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ICANN83 | PF – GNSO-NCPH Work Session  
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ANDREA GLANDON

Hello and welcome to the Non-Contracted Parties House Membership 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. And I will now hand the floor over to Rafik and Mason. You may begin.

MASON COLE

Thank you, Andrea. Good morning, everybody. Mason Cole here, Chair of the CSG and joined by Rafik, Chair of the NCSG. And it looks like we have some people coming in at just the last minute before we get started. So you see the agenda on the screen ahead of you. Before we begin, are there any requests, updates, additions to the agenda, please?

Okay. Well, it looks like we don't have some people in the room who may want to be here to discuss some issues. So we may be

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able to break a little bit early. We'll see about that, because it looks like everybody in the room really needs another cup of coffee. So first, yeah, that's right. That's right. So, Rafik, would you like to add anything?

RAFIK DAMAK

Yes. So, yeah, we have several topics to go through, but I guess we will do some change since we can start with GNSO leadership elections since we don't have Paul here yet. Okay. Yeah, sure. We will have to start soon the process to nominate for the GNSO Chair election. And I think according to our procedure or agreed process previously, each stakeholder group can nominate one or suggest one candidate, and then we will decide as house which one we will put for the election.

I can say from the NCUC side, we don't have any candidate. We don't expect to nominate any. So we are looking forward to know who you are recommending or suggesting from the CAG. And based on that, we will then start a process that we will want to interview the candidate, etc., before we can confirm the nomination, which I believe, according to the timeline, should be submitted in September. I don't recall the date exactly, but that's the deadline for the nomination from our house.

MASON COLE

Thank you, Rafik. I'm speaking now for the BC. The BC will not have a chair candidate, but let me defer to the IPC and the ISPCP to see

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about any input on chair candidates, if I may. I don't want to speak for other constituencies. John?

JOHN MCELWAINE

Yeah. So, John McElwaine from IPC. Likewise, we don't have a candidate right now. So, yeah.

PHILIPPE FOUQUART

Thanks. This is Philippe Fouquart from the ISPCP. We do not have a candidate to offer.

MASON COLE

Okay. So we could have a GNSO with absolutely no chair at all. No, I think it's probably, Rafik, to your point, we have a little bit of time, but candidates, I'm certain, are going to emerge from the CSG side. So we'll probably need a bit of time to work that out on our side. John and Philippe, do you agree do you need a bit of time?

JOHN MCELWAINE

Yeah, it shouldn't be too much time, but we need to all huddle up.

MASON COLE

And then, Rafik, about the procedure, I understand you will have an interview process, and then I don't know very much about the contracted side of the house, about whether or not they want to put up a candidate. It's, according to our informal agreement, it's the non-contractors' turn to have the chair. So I'm not aware that

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they're going to put up a candidate, but that could be a possibility as well.

RAFIK DAMAK

I mean, I don't recall. I mean, maybe it's for CSG, but on our side, we don't have any agreement about any alternance for the chair. I think we believe the whole point is to have the candidate that he can represent the whole group to be objective and neutral. I think that's the main point, because he's not the chair of the Council, he's the chair of the GNSO, and as we can see in many occurrences, they are asking the SO and AC chair to discuss with ICANN org and Board. So from our perspective, we want someone who will represent us regardless from which stakeholder they come.

So, I mean, it's a good question about this, because for our side also, we can observe that many times we end up with someone with a contracted party by default, because they can vote as a bloc, and many times they end up. So I don't think it's a question of alternance, it's more really, we need to open the field that we can have candidates from whatever house and they have their chance. It's not they end up as a chair just because we have some agreement or just because maybe the, my feeling that maybe contracted party have that, let the Non-Contracted Party House have for one year term a chair, because they are preparing for the next two or three years. I don't think that's what we really want. We want a chair who can represent us all.

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Saying that, so we will wait for the CHG, because from our side, we discussed, we are not going to put anyone, any name. So that the question, if you don't propose in your side, we will end up with no candidate from the Non-Contracted Party House. And I, when I also try to chat like with, from the CPH, I don't think they have anyone in mind. I mean, we can end up with a leaderless GNSO and see how it can works. But yeah.

JOHN MCELWAINE

To clarify, we do have two people at the IPC who are interested, but we want to socialize that first. As I've spoken to you, Rafik, we want to understand, two people are willing to do it. We want to understand who the most strong candidate is. And so we'll continue some smoky backroom discussions, but that is only on the grounds that we've got two really good people that are interested and I don't want to pick one right now. So that helps clarify.

RAFIK DAMAK

Yeah, I understand that, John, but because we, from, I think from our perspective, just, we want to follow the procedure. We want just, if you can propose one candidate, I mean, I can understand the idea, but I personally would try to avoid, because I think you want to see who you think it's the most able. I know it's difficult when you have two candidates. It's challenging, but I mean, if you think that one person is the best fit, we are happy then to interview and

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to, yeah. We can check if there are anyone else, maybe NCHG want to comment.

ANNE AIKMAN-SCALESE

Well, actually just, we had an AOB item to talk about this in our closed session, but we didn't actually have time, but I just want to confirm what John is saying from the IPC. We have two good candidates and maybe in our, you said to the smoky hall room, but I don't know whether it's going to be back channels or it's going to be, but we will not fail to put forward a good candidate for chair, an experienced candidate for chair. We won't fail.

RAFIK DAMAK

Philippe.

PHILIPPE FOUQUART

Thank you, Rafik. Just to be clear, at least speaking from the ISPCP's perspective, I think what we understood is exactly what you said, and I think that's what John said. So we all agree, if only optic wise, it's much better, if not necessary, to put one name forward. But I think what John is saying is that obviously before that, you need to figure out globally, whether that's who is the best choice.

