**Transcription ICANN London
GNSO Wrap Up
Thursday 26 June 2014**

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Jonathan Robinson: Good morning, everyone. Let's give it one more minute and then I think we'll start. I'm sorry, we look a little thin on the ground. So my plan currently is to get us done by no later than 9:30, even though this is nominally scheduled for 8 to 10. Yes I don't think we need to hang around. I think we'll try and charge through the items we need to cover. So one minute and we'll just see if there are any late stragglers and then get going. Thanks to those of you did turn up on time.

Okay, Nathalie, can we start the recording? Thank you. Right. Good morning, everyone. Good morning, staff, councilors and other members of the GNSO present for the GNSO wrap-up session here on Thursday 26 June. Marika has kindly pulled together for me a list of topics that have been merged and so we are going to try and work through these as rapidly as possible. Like I said, before we started the recording session, I'm happy to take any other topics added to the table and - but would like to finish by no later than 9:30.

In fact in part that's in deference to your requirements, Avri, which you may or may not know there's a preparation session for that panel on accountability that you and James are on, and that's at 9:30. And I sent you emails at some awful hours this morning telling you that so you may not know or realize that, but there's a 20-minute prep session on that panels. I think that begins at 9:30. You can check with me after.

Avri Doria: Yes I couldn't read the message but I knew you were saying something like that.

Jonathan Robinson: All right let's work through these things. So, Marika, I haven't had a chance to even go through these properly so I may need a prompt if I don't - if they don't make sense to me. So we've got (unintelligible) can we just scroll through and just check these through once and make sure. Next please. Yes. Next. That's it, okay. Yes let's go back to one. We'll work through those pretty quickly then.

Two-letter carrier domains in the new gTLD name space. And please if I can ask everyone if you have got an item that you would like to bring up, just make a note of it and we'll bring it up at the end. We'll work through this list that Marika's captured over the last few days, and if there is anything else please let me know. John?

John Berard: Just talking to James, I wanted to make sure he'd be okay with it, I'd like to add this 800,000 domain name number that was floating around that have been pulled down because of the e-mail and wondering if there is any policy implications either retrospective or prospect we should be thinking.

Jonathan Robinson: Fine. It's good to hear that. If you could just mark that as a sort of A or B type thing and then we'll bring it up. Make sure you've got it on your card and bring it up when we've done this. In fact, James, I just mentioned to Avri that there's panel prep session. Hopefully you got the e-mail from me at 2 am or whenever it came to you. But there's a panel prep session at 9:30 this morning for the accountability panel.

James Bladel: Yes I also received a meeting invite from (Jamie) Hedlund. Is that the...?

Jonathan Robinson: That's the same one, yes, the one that I sent.

James Bladel: That's at 10 o'clock.

Jonathan Robinson: Oh I apologize, it was moved. It was actually moved.

James Bladel: Okay I wanted to make sure.

Avri Doria: The meeting is not until 10:30. But yes, no for some reason I couldn't read it because I got the XML code and it was just too hard to read (unintelligible)

James Bladel: That's exactly what I'm struggling with is that I can't open the...

Jonathan Robinson: It's 10 o'clock. If you need the details I've got it.

James Bladel: Okay thank you.

Avri Doria: But the meeting's not until 10:30, right?

Jonathan Robinson: Yes, apologies. It was originally - the prep session was at 9:30.

Avri Doria: The prep session is at 10 because the meeting is at 10:30.

Jonathan Robinson: The prep session was 9:30 and it had moved to 10. All right good. So two-letter carrier domains in the new gTLD name space, is there any need for council input? Is this public comment that's open at the moment, Marika?

Marika Konings: Yes. This is Marika. So as I understand it there are a number of registries I believe that have requested releasing two-letter capture domains in new gTLDs. There are some policy statements or I think it's part of the new gTLD report I believe but I would need to double check, where the council has made statements on this topic.

So one of the questions is is there a need/desire to reaffirm those positions as part of the public comment forum just to remind staff what the council has

said on this before, has the council changed its position on that topic and is there a need for additional work, are we not bothered about it and just leave it be. I presume this may also be a topic where the (unintelligible) on possibility also the GAC. They have views on. So it's basically just a flag. This is open now, is there a desire to just reaffirm what the council has said on this before so that that is not forgotten, is there any need for additional work on this, so basically open questions.

Jonathan Robinson: Thoughts, questions anyone? I have one. I mean have you got any sense that what - I mean is what is being request have you got any sense that that's inconsistent with prior policy advice?

Marika Konings: This is Marika. I back then and I think basically the GNSO at the time there was support for releasing those names as long as safeguards were in place to ensure that no letters would be released that would be on the ISO list registry ccTLDs I believe.

So I think what is proposed those are being released. But as I said, I don't know if other viewpoints are going to be expressed from the ccNSO on the GAC on this in that sense and maybe we're just affirming this was the council's position or the GNSO's position at the time.

Jonathan Robinson: Can you just clarify, is it proposed that names including names on the ISO country list are released or are not released?

Marika Konings: I think Volker knows more.

Jonathan Robinson: Volker?

Volker Greimann: Some of the applicants have been requesting a blanket release. For example I've seen the request from dot-wiki which is planning a corporation with Wikipedia and they actually need the names on the ISO list because they really want to have the country-specific Wikipedia pages as anchor tenants

on their gTLD. So for example if you go to de.wiki, you would be seeing the German page it's on.

Jonathan Robinson: I've got James and then Marika.

James Bladel: I'm just wondering if that's been widely circulated and the GAC has commented on that idea. And I don't mean to stir the pot here but that sounds like something they would be interested in.

Jonathan Robinson: Marika?

Marika Konings: And this is Marika. Actually a colleague pointed out that actually ccTLDs don't tend to reserve other country code names in their respective TLDs, so one question is indeed if they would come out with a notion to say oh TLDs should reserve this, well why isn't the same being done on the country code level. But again it's a point of discussion.

Jonathan Robinson: James?

James Bladel: Thank you, Jonathan. I'm just curious about whether we should do it or should we do it at the review of the all 20 GNSO recommendations. Should we just stick as one or should we kind of hold it to when we glance - I mean when we go over the whole 20 - I mean just time sensitivity that's the thing that should - I would like to bring up.

Man: I think there's a certain urgency to this topic because there is currently a public comment phase and I think that closes before we have our next council session, so looking this, if we want to have a comment on this then we would have to do - have to consider it now I think or at least very shortly on the list.

Jonathan Robinson: Avri and then Marika.

Avri Doria: Yes thanks. I would think it was actually worth looking after, you know, the end of the comment period. I don't know that we necessarily want to start doing anything intensive but I think it's definitely worth a conversation in the council after the comment period has ended, because I've certainly heard it discussed enough times and indeed questioned as to why, so.

Jonathan Robinson: Can I just seek clarification why you would do that after the comment period? Surely the opportunity to do something is during the comment period.

Avri Doria: I would think one would want to do the discussion taking into account the comments so that people are indeed reading it and, you know, just making individual comments. Or were you actually thinking we should comment as the GNSO which that I don't see happening but I do see it reasonable to look at the results of it and see if that affects anything.

Jonathan Robinson: I think the point as I understand of the question that's being raised is is there existing GNSO policy in place that relates to this and if so, should we assert that and/or consider recommending that additional policy work be done. That to me seems to be the question on the table. Marika and then we'll come back to Avri.

Marika Konings: This is Marika if I can maybe just make a proposal here or a suggestion. The initial comment period closes on the 10th of July so one option would be that before the next meeting I can maybe circulate the language that comes from the gTLD documents relating to this which is I think the GNSO position on this topic and the next meeting we review what comments have been received at that stage. And then possibly in reply the council could still decide to resubmit, you know, what was the official position on that topic.

