
ICANN82 | CF – GNSO: ISPCP Membership Work Session
Tuesday, March 11, 2025 – 10:30 to 12:00 PST

NATHALIE PEREGRINE

This session will now begin. Please start the recording.

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PHILIPPE FOUQUART

Merci, Nathalie. Good morning everyone and welcome to our ISPCP session at ICANN82. Before we start, any updates to your statements of interest, anyone? Anil?

ANIL JAIN

Thank you Phil. This is Anil, for the record. Most probably after, maybe in the month of April initially I'll be joining a new company called Multicraft Digital Technologies Private Limited. It has two

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offices, at Noida in Delhi as well as in Mulund in Mumbai. I will be assisting the emerging director in various business activity as a senior advisor. In addition to this, I just want to remind that I am also on the executive position in the industry associations when are representing the connectivity providers and ISPs. For example, the DCIF. This is Digital Communication India Forum, which is there in existence for the last 30 years. Then another organization, which is TEMA, which is there for the last 28 years, is well known in India in both the Ministry of Telecom as well as in the Ministry of Electronics and IT. Thank you.

PHILIPPE FOUQUART

Thank you Anil. Any other updates? Anil's update makes me think that it would certainly be of value to reach out to the ISP community since you're referring to an association there, just to gauge the interest of Indian ISPs on ICANN related topics. That would be great.

ANIL JAIN

I'll be more than happy to arrange that association and a dialogue between ISPCP and those organizations.

PHILIPPE FOUQUART

Thank you Anil. With this, let's move on to item two. As you can tell, at the time of writing we didn't have the agenda for council, but I'm sure that our beloved councilors will keep us updated. Who would like to start with this? Thomas? Osvaldo, okay.

OSVALDO NOVOA

Great. I'll start and then Thomas can continue. Okay. We are going to vote in this session. I think it's only two items that are going to be voted in. One is the SCCI chairman and vice chairman, which is Manju. I don't remember who was the second one. I'll look for it. Then on the Final Report from the Transfer Policy Review, of which I was the liaison of the council in the group. I must say it's one of the best working groups I've seen. It was the 47 resolutions or recommendations and I was shown implementation advice, were reached with full consensus and I don't see any objections will come up during the council meeting. From my point of view the only thing we need to note is that one of the recommendations, it recommends to establish a new policy development process because in the actual transfer policy there is no way for the registrant to, how do you say, object a transfer unless it extends to be a registrar. If the registrant claims something in front of the registrar and the registrar does nothing, the registrant can't do anything at all, so they are asking for a policy development on that issue. That's the only point I can think that might bring some discussion, but I don't think it's anything contentious. Then we are going to discuss several issues.

THOMAS RICKERT

Oswaldo accurately described the state of play with respect to the transfer policy, but there's been another issue that's been raised by the NCU5C and this is the so-called human rights impact assessment questionnaire. Just so you know, every PDP for the last

5,000 years already had to take a look at the implications for human rights in their policymaking, but recently there has been a group that's been working on a checklist that shall be used by the PDP working group to explicitly state whether there's an impact for human rights. Now, this questionnaire has only been finalized after the transfer policy working group has started its work, so it could not be part of their charter. Farzaneh has asked to still conduct this impact assessment using the questionnaire, and what we discussed in council yesterday is that they would do that as an NCUC effort and let Robert know, Robert Carney who's the chair of the transfer working group, know and offer that they could work together on this. Just so you know. This is not a conditional approval that the council is going to be voting on. This is a parallel activity because they want to test drive basically the questionnaire. Only if there's something crazy coming up with this questionnaire, then we will let the board know that they should take a look at this prior to the board adopting the recommendations.

I don't expect that to happen, but I think it's difficult in communicating this because it sounds like we have an additional hurdle to take before the recommendations are approved and that is just not the case. We approve, right, so there's nothing for us to do, but it will be mentioned that this questionnaire is going to be applied.

PHILIPPE FOUQUART

Thank you. Just on this point, maybe, any questions? Just to wrap up, those are two somewhat, well, we hope two independent

tracks. The idea would be to support the approval of the final report and then engage into the response to be provided for the human rights questionnaire with the chair. Anyone, any concern there? Okay.

I've got one question, but it's related with that being on the case at hand. What about the PDPs that are in flight, whose charters are defined by definition, which may not have embarked the need for an assessment? How does that fit into that? One particular case that I have in mind is as it relates to human rights is the diacritics. For those of you who are on the list, the first message that was posted after the meeting here was about language and intuitively, without having had a look at the details of the questionnaire, that would be part of something that a human rights framework would be looking into. Obviously I'm rambling a bit, but you see where I'm coming from. Any idea there?

THOMAS RICKERT

Makes perfect sense, and Osvaldo, you correct me if I remember this wrongly, but I think the diacritics PDP working group is the first working group that has the questionnaire embedded in their charter, so for them it is in there, but even if it weren't the questionnaire is recommended to be used. It's not a fault of the system if it were not applied. I think it is the right thing to do, to give human rights considerations more visibility rather than just having it somewhere in the charter, but we could even proceed with the transfer policy outcome without giving any mentioning to the questionnaire. It is voluntary, but I think it will be widely used.

PHILIPPE FOUQUART

Thank Thomas, that's very clear. Any questions? Any other questions? Okay, I think we can—

OSVALDO NOVOA

Just one observation. I think the questionnaire is a work in progress right now. It hasn't been finished yet, or at least hasn't been approved as a whole by the council, so I think now we are in a test period and I don't know what the end will be. I don't know if you—

PHILIPPE FOUQUART

Okay. Yeah, moving on then, I guess we could discuss the other items as well.

