ICANN67 | Virtual Community Forum – GNSO - NCSG Open Meeting
Tuesday, March 10, 2020 – 14:00 to 17:00 CUN

MARYAM BAKOSHI: Hi, Stephanie. Can you please confirm if we can start the meeting now?

STEPHANIE PERRIN: Okay, let's start. Would you like to start the recording, please?

MARYAM BAKOSHI: Yeah. Thank you very much. The recording has started. Hi, everyone. Welcome to the NCSG Open Meeting on Tuesday, 10 March 2020. Today's meeting is being recorded. Please state your name before speaking, and please keep your phones on mute when you're not speaking to avoid any background noise. With this, I turn this over to Stephanie. Please begin.

STEPHANIE PERRIN: Thanks very much, Maryam. My apologies to everyone for last minute changes to the agenda. We had a guest speaker, Jan Scholte and Hortense, who are going to come and speak to us about their qualitative findings in their study of ICANN and accountability. Those who tuned in in Montreal will remember that they came to speak to us then about the quantitative findings. And as a number of NCSG folks that participated in their interviews and study, we thought it would be

very interesting to hear what their qualitative findings were. Unfortunately, they canceled this morning because they have found that virtual meetings are not as good as face-to-face. So that was a bit of a surprise and, unfortunately, we've lost that major chunk of our meeting. However, Plan B was always to fill it in with policy updates, which I think you'll find maybe also interesting.

So without further ado, in the first half hour, I'm not quite sure how to do this tour de table because we have 23 participants and I don't think we can all see them in the participant list, and there's nobody on a phone that needs to be introduced. So maybe we'll skip the tour de table and I'll ask the NPOC and NCUC Chairs who have sacrificed their regular meetings to give us an update and discuss a few of the things that they would have talked about have they had their regular meetings. So, who wants to go first? NPOC or NCUC?

JOAN KERR: I can go. It doesn't matter.

STEPHANIE PERRIN: Lovely. Okay. Over to you, Joan. Thanks.

JOAN KERR: Okay, great. Hi, everyone. Nice to be talking to you not face to face, but I do want to say that we do – NPOC has an EC member in Cancún and hopefully he's enjoying the sun for all of us. That's Raoul

Plommer. He's by himself. I can imagine how nice that is to have the sun, considering we're cold here.

I just wanted to point out a few things around agenda for NPOC and some of the things that we're putting in place. We have a new membership Chair. I'm not sure she's on the call or not, Ioana Stupariu, she's a new Chair. We had to replace her because [Juan] is now in the GNSO Council due to Martin Silva leaving. One of the first things that we had to look at and address was an issue that actually came up last year when we had another member who we had some issues regarding representation for an organization. So we set out to say, well, NPOC needs to have a two-phased process for accepting members on organizations. So when a member applies to NCSG, we're creating a form to say for the organization to fill it out, not just the representative and sign it by either the Chair or the Executive Director that they in fact are the representatives, so we don't just have the information about the representative but it's actually coming from the Board or the Executive Director, and also point out what the duties of a member is, as well as on the form list any PDPs or working groups that are in the process so that they can check off how they can be involved in that and then follow up with that. So that's a more personalized process and that's one way of getting members to participate so that they are aware right at the onset how they're involved. I think that was a bit of a missing piece before.

With regard to that, we also have a new Policy Chair who was a GNSO Councilor, which was what we were happy to have the last time. What he decided to do is to work more closely with the NCSG Policy

Committee initially and have a mentee that is with him so that they can also learn the process. So if he wasn't able to be on the call that someone else was representing NPOC on the call, in that sense, the Policy Committee then has … Ore – I don't know if she's on the call. She's really, really good at taking notes. We have what we call a general action for NPOC so we keep track of what we're doing and what we're not doing, what we're not very good at and how do we need help. Her and I work at that twice a month to make sure that we're getting things done, because a lot of our work was initially administrative. That's one big thing that we're doing.

The other thing is we're forming a committee to address some of the issues that Rafik had written an e-mail about what be done for the policy which is a task and we feel that we're ready, so we're taking on the task and seeing which ones we can take on and present it to the NCSG Policy Committee. So in that sense, Carlos or Raoul or anyone who wants to jump in? You know I'm good at that – for you to jump in and add.

One of the things that we're developing is a certification program for Fellows. We haven't been very successful at getting Fellows to work with NPOC. Some Fellows are from organizations so we're developing a whole program where we can work with them in their regions to help not-for-profits, especially our members, to promote NPOC and we're working out the details at the moment, but I'll share that with you at a later time when it's fully developed.

I know the charter for NCSGs on the list but we spent a lot, probably triple the time that we thought was needed for the NPOC charter and I won't get Raoul started on that. We sent it to ICANN staff back in Montreal and we're still waiting for any questions, comments, whatever. We sent some e-mails asking, "Where is it?" but we haven't heard anything. The number one thing I can say about the charter is that it was very streamlined in terms of how we operate as a constituency because our goal was to showcase how small not-for-profit can function on a linear fashion and be effective. So a lot of that was target toward that goal. So we're still waiting for staff to respond.

On our website, we're also going to be including a section based on passwords where our members can actually update their information, and this is one way that we can get them to be active as well. So if there's a change in representative, if there's a change in any information that they're able to go in and update it, and NPOC will oversee that as well. We just want our members not to just become a member. We're trying to do it on different levels so that not just a representative is involved but also the organization. So, hopefully some of those things will work.

The elections are coming up. We have a NPOC Skype that we probably use more than NPOC Discuss. At least I use it more than anybody else and we have a number of – it's a robust channel for discussing things. So I've been telling people, "Think about the elections what can you bring to NPOC and to NCSG."

I think that's it. That's the new things that we're working on. Those are the things that are existing. Raoul, did you want to say anything that I missed? I know there's a tracking and the next Cloud that you may want to talk about quickly. No? No, he doesn't want to talk about that.

One of our tracking mechanisms that we use, it's a process called Nextcloud which is a tracking/project management platform. When we know how it works, we'll be happy to share it with any of you, but right now we're just trying it out. We tried Trello first. It wasn't too effective so we went to Nextcloud and see how that works. Basically, it tracks our actions – because we have lots of them – with the people that are … so project management but we can use it to also post on social media, so we've done quite a bit of work on that as well.

I think that's it unless there are any questions. No? Okay. Then I'm done, Stephanie.

STEPHANIE PERRIN: Okay, great. Thank you very much, Joan. If there are no questions, that's motor over to Bruna.

BRUNA SANTOS: Hello, everyone. I trust you're hearing me well. Is everything okay with my audio? Okay, good.

STEPHANIE PERRIN: Sounds good.

BRUNA SANTOS: Thanks, Stephanie, and thanks, everyone. This is Bruna Santos, the NCUC Chair for the record. Just some few updates on NCUC. I promise to be short. First of all, I would like to announce our two new members for the NCUC Policy Committee. We did have an open call for a while and we also reached out to some members with [inaudible] and also dedicated members with some of our questions and values. Although some people might not have seen them as active in the policy field as people wish, we decided to go on with this nomination. And so we have NCUC's new representatives that Policy Committee are Olga Kyryliuk from Europe and [inaudible] from Africa. So this is very nice for us to announce two female nominees to the Policy Committee and I'm hoping that they work out just fine and that they can also be able to help the Policy Committee with whatever challenges they have in the future.

Moving on from that, another announcement that something we have been working on since the past ICANN meeting was our policy writing course. You might remember that we have an ICANN Learn new policy writing course which was developed based on some online interactions by our members back in the Puerto Rico meeting. Ever since then we have been increasing our debates with the org, as well as hosting two more webinars on this matter in order to offer tools for our members to improve our policy participation, policy statements, and participation as well in public comments.

So our next steps on this will be one webinar for all of our members who have English as a second language. This is something that we're developing again with the org, and that's supposed to take place in the week of April 14 to 23. The date is yet to be defined. We are working on some details for this course and I also thank Michael Karanicolas and Benjamin for their help. They have been extending me and ICANN on this initiative. But so far, the idea will be for one trainer which I think will be Alexandra Dans from ICANN org to facilitate this webinar. She's based in Uruguay and she's also a non-native English speaker.

If you guys have any suggestions or comments on how we can better specify or at least try to shape whatever is coming out of this webinar, I'll be more than happy to receive it. I also know Ben and Michael have been reaching out to some of our members who are also non-native speakers. So this can be helpful.

Answering to Farell's question, I just typed on the chat. "Why only people who has English as second language? What about people who use English as a third language or more?" Farell, this might be a bad [timing] from my side but it's definitely not focused on exclusively on people who have English as a second language. It's mostly focused on non-native speakers and how we can better improve our participation on this. My main concern with this webinar was for it not to be framed as an English class or how should the NCUC or NCSG members improve their vocabulary in order to better work with ICANN. So this is something we are taking good care of and I hope everything works out. This course, this webinar will also be transformed into another

module of the same ICANN Learn policy writing course that I just talked to you about.

That's it on the course/ capacity building on policy writing. Yeah, I also agree with Amr that, the people who speak more than three languages should be working on world peace. But then you can say ICANN is also world peace.

Moving on, I just want to announce one last resource. We Corona virus/ Covid, whatever the name you guys are using to refer to this virus, is affecting a lot of our travels and we have a lot of conferences being canceled. But NCUC still has three CROP slots, three CROP resources to be used for events until the 30th of June. So if you guys have in mind any local events, CROP only allows for traveling within regions, so that means if you're an African, you can only go to African events and so on. The length of the event should be in between top three nights and four days but can be less than that. So if you guys have any events in mind or any opportunity for NCUC sessions, CSG engagement, and you guys would like to use this resource, please let me know. Obviously, this is exclusive to NCUC members, but we will be more than happy to allocate those resources and help our members if they have any doubts with regards to this.

Also, I had some announcements on elections but I guess we can leave this for the elections debate and then I can conclude my [intervention] now. Thanks, Stephanie.

STEPHANIE PERRIN: Okay. Thanks very much. Any questions on the updates? I can see we're cracking jokes in the chat room, so it must be time to move on.

Okay, I sent around this morning to the NCSG list the proposed election timeline. It's not actually the proposed one, it was the one we used last year and I just copied it and slapped it in there to let people know the basic parameters of what we need to do prior to the next election. It's coming up soon and we have a lot of slots to fill. We have quite a few people who are term-limited. I'm certainly term-limited and leaving.

I'm very disappointed about the cancelation of – well, the expected cancelation of Kuala Lumpur. Nobody's announced that yet but I would find it very surprising if we went to Kuala Lumpur because we had been working on a workshop side by side or as part of an intersessional meeting where we could perhaps bring some new people in, get them used to some of the issues that we deal with in the Non-Contracted Party House meet together with the other side of our house, namely, the Business Constituency, and we would have a meeting in Cancún to discuss this. It's fallen off the agenda for the moment because of the cramming of so many workshops and meetings into the 75-slot schedule. However, I believe it's coming up in the next couple of weeks, so we will be discussing with our business [inaudible]. But we lose the money that was in the budget for this year if we don't get an actual face-to-face workshop schedule prior to Hamburg. The budget roll is over and we lose it. So that's really quite frustrating. I'm going to push to try to hold it as soon as we see what happens with Kuala Lumpur, but for those following the chat, I think

most people agree that it's likely that it will cancel. There had been a thought that maybe they'd move it to the United States but actually as someone who's sitting on the border of the United States, we're a little worried about how they're dealing with this, the states in the United States having declared – I'm probably out of date but at least three states, including California, declaring emergency situation. So it's unlikely that it'll move to L.A. at the moment.

