be taken to address that. But the view you just elaborated was also elaborated, I think Paul, and Paul can correct me, in that session as well. Paul.

PAUL MCGRADY:

Thanks, Greg. Yeah, Thomas. Nobody is saying that the recommendations that are in a final report that were written nine years ago and languished forever are state-of-the-art, right? The question is, who has the right to, or rather, what's the process to deal with that? And it can't be that staff just says, well, these have timed out, right? Because the board has, they have a resolution where they've accepted the policy recommendations from us, right, so staff can't override the board resolution and in the usual practice, it would come back to the GNSO council and we would kick something off to replace it. The question is, does it all need to go? Does some of it need to go? And so the IRT, I think, is going to do that hard work and then either go to the board or come to us. It's not real clear, but there has to be some community process where we figure out what to do with these. And we really don't want the board vacating resolutions from forever go either because then the question is, what else can be vacated, right? And so we do have to work together. We're running into what Becky has been telling us over those last few months, that there really isn't a happy mechanism to deal with things that get crusty, right, and time out. And so that, we are now starting to feel some of the pain that the board's been feeling, right? So we have to do it the right way and it probably will be a little bit slower, but Thomas, I don't think anybody's saying, I didn't hear anybody say, yeah, these 2009 recommendations, they're all good, let's go. It's the opposite. We're trying to figure out what to do about them and to, I think, salvage the spirit, right, of what we were trying to accomplish, but it's just going to take a lot of work and work step number one is the RIT coming back and telling us what's feasible and what's not.

GREG DIBIASE: Thanks, Paul. Stephanie.

STEPHANIE PERRIN: Stephanie Perrin for the record. We had an opportunity to fix some of these things during the RDS one, I believe, and not the awful one, but I mean, when we finally, after the temp spec got down to the serious business of trying to figure out how to apply the GDPR. And we said at the time, loudly and repeatedly, that we needed to do a review of a number of procedures that were ongoing and shuffling along, as the PPSAI was at the time, because we had a whole new ballgame, basically, a whole new set of principles that we were trying to live by, and therefore the policy work that we had been lumbering along with and finished was no longer applicable.

Now, I take your point, Jeff, that we don't have an easy mechanism, but surely letting the wretched IRT continue to lumber on, it doesn't have the ability to stop itself either, I would suggest. We know there's new policy work required, new definitions, new everything. We know that. Why can't the GNSO Council recall the thing, write a letter to the board, respectfully point out that the work that they had agreed and passed on to the IRT is no longer appropriate? I just don't understand. This requires policy work. Thank you.

GREG DIBIASE: Thanks, Stephanie. Yeah, as I mentioned before, that view is expressed in the IRT, so I don't think it's a given that the IRT will continue to lumber on, but if it does, we can consider intervention. Thomas.

THOMAS RICEKRT:

Yeah, good point, Stephanie, and you framed this much better than I accomplished to do. I think, Paul, if I did come across like nobody agreed that work needs to be done, you know, I didn't intend to say that. I think that the IRT can only look at the policy recommendation that it got, but this topic, I think, needs an entirely fresh look and an examination of what the current scenario is and what responses, if any, are required, but we can't just put GNSO policy recommendations out of existence, so I think we have two discussions going on. You know, one is how do we deal with the subject matter at hand, and the other is how can council deal with scenarios such as this where policy recommendations are not fit for purpose anymore. And I think that probably the best way at the moment would be to suggest that we put the implementation of this on the back burner until such time when we have figured out how we want to best proceed, because maybe I don't know the procedures well enough, but we can't revoke or otherwise delete these policy recommendations, and I think that maybe we need to put the tool into our arsenal with which we can course correct and reopen discussions on this. I hope that this is clear.

GREG DIBIASE:

Yeah, Thomas, I think it's clear, and I think Paul references too this policy gap, I think, of what to do with recommendations that have been adopted by a board that may not be fit for purpose, at least some of them. What is the proper process in that situation? And I think that's likely something we're going to need to explore. Okay, I see no more hands on privacy proxy.

Moving on to IGOs and INGOs. I will ask if anyone had comments on Mary's presentation, and I think we're still going to continue to be asking for that date and push for implementation, but I'm seeing if people have comments beyond that. Jennifer, I see your hand.

JENNIFER CHUNG:

Thanks, Greg. Just echoing what you just said, I think this has been an issue for quite a long time. I don't know how far up or down on the priority list it is for the board or other processes, but I feel like we do need a little bit more information in addition to the nice slide that we got presented by the staff, at least some idea of where those processes that are yet to be started, how that kind of fits in, because it's very difficult for us to complete the puzzle if the puzzles don't seem to be from the same box right now. Thanks.

