ICANN81 | AGM – GNSO: NCPH Work Session
Tuesday, November 12, 2024 – 13:15 to 14:30 TRT

ANDREA GLANDON: Hello and welcome to the NCPH work session. My name is Andrea and I am a participation manager for this session. Please note that this session is being recorded and is governed by the ICANN Expected Standards of Behavior and the ICANN Community Anti-Harassment Policy. If you would like to speak during this session, please raise your hand in Zoom. When called upon, virtual participants will be given permission to unmute in Zoom. On-site participants will use a physical microphone to speak. Please state your name for the record and speak at a reasonable pace. I will now hand the floor over to Julf. You may begin.

JULF HELSINGIUS: Thank you, Andrea, and welcome everybody both in the room and online. Yes, for the recording, my name is Julf Helsingius. I'm the chair for the Non-Commercial Stakeholder Group for two more days. After that, I will just be back on the council.

So, what I wanted to actually start with was commenting on the fact that whenever you talk to newcomers and try to explain how our structures work, people who have any understanding of how things usually work look at our composition and go, how can this work? It seems to be a random mix of totally conflicting interests. How can you ever get anything done? And what I always answer is, well, because we know what we need to get done, we have a mission. According to how the ICANN was constructed, we have to deliver, so we deliver.

We work together and we find solutions because solutions is what we're all about. We have, during our history, had some very good cooperation inside the house, but there was a period that was, there was multiple reasons. One was the fact that we didn't have regular meetings where the house would come together anymore, and then COVID hit. And as we know, when people don't talk to each other for a long while, they kind of drift apart. And that's, we had a little bit of that, but I think we have managed to sort of come together again, build up a sort of very solution-oriented and sort of good working relationship. So, I think we're all glad for that. So, that was my welcome.

LORI SCHULMAN: This is Lori Schulman, chair of CSG for the record. You may notice there's plates and snacks. We promised snacks at the Day Zero event. So, here they are. So, help yourself. There's bags of nuts and chickpeas and corn something. And we're asking people to use the plates, just shake them out, take what you want. Just, please don't put your hand in the bag for health reasons, but we'll be passing them around and help yourself to some munchies. We've earned it, folks.

So, the way we're going to run this meeting, you can see from the agenda, there's a brief overview of NCSG activities, CSG activities. We're going to do a full-sum readout from the Day Zero event for those who weren't there because space was extremely limited. And then we'll do some questions and comments from the members who were not part of the Day Zero event. So, hopefully we can clarify anything that you are not sure about. I mean, there's still things none of us are sure about, but to the extent that we can give you a good readout from the day, that's what we want to do.

Then we're going to lead a little bit of a group discussion about what are our upcoming issues, issues that we agree on, and next steps for how we might work on them, which was also part of the Day Zero event. But I'd like us to include the entire membership in this and not just the leadership. I think this is something worthy of the entire membership. We've also allocated about 20 minutes for social time, for the snacks, to talk to each other, to break down some social barriers.

I've gotten to know, particularly this last Day Zero event, to get to know people a little better. And I think that's really important to understanding where we are all coming from, from our respective sides, because we also know that while there are some common areas of agreement, there are various substantive issues of disagreement. And we as a House can agree to disagree, or we as a House can decide perhaps, we can meet some compromise, and that's all going to depend on the people in this room and on the call.

How we function as a House is, among each other, is how we're going to be able to function when we have to go outside and start convincing the contracted parties that the views of our House are equivalent and legitimate and should be given equal weight. That's really important. Sometimes the perception is that the contracted parties are pulling levers here. But in fact, I think we're more powerful than we realize, but it takes cooperation. So, with that, I'm going to give the back to Julf for the update. I'm not sure if you'll be giving it or someone from your team. Okay.

JULF HELSINGIUS: Thank you, Lori. Yes, I'm going to, as I tend to be, going to be very brief and sort of to the point. So, I'm just going to very quickly go through our current activities and priorities, or some of them at least. So, registrants' rights are, of course, a big issue for us, ensuring balanced treatment of registrants in the RPMs. The RDRS, of course, I think we all very much focused on that. For us, of course, the big aspect is the right to privacy, but also transparency and accountability are major issues. And we are, of course, looking at the transfer policy.

The thing we've been sort of engaging in for at least 10 years now, and we still kind of haven't made much progress, is the imbalance in the NomCom composition, and that's an ongoing battle. The SOI discussion is something we've been engaged in a lot lately. We are very much focused on the Applicant Support Program, especially for geographic areas and communities that are resource poor, I would say.

And finally, one of our real big priorities is keeping ICANN within its remit and not touching content even indirectly. And that goes into things like the PICs and RVCs, the definition of DNS Abuse. And of course, we are talking a lot about human rights impact assessments in all of ICANN's policy work. So, that's pretty much my quick run through of our priorities and activities. Thank you.

LORI SCHULMAN: Does anybody have any questions for Julf on the priorities before we move forward? I'm going to ask you all to help me with the queue, because once again, I'm not signed in. Are there any questions? Okay. I always come here about 30 seconds before start, and I've never signed in on time. Got to love me. What can you say? Anyway, I'm here now to report on the Commercial Stakeholder Group Priorities, and there are many. Just like NCSG, we have our top concerns.

I think right now our top concern is the RDRS and what the future looks like for the RDRS. Well, I think we all agree there were good intentions. We also agree that the design of it on both sides, whether you're a requestor or an information holder, was not designed well and has created a lot of extra work and definitely has created inconsistent results also on both sides, where we're receiving reports from registrars that they're not getting the information they need to reveal the information, and from the requester's side that they've given a lot of information and they're not getting results.

So, there's real clear imbalance here, and while we do not want to see the concept of the program die, we do want to see an improvement where we can get to an efficient system, whatever that looks at. So, that's right now our number one priority. We also have quite a few members on the Small Team in different capacities, and it's important we have John McElwain, Paul McGrady, Steve Crocker is now a member of the BC, so Steve Delbianco. So, we're very well represented on that group. Right, he's not representing the CSG side. I'm talking about CSG members, okay, specifically, not any particular side. So, thank you for the clarification, Farzi.