So maybe that's a way of indeed seeing if others come forward with any specific positions. People have a chance to review the information as well in the context of the GNSO position on this topic and see if there's any difference between what is being proposed and what the original

recommendation said, and I think we can come back to them maybe at the next meeting.

Jonathan Robinson: I'm okay with that and that seems to take account of Avri's point and others that are being made. So I'm happy to close this point with that suggestion and work with that unless, Avri, yes?

Avri Doria: Yes just one thing. I would actually in finding the GNSO position it's also probably good to contrast and see if the GNSO position and the HEB position are the same, because I haven't done the digging on it but I don't believe they're actually the same. So I'd be interested to make sure that that was the case.

Jonathan Robinson: Very good and nuanced point. I wouldn't have thought of that. That's great. Okay yes so we could put in the summary that would be interesting. Thanks, Marika. Right. SCI clarification on e-mail voting is also the intention of motions that's used by e-mail and only discussed on the mailing list. So here the need was for -- I'm just trying to remind myself here what was the point -- we were required by the SCI to better scope our question, is that right? I'm looking to Avri and Marika.

Avri Doria: Sure.

Jonathan Robinson: Go ahead, Avri.

Avri Doria: Okay yes. Basically we started out looking at e-mail voting for those non-PDP issues, so this was just for the majority vote issues. And basically first of all we went beyond e-mail and said if we're doing anything, it's let talk about electronic and not be specific. And so that was one question though was, you know, did, A, the council care about it being e-mail versus electronic, but the other thing was, you know, there's the requirement for adequate discussion. And the two possibilities were that an emergency issue, a board request issue, what have you, that needed a quicker resolution could actually

theoretically come up after a meeting and need a resolution of some sort before the next meeting.

Now that normally would call for whatever we call them, emergency meeting, extraordinary meeting, just another meeting in the middle. And so could something actually be done on that or one of the cases we came is we had had a meeting, we had discussed and discussed and discussed and just got to the end of the meeting, we didn't have time to vote so as opposed to waiting for the next meeting, you know, if the chair felt that there was sufficient discussion -- and that was always a condition that we got. The chair feels there's sufficient, no one in the council feels that that's an error, so we vote.

So it was really that kind of nuanced question is does there have to have been discussion -- and, Marika, please correct me if I've got it wrong -- does there have to have been discussion in council or could we have actually adequate discussion for one of these non-PDP votes without ever having talked about it in a council meeting.

Jonathan Robinson: So I've got two sort of questions I suppose. One's a question, one's a thought. The question is first of all, do we need - I mean electronic covers e-mail so do we need to specify emails? I mean is there something I missing here that someone or some group has got concerns about electronic being too broad?

Avri Doria: Not really. It's just that we had started out talking about e-mail so it's these - I think it's one of these things we're just being careful that we had the question right, because I think it was presented as an e-mail question and we've taken it further.

Jonathan Robinson: So my suggestion would be that we use electronic to - here's my proposal I guess. I don't want to jump the topic too fast but we use electronic because it covers e-mail. And second, personally I understood the point about the

requirement for discussion but providing there's an opportunity for any council request that we don't go to electronic voting, you know, understanding the specifics of because there's insufficient ample discussion or there hasn't been sufficient ample discussion, providing there's that opportunity to pull it back, you know, the subject to objection, I feel very comfortable with both of those proposals and I think we could narrow it down that. Thoughts, questions, comments on that? I've got Volker and then Mary.

Volker Greimann: Generally I support moving ahead into the future and simplifying voting procedures and procedures in general for the council. I just have the fear that moving to voting without having discussion, public discussion, will detract from the value of these discussions for the general community. The council has in the recent past been less visible than it could have been possibly with attendance numbers shrinking, and by removing discussions from the public forum, the public forum of this council here, not the public forum that's going to happen later, I think we might be seen as even more secretive or opaque by the general community. And losing the discussion in council might be a price that's too high to pay for the convenience of being able to vote quickly.

Jonathan Robinson: I have Mary and then John.

Mary Wong: Thanks, Jonathan. I apologize for my voice. It's Marika's fault. But I think that is exactly one of the concerns, Volker, that the SCI's been thinking about. And, Jonathan, just for clarity so that when we go back to the SCI, one of the scenarios that was hypothesized was someone proposes a motion and that gets sent to the council list by e-mail and for one reason or another, either quick action is needed or there's too much time between the proposal of the motion and the meeting, and so the proposal of the motion and the entire discussion of the motion takes place via the council list and then an electronic vote is called.

That's sort of one of the boundary cases that the SCI talked about. And so the language could potentially be broad enough to cover a situation like this

where everything is electronic, where there hasn't even been a council meeting to discuss it or even if it's not been on the agenda of a council meeting. The sense was that this maybe going a little far. But I think that's part of the clarity that's being sought, because the understanding is that this request came to the SCI out of a very specific situation and the request in order to allow the council to do its work more efficiently and speedily. And I guess the question really is how far must that be carried?

Jonathan Robinson: John next.

John Berard: Thank you, Jonathan. I don't - I wish I could remember the specific matter but there was a council meeting that was confronted with a motion that had been - that had not been filed on time but for which there was broad support and there had been wide discussion. And the rules require that we reconvene to vote ten days hence. I think it was a ten-minute meeting, something like that, and I remember there were a number of councilors who were questioning whether we really needed to convene at the same time because it required some scheduling difficulties and couldn't we - I think the phrase was couldn't we just vote by e-mail on this. And I think that was the origination for the request of the review.

There may in fact be other instances where it's useful and in fact it may not ever come up again especially because we're making changes - maybe we're making changes and the ability to getting a motion on the table 24 hours ahead of a meeting. So there are a combination of changes that are in the works that could mitigate the need for this but I'm hard pressed to think that it would be abused in a way that would somehow cause people to have to vote on stuff that they haven't talked about. You'll at least get to defer it if you don't want to bring it to the table.

Jonathan Robinson: Avri, please respond.

Avri Doria: Two responses. One, in terms of Mary's, that's exactly the case. I would say that the SCI is split. One of the things that happens once an issue gets given to the SCI is it gets ripped apart and looked at in more detail than this group could ever really imagine. And indeed the case what John said was the case. The conditions that we've already sort of agreed to in the SCI is that it would be the chair that decided that yes there had been adequate discussion and it would be the group that would just take one voice to say no, there hasn't been adequate discussion, at which point it couldn't happen.

                  So in terms of guaranteeing that it couldn't be abused, it would just take one council member to say sorry we don't believe it's been adequately discussed. So that part is pretty much has already been agreed. It was just right while the issue was open we went, as Mary said, to the border conditions and this one was one of the border conditions.

Jonathan Robinson: Mary?

Mary Wong: I want just to note that Ron Andruff has just sent a note to the council I believe, actually just to you, Jonathan, a few minutes ago. Yes and so maybe this is something that the council could talk further about. It would be really helpful to the SCI to get one clarification on this. There's actually another question that the SCI had which was not the same question but also to do with electronic voting. That's the question of the absentee voting but we don't have to go into that here.

Avri Doria: You mean the PDP absentee voting?

Mary Wong: The four conditions, yes. So we can explain that at the next meeting. We can have an agenda item for that, but on this specific question, I think it'd be helpful if we could go back to the SCI with some sense of where the council is.

Jonathan Robinson: Mary I wasn't quite - that e-mail's just come in now. Ron's helpfully provided clarification on what the two specific questions are being asked about. Are you saying that that's a basis on which we defer discussing it further or you think it helps us to discuss it more now?