GREG DIBIASE:

Thanks. Okay, agreed, and I think we can keep pushing for implementation and a date. Real quickly, and maybe we need to look at the notes, was there some action we could do to talk to the GAC? Jeff, you said something, or I'm making that up.

JEFFREY NEUMAN:

Yeah, no, I don't think this is an issue to talk to the GAC about. The GAC has asked for a moratorium on the release of acronyms until the curative rights are implemented. So really, it's talking to staff to get, you know, a more definitive timeline on when the IRT for that is set up.

GREG DIBIASE: Thank you. Susan.

SUSAN PAYNE: I nearly put my hand down then. I was just going to echo what Jennifer said. It was nice to see all of the different things in boxes so that we can see all the different things that need to be done, but that just really just highlights how much hasn't been done, and that there was still no clarity whatsoever on when any of it's going to be done.

GREG DIBIASE: Thanks, Susan. Okay. I see no other hands. So I guess I'll say they also presented on new gTLD subsequent procedures. I feel like we have a decent handle on that, but I will see if anyone has comments on that as well. Tomslin.

TOMSLIN SAMME-NLAR: Thanks, Greg. I didn't have a comment on that specific topic, but on the conversation on what do we do with the scenario of PPSAI, it didn't seem to me that we had a way forward. Are we just going to come back to that conversation another time?

GREG DIBIASE: So I think the IRT is talking about reconvening, and they are going to send a letter. I think we just have to see what their next step is. If they agree with—and I don't think we have reached consensus on this, but if we align with the IRT's position that there's issues that aren't workable and we need to rethink this, then maybe we can work with the board

and brainstorm. If they convene the IRT and they head in a direction that doesn't make sense to us, then maybe we can intervene. So I guess my humble proposal would be to wait and see in the very short term. Paul.

PAUL MCGRADY:

Thanks, Paul McGrady. Yeah, I think that's right. So the IRT may come back to us and say, out of the X number of recommendations, four no longer work, right? And that's very different in terms of developing new policy around four things that needed to retire, as opposed to going and doing a multi-year giant PDP on the entire issue all over again, right? And so I do think that in terms of our own council workflow, it makes sense for the IRT to develop the universe of the problems that they see and not overreact by jumping into a new PDP process this early. So I agree with Greg. I think a short window of wait and see makes sense.

GREG DIBIASE:

Tomslin, makes sense to you?

TOMSLIN SAMME-NLAR:

Absolutely, yeah, it does, because I was thinking about the question from the board during the prep week, and I was just trying to lock it in my head, thanks.

GREG DIBIASE:

Thanks, Justine, I see your hand.

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- JUSTINE CHEW: Thanks. Just to weigh in, I mean, from a third-party spectator point of view. I think it makes sense to let the IRT to do the first review, because what comes out of the IRT may be, in fact, the charter for the next PDP if it so needs.
- GREG DIBIASE: I think that's a great point, Justine. Okay, let's move on to the next topic. It's the timeline for selecting a new GAC liaison, and I think, Jeff, you're presenting this?
- JEFFREY NEUMAN: I mean, yeah, I could do an intro. I mean, there's no slides, but. Although I didn't see it in the agenda, there is actually a position description that was approved about a year and a half ago that really defines the role of the GNSO liaison to the GAC. There is a lot in there, and I'm sure all of you have read it, to know what's in the role of the liaison. As I heard, there was a lively discussion yesterday. So this is, and of course I'm biased, but I believe this is truly an important position. I think over the last several years, there's been a lot of collaboration with the GAC, probably more so than any other time in the history of ICANN, and GAC members have been brought into PDPs, and their views have been considered. We are finding that concerns of the GAC are certainly being brought up much earlier than they were previously, and we've also provided, because the GAC members have participated in PDPs and have been kept up to date, I believe, and you'll see this in the report I did, which I'm sure all of you read, that was actually before the annual meeting, that the board is now armed with any tools it needs to—any time there is an attempted second bite at the apple as the one thing we
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were afraid of, the board has been now armed with the tools that it needs to make that point if there's GAC advice that merely repeats what the GAC members that are participating in the PDP have already said, and the board is now armed with rationale as to why the PDP working group did what it did, and I think that's a vast improvement of what we had prior to the last round of new gTLDs, for example. I think that last round of new gTLDs in 2012 really emphasized the importance of GNSO collaboration with the GAC earlier rather than later, so I truly believe this is an important role. I think today there are less misconceptions about GAC views on certain things than there used to be, again, because of this liaison role. For those of you that don't know, I meet monthly with the GAC point of contact. Our major item is to create the agendas for the bilateral meetings. They're not necessarily to talk about any substance, although there have been times where substance has been communicated to me from a GAC perspective, and I've communicated that to the council for the council's consideration, and again, I think that's important. I think it only brings our groups closer together so we can certainly understand each other's positions and deal with them earlier rather than later. So my hope was that we could get this process started for the selection. I'm term limited, because this is the fourth year, and I know there are some people happy about that, one of them being me, so I thought it would be a good idea to recommend to the council that they start the process as soon as possible so that someone can be in place, perhaps by the Kigali meeting, that I could then show them what's expected of the liaison, and then when they take over at the end of the annual meeting, they will be comfortable enough. The GAC members will know who that person is, and they'll be comfortable as well so that whoever this new person is can hit the ground running