The next big topic, and this is where we're polarized in this house definitely, is on domain name abuse, what that looks like, how it should be defined, whether or not the policy of no content is actually realistic, given that we're looking at phishing and spam and things that are content-oriented in order of vectors of attack. We're not the technical side of the house, have you figured that out yet? Okay, so this is of top concern to us. I think that, again, this argument of content is key, and it is key for you, but again, this is where, ideally, if we could continue conversation and try to find some level of compromise, it would be helpful. But if there's no compromise, as Farzi shakes her head, then we have to, in that case, agree to disagree and move on, because I don't know that this is something that can be resolved within our house anyway.

That being said, there's a lot of concern for new rounds and how new rounds are going to be treated in terms of contentions, what we call String Contentions, when there is a domain name applied for that may conflict with some other domain name that's been applied for or already existing, and how those discussions or controversies will be fairly adjudicated.

One of the issues we have a concern about is the private auctions and eliminating them, what that could possibly mean to the market and the program in general. So, there's a lot there in terms of allocation of new domain names. And fourth and finally, which has been a main focus for us this year, is on governance. Making sure that ICANN Board is complying with the bylaws, making sure that what we envisioned coming out of the IANA transition 10 years later is actually what's happening in terms of processes.

You may have seen this very well illustrated in our request for reconsideration, this year where we protested the ICANN Board's vote to create a new bylaw that would allow for the exemption of accountability mechanisms for grantees. And while we understand the intent was good, I'm going to move the microphone further, while we understand the intent was good, we also analyzed the work and realized that the fundamental bylaws process was being completely circumvented.

So, while the intention was good, the process was not good. And we're going to end up with a very good outcome and a revised bylaw that will be fundamental bylaws change, as should have been. But we've gone through a lot of procedural hurdles to get there, and we think that this procedure could be smoothed out so that constituencies have better footing and an easier process to challenge the ICANN Board when there are questions about governance. And that they're not necessarily commercially related questions is what the original RFR process from what we're hearing was originally scoped for.

We need something better. We need something for the community to hold the Board accountable that is not as extreme as dumping the whole Board. There's got to be a middle ground where you can be able to go to the Board and ask legitimate questions and file legitimate complaints to ensure that ICANN's governance structures are being followed appropriately. This affects everybody, no matter what issue you're talking about. We consider that a very big win, and we didn't get a good written opinion, but what's followed after the written opinion has been very good.

So, I'm going to end there because that's a highlight and a plus and something that we think has benefited our entire house and the community at large. Does anybody have any questions about the CSG priorities? Anybody online? Okay.

So, from there, we're going to go to a readout from the day zero event for the next 20 minutes. Mason Cole and Julf Helsingus very ably chaired and planned with Paul McGrady the agenda and the tone and the pace. And I think at the end of the day, most were happy with the progress we made. And in between that, there was also a CSG session with the Board that Julf and Mason also attended, that they will also report on. That was a little interesting. Not quite what anybody expected.

So, again, hearing from them as sitting in those hot seats, they'll have a better view of what went on. We're also going to have a dedicated question and comment period for minimally 10 minutes. If it goes into our upcoming issues next steps, I don't necessarily object to that because we can sort that out even online if we have to. But we're going to do something that was suggested by NCSG that was a method of participation that was used at NetMundial.

This is where the thought comes from and for those who participated in NetMundial, you saw that there was very even representation from all sectors of the multi-stakeholder model, whether it be government, private sector, nonprofits, academia, etcetera. It's very important and one of the messages we've heard from NCSG very loudly and clearly is that NCSG doesn't feel heard enough in our house and in the GNSO generally. That's the feedback we're getting. And in order to cure some of that at our house level, the interventions now are going to alternate between NCSG and CSG.

So, including myself, I'm going to ask those who are logged in to designate in your name, change your name to put in front of your name CSG or NCSG. That will really help us because I may not know everybody by name, although I think I do hear and who everybody is, but this will be very helpful to help me run the queue and Andrea will--

ANDREA GLANDON: I can update some too.

LORI SCHULMAN: That would be great and that way Andrea will keep me honest. I may skip and it's not an intentional skip, so give me some grace. I've never chaired a meeting quite in this way, so if I forget, please forgive me, but we're going to do our best. And with that, I'm going to hand the mic over to, should it be Mason or Julf first? Julf goes first.

JULF HELSINGIUS: Seems to be a pattern for this meeting. Julf goes first. I'm okay with that. Yes, so we did have a sort of very good and productive discussion and again, Paul, thanks again for sort of chairing. So, what we actually looked at, we started out by some sort of very practical items. So, we discussed membership management systems, our IT infrastructure for dealing with our members database and stuff like that. And try to see if, because everybody is kind of doing their own thing, although there was clearly some commonality in software used and so on.

We were trying to see if we can actually save both effort and money by combining effort there. And while we discussed it, we didn't resolve anything, but we put in as an Action Item that we'll actually continue discussion with a call for volunteers in a group to look into this issue. First, do an inventory and then maybe look at what the alternatives could be.

Then the next thing we discussed was the formal communication channels within the house. And especially this is in the context of the GNSO council, where we sort of discussed it at what point before, for example, announcing something to the whole council, should we consult with each other. And we didn't feel there was any need for any really formal rules, but we will set up a discussion list. And it will be an opt-in system where people who are interested can be on the list and we can then discuss items on that, especially things that go up for the GNSO council.

We then discussed whether we should have more regular house meetings, what kind of meetings, what kind of intervals they should be.

We all agreed that sort of doing it at every ICANN meeting with a full day at every ICANN meeting would be totally over the top. And we agreed that they should be very much topic specific instead of having general meetings. But again, we just agreed to that sort of our respective leaderships will discuss together and see what would be the best pattern for this. But we had lots of good ideas there.

We did discuss a bunch of policy issues, DNS abuse. And while the discussion really helped sort of to understand each other's views, we of course don't have very many, there weren't any concrete proposals coming out of that or anything. We then discussed the WSIS+20 Review, lots of discussion and an Action Item, which was again, a cross-housing mailing list to share thoughts and there, Lori and Bruna will take the lead.