Mary Wong: I apologize. It's two different issues. And the only issue I think that we were able to bring to council this week was the first issue which is the one on discussion, the breadth of the task. There's another issue that we can clarify with the council at the next meeting. So for this discussion we could just focus on this particular topic.

Jonathan Robinson: E-mail voting?

Mary Wong: Yes -- or electronic.

Jonathan Robinson: Yes. So electronic or - I mean I'm a little bit uncertain how to take this because my feeling is it feels fine as the SCI seem to have got to it. It's something which can be - might be very expedient in terms of getting things done as when we need to do something quickly, yet it's got the opportunity to be yanked by objection at any time. So it feels like it's got the right belts and braces in place. Avri and then Volker?

Avri Doria: Yes I think the SCI basically just has sometimes we have an overabundance of caution on taking the issues further than some people in the SCI think the council intended us to take them. So that's basically when I get asked to come back and give, you know, get an answer. It really is. Because it started out as just a little e-mail thing for as John said one specific occurrence. We opened it up, it blossomed, it had etched conditions and all of a sudden a couple people said wait, wait, wait. Let's make sure we're not going further than the council would like us to go.

Jonathan Robinson: I've got Volker and then Mary and then I think we're in a position to probably provide that clarification.

Volker Greimann: I think the safeguards that you proposed here are reasonable and a good way of preventing this from blossoming out as you say so rightly into a common occurrence. I think we should when, if and when we decide on this, make sure that there's also sufficient safeguards to ensure that this will not be a common occurrence in the future going forward, just for motions that are handed in late to ensure that the discussion is heard on the floor during the ICANN meetings and during our regular calls, not during e-mail conversations which nobody might read in the future. So we might want to look at introducing language where an additional requirement is extraordinary or urgency for the motion or security or stability of the Internet.

Jonathan Robinson: Mary?

Mary Wong: Actually thank you, Volker. That's exactly the sort of guidance that we're seeking. I think it's a question of breadth and it's a question of are you telling us that there's definitely only a very exceptional situation.

Jonathan Robinson: This is what makes it difficult because I don't think I was hearing exceptional. I think Volker's raised the game a little bit there, whereas I wasn't sensing that that was right that I thought we were getting to a point where we could accept it as a more general.

Avri Doria: It was somewhere in between. It wasn't quite as high as the bar as being mentioned by Volker but it was certainly higher than regular. There was a set of conditions that needed to be met. Volker might have suggested an additional one but yes.

Jonathan Robinson: So perhaps what I need is some help for someone to draft those conditions and socialize those then on the council list. Is that right?

Avri Doria: What I would suggest is I could certainly take this back without the council needing to do more work, and if it's still not clear -- so I could take it back with

Mary's help -- and if it's still not clear I can return. We're not trying to get the council as buried into SCI minutia. And indeed this will come to the council to be talked about so you'll be able to review it to see if we did indeed do what needed to be done.

Jonathan Robinson: Okay so, Avri, do you feel you've got the clarity you need at this point?

Avri Doria: I think so. Mary's nodding that she thinks so.

Jonathan Robinson: Good all right.

Avri Doria: (Unintelligible) So I think so.

Jonathan Robinson: All right good. Let's hope you do have because I'm not 100% sure I do but it sounds like we've got some way. All right let's close that and give - Avri's got what she needs to move that forward. The next point is a reminder that we plan to have a repeat of the development session we had in Buenos Aires at the next ICANN 51.

So that means we will all travel a day earlier than we might otherwise have done so. You'll be probably be arriving in L.A. on the - no I'm sorry. It's the back end, I apologize. It's the back end of the meeting. You'll stay a day longer than you might otherwise have done so. And I guess it's a reminder to mark that in your diaries, yes, and potentially make any suggestions to the format of that, if those of you that did - that were there and did participate to just if you think anything around how we did it before and whether there's anything new to improve, change or modify. James?

James Bladel: So just throwing it this out there, is it too late to get a sense in the room if folks might want to tack it onto the Friday before the weekend sessions as opposed to the Friday after the ICANN meeting? Is that even possibility? The only reason I'm looking is there's a big event coming like immediately after

the ICANN meeting for the next several weeks and really starting to cut into my two days at home.

Jonathan Robinson: A couple of - I understand, James. A couple of hands shot up immediately because we went around the houses on this previously, but I think you'll get a response on that. So I had Marika and then Thomas.

Marika Konings: Yes this is Marika. There are a couple of items to take into account. The reason why it's after the meeting is basically as well because the new council members will take feed on the Wednesday afternoon, so that is one of the reasons. And also they're I think again running prior to the L.A. meeting this facilitation on (unintelligible) leadership training which is I think also aimed at newcomers, so there may be a conflict there. So I think that is the main reason why we've opted for the Friday after the meeting.

Jonathan Robinson: Thomas and then Tony.

Thomas Rickert: As council liaison to the ICANN academy working group I was asked to convey the message that they're looking for people that would join that effort, you know, new leaders or even existing leaders that would join the academy. And that actually would be three days before the meeting, so.

Jonathan Robinson: Anyone fancy a two-week trip to LA?

Thomas Rickert: I want to convention that because I think everybody should take the two-day groups and see who they would like to send so that we can actually get enough people onto that training.

I've participated both as a facilitator as well as a, you know, ordinary member, and I found it utmost useful because you have people from the other side as we called them and you get to talk to people a lot about the processes as you never would in other places.

Jonathan Robinson: Right, so two quick points please. Thomas, if you could give us a written note to do that to the Council, Marika if you could get that onto or action list to make sure we have checked that that's been done; that we've got a communication to the groups.

And Marika, I think you want to respond quickly to Thomas before we go to Tony.

Marika Konings: This is Marika. I just wanted to add as well that in addition to that, on the Friday before rules will be planning the PDP face-to-face working group maybe will be the Proxy/Privacy group and we'll also have a meeting today with the Chairs to talk through how we're going to structure that. But we hope as well to send out a notice as soon as possible to all the groups because the idea is that each group appoints five people at a minimum to attend. So there's...

Jonathan Robinson: So make sure that's 100%. Okay, you won't be planning the meeting; you'll be holding the meeting on that Friday...

Marika Konings: Yes, exactly.

Jonathan Robinson: ...which is presumable the 10th of October. Tony.

Tony Harris: Well I was just going to ask whether it was worth taking a check as to the impact of having me gone that day. There's a number of people around the travelers (unintelligible) and I'm also one of those. I think I've got one day at home that's just changing suitcases.

So I just wondered what the impact was if we do have to have it on that day. I think Avri is probably another one.

Jonathan Robinson: I'm sympathetic I'm just not sure we have a choice.

Tony Harris: Okay as long as it's accepted that some of us unfortunately won't be able to...

Jonathan Robinson: We'll make you feel bad.

Tony Harris: Thank you.

Jonathan Robinson: You know, honestly I mean - you can sense the sense where we're at on this. For me I mean, it was pretty grueling in one sense to have the day at the end of the Buenos Aires meeting to have another tacked on yet. I think all of us came away, those of us that were able to attend, did come away sort of pretty fired up by it. So it's a rock in a hard place.

All right next slide please.

Interesting question; this is a really good point. I don't think we need to deal with this now, not in any substance.

But Marika, could you make a note that perhaps we need an action item to refine the discounts of Development Session because the question here Marika has put on - and it could be broader than this, is should the GNSO appointed board members be invited to participate in the GNSO Council Development Session?