So, that's very disappointing because we feel we need to build on the work that has already been done on these excellent policy writing courses and try to cover the next step, which is to bridge writing a comment into participating on Council or on the Executive Committee or as the NCSG Chair because we're having participation challenges. Now, those of you who tuned in on Rafik's last couple of policy meetings, they've been discussing appointing Vice Chairs and coming up with slightly different structure. That is what prompted me in fact to put the charter changes and workload demands on the agenda today. Because our charter, while it's a great charter, like all constitutional documents, it focuses on the issues of the day. The issues of the day back in 2009 when drafting was done was focused on new constituencies and how those are structured. So there's a lot of material in there on that topic, less on how we delegate and distribute the work and what the expectations of elected officials are and what the expectations of folks who are getting travel money. The folks who are actually doing the work on the PDPs or even the Policy Chair don't necessarily get travel slots, so that makes it very difficult to lead. If you take over as Policy Chair, for instance, and you're not a GNSO

councilor, you're out of luck to actually attend the working sessions at that meeting.

So that's kind of what I'm thinking about in terms of the charter changes and the workload demands. But are there any questions about the elections?

BRUNA SANTOS: Stephanie, if possible, maybe Maryam can share the screen or somebody else with our timeline for the election, just so everybody knows. I know it's on the list but it would be good.

MARYAM BAKOSHI: Hi, Bruna. I just want to add really quickly that the timeline is actually a draft timeline. We haven't finalized it yet, so do you still want me to show that or wait until we finalize it? Thank you.

BRUNA SANTOS: Maybe we can just highlight what will be the tentative dates so far.

STEPHANIE PERRIN: I don't think it hurts to put it up if you can, Maryam, because it gives a very good idea of the required timelines. We may move it around. Don't take the dates as gospel but it will be something rather similar to this. [Inaudible] I think it started soon.

MARYAM BAKOSHI: All right, thank you, Stephanie. I'm bringing it up in a minute.

STEPHANIE PERRIN: While you're bringing it up, maybe I'll … My screen tells me I'm muted. Can you hear me?

UNIDENTIFIED FEMALE: Yes, we can.

STEPHANIE PERRIN: Okay, great. Thanks. One of the reasons I wanted to sort of get our attention focused on this sooner rather than later, is to set expectations for those elected officials' roles. So if you read the charter carefully – and I regret still working on my job description for the NCSG Chair, but I promise to get it out shortly – the NCSG Chair is really a very heavily administrative position. There's no policy input. You have an ex officio role on the Policy Committee and the Chair can actually vote, but they're not responsible for those processes. A Policy Committee chair is chosen by the Policy Committee, so it's not an elected position. I do wonder, given the extreme importance and the amount of workload for that role and the importance of policy as our main function, whether we need to turn that position into a general election position – I'm just throwing it out there – it makes sense to me because of the importance of the role and I also think that it increases the understanding that that Policy Committee Chair is a key, key, key role from a Non-Commercial Stakeholders Group. So that's one thing.

In terms of the Executive Committees, the EC has a big role to play in approving membership applications and charter revisions and various sort of structural things like that, but again, not much on the policy side. And given that we are having a deficit of folks willing to come forward and work on policy issues, I think that might be a problem.

Then the other thing I would point out is – and we spent quite a bit of time last summer focused on this – but the Finance Committee has a lot of material in the charter. It's basically somewhat unfilled, it's not functioning well, and at the moment, we need to warn whoever runs for Non-Commercial Stakeholders Group Chair that they have to be ready to fund ICANN IT expenses from their budget because that's not something that the Finance Committee is currently doing. That may be an issue for folks who don't feel like lending 600 US to ICANN every month and getting it paid back in a couple of months.

So, I'm just saying that there are a number of dysfunctional things in our setup at the moment and either we get going and fix them, and I suppose some of the responsibilities sit on my shoulders but I don't know whether there's any appetite to do that. Or we continue on as we always have but I'm not sure that it will fix our deficit in worker bees.

That's enough for me on that particular subject. I would encourage you all to read the charter prior to us opening up the election again this summer and see what you think. Thank you.

JOAN KERR: Stephanie, it's Joan. I guess I should raise my hand, I'm sorry. Hello?

STEPHANIE PERRIN: Go for it, Joan.

JOAN KERR: With regard to the changes in the charter, either we make a decision to update it because when we update the NCSG charter, it's going to affect NPOC's charter, right? So I think that maybe what we should be doing is not just updating the charter but maybe looking at having integrated work. For example, NPOC in its charter has a PC Committee. NCUC has one and NCSG has one. So if somebody was going to be involved in what the policy is, that's three separate meetings or two, plus any other activities. I find that there's a lot of overlap in the constituencies so maybe the discussion is how can we streamline some of those duties, which would then would have to affect how the other charters are done as well. Does that make sense?

STEPHANIE PERRIN: Indeed it does. There seems little point to me in duplicating committees when we can't get enough people to do the work on the ones that already exist. Now, the charter itself clearly sets out that NCSG exists holistically as NCSG. Our councilors are NCSG councilors. They're not at the constituency level. And the charter is careful not to constrain constituencies in what they want to do. If NPOC wants to set up a Policy Committee, there is nothing the NCSG can do about it. Moreover, if they feel they want one then go for it. God bless. The

problem, I think, is that just as we found with a lot of the cross-community working parties that we're not working on policy but we're working on cross-community issues, it take an awful lot of our worker bees, puts them elsewhere, and somebody still has to cover the Policy Committees.

This is more of a discussion probably for the NCSG Policy Committee, on which NPOC has two members. That was how we intended to handle that constituency representation on Policy Committee, was to have each constituency appoint two members and you can have any member of observers. There's nothing to stop you from going back to NPOC and conferring privately as a constituency about that centralized Policy Committee. Does that help solve that question, Joan? What do you think?

JOAN KERR: Yeah, it does for now. In my mind, I'm always trying to streamline things because I think that's part of the problem is that people perceive it as double duties which then ties you down. So just to help people understand, this is what we do for NCSG, this is what we do for NPOC. In NPOC there was so much overlap in the committees itself, never mind NCSG or anything. I just don't want to do double work of having to redo the charter again because it was a lot of work. That's all.

STEPHANIE PERRIN: Okay. I think I see Amr and Bruna. I don't know whether that's the right order but can we go with Amr and then Bruna? Thanks.

AMR ELSADR: Thanks, Stephanie. That's alphabetically correct in terms of the order. So if Bruna doesn't mind, I'll go ahead. I have two reactions to this discussion so far. One, there's no way the NCSG Chair should have to spend money out of pocket. So if that is happening – and I'm sure it is because you said it is – then it surely needs to be fixed. I'm not sure that requires amendment to the charter. I don't think there's anything in the charter that requires – this is probably just a matter of working out whatever procedures that are with ICANN to fix that. But yet, please do look into it and see what can be done about that because if it's totally not right, the tendency is the Chair would have to spend money and then seek reimbursement from ICANN.

The other thing you mentioned was about election of a Policy Committee (PC) Chair. That doesn't sound like a very good idea to me, to be honest. The Policy Committee is populated by six elected councilors from the NCSG as well as appointees from the two constituencies and the ex officio member which is the NCSG Chair. Whenever a candidate is running for a Council spot or when a constituency is appointing a member to the Policy Committee, all of these people commit to doing a certain amount of work on policy development on behalf of the stakeholder group. At least that group of people should be relatively dedicated and should put aside the time needed to get whatever work they need to get it done. So there

shouldn't be a problem. They're having said that, I think it makes a lot more sense for this committee because this committee serves a function that is outlined in the charter, I think it makes more sense for that committee to select a Chair to coordinate its work from amongst themselves as opposed to having the membership appoint or elect one for them. So I think it's still a good idea that the Policy Committee just go ahead and appoint its own Chairs, select them from within its own members and not have someone else come in who's elected by the general membership. Thank you.

STEPHANIE PERRIN: Okay. Over to you, Bruna.

BRUNA SANTOS: Thanks again. Just a matter of clarification. This question has come over, over and over again, but when I joined as NCUC Chair, the decision we achieved with regards to assembling our own Policy Committee was to not assemble one. We know that this was somehow mandated to us, but then given the small number of actual volunteers, the people who do the work and have been able to follow the PDPs in the Policy Committee and the policy calls in GNSO and so on, the idea for us at the time will be to concentrate and maybe even streamline of work with the Policy Committee. So far this has been working, so I don't know how different it will be or, as people have said before, how much mirroring the work and how much repetition this would allow us to have.

With regards to the Policy Committee Chair, I tend to concur with Amr's position. I do think that sometimes an election of whoever is going to guide the Policy Committee work entails a lot of the publicity and popularity job. This is not necessarily what people want for the Policy Committee. I kind of agree with the need for more formality with regards to the length of the term and how the actual nomination is done, but I also agree that maybe an election may not be the initial approach here. Just a quick note.

STEPHANIE PERRIN: Okay. Over to Tatiana.

TATIANA TROPINA: Hi, everyone. I hope you can hear me well. I wanted to put my two cents about the election of Policy Committee Chair as a Policy Committee member, who right now see the workload and how we struggle with these. First of all, I would say that I fully support Amr that it's probably not a good idea if the Chair position is put in to general elections.

First of all, I do trust that as members of Policy Committee, GNSO Council members as you know, and those who are appointed by NCUC, I believe that there is enough accountability and trust in those Policy Committee members to actually choose/elect the Chair among themselves. But I think, like, for example, recently we had the Policy Committee call about restructuring the committee, maybe appointing two Vice Chairs how to deal with the workload. There's some issues

which in we have to decide on and see how it goes. For example, one of the questions is, should the PC Chair be GNSO Council member? Because the Policy Committee work is actually connected to the GNSO Council work, but not really. So how much of streamline we can do, how much the process of information exchange is going to work here?

So I do believe that it is a lot of work to be PC Chair. I do believe that to be a PC Chair, one has to understand the dynamics of what is going on. And the PC members know these dynamics, so they can see better like who is going to put their name forward. When it is not an elected position, it is much easier if we see that help is near to a person who cannot do it anymore. There is an easy way to swap it around to make changes. Once it's an elected position, we are basically locked and stuck with someone. And yeah, okay, let's assume that this person will do a good job but what if not? Then the entire PC work is basically stalled. So I believe that we just have to go with what we have now instead of turning it into a contest in front of all the membership. We just have to decide among ourselves who's going to do this job and how it's going to be done, and distributed between Chair and Vice Chairs and so on and so forth. Thank you.

Sorry, I do agree with Bruna as well. We remember the situation with NCUC applications for the PC membership. I think we have this year after year after year that we do have a lack of volunteers. So let's just people who are actually putting their names forward and they are appointed by NCUC or NPOC to do this job together with GNSO members and learn. I do believe that in terms of, for example, funding, if a PC Chair, Vice Chair is not a GNSO Council member,

maybe we can see how these can be funded by the NCSG on their [inaudible] or something. Honestly, almost every meeting one GNSO councilor [inaudible] drops, so why don't say that those PC members who are not GNSO councilors should replace the councilor in this regard? So we can see the ways around it, but let's not discourage the volunteers, which we already have, and let's not interfere the dynamics of Policy Committee with something that might not go well. Thank you.

STEPHANIE PERRIN: Okay. Does anyone want to talk about workload distribution? The Vice Chair idea has certainly been around for a while and is not problematic. I'm just worried that even the Vice Chairs, likely the folks that are already doing the work are going to be in the Vice Chair load position. I'm more worried about how we motivate others to pitch in and help with the work.

I realize this is not my job, this is Rafik's job and if he thinks everything is under control then I'm out of line by even putting it in our NCSG meeting, but it wouldn't be much of a meeting if we didn't discuss policy. So any more further comments on this? Rafik, I see your hand up. Great, thank you.