Then we had an interesting topic that was where the subject was actually NIS2 implementation updates and rumors, where we tried to sort of share the common knowledge we have about where it is going. And of course, because it's on a national level, it's very hard to monitor everything. So, that's where we value input from all our members who are sort of out in the different countries and follow the process. We had an item about next round of IRT news, but there was really nothing to update there.

We then had a discussion about the Small Teams on council. And we definitely agree that the process itself of Small Teams has really been useful and it's helped speed up the work. But we also made concerns clear that they should be a vehicle for coming up with proposals. They shouldn't replace the normal Policy Process. And then we discussed the difference between Small Teams versus Small Team plus, which was a special construct to bring in more people.

So, as an Action Item, we actually agreed to raise on the council level discussion about firm guidelines on the Small Teams. And that's something that has to happen on the council level. And then we spent some time actually looking at what things we have accomplished together, what kind of wins we have achieved by working as a house. And we came up with a short list of really good things. And that led up to the lunch. And lunch is a good point for me to switch over to Mason.

LORI SCHULMAN: Mason, before you switch over, I know we have a dedicated question and answer period. I want to take quick questions, not arguments right now. But, is there any fact questions from the report that anybody is unclear about? We'll do the policy part later in the dedicated discussion. Okay. Mason, please go ahead.

MASON COLE: Hi, everybody. Mason Cole, chair of the BC. And I apologize for my voice. Therefore, this will be a short update. So, as we broke for lunch, and then from 13:30 to 15:00, Julf and I went to visit the Board. And we had an entertaining interaction with the Board. So, what we did was we took into the Board at the Board's request an explanation of where the CSG and the NCSG fit inside the ICANN process, or inside the ICANN model, and how each Stakeholder Group is structured. And then we talked a bit about their priorities. And we got through that in about 15 or 20 minutes. And then we had another hour with the Board where they asked us some very pointed questions about various issues of the day.

And I hope that Julf and I represented you well. I know Julf did a great job. I probably didn't do as good a job as he did. But it was, we were, I will say this, we were grateful for the opportunity to speak to the Board. One of the reasons that Julf and I really wanted to push for a day zero event was because we don't have enough exposure to the Board. They don't understand enough about what the CSGs and the NCSGs priorities are, and why those things are important. And they have plenty of interaction with the contracted party house. And it's important that they get a balanced view of ICANN's Multi-Stakeholder Model.

So, I'm certainly not going to recite all the questions that they asked about. But I assume it was recorded. You could go back and watch the recording if you like. But it was a good session, and I applaud the idea that we had some interaction with the Board. I hope that continues.

So, after we got back, we had a few updates. We talked about team 14, which was the team that we put together last year to deal with selecting a candidate for Board seat 14. Philippe Foucault presented an update, and there were some recommendations from that working document. Lori mentioned that the time frame was a concern, but she also wanted to make sure that there was something put in place to break a stalemate, and we were assured that that'll be discussed.

We had some other helpful suggestions, like joint interviews, perhaps, for a more even playing field, or not. Consistent meetings with the incumbent Board member, which is very useful, of course. And so, we conclude our discussion about team 14. We heard a bit from SSC, or we wanted to hear from SSC members. Lori reported we hadn't really heard anything from the SSC, so we moved on. We had a discussion about the new inbound CEO, who starts in December.

Julf gave a bit of a background, because Julf has interacted with Curtis before, and gave us a bit about Curtis's background, and what his interactions with him were like. And there were some, we had a healthy discussion about the new CEO. There were lots of questions, lots of opinions. What we netted out on was that it was important for the NCPH to make sure that we have an ample opportunity to do what we did with the Board, and that is relay to him what our priorities are, how we fit into the model, our concerns about imbalances in the model, and ways to move forward.

Damon actually suggested that we meet with the new CEO at ICANN82 in Seattle. That's a great idea. I think we're probably going to move forward on that. And then Vivek wanted to know about what the official plans were for an introduction to the house. So, those two things will come together, and we'll figure out how we can have an opportunity to meet with Curtis when he assumes office. So, then we had some preparation for our public house meeting, which we're sitting in right now. And then we had AOG. Everybody remember what AOG stands for? Any other gossip. That's right.

So, that was Paul's brainchild, and it's a brilliant one, I might add. So, there were some issues raised there. Farzi had some concerns about the safe and healthy environment at ICANN. Bruna brought up a survey to new community members. Lori brought up the ombuds, who is onboarding here at this ICANN meeting. Then Paul led an award ceremony, and it was a riot. So, we had all kinds of awards. Paul made a visit to a thrift store, got some awesome prizes. We had three-ring circus awards, and give your best shot awards. Paul was handing out shot glasses.

LORI SCHULMAN: Go big or go home.

MASON COLE: That's right. Go big or go home, went to Lori. Yeah. So, it was great. And then we closed with some thanks to everybody who had put in so much effort, including Paul and Julf and specifically Andrea and Brenda, who deserve another hand, I might add, for all their hard work. Thank you very much. And then we concluded for the day, and it was a very productive day.

So, I want to say thank you to Paul as well, because he did a masterful job in facilitating the whole day and making sure that we didn't skid off the road into the ditch. And so, it was a very good day, and I think we're all proud to have been a part of it. Paul, you had a piece of input?

PAUL MCGRADY: Thanks, Mason. Yeah, just a reminder to those of you that did not get an award, try harder.

LORI SCHULMAN: Yes, and because we just had a CSG member speak, there is an NCSG member who wishes to speak now. So, let's go.

JULF HELSINGIUS: I just wanted to add a short, short comment to this item about the new incoming CEO, and to express my slight annoyance that from now on, I'm going to be the other Swedish-speaking Finn in ITL.

LORI SCHULMAN: Thank you all. So, this is our question and comments period. I have a comment. I can put myself into the queue, but I would prefer to put others. I would not like to be first if there's others in the queue already Nothing yet. So, hopefully when I start to speak, perhaps it will spur. And since Julf just spoke on the NCSG side, I am speaking on the CSG side. I'm going to keep reminding us that we're doing this, okay? Because I think it's really important.