The second really is what, you know, how do we - any other suggestions or comments on the shape of that day?

Now just to remind you, what we had was we had an initial hour or two session where we got the stakeholder group leadership to come to the meeting and present their stakeholder group and constituency and describe a couple of things really; what they did and how they worked.

And what that did was it gave the Council an indication of the different mechanics and dynamics in the different groups in order to create a greater

empathy with why or how decisions were taken and why or how certain things to avoid, at least in part. I mean there were many potential benefits for that. One for example was to ensure that there wasn't a lack of empathy with packed time taken and need to defer or just understanding different processes.

So really the question is broader that this. It's both this specific one, should the GNSO appointed board members be invited, but also do you have any other comments or suggestions to the shape and format to that meeting?

I don't think we need to answer that, but if anyone wants to make a comment now, by all means go ahead.

If you're considering this question, I would think about it in the context of the discussion we had with the board in the sense that we really did cover the issue of representation. On the other hand, these Board Directors are - the intention is that they have a knowledge and understanding of the GNSO, but it may be that this is further enhances their current and contemporary knowledge and understanding.

So it's a thought as part of the mix. I mean certainly it could be that we maybe do the same thing again where we had them at the first at the opening part of the session.

Anyway, let's add that to our thoughts over the next few weeks as we try to shape it. We'll need to finalize those plans so we can get them in motion. But if you have any thoughts or input on that, please send them.

John.

John Berard: I do have a concern. At this point, there's a long-standing session between the two GNSO voted-in Board members and in my case the commercial stakeholder group.

If we invite them to participate in this, does it suggest that they can choose if they're participating in this they don't need to participate in the other? And my sense is that it would add a level of complexity to the scheduling because I don't think the Board is flying home free as a lark on Friday morning say after these meetings.

So I'll think about it a little bit more but my initial thought is that it really doesn't add anything and doesn't support really the purpose of this session.

Jonathan Robinson: Maria.

Maria Farrell: I differ with John on that one probably because, well, partly because, you know, we're not in such a privilege position (unintelligible) and the NCSG have a long established (unintelligible) one-on-one with the Board people.

But just - yes. I just think it's a good idea for them to come to our session, you know, informally, and you know, get to know the groups, get to know the dynamics a little bit, get to know the people, you know, to always know of people.

I can't see, you know, how it would ever be bad thing for them to know us a bit better really. Especially when we're not talking massively about policy issues so we're not really trying to lobby them. I don't really see them.

Jonathan Robinson: (David).

(David): While the (unintelligible), I certainly know that CSG and NCSG do but (unintelligible) stakeholder groups as well that have an opportunity to meet with the GNSO board members there. I don't know that they do any regular interaction with the NomCom appointed Council members who may be the most in need (unintelligible) about that - maybe most unfamiliar with backend processes so I think it would valuable for this one.

Man: So since I'm one of those let me quickly interject that yes, that would be really helpful. Learning the players if you walk in is the battle and the history is sometimes challenging.

Jonathan Robinson: All right, so that's some useful input and guidance so I think we can work with that and take other suggestions as to the shape and structure, even if those suggestions are, "It worked great last time, stick with it with what you did." Happy to have any of those kinds of inputs.

                 All right, next is the point that we want the project staff to ensure that the LGR panels are (unintelligible) policy advisors and experts. I know there was a - can you just clarify this point Marika?

Marika Konings: Yes, this is Marika. I think it's actually twice on there. It's basically - I think it comes out the last point here, the update from the IDN meeting. And I think Mary and Ching were there so they're in a better position to, you know, give an update, and there's a link to that previous item that's here, the LGR panel.

Jonathan Robinson: Okay, and Edmon is also here if you'd like to contribute at all Edmon, feel free to do so.

                 Mary, do you want to give us a quick update?

Mary Wong: Yes, so as everyone knows, the Board Variant Working Group offered to meet with members of the GNSO Council and community, I believe Monday it was. Basically to discuss the work of the ICANN Staff in the IDN program, specifically the IDN Variant Program and whether or not the need to be further interaction monitoring and so forth.

                 The Board of Variant working group asked about the efforts that ICANN Staff had undertaken to do outreach and updates to the ICANN community. And it was specifically noted that for the GNSO, as agreed Jonathan, between

yourself and Ron in Singapore, that for the GNSO those briefings would take place at least as regularly as every ICANN meeting as well as the case here and will be the case in LA and Singapore.

On the specific point about the LGR panels including the integration panel for the LGR work, there was a discussion and an agreement that ICANN Staff should be aware and monitoring and coordinating the work of the panels, note and remind these panels that they do have access to policy advisors and experts.

And (centers) built into the call for experts that was on request that obviously when the panels know about this, and they do, I've been told since that the staff do remind the panels that they have access to policy experts if they want them, that when that request comes in, that obviously that will be worked on and moved forward expediently.

So the upshot of that point Jonathan is that you have an action item and that we will be working with you for you to formally send a note to Ram to make sure that ICANN Staff do ensure that the panels will know that they have access to these policy advisors should they need them.

Jonathan Robinson: Thanks Mary, and I take it you've got that captured Marika anyway, right.

So that sounds like we are almost there but let's hear if there's any other points that we've missed. By all means, go ahead Edmon, or are you happy with...

Edmon Chung: Edmon Chung here. Yes, so I think Mary gave a very good summary of it. Just a couple more items actually.

On the LGR panel, I think yes, there is an action item. I think - I'm guessing Mary, you would try to draft that. Or in any case, I was just sitting there drafting an email to both of you in summary what basically what Mary said.

Two items that were not touched on. One is the Project 7 that I brought up; that's the allocation and delegation IDN TLD, variant TLDs that would potentially change the AGV or create addendums to it. That is likely going to happen later, probably early next year. That's based on the discussion at the day.

What is encouraged for GNSO to look at in doing is because that will have very direct policy implications, perhaps between now and then it is good for us to maybe put together a working group to revisit something that we put together in 2007, which is to then 6 actually, when the new gTLD policy recommendations were done. And to revise or - well, not really revise - review or affirm some of those recommendations so that, you know, when peace heaven happens, it could be as an input into it. So that's I think the other action item that we talked about.

Jonathan Robinson: Okay great, thanks. Mary, are you going to respond?

Mary Wong: Not a response but follow-up. Thank you Edmon and I guess the other point on this is that the question was also asked as to any follow-up on the JAG report that was sent.

So it would be helpful, the ICANN Project Staff have been asked to prepare a summary of the meeting for the Board Variant Working Group. And when I have that in hand, I will forward it to the Council as well.

Jonathan Robinson: Perfect; thank you. Right, so I think we're good to go on that point.

Thomas?

Thomas Rickert: Minor point. I guess this might turn out to be another request such as with (Spector) Team where we are asked for our advice on potential (succession) between the original recommendations and the things that are not planned.

Can we just ensure one way or the other that we are being kept in the loop? I mean we can do preparatory measures, but if we then found out that this is just being implemented without being consulted, you know, then I think it would be too good for us?

Jonathan Robinson: What specifically would you like us to do other than what we are doing?

Thomas Rickert: I think Karen Lentz is holding the panel on the AGB and Protection Amendments so that we just indicate to her that we are discussing this and that we're sort of gearing up to be ready in case these questions are brought before us, so that we're kept in the loop. And actually ask for advice rather than her - not her personally - but rather than these things being changed without consultation of the GNSO.

Jonathan Robinson: Marika and then Mary.

Marika Konings: Yes this is Marika. I think we already agreed the last meeting to have regular updates on this topic on the agenda. And I think, you know, we had the first session here so I think the idea is to have regular communications and I think Edmon already suggested maybe even proactively to start looking at some of these things. So I'm actually hoping that will be part and parcel of that, you know, looking at this issue.