RAFIK DAMMAK: Hello.

STEPHANIE PERRIN: Hi, we're on charter changes and workload demands, which then morphs into the policy update.

RAFIK DAMMAK: Okay. Yeah, I'm trying to catch up the discussion anyway. I think in terms of the workload, maybe one thing we can clarify is it's not about how having just Chairs or Vice Chairs, but there is expectation how the committees work and function to support and to achieve their work.

First, forget about [being worried] about the workload really. This is more how we can improve the work of the committees. And when the Policy Committee had a call, organized a meeting a few weeks ago, that's one thing we discussed to understand about the role of the Chairs and the different tasks to be done, so how the [inaudible] members can help for this task.

Going back to the discussion of the election, elect of the Policy Committee Chair and so on, I'm not sure if this really is required or needed. I think how the charter was designed is not just about Chairs but about how we organize the work in NCSG with committees. Like we have Executive Policy Committee and Finance Committee is to ensure that not everything is done in just one place, to split the work within it and to ensure also that I think to have people with different experiences and interest to get involved. So I know we have sometimes have difficulties to get volunteers but having more elected position will be the solution. So, many of these committees are formed by presenting from constituency. Like in the case of the Policy

Committee, we integrate the elected people like first, the representatives to GNSO Council.

I think we have for now someone. I think the situation is not more about electing or not, it's how more to get the committees to work more and share the workload with the Chairs, so to ensure not just one person trying to do most of the work.

Sorry for rambling, it's just we [inaudible] a few a minutes ago, so trying to catch up.

STEPHANIE PERRIN: Okay. Over to Milton. Thank you, Rafik.

MILTON MUELLER: Hello, everybody. On this question of the Policy Committee, I really think that there should be a very strong connection between the GNSO Council members and the Policy Committee. Obviously, the people who are elected the Council are supposed to be dealing directly with policy and the policy development processes, and not so much with the administration. Therefore, they would be not only in a better position to know what policy issues are coming up but also what the substantive debates are about. I think in our original charter, we just made every councilor a de facto Policy Committee member and may still be the case. I don't really remember now. But why can't the councilors just decide among themselves who is responsible for running the Policy Committee?

I'm not so keen on this idea of Vice Chairs, because again that just looks to me like a position, a label that people might run for, for good reasons or bad reasons. Maybe they just like the vanity of being elected to something like the Vice Chair, but there's more necessary connection between the ability of the person to execute something and their ability to get elected from the constituency.

In terms of reducing the workload that help the Chair, you don't need a formal election for that. You need a Chair who knows how to press people into service. You need somebody who knows how to mobilize people and get people to help them. Truly, if somebody does stand for a Vice Chair and get elected to that, you have some kind of a claim, but I think we've all seen situations in which people who are elected to positions, including the Council, end up not doing anything. So I see the Vice Chair thing is not necessarily a solution. I see it as being kind of a symbolic thing. Thank you.

STEPHANIE PERRIN: Well, I think the next person in line is Joan.

JOAN KERR: I will disagree that … well, I agree that some sort of recognition of people's responsibility. When you're doing community engagement and you want people to be responsible, if they don't know how to do it, you spend the time to teach them. Now I know that's not possible. But the Vice Chair is not about travel or anything like that. I interpret it when I read Rafik's e-mail was that he was thinking of ways. As he

says, how do we distribute the work? So if you can say to someone who can be responsible for reporting, somebody who can come in to a meeting, knowing what's happening if the Chair is not available, that's what makes a committee strong is that you're not always depending on that one person to do everything. Do some people not do the work? Absolutely. But others do. So we cannot make a decision because some other people didn't do work, but a lot of times people just need to see a model, given responsibility, they need to feel important, whatever. I just want to say that I wasn't thinking about the trips and that people are wanting that. Maybe that's the case. In my experience, in community engagement, a lot of times people stand up and do what it is if they know how, if they're accepted, and especially in ICANN, they need to know a lot in order to step up. So there's a lot of resistance not to helping but to not knowing. I think that's the problem. So having a role that seems important, they may step up and that's how I interpret it, the e-mail. Thanks.

STEPHANIE PERRIN: Okay. Over to you, Poncelet.

PONCELET ILELEJI: Thank you, everybody. I just want to in a way agree with Milton in a sense that if we look at the current composition of how policy works at the NCSG level, we'll notice that we have representatives from NCUC, we have representatives from NPOC within the overall policy framework of NCSG. And what we have to do since people have signed up willingly from NCUC and from NPOC should be within the policy

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process in NCSG, those people have to be designated particular responsibilities by the Chair. I don't think we really need the Vice Chair. I think if the Chair comes out, "Okay, we are policy level. This is what we're going to do. Representatives from NCUC, this will be your role within the NCSG Policy Committee. For NPOC, this will be your role." So there are set defined roles. So when you go there, whether your NPOC Chair or your within the NPOC Policy ExCom, you know exactly your role. So the role should be well-defined.

I think Rafik has done a very good job, but I think now is the time that we have to make our representatives who willingly decided to be on NCUC and policy, representatives in NCSG or NPOC, to stand up to these roles that we defined for them within the NCSG policy framework. I don't think we really need the Vice Chair. It's working fine but roles have to really be defined so that the streamline we have been talking about will be well-defined, and then we won't have any problems. That's my view. Thank you.

STEPHANIE PERRIN: Okay. Tatiana?

TATIANA TROPINA: Thank you very much. I do respect very much the point of Milton and Poncelet about Vice Chairs and streamlining the work and distributing it and that it just needs someone like a Chair who is distributing well. Right, in theory. But what do [inaudible] mean is that you seem to ignore the current situation that we have a PC Chair, Rafik, who at the

same time a GNSO Council Vice Chair, who at the same time a Vice Chair for EPDP, and so on and so forth. Experienced Council members and we all have a job. They have quite a few new GNSO Council members and we just got the new members from the NPOC and NCUC, which I'm happy about because the Policy Committee got a major renewal.

So what we are planning the Vice Chairs for is rather for people to step up who can do a bit more work and take a lead on something, just to know that they are supposed to organize it a bit more. We have this Vice Chair a few years ago when it was clear that nobody was stepping up as a Chair of the PC, and we have a Chair and Vice Chairs just to help. I think that what we are forgetting about that it is a lot of work. And don't tell me that it is great work and volunteers should [appreciate] being PC Chair. It is a lot of work on the top what Rafik is doing, for example. It would be a lot of work, whoever experienced is going to do this or less experienced. So why don't have someone who is formally appointed to take over to allow this Chair to have a holiday? I know to just really make the entire task at least looking a bit easy, if not being a bit easier. Or why don't we try? So if it doesn't work, it doesn't work. But it might work.

The last point, I believe that what we also want to do with this Vice Chair institution, right now Rafik is term-limited. We want to ensure the smooth transition. Vice Chairs right now, whoever is going to help Rafik, they're there. Bear in mind that they either can ensure the smooth transition to the next PC Chair, it wouldn't be one of them. Or maybe looking at the workload and getting acquainted with the job

and everything they can step up as elected Vice Chair elected by the PC. In theory, it's very different from practice, I would say. Thank you.

STEPHANIE PERRIN: Okay, Rafik would like to speak, but if I may just get a word in edgewise. I urge people to have a look at the charter because you will find that there's very little power in these positions to delegate work, and that's a bit of a problem. There's a lot of oversight of the Chairs and ability to toss them out, vote them out, all that's been taken care of in the charter. But there's no real power for our Chair to actually divide up the work and say, "Okay, I need someone to do this. Let's find someone." Obviously, that comes with leadership. Delegation is partly a leadership responsibility. Getting people ready, grooming people to take over is a leadership responsibility, but it's rather difficult to do in our environment, I would suggest.

Thank you. Over to you, Rafik. Sorry to apostrophize here.

RAFIK DAMMAK: Thanks, Stephanie. I think it's good opportunity for everyone to understand how things are being done currently. Maybe taking what you just said regarding with the charter, it's outlining about the roles and responsibilities. It does for the Policy Committee as a whole group or structure. What's happening is that the kind of the task or the work is being defined on the job and when we have to deal with things. To be honest, I believe sometimes it's not just in that role or the people itself, it's like how now as NCSG we got to be in reactive mode because

the work and the initiative that we have in ICANN and we get to respond between public comments or having to join working groups, different committees like in GNSO Council and so on. That's able to define new tasks for us like appointing representative from NCSG or ensuring that we are responding to public comments and so on, while we are also supposed to do some more clarity finding or to help to define the Policy Committee level and the NCSG position in terms of policy and our topics. That's how we end up to get a new task and to define the scope. So that's really on the job.

When we had the discussion on the Policy Committee level lately, what I'm thinking is to start to have this job description. And also, I shared with the Policy Committee members to give them idea what kind of task or work that can be done that is not visible behind the stage. So when we start doing that, it will make clear for anyone to volunteer to see what is expected and to ensure that they commit to that work.

Back to the idea of Vice Chair, I think some people already mentioned that it's really to ensure that, to some extent, sharing the workload, but also to have that smooth transition because we can expect that maybe Policy Chairs stay for two, three, or let's say maybe even four terms, but to ensure that there will be new leadership also I think we need to work more in some institutional [leeway] and setting up the operating procedures so these are clear.

I can understand the concern from Milton as how we can still be flexible. It's not about adding more bureaucracy or being more formal.

But it's how we can ensure that we have that institutional [role]. For example, we don't need to really discuss again every time we have to do some selection process. We have that. We use it in doing appointment or selection. So that's how I see it can improve also at the end.

Having some titles can motivate people because it also gives them more visibility within the community and also what is important is to make them more committed and responsible and accountable, and I think we need to highlight that so when someone is elected, they are accountable to the members who appointed them. And so the question here is how we can ensure that accountability and the performance of the elected officer and committee as a whole and ensure that they are delivered. That's one method. It's really how we as NCSG become more strategic and do the planning. So their discussion is happening, for example, at the GNSO Council level and I think this is good. The question for us how we can do in a similar fashion how we can organize ourselves to not just in reactive mode and to be more proactive, and if needed to push for some position or some agenda when it's needed. That's it for my side.

STEPHANIE PERRIN: Okay. Thanks, Rafik. Poncelet, is that a new hand or an old hand?

PONCELET ILELEJI: No, it's a new hand.

STEPHANIE PERRIN: Okay, great. Fire away.

PONCELET ILELEJI: Just pondering over all the statements Tatiana, Joan, and Rafik just made, I'm trying to first have a compromise or [inaudible] especially when Rafik just mentioned about having a smooth transition. One thought that came to my mind was us having a Vice Chair role that will be rotating among the two constituencies within NCSG. So, for example, we now have the PC Chair, Rafik, and we know that, "Okay, NCUC is producing the Vice Chair." So from all the representatives that are going to be on the PC from NCSG, one person is going to be the Vice Chair. The next year it happens, it goes to NPOC, and like that, like that. What happens with that is that when Joan talks about building capacity and stuff like that, we are going to be proactive because both constituencies will know that a time will come whereby their member is going to be a Vice Chair and they have to be accountable, whoever is holding that responsibility to all of us. To me, it sounds a good compromise and it makes the two constituencies standard that whatever we have to do to support the PC to streamline this work and to make us be more proactive in our PDP processes, there's a structure in place because that Vice Chair is going to be able to [inaudible] constituencies. Those are just my thoughts. Thank you.

STEPHANIE PERRIN: Okay. Are there any more comments on this particular topic, or have we exhausted it? My sense is that it's exhausted. I still believe that however we face this, we're not going to necessarily solve our

workload problem, but one step at a time. Maybe we could move on then to the policy update.