I think it was a good point, and I think it's something we really have to be conscious and mindful about working on, particularly in this house as we go forward with the follow-ups on some still sticky issues about how we're going to handle certain processes here. But with that said, I thought it was interesting in the Board interview, and I wanted to raise this in the group. I don't know if anybody really has a comment to it, because it's more like an observation than a question. But when we had first asked the Board for time at our Day Zero event, we were very clear that we wanted to focus on policy. Policy, policy, policy, policy, policy. So, that the Board could understand how we work, what we operate, what we do.

We also did not specify any limitations to how that session would go, that we wanted it free-flowing, question and answer, and that it would be part of a session for us for maybe an hour or 45 minutes, or whatever time they could spare during this Day Zero event. So, that invitation went out, and it was accepted. Okay, I think we're done. Then we get another invitation from the Board saying, you're going to be part of the workshop, we would like you to come. Oh, and by the way, when you come, there's only two people that can speak. And they invited the two people directly. It wasn't even like, choose your folks. It was, they went directly to, although the two-right people. I have no problem with who they chose, Mason and Julf. But the fact is that it was dictated. That's my point.

And that, again, we got, oh, and by the way, we want a slide presentation about what your houses do. So, that had nothing to do with policy. So, it's obvious that there was a lot of cross-communication here about what that workshop session was going to be, our interest in speaking with the Board. And it became a little strange, because instead of asking us policy questions, we got a few questions about demographics, who represents you, where are you, what are you doing. And to me, yeah, it's an interesting question. It's a good question to understand how our demographics work. But on the other stand, to me, I was reading a message between the lines that I can't say I love, honestly. And that is, are you truly representative of who you say you're representing?

And I found that a little disconcerting. And there are certainly ways to answer that question, because the IPC gets asked that question all the time. And we do have answers for, you know, we have an overwhelmingly European and American membership, blah, blah, blah. But it's an observation, and it's one that I found concerning, because we were very clear that our interest was in discussing policy, not demographics. And then I'm going to recognize Farzi, as I am a CSG, she's an NCSG, and Farzi, yeah, please respond.

FARZANEH BADIEI: Farzi Badiei speaking. So, we had a conversation with Chris, and it seems like the purpose of the session was more of getting the Board members that were just onboarded or didn't interact with us as much in the past to get to know us better, and to understand where we are coming from, our values, our structure. And I think that it was like the miscommunication and doing it during NCPH day, Chris acknowledged that we should not do that, and we should have these sessions not during the NCPH day, but the purpose of the session was more educational.

So, that's why they said that we want to get to know you better, and we kind of felt that don't you know us. So, it seems like that some of the Board members don't know exactly what we are, because there are many stakeholders and constituencies, so, and they are onboarded recently, so this was like a session for them.

DAMON ASHCRAFT: Sure, it's Damon Ashcraft, for the record. And I don't know if you all have noticed, they have tagged us in Zoom with CSG or NCSG in the spirit of collaboration, I guess. Okay, all right. Far as the interesting comment that apparently the purpose was to sort of get to know us, I think it probably would have been better for, maybe that should have been a staff briefing for the new Board members. I think it probably would have been more productive to have the policy discussions, and I'm sort of curious, Julf and Mason, when it was just due to, was there a space concern? Were they meeting in a small room, or was it the big room over there where we usually could have just sat in the audience and observed?

JULF HELSINGUS: There was, oh, sorry.

MASON COLE: Yeah, sorry, Julf. Okay. Yes, at first it was positioned as a space issue, and we actually got into the room, and there were a couple of Board members who said, where are all your members? They're welcome here. So, I don't know, there was some miscommunication at some level, somewhere, about who was welcome in the room and who wasn't. It's obvious that the Board wanted a structured participation from our side, and I'm not really going to assign blame on whether or not the Board agreed to that, or should have had a staff briefing before, or whatever. The fact of the matter is, we needed some face time with the Board, and we took what we could get, and we worked in the policy issues that we could at the time, and then we were on the firing line for about an hour, and we had ample opportunity to cover policy issues during that time.

DAMON ASHCRAFT: And you guys both did great. I think certainly no fault of anybody here. I would just say, hopefully when we go forward, we could have a little bit better communication on this, because everybody came in a day early for that. And again, everybody here did a great job, and Julf and Mason, I mean, you guys did a fantastic job taking the brunt for all of us, and answering all the questions. So, thank you very much.

LORI SCHULMAN: Thank you. I'm going to intervene here too with a thought, and then I will go back to the line, which is Bruna's next, and then Mason, and then hopefully another NCSG person will intervene, otherwise we have Paul. With all that being said, I think it would be a very good idea for Julf and I, immediately after this meeting, to sign a thank you letter. I'm asking that you please speak softly, if you're going to speak among yourselves. Thank you.

That we send a thank you to the Board. Thank you for their time. Understand that we were very happy to introduce ourselves, but ask for more time. I know the Board must have Zoom calls. We're planning for

March. There's no reason now that they got to know us, that we couldn't now continue some ongoing dialogue. And I think that's what I would emphasize, that we see this as an open door to dialogue. We'd like to continue this, and have more dedicated time scheduled in 2025, and see what comes back. If those agree, that is something I would suggest as a next step. From there, Julf?

JULF HELSINGUS: Yeah, I would actually just like to a little bit add to what Mason said. One thing that actually the Board gave us an explanation for why they couldn't have us in the room, was because they wanted to have a sort of similar pattern to what they had done with some other group. And so, I can understand why they didn't want to sort of follow different rules for different groups, but it was still a little bit of an interesting situation. They also initially instructed us that there would be no policy discussion, but then of course, questions and answers were open for whatever.

LORI SCHULMAN: Thank you. Again, though, I think it's important, like Mason said, to emphasize it's a good start. We've never been asked to do that before. It's unprecedented. So, let's take that also as a win, and just keep moving forward. It would certainly be my suggestion. And then Bruna is next in the queue.

BRUNA SANTOS: Thank you. Just maybe feedback for you guys. The audio from both your microphones, the three of you, is coming super loud. I don't know if the audio is wrong in the room or anything, but it's very, very loud. She almost feels like you're shouting, and I know you're not. Just open it up with that.