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- RAFIK DAMAK                      We understand that. So I think just this more practical question here, but when you think you can share with us the name of the candidate?
- JOHN MCELWAINE                So both Damon and Susan are interested in running.
- RAFIK DAMAK                      I get it. It's more about by when you will make the decision.
- JOHN MCELWAINE                Oh, when we'll make the decision. I mean, I suppose we could do it in a week or so. I mean, I just need to get Mason and Philippe and the two candidates together, which we haven't had a chance to do.
- RAFIK DAMAK                      Okay. I think that's fine, yeah.
- MASON COLE                      I think we've been fairly busy preparing for Prague, and so we need a bit of time to sort through that. But as Anne says, we're not going to fail to put up a candidate. So any other discussion on this issue from anyone in the room? Thomas, did you want the floor? No? Okay, okay, very good. Shall we move on? Yes, I guess we moved on.

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RAFIK DAMAK

How to meet proposal.

MASON COLE

Yeah. So Philippe, over to you for this.

PHILIPPE FOUQUART

Thank you. Philippe Fouquart from the ISPCP. This one item was really in the spirit of sharing within the house aspects that would be of interest to anyone. Mindful that there's a session today, but also that there was a questionnaire to the community, even though there's probably no necessary action together. But as of principle, I thought it'd be worthwhile. So in terms of just to doesn't need to take 20 minutes, but to share how we approach the response from the ISPCP perspective.

Well, first, we appreciate the angle in terms of a focusing on the ICANN meetings, as opposed to the three meetings, as opposed to the overall \$16 million budget for the meeting. But our first overarching comment was that if there's some saving to be done, there's the need would probably be to take the broader question. That was how we approached the problem, or the question initially during the summer. Last year, that was the first thing.

As to the two essential questions, which were a, the notion of reducing one meeting of a day, if necessary, and feasible. We were supportive, given the premises of the question. And b, which was the need to revert back to a virtual meeting, if the circumstances relative to the initial choice of the location in particular, proved

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that necessary, we were supportive as well. So that's roughly speaking how we approach this. Thank you.

MASON COLE

Thank you, Philippe. So I think I can speak for the BC on this issue, which is that we were generally supportive of some of the proposals that ICANN put forward on streamlining annual meetings, not the annual meetings, but the meetings that are conducted throughout the year. We were not in favor of reducing the frequency of meetings or otherwise moving to a virtual format. And we were in favor of looking holistically at the meeting budget, and making sure that the community was treated equitably in that scenario so that for example, contracted parties have their summit.

We, by the way, we did get approved for our day zero in Oman. So yeah, please plan on being in Oman for a day zero in CPH session. But there you go, Damon, good job. So I know this is still in front of the community, it's still in front of ICANN org in terms of whether or not to reformat meeting structure, but it looks like the input from the community was supportive of continuing a robust meeting schedule and looking for cost savings elsewhere. So I don't know if anyone else would like to contribute to this discussion, but we can open the floor from here. Philippe?

PHILIPPE FOUQUART

Yeah, just on this point, your initial point, Mason, and mine for that matter, the need to look at the budget holistically, and for example,

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the community, the house meeting, what I found somewhat puzzling was that in the response to the initial questionnaire, that approach was somewhat dismissed, because I think there was some something along the lines of, look, this is too complex, we've looked into that, this is too complex.

But then on the other hand, apparently, as you're saying, the work's been done. And there's that notion, among other things, to have the Contracted Party House meeting back to back with an ICANN meeting. So I find it just as a principle, a bit strange to say on one hand that it's not feasible because it's too complex, and on the other to take decisions in that regard.

MICHAEL GRAHAM

It is really quick, Michael Graham. My concern with reducing any of the meetings by any days is that we already have a tremendous amount of overlap that prevents the participation of members of the house in various of the panels and sessions going on. And my concern is if we do reduce, that that will become even a greater problem in the future. I totally agree, there's no reason to have totally separate, which they had this year, the Contracted Party House in Vietnam. You know, I would think that that would be a complexity that's avoided if you put them either before or after the meetings in the same locale. Thanks.

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DAMON ASHCRAFT

Sure. Just speaking in my own individual capacity, I mean, I think I second everything that Michael just said. And I think that when we reduce our opportunity to come together in person, if you look at the entire ICANN community, I think that hurts us the most as non-contracted parties, because let's face it, ICANN will almost always have time and they'll do things for the contracted parties, they have a contract with them, it makes sense. The less time we spend together, I think the less influence we will have.

THOMAS RICKERT

Yeah, I think that part of the answer probably can be found when we look at how we met during the pandemic. And I think looking at the policy development processes that occurred during that time, we have not reached the level of consensus I'm convinced that we otherwise would have, because it's so much easier to say no to a computer screen than to someone's face, right? So I would probably even, and this is just me sharing thoughts that have not been, so it's not an ISPCP position, but I think that probably we would be better off even offering more opportunities for personal meetings.

So I'm not talking about the entire circus, but intersessional face-to-face meetings for PDP working groups. And I think that if the probably the ratio is like three to one, four to one in terms of effectiveness, if you put them in a room, put up the heating, salty crackers on the table, no drinks, and then let them do their thing for an intersessional meeting, because if you then look at the time

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required to finish the work and you save like half a year worth of a PDP, you save volunteer resources and also meeting costs, because we can be more efficient when we then meet for the bigger meetings.

MASON COLE

Excellent points, Thomas. I would agree with that. Anyone else want the floor on this issue, please, Philippe?

PHILIPPE FOUQUART

And to this point, this is Philippe Fouquart. Yes to everything that's been said. And to Thomas's last point, indeed, we need to bear in mind the initial reason why we're doing this, i.e. to figure out how we can save \$2 million. And coming from a country where we're going through that exact sort of reasoning for the national budget, I think if that's not where the saving is made, then we need to figure out where it will be. As you're saying, is it with the conditions of the meetings, etc.? But come what may, we need to figure out a way to make those savings. I think you make a great point, Thomas. Thank you.

MASON COLE

Okay, anyone else? Anne?