Now, Kathy is willing to update us on the committee that she manages. I did ask Robin but I don't see her on the call, if she could update on SubPro. Is there anybody else that is on Subsequent Procedures that could tell us what's going on there? Because I certainly can't. I have been preoccupied with the EPDP. So if there's anyone else on SubPro, please put your hand up. If there isn't, then this is a pretty good illustration of why we have a problem on staffing our policy files. Okay, nobody on SubPro. No volunteers? Well, that's going to give us three quarters of an hour each on rights protection measures, which will be Kathy when she comes, but there's an overlap with the actual meeting and on EPDP. Milton, would you like to discuss where we are with the EPDP for the benefit of those folks who are not on the EPDP?

MILTON MUELLER: Okay. We are really fighting the same old battles that we have been fighting for the last two years. But I think the most important thing to emphasize is that there is a comment period which is open and we are supposed to be putting out comment as NCSG via the comment on the interim report.

So I'm just curious, let's just play with our little Zoom thing here and click the green "yes" if you are aware that there's an open public comment period on EPDP. So I'm going to click "yes" because I was aware. Let's see who else does. Bruna was. That's very good. Tatiana

was. Very good. Okay, so we got three. Looks like Farrell was. We have three people here.

Okay, so again, I'm sorry if I sounded a little skeptical about the whole Vice Chair discussion but we have clearly a bit of a bottleneck. Nobody apparently is leading our comments on this. I did submit comments on behalf of my own organization and I sent copies of my comments to I think everybody else on the EPDP, maybe even to the NCSG list. I can't remember. But somebody just has to pick up the ball and take responsibility for coordinating and developing our comment as a stakeholder group or as a constituency.

I would also wish that we had enough ties to the world's privacy organizations and that the world's privacy organizations understood the significance of the WHOIS issue enough that they would be willing to comment and that we could motivate them to comment.

That would be my main point I would want to make about the EPDP. Now, if you want me to talk about some of the substantive issues that we're dealing with, I could do that, and then I would turn it over to Stephanie or Amr who are also very aware of those substantive issues. Would you like that or do I not need to do that?

STEPHANIE PERRIN: Well, maybe we can take this in a volley. I'd be happy to address your comment about the world's privacy organizations commenting. Then we can get back to the substance of what they would actually put in their comments.

In my experience, if you want a substantive response from busy Privacy Commissioners – and when I say in my experience, for the benefit of those who don't know me, when I was in the Privacy Commissioner's office in Canada, had I not already written the privacy policy for CIRA, I would not have had a clue how to respond to the request from Kathy to write a letter. I expect they would've dropped it because they had plenty of other fish to fry at the time. ICANN is an abstruse thing, hard to understand. Good luck understanding the reports that we're issuing. Good luck finding your way through that comment grid that we're releasing.

So I think most Privacy Commissioners are going to duck. It is not their role in life to respond to public comments. Remember, some of them are specifically constrained by their legislation from commenting on their own government's input. Some aren't. Some have a specific mandate to comment on law. So they're kind of all over the map but they're busy and they're extra busy right now, either complying with GDPR and enforcing it or conforming to GDPR and advising their governments on how to write their new laws. So the chances that we're going to get a whole lot of Privacy Commissioner response, I would say pretty slim, although I am writing to my Privacy Commissioner with a crib sheet. In case you're wondering, here's what we're putting. And I would encourage everybody to write to their own civil society organizations to get them to put some comments in. It's easy enough if you write them their briefing note. Thanks.

MILTON MUELLER: Stephanie, no, I was not talking about Privacy Commissioners or governmental agencies. I would not expect them to be commenting, although I would expect them – it would be a good idea to alert them by, for example, sending them our copies and of course at IGP, we have written a blog post about our nation which was designed to alert privacy authorities and it seemed to have had some impact. But I'm talking about the advocacy organizations that are supposedly tracking these privacy issues and surveillance issues. I don't understand why EPIC or EFF or others, particularly EFF which devoted so much time to the .ORG question, which arguably is less significant.

That was a factory whistle there. Most of you probably didn't know that I am a factory worker here at Georgia Tech and the whistle has just blown and I'm off work but – no, that's a joke.

So where was I? EFF, EPIC, Privacy International, Access Now. If we got the kind of reaction to this that they did on .ORG, we would certainly have a much greater impact on the process, understanding that we are up against Facebook, the trademark interests and some of the surveillance interests, to want to make access to this redacted WHOIS data as automatic as possible.

STEPHANIE PERRIN: I don't see any hands up. I think if I may just comment one of the problems that we have here is that we really should take the time to go out and master [turf] this thing. But the work is continuing in a lot of hidden agenda items that were parked earlier are now being debated and coming up again as everyone on the EPDP knows. We are

tad short-handed as it is but we can't take our eyes off the ball to spend time reaching out to privacy organizations.

But yes, Bruna has put in the chat a question, "Should we reach out to the privacy advocates?" Absolutely. It's not even so much as gathering input to our comment but to get them to comment themselves. Yes, it's under two weeks, the deadline. That's why I asked what they were going to do with comments that came in after the fact.

I think Milton has pointed out that there's been a pretty successful torrent of discussion on the .ORG sale. As far as I'm concerned, this is far more important, so if they won't accept the comments, excellent. We can post them; we can send them to the correspondence file. We'll just get everybody to comment and send them in to Goran and the Board. They'll be in the correspondence record for all eternity because this was too short a comment period and we've had this [inaudible] with whatever it's called, Coronavirus. I have no conscience. Let's just write them and do it in text. Don't do it in the stupid grid. Thanks.

Okay, do we want to run over what we think are important policy issues on this before the deadline? The deadline being when Kathy shows up and can talk to us about the RPMs. If somebody doesn't speak up, I'm warning you, I can talk for at least two hours on this.

AMR ELSADR: Stephanie, this is Amr. To be honest, I just direct our members to go ahead and look at the Google Doc that we're going to be putting our comments in to. We haven't answered any of the questions yet, so if

you look at the document right now, it's basically a bunch of questions and every single one of those questions is important. So there's little substance in terms of our response. There's no substance in terms of our response. But really, every single item that we need to comment on is to varying degrees of importance but they are all important. Whether we're talking about automated disclosure decisions, whether we're talking about financial sustainability, whether we're talking about the geographic nature of the applicability of the policy, it's all really, really important.

So I would encourage our members to go ahead and look at the Google Doc. I shared the link to that a few weeks ago. If anybody has any questions then please send them to NCSG Discuss. We'd be more than happy to engage on this topic there. Thank you.

STEPHANIE PERRIN: Okay. Over to you, Bruna.

BRUNA SANTOS: I was just going to read my comment on the SubPro but I think Milton wants to follow up on the EPDP, so I can go after him.

MILTON MUELLER: Thank you, Bruna. You're right. I wanted to just say that I just sent my responses to the EPDP internal report questions to the EC list. I did not want to send it to the open discuss list because from spies. I know it sounds a little paranoid but we don't want our responses to be viewed

in advance. This is a typical game we play in Washington public comment regulatory circles. You don't want to give your opponents the opportunity to know what your arguments are.

So yeah, I also did send them, Rafik, to the EPDP list other than NCUC. I don't know the PC list. I don't even think I'm on it. I'm not even sure that there is a PC. I'm just kidding.

Okay. So my operational security, Tatiana, is not the greatest but the point is, we turn out talking about it in a public forum with 41 people listening, including Adam Peake, who I suspect of being a spy. So I did send it to the EC list. Anybody can look at those responses and annotate them, they can copy them. I will not see you for copyright violation. And remember, every organization or every individual member of this constituency is capable of filing a response to this. It doesn't have to be only the NCSG official response. Okay, enough.

STEPHANIE PERRIN: Okay, have we exhausted the topic of EPDP? I must say that … Oh, Volker. Welcome, Volker. I must say that in my substantive comments that I'm sending around, they won't fit on the grid. I'd like to focus on a lot of the issues that we are not addressing such as the shemozzle that we have gotten ourselves into with respect to [our] controllership, etc. – so, Volker, you're just in time – and the failure to do a proper privacy impact assessment which has repercussions throughout the organization, because we keep importing into the EPDP discussions items that ought to have been cleaned out two years after the implementation of GDPR. In other words, if there are requirements in

other PDPs, in other policies, in the bylaws themselves that we have inherited that have not been reviewed subsequent to the passage of GDPR, and I would add the California Privacy Act, they have not been fixed. So we on the EPDP are dealing with this crap coming in all the time and in fact it doesn't pass the law. So that is something that is not on the grid as one of the questions, to the best of my knowledge. If you can tell me where it is, I will stand corrected.

Okay. Amr, is that a new hand? If so, over to you.

AMR ELSADR: Thanks, Stephanie. Yes, it's a new hand. I completely agree on the data protection impact assessment issue. I think we need to raise that in our submission. Since Volker is also here, there is something I want to flag. I think I might have mentioned this in passing before, but something I will propose putting in. I'm not sure what kind of reaction this is going to get even on our own team, but the European Data Protection Board provided advice on one of the lawful basis that is used to process personal information. I think it was around October. The lawful basis that they focused on that guidance was 6(1)(b), which is when you know when a processing activity is required to fulfill a contractual obligation or if it's something at the request of the data subject.

We used this lawful basis as the basis for processing data for the purposes of dispute resolution processes in Phase 1. I think we got that wrong, and I say that based on the guidance that the European Data Protection Board provided. I think it would be helpful that the

EPDP team at least has a discussion on this and to see if there's any merit to that thinking.

Yeah, Stephanie, we did but we submitted the final report of Phase 1 I think around February or March of last year, and the European Data Protection Board didn't provide its final guidance on the topic until I think around October or November. So it's months and months later. This is something I'm working on as part of – just one thing I propose to include in the NCSG submission and I hope to get a feedback on that from other NCSG members as well as the contracted parties folks who we've been working very closely with or since the EPDP began almost two years ago. Thanks.

STEPHANIE PERRIN: Kathy, over to you.

KATHY KLEIMAN: Hi, everyone. Sorry to be joining late. This is Kathy Kleiman and I'm coming in from the Rights Protection Mechanism Working Group. I am only catching the last part of what you said, Stephanie, and what Amr said but I think this may be related, if it's not, kick me out of the queue. But we just made what I think is a big mistake today in the Rights Protection Mechanism Working Group. We were working on our recommendations for the initial report and we've been asked some questions by the EPDP a number of months ago, like last summer. That went to the GNSO Council, and they had to deal with the

complaint for the Uniform Rapid Suspension. I'd love some guidance from everybody here because I'm feeling pretty badly right now.

Right now, the major group that runs this Uniform Rapid Suspension arbitration to just ultra fast trademark takedown for new gTLD is now unfortunately for .ORG. The complaint is supposed to have all the information about the registrant. What happens a lot – to keep the cost down because this is such a cheap process – when you put in a domain name, the system actually of the major provider actually just fills in whatever is in the WHOIS. So it's redacted information from any registrants.

Then the question was, "Is that okay?" The answer is yes, you should be able to file a complaint with that. What happens now is then the registry or the registrar provides the provider the dispute provided with the redacted information. The complainant gets to find out who's really involved in the complaint, the examiners know as well. It's okay, it's just not published. My working group just approved upon request – I'd love to know what you think – a requirement that the complainant be allowed to amend the complaint whenever they want for really any purpose and putting the redacted data, and then that will automatically then be published with the decision. So the registrant, whether they found guilty or innocent, basically, will have their data published. This is going to be the recommendation of the RPM Working Group. Just thought I'd ask what you think. Thanks. Thanks for so much time, Stephanie.