But it's definitely something as well, you know, worth maybe pointing out in the LAG that, you know, if anything comes up that the Council wants to be informed. So I think it's...

Jonathan Robinson: So if you point that out in the letter and copy Karen Lentz. Does that meet your requirements?

Marika Konings: I don't think it's Karen Lentz, I think it's the VIP team.

Jonathan Robinson: Okay, fine. Mary.

Mary Wong: And just to add to that, I agree with Marika.

And one note is that the work on this is still very, very preliminary. The working group and the staff emphasize that there is a lot of work to be gotten through on the technical side on the LGR before Project 7 kicks off in earnest. So we're really looking at an analysis of implementation in Project 7 when the time comes.

And as everyone has said, the community members within the GNSO, as noted by Edmon, can essentially shelf organize and start thinking through some of the possible implementation issues.

So while we can let Karen know that we would like to be involved, the sense that I got anyway was that it's really very early to get a sense of what that might mean.

Jonathan Robinson: Okay, I think we're done with that point.

The next point refers to us needing to put forward names for the coordination committee on the stewardship transition accountability working group and the drafting team on the transition.

Now I need to think into my mind and remind myself where we have got to any of these. I don't think we have nominations for any of these yet, do we? I think they're coming up through the groups mostly; yes, exactly. So I think it's good to keep it on list.

One of the things that we said we would do at accounts is make sure that we continue to play a form of coordinating roles should that be required. Now it may be that that's a layer too many in some cases, but just to make sure that the work is joined up across the GNSO as and when necessary.

So we'll wait certainly on the drafting team for the transition, we're waiting for the names for the groups for the coordination committee. We're waiting for the names for the groups for the Accountability Working Group. I mean I think we'll be clearly on that, but perhaps after today's session I know that there's no limit on the numbers yet and that's - so that's the least clear as to what we might have to do unless someone can put me straight on that.

But I think at the moment, that's an unrestricted number in visits there. I'm not clear what the charter is going to say or what that group is going to do. I mean even to call it a working group it's not clear that it's called a working group at this stage so it's a little bit fuzzy that one.

Any comments? I mean any - we will get those names I expect to pass through the Council in due course.

So Chuck and then Wolf-Ulrich.

Chuck Gomes: Thanks Jonathan; Chuck Gomes.

First of all, we should all remember that the comment period is still open on the accountability process, so I encourage people to submit comments. I know the Registries are going to submit some comments.

And one of the things we're going to suggest is that a cross-community working group and associated charter be developed for that particular effort. That may be even more important to go that way than the IANA stewardship transition effort.

To the extent that any of you and your groups want to submit comments on that, there's a few days left. So it would probably be very helpful.

Now back to the Charter Drafting Team for the IANA transition, Jonathan and all of you, I think the registries are close to selecting two people on that effort. And if I'm correct, the plan is for one from each of the other stakeholder groups according to that.

Do I have that correct Jonathan?

Jonathan Robinson: The Drafting Team it's one per SG and it's just that it's unique for the coordination...

((Crosstalk))

Chuck Gomes: Oh, it's the Coordination Group that I'm talking about.

And remember that Staff is looking for names by July 2nd, so the names from the other three stakeholder groups as well as the two from the Registries need to be decided pretty quickly.

Jonathan Robinson: Thanks Chuck. I think we can then move on - did I leave - well Wolf-Ulrich.

Wolf-Ulrich Knoben: Just a point (unintelligible) at least from the Commercial Stakeholder Group side earlier in the course of just nominating people for the Coordination Committee.

And one point I would like to raise is - well whether it has been discussed because this Coordination Committee and on the other hand we have this internal the GNSO or cross-community effort that are going on. How the interdependence of these two groups should be is there any thought about to make that a little bit independent from each other by filling those different committees with different people.

So that's just a thought about and I would like to raise that point that is discussed in the other stakeholder groups as well. Thanks.

Jonathan Robinson: Any other comments/questions on this?

All right, next steps on Accountability and NTI Transition. Marika, you put a letter here; I'm just wondering what you mean by that.

Marika Konings: Yes, this is Marika. During the - I believe that was on Sunday, the discussion we had subsequently to the meeting with the (situation) and the (unintelligible) there was some discussion. I think you weren't here at the time. I think Volker was here at that meeting.

I think the suggestion was made that possibly a letter should be drafted or some of the points that were raised during that meeting, and Volker (unintelligible) what the intent behind it was. But the question is is it still something Council wants to do or not at the stage or let's move forward on that.

Jonathan Robinson: Okay so I'm a little in the dark on this one so would Volker go ahead.

Volker Greimann: Yes indeed, I think the discussion was based mainly on the refusal to open the scope of the transition and the lack of accountability at this time and their unwillingness to separate out these issues.

However looking at the schedule for today, I see that we have a very long session on accountability and the transition process ahead of us. And we might hear the Board and Staff come out and say that they've listened to the protest or comments that they've perceived over the course of the week.

So deciding now whether to draft a letter maybe preempt, maybe premature if actually the position changes in about two hours time. So we might want to look at this issue again on the list and see what the results of today are.

Jonathan Robinson: Right, that's helpful; thank you. Let's put that on as an action item then on our list to just question mark next steps on more or less that point with the letter question mark, so we've got that as a record either do something or not based on the outcomes or today's discussions.

Next slide please.

This is meaty one; how or whether we should, you know - what really what the next steps are from a GNSO perspective with respect to the work of an output of the EWG. It's a big question. I don't expect we can answer it comprehensively now.

But are there any thoughts or inputs on this? Marika?

Marika Konings: Yes, this is Marika. As I don't know you people have a challenge in digesting what this (unintelligible) quite big and very complex report.

And so I'm just wondering if it would be helpful if Mary and I work with Staff that have supported the EWG in it, and Margie and Denise, to maybe think through, you know, some possible approaches, some possible ways of splitting up the work which I think some people have suggested. And maybe come back with some ideas and some suggestions that may, you know, form a starting point for Council conversations around this.

And of course that's all, you know, you're free to discard whatever we come back with. But it may be an easier way to kick start some of those conversations, and you know, provide some ideas on how the Council may want to think about tackling this work.

Jonathan Robinson: Let's go to Chuck and then James. Thanks Marika - and then John.

Chuck Gomes: Okay thanks Jonathan, Chuck Gomes again. Great idea Marika.

And in the Q&A session that occurred yesterday morning, there was lots of discussion back-and-forth between commenters and the working group members about points that needed clarification, about points that some people thought there were maybe errors, etcetera.

I think a good task to do to start soon would be for the GNSO Council to solicit input on points that they think members of the community think need clarification with enough explanation so that the working group could respond if they think there is errors. Those kinds of things. It would be very good, very early in the process, to make a list of all those, again with enough details so that the working group could respond.

I talked to a few of the people on the working group including (Jon Francua) and (Fabrisio), they seem to be very open to that. So if in the next month or so, we were to gather a list of things, they - I think that would be very useful, and then present those to the working group.

Everybody I talk to on the working group is very open to working with this on this and we're going to need their help. But that would be one very specific task you could initiate right away with regard to Marika's suggestion.

I think - and this may be what you're getting at is to go through the report and identify the action items that they identified that need to be done like for example the risk study. Those kind of things, it would be very good to clearly identify all of those because some of those, really, it would be best if they were done, or at least well underway, before we consider any initiating any PDP. So identifying those kinds of actions from the report and even solicitation - asking the working group to help us in that regard too, which I think is probably what you're getting at. And that would be very useful.