OSVALDO NOVOA

Yeah, we are going to discuss the next steps for registration data accuracy that I think we are waiting still for our report from ICANN. I don't know if they have it from ICANN org. I don't know if they have it ready. I haven't received anything. Have you received anything? I suppose we will receive a report there of alternatives we have to go on because it was depending on also legislation that was being worked on, so it will be a discussion. We will be able to inform you after the council meeting. Then the other question, the other discussion is going to be about the EPDP phase one on billing contact. Thomas is the expert there, so he can give you an overview.

THOMAS RICKERT

Yeah, so that is a little bit of a pain, that link, contact point. Just to get us all on the same level of information, the issue was that the registration data policy is silent on the collection of or the non-collection of data for the billing contact, whilst the RAA 2013, in its data escrow specification lists a requirement for the data for the billing contact to be escrowed. That makes some believe that since we have been explicit in the registration data policy on the admin C and the tech C, so that the explicit mentioning of the admin C and tech C overrules the stipulations of the RAA 2013. The silence of the policy makes the billing contact requirement still exist. That means we would collect a data element that nobody has been using in the last decades because the billing contact data in the registration data is not used by registrars. Still there are some in the BC in particular who have made the point that billing information is vital information for law enforcement and others to go after criminals, follow the money. We tried to clarify that this is true, but that billing data is still collected by a registrar, but in the context of the account holder data. You set up an account with the registrar, you provide your payment method and your bank details or credit card details, what have you. The data is still there, but it's not the billing contact element in the registration data. We hope that everyone is now understood that we are not truncating in any shape or form the chances for law enforcement to get that data point, but that we're just trying to get rid of a fossil basically in the registration data. That's one thing.

The other thing is a procedural aspect, and that is that there are some, I would say it is primarily the BC and IPC who are concerned that we're changing policy on the file. We have tried to make the point that the consideration of the billing contact in the context of the EPDP was a charter question and that we have deliberated on this, so that we are just rectifying a drafting error in our final report which should have stated that the billing contact data should no longer be collected. Our recommendation would be to have a motion by council acknowledging that. Also stating that this shall not serve as a precedent for future acts or omission that might occur and that we can thereby correct this error without the necessity for a separate PDP or pausing this until a future PDP is going to take care of this. I think that's pretty much it, isn't it Osvaldo?

I would, it's basically the same decision that we took as an ISPCP earlier that we want to go for the least invasive and least formalistic way to rectify this error.

PHILIPPE FOUQUART

Thanks Thomas. Earlier and for a long time I have to say, when was that brought up first? I can't even remember. Anyway, any concern there? I think this is a very pragmatic way forward. Okay, thank you. To you Osvaldo, maybe a word about the other...

That's the discussion. I'm sorry. I was about to say that's a vote. That's not even a vote, as Thomas said. There will be a vote but what about the other discussions?

THOMAS RICKERT

It's just a discussion.

OSVALDO NOVOA

Then the other item for discussion is regarding the urgent requests. We are still discussing with the GAC about they want 24 hours and in this side it's three days. The big problem is, how do you say, accreditation. There had to be two accreditations, one being accreditation of the law enforcement agency that's asking for the urgent request and then the accreditation of the urgent request, if it's really an urgent request, it's inside the specifications of urgent requests or not. We are still discussing if it's an issue for the contacted parties principally because it is what they can do to quicken the process, to make it more agile. But considering the accreditations issue it's very difficult for them to at least compromise or accept an imperative term of 24 hours because they may not be able to fulfill it. I don't know if you have anything.

Then lastly is we are going to discuss this GNSO chair election. Greg DiBiase. Well, we are going to vote on the council, vote on seat 13, is it, that Greg DiBiase is a candidate. I'm sure he will get a full consensus in that and then we are going to look at the schedule for the next chair election, GNSO chair election. I don't remember well, but I think in June we should be discussing in our stakeholder groups if we have any candidates or not.

PHILIPPE FOUQUART

Thanks. Any questions by the way, so far? No? Yeah, just on that one last point, oh yeah, and by the way, on seat 13, I don't, I can't remember the term that they used but it's more than a candidate. It's the nominee of the contracted party has. Yes, exactly.

OSVALDO NOVOA

Yeah, he's been nominated by the CPH.

PHILIPPE FOUQUART

Exactly. On the other item, I just checked, but on the other item under consent, just to make sure that people have in mind what we're voting on, under consent, I looked it up and indeed the chair of the SCCI is Manju Chen, as you mentioned, and the vice chair is Ajith Francis from the registries, just that, for people to know.

One last observation. Normally, already this year was a bit of an exception for the GNSO chair to remain with the contracted party, since that's been three years, two plus one from Sebastien before Greg. The rotor would be such that it would be the turn of the NCPH to have at least a candidate, so the prerequisite would be to be a councilor, hence the timing. Any questions on this?

Yeah, Thomas?

THOMAS RICKERT

No question, but just an additional point that we should be discussing at some point, and that is the question of reviews. I'm not sure whether any of you have been present in the meeting where the GNSO met with the board. The question was raised, how

do we deal with reviews? We are still trying to implement recommendations coming out of ATRT3. There was a deferral until first quarter of this year, so we do not know whether the board is going to defer that further. Then with ATRT4 we have this holistic review. We are far behind schedule and it's a requirement coming out of the bylaw, so we can't ignore it. The question is, how do we appropriate deal with this? We need volunteers that are going to work on the next projects. We need to catch up with the implementation and the board was not open to, but very interested in having a discussion about revisiting the bylaws provision on reviews because it's almost 10 years since these bylaws were drafted. You may remember that this took place in the course of the INSU transition and at the time we did not question the reviews because they were felt important by some and we didn't want to give the impression that whilst we were updating ICANN's accountability, that we would strip down on the intervals or the scope of the reviews, but now is a good point in time for doing that. I think we should put some thought into this. I think that Tony is our review expert, right, so we might want to consult with him in particular, but I think it's high time to give the organization a break and say we're not going to do interviews that thorough and that often.