ANNE AIKMAN-SCALESE

Yeah, just on the topic of figuring out a way to make a certain amount of savings, I noticed that last year we were projected to

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have an \$8 million shortfall in the ICANN budget, but now it turns out that, in fact, with some of the cost savings, with staff, etc., that we do not have that problem anymore. And so sometimes I think yes, we all understand that travel costs are rising, but, I mean, do we really have at ICANN a huge belt-tightening problem, or is that just a risk-averse approach? In-person meetings are extremely valuable, and they should be budgeted for, in my opinion.

MASON COLE

Yeah, I think you would probably get a lot of head nods on that, Anne, that everyone agrees that in-person meetings are valuable and superior to online meetings. I can't speak for ICANN's budget. I understand they've been budget-challenged now for quite a while. They're not sure how much revenue to expect from the contracted party side. You know, the new gTLD program is coming up. The forecasting they're doing is probably mostly guessing in terms of what to expect on application fees and auction fees and those types of things.

So you may have an uptick in income for ICANN once the new TLD program launches, but I think what they're looking for is, over the long term, how can we make meetings more efficient and make sure that we don't overspend on meetings? But I think, I don't want to speak for the entire Non-Contracted Party House, but it seems like we have agreement in the room that we don't want to see degradation of time devoted to or resources given over to in-

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person meetings. Yeah, I'm seeing a lot of head nods in the room for that. So, yeah, Rafik?

RAFIK DAMAK

Maybe to hear from the NCIG about this topic. So maybe I'll speak a little and then maybe Tomslin can share more about what we submitted as a comment about the topic. But in general, I think, maybe speaking here for myself and maybe concurring with what Philippe said in the beginning, all this is good opportunity for us to review how we work, it's not just about meeting. And I think the mistake will be just to focus on the meetings and forget that also most of our work is inter-sessional and we need to review like holistically, like how we are working, how we are using all the time available and resource.

So three meetings, it's already a big commitment and I don't believe everyone can make it, at least also on our side, because ICANN is not part of our work, speak personally. For example, for this time, I took day-offs to come. So it's how much is sustainable if we get people to join and to attend and to participate. So we need to be quite efficient. Removing one day, maybe, why not? We have this experience like the policy forum we saw for days, but it's also pushed us to question what we need to focus.

It's like we have our internal meetings, we meet with the different groups. So we are more focused on this. I think it's also a question like in the general schedule, we have too many sessions in parallel. There are some questionable if like coming from ICANN or it's

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mostly for the community that needs to drive, we should drive more the whole process. But that's just part, it's again, it's like how we can prepare for this, how we can leverage what we get as much as possible.

So for example, we wanted to go back to have that at least a day zero to help us. So something real key, but also it means that we need to prepare that we have to work in the coming weeks, like to prepare for that, to get outcome. So the purpose is not just meeting for the sake of meeting, but we need to think every time what we want from this ICANN meeting, what's the deliverable, if we can say that. So this is general ideas. We are open for some changes, even like for the virtual meeting, why not? We know the challenges.

So that's why we have some caveat for there, like you need to take care about the time zone. So you cannot just replicate in like face-to-face meeting as virtual meeting. There is no way that people make it, but we should be open and also think how we can work. Yeah. The time this it's valuable, but that means that we need to be careful about how we use it. Tomlin, maybe if you can just share some of the points we submitted for our comments. Yeah, thanks Rafik.

TOMSLIN SAMME-NLAR

Actually, you've mentioned a lot of them that we submitted, but one thing I wanted to add is the one regarding reusing regions or reusing venues or countries for meetings. And we will be cautious with that one because it could lead to a lot of people, if a region

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where there is a tendency of visa issues and accessibility is not that great, is piqued, that might prevent a lot of participation. So we pointed that out in our comment. But we, like Rafik mentioned, we were supportive of reducing the number of days if necessary. If that was one of the ways that must be, one of the things that must be done to reduce the cost, we were supportive of that.

MASON COLE

Manju, please.

MANJU CHEN

Thank you. I guess just to pile up on my colleague's point, there are ideas of more intersessional because it's harder to say no to a person's face, definitely, but it's also very hard for us from the APAC region to travel so hard to the United States to say no to a person's face. So I think a lot of discussions, I guess, the nature of ICANN and the nature of some stakeholder groups, it just slipped from their mind that there are a lot of people who have to travel very far from a three days meeting or four days meeting. And cutting the days off just, like, makes it even harder to justify why we're traveling so far.

So there are a lot of different, I guess, concerns within our stakeholder group because there are issues of visas. When it comes to travel, it's all kinds of issues, issues of visas, issues of flight time, issues of you're traveling, like, six days of travel, three days of that, you're on a plane. It's like, how do you-- it's really taking a toll on a lot of people. And we are even better. Like, imagine people from

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Australia, the time they're flying. And also, the locations ICANN has been picking for the APAC meeting last year, it was in Istanbul. It's not even on the Asia side of Istanbul. This year, it's going to be in Oman. Like we feel very deprived from really, like, justifying how it's really in our region. But yeah, I guess that's just seeing like, the different nature of the composition of stakeholder groups. I feel like it's a valid point to share to make us realize again, that we exist. Thank you.

MASON COLE

Excellent points, Manju. I think on the BC side, we share your concerns about the visa issue. We have three members of our ExCom who are not here because they couldn't get visas in time. So, yeah, Marie.

MARIE PATTULLO

Thank you. I'd like to add on to what Manju said, with which I completely agree. It was lovely being in Asia. Had a great time with all the cats. The issue of cutting the meeting down by a day or two isn't completely agreed what you're saying, because when you're online as well, we're all trying to have meetings at three o'clock in the morning. And with all the will in the world, you're never going to find a time that works for Rafik in Japan. and for Mason in Portland. It's just not going to happen.

And although you're jet lagged, we're all actually here with coffee and we can look at each other. And the other thing I find as well

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with online meetings, because we're all human, you get to a point where you're staring at a computer screen and your email pops up or the doorbell rings or your boss sticks their head around the door of you. You can't concentrate completely on what's in front of you because you've got the environment around you. So I think there's a balancing out there. Thanks.