There's a lot of preparatory work that's going to need to go on before we even start looking at the possibility of PDPs. And the sooner we get on that -

some of that's going to be fairly time consuming. It would be useful to start that soon.

Jonathan Robinson: Thanks Chuck; two great suggestions. And it makes me think that's kind of - one of those at least if not both might tie in with being responsive.

James.

James Bladel: I think Marika and Chuck covered most of what I was going to mention.

Just that there is, you know, I think there is two competing things here that we want to move methodically, we want to not only give the working group an opportunity to correct some of the issues that were raised yesterday, but I think they're also trying to figure out what they're going to do to reintegrate this, you know, minority opinion or whatever it is that's still kind of outstanding. That's already been posted; great, okay.

So you know, I think giving folks time, giving - frankly, everyone else some time to digest this massive report which I don't think has been adequate, and then, you know, breaking it into some meaningful and reasonable working chunks.

I do want to just caution this Council that we should not necessarily - this is a massive rewriting of the landscape. And I don't think that we should be necessarily - we should take our time and be careful and not necessarily believe that, you know, feel any external or internal pressure that the outputs of the EWG translate directly into a GNSO charter as quickly as possible. I think that this is something that's going to take place as an evolution not a revolution.

So just maybe wanted to put that into the record because even if we could get everyone holding hands and singing Kumbaya and agreeing on everything which is unlikely. But even if that were possible, just the technical

and operational changes implied by some of those documents could be years in the making. So thanks.

Jonathan Robinson: Yes and just to clarify, by being - I suggest we should be responsive. That doesn't mean we should rush; I agree.

So I've got John, (David) and then Thomas.

John Berard: Thank you Jonathan.

I would only add another element to the list of things that we seem to be agreeing too. That the analysis of the Expert Working Group report I think requires that some group of councilors participate with the staff in determining what the potential schedule and segmentation might look like.

I think it's important enough for us to be involved in that preliminary analysis and not just wait for a report from Staff to which we can respond. And I would be more than happy to be one of those councilors who does that.

Jonathan Robinson: Marika, did you want to respond to an earlier point? I've got a queue which is now (David), yourself and Thomas. So yes - okay. So (David).

Marika Konings: I was actually responding to James' comments because I did want to remind everyone this of course is part of a Board initiated PDP where we already have a preliminary issue report which Staff still needs to finalize now that the EWG report has been completed.

So this will probably all require dialogue with the Board to ensure that they understand that, you know, we want to work on this in a collaborative way. It's not that we're - anything comes back to your responsiveness, to make sure that they see that, you know, that. Because again, there's no intermediate vote (unintelligible) when the final issue report gets published, it moves straight ahead to the next phase.

So I think what we're trying to say is we want to think through that and I think there's understanding and appreciation there, hopefully as well at the Board level, that this is indeed a huge undertaking. So and I think that's where - and as well to John's point, I don't think that the staff is going to come up with a proposal and I think that it's an immediate step is just to work on maybe some possible lines and then I think there's the moment for a group to come together to say, "Okay, out of those option which one do we want to work further out in further detail and really have a plan?"

I think at this stage it's more a line number of options that may be explored. And I think as well to James' point, that definitely would include through well on those also like Chuck said; looking at what preliminary work needs to be done and the preparatory work before that goes ahead.

Jonathan Robinson: And just one further piece of information to that to the mix. I know I've got (David) and Thomas coming next.

But I met with Steve Crocker on the Thursday before this meeting. And as you know, Steve's obviously (showed) the ICANN Board, but he was also a participant in the EWG.

And his question to me was, "It will be very helpful to know and understand how this is going to fit in with the GNSO's work and how the GNSO is going to deal with this." And he was very understanding. And I think he said that in our public meeting as well, he's very understanding; this is going to take some effort.

But he wants to make sure it was firmly on our agenda to think about how we would absorb and deal with this output. So you know, in a sense both privately and publicly asked us to deal with this.

(David).

(David): Okay, I just wanted to also draw your attention to the - I mean Chris Disspain in the meeting with the Board said that the Board would very want to know what they should do before it (unintelligible) is something we should really be considering as part of that process.

I certainly think I would like to see SSAC advice on this, hopefully very early in our process. I would also, you know - we may want to consider things like, you know, they may be necessary legal advice or a formal privacy act assessment, things like that.

So as part of this process, not only should we be looking at how to sort of, you know, essentially dice it up into manageable chunks for PDP, but also as a matter of some, you know, relatively hot priority, determining what we as a Council think other activities should be done looking at this before - well, not necessarily before we start, but certainly hopefully to appear early in that process.

And as I said, I'm particularly keen that there is some SSAC feedback on this before we get too far.

Jonathan Robinson: I've got Thomas and James, and I'll note that the SSAC has asked us specifically if we do want to help them with prioritizing their work since they only deal with limited number of ICANNs. We flagged that with them.

So Thomas and James.

Thomas Rickert: I guess this EWG report is something that we should take into account also when discussing issues such as workload and volunteer burnout. And it reminds me of a contribution that James made the other day when he asked whether Staff should take the more active role in conducting PDPs.

As I think we maybe should take home the idea with us that we might do different things than issue reports than in the form that we know them now by maybe having more informed, more in-depth preparatory work for the starting point of a PDP. You know, so that we, you know, maybe get EWG type or similar activities to bring other PDPs up to speed more easily.

Having said that, looking at what the EWG has done and the way the report is now presented, it seems to be developing a life of its own. While everybody goes out and prefaces the presentation of the EWG report by saying, "This is just to inform the GNSO's policymaking," have you ever seen an (initial) reporter of the documents being presented in that way? I think the answer is no.

So it's now being presented sort of as a defecto standard which the GNSO would need to defend against or, you know, be very clever about arguing against should the GNSO chose to tackle things differently.

So I guess as we move on working on this, I would phrase it differently than Chuck has earlier. I think this is not us working off the action items that we've been presented with, and I know that you don't mean it that way, but I think we should be reiteratively saying that this is to inform us and that this is not, you know, us sort of implementing things that are being put before us.

I know that there's far more to be done on the subject than is in the EWG report. But I guess it's just a matter of communication, you know, how we position ourselves.

Jonathan Robinson: Okay, Ching.

Ching Chiao: Thank you Jonathan. I just have a quick comment and thoughts on this work.

So I'm understanding the PDP on the EWG is coming, but I think we should draw or help draw lines on whether this impacts actually within the current

(defense) of the registry and registrar operation, or it actually goes beyond that. It's that they are trying to view and centralize RDS, whether that RDS would impact our operations and potentially.

Because in the past few years we've seen the (CDDS) and also the (TMCH) projects that in some levels, that does impact very quickly on the registries and the registrars I mean in operations.

So we probably should, you know, maybe to ask them, you know, I mean what exactly, you know, they actually want from us or what exactly we can do for them right now. If it's just for the registry/registrar existing operations or they're actually talking about this RDS system.

Jonathan Robinson: One quick point. I'm just going to remind you, we're coming up towards nine thirty.

I don't think that pulling out the implied - I think actions is probably the wrong word but the sort of next steps, I think that's a helpful indication. It doesn't force us to do anything different, but to get some digestive activity that's implied from the report seems to me to be a useful digest that we could work with as well as the solicitation from the GNSO as to critical questions that this raises, even if the point is it's too prescriptive, or you know, this creates an unprecedented mechanism for a prescription of GNSO policy work and it's gone too far. I think anything that's useful.

So I still think the broad structure that was suggested doubt that doesn't seem inconsistent with us, we're not tying ourselves into any corner by doing that.