PHILIPPE FOUQUART

Thanks Thomas, a very important point, obviously. In addition to those items you mention there is a couple of other things that we need to factor in. There's the deferred GNSO review plus the, what is that called, continuous improvement framework, something. All

of this would need to, with all the dependencies and... At a very, very, very high level my sense would be to have at least a guiding, sort of a Northern Star. Rather than engaging in incremental improvements, which are generally easy, I think it'd be probably better to have a general framework and intuitively something like, if there's going to be a holistic review at some point, I think at least we should have the principle around that before engaging in the more minute, detailed revisions, if that makes sense.

THOMAS RICKERT

Also, if I may add, the transfer policy recommendations are the first completed PDP for ages and I think we should not fuel the idea that ICANN is so bureaucratic that we're just working on reviews and we don't even get those done and there's no substantive work happening at all with tangible results so we should rather put volunteer hours into actual productive results that take the entire system forward.

PHILIPPE FOUQUART

Thanks Thomas, and to this point, just to put it very bluntly, and I'll just repeat what I've said privately, that sort of work is not something I can sell back home. It's just not possible. People don't understand that you look inward rather than looking at what matters for the industry. Fiona.

FIONA ASONGA

Just a question on the whole review process, because when I look at all the reviews that there are in terms of what they're supposed

to accomplish, some of them can be collapsed. With where we are right now they can be collapsed to be done as one review as opposed to two or three separate reviews. Are we as stakeholders able to ask the board to consider as they review the bylaws for the review mechanisms, to identify and see which ones, work with us to see which ones get collapsed so that we are not having, say what we are calling the holistic review, the the accountability, transparency review, which could be part of the holistic review. So that we are having our reviews still done, but done in a way that makes sense and adds value to the ecosystem and not just for ticking the box, because so far I think we've been doing them and ticking the box and saying then this review and this review and staff who handle the reviews are just running one review after another. When you look at the implementation, some implementation recommendations need time and we're not allowing for time for them to be implemented and quickly coming back and beginning to review again. We are sort of like a reviewing company as opposed to what we are supposed to be doing.

I don't know whether we are in a position to ask the board. We are asking them, can you, not letting them think about it, but telling them as stakeholders and from where we sit we feel there is a need for there to be a collapse of the reviews so that they are of value to our ecosystem and the processes. Can you as the board identify which staff, which of these reviews get collapsed so that we don't have too many reviews? We have few but impactful reviews being done within the ecosystem.

PHILIPPE FOUQUART

Thank you Fiona. Yes.

THOMAS RICKERT

I don't know exactly, or we haven't discussed in council how we're exactly going to play this with the board, but I would anticipate that the GNSO council maybe forms a group that comes up with some discussion points to take to the board to jointly discuss how we best deal with this. I think, and I think I'm not alone, that you have just successfully pitched for being a part of that group.

PHILIPPE FOUQUART

I would add to this, to your question, Fiona—

FIONA ASONGA

I'm happy to be part of that group.

PHILIPPE FOUQUART

Excellent, thank you very much. I think the board, from informal discussions with Chris Buckridge, that there is indeed that intent of, as you put it, collapsing some of the building blocks of the respective reviews into one single so that you avoid the dependencies and try to be more efficient. I forget the name of the community under which that sits, but it's, anyway, the point being that they're very much aware. They're on the driving seat, as it were. I think clearly it's on their agenda and I think there's

consensus across the board, no pun intended, that we can't proceed with those as separate tracks. It doesn't make sense. Thank you.

Any other questions or comments? Yeah, Osvaldo.

OSVALDO NOVOA

Yeah, regarding reviews, in ATRT3 when they stated the holistic review, the idea was to substitute all the individual SOAC's review with one holistic review, but then the board decided on the pilot holistic review, which was to prepare the way, to see, a pilot test of what the holistic review would be, but when the terms of reference were established they took it from there the organizational review. So we are having a pilot holistic review that is not a holistic review. It's a partial review. That's a big discussion, but the original idea was to substitute all the different SOAC's review with one holistic review of the whole item.

PHILIPPE FOUQUART

Thanks Osvaldo. Yeah, that was pretty much what I was trying to say. I'll phrase it differently. There's somewhere there those overarching principles should be discussed. It should be in some holistic review of sorts and we'll come onto that in a moment with Anil on where that PHR is, but there is indeed, there's some communication between that team and the board along the lines of, we don't really know what we're here for, which means that basically people do not agree within the team. I think there are those who would like to see some thinking around the structural

review and others that wouldn't consider it relevant, but to me that would very much be the way the target should be defined. As I said, as an engineer, I would like to see the overall principles being defined prior to going into the details of how you implement this. Any other comments?

Okay, just for time's sake, we've got another hour, or just about, if I'm correct, so it's good that we have this discussion around the ongoing work at council. Okay. Any other questions for our councilors? Okay, thank you. Thanks Osvaldo and Thomas.

Moving onto item three, which is the usual call from NomCom. Nitin is with us. Thank you. The floor is yours. Thanks.

NITIN WALIA

Thank you, Philippe. Nitin Walia for the record. As you all know, for ICANN 2025 nominating committee I have been nominated by our constituency and in the interest of all the constituency members I'm trying to work on this as a delegate. Today in my capacity to delegate the NomCom 2025 I'm sharing with you certain open positions. These positions, the application window has already started with effect from the 14th of January and considering the ICANN mission and the responsibilities as per the bylaws the application has been prepared for various open positions. The objective is that we are looking for great leaders in terms of applying for these positions. Why I'm requesting our constituency to step forward is since we have multiple great people within our constituency who can play a very critical role to step forward and apply to these positions. I think it's very important for each of you

to have a look on the open positions and see where, in which role you can apply forward for that. Next slide, please.

As I said, we are looking for leaders. Next slide. Currently, as far as the ICANN board members is concerned, there are three open positions which are available. Next slide. When the application window was opened on the 14th of January there was no restriction in terms of job region or geography, but with the recent update, since we already have five people from North America taken up key positions on the ICANN board, there's a recent change which has come because of which now, for the board members specifically, all three positions are locked and the North Americans cannot apply for that, but that does not mean that the other positions are not available for them.