right after the annual meeting. When I took on the position, and this is not meant in any way as anything negative, but there was no guidance. There was pretty much, there was no real kind of handoff, and I thought one thing we can do to improve that process is to have some sort of transition so that, like I said, when my term is done, that the person who takes that role will certainly be prepared. Thank you.

GREG DIBIASE: Thanks, Jeff. Manju.

MANJU CHEN: Thank you, Jeff, and thank you, Greg. First of all, I'd like to start with thanking Jeff for having been a good GAC liaison, well, GNSO liaison to the GAC. You were truly amazing. I know some of the parts we didn't like. It's not about your liaison role to the GAC, but more about other things, and I guess we can [inaudible]. Like, you have been providing a lot of valuable opinion to the council discussions, definitely, and we like to take this into account. When you're leaving, you don't feel like, we're like, right? We're actually like, but then, right? Is that enough, the appreciation?

No, I was actually trying to say that I like that we have this description of position, but I feel like it's more about the enforcement rather than we having this description because we all know what a liaison has to do and shouldn't be doing, but, and I'm not saying this to blame everyone, but it is hard to enforce it when the person probably is stepping out of line, and I definitely, if I were in the position, I wouldn't be able to just kind of shut off the person, right, so I'm not trying to blame everyone

because it's an enforcement issue, but I think in the future, when we have the new liaison, we definitely have to improve on the enforcement part. As SpongeBob once said, no one can change a person, but someone can be the reason for the person to change. So I hope that future leadership can be the reason for the person to change. Thank you.

GREG DIBIASE:

Thanks, Manju. Am I future leadership, or? No. Okay, that makes sense, and I think, as far as Jeff was describing, in this proposed training period, we can set expectations. That makes sense. And I'd also note in the chat that this is an SSC selection. I think that's helpful context. Farzaneh, I think you tried to raise your hand, but were unable to, so I'm calling on you.

FARZANEH BADIEI:

Thank you. Sorry about that. I just don't know why it's not working. So Farzaneh Badiei is speaking. I believe that, so you have a description for the GNSO GAC liaison, and that description, as far as I know, prescribes that the role is about liaising with GAC and kind of be a bridge, a communication between the GAC and GNSO Council, right? So it's nothing about a broader policy, like giving opinion about the broader policy issues, and I think that this limited mandate is very much needed for that position, and in the past, the other GAC liaisons, they intentionally did a neutral job of going to the GAC, understanding what they are saying, and bringing it to the GNSO Council, and I think that we should keep it like that, as well as I think that the changes that happened, I don't know how good they are, I'm not going to give you

my opinion on that, that we have more participation from GAC, I don't think it was only reliant on what the GAC liaison was doing, it was also a host of other factors that helped with that. SO I do suggest that the role be limited to liaising with the GAC for the GNSO Council, thank you.

GREG DIBIASE:

Thank you, Farzaneh, and I think we'll, I haven't read the guidelines, so I think it'd be a helpful exercise to read them and make sure we're implementing them correctly, Jeff?

JEFFREY NEUMAN:

Yeah, so I have read them very well every time, and they do state that the liaison's not there to just do what some have done in the past, which is sit there and not say a thing, and the liaison in the description, when you read it, will say that it is to bring the GAC discussions and points into GNSO Council discussions when they are relevant. The other thing I would actually ask you to do, or recommend, is that you speak with the GAC, because this is actually a joint kind of role, where it was called for by both the GAC leadership and the GNSO leadership, and technically, I think both have to approve. Now, the GAC leadership, knowing them, they're obviously not going to not approve of someone selected by the GNSO, but I think it would be really helpful to talk to them. I have been speaking with them at this meeting, and they've all made it clear that I am the first liaison to actually give the GAC and point the GAC to the GNSO positions that they had never heard, that they knew there were liaisons from the GNSO to the GAC, but that those liaisons, number one, they couldn't remember who they were, and number two is that they were not active at all in the GAC meetings. Just so you know, the GNSO