MICHAEL GRAHAM

Yeah, real quick and listening to this, and I agree on all the comments that have been made so far. I apologize if this was discussed at an earlier time in connection with How We Meet, but it seems to me that it would make sense for ICANN to find a spot, especially for the shorter meeting, that can be the same spot year after year to reduce the cost of having to go out, find a spot, get places. And you would also, they'd also be able to find a benefits cost.

Now you'd have to take into account all of the issues that you've brought up, getting their visas and such. And this may not be the best time in world politics to find that place. But it's certainly something if the purpose is to save money, it seems to me that that would be an area that should be looked at before cutting meetings. And I don't know either whether or not that can be done with the charter of the organization where we are moving around each time. But if we had that one spot where we could meet and that would be most economical for the organization, it seems to me that that is a great place to cut costs.

MASON COLE

And I think that was part of ICANN's proposal for comment, which is, do we go back to the same venue, the same city over time, because then you can negotiate lower costs for longer contracts. So that's a possibility. Okay, Philippe, and then Vivek.

PHILIPPE FOUQUART

Thanks, Philippe Fouquart. In terms of approaching a meeting reduced by one day, I would just like to point out the conflicting sessions that we had at this one. Which meant that at a policy meeting, there was no option for us to give directions to our Councilors, oddly enough. We had the constituency session in parallel to the GAC Council meeting, which meant that our Councilors had to take the latter. And we had an ASO ISPCP meeting in parallel to the informal Council meeting, which meant that at the Council meeting, luckily enough, there was no vote. Otherwise, had we had to rely on this meeting to give directions, our Councilors wouldn't have had such directions.

So building from that and trying to be very practical, and without going into a detailed scheduling, I think it would be, if say, for argument's sake, if we were to reduce by one day, I think it would be good for people to simulate a three-day meeting, for example, or a four-day meeting, instead of a five-day meeting, and figure out what the sessions would look like. Another example being the Latin diacritic in parallel to the string similarity session for the new round. It doesn't seem to make sense, or it doesn't seem to be

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manageable with squaring the circle. So just a notion that maybe being very concrete, try and work out what a reduced meeting would look like, and figure out whether that's only feasible.

MASON COLE

Okay, we have a queue building. So Vivek, Damon, and then, did you want the queue? Yeah, okay, Vivek.

VIVEK GOYAL

Yeah, Vivek, for the record. I want to add to something Rafik said, that most of us also have our day jobs. So it's very difficult, if you're doing things virtually, to separate your day job and focus only on ICANN and ignore that. At least coming to meetings puts you in a different place, your mind changes, okay, let me focus on this. And I'm not in a favor of cutting days. I would say, if you are looking at efficiencies, increase the time that we are spending in a day here. I mean, we are done by five most days.

I don't know, in my daily job, am I ever done by five on a day, right? We are used to working longer hours. Let's work a little longer hours. I mean, we will not have so many conflicts. I'm not here to party in Cedar City. I'm here to get work done. So, maybe not have cocktails, have one more meeting, and then have cocktails, so people stay back and do one more meeting for cocktails. But there are ways to looking at it and increasing efficiencies. Let's not just cut days and say, yeah, it's an easy cut, we are done, and let's move on. Thanks.

DAMON ASHCRAFT

Wow, slave driver. No, I mean, listening to the discussion, I mean, everybody, and I think furthest throughout the community, everybody is really trying here to figure out ways to save money with the meetings proposal. Have we looked at, is the cost as a percentage of ICANN's budgets for meetings today, has it grown exponentially to what it was 5, 10, 15 years ago? I think we should look at that. And I think we may just want to be more forceful in pushing back against this entire drive, okay, we have a budget problem, so we're going to try to cut the in-person meetings.

I mean, at the end of the day, we're all sitting around the table and in the back of the room, we're all helping ICANN do its required work under its bylaws. And my last paycheck from ICANN was zero but yours, but it's like, no one's getting paid to do this work. We're all doing a tremendous amount of work. And the idea that we just have to automatically cut our meetings and reduce days and all these different things we're looking at, I think we may want to push back a little bit harder on that. We also should take a detailed look at the budget and say, hey, is this really your cost problem at ICANN? Is this really why you're not meeting your budget? Or is it other things that you should be looking at? Yeah.

RAFIK DAMAK

Okay. So hearing the issues and concerns shared by Philippe, I mean, it's always challenging to how we can plan or schedule. And yeah, it's good to try to simulate. But I think it also pushes us for

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maybe two things is we need to sometimes to drop things like, it's in human nature, we hate subtracting or dropping things. We like adding instead. So I think if we have some concerns, we need to push us to be more focused on really what it's really the priority for us to do.

So I don't have a recipe, but for example, for this time, we know that there are four days, and just using that the old traditional Tuesday as the constituency day, that's where we have to meet to prepare for the Council. But I could see like, for some reason, the Council, they decided to have their informal meeting in the middle, which is unusual, because before it was late in the day, avoiding any conflict, something we can ask to avoid in the future. And that Tuesday remains that day, at least when, as traditionally, we meet as groups to discuss and to prepare for the public meeting. So something we can work on.

And also, we need to accept some trade off, like in particular, when we have the working groups, I get the purpose to have more face-to-face, because it's good opportunity for team building and to work on specific. But since we have also several working groups, review teams and so on, it seems impossible to avoid any clash. But so we need to accept some of our members will be there, because that we want them to do is to represent us on those different work streams.

Taking the point about maybe we can extend to some extent. Because at the end, when we see it's just we have like four times

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slot, basically, which seems little for one day. So we can check if how maybe you can expand like we can have maybe the late one doesn't need to be 90 minutes or 75 minutes can be just one hour, even 45 minutes can be brought up for the day or something. So you can try to be creative.