Since anybody who's applying for these open positions can apply up to two positions, definitely there are two options. If anybody has some other country of citizenship, then definitely they can use that and apply for these open positions, or there are other positions into various other groups wherein the option is still available for them. Next slide, please.

As far as the PTI board is concerned there is one open position. This position is for a term of three years. This is a place where anybody can apply and there is no restriction in terms of geography. Next slide please.

For the regional, the ALAC committee and APAC and LAC, there are three open positions. Any representative from any constituency, any region can apply for that. Next slide please. There's one for

ccNSO. This position is also available and this is also a three-year term and there's no geography restriction for this open position. Next slide. Next slide please.

For the GNSO, right now there are two open positions, so anybody who is looking forward for this position can apply and there are no geography restrictions. This position is for two years' term. Next slide.

To summarize, altogether, currently in 2025 we have 10 open positions in various areas. Apart from ICANN board of directors there is no geography restrictions and anybody can apply for any multiple, two positions, depending upon the qualification criteria which have been laid down into the application process. Next slide please.

As I mentioned, the deadline is the 28th of March and I want to share the link of the application page also into the Zoom chat. I would recommend that anybody who's looking forward to apply for these positions should not miss the deadlines and try to apply that. In case any of our constituency members who belong to North America have already applied before the change has happened, they still have an option to put a new application if they have some other country's citizenship, or else they can definitely look forward to apply for any other open position which I shared with you. Next slide please.

That's it. If you want to learn more you can simply visit the page. I want to share the link also in your chat. Looking forward for your participation into that. Thank you.

PHILIPPE FOUQUART

Thank you Nitin. Any questions? I have probably two comments, one that is somewhat unrelated, but to the quota at board level, it also means that for next year as far as seat 14 is concerned, given the probable appointment of Greg moving forward, it means that there cannot be a candidate from North America from the NCPH to board seat 14. The incumbent is not from North America, but I just want to point that out, that we have an extra constraint within the GNSO on this. My second comment is on the GNSO council seat, the outgoing councilor is Paul McGrady, and it was mentioned during with CSG meeting his tenure has been stellar. Unsurprisingly, I would say, but it's worthwhile pointing it out and I think it'd be good that NomCom considers those with a background in policy development, especially GTLD policy development for that position. I'm saying this because clearly in the past and without being specific there were cases where, let's put it diplomatically, the choices were suboptimal in that regard, and I guess that within the last couple of years council has been spoiled in that respect of having very proficient members. Just want to point that out because it's an important seat, even more so given what's happening within the NCPH.

NITIN WALIA

Thank you Philippe. Your point is well taken, so I think due consideration will be taken about that. Thank you.

PHILIPPE FOUQUART

Thanks. If you're interested in that position in particular, please, please apply. That's a great seat to be sitting on, shall I say. Any other questions or comments for Nitin? Okay, thank you. Thank you Nitin. Back to the agenda. Next is our webinars and the next steps. Susan, would you like to talk about that?

SUSAN MOHR

Great, thanks Philippe. The webinars continue and they continue to be successful. Our last event was held in February on the DNS ecosystem, so that was a partnership between us and ICANN. We had about 200 registrants and I think at our peak we had 54 attendees, so again, really pleased I think with the interest and just a big shoutout to the whole team that helped support those webinars. In particular, Lars, the work that he's doing to get our website updated, get the invitations out, and then to host a copy of the recording on our website so that's out there.

The March event is actually tomorrow. It's on routing, RPKI and anycast that's applied to DNS. That is a hands-on workshop. It'll be held here at ICANN82. It'll be in person and online but if you're online you won't have the same opportunities to actually set up the BGP and that sort of thing. Nico and David Huron [? 39:48] will be there hosting the hands-on lab. Aaron [? 39:53] may be there to help support the theory part of the presentation. In case there's a

question it is one session that's being held in three different sections, so the first hour will be kind of a theory and then the next two will be really the hand-on piece. If you're planning to come then definitely bring a laptop because you'll need to access your browser if you want to participate in the hands-on piece.

I think for next steps we continue to do debriefs on these as we proceed and I think both us and OCTO are finding them really useful and helpful. Our last webinar will be in June and we've started some discussions, I think I mentioned this in the last call, on where do we go from here. A couple of ideas that we've tossed around are just continue the series, continue the topics and just come up with a next set of issues that we'd want to try to address. We've also talked about identifying champions within each of the regions and doing region-specific meetings. I know Fiona, in one of our calls, maybe the last hands-on workshop that we had you had mentioned an interest in doing something in Africa. I think it's interesting, in the newcomers meeting that we had this week one of the questions that we had is why aren't we hearing about it and I think it's just because Africa is so large, there's so many ISPs, we don't have... I know you're sharing the information but I think that is a challenge for us. How do we get the webinars, the information in the webinars out in some of, across Africa and across Asia. Go ahead.

FIONA ASONGA

Actually, in Africa it's because we haven't locked in dates so we can't announce if we don't have dates, and I've told ICANN staff as

much, to give me the dates because we've agreed on the topics but the dates are not yet firmed up. If you can help me get them to lock in the dates.

SUSAN MOHR

Perfect. That's perfect and we can start with the webinars that we have now and get those to you. Those are on our website so we can get those to you and make sure that you're on that distribution so you can get them out, and then to the extent we do go to a regional model, then we'd love to have you, I think, be our champion for Africa. The other thing we've talked about is do we want to evolve this into a broader technical discussion, and I just note that if you look at the ICANN's, I think it's in draft form, but their 2030 strategic plan, they do have a section that is where they identify reaching out to technical stakeholders. We are not listed as one of those technical stakeholders but reaching out to technical stakeholders and talking about the next iteration of technical identifiers. That's probably an area that we should engage ICANN and learn a little bit more on.