Now, in the meeting with the boards, I think that besides, I really don't think it's necessary to send them a thank you note, but more like a formal request that we have a formal engagement in an upcoming ICANN meeting. Like obviously, I think you can be part of that, but I wouldn't necessarily just say thank you. We like you guys. Thanks for the engagement, because it's what I said at the meeting we had at Day Zero. It's not like they're doing us a favor. It's part of their job to engage with the community, and it's part of the accountability of the boards to sit down with us and have meetings and chats. But just that's one thing. We had an informal meeting with Chris, and where we brought up that that meeting was not ideal, that the way it was conducted was not ideal.

We asked for more information, and that's when we heard about the capacity building aspect of it. And then we also asked that whether maybe he could take to the Board the idea of any level of engagement with the full NCPH, maybe a subset of the Board in an upcoming meeting, whether it's a lunch or a reception form, I don't know. But we did bring that up, because it was also important.

Another thing we brought was the narrative on the house being divided, which I don't really like. And the thing we brought up to him was that you're looking at a very diverse house. And to focus on the division fighting aspect, it's a mistake whether it comes from the Board or comes from us, because it is diverse. We have really diverse, we have a lot of different perspectives here. And that's why we don't have consensus sometimes, and so on and so forth. So, we also brought that as a point of feedback, because at some point, it really felt that the Board was talking to kind of a kindergarten kind of tone with us, especially on, oh, nice to know you guys are friends now.

So, just kind of enlightening you guys on a couple of the things we brought up to Chris, and so on, and yeah, the formal requests. I think we do need to request a formal engagement with them, maybe a public meeting with the boards and in CPH, but that's just an idea that we don't need to ask for the next one, but then think about it, that's all.

LORI SCHULMAN: Okay, I'm going to respond to the question and then I'll throw it to Paul. Yes, to that, I think we work on the tone and content of the letter, that's clear. And as a house, when Nils and I, and presumably John and Mason will work on it as well, work on this letter that, of course, it will be vetted with members before it's sent. So, I mean, I don't think there's any, or at least at the leadership level, if not the full member level. So, I think that's okay. And since Bruna spoke, now it's time to go over to the CSG, Paul.

PAUL MCGRADY: Thanks, Lori. I'm not here in my role as a CSG member, so I think I should be allowed to speak whenever I'd like.

LORI SCHULMAN: Paul, you are granted full speaking rights.

PAUL MCGRADY: I am only a CSG member by historic accident. It could have gone the other way. I think it was that somebody bought me a taco in Puerto Rico 25 years ago, and so then I'm an IPC member. So, I love the idea of a letter, and I love the idea of, I think we should, in the letter, celebrate what Bruna was talking about, that we were offered several opportunities to revert to old patterns of infighting in front of the Board, and we respectfully declined that. And the next time that we're with the Board, we would like for them to focus on moving forward instead of looking into the past. And I mean, I thought those questions were, I mean, it was just weird.

I hate to use that because it's a politically loaded term now, but it was weird, right? And I think we should say, like, that made us uncomfortable because that's not what we're about. I also think that if you're going to write that letter, it may be worth spending some time to do the actual homework and say, we've gone back through the Board's records, and in the past 12 months, there have been this many hundreds of hours of meetings with the contracted parties, this many were open, this many were restricted, and we've had this many dozens of meetings with the CSG and CSG members, with the Non-Contracted Parties House. And even do like a little chart, like a donut chart to show the differences in the amount of attention that we get from the Board.

I mean, the stats are out there and they're knowable. And those charts make for good headlines. So, I think that, I don't know who would do that homework, but I think it's homework well worth doing. Thanks.

LORI SCHULMAN: We have things called magic interns, some of us, and that's something a magic intern, I think, could do for somebody here. And maybe even ask the secretariat for some of those statistics as well, perhaps if you have them.

BRUNA SANTOS: I thought maybe I was your magic intern.

LORI SCHULMAN: Yeah, you might be, but you're not an intern, but we can work with it. Yeah, actually, I think in terms of those kinds of in-house stuff, it might actually make sense to have a member of the secretariat help us. Andrea, thank you for stepping in. So, we have a CSG now, it's NCSG's turn to intervene. Is there anybody from NCSG who has any questions or comments or concerns? Is there anybody on the list? All right, well, that's a good go forward in terms of the Board interaction. I feel that that's very successful.

If there's no more comments and questions from members, we can go to the next subject and perhaps even end a little earlier. I will say, though, if you're eating the snacks, the corn pops are the way to go, okay? The chickpeas, maybe not so much, but I tried to find things that seemed more Turkish rather than American brands like, like ruffles or burritos and poured it over. So, it was hit or miss on the snacks is all I'm going to say.

So, with that, I do want to again, is this another discussion point? And again, we'll be alternating between CSG and NCSG on issues, next steps for the house, AOB. We just have one next step that we've introduced and that's a letter from the CSG and CSG leaders jointly asking for a formal engagement with the Board, pointing out where we feel there were strengths in our encounter and where there were challenges or whatever we want to call them, or missed opportunities for us to be more engaged on substantive issues.

So, yay, we've got one. Are there any other issues right now? We know that we're working on the Board seat 14 issue and that there's still open questions that we've been promised will be addressed. So, we'll address them. And so, we've got Board seat 14, the engagement with the Board. Other than that, is there anything I see? Well, the next one is NCSG. So, Vivek, if you're not in NCSG, I'm going to ask you to wait for a minute. Farzi?

FARZANEH BADIEI: I just wanted to mention that. So, Paul, can you correct me? The recommendations, they are in the draft for the appointment of Board seat 14. The recommendations, while they don't have like a formal process of like voting and stuff like that to avoid stalemate, they are like soft approaches that we can, through enforcing those, we can avoid stalemate. For example, we have a search committee. And in the search committee, we recommended that the search committee will vet the list of candidates. And also, there will be a joint interview to vet them and then to put the names forward to the groups.

So, it's not like we have not addressed at all like the joint interviews. What we said was that, so through the search committee and through timelines, we can, and by doing things a little bit like on time and having deadlines, we can address the problems. The issue is that we are not going to come to consensus if we say that no, we should all like vote on this or do something that is like designed based on how NomCom works.