liaison to the GAC now has the ability to post in the chat, has the ability to speak at GAC meetings, which had never been done before. The GAC liaison has been invited to speak, and if you are in GAC meetings that discuss GNSO topics, every meeting, I put something into the chat that says something like, introduces myself, and says that I'm the liaison, and if anybody has any questions or comments on any GNSO activities, please come see me, and I cannot tell you how valuable that has been, not just for me and my experience, but mostly because there's a lot of newcomers in the GAC, and so I have had many appointments with new GAC members to explain to them the GNSO processes, and when the GNSO has a position, to explain those. So there is a lot of value, some of which you see and some of which you do not.

GREG DIBIASE:

Thanks, Jeff. Okay, we're at time. I'm going to give Susan the last word on this.

SUSAN PAYNE:

I was just going to say, I don't think we've come ready to talk about the role of the liaison or what the current document says, but it sounds like there's at least, perhaps that's something we should do, is all of us review that document and maybe have a quick discussion about whether it's still what we want from our liaison. I think we've certainly had good value from the liaison that we've had, but we want this to continue to be a useful and representative role, and I guess we need to do that pretty quickly because it sounds like it would be a good idea if we could have some kind of a shadowing or handover, and so we'll be wanting to send it to the Standing Selection Committee reasonably

soon, but maybe there is an exercise where we all take it upon ourselves to actually read the document before we start talking about it.

GREG DIBIASE: That sounds like a great idea, Susan. Okay, Desiree, did you want to say one more thing?

DESIREE MILOSHEVIC: No, just that I'll be replacing Anne on the Standing Selection Committee going forward.

GREG DIBIASE: Great. Okay, that brings us to any other business. GNSO chair election—What just happened? Terri, I think you're presenting this.

TERRI AGNEW: I'll keep it short and sweet. As you can see, there's now a timeline. It is posted on the GNSO Elections webpage, so you don't have to memorize it today, anyone. Just a couple of key dates to point out to you. 14th, October, 2024, I need the houses to submit nominees, please. By the 26th of October, 2024, we'll have the candidates submit statements. And on the 13th of November, 2024, we'll hold the election at the annual general meeting during the GNSO Council meeting. Back to you, Greg.

GREG DIBIASE: Thank you. Can you go back to the agenda? Updated small team guidelines. We had drafted guidelines for our use of small teams

because while many had said they were very effective, we wanted to be extra sure that they did not fall over into the GNSO's role of actually making decisions where they're information gathering and coming up with proposals, but any substantive decision always goes back to the council. We also added some information about full transparency in which if there is a small group meeting, it is open to observers, and as well as timelines around them.

We had a couple edits that we received. We have adopted those and sent those out to the team. So this is more of a notice to read the edited document. And if there are additional comments, please raise them. I think that is the action item there. Staff, was there anything else on that? Is that going to go to a consent agenda? Yeah, so review the final edits and then we will put this on the consent agenda to adopt as materials for the GNSO, I think at the April meeting.

Great. Any questions on the small team document we have been working on? Seeing none, moving on to the next AOB, a SPIRT charter drafting team update, and I believe Anne will provide that.

ANNE AIKMAN-SCALESE:

Yes, thanks, Craig. It's Anne Aikman-Scalese for the record. And just very quickly, as everyone knows, this is a charter drafting team. It's not a PDP, it's not a policymaking type issue. It's more about following what's in the SubPro final report in the annex to describe how the Standing Predictability Implementation Review Team will be the resource in the predictability framework that was recently published by the subsequent procedures IRT. And I want to emphasize that this is a sorting mechanism when we talk about the SPIRT team, which will not

come into play until the new round opens. It's not a way for anyone to be making new policy. It's a way under some very specific guidelines developed by the subsequent procedures working group as to how to sort out where issues that arise after the next round opens should be addressed.

And so we've pulled together a team that is community wide. Staff had sent out an application back in January for participants. And I think at this point, there are at least 8 or 10. We're still waiting for the GAC to appoint representatives to this charter drafting team. And that's been emphasized today at the GAC. So hopefully they will join. We've had one meeting. I sort of got informally drafted to be a liaison. Susan and I talked about this. And since no one else had stepped forward from council to act as liaison, I said that I would go ahead and do it. And we now have a chair who is Nitin Walia from the ISPCP. We have a vice chair who is Alan Greenberg. Alan clarified that he was not officially appointed by the ALAC, but he's a volunteer on the SPIRT drafting team. And we expect the work to take about three months. There will be hopefully meetings that occur every two weeks, a lot of drafting in between time, and hopefully getting this delivered in a way that's quite consistent with the predictability framework done by subsequent procedures in a very timely manner. And that's about it. Any questions?