The last thing I'll mention is the other thing we're starting to incorporate into those discussions is making sure everyone is aware of the fellowship program, because we'd love to see more attendees that would qualify to be a member. To the extent you know anyone in your regions and in your communities that would be a good fellowship candidate, the ICANN84 meeting of course is scheduled to take place in October. The deadline to apply for the

fellowship is March 25, and then the successful candidates will be announced in June, so definitely reach out to your communities.

Lars, do you have anything to add?

LARS STEFFEN

Thank you Susan. I just wanted to add that with the webinars and also the hands-on workshop we did in Istanbul we now have a few lists of registrations and attendees and the next thing that I would like to do is to do a brief analysis of those lists to identify those who are already ISPCP members but are not actively engaged on a regular basis, to reach out to them, to reactivate them, so to say, and also to identify potential new members that we can reach out to, to invite them to sign up for ISPCP membership. Also in that regard I think the webinar series is an opportunity for us to work on our membership base. Thank you.

ESTEBAN LESCANO

The webinars are, I understand that they are in English, have a translation, for example, to Spanish, or not? It's just in English.

LARS STEFFEN

The webinars so far have been in English, but as Susan just rightfully mentioned, if there are opportunities for specific regions to target in the future this is something we can definitely consider, sure.

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- ESTEBAN LESCANO I know we've, maybe next year or the other one will be, I think, a meeting in Latin America. Maybe in that case we can prepare something in Spanish.
- LARS STEFFEN If this is something you can help with I'm more than happy to work with you on this.
- PHILIPPE FOUQUART Thanks Susan, Thanks Lars. Any other questions?
- LARS STEFFEN If I just may add, if you're looking for the recordings and the material of the webinars that we already had, it's ISPCP.info-webinars.
- PHILIPPE FOUQUART It's on the website, and as you would expect and speaking personally, the added value is, to me, among other things is question time and the opportunity for the participants to ask questions to a large number of people including, last time there were people from GDS, for instance, some conformance, compliance, I'm sorry. It's been quite a success I have to say.
- Okay, moving on then. Next item is item five, CSG and NCPH. We had a meeting on Saturday I think for those of you who were around. We reviewed a few items of common interest. We discussed the first, I wouldn't call it a draft but say the first version

of the procedure for appointing board seat 14. I circulated the latest draft to the list. Please have a look if you have an interest and share your views on this. Going back to what happened last time and the, from our perspective at least, the need to have what we used to call a tiebreaker. That's a rude word in that team. Some people within the NCSG would not want to hear about breaking a tie, especially through a vote. Mindful of that, you will see that, and I think it's the last recommendation, there's that notion that if the two stakeholder groups cannot agree on a name and there would only be a subset, two competing candidates, then the group understands that the diversity criteria that are applicable for the board would be the, it's not the word they used, but would be the tiebreaker for lack of a better term and a better scheme. There would not be voting.

Some of us observed or wondered whether that procedure could actually be gamed as you would expect to drive a particular candidate from the outset as being an outlier in the hope that there would not agreement at the end of the process and that those criteria would prevail, if you see what I mean. There's that question as to whether the procedure itself cannot be misused. Again, please have a look if you have an interest.

In terms of reviewing the incumbents, we're now pretty much halfway through Chris' mandate I think. The appointment of seat 14 is due, it's not the next AGM but it's the one after that, next year. Working backwards it means that we would have to figure out 18 months before whether the incumbent is a good candidate as far as both stakeholder groups are concerned, so that would pretty

much align with the Prague meeting. By all means, if you have a view on this please come up to leadership and let us know. I'm not sure I need to be on the record for this, but from my perspective Chris is doing a good job at this point, but we're interested in hearing any feedback you might have.

Going back to, still on the meeting we had within the NCPH, we discussed our respective DNS abuse positions since that's one of the topics where there's a "variety of views" within the house. I think it was, on this as well as accuracy I think it's good that in those situations we at least have a sense of where we are in terms of respective approaches. That would also apply when we discuss this with, when council discusses this with the board. I think there's value even when people do not agree in at least stating the respective views on the matter, so that's what we did. Clearly given that as far as the NCSG is concerned, given that combatting DNS abuse and preserving privacy has been read as antagonistic goals, should I put it this way? There's a sense that the willingness of especially the IPC and the BC to see this addressed is not compatible with the views on the other side of the house and that's essentially where we are, unsurprisingly.

Okay, and finally we... Yeah, I'm sorry. Susan.

SUSAN MOHR

I think the one other item that was brought up and I think we spent a great deal of time on is planning for a day zero event. There was some discussion about if we're going to try to do this, should we do it in Oman, and I would just note that if you look at the fellowship

page there's already a comment there that if Oman is held virtually then the fellowship will be virtual. I think that's an interesting note as we think about a day zero event in Oman. There's also a discussion about holding the day zero event at the next ICANN to give us even more time to really come up with a robust agenda because at least from my perspective I think the one thing that we need to continue to build on is an inventory of what our issues are, where we align. I think we're really clear on the DNS abuse piece, but then also where we don't align. If we're going to try to get board members to attend the day zero events, I think it's really incumbent on us to have a strong agenda.

PHILIPPE FOUQUART

Thanks, good point. Thanks Susan. One last point, we also discussed **[inaudible 53:49]** 20 with our colleagues. You may have noticed that at least on the last questionnaire that the ITUT... It's the ITU, not the T sector. The ITU put forward and the one that we responded to. Within the ICANN sphere the only parties I think I put in the email who responded were ICANN org and us. We keep repeating that it's all well and good to agree on these sorts of principles, but the problem is that this space is not where the decisions are taken and if you don't contribute to that work there, it's not going to help. There are reasons why some constituencies cannot do what we did because of their charter that they would only work on ICANN related topics and look inward, if you see what I mean. We don't have that constraint and I don't think all constituencies have, but the fact of the matter is that we were the only one to contribute that way, and I think I just want to commend

those who participated in our response because I think it's important. We're pretty much, what I'm saying is, the only party within the community to weigh in directly, I mean. Christian, on this point?