But people still want they want to have party and enjoy their time during the meeting. So, I think those weekends, I know, also put more burden on everyone and not sure everyone is happy. The same like asking people to do a breakfast meeting that's doesn't fly to too high. But at the end of the day is something we can try to expand or extend and maybe also to say that like Tuesday has to be only for us as groups. It should not be any other things even for the Council.

And we if we try to do some maybe some rules or credit will also help us in planning, because I think that was still failing the planning is happening. It's just we are a group we are making our own decision. And then it just they conciliate and that's it. There is no real coordination or we try to how to build a schedule that can work for as much as possible for everyone. So that's I think we don't have proper planning as community. The only thing maybe we are working as community spend too much time out of the community session and don't think that the best use of our time for that purpose.

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MASON COLE

Thanks, Rafik. Before I go to Susan, it sounds like we're all in pretty close agreement on this maybe except for Vivek's idea that we cut out cocktails. Delay the cocktails. Yeah, right.

THOMAS RICKERT

But in fact, we should serve alcohol earlier in the day that also helps finding consensus.

MASON COLE

You're tougher than I am, Thomas. All right, I think we should have one more intervention here. And then with Rafik's permission, we should move on to the agenda where we're going to run short on time. Is that good? Susan?

SUSAN PAYNE

Yeah, just really quickly. It certainly wasn't a case that Council decided to do their informal meeting on Tuesday. And we didn't have any control over the schedule at all. And I think it's an important point. We also ourselves as Council didn't have any time to meet before we had to go into the meeting with the GAC. And Damon in particular pointed this out as being a real problem. And yet the schedule still didn't get fixed.

I think what it demonstrates is for all of us that although we have a meeting planning session, and you know, we all send reps, I've been the rep on that session before. It's a very opaque process in terms of how they select the slots and what gets put in when. And

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it doesn't seem to matter what feedback you give, it doesn't change. And so maybe outside of that session, maybe we actually need to be sending some specific concrete examples of feedback in a letter and saying you can't do this. You can't do that. You know, we want to do X before we do Y, because we aren't getting that at the moment. And it doesn't matter how many times we go to meeting, planning meetings, nothing changes.

MASON COLE

Good point, Susan. I'm sorry, Damon, did you want the floor? Okay. So maybe that--

MARIE PATTULLO

Sorry, just a point of order, point of confusion. Susan, are you suggesting that ICANN doesn't listen to us?

MASON COLE

Well, is that something the NCPH is interested in, which would be a formal communication to ICANN about concerns, about meeting planning in terms of the schedule itself? If so, that's something we can do.

RAFIK DAMAK

Yeah, I think we can work on that. Yeah. We can take that as an action item.

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MASON COLE                      Okay, I'll take that. I'll follow up on that with you, Rafik, when we get home.

RAFIK DAMAK                      Yep.

MASON COLE                      Okay. Shall we move on in the schedule, on the agenda? Okay. Let's go to Philippe for the next issue.

PHILIPPE FOUQUART              Philippe. Thanks, Mason. Philippe Fouquart from the ICPCP. This one can be very short. I'm not sure there's a huge interest on the other side of the house, but just in the spirit of mentioning what is important to us, which is the revision of what's called ICP-2. I'm sorry, which is the revision of ICP-2, which was subject to that session that I was referring to earlier. I'm sure you're familiar with that review, the notion of a recognition of a new regional internet registry.

Maybe that's of interest to the other side of the house, just to illustrate how a number of ISPs are viewing this. I'll just try and repeat what one of them told me, is that if ICANN were to shut down for a few months, not many ISPs wouldn't mind. But if a regional internet registry would do that, you'd be people shouting the next day. That's really critical to us. We're extremely keen on seeing

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that revision. I'll stop here. And yeah, you're willing to listen to what you are.

RAFIK DAMAK

I mean, for the ICP-2, we didn't necessarily try to comment or review that, because that's about the numbers. But we understand that the issue has triggered what happened in the AfriNIC. And that's quite an important topic for many of our members from the region, because it raises a lot of questions and a lot of concerns. And they don't necessarily understand what ICANN is doing, how this is being fixed, how maybe within the region, what are the efforts to try to solve this. It's not clear what's the path.

So I think there is an understanding about the reason to have this new process that's coming for so many years. I mean, of course, the RIR is not our area. We work closely, but for many of our members, it's important. But the focus for them is how you fix the AfriNIC issue. But I understand this is more for the long term to fix. So yeah, we can see how it's critical. Nobody is dismissing that. We work deeply on that. So maybe we should see anyone who, okay. Yes, Farzi.

FARZANEH BADIEI

So I actually work on RIRs from time to time. And sorry, this is a comment from the peanut gallery. So we are not really doing the work. We are just observing. So what I don't see in the ICP-2 process is some like great ideas that can effectively change the

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governance of the RIRs for the better. So like working on your transparency, working on not your transparency, the RIRs transparency, having like standardized processes that like across the different RIRs.

So for example, RIPE NCC does its own method and ARIN does its own method. And for participation, it gets a little bit more difficult, especially for people who are not like ISPs, they are researchers and academics. And I know that the ICP-2 is not supposed to address these issues, but we don't really see how it's going to make, create like effective change in the governance of the RIRs. That's why we are, yeah.

MASON COLE

Thank you, Farzi. Manju.

MANJU CHEN

Thank you. I guess just first a quick reaction to Farzi's comment and then my own comment. So yeah, exactly, because the document is not for an RIR reference, because I sometimes dive into the RIR world too. They don't operate like us. There's no global whatsoever for them. For them, it's regional. They're their own region. You don't touch me. I don't touch you. So that's why the document doesn't touch on any unified whatsoever universal roles that could apply to RIRs. I guess that's a different discussion.