STEPHANIE PERRIN: Now, thank you for raising it, Kathy. It's a great example of procedural issues that people are just going to brush aside as procedural issues when in fact they need to be revisited to ensure that they're compliant with law. I'm sure you told them it was illegal.

KATHY KLEIMAN: Stephanie, I just followed up. It's going to come back to you though. EPDP can never rule us with the expertise. It's going to become a ball I think that gets passed back and forth between EPDP and RPMs. So back to you.

STEPHANIE PERRIN: The sad, sad truth is that the EPDP is now exactly teaming with privacy experts and they are teaming with a lot of people with vested interest who are going to try to fight that one. But we'll do our best, and that should go on our list of deal breakers, I think.

Are you all set to talk about rights protection measures? You're coming straight from the meeting. Most of us ... at least, I put my own hand up, I haven't got a clue what's going on there. So we got a policy update if you don't mind.

Hold up. I beg your pardon. Volker's got hand up, so I better get Volker before we go to rights protection mechanism.

VOLKER GREIMANN: It's certainly teaming, all right. Thanks for letting me speak in your group though I'm now a former member. I think the problem is not

that they can amend the complaint because that is something that in many cases actually helps the quality of the complaint and the quality of the process. I think the problem rather is how easy and how fast they can get the information to amend the complaint. I think that's the hook that we need to look at. The meaning of the complaint itself is not the issue. They have a cheap process where they can get the information for a very reasonable amount of money guaranteed. I think that's the problem that we need to look at. Thank you.

STEPHANIE PERRIN: Thanks. I think that's very helpful, Volker. You'll be there when we get that Frisbee tossed to us.

VOLKER GREIMANN: I'm not going to run away. No.

STEPHANIE PERRIN: You can join anytime as an independent member of NCSG. We'll take you, you know.

Okay, all joking aside. Any other comments prior to leaving the EPDP and over the rights protection measures? No? Okay, Kathy, take it away.

KATHY KLEIMAN: Okay, let's see. So we are finishing up Phase 1 of the Rights Protection Mechanism Working Group. We really should have started with Phase

2. We really should have been reviewing the foundation of rights protection mechanisms, the oldest consensus policy of ICANN. We should have been reviewing the UDRP, the Uniform Dispute Resolution Policy, but we didn't. We were told to start with this Phase 1, which is the data protection mechanisms specifically created from new gTLDs and now unfortunately slowly, slowly being extended to legacy gTLDs by the bilateral contracts of ICANN.

So this is the Trademark Clearinghouse, which is a secret database of nationally registered trademarks. It's trademark notice, Sunrise periods, different ways of rolling out new gTLDs, that will be ... if our recommendations are accepted, they will go into the next round or rounds of new gTLDs. We looked at everything very carefully and we tried. Most of the draft recommendations are to kind of continue what we're doing. So you'll see if you've covered the Sunrise period, if you've gotten a trademark claims notice, you had to go to a Uniform Rapid Suspension Dispute Resolution Policy for your domain name. All of these will be continued for new gTLDs. That's the recommendation in our initial report. It will be coming out in a week. We'll definitely need comments from the Non-Commercial Stakeholder Group.

There are areas that much more seriously impact human rights and free speech. In some of these issues, in areas that don't in general privacy registrants rights, ability registrants to defend themselves when they were accused by a trademark owner or kind of some of the underlying principles that Non-Commercial Stakeholder Group representatives have been fighting for now for four years. Does that give you the background, Stephanie?

STEPHANIE PERRIN: Sorry, Kathy, I lost my unmute button there for a second. Yes, thank you very much. Does anybody have any comments on this? Who do we have on the group besides yourself, Kathy?

KATHY KLEIMAN: Who's been participating? There are some academics that have been participating. I'm not sure if they're affiliated. Rebecca Tushnet of Harvard Law. Michael Karanicolas until recently was very active. Martin Silva Valent until recently was very active. Who else? [Inaudible] has been active over the years. It's a long process and you can kind of understand that people lose steam towards the end.

STEPHANIE PERRIN: Right. When is it wrapping up again? Remind me of the date again.

KATHY KLEIMAN: I think the comments are coming out on the 18th with lots and lots of recommendations from the working group as well as things called individual proposals that are ideas of one person or group of people. They didn't rise to the level of recommendation but there's a lot of interesting, unusual, some people might say dangerous ideas floating around.

It'd be great to get the group of people from Non-Commercial Stakeholder Group come together to fill out the forms. The forms are going to be a little unusual I understand. We've seen some prototypes

where you can't kind of submit the freeform text of the past. You have to respond to the specific issue in question that are being asked. So I kind of have to prepare notes in a different way. But anyway, it would be great to get a group of people who will be ... It comes up on the 18th, again, I think. Then it'll be open for 40 days for public comment.

STEPHANIE PERRIN: Do we have concerns about this manner of obtaining comments? If so, did we miss an opportunity to comment on a change of procedure and therefore we have to shut up and take it now? Not to put too fine a point on it. Because I know I'm concerned about it as a way of manipulating the comments on the output. The questions are fine. They're good questions. I'm not questioning that, but there's a whole ton of other things that are also implicated at least in the EPDP and in any others that I've seen where there's been templated responses.

KATHY KLEIMAN: I agree with you, Stephanie. Some of us were concerned when we saw it. We were told the EPDP did it, so we should do it. There's a lot there.

STEPHANIE PERRIN: Okay, Volker, I see your hand up. Is that new or old?

VOLKER GREIMANN: That's new. I think it's concerning because it forces the responses into a certain pattern and creates a lot more work to reference back and forth between the recommendations and what you're actually writing.

The Registrar Stakeholder group went through the effort for the EPDP recently and it was a lot less fun than the usual work we do when commenting on recommendations. I can imagine that third parties will be deterred by this form of responding. It also made it more difficult because we were never quite sure where to put a certain comment that we wanted to raise.

We have some objections to it but I don't think the common process itself is the right way to address it. I think it's something that might be addressable in the public forum maybe. We haven't thought about how to address it yet, but it's something on our minds as well.

STEPHANIE PERRIN: Personally, I have a lot of concerns about it. Maybe it's something that we should raise with the Board when we talk to them. Or it should go up through the GNSO. Because if this is how we're going to be sort of pruned into shape on all our comments, I think it's a real worry. Milton, I see your hand up.

MILTON MUELLER: Surprisingly, I have mixed feelings about this. I think the good thing about the new method and understand it, like so many things, this is staff driven. So the staff has to compile and summarize these comments and regurgitate them back to the working group involved. So they're making their job and their lives easier by forcing you into specific questions, but it also makes the process of assessing what people support and don't support in these comments a lot easier and

a lot more accurate. Then of course, you have to be careful with how the questions are defined. But I remember many times making extensive sort of freeform comments and having staff members just not understand them or ignore them or misinterpret them. This method makes it a lot harder, so there are some good things about this process.

I think the solution is simply to have at the beginning or the end a sort of relatively general freeform thoughts about this proposal in addition to, "Do you support Recommendation 1? How would you want to amend it?" What's another good thing about this method is that when you say you don't like a particular recommendation, they're saying, "What would we have to do to amend it?" Again, I would want us to just go in and whine about this. I think we need to take into account the practicalities of it. But I also agree that for a third party coming in from outside of the ICANN context, not deeply embedded in the process, this is a very forbidding way of interacting.

STEPHANIE PERRIN: Thanks. I agree. I do think and we have over time complained many times about having our comments ignored. I do think it's helpful for that, but I'm worried about the other side effects and maybe the answer is to provide at the end of it rather than inviting people to have a screed at the beginning. Maybe the thing to do is at the end say what additional work items, issues, bullets and then make them put it in the grid. Force them to format it because some of comments are pretty unwieldy. Okay. Amr first, then Kathy.

AMR ELSADR: Thanks Stephanie. I'm basically agreeing with Volken and Milton. I mean, I think this is okay for our purposes, for third parties that might be more complicated. But my understanding is that you don't have to actually submit a comment using the form that staff provided. Every recommendation on which we're being asked to provide inputs does have a free text sort of a box where you can provide additional comments. I believe there's also a common box to do the same at the very end that isn't associated with any single recommendation. So that might be where we want to bring up issues like the data protection impact assessment, the lawful basis for dispute resolution processes in ICANN, that sort of thing, anything that we're not specifically being asked to comment in the form itself. I think it's relatively flexible for our own purposes. I think it should be okay. Like Milton said, it's helpful to staff and it will ultimately be helpful to the EPDP team when we're doing our review.

But the one thing – I don't think this really resulted in substantial problems at all, none that I could identify at least, but I will flag that the EPDP team didn't actually see the form that was being submitted to solicit public comments until it was posted. I think there was a deadline to get it done and the EPDP team, including support staff, were really busy on a number of issues when we were prepping for this and we ended up seeing it at the same time everybody else did or possibly just a few hours before. But we were told that it would basically be the same sort of form that was used to solicit public

comments on the Phase 1 initial report, which was comforting because all the features that I mentioned earlier were in that as well.

Don't take my word for it. Like I said earlier, go ahead and take a look at the template. It's on the Google Doc that we're going to be providing our input from. If you have any concerns, please do raise them. We're more than happy to engage with our members on this. Thank you.

STEPHANIE PERRIN: Kathy?

KATHY KLEIMAN: Thanks, Stephanie. I should continue to voice, Stephanie. I understand the reason for it. It is a little off putting. I wonder how people are going to kind of track. It's hard to track draft versions unless there's a way to save it. Maybe people know how to save the drafts here.

I also understand that there are groups that will not be able to participate in our comment process because they can't access Google Docs, that somehow they're blocked in their countries or their regions from accessing Google Docs. I was wondering if anyone on this call knows more about that. What kind of countries or regions would not be able to use Google Docs because then they've got a higher hurdle. At least, for the RPM, they understand they have to reach out to staff versus kind of having to do automatic default that says, "I can't use a Google Doc so let me submit it in another way." Because the more hurdles you have, the more people you have to interact with in order

to submit a comment, the harder the hurdles are. But I was wondering if anyone knows what countries or regions have difficulty accessing Google Docs. Thanks.

STEPHANIE PERRIN: I don't see anyone putting up their hand for that question. I think maybe the workaround would be for ... it's a painful workaround, but the painful workaround would be for someone to volunteer to be the conduit into the Google Doc for the person who's made the comments. In other words, pass a Word file in write up and have that person transfer the changes to the Google Doc. I don't think we're there yet. We don't actually have enough people commenting on our comments, let alone doing workaround like that. But perhaps if there are enough countries involved, we should at least offer.

Okay. We are way ahead of schedule, partly because we don't have a discussion on SubPro. I see Milton's hand. Milton?

MILTON MUELLER: Just when you thought it was safe to end the meeting. What about the discussion of the Board? I think it's tomorrow. Shouldn't we be talking about what we're going to be talking about with them?

STEPHANIE PERRIN: Absolutely. I was just going to cut off the policy discussion and move to that. Then I don't want to cut off. There's another item at the end is, I'd like to gather up comments on this virtual meeting methodology. It

looks like we're going to be stuck with it for Kuala Lumpur, unless miracles happen. That's one of our questions to the Board actually, is how we deal with this.

Maryam, I'm sorry to be a pass but could you put our discussion with the Board up and I'll do one last call for policy comments. I see Bruna's hand up.

BRUNA SANTOS: Sorry. I'm having trouble unmuting as well. But just to read what is typed on the chat before about SubPro. SubPro is still discussing closed generics. It's very committed and devoted to the discussion and definition of closed generics. Also, the public interest discussions and definitions is also feeding this.