CHRISTIAN DAWSON

And while you are thanking community members who contributed to that, I want to thank you for your guidance and leadership on that as well. I think that it's important as things continue to progress, as we head towards the heart of the [55:54 inaudible] review that we keep that engagement and that we keep looking for opportunities to express our voice because I do believe that is notable but it is also needed, so let's continue it.

PHILIPPE FOUQUART

Thanks Christian, absolutely. For those of you who've been invited into governmental organizations, you know that it's always an ongoing, continuous effort so we need to keep going and also keep track. That's not easy, but keep track of the various deadlines, including for example, there's one which is not that important but was brought up by, I think it was people from ALAC, a questionnaire this week which we cannot answer for obvious reasons but we'll keep watching and make sure that our views are shared and also used by those who would be onsite and taking part in those discussions.

Okay. Anything else on this? I think that concludes the readout of our NCPH session, which leads us to the PHR, the pilot holistic

review. We will have an update from Anil, as well from Sebastien who's involved in that team as well. This is an open session, so everyone is welcome and this is an important topic as we discussed earlier in the session. With this, Anil, the floor is yours.

ANIL JAIN

Thank you Phil. Anil for the record. The last meeting which we had in PHR was on 19th of Feb and on 3rd of March we were not able to have the meeting. It got postponed. The first is that the vice chairs of Chris and Sophie were supposed to have a discussion with the review organizational effectiveness committee, which they could not do it. I hope that they must have done by now.

Second, there was a survey which was circulated to all PHR members to decide the criteria of the work of PHR. Unfortunately there is still lack of agreement on all the points which were the outcome of the survey reports and what was discussed last time was that we need more information on the CIP design and reporting, which we were discussion sometime back here before Sebastien joined us. There were specific disagreements on two specific topics. Sebastien, please correct me in case I am wrong. Number one was overreaching review of ICANN restructuring as a whole, and second was who can reject recommendations of the holistic review. These were a few disagreements which are there and it was also discussed that PHR may build up structure, how the holistic review in future can take up the reviews.

These were a few things, and then there were discussions on a very important topic about good practices, which are supposed to be

the fundamental of the reviews which PHR is taking. Again, there were different views from the different members and it was also discussed that good practices should be flexible enough, should not be rejected because the working of SOs and ACs and NomComs are different.

That is there and then it also was discussed how different reviews fit in the overall structure of ICANN. Again, this is not finalized and it remains undecided on this. This is what we discussed which I was able to record in the last meeting. I request Sebastien to please complement and supplement in case he wants to add anything. Thank you.

SEBASTIEN BACHOLLET

Thank you for giving me the microphone. I think if I may suggest, work with Osvaldo because Osvaldo was in ATRT3 and he may answer all of the questions that we have on the table, because we have written everything about the questions that are put by the cochair on the table. The best practice, we spend hours to discuss what it is. Why we don't use best practice, why we use good practice. Therefore, it's work already done and the goal of the pilot holistic review is not to redo the work of ATRT3. It's to set up how we will do the holistic review and when we will do it and what change of values we need to suggest. Therefore, to try to answer some of the other questions, the CIP, does the pilot holistic review need to have a final delivery of the CIP? No. Why? One, it's because it's another review. The second is that if you look at page... I don't remember if it is 78 or 82 of the report. There is a calendar with how

the reviews were conducted and how we suggest to conduct... Sorry, we. The ATRT3 suggests to conduct the reviews. The new review and the evolving review. Evolving review is the CIP taking the place of the organizational review and the creation is the holistic review.

You can see that the holistic review was supposed to start before any real work was supposed to be done on the continuous improvement program, therefore it's a plus for the holistic review, but it was not mandatory. Therefore sometimes I think the people who don't want something put questions and questions and questions, who are already answered in the ATRT3 document and proposal and with the agreement of the board.

Now, where we are. As the chair of SOAC, by the way, I still don't know how they picked out the two cochairs, ask the pilot holistic review to be on hold. The board... What is the name of this group? The effectiveness committee is asking for the cochair to provide the question... No, it's the chair of the SOAC now asked the cochair to write the questions they have, to allow them to answer, and the OEC is still working on answering the question of the cochair. We are supposed to do that in 14 months. We start slowly, slowly, now we are stuck somewhere. I don't know. I am sure that we can't finalize something in 14 months. Therefore we are in real trouble here. It's why we will ask the board at least to decide that we have the 18 months as it was supposed to be at the beginning and not the 14 months, but I don't know if I am recorded but even if I am recorded I think we have trouble with our leadership in the pilot holistic review and I don't know how to undo that. I hope that that

shed some light on what you are discussing and I am ready to try to answer questions or to add something if you need. Thank you for having me.

PHILIPPE FOUQUART

Thank you. Thanks Anil, thanks Sebastien. That's really useful. To your point about, we've had discussion in this group about, essentially about this being the place to discuss the relevance of our structure with regard to our mission and the representativeness of ICANN with regard to the internet ecosystem, mindful that there may be groups that may not be well represented in our organization. There are people, and I think there's some consensus within this group, to say that at least there needs to be some thinking about that structural review.

Also within this group we're trying to get our heads around... That's substance. That's very much substantial work. We're trying to get our head around how the work on form that seems to be the primary focus of this group could actually address that substantial question, if you see what I mean. It seems that we get bogged down in processes and form rather discussing substance and I think there's some, without... We appreciate the details, the dependencies and the... But not being involved in this, at least speaking for myself, directly, and others, there's some frustration that that work on substance is not done. It's not an easy one, but anyway, I'd like to hear your views on this.