I think the importance of ICP-2 is definitely not only felt in the African region and APNIC and the APAC region. We are facing the

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same threat because of the same person who's trying to take down the AfriNIC is trying in the APAC region too. I heard he made a few attempts in the RIPE region. So this Chinese guy, as always, it's a Chinese, is very excellent in finding loopholes in anything and can take down anything he wants, I guess. But yeah, I think the importance of document is it begs the question of how do we justify the whole ICANN as the coordinator of global DNS, because it came out of nowhere. It was that. And RIR was like that. A bunch of people were like, we need an RIR. We might as establish one.

People can easily question the legitimacy of RIRs and ICANN's role in coordinating IANA functions when you think of how this all came about. So it's not only really the numbers world. I think we're seeing how ICANN has been facing so many lawsuits and there have been a lot of questions, a lot of suspicions, skepticalness of how the Org is operating. People can easily bring these questions. And I think we should really be ready to answer or to fight for our, justify our legitimacy of we as a global multi-sector community has an obligation, has the right to, in a sense, guard the DNS as a global open internet. Thank you.

MASON COLE

Philippe?

PHILIPPE FOUQUART

Thank you, Mason. And thanks, thanks, Manju and Fazi. It actually proved more interactive than what I had expected. So that even,

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although that's on a personal capacity, I appreciate that. And just to build on and agree with what you just said, there's indeed a history in regional internet registry governance, and we appreciate the need to be somewhat, to leave some space to the regional internet registries to design their own governance policies.

Now, as you're saying, we're also aware of the fact that the reason why we're here is that precisely those local or regional governance policies are one of the reasons why we have that issue in that region. So there's a sort of inconsistency in the reasoning, if I may say so, whilst we appreciate the historical background of all of this, to Manju's observation on the ability to find loopholes in the process.

We did not insist, but we suggested that the whole procedure be, and we use the word stress test against certain situations. That's what we do within the GNSO when we come up with something, generally during the RRT, what we do is that you design five, six scenarios and you sort of stress test this against the procedure. This doesn't have to happen in public, but I think it's good that against CAPTCHA, for example, or the CAPTCHA is covered in the policy, then we have some sense of whether that addresses the problem or not, because as you're saying, we have clever people that might find those loopholes. Thank you, that's very useful. Mason.

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MASON COLE

Farzi, did you want the floor?

FARZANEH BADIEI

I think that it is a very important, especially in this environment and in this time, to contribute to the stronger self-governance structures that RIRs have. And I don't know how much ICP-2 can contribute to that, but it is very important because the regulators are out there and they are going to, and the EU has started talking about it and they might start, if we don't do, if we don't look after the processes ourselves, they're going to intervene. So, I think that one interesting aspect of ICP-2 could be that how does it contribute to this stronger self-governance of the RIR.

MASON COLE

Thank you, Farzaneh. So, just a quick time check. We have 25 minutes to go. We've not covered Board seat 14. Rafik and I just took the executive privilege of putting that back on the agenda. Rafik will lead that issue in a moment. Philippe, if have you gotten what you need from this discussion. Okay. All right. Then I respectfully suggest we move to Board seat 14. Then if we want to go to the Brains Farm issue, we may not get to everything on the agenda. Then we can go to the issues of common ground before we adjourn. Would that be okay with everyone? Okay. Over to you, Rafik.

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RAFIK DAMAK

Okay. Thanks, Mason. We'll try to do my best. I'm missing Paul here, but I believe we have several of our, the members of the small team, Philippe, Marie, Farzaneh, and yeah, Damon. So, they can correct me anytime. So, we shared, I think a few weeks ago, the document from the small group with the different recommendation. So, basically, I think the main is about taking into account what happened before and all the concerns about regarding the performance of the incumbent for the Board seat 14. And so, there are recommendation about to at least twice annually to have that discussion and review. So, we don't wait till the last minute. And so, that will help to understand about if there are enough support for possible reappointment.

Then we have the recommendation number two. It's more about creating a timeline. Basically, moving backward from by when we as in CPH, we have to appoint the Board seat 14 and share that with ICANN. So, you can see that we will start eight months before the deadline. So, circulate the procedure. And then again, we raise the point if the house is happy with the incumbent. I think that can make it, probably will make it easier for us in terms of process. But that's one scenario. But in general, in terms of time, we have, we start eight months before.

And then in seven months before, we'll appoint a representative to the search committee. It's important to say search committee. And to ask with the search committee to six months before to start the work. And we have then the recruitment phase to begin with the call of candidates. They're having the interviews and to narrow

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down for the applicant pool list that will be after, share it with the stakeholder group. And then just one month before is to have the tentative selection and so on. So, the whole idea is really to have that timeline to help us to steer the whole process. And we know that what we have as milestone and we start early in terms of reviews and also to get candidates to interview them and so on.

Okay, the recommendation number three, it's to outline or spell out what the search committee will do. So, it's appointment from each stakeholder group. So, we have six member and six alternate. And yeah, the number will be equal for each stakeholder group. So, as you can see here with regard to what they are expected to do. So, the search committee will request a nomination from both stakeholders. And each stakeholder, they will have their own internal or own a procedure and how to handle that. And then they will each will put forward the names of candidates for the search committee. And the search committee will do that assessment of the names and to identify who are eligible to serve or not meeting the requirement. And then, yeah, we are asking them to develop the standard set for question for the interviewing process. And then they will start the interview of the remaining pool of candidates and do assign some grade here.

Okay, recommendation number four. So, each stakeholder group will produce their ranking of the remaining candidates. And that's not binding to the other stakeholder groups to be clear. And each stakeholder group will conduct their own interview with the candidates. So, the last part here, in the event that stakeholder

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group are unable to reach a decision and candidate by the deadline, we have this proposal to help us to not sure if the right wording to say tiebreaker, but is that we have that strong and non-binding presumption that the candidate that best address the imbalance in the current constitution of the Board based on the section two of the core values, the bylaws will be recommended or move forward.

So, this is a quick overview. I hope I didn't miss any point. I'm looking for the other team members to jump in and maybe to add any comments from their side. Great, Marie.