From the mailing list, so far, there is a request for maybe the GAC setting out what should be this definition or at least an initial definition of public interest. But I haven't been able to follow this working group so closely so I may have said something wrong, and if so, apologies. Or if anyone wants to complete or add any to the discussion, feel free to do so. Thanks, Stephanie.

STEPHANIE PERRIN: Thanks, Bruna. And that's just one example of many policy issues that we probably aren't following close enough and that's the evolution of the discussion of public interest. There's a number more. I know Neils had wanted us to discuss the implementation of Work Stream 2, and in particular, how we are going to implement the HR assessment.

That's a good question. I think we're flat out on all the other stuff so nobody's had the time to look at that. I could be dead wrong. If so, please enlighten me by sticking up your hand. Otherwise, I would suggest that if Maryam can put up the list of our topics that we sent to the Board, we can discuss that and get some volunteers to partake of that discussion because as has been our format lately, this is a dialogue. Okay? Thanks.

MARYAM BAKOSHI: I'm doing that now, Stephanie.

STEPHANIE PERRIN: Thanks, Maryam. I'll just scan one more time for hands. Volker, don't leave because one of our comments was on how the hell we're going to pay for this white elephant that we are building in the EPDP and you might be interested in that question.

VOLKER GREIMANN: Oh, I'm very much interested.

STEPHANIE PERRIN: Lovely. Thank you so much for doing that, Maryam. We didn't get a whole lot of input on what to talk about. I think part of that is, of course, everything got discombobulated with the cancellation of the real meeting.

So the first item is basically the .ORG. I leave it up to you folks who've been most engaged in the .ORG issue, whether you think this is a waste of time, whether you want to talk about it. Clearly our members care about this. Okay. Milton says waste of time. What do others think?

PONCELET ILELEJI: Sorry, I forgot to raise my hand. I think after attending the webinar by PIR, I think it's a waste of time. I think we should just go with the flow and see how it comes up but remain vigilant. It doesn't mean we should voice our concern but we show there are other bigger issues, for me, like the EPDP. It's obviously more bigger than the .ORG because it affects all of us one way or the other moving forward. That's my opinion. Thank you.

STEPHANIE PERRIN: Thank you, Poncelet. How about Kathy? I see your hand up.

KATHY KLEIMAN: I don't think this is a waste of time. As you said, Stephanie, what could be more critical to our members and our community? It's certainly something that some of the people on this list have spent a lot of time working on. I think the question is poorly worded. I don't think our preoccupation is price caps. I think our preoccupation is content, censorship, takedowns, arbitrary takedown, all sorts of things that can happen when some of the recent changes that have taken place to the .ORG mean ... And once you have a board of directors that's appointed, not by the Internet Society, that appointed pretty good

directors for the Public Interest Registry, but want to have a board of directors that's pointed probably by private equity firms, to see how much money they can make. So who's protecting the .ORG registrants and the .ORG community? If we don't represent them, who does?

I think there are a lot of areas we agree on. Let me highlight some of the things we can ask the Board for. One is there's a question of engagement with Ethos. Ethos Capital is not really engaging. They want to do closed room backdoor kind of talking one on one with people. But they don't really want to engage. If you go to their sessions, they're not really listening, they're talking. Can we get a forum where we're really engaging? Also the Board had 2002 commitments and we've already asked them to work with us on protecting … The 2002 commitments are about protecting the org community, how are they going to help enforce those? So two things that we've actually already asked the Board for, which is a good forum for discussion of protection of registrants and then what those protections are. We've already been aligned on that. I think we should push it because I think it's important. But I look forward to hearing what Milton and Amr say. Notice, I didn't mention PICs. Okay, over to you guys.

STEPHANIE PERRIN: Sorry. Maryam, we seem to be looking at the staff schedule here. Good. Thanks.

Now we're back to this and I see quite a few people want to speak. I just want to explain that I talked about price caps here because I was

trying to ward off the inevitable first line from Goran, namely, while you guys didn't comment on their mobile of price caps and the reason why we didn't was we were deeply divided on this. But I think the rest of the paragraph stands, we remove the price caps, next thing you know, it's for sale. Over to the next person in the queue, which is probably … Let's try Rafik.

RAFIK DAMMAK: Thanks, Stephanie. I guess I will take the opportunity to talk about several of this topic in the same time. So the first one about .ORG or PIR sale, I think one question here is won't be [inaudible] what we're looking for. So we had the public forum. I think several comments were already shared. People spoke, of course, with their own capacity and the Board heard that. I don't think there was so much response or sense of the Board position.

So bringing back this topic to NCSG Board session, I'm not sure that we'll be quite constructive or we will get much more from the public forum. So I'm kind of concerned about the time we already have with the Board every few months.

Regarding the second topic of [inaudible], I think it's more a discussion and I shared this before in the list. I think it's more of a discussion about a whole renewal of the Registry Agreement and how the process is working. Yes, we're missing opportunity for the .COM for several reasons. We didn't have volunteers at the time to work even if we recommended previously on other similar [renewal]. It's because it's usually the same issues happened every time. So I think it's [more]

if we can bring about the whole process and if it's really the way that we have the discussion. We know that the Board initiate a public comment, but is it really enough or is it [effective]? I think this is for myself, it can be much more useful and we can probably discuss with the Board on that matter than just about the .COM case in itself.

For other things like [inaudible] in the list is some topics are still discussed at the EPDP team the internal policy, so I'm not sure what you're trying to get from the Board. So maybe I think our suggestion is some topic probably he can explain more and I think we can leverage that and try to have the discussion with the Board. I think that's it for my side.

STEPHANIE PERRIN: Okay. Amr?

AMR ELSADR: Thanks, Stephanie. This is Amr. I'm actually a little confused right now. What agenda item are we on? Are we discussing the PIR? Are we discussing the issues to bring up with the ICANN Board? I could speak to either one so just take your pick.

STEPHANIE PERRIN: Well, Rafik went to the latter, starting with the PIR. Normally, I was trying to go through them in order 1, 2, 3, 4. But go ahead if you want to hit some of the other topics.

AMR ELSADR: Okay, well, we were talking about the PIR a little earlier. I think on this issue, you've seen me comment on this on list. You've seen me comment on the Registry Agreement renewal for .ORG a few months ago on list as well. Speaking for myself, I was really on the fence with the whole sale of PIR to Ethos up until they proposed those Public Interest Commitments. In principle, I don't have a big problem with PIR becoming a for-profit entity. I don't care who owns it, I don't care if their right wing or left wing, I don't care if they're billionaires or not. For me, it's about the bottom line. What are the protections in place for non-commercial registrants in the .ORG space?

To be honest, it hasn't been fantastic while PIR was a not-for-profit. And it hasn't been fantastic while they were owned by the Internet Society or when the Internet Society was the sole member of PIR. They've been working very closely with us over the past year and a half, three years on the EPDP, seeking protections for registrant privacy, which is great. But over the years, PIR voluntarily transitioned to Thick WHOIS before it was ever consensus policy. Then we have a couple of people on the call with us today from other groups who were on that PDP back in 2012, 2013. And at the time, PIR was kind of like the IPC's poster child for successful transitions to Thick WHOIS, which at the time, the NCSG raise the few questions in terms of privacy and data protection laws.

PIR again a few years ago tried to adopt some independent rights protection mechanisms similar to the Donuts protected marks list, DPML. But that didn't get anywhere in part because of some of the pushback PIR got from the NCSG. Again, PIR voluntarily adopted the

RPMs during the Registry Agreement renewal, where things like the URS would become applicable. The extent to which that is harmful or not is not the issue so much as it's a breach of process. If a consensus policy is required to put that in place and PIR didn't go for that, they went for the quick renewal with ICANN and putting those into its contract when it really shouldn't have.

So let's not pretend that PIR when it was a not-for-profits somehow meant something. Right now, the Public Interest Commitments that they are proposing do mean something. They're enforceable. They're enforceable by ICANN Compliance. They're also enforceable using a Public Interest Commitment Dispute Resolution Process, which would allow registrants to seek resolution of conflicts with the registry operator. The Stewardship Council has powers that the Advisory Council never had before. I'm not saying these are perfect, they can still use some tweaking, but they're definitely a step in the right direction. And the way things are right now, it's looking to me like non-commercial .ORG registrants are going to be in better shape than they were before the sale.

So let's make this about what it's really about. And if people have a problem with the removal of the price caps, again, this was done before the sale was ever proposed. Whether you are okay with price caps or not, to me, that's not the issue. Again, to me, the issue is that ICANN should not be imposing price caps on registry operators and it shouldn't be cherry picking which register operators it is putting these price caps on either. I think that that's not something that's constructive or helpful to the domain name space in general.

All I'm saying is, let's look at the bottom line on this. As we move forward over the next few weeks or months, PIR have reached out to us. We've had a constructive call with them. I hope it won't be the last one. I hope we'll have more. And like Kathy said, I hope Ethos also reached out to us. I do appreciate that … I think she's right. They're trying to talk to people in smaller groups and not have a big public forum, but I'm guessing that this is the way they see things being more efficient and effective and then trying to get from point A to point B. As long as things are going in a direction I think are helpful to non-commercial .ORG registrants, I'm not going to argue with that. I just want to offer that input. Thank you.

STEPHANIE PERRIN: Thanks. Over to Milton.

MILTON MUELLER: I think we really need to focus on the interaction with the Board and not get distracted by a general debate about .ORG. I am siding with people who do not want to discuss that before the Board. The reason is not that I don't think it's an important issue. I think that it basically … I can't remember who it was now, it's been so long. What somebody else said, we've already discussed this. We've had the public forum … It was Rafik. We've had the public forum, we have issued a formal letter. I cannot imagine any kind of interaction about this issue with the Board tomorrow that will produce anything constructive. As we saw in the public forum, the Board is afraid of answering certain kinds of questions because of the legal implications. All the Board can do at

this point is say yes or no to the deal. We have made it clear what we want. At least many of us have made it clear what we want before they can say yes to the deal. That is how we want the PICs to be produced.

Somebody has to tell me, what can we actually accomplish by raising this issue with the Board? I think they know where we stand, I think we know what they can or cannot do about this. We're waiting for Ethos and PIR to modify their PICs in the ways that we want. If you want to spend two minutes telling them that, that that's our attitude towards org, that's fine. The rest of it should move that forward to the areas where we don't know the outcome or we could have a constructive exchange.

For God's sake, please. Why are we discussing price caps on comm? How is that an NCSG issue? I think, again, if you want to have a general economic debate about price caps on any TLD that something – but I don't see how that is something that we're going to be using these precious few moments with the Board to talk about.

So that gets me to issue number 3 and number 4. With issue number 3, obviously, WHOIS, SSAD, EPDP issues are important to the Board and to us, but I'm wondering why we're focusing exclusively on the cost of the SSAD and not on automation, not on the staff, CEO's constant interference in the process. Either parallel negotiations with DPAs and the so-called Strawberry Team. That might be something where we could actually have a frank exchange of views.

And the ongoing sustainability of DNS model, again, that's a very good issue to be talking about. I could see that issue by itself taking up an

hour. I mean, if you're really going to be exploring that issue, you're going to be talking for 45 minutes at least and you're going to be exchanging a lot of ideas and some of which you might be disagreeing about.

I think you got to lop off number 1 and number 2, just for time sake. I think number 3 could be more focused on some of the other issues related to the SSAD if you want to. I think number 4 either has to be narrowed down a bit. And something specific that the Board could do for us or maybe you could just raise it as a general concern and have a general discussion that might take a lot of time. At least, half of the time you have. Thank you.

STEPHANIE PERRIN: Okay. Tatiana?