SEBASTIEN BACHOLLET

Thank you. Sebastien Bachollet speaking. You are right, but it was a decision of the board to set up a so-called bilateral holistic review. That means a group to define how a holistic review will work, therefore, not to go into substance. Sorry, I was the only one within all the participants, staff, board members, other parts of the communities, shepherds for ATRT3, the only one to say we need at least to have the possibility to take one subject to try to work on and to show how we can work in the future because for the moment what we are doing is just, "Oh, you will work like that," but how do we know that it will work? We write a code of conduct, but somebody else will use the code of conduct. Furthermore, I really feel that we are losing our time. Let's do a holistic review and if we are not happy with the result the board can still say everything goes to the garbage, but we spend more time to discuss how we will work than to do the work. You're right.

It's a question of, okay, if you want to have an image, in 2002 there were no, this pilot holistic review, but there were reviews of ICANN that was at the end of that creation of what we have called ICANN 2.0. The result was the split of the DNSO and GNSO and ccNSO, the disbanding of the protocol support organization, the creation of interim ALAC, the creation of the NomCom. The goal of the pilot holistic review is to allow those types of evolutions, not to say that we need to do the same amount of changes, the same thing. We don't need to decide to split the GNSO into five organizations, one taking care of geographic name, one taking care of the brand name or whatever. I am joking in taking those examples, really, but it's just to give you an image. The goal is not to transform this

organization anywhere else, it's to try to have this organization working better, but it seems that there are people who don't want to listen, understand, want to do that.

PHILIPPE FOUQUART

Thank you. Thank you Sebastien. On this and as far as this group is concerned I can safely say that we would certainly support doing the work and as you said, if it's not fit for purpose in the end, then discard it rather than discussing how and when that piece of work should be done. Speaking selfishly, and as I put it at the very beginning of this meeting, discussing foreman procedures is not something we can sell to our affiliations and the people who pay us to come here. It's just ICANNese minutiae. It's not substantial work.

SEBASTIEN BACHOLLET

Sebastien Bachollet speaking. If I can add one thing, we talk about a continuous improvement program. Why do we spend one year to decide how we will do it? We are doing it day-by-day. Each day we are evolving our organization. If I take one example, the way we organize a meeting, in 2014 the strategy working group took out a document accepted by the board and it was organized as three meetings and so on and so forth, but since then it didn't stay like it was for different reasons. One of them the pandemic, but not just, we suggest for example that Friday at the end of the AGM we'll be onboarding for all the organizations. For a money question, it was never put into place. Therefore we are already doing a continuous improvement program. Why do we need to spend one year to decide how we will do, what are the criteria? We lose our time

because we are doing the work. I guess this organization is very good at that. Sorry for that.

PHILIPPE FOUQUART

Thanks, yes, I think we... I'm not sure good is the right word, but prone to doing that, yeah, certainly. Thanks Sebastien. Anything else on the topic? Okay. Thank you. Thanks Sebastien for coming. Thanks Anil for the update. That was really useful and I'm sure Tony will also be supportive of being very pragmatic in that regard and actually do it rather than discussing how to do it.

SEBASTIEN BACHOLLET

If I can, one last word, I appreciate a lot the input of your team. I have nothing to say. I am not more than them, but as a personal feeling they are really doing a good job and trying to push in the good direction. Therefore I appreciate it a lot.

PHILIPPE FOUQUART

Thank you, thank you Sebastien. That's much appreciated. Okay.

Moving on and still in that spirit, I guess we can skip to the AOB now in the same spirit of being pragmatic. There's an AOB we would like to cover for people that are interested in IP policies, is a brief update on ICP-2, since we have the benefit of having both Esteban and Herve here. Would you mind?

HERVE CLEMENT

Yeah, and Akinori as well.

PHILIPPE FOUQUART

And Akinori as well, thank you.

HERVE CLEMENT

We are happy to have a quarter of ASO AC here to present you this work. One more time, I cite it a lot, so thank you for your contribution to the ICANN consultations regarding that and it's very important the ICP-2 responded to this consultation. The principle we are drafting regarding ICP-2, because regarding the individual answers during the original questionnaire there was not so many ISPs finally and other such organizations respondent to this questionnaire, so it was at this stage very important the ISPCP answer to it. There were a lot of questions, a lot of answers, 300 individual ones as there were a lot of works. There was a subgroup responsible for the analysis of various different questions first. The second one, a second working group responsible as drafting of which we call a policy draft, and Esteban was part of this working group. We definitely try to take account all of the answers in an objective way. It's of course very difficult to take into account all the very individual ones. The objective was to use the constructive answers, in fact, because if there was something like, "No support, no support," and without any specific reason it was difficult to use it.

With that it was a great job and we had the opportunity thanks to the OEC to meet, it was last week or one week before during the **[75:40 inaudible]** 59 in Malaysia and we were about to complete a policy draft. It's not published yet. It will be published at the end of

the next regional policy cycle, which will be in May, but there will be the possibility for during the different regions' regional meeting, to discuss the new inputs we add. There will be after that, after May, a new process of questionnaire on the consultation about this new document. I don't know if, Esteban, you want to add something about what I said.

ESTEBAN LESCANO

Yes, that I encourage you to continue participating in the public consultation because for us it's very important to have the voice of the ISPs inside the document. It's true that this not a policy in the sense we know that we are not calling for consensus. We are just taking some kind of support or obtaining observations from the wide community, but as Herve mentioned, we are taking into account all the comments received and that is why it's important to participate.

HERVE CLEMENT

One additional point. Fiona is here also, a very known representative of the AFRINIC community as well, so there is no per se AFRINIC meeting but we will organize a specific webinar to the AFRINIC community as well.

FIONA ASONGA

Actually, this is one of the things I discussed with ICANN staff for us to be able to put for the African region specifically in view of the current challenges we are having with our regional registry and we hope that was we work on this, the principles that have been put

into this document right now help us in so many ways to deal with such situations ever happening again. For us as a region, we really, as we struggle through the mucky waters we are hoping that we get to some clear water at one point and by the time that we do this document will be ready to give us the backing that we need in terms of the principles that have been put in to ensure that RIRs have a clear system of ensuring that they don't get hijacked by one individual, one stakeholder.