MARIE PATTULLO

Great overview. Thank you, Rafik. Marie from the BC. One thing I'd like to stress is that working on this group was great. It was easy. It was collegiate. And to Thomas's point earlier, probably helped by Paul McGrady getting us all together for a cocktail. I'm absolutely serious. The first time we met, bless him. So, thank you, Paul, who's not here, but we appreciate it. As you see, what we're trying to do is ensure that we don't get ourselves into the muddle we got ourself into before. It's disrespectful to the candidate or candidates, plural. It's disrespectful to ICANN. It's disrespectful to all of us if we end up at the last-minute acting like children in the playground.

So, the timeline is working backwards from the AGM. And I'm not saying we're firing you, Chris. This is just a policy, okay? The timeline is because the AGM next year, about six-ish months before

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that, we need to give ICANN the candidate name, which brings us back to. Because if we start, we've got it out there now. So, we're going to start rolling this out quite soon with the intention this entire thing is finished by March-ish. Go, please.

PHILIPPE FOUQUART

Just to be clear, the deadline, the deadline for the nomination is not the AGM.

MARIE PATTULLO

It is, absolutely.

PHILIPPE FOUQUART

It is the time by which, yes, exactly. So, that's why it maybe we should have been explicit. But the deadline is our deadline. We have, I think it's even in the bylaws. I'm not quite sure. But basically on the substance, the need for an earlier deadline is among other things for NomCom to figure out the diversity constraints or elements that we have on the Board. So, it's much earlier than October next year.

So, as you were saying, we need to work backwards. And the eight months would probably mean that the first step would be somewhere around, well, very soon. The beginning of the first step, which is for us to figure out whether the incumbent does a good job or not, is sometime around September, probably. If we say June is the deadline eight months before, I don't know, I haven't done my

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maths, but it's probably September. But that's the decision in September, which means that probably we should start now thinking about how we approach that. I'm sorry to have interrupted.

MARIE PATTULLO

So, please take this back to your constituencies and your groups and start talking about, he'll put his hands over his ears, start talking about whether you think Chris is doing a good job. Nobody heard that, did they? And or if you have other names that you think should be put forward. And then we can start the ball rolling. We really don't want to get ourselves involved in that last minute debacle again. And then we can move things forward very smoothly. And it's honestly been a pleasure to work on the group with all of you. Thanks.

RAFIK DAMAK

Okay, thanks, Marie. Anne.

ANNE AIKMAN-SCALESE

Yeah, that was precisely my question is whether there's a step in this process where the search committee comes together and first of all, just evaluates the incumbent and maybe they say, actually I mean, is it obligatory to put forward additional candidates to compete and compare? Or can the search committee, can they

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simply decide we evaluate the current incumbent in a positive way and we're done?

DAMON ASHCRAFT

That's a really good question. And, I don't thin. It's not that specific in the policy as to whether or not that happens. The point is, is that we would have a meeting to decide, are we generally in favor of reappointing the incumbent? Does that exclude someone else from saying, hey, I'd like to be considered? No. But the goal is really to have, make that decision upfront. And then if the collective decision is yes, the incumbent is doing a good, solid job, that's going to be sort of how we roll forward with the process.

The key thing in all of this is the timelines to make sure that we get notice out to ICANN by March. And the reason that's important is because NomCom is prohibited from basically putting too many candidates from a certain geographic region on the Board. And so our decisions affect what they're doing in their pool of candidates. Does that make sense?

ANNE AIKMAN-SCALESE

What you're saying is that we will always take a look at anyone expressing an interest in replacing the incumbent, and we will always evaluate that.

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DAMON ASHCRAFT

Philippe, did you want to...? I mean, I don't think it's that written in stone that we would always look at people, but I don't think it prohibits other people from coming up and saying, hey, I'm interested too. I think the goal of this and the gist of this whole evaluating the incumbent was to take the temperature, our own temperature, as to are we happy. And then also part of this process also gives feedback to the incumbent as well. So Philippe, go ahead.

PHILIPPE FOUQUART

Thanks, Damon. Yes, a couple of things on your question, Anne. The procedure may not be very specific, but indeed the search committee is not in charge. It's been made very explicit when we communicated these rules, and maybe not enough in the procedure itself, but is not in charge of evaluating the candidates, not even the incumbent. So to your question, and that's the reason why it doesn't, there's no mention of the search committee at the very beginning of this procedure. So it comes once there's some recognition that we need to search for other alternatives.

Now, to your point, indeed, if there are alternatives, and if those should be taken into account with this prior evaluation, when the search committee is not involved, that would have to be done somewhat informally within the constituencies. So it's not specific in the procedure. But again, coming back to the initial point, the search committee is not involved. The goal for them is to identify

the potential candidates, but it's not involved in assessing neither the incumbent nor those candidates.

ANNE AIKMAN-SCALESE

So that suggests that evaluation of the incumbent is a step that comes prior to any of this kicking in. Okay, thank you.

RAFIK DAMAK

That's all we have a recommendation, the first recommendation. Okay, so I think what, yes, Juan, maybe just want to add something. Yeah.

JUAN

Thank you, Rafik. This is Juan for the record. Just, it's just for clarifying. We are talking about we will have a search committee and a selection committee, right?

RAFIK DAMAK

No, just search committee.

JUAN

Just search committee?

RAFIK DAMAK

Only search committee.

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JUAN

Okay, okay. Thank you. Okay.

RAFIK DAMAK

So I think maybe the main point here is term of procedure, we have this thing, not sure we need to send it to the GNSO Council for to be, we don't need that just guidelines. But in term of practical matter, yes, we need maybe to build the right timeline for this election. So we know by when we have to start first the process about the reviewing the performance and have discussion with the incumbent and then to start to see if we can start each steps. So that's I think maybe action for us just to determine accurately by when we have to submit the names to ICANN for the Board seat 14. Yes, Marie?

MARIE PATTULLO

I have a question if I may, Rafik, and it's actually to Brenda or to Andrea, because you're the superstar in this one. Do we have to do something official to adopt this and put it into?