TATIANA TROPINA: Thank you very much. I would like to support Milton on .ORG and on .COM price caps removal. Well, first of all, any of us who attended the public forum yesterday, I think we're able to notice that even when the Board or ICANN Legal could answer some questions or provide some explanations, all they did was like, "Thank you very much. Next. We're taking a note of what you said." I do not see even the point of wasting the time in discussion in these directions because it wouldn't be a dialogue, it will be us just making statements and asking questions like we haven't done enough yet. So I'd rather not waste time on this.

As for .COM, I think that … I mean, it's not even our issue. I personally would love to know how they analyze the comments on this situation, the public comments, but I don't seem that this something NCSG will have and should have interest in. Well, that's all from me. Thank you.

STEPHANIE PERRIN: Can someone explain to me why removing the price caps on .COM is not one of our issues?

TATIANA TROPINA: Stephanie, could you please explain why it's one of our issues? Thank you. Maybe I could convince otherwise. Thanks.

STEPHANIE PERRIN: Well, I think that we're concerned about the affordability for the end non-commercial user of domain names. We are concerned about price grabs on the part of ICANN. And .COMs still accounts for 80% of the registrations. I mean, many small organizations use .COM. I'm just very curious about this simultaneous removal of the price caps. That's all I'm concerned about. But it appears that there's no support for this. So moving right along. Over to Poncelet.

PONCELET ILELEJI: I just want to concur much with Milton. Our focus should be on 3 and 4. Regarding to this .ORG issue is to just clarify it. NCSG's chair, Stephanie, can just repeat our position again as a statement and then we move over to the serious issues.

In regards to the .COM, I think, since our main focus is non-commercial, that's where the problem lies to me. It doesn't really concern us as much as possible. We know that you have all over the world a lot of small SMEs, which were .COMs, but I think just that our focus is non-commercial. Thank you.

STEPHANIE PERRIN: Over to you, Kathy. Thank you.

KATHY KLEIMAN: Coming off mute. Again, if the Non-Commercial Stakeholder Group does not raise the question of .ORG 10 days before the decision is about to be made, who are we and who do we represent? That will be seen as a glaring problem by the Board. So why don't we ask them some of those questions that were raised in the public forum and see if we can get answers in a closer environment? It's harder to ignore it. It's a lot easier to ignore when you've got a queue and hundreds of people. But it's a lot harder not to answer questions about protecting our stakeholders when we're asking them directly.

I don't see how it differ because we wrote the comments together on how the Board is going to protect. What the Board's oversight role is in this when we have different ideas of what their role should be. But it seems like there are several general questions that we could ask together. One is ... Let's go back to the changes over the summer. When you get 12,000 public comments against changes to .ORG and you overrule them, what does that mean? The same question could be

asked for .COM. When you get 9,000 comments, it's changes to .COM. What does that mean? What is the current role of public comments in ICANN? Where do we see oversight function of the Board in a transfer of registry control?

These are cases of first impression. Whatever happens in these cases will dictate a lot going forward. It seems to me that we should be asking good questions to the Board of what they see their oversight functions as and how they can help us help our community of stakeholders. I don't think we should waste the moment. I think there are areas we probably do agree on. Thanks.

STEPHANIE PERRIN: Okay. I think my next in the queue was Poncelet.

PONCELET ILELEJI: Sorry, Stephanie. That was an old hand. Sorry.

STEPHANIE PERRIN: Okay, no problem. Amr?

AMR ELSADR: Hi, Stephanie. I'm going to, if it's okay, move on to another topic unless people want to keep talking about .ORG and .COM. Stephanie, since you discussed, you had suggested the EPDP as a topic to discuss with the Board. I think that's a good topic. Probably not the financial sustainability issue because, like I said, we're still working on that. But

what I think we should bring up with them, again, is how Goran and the Strawberry Team have been engaging with the European Commission and now with the Belgian DPA.

Everything they've done has basically widened the gaps that already exist between the different stakeholders represented on the EPDP. That they're not helping us achieve consensus. They're making it more difficult. Then working on this parallel process is confusing the work that we're doing, it's giving people in and out, looking for … if a stakeholder can't get what they want by building consensus on the EPDP, they're petitioning other external groups to try to weigh in or influence the decision one way or the other. Generally, it's really not helpful. I'm going to be very honest, from the very get-go, I had very serious concerns about ICANN org's motivation in doing this to begin with. The way they carried it out, I don't think it's to try to help the EPDP process move forward. I think they're aiming for a very specific outcome and they're trying to get it done somehow using European nation state actors and the different institutions that exist within the EU.

I think it would be a good idea for us unless there's disagreement within the NCSG to politely berate the ICANN Board on playing along with Goran and the Strawberry Team and doing what they are doing and try to point out to them why we think that it's a really bad idea. Thanks.

STEPHANIE PERRIN: Can I put myself in the queue and respond to that?

AMR ELSADR: Sure. If you're asking for my permission, Stephanie, absolutely. But before you do, let me just say that to be honest, I don't believe that raising this issue is going to in any way result in a change in how Goran is approaching this, but I think it's important for us to get our objection on the record. Back to you, Stephanie. Thanks.

STEPHANIE PERRIN: To me, I think it's almost a sore point. We've raised the issue before. I mean, I've been raising it for years. Remember that we brought the EPDP and then the EDPB to Copenhagen, and then we could barely get these guys to sit down and talk to them. Now they're turning around and pestering them night and day. Why are they doing it? Are they stupid enough to think they're going to get workable advice? They cannot be that stupid. So this is a face-saving exercise and I don't see any point in confronting them on a face-saving exercise. They are not going to get any useful advice from the Belgian DPA. If they do, it's still not going to keep … If they get a deal, then they're in a court somewhere. Either because the Belgians don't speak to the Germans or because civil society doesn't speak for any of them and will immediately take case.

                        So I don't see the merit of raising it because it is so foolish and such a waste of money that anyone, either they're doing it because somebody in a constituency somewhere is holding a cannon to their heads and they have no other way politically to get along without doing this. You think Janis doesn't know any better? I doubt that. He's

a smart guy. He came along to the discussion with the Belgian DPA. I don't want to start out the conversation because we've obviously deleted items 1 and 2, other than a read statement on .ORG. I don't want to start out by ticking them off.

Now, the question of the SSAD, the white elephant, sure, he's going to knock back to the EPDP. But the point is, we haven't costed this. We ran into cost barriers in the EWG but we spent a pile of money getting … What's its face? IBM to cost this thing and then hit a couple of walls. This is a [inaudible] problem. If you listen to the discussion on the GAC this morning, they want free access. Governments can't possibly be asked to pay for access to personal data. This is so 1990s. I get déjà vu every time it comes up. I think it's time to point out what this blessed instrument is going to cost. The only way it can be affordable is if it does a whole pile of other things, which is what Crocker's working on. That may be saleable to Facebook or the ISPs, but I don't see that it should be saleable to ICANN and I have to say, that's why I'm so concerned about all of these price hikes. Thanks. That's my two cents on this. I don't want to bring that up. I want to talk about the cost of the mechanism.

Thanks. Bruna, you're next I think.

BRUNA SANTOS: Maybe going back to Amr's suggestion, I'm going through my notes of my meeting with Goran last month. He praised a lot on the new ICANN engagement model with governments and also mentioned that besides ITU and working with 5G as a main concern for ICANN right

now, they were increasingly improving also the way they have been engaging with governments and so on. So maybe one suggestion will be on that, not just focusing on the interactions with the DPAs. We know he was invited by the European Presidency – I'm sorry if I'm missing on the terms – to meet with all member states and so on. But how does this solve feeds into this new improved ICANN strategy for engagement with government and to what extent does this change or if it changes any of the GAC plays within the ICANN community or even like the way we have been relying on GAC advice and government's action on this? This is not well-formulated, but maybe it's a reflection we can bring on tomorrow. Thanks, Stephanie.

STEPHANIE PERRIN: Sorry, I was muted. Thanks. Okay, Tatiana.

TATIANA TROPINA: Thank you. I'm on the fence about asking those meetings with Data Protection Authority in Belgium, because I do understand that this is a sore point and this might be a face-saving exercise. I do understand why we want to ask and I do think that maybe it's a good idea to us. I was thinking that what drives me mad is not only that it is going on and that it tries to hijack the policy and anything. The report, the way they report about these meetings, the way they convey the results about these meetings, to me makes no sense. I read those reports and personally, I can't make sense of anything that is going on here.

So maybe if we're going to ask it, maybe we rather focus the question to some positive suggestions, just like, explain the goals, improve their reporting from that, make it more transparent for us. Why don't you invite people who are doing policy to sit with one of the meetings? Why don't you invite them to do face to face? Something like this. So some sort of instead of just rubbing it in for a reason, just maybe come up with some more positive suggestions like what can we actually do. If they don't want to abandon it, what can be done to fix it a bit? I don't know if this makes sense, but yeah. Thanks.

STEPHANIE PERRIN: Okay. Let's move on to question 4. Because it looks like we have not enough to fill the hour unless we drop all our questions and spend our time talking about what they want to talk about. Does anyone think question 4 has anything reasonable in it? Okay. The silence is thundering, deafening. Anybody got any thoughts on 4? Okay. Well, I'm interested in number 4. I presume that's why it's there. I'm concerned that if we have two out of three meetings, virtually, it's very hard for our people to participate. Anybody with a day job has to take time off from their day job. We are not contracted parties, we are not paid to attend these meetings, we are finding our time ourselves. Obviously, profs and academics have a bit more freedom because they're teaching it, they can justify some of this, but for many of us, this is really a massive contribution of time.

So quite frankly, I don't think 75 sessions cuts it. We had a very rushed selection of what to cut and what to include. So I think we are going to

have trouble attracting young people at keeping our Fellows motivated to join us if there are no public meetings. Now, I'm not saying no, never, but I have a feeling that when we get out of the Coronavirus situation, we may be looking at two meetings a year instead of three. That might be a good thing. Who knows? Now, nobody's paying any attention to question 4, I think I've got a soliloquy going. Let's see if anybody cares. Bruna, I see your hand up.

BRUNA SANTOS: Well, I'm not too sure whether I will post this question the way it's written because I'm reading it and so on. But I would use this moment to maybe do some reflections about this process that was organizing a virtual meeting in two weeks with no orientation whatsoever and with the org relying so much on the community leaders' decisions until they were ready to present us a new draft schedule and so on. So there has been a lot of situations in this in which community positions and consistence, at least at the leadership level, wasn't taking too much into account and so on. So maybe just a note on if we are to do [inaudible] meeting a virtual one, of course, we all adjusted our agendas in the meetings and so on to the smaller one. But if we are to do another virtual one, we should be deciding on it right now by the end of this week, maybe next week, and not postpone the decision just so everybody's organized and so on. It shows us that some of the interactions and meetings were not that needed or were not that relevant, if you want to cut it down, it did force us to make this exercise of collapsing everything at the same time. So, we didn't have time to ask for community but internally, we didn't have time to ask

[any seats], for any input whatsoever. So I will put a reflection then on how problematic this process of planning ICANN virtual was and trying to see a path forward. Thanks, Stephanie.

STEPHANIE PERRIN: I guess, Rafik?

RAFIK DAMMAK: Thanks, Stephanie. I think it's fine as a topic. Probably we just to clarify what we want to cover here, because I think one issue is, for example, we have this virtual meeting. It was some idea before but I don't think there was some preparation with regard how to organize it or the kind of summaries or how it should be done.