ESTEBAN LESCANO

Yes, the main objective of the connective... Say, Fiona, the main objective of this new version of the ICP-2 is to establish the conditions for the recognition of RIRs in case the principles and the standards of behavior and the operations were not in good shape. That is very important because we understand that this policy is not only about the principles, but the principles and the request for all the RIRs to comply with them and what happens if they are in a noncompliance situation.

PHILIPPE FOUQUART

Thanks. Thank you for this. Oh yes, Akinori?

MAEMURA AKINORI

Everything is covered, but I directly offer some quasi-external view because I am very newcomer to this process. It's very surprising that the feedback from the community, which was obtained from the first consultation was carefully reviewed, really, every single comment reviewed and then organized into some categorization

and all points are considered, whether we should reflect this through the text or not, every single point. That was a really remarkable job that the other councilors were doing. I just want to share with you. Thank you.

PHILIPPE FOUQUART

Thank you, Akinori. That's really helpful. It's always frustrating when people put some effort into providing comments realizing that down the road they're just discarded, so we're very grateful for your work given the effort that we put in it. That leads me to one question or one comment, the question that we will ask the board. It's more on the work method that will be used but it touches some substance a bit. The question is the following. We discussed this with Akinori a few days ago. We think that it would be good as a work method to... It was one of our comments, I think. I think we appreciate that this framework would be addressing the nominal trajectory in terms of recognition of a potential structure that would find consensus within a certain community, say because the existing RIR is failing somewhat. That's the nominal trajectory.

When you evaluate your policy you also test the edge cases. It would be good to see how a scenario whereby an unfriendly request for recognition, I don't want to name names, but there've been companies who have, and that was the reason for the instability in Africa, who questioned the decisions by original internet registry to the extent that they destabilized it. In the scenario where such a company would gather a couple of others to say, "Look, this is not fit for purpose. We will put together an

alternative structure. We've got the money for this and we would like this to be processed through the applicable policy because we think that we meet the criteria," to put it bluntly.

I think at some point even from a legal standpoint there's certainly a legal assessment of this. Maybe there's not only legal. I don't know. But just on the work method, I think that sort of exercise should be done at some point to see whether there's any risk of this. Since we're moving from something that was slightly informal in terms of recognition to a policy and we know within the GNSO that you have to be robust and we're not saying that it's not robust, but it has to be tested, I think.

HERVE CLEMENT

That's a very good remark and it's something we will, I will say, try to account because we had some discussion about a week about all the cases. Esteban, you can still agree on that and you have the legal expertise on that to say, but it will be an interesting focus to have when we're discussing with the committee on consolidating it and I think there could be such a discussion during the regional discussion and community discussion that will happen during the spring.

ESTEBAN LESCANO

Yes, and also we have to consider that this is part of a bigger ecosystem, a bigger, a global coordination system of IP addresses and ASNs and that is why all the policy or the final decision about recognition or derecognition will be hauled into the ICANN board

and the ICANN system because the ICANN board has to take the decision, but with the same decision making process that they use for this type of important decision, with previous public consultation, with consultation to the different ASOs. I know that they advise ICANN for these types of decisions. We are not, in some ways we are not inventing any new. We are using what we have in terms of use, the system that we have, but for this type of specific decision as it was the recognition of derecognition of an RIR.

PHILIPPE FOUQUART

And coming back to my example and the fact that eventually ultimately that will be a board's decision, it can be challenged. You see? I'm not even saying that these things should be made in the open for once. I'm all for transparency, but then if it's a conflicting situation we're trying to prepare for, maybe there's a better way than just discussing in a public forum or something, but just to share what we may put to the board in a few hours from now.

HERVE CLEMENT

And it will be for sure, and we appreciate also this feedback.

ESTEBAN LESCANO

Yes, and also because the next round of consultation will be with the full document that I share, not just the principles. The full document with all the specific situations, stage, and the solution. That's why we ask you to contribute and to participate in order to

check if our work is good or not, or we are maybe missing something.

PHILIPPE FOUQUART

Thank you. Anything else on this? Thanks again for showing up, describing the updates. That's really useful. Okay, thank you. It's now one minute to the hour. Very quickly, I think we've pretty much covered it. I won't go into the usual portfolio program and the public comments. You can have a look at that. On the timeline though, on CROP, Christian?

CHRISTIAN DAWSON

Yes, very quickly, as CROP administrator I wanted to not that we need to put a deadline, and a very soon deadline on any applications for somebody who is looking for travel support for the next ICANN meeting, which will be in Prague, and therefore it needs to be somebody who is based in Europe. We already do have one candidate who has applied and that will be in front of leadership to determine, but I think there's a small window maybe after this meeting to see if anybody else wishes to apply. If you want to set a deadline for that, the final deadline for us to submit is April 21. However, I need time to work with the applicant on an application and do submissions. We should well in advance of that decide when our group deadline is.

PHILIPPE FOUQUART I would say it's more up to you to say how much time you would need to be on the safe side, ideally.

CHRISTIAN DAWSON If anybody else wants to put themselves forward I would prefer it to be at most two weeks from today, and then I can work with whatever the leadership decides.

PHILIPPE FOUQUART Okay, so if there's anyone from Europe who would like to apply for CROP funding please make yourself known to the leadership. As Christian said, there's one candidate but this is an open call. Okay. Thank you. I think we've pretty much covered everything. Anything else? We'll set up a date for the next meeting, which will be in April. It's no brainer. It should be two weeks prior to the council meeting. I haven't got the date off the top of my head, but you can look it up. With this, thanks everyone for turning up, and the meeting is close. Thank you.

[END OF TRANSCRIPTION]