So it feels to me like we should still go ahead and do that trying it, some form of digest of the implied actions that come out of it as well as solicit input as a Council, as managers of doing the job we're intended to do, is to make sure we pull from the groups and try to get back to the EWG any feedback

whether it's on the content of the report or the implications for GNSO policymaking. So it seems to me those are two clear directions we could take from this.

Okay, so let's take a couple more points on that and then we really should go to the (unintelligible). John had a point initially on that (unintelligible) and I know Volker's got one as well. So let's try and close the discussion up with - who else's hands did I see up? I saw James and Thomas.

James Bladel: I'm sorry, I thought I was already in the queue or remaining in the queue.

But anyway, you know, just wanted to pick up on a couple of points made and one by Thomas which is there is this kind of presumption, you know, that this ball is already rolling downhill here and we're just a place to kind of solute when it goes by. And you know, I think that that is concerning.

And then I think Jonathan, you captured where I'm kind of going here which is I would like Staff to maybe, not here, but explain exactly what our obligations as a Council are under this PDP.

Are we now required as a Board initiated PDP to form a working group to discuss? What came out of the EWG? Were there solid recommendations for policy changes in our contract?

Where policy needs to be initiated. So it's a PDP recommending further PDPs. Where is this - I guess help me understand where, you know, I mean could we - hypothetically say - shut it off? You know, we'll start a different process; we'll go in a different direction. Or can we say, you know, or are our hands tied? I would like to understand that.

Jonathan Robinson: Marika and then Chuck.

Marika Konings: This is Marika. The principle of the Board initiated PDP needs to progress, at least to the next stage. (Unintelligible) because that's how it's directed...

((Crosstalk))

James Bladel: I'm very confused. To...

Marika Konings: It's basically, you know, the Board directs the GNSO Council to look at a certain issue. That doesn't mean that there needs to be an outcome. I mean it doesn't mean that the Council can't initiate work in parallel.

But again, I think the important point is here is to initiate the dialogue with the Board because they are digesting the report as well.

Our assumption is that they will review that, and I think this is what he said clearly on Sunday as well, they would like some feedback by the GNSO on how the report should be perceived, how it may be broken up, how the issue can be addressed. And then the Board may provide direction to the GNSO. "Having heard you, having spoken about it, we suggest that this is what you should go and do in the PDP."

And I think it's important again to have that dialogue to avoid that the Board (unintelligible) and say, "Hey, you haven't done anything so we'll tell you this is what we want you to look at."

James Bladel: Okay, thanks for clarifying because I'm not really clear where this train of thought.

Jonathan Robinson: Now I've got Thomas and Chuck waiting.

That was the key thing that Steve emphasized to me is he would like us to respond, but respond with due care and (intention). So I think for me, and this goes back to the original point James, respond but not rush. And so I think

we've got to - at the moment, we're all a little in the dark and none of us are fully informed.

But let me go to Chuck and then Thomas. Where is Thomas? Oh there you are.

Chuck Gomes: Thanks Jonathan; Chuck Gomes.

I think Marika said this but the Board hasn't directed the GNSO to do anything yet or even come to us other than in an informal conversation. Is that correct?

Mary, you look like you're...

Mary Wong: Well my understanding is that they have asked the GNSO for feedback as of this weekend based on the report. However, there is a standing direction for us to do a PDP.

So our interpretation was that the feedback that we would give to them includes what you and Marika were saying earlier as to how we intend to proceed, what some of the challenges might be and so forth.

But it seems to us that we have to go forward with the PDP unless the Board ultimately tells us they don't believe it's necessary anymore. That's for the Board to decide but not for us.

Chuck Gomes: So Mary - Chuck again. What do you mean by a standing direction to do a PDP?

Mary Wong: Yes I apologize. But there is already a PDP on the cards that the Board has initiated for which there has been a preliminary issue report published by the GNSO, and that's the one. That's the preliminary report that says, "We'll wait for the final report from the EWG."

Chuck Gomes: Okay, totally forgot about that. Thank you.

Marika Konings: And the EWG was started in parallel with that process.

Chuck Gomes: Yes, okay. I remember now that you mention that so that's helpful. But at the same time - so that's the impetuous for us to start looking ahead and gathering information and so forth.

But again, James, I think we, you know, this is something that we can drive. We can decide how best to approach it and so forth, but I think we're going to need a lot more information before we figure out exactly how to do it. So - and that's what I heard talked about this morning.

Jonathan Robinson: Being helped is not being driven and that's what we need to make sure we get the balance between those two.

Thomas. Okay great, I think we'll call this to a close then and we have no more items on the list in front of us.

Thomas Rickert: Under a subject matter - on a different subject...

Jonathan Robinson: Thomas, we've got a queue of three additional subjects if you're going to raise one. I've got John, I've got Volker and I've got you to bring in three AOBs.

John Berard: Thank you Jonathan. And I think this is totally in keeping with the discussion about the Expert Working Group because the RDS is essentially designed as a present day replacement for the latter day Whois system.

I noted that the (Kevin Murphy) in Domain Insight - I wasn't sitting in the registrar's meeting so I didn't hear this directly - reported that it was said that

over 800,000 domain name had been suspended since the beginning of the year as a result of Whois email verification rules.

I know too in the GAC (communicate) that there is again a ratching up of attention on Whois validation. And I just wonder if there is a role for the Council to play in, I won't say mediating, I won't say settling, but at least getting involved in trying to figure out how we can satisfy the legitimate needs of law enforcement as substantiated by the government, and what appears to be a business disruptive element as evidenced by the report here in Domain Insights.

So I'd like to be better informed if I can get my fellow councilors to help better inform me, and then perhaps we can decide if there's a role for Council to play, especially as we move forward into the Expert Working Group and the continue the GAC/GNSO Council consultation might prove useful in resolving the matter.

Jonathan Robinson: So James wanted to respond. I know I'm mindful of the time. I'd very much like to put this on our to-do list and recognize that this is an action we could take. So let's put it on our to-do list Marika, is there a response for the Council to this issue.

And then James respond immediately now please.

James Bladel: You know, I was going to offer some context for that article in what was driving those comments, but if that's premature, I can certainly just hold off on that, you know, in the interest of time.

I don't know if that - I thought John, you were specifically asking for context. But I guess if we're going to just defer...

Jonathan Robinson: (Unintelligible) please do give us some brief context, but let's also capture it so that it isn't lost. So give us some brief comments now but just I

encourage everyone not to get involved in too big a discussion on it now because of time.

James Bladel: Certainly. Very quickly the overview was that, you know, we, upon adoption of the 2013 RAA, we wanted to be certain that we were going to be monitoring the impact of these changes, you know, on our industry. And we asked - I asked in the public forum that ICANN and law enforcement do the same so that they can measure the, you know, enhancements or improvements so that we can, you know, put together, you know, some meaningful statistics on the cost versus the benefits of these changes.

We reiterated that in the meeting in Singapore and mentioned that we would be bringing some industry statistics of our experience thus far. Now granted, we're in a ramp up or transition period on the new RAA since the first of the year, but you know, mentioned that we would be bringing some of those stats in to London.

And frankly, we're assured from the ICANN CEO that they would have some additional stats on the plus side as well. Those have yet to be, you know, shared with us if they're collected.

The thinking here is that - the message we're trying to communicate is not asking for a relief or any kind of role back of those requirements, but a recognition that this is having an impact in the industry. That registrars, not ICANN, not the registries, but registrars are feeling the brunt of the consumer pushback on this requirement.