LORI SCHULMAN: I'm going to intervene here with that. I hear what you're saying about if the process is designed well, it should work toward consensus. That is very well noted. And I'm going to just speak in my personal capacity here because I've been a stickler about having some sort of backstop as a tiebreaker for just expediency's sake. That in my view is the last, last, last, last, last, last resort. If this group decides that formal voting, meaning team 14, if the recommendations come out and say, yeah, we don't really want to vote because that's not going to work. And we go through the processes defined, but somehow, we still haven't come up with a choice.

Sorry, and we still haven't come up. Oh yeah, that's better, I apologize. I'm used to having it close because I've been instructed to keep it close. Apologize, yay, yay, yay. All right, so it's a backstop, it's the last resort. Like we came up with a system this past summer as a last resort, and that is the only time I personally would envision a process like that to be used as a last resort.

Ideally, we want to come to consensus. And if it takes time to do that, and we have a process that will allow us to do that, that's the best option. I completely agree with you on that. But there may be times when we don't have that outcome. And if we don't have that outcome, do we then make a decision, okay, we're going to now prescribe an outcome, prescribe a way to do this, or we're going to recognize that in the event that this could happen, it will be up to the leaders to decide how to break it, A or B. But I think it should be acknowledged minimally that if for some reason this process doesn't work as we anticipate it, that there's still a way that we can meet our obligations in a reasonably fair, I would say fair way, hopefully, simply because we've got to get the work done.

That's where I'm coming from on this. It's not about voting from day one at all. It's about getting to a point where if we have disagreement and we really can't solve it, because sometimes that happens, this is an area where we can't agree to disagree. This is an area where we have to have an outcome. That's my thinking about having a process like that. Thank you. All right, well, it's NCSG's turn. If not, I'll call Paul, but I want to give NCSG, so I'll do Bruna and then I'll do Paul, okay? No, Farzi spoke, I spoke, I had the last word, so I was going to give it to Bruna, then you. Yeah, I'm trying to be as fair as I can, folks. As I said, give me some grace. So, Bruna, then Paul.

BRUNA SANTOS: Very briefly on the process thing, maybe my request for us all is to wait until the Team 14 finishes up the recommendations before we start foreseeing futures and do foreshadowing kind of exercise. The census is part of the process. We don't necessarily go into the process to agree, but what we do is to talk to each other and bring the reasons for why we think each candidate is better than another one.

So, I personally don't have as much as a problem with the stalemate situation because I'm presuming that now, even more than ever, we have like, we're in a much better situation to have a conversation about the stalemates and to have a conversation about the candidates. And I truly believe that the Team 14 exercise is addressing that to some extent. So, maybe my request is just that, that we wait for the process to be finished and then we have a proper conversation internally and jointly about what's coming out of that and see whether it works or not, that's all.

LORI SCHULMAN: Paul?

PAUL MCGRADY: Vivek can have my turn because Bruna said what I was going to say. Let's give peace a chance, thank you.

LORI SCHULMAN: Okay, that's fine. So, then Vivek, please.

VIVEK GOYAL: I want to talk about something completely different. So, if anybody has something continuing on this topic, I step back and let you take the point.

LORI SCHULMAN: Yeah, okay, John McElwain, yeah. John?

JOHN MCELWAIN: It's just a question because I'm kind of new to the Team 14 issue. What's the timeframe for us to get this? I mean, where are we in the process and when are we going to get some report back or a proposal?

PAUL MCGRADY: Yeah. It's okay if I just jump in. It's directed at the process, yeah. So, the short answer is we have three recommendations in stable draft, but they're still draft because they still interact with each other. We're working on recommendation 4, which is this very issue that Farzi and Lori were talking about. And so, we are about 75% done and the goal is to be done early winter, like January, February, coming back because we do need to get this wrapped up because our timeframe starts in the spring.

LORI SCHULMAN: Okay, let's give peace a chance. So, Vivek's next up. Is there somebody though from NCSG who has an intervention right now? No, I'm being, no, Farzi, it's interesting because I'm trying my very best to adhere to what I was advised and now I'm getting Gees for it and I feel like I can't win at this point. So, if NCSG wants to pass on to CSG, be my guest, that's fine, no problem.

BRUNA SANTOS: Well, I did the suggestion. The suggestion was just that so we both got airtime for the interventions, right? So, if we don't have anyone with their hands up from the NCSG, then it's perfectly fine.

LORI SCHULMAN: All right, that's how we'll run it. This is the first time we're doing this. I asked for Grace. Thank you for the coaching. Vivek, please go ahead.

VIVEK GOYAL: Thank you, that was interesting. We heard, we discussed this shortly that we would like to engage with the new CEO as a group together. As part of Action Items, I don't know what is the Action Item on that. I know there was some suggestions but I don't know what concrete actions we are going to take on that. So, any thoughts on engaging with the new CEO early on?

LORI SCHULMAN: I'll take that question. We've discussed this as a joint house leadership issue. And actually, I think right now as NCPH, we don't necessarily have a strategy and we can certainly come up with one. I mean, we talked about it a little bit at the day zero event that we would like to invite them to. I'm going to intervene in sidebar a little bit. Andrea has very nicely agreed that she's going to set aside 90-minute sessions for us at every public ICANN meeting.

So, this becomes ongoing routine, not a one-off. What we'd like to do is invite the incoming CEO to our next open meeting for a bit of time. I suspect that the new CEO will get lots of these requests but we're going to put ours in early in December for March. And I also would imagine that each side of the house may be also requesting similar time. But right now, the plan is to be part of that joint session.

The other idea I had suggested in the Day Zero Event and we still might do this is have a joint house Zoom call where we invite the CEO so that he's not so pressured during the public meeting because then he's like pulled in a million pieces where normally maybe he's only pulled in a half a million pieces. And we might have a better chance of getting more time if we request with both sides, full membership open meeting conducted by the chairs of each side and have some time with the CEO.

So, we're definitely on it. We know it's important to the membership and this all goes to the answer. It's very interesting because these concerns about making sure that each side of our own house is heard. We have that same issue when it comes to the Contracted Party side versus the Non-Contracted Party side. The ratio of time the contract parties have with leadership versus us is significant. Significantly different. And we need as leaders to push that meter so that it's more balanced. Yes.