GREG DIBIASE:

Thank you. Are there questions for Anne? Seeing none, I'll move on to our last item. Another output from the strategic planning session. We had talked about this situation in which recommendations come before council that may have gotten full consensus and whether it is the

responsibility or—that's too strong a word. I have to look at the statement. A councilor should be trying to support recommendations that receive full consensus. This is very much a work in progress. I don't think we need to review it now. Anne and Stephanie have already sent some edits on this. So are councilors able to edit this directly? Yes. So councilors are able to edit this directly and we can start working on it. It's a little wordy as it stands, but perhaps we can work on it offline. But I just wanted to introduce it as a starting point. Damon.

DAMON ASHCRAFT: Sure. Thank you, Greg. Thanks to everybody who worked on the draft. The one thing I'd like to say about this is just the aspirational statement needs to be aspirational. It looked like the initial draft that came out was a little bit too directional. There have been some edits and it is a living document and I understand it's just been introduced, but I just wanted to point that out. So thank you.

GREG DIBIASE: Thank you for that. Paul.

PAUL MCGRADY: I'm just raising my hand for an additional micro AOB after this conversation's over.

GREG DIBIASE: Any other comments on the aspirational statement other than to make it more aspirational?

KURT PRITZ: Is an aspirational statement like a vision or a vision on steroids? Like there's a mission, right? A mission is what you do and a vision is where you want to be. So it seems like an aspirational statement is where you want to be too, but longer.

GREG DIBIASE: You have editing rights. Do you want to opine on aspirational? I suppose you can. To your point, Kurt, broader statements are also welcomed. I think we're just diving into this, so no need to be confined. Okay, seeing no other hands, I will go to Paul for his micro AOB.

PAUL MCGRADY: Paul McGrady, micro AOB. We had our consultation session today, this small team plus, with the community. We presented to the GAC. We did not receive any negative feedback or suggested edits to the draft supplemental recommendations and so we have canceled our meeting tomorrow morning and we will be figuring out how to transmit the drafts to the council for early consideration and hopefully a happy vote at our April meeting. So we are declaring victory. Yay, thanks.

GREG DIBIASE: Round of applause. Okay, with that, I think we can turn it over to an open mic if anyone has any questions or comments for the council.

TERRI AGNEW: And those remote participants, you now have access to raise your hand in Zoom, so please feel free to do that. Thank you.

DAVID OLIVE: Hello, my name is David Olive. I'm speaking in my official capacity until the end of May. I just want to thank the council for all their efforts and cooperation with the policy team. Our team has received many compliments from you and from Greg recently, but I want to just say that I have always been behind the scenes. I'm leaving behind a very strong team and Steve and all the members of the team that are supporting you will do a continuously do a great job for you. I just want to say thank you and I'll be behind the scenes to say I'm supporting you and will be happy to be with you on occasion at other ICANN meetings because as you know, you never leave ICANN and I might not be able to do that either. So thank you very much for all your help and cooperation. Thank you.

GREG DIBIASE: He's already leaving. I was going to say, I think I speak for all of council is you'll be greatly missed, David. Damon, is that a new hand?

DAMON ASHCRAFT: Yeah, I just wanted to thank David for all your help over the years, it's been great working with you. We certainly wish you a wonderful retirement and I hope you come back soon.

GREG DIBIASE: Thomas.

THOMAS RICEKRT: Yeah, I wasn't fast enough to raise my hand in the Zoom room, but I wanted to approach David after this meeting, but now that I have the opportunity, you know, I think David, we first met when you joined ICANN in 2010 and we invited you to speak at an event that Eco hosted. And not only has the interaction with you been pleasant all the time, but I think you are a role model of managing teams or a team. I think the policy team that you've so ably led through the last 14 years is a prime example of, you know, how you combine kindness with excellence and availability, you know, so all the positive things that you can say, I think can be attributed to you and your team. So thank you so much for your service and I hope that you're going to be an ICANN lifer and that we're going to see you every now and then at ICANN meetings.

JEFFREY NEUMAN: David, there is an opening for the GNSO liaison to the GAC.

GREG DIBIASE: Any other open mic comments, plans for David's future? Great, all right, thank you everyone. I'll draw this meeting to a close.

TERRI AGNEW: Thank you everyone, we can stop the recording.

[END OF TRANSCRIPTION]