Another hand I think like the issues regarding the scheduling. I'm thinking here that virtual meeting just allowed us to see the issues and how we are scheduling usual ICANN meetings and how we have a common agenda that we're trying to have so many meetings. In this situation of this virtual meeting, we had to make some decision. The virtual scaling and virtual meeting, it was more symptoms than the root cause here. I think is just we can clarify what specific topic and separate. I understand what we're looking for input regarding virtual meeting about the issues that we had or any improvement. I hear from Bruna it's more like process of the planning, and that's [understandable], we didn't have really time to do so.

From my perspective, I think if we will have virtual meeting in the future, for some reason we don't know, we discovered like this year is

that there may be kind of criteria or things to have in mind. I think there are some decisions that were made just because we're kind of the resources that are like the cause. For example, keeping the time of Cancún is just probably because the support team is based in L.A. and that is easier, like two or three hours' time difference, for example, to have a meeting using UTC time. But then we have to ask ourselves how it can be included. We are asking people like in APEC to not sleep at all, to just join meetings for one week. That doesn't work at all. That's not sustainable. So this is the kind of point maybe we can share and clarify and having probably this idea how the community can be involved in the process for the future if we have to do virtual meeting for some reason.

STEPHANIE PERRIN: Thanks, Rafik. Poncelet?

PONCELET ILELEJI: Just to add my voice to this topic based on what Bruna and Rafik just said, I think moving forward in terms of we don't know what will happen in June but I think what's likely to happen, planning might still go on as Access Now is doing with RightsCon, still planning towards Costa Rica. But in order to mitigate a reactionary approach to this, we can recommend that in case we are going to go virtual in June, we should have some pre-webinars before that. So if we are going virtual, people are prepared. Those webinars will help address some certain issues in terms of time zones, in terms of planning, in terms of what specifically we can discuss based on the various time zones we are

within this [inaudible] framework. We might not get all what we want in terms of having a virtual meeting, but at least we can be able to narrow down the important things if we're going to go virtual and see what happens in June if it will happen or not in Kuala Lumpur. These are my thoughts. Thank you.

STEPHANIE PERRIN: Thanks very much, Poncelet. I mean, my thinking on this, quite frankly, if we're not going to have a physical meeting, then there is really no justification for doing it all in a week. We could have a month of ICANN Fridays, God help us, and they could start at different times so that everybody globally would have a chance to have a day. I admit that that's still not going to be perfect, but it's got to be better than 9:00 to 5:00 in Cancun time. I'm very worried about the illusion of – so we cancel a meeting and all of a sudden it becomes totally at staff convenience, not at the multi-stakeholders. That's why the concern about the multi-stakeholder model, there was no effort to accommodate at that TGIF. [TGIC], I don't know. Anyway, there was no effort to accommodate people globally. None, zero. Even on the RDS, once a month, we had a meeting that was convenient for the Asia Pacific zone. I think we have to comment on this.

Now I still have plenty of questions on this and we really have ... I believe we have 20 minutes left in the call. Is that correct, Maryam? I would like to shout out to Maryam, thanking her for all the work she's done, getting us ready for this. Please don't take any of this criticism of

the last minute plans as a criticism of you, Maryam. We'd be lost without you. It's been great. 23 minutes we have left.

Lessons learned is what I would like and I'd like the little task force, Joan, to work on this. That's what I think would be helpful. Bruna, your hand is up.

BRUNA SANTOS: Thanks again. I was going to ask the same thing Amr just asked on the chat. So what are our agreed on questions? From what I'm taking is point 3 and 4 but both need some improvements. If so, what sorts of improvements are we bringing to those questions? And if we are to say something on the .ORG, the suggestion running on the chat was just read out loud the statement but some of us don't see the point in reading out the statement anymore. So we're just talking about point 3 and 4 and no .ORG or point 3 and 4 plus reading the .ORG statement. If there's nothing else to say, we get everything lined out.

STEPHANIE PERRIN: Okay. I can tell you that I have no problems with stating bluntly on item number 1 that NCSG does not have a consensus position now, just as it did not have a consensus position over the price cap removal. I think that's an accurate statement. Then we select someone to read out the statements that they would be prepared to read and we give a rigorous time limit.

Kathy's next in the queue. Thanks.

KATHY KLEIMAN: I will disagree with that. I think we do have a consensus statement. It's not on every issue, but I think we are united on our concern and there will be written materials. We've submitted comments. Milton has written in the governance posts about our comments. I think we're united on our concerns for the .ORG community. I think we're looking for legally enforceable mechanisms. We probably disagree as to whether they're PICs or not. But we're looking for legal enforceable mechanisms to enforce the concerns of org registrants in the community for the 2002 commitments. I think these are all words that we've used in our comments. I think that I could probably draft a four line statement that most people would agree with. But I wouldn't say we don't have a consensus. We absolutely do have a consensus in our concerns. I think we disagree vehemently in some cases as to implementation.

Second, can we have a short discussion with the Board about ignoring thousands of comments? Whether you like them or not, each comment … This was not astroturfing and these were not bots. Each comment for both .ORG and .COM are individually submitted. It does not bode well if we're ignoring thousands of comments. So I'd like to raise the procedural issue. We have to reference the proceedings, but maybe not to the nature of the comments just to the process. I mean, why bother to do this guys if you can have 12,000 comments on one side and 6,000 on the other side? Cyrus is going to say it's overwhelmingly for the six. I think it's worth a procedural discussion

here and then moving on to 3 and 4. I just wanted to see what people thought. Thanks.

STEPHANIE PERRIN: Okay, I'm going to box here because I think that the majority of folks who have spoken. Milton is no longer on the call. [Inaudible] be hearing from him. Have basically next item on, Kathy. I mean, I think we have to at least boil this down to a very short statement if that's what we're doing. I see that the chat is now talking about asking questions about Work Stream 2. We have until 12:30 Cancún time tomorrow to revise this.

Okay. Tat says that Milton is okay with a short statement. Okay, good. Then, Kathy, can you come up with a short statement? It sounds like nobody wants a discussion. What do we do if Goran decides to go off on a discussion?

KATHY KLEIMAN: I don't think he will.

STEPHANIE PERRIN: Okay. Jolly good. We carry out our first ... we tabled your statement. How does that sound? I depend on you to deliver it. Is that okay?

KATHY KLEIMAN: Sure. I'll work on something and I'll send it to some of the people on the list. We're on the public record on a lot of this stuff. Great, thanks.

STEPHANIE PERRIN:

Number 2 is off the list. Would you like to replace number 2 with Work Stream 2? Do I hear you? All right. Work Stream 2 goes into item 2. I'm going to send around a Google Document with the new questions.

The third issue is the cost of the impending SSAD. So Amr is strongly against. What's the consensus on what we do with item number 3? Talk about EPDP or do you want me to just hand this over and we can Google Doc it up? Because we have to revise these and get them to the Board in time for them to at least look at them before we hit them flat footed. Okay. Amr, where are you?

AMR ELSADR:

Hey, Stephanie, this is Amr. Are we talking about question 3 as it currently is on the screen or are we talking about the Strawberry Team thing? The question we have on the screen now, like I said, I think the EPDP team is still working on this. We have these questions that ICANN org sent us that we should be answering. Staff have provided draft answers. We're supposed to provide input on those. We have the financial sustainability question, which we're still trying to work on as well. So we are currently in the process of working with ICANN org to determine the answers to the cost questions. While knowing that we're doing that, I'm just not clear on why we would be asking the Board to answer the same questions that we're working on. I'm okay asking you this, but help me understand how we would go about doing it.

STEPHANIE PERRIN: Well, I think that there's very little support for this question in our group. So if we would prefer a different question on the EPDP, we should come up with it and get it to the Board quickly. Because of course, staff have to brief them so that they can answer it.

AMR ELSADR: Yeah, I suppose so. Again, we're talking about a question other than the one that I raised on the Strawberry Team, right?

STEPHANIE PERRIN: Well, I don't think I convinced anyone of the folly of asking that question. So as far as I'm concerned, go at it. If you're willing to ask it, go for it.

AMR ELSADR: Okay, I'll draft something and circulate it to the NCSG Discuss list.

STEPHANIE PERRIN: I'll send the Google Doc out. Okay?

AMR ELSADR: All right. Thanks, Stephanie. I appreciate it.

STEPHANIE PERRIN: Question number 4. There's a lot of chat there. If we send it out, can we get input on that and revise? Supposing I put a 10:00 AM deadline

on getting your comments back on these questions. Bearing in mind that the Board has been briefed on these questions, they've had them for a while. We were late getting them in and they may drag the conversation back to these questions, if everyone's prepared for that. So do we have a volunteer to speak on question number 4 as it will be revised? And do we have a volunteer to lead the discussion on Work Stream 2? Okay. I'm not hearing any noise. I need volunteers to lead the discussion on these four questions.

I have Kathy on item number 1. Then 2 would be Neils. Then 3 is Amr. And then in 4, Bruna. How about this? Does that meet with everyone's approval? Okay, very good.

KATHY KLEIMAN: Stephanie, I have a new hand up. This is Kathy.

STEPHANIE PERRIN: Please, I missed it. I'm sorry, Kathy. Go for it.

KATHY KLEIMAN: Could you just [inaudible] a little bit about the questions Board has for us if they do have questions for us this round? And do we have the answers for those?

STEPHANIE PERRIN: No, we don't.

KATHY KLEIMAN: Should we talk about them?

STEPHANIE PERRIN: If we can get them up on the screen, yes.

RAFIK DAMMAK: Can I respond to this? We have the opportunity in fact in the last policy meeting to start the discussion about the question from the Board. They are talking about kind of what are the priority from the groups or if there is anything we think we want to add from our specific advice NCSG. When we discuss this, I think it wasn't clear in our side, is that it didn't have the time or opportunity in NCSG level to discuss our priority like for this year or to have a clear position. It will be really challenging to respond with a common position from NCSG. So, that's kind of the outcome of the discussion we had in last Friday meeting. I want to make sure we have more of today.

Again, it's about our priorities. We need to deal with that before our side. So this level, I don't think we can respond really as a group to the Board the question. Just before we had to finish, I listened from you Stephanie that you are going to send this question to the list. So we can just confirm that we are all on the same page, and so on. We are going to set some deadline by when people can still submit some comment or question. If my understanding is correct.

STEPHANIE PERRIN: Yes, exactly, Rafik. I'm going to send around a Google Document as soon as I get off the phone with this text scratched out and the new resolved questions inserted with the name of the speaker who is going to introduce it and seeking obviously input and deadline. I don't know. They're not going to be happy with 10:00 AM Cancún time because, of course, we sent this a good long time ago, but hey, we'll just roll with it and see what happens. Okay, any other hands up? Is there any other business anyone wishes to raise at this point?

BRUNA SANTOS: I do, Stephanie. It's just a short one.

STEPHANIE PERRIN: Good. Perfect.

BRUNA SANTOS: Just so Maryam don't kill me, tomorrow, it's Maryam's birthday and then I would just like to thank her for the job and the hard work with us. We're sure a very good birthday tomorrow morning, starting with us. So thanks, Maryam.

STEPHANIE PERRIN: Thank you, Maryam. What a nightmare. NCSG before the Board on your birthday. That's not fair. All right, well, Maryam, please, we're all going to sing happy birthday to you tomorrow morning.

MARYAM BAKOSHI: Thank you.

STEPHANIE PERRIN: All right. Any last words anyone? If not, I give you back eight minutes of your time. We've got some work to do so I'll send this around as fast as I can and I hope that we'll get some comments. Thank you. Bye now. Thanks, everybody.

UNIDENTIFIED MALE: Thank you. Bye all.

BRUNA SANTOS: Thanks, Stephanie, for facilitating the meeting. Bye-bye.

[END OF TRANSCRIPTION]

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