UNKNOWN SPEAKER

Yes, I think as a matter of good practice, as a house, we should do something official to make sure that we are all in agreement it's adopted. But in addition to that, the processes for the Board seat 13 and Board seat 14 get incorporated into the GNSO operating procedures. And so we've we did vote on the CPH one just recently. So we do have to once we're all agreed on it, it has to go to Council.

RAFIK DAMAK

Yeah, that was why I was trying to confirm because we have already proceeded there. So now we come up with a new one, we have to replace it. So I think that's why we first we need to adopt within the house that we agree with this. There is no concern. And then the next steps will be maybe formation and me to send to the GNSO secretary, and then it will be for the Council to vote. But usually, it's in the consent agenda. So those are the two steps. And then it's still more practical, we have to build the timeline and so on. So do we are we all in agreement in terms of next steps? Yes.

MICHAEL GRAHAM

Rafik, so if we follow Roberts rules of procedure, I would present the motion that we adopt these recommendations as a moving forward for the selection of candidates for seat 14. I don't know if we do that officially, take a vote how you want to handle it. But I think I go along with Susan, I think this is something we need to approve if we want to approve it and move it forward to the GNSOs Council.

UNKNOWN SPEAKER

Do we need public comment on any aspect of this? I don't want somebody to throw the wrench later in the process and no public comment transfer.

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- RAFIK DAMAK I don't think so. I think the last time we did it, just we sent it to the GNSO Council, it was incorporated. Yes, John.
- JOHN MCELWAINE So leave it to a bunch of lawyers to start over lawyering this. I don't know if we have the Non-Contracted Parties House, do we have any like bylaws? Are we a thing to make a motion in vote? I think we have to have the vote occur at all of our constituencies and then report that back in. So, I think that's how it will work. Given the timelines that Philippe mentioned and Marie mentioned, when do we need to report back from the constituencies that we have approved this? Anybody know?
- RAFIK DAMAK I would say A, C, B.
- JOHN MCELWAINE Right. Okay.
- RAFIK DAMAK Because just to be clear, we already sent this to you like last month. I think almost one month ago, it was sent to the whole constituency.
- JOHN MCELWAINE Yeah, I just didn't have it on my radar to get a vote on it. So, yeah.

RAFIK DAMAK                      Yeah. So, I mean, for now we shared if you want like two weeks, just have.

JOHN MCELWAINE                Two weeks.

RAFIK DAMAK                      Yeah.

JOHN MCELWAINE                Sounds good.

MASON COLE                      Okay. Andrea has given us a five-minute time check, which is now a four-minute time check. So, could we have the agenda? I think we've wrapped on this agenda item. So, can we have the agenda back? My suggestion is with four minutes to go and with everybody probably needing another cup of coffee that we go to AOB. So, is there any other business for the House, Thomas?

THOMAS RICKERT                Yeah, just a quick one. I'm sure that virtually everyone in this room heard me say this, but we are hitting rock bottom every time when we discuss the interaction between contracted parties and law enforcement globally.

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So, I have suggested that we also at the Council level that maybe we take out this question out of the RDRS discussion, out of the Registration Data Policy, IRT, where that pops up out of the accuracy on the DNS abuse small teams, because those are all fora where this discussion is recycled almost every couple of meetings and suggest to the Board, GNSO, as well as to the GAC or the Public Safety Working Group to have something that can't be a PDP, but sort of a forum where we suggest that ICANN provides the hub, the mechanism doing the matchmaking between contracted parties and LEAs globally, but they need to help with the legal safeguards to make sure that we eventually overcome this discussion on how fast we can be and to whom we can disclose.

And I just wanted to make sure that this is something that everyone is happy with in principle. I mean, certainly we're waiting for Council to react to that, but I think that ICANN is looked at from the outside world as being inefficient and contracted parties appear as not be willing to cooperate, but actually the governmental community, the law enforcement community, tries to put something into the policy to overcome what their broken MLAT system can't solve. And basically, they're leaving us without the legal devices we need to make that happen. So just a quick sanity check. Am I on the right path with that, their concerns?

ANNE AIKMAN-SCALESE

Thanks, Thomas. I received it well when you mentioned it yesterday, but what I heard you say today was just that ICANN

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Board would put just the contracted parties and the law enforcement authorities together. And I don't know if you're proposing a forum that excludes other members of the community.

THOMAS RICKERT

Sorry, then I may not have been sufficiently clear. It should be a discussion between the GNSO, the Board, because the Board sent the letter saying this is not fit for purpose. We need that. We need disclosure and urgent cases far quicker than hours and hours or days. And the GAC, respectively, the public safety working group. What I just said is that this can't be a PDP because the PDP would govern the contracted parties, whilst the legal issues are something the contracted parties can't resolve. That's where we need the governments. And therefore, I think we need a discussion forum to make this happen. But the outcome can't be a consensus policy.

ANNE AIKMAN-SCALESE

But an inclusive discussion forum.

THOMAS RICKERT

Correct.

ANNE AIKMAN-SCALESE

Thanks, Thomas.

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MASON COLE                      Thank you. Any other business for the Non-Contracted Party House? If not, I have one brief issue, and that is that my term as CSG chair will end at the end of June. Philippe is going to take over as chair. But I just want to say thank you to Rafik and everybody in the house for their cooperative help over the last six months. So, thank you, Rafik.

PHILIPPE FOUQUART              Thanks to you, Mason, for the good job.

RAFIK DAMAK                      Thanks, Mason. I think I will miss our 11 p.m. call.

MASON COLE                      All right. Any other business for the group?

RAFIK DAMAK                      Yes, I think that's maybe not saying the urgent, but we should start soon to plan for our day zero in Oman. So, yes, something maybe you and Philippe will work together at that time.

ANNE AIKMAN-SCALESE              All right. Very good. All right. Thanks, everybody. We're adjourned.

**[END OF TRANSCRIPTION]**