And what we're asking of ICANN specifically at the Board level and perhaps this translates to the GNSO level as well is to specific questions. One is to support industry in our efforts to slow down calls that are already occurring, and we saw in the GAC Communiqué, to expand upon this program as though it were, you know, a smooth success. We want to make sure that any future additions, enhancements or expansions are thought of in that light.

And secondly, to make sure that awareness of this new requirement is disseminated through the industry so that, you know, we're already seeing, for example, some registrars using it as a competitive element, you know. "You lost your domain name with Registrar X, come to Registrar Y," you know, and using it as sort of - making sure it's understood that this is a global requirement and not something that individual service providers have done.

So that's the context for this and that was the two asks that we put in front of the Board in that session with them on Tuesday. And then that certainly could at least inform our discussions.

Jonathan Robinson: I've got a response from Avri and just remind everyone that we're up against the time now.

Avri Doria: Thank you on the time limit.

I just want to comment that from a registrant point of view, this is also quite concerning. Especially as we find out that it's a tiny percentage that were bad guys and it's a large percentage that were churches, youth groups and individuals.

Jonathan Robinson: Okay, so we have support to add this to our future discussions and had a brief update now and it seems like it's something which - and this wasn't discussed at the registries either and I'm not quite clear why not, so it's something that I think we should possibly pick up in our groups and at the Council level.

Volker.

Volker Greimann: Yes, I just would like the inform the Council that the GAC has published its Communiqué and it has some issues of impact for our work. And I would just

like to go with the most important issues that I've found scanning this over the last half hour.

First of all, the GAC has agreed to the proposals from the joint GAC and GNSO consultation group or agreed to cooperation, so that's a good sign. I won't go into the details here.

The GAC is engaging with the transition of the US stewardship of (RAN) and it's strengthening accountability and it's already proceeding to nominate the first members for the committee.

Then they have a substantial comment with regards to the protection of the entity government organization names and acronyms where they are reaffirming the former advice regarding the protection of IGO names and acronyms. And that will be probably for Thomas very important going forward as well as for the protection of Red Cross and Red Crescent names.

They are still pushing for Whois verification and validation which is current to the point which we just discussed.

And I would urge everybody to look at the report, the Communiqué, read it and see how it will impact us. I have to ask Marika to put it up into the Adobe which she has kindly done, so thank you for that. So check out the link and have a look.

(David):   And I've got to say just at the first glance, I find the - and we certainly should consider this, you know, over more time and maybe my thoughts will become more temperate with time. But at the moment, my first glance at the GAC comments on the protection of Red Cross/Red Crescent names is extremely problematic and we are going to have to respond to it.

In particular, it says, "The protections to the Red Cross and Red Crescent terms and names should not be subjected to or conditioned upon a policy

development process," which implies that the GAC more or less feels that its one sentence of advice is equivalent to policy. And I think that is a sort of profound misunderstanding of both what we do and the way in which we fit into the ICANN policy development generally.

So I think we are going to have to respond to that and I think it's going to be a difficult conversation. So there we go.

Jonathan Robinson: Actually we'll deploy our Vice Chair to deal with that particular problem.

Thomas, will you propose - you're in line anyway and I (unintelligible) to pick up on this point or something else.

Thomas Rickert: No, it was with respect to this point and I think after a long week I'm too exhausted to be angry.

But it's kind of frustrating that despite our best efforts to follow due process, the GAC obviously chooses to ignore that this is what we have in ICANN in the multi-stakeholder model. And that there are some fundamental misunderstandings, they also say that Red Cross names are not subject to (unintelligible) rights because they are, you know, they have been designed for trademarks.

Yes touché; exactly. That is why we are doing the PDP, to look at ways to adequately provide curative mechanisms for those designations that are not trademark.

So I think we're more or less back to square one. But the most concerning statement in the Communiqué as (David) rightfully said is that the GAC has ordered not to invoke due process with the GNSO. And I think that sort of requires communication to explain what we're doing again, not to say a response at other levels.

Jonathan Robinson: James, you wanted to respond to that?

James Bladel: Not to respond to that, just to ask a question, a procedure. We were, I guess, I believe beginning some process to hammer out a response to the NGPC letter.

Does this deserve mention in that or is this a separate letter because this is coming from the GAC but that's going to NGPC. I'm just a little confused on whether or not we say we respond, and I think we should, are we talking about two letters now?

Jonathan Robinson: Good question; I'm not sure. I feel inadequately informed to even respond at this stage. I mean it's, you know, I need to read it.

James Bladel: It just posted, you know, moments ago so I agree with you.

Jonathan Robinson: Mary and then John.

Mary Wong: I'm not really that specific to that James, but maybe this is helpful. I mean the Council is due to consider the possibility of amending the GNSO policy on the 24th of July. So between now and then, you're talking about a good several number of weeks.

So one thing to think about might be whether you want to respond in whatever fashion and to whom informally or otherwise between now and then. Especially as the recommendation that Thomas had put forward.

Given what's in the GAC Communiqué now has a very significant difference but particularly on the Red Cross angle.

John Berard: With regard to a letter to (Sherry), it would be silly to write it as if we didn't know what the GAC Communiqué had said. And so I believe that a single communication to them based upon everything we know now, which may

wind up being a little bit less bullish perhaps because of the language in the GAC Communiqué, but no less of a commitment to try and make things work.

The difficulty here I think is that the GAC appreciates the same political dynamic that we do. That if the Board is forced to choose between full consensus policy from the GNSO Council and GAC advice, that they'll pick the GAC advice because it's less of a global problem for them than going the other way.

Jonathan Robinson: Avri?

Avri Doria: Yes thank you. I do think it's worth mentioning in the letter that's already on the table, I don't think it requires an additional letter to the GAC.

I do think however it would be an interesting issue to put on the table of the joint working thing we've got, and perhaps to discuss with them they're, you know, appropriate respective roles and responsibilities at ICANN.

Jonathan Robinson: Okay. I mean it's interesting what the consultation's group work is because in many ways, there's a prospect of mudding the waters because it's how we might deal with things in future, and this is our current problem now I accept that if you've got a good line of communication.

So think about how best to handle that. Like I say, because the work of the consultation group is all about focusing how we might do this, and this is a messy piece of our past history that's continuing.

Now you might say, "It's very current, it's not just past." But we'll have to think about how best to handle this.

Anyway, I think that brings us to the end of the list for the moment. We've clearly got a few meaty open issues including dealing with the Expert Working Group and now this latest dismissive fire of the GAC Communiqué.

But you know, in a sense those are some real challenges. But you know, I must say I was struck by the meeting yesterday in terms of where we were trying to go and what was happening.

We had an orderly meeting with substantial discussion. We didn't suppress the opportunity to have descent discussion and yet we got through descent business. It was well attended.

And so, you know, I mean I think it's just real important to recognize potentially how far we've come and how effective we can be. So I'd rather be ending on recognizing that note and thank you all for the effective way in which we've worked together over the weekend, and indeed in the open meeting yesterday.

So with that, I'd certainly like to conclude with - Marika, did you have something to add?

Marika Konings: Yes, this is Marika. We'll be sending out again a survey so you fire your input as well on the weekend sessions and this session we had, so we have some feedback for the next meeting and take into account, so please provide your feedback.

Jonathan Robinson: So wonderful, well done everyone on the Council and on the Staff who have diligently supported us throughout these hard few working days.

And please do participate in the survey because it just helps guide structure and organization in future meetings.

So thanks everyone. Hope we have a productive last day here and look forward to seeing you through the day and of course through the month ahead on line.

Thanks again. That brings the session to a close.

END