JEAN FRANCOIS QUERALT: Jean Francois Queralt, for the record. So, I don't know if this is something that needs to be addressed or discussed with the CEO or with the Board. So, I'm just wondering if it's something that we want to keep in mind. I found that it was very curious the way they were chaining their questions about the utility of the fellowship and the next gen during the meeting we had with the Board. I don't have a specific hypothesis. I just found the line of questioning interesting. And the first thing that popped into my mind is whether they were going to question the effectiveness of those programs and maybe try to go into some cuts because of their alleged financial problems.

Now, there was a moment in that conversation where it was asked how many, something along those lines, I'm paraphrasing, how many people who go through those programs end up being part of the Non-Contracted House Party, et cetera. And it was roughly about five, 10%, something along those lines. And there was also a comment that they engage in the first years but then they tend to drop after the first or second year. And no one in the Board seemed to have kind of a bob in the head. Maybe the problem is not the programs. Maybe the problem is how we function.

And so, I've been asking around because it's been driving me crazy trying to figure out where is an actual general map of what's going on in ICANN. And at the moment, essentially, if I want to have a general impression, I have to go to at least eight websites. And none of them has a cohesive way to present the information. So, there's no way for any newcomer to come and figure out a way what's going on, what's happening, at what stage, what could I try to participate, none of that.

And so, I'm planning to ask the question directly on the public forum, but I was wondering if this is something that we can discuss with the CEO, if he has any hand into it so that ICANN becomes a bit more transparent and more unified. I'm told that it's actually by design, which I find quite shocking, I would say.

LORI SCHULMAN: Do you want me to take that? Because I have some thoughts about that. I agree with you. I think these questions are being asked because the next cuts, rather than cutting staff, perhaps they cut some of the programs that are fully funded travel because they are quite expensive. I mean, there's no question about it. And what's the right benchmark? 10% retention, 50% retention? I have no idea what the right number is. But to me, 10% sounds pretty good, just based on what I know about volunteer recruiting and how much effort you have to put in to not just get the volunteers, but retain the volunteers.

In terms of retention, I know on the IPC side, we've had very few fellows join the IPC. They're usually much more interested in joining NCSG or ALAC. It tends to be younger, more academically minded, more socially spirited, at least that's what I've found. And I also think that there are occasionally a few IP lawyers that do get the grants. They reach out to me. And what we do in the IPC to help that, and it has worked to a certain degree, is that we mentor them.

If we know someone's come in from the fellowship program, we will ask an IPC member to shepherd them through some issues. We'll try to get them on relatively easier working groups, less contentious working groups, working groups that don't require the same level of inside knowledge that some of them do. So, I know these are some of the techniques that IPC has employed to retain fellows. And that's certainly things we could suggest to the community in a conversation about this effort. But I agree, if it's about killing the program, killing the program, I think sends a wrong message, absolutely, to the community.

That's probably something that our whole house could agree on. I mean, I haven't pulled the IPC, but I can't imagine that anybody in the IPC would think that cutting fellows is a good idea when we're having so much problems recruiting anyway. So, I would argue that rather than focus on the cutting of the program, to your point, is to focus on retention and maybe come to ICANN.

And I think this suggestion of a one-stop shop for issues is a very good one. How that works, I don't know. And in terms of purposefully making things complex, I don't know that ICANN does that on purpose. But ICANN tends to work in its silos like a lot of organizations do. And there's a lot of work going in the different divisions of ICANN. There's the global domain section. There's the GNSO. I mean, there's so many moving working parts.

If you ever look at any of the ICANN briefings, when they show slides of how the community works, it's like a mishmash. You cannot figure it out, even if you've been in the community 20 years. I wish I had one now in answer to your question. I'd pull one up and show you. It's difficult to read. The fact that you can't even put it on a single chart, I think, says something.

So, I think this is a great issue to flag. And I think it is an issue that we could come together as a house on. And I would absolutely push back. Certainly, they haven't announced plans of what they're going to do either way. It might be fair to limit it or cut it. But I certainly wouldn't think it was fair to eliminate it. So, maybe we work that out somehow. And Bruna, did I see your hand up?

BRUNA SANTOS: The reason why they ask is because they know NCSG community is made out of fellows, basically. We have a great income of new members. We did a lot of outreach a couple of years ago to next-gen, to fellows. A huge part of our leadership is coming from the fellowship program. I'm one of them. Ben is another one of them. We have a lot of leaders. Juan as well. Right, Juan, you were a fellow? Farzi, too. So, there is a lot of incoming members from the-- I always forget that for some reason, that comes from this part of the community.

So, the problem, I don't think that question was about cutting the program, though. It was really about addressing what's the intake from the fellowship program on each side of the house. And there is a little bit of a different intake, right? We can be socially and academically minded, for sure, but we also work on issues that perhaps connect a little bit more to whoever is coming in as an end user and doesn't really know what's the slot that you're going to occupy. But we also do have some cases of people that enter NCSG, but then find out later a different place within the community, go to SSAC, go to RSSAC, and different places like that.

So, I believe that it would be interesting to address that, but I would be truly against us engaging in a conversation about the termination of the programs because they cover one aspect that no one really here has time to do, that is mentoring newcomers and mentoring people about ICANN. And, like, just to wrap up, like, if you're someone that has ICANN on your paycheck, you get to engage in here. I got to take vacations to be here from my day job.

So, it's not a very equitable situation, the ways in which each of us engages in that, and that's why such programs are relevant and that's why such programs happen. Just one last thing about the one-stop shop. GNSO has a policy brief in every meeting. It's one document that you can read and it's one document that we should all be reading in order to know what's going on. There's a lot of other parts of the community that do a couple of things. Deep Blue sometimes does a very good coverage of ICANN meetings and maybe it's just about, like, convening all of those resources together and seeing how we work with them. Oh, yeah, Policy Outlook reports, too.

LORI SCHULMAN: Great, Bruna. That's a very good answer, and I was right. I mean, in terms of understanding how important that program is to do. Okay, so good to know. Paul, I believe you had your hand up.

PAUL MCGRADY: So, I'm going to ask you guys to distribute some grace. I'm going to burn some of my goodwill, okay? There is something afoot right now within

ICANN that is making another party besides the NCSG feel like they are targeted to be pushed out. And if the goal of eliminating the fellowship program would have the same effect in time, the NCSG will be starved out. It won't have new members. And so, when I see something like that, I'm wondering whether or not if the disappointment of us no longer at each other's throats is starting to scare people and if there isn't a coordinated attempt to weaken us. Thank you.

LORI SCHULMAN: Okay, is there any NCSG person before I go to Damon? Damon?

DAMON ASHCROFT: I think I had my hand up.

LORI SCHULMAN: I'm having delusions.

DAMON ASHCROFT: It was involuntary hand-raising.

LORI SCHULMAN: Were you just waving at each other?

DAMON ASHCROFT: Yes, I was just waving at Bruno.

LORI SCHULMAN: Tim Smith, you have the floor.

TIM SMITH: Thank you. Where was the goodwill in that, by the way? I just wanted to say, as I hear about the fellowship program and the Next-Gen program, and I'm also hearing that maybe that's something that NCPH can stand behind on both sides and stand behind. And so, I just wanted to make that statement. It sounds like we have something in common, another thing in common.

LORI SCHULMAN: On this trustee paper plate, I've written the issues. It will get transcribed at some point. Yes, please go ahead, Benjamin.

BENJAMIN AKINMOYEJE: Thank you. Benjamin, for the record. I just want to reiterate that point. I want it to be louder again, that the fellowship is really, really instrumental to some of our growth and we really harvest that process. And whatever it takes to safeguard it, to keep it going. They might have come in through NCSG, but they filter into all other parts of the community eventually. There's a lot of evidence of that. Thank you.

LORI SCHULMAN: I have popcorn in my mouth. You're welcome. Farzi?

FARZANEH BADIEI: I don't want to open a -- because we are at the end of the meeting as well, right? We are supposed to socialize. So, the statement of interest and the transparency in disclosing clients and who is working with who, where does CSG stand on that?

LORI SCHULMAN: Okay, I can speak for two of the constituencies. I can't speak for the ISPs that are in the room, because I don't know how they feel about this issue. We've talked about it between the BC and the IPC. We have not talked about it as a full CSG, but I think that's probably right that we should, because the comment period is opening up, and it would be good to know. It's a really complicated issue, to say the least, and I'm only going to speak, so there's two issues here.

Some people come into ICANN as consultants, period, and who those consultants work for and how they're being paid and why they're being paid, that affects them, because they could have 10 clients, all registries, we don't know who they are. There're also lawyers that come in who also have clients, could be 10 clients, and they could be corporations, registries, they could be anything. I mean, we're aware of IPC members that are hired by contracted parties to come into the IPC and do work.

We're aware of that. Sometimes it's not intentionally disclosed, but you get a sense of who's talking about what and to whom, and you can figure it out to be perfectly honest about that, and we understand that that's an issue. Who are you talking for? At the same time, because many, many in the IPC and the BC, but more in the IPC, are licensed attorneys in whatever jurisdictions, whether it's American, European, or whatever, have obligations to their clients.

Their clients have a right to privacy. Their clients have a right to whether or not they can disclose that they've hired someone to act on their behalf. The attorney-client privilege is a client privilege. It is not an attorney privilege. It's not an attorney right. An attorney cannot breach the privilege. A client can always breach the privilege. It's totally in control of the client. So, it becomes a very complicated issue for us when we're being asked to be required to disclose.

Now, we could ask our clients okay, you're hiring me to do this, but we have obligations here. We have to disclose who you are. And if the client says, no, I will not, then we get stuck between some difficult rules. The other issue, too, that I think is being confused here, is that governments, almost all governments that I'm aware of, require registering of lobbyists and require disclosure. And we know that that's a big issue here and why the GAC is so solidly behind these disclosures.

Well, those are based on lobbying rules of legislative bodies, all right? It's not based on sort of this more open Policy-Making environment. And so, we have some difficulties by creating equivalents with lobbying before governments when, in fact, ICANN is not a government. It's a consensus-building organization. It is absolutely not a government. So, because we have these issues, we are extremely cautious about what we will support and what we can't support, given the obligations we have as licensed professionals.

We're trying to find a way to this. But just like you, we have some bright lines that we just simply can't cross. And if we're going to cross them, I have to figure out in a way that protects the client and the client's privacy rights. And that's where we're sitting on this. And that's the feeling. That's the discussion that we've been having with our BC colleagues and our IPC colleagues. We have not had a full discussion with, including the ISPCs in this. Because they're coming from big businesses and I'm not sure if they have a dog in the fight, so to speak. So, I don't know and I don't want to speak for them.

So, with that, what I'm going to do is we don't have, obviously, our 20 minutes to mix and mingle, but I might leave it on that last word. Does anybody have anything else? Again, I think this was a productive meeting. I'm really glad that you've asked the question. I think it's good to air these questions out, to have us. I said it yesterday, if you observed the CSG with the Board, and I said, things got a lot easier when after filing our RFR, I spoke one-on-one, or it was John and I with JJ and his team, and the questions that we were asked were, what are you thinking? And I don't think we ask enough of each other. Particularly, we haven't in the past, but we're doing it now. What are you thinking?

When you make these suggestions or you take these positions, what are you thinking? And I think it leads to better, more open, more clear dialogue about why things seem so bright line when, in fact, they may be nuanced. And I think the fellowship program, in terms of us speaking with you about how important it is to your membership, particularly because of how you operate, is very important for us to know and will help us galvanize behind you as a house.

So, I'm going to end on that happy note, and we've got three minutes to socialize, and all I'm saying, if you eat the snacks, take the corn pops, all right? Also, I should acknowledge that this is my last meeting as CSG chair, and it will be my last time, I think, ever, of being CSG chair as I'm stepping out of IPC leadership. And I am very happy to pass the baton on to Mason, and John McElwain will be IPC president, so he will have a turn at the chair at about this time next year.

ANDREA GLANDON: Well, then let me also add that Julf Helsingius is leaving CSG chair, and Rafik Damak will be joining as the NCSG chair.

LORI SCHULMAN: Okay, so we're going to have a whole new CSG ExCom, it looks like, so yeah. So, I'm going to adjourn the meeting and say thank you, everybody, and it's been a good year. Thank you so much.

ANDREA GLANDON: Thank you. You can stop the recording.

[END OF TRANSCRIPTION]