

**ICANN
Transcription ICANN Hyderabad
Discussion of Motions
Friday, 04 November 2016 at 13:45 IST**

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James Bladel: Okay, then next, let's move to discussion of motions. Now we had a motion about the drafting team; I think we discussed that pretty extensively today. We had a motion about the CCWG charter; I think we discussed that. We can continue to discuss that a little bit.

We also have a motion, I believe, on the auction proceeds, CCWG, and I thought there was a fourth - yes, you're nodding. I'm just - I'm blanking; sorry.

Marika Konings: Did you already mention the Consultation Group report, the GNSO, GAC, and then the confirmation of GNSO liaison?

James Bladel: the GNSO consultation report as a motion or discussion?

Marika Konings: Motion.

James Bladel: A motion.

Marika Konings: And as well, the GNSO liaison to the GAC.

James Bladel: And the GNSO liaison to the GAC. So let's set aside the drafting team motion and the CCWG-IG motion -- which have been discussed a little bit already today -- and let's focus on the others.

So here is - nope, we're skipping that one. No, we're skipping that one too. There we go.

So this is an adoption - yes, Marika? Oh.

(Kristina): Before we get too deep into the motion discussion, I had wanted to make a request about something that I'm hoping you can communicate -- or at least consider communicating to the Board in your meeting with them.

It's really ridiculous that for a meeting that is this long, the schedule is made available only two weeks before everyone starts traveling.

If ICANN the organization is expecting everyone in this community to be away from this office for the duration of this meeting, you have to let us know ahead of time what is going to happen when because in most cases, it's really challenging to be gone for ten business days.

And if you've got the schedule ahead of time, you can say, "Okay, well I'm not going to show up for the first day because the things that I'm most interested in don't start until the third. I'm only out of the office for seven days."

If you don't have that, you have no choice. And it just really continues to boggle my mind that an organization that spends tens of millions of dollars on moving equipment and people around the globe three times a year can't get its meeting schedule set less than two weeks out from each meeting.

So you can kind of be much more diplomatic process than that, but I think it would be really, really important to communicate that.

James Bladel: Thanks (Kristina). Actually, I don't know if you were here when we were discussing the meeting schedule as part of our communication with the Board? A little bit of it? Yes. And I think it echoes a lot of what you're saying is that this thing, we were still trying to nail down certain sessions, you know, even a less than a week before the meeting was starting.

And to Donna's point, these should be baked in to the format; some of these are not ad hoc sessions. They should be part of the landscape that we work around with the more current and topical sessions that we want to create.

So I think, you know, 100% agreement, and what you're saying -- the concerns that you're raising -- are aligned with what we wanted to say in that regard.

And I think as the folks who tried to put together a GNSO schedule that made sense, and then tried to fit it into the ICANN schedule, and then finding out how difficult and challenging that was because it was a moving target. I think the frustration is shared.

So okay, so let's take a look at this motion here which is the adoption of the GAC GNSO Consultation Group on early engagement in PDPs.

Now this was made by Carlos and I don't know if we have a seconder yet. Ed is seconding indicating that he'll second the motion.

And the bottom line here is that the motion is to accept the recommendations including the quick look and the GNSO liaison, and just kind of scrolling through the rest of this here.

Okay, I don't know if anyone has any specific concerns about this report. We're going to receive more of an update here in a few minutes from Mason and (Minau) in our session with the GAC this afternoon.

Mason, can I put you on the spot? Is there anything highlight-worthy or noteworthy that you think that you'd like to draw Council's attention to before we consider this motion at our meeting?

Mason Cole: Mason speaking. No, I don't think so James. It's pretty straightforward. I mean, as you know, the liaison role to the GAC was meant to be a pilot project and was made permanent -- which I advocate just in my own experience as the liaison.

I think the report well documents the opportunities available to the GAC for implementing a quick-look mechanism to determine whether or not there is either a public policy concern or some other reason for them to become involved in a PDP.

So I think from the GNSO side, the report is very clear. The challenge of course is to get the GAC to sort of meet us half way in terms of their participation. But that's not really the point of the motion.

James Bladel: Thanks. And just to be clear, the GAC-GNSO Consultation Group is adjourned after the adoption of this motion; that group no longer exists. And that was always meant and intended to be a temporary construct that would produce this report. Okay, so this is the end of that lifecycle.

Does anyone else have any thoughts or concerns about this motion? Okay, let me put it a different way. Does anyone have any objections to moving this motion to the Consent Agenda? Are we allowed to do that Marika?

Our Consent Agenda has been - yes. Wolf-Ulrich.

Wolf-Ulrich Knoben: Sorry, I was just reading the motion again. Is it - didn't I file a small friendly amendment to that motion with regards to the number two -- to placing GNSO leadership by GNSO Council leadership?

James Bladel: You did and I believe Darcy accepted that as friendly.

Wolf-Ulrich Knoblen: That was accepted?

James Bladel: Yes.

Wolf-Ulrich Knoblen: Okay thank you.

James Bladel: Actually Darcy, did you make this motion or this was Carlos' motion?

Wolf-Ulrich Knoblen: It was the other one.

James Bladel: Oh, okay. Carlos, did you indicate that it was friendly?

Carlos Gutierrez: I was asking for replacing on the number two of the resolve, the GNSO leadership team by the GNSO Council leadership team.

Wolf-Ulrich Knoblen: Oh yes, I remember. I'm sorry.

Carlos Gutierrez: Is that friendly or not?

Wolf-Ulrich Knoblen: Very friendly.

Carlos Gutierrez: Thank you.

James Bladel: So perhaps, Marika, if we can note that change. Note that this is seconded by Ed and we'll move it to the Consent Agenda. I think having it on the Consent Agenda might move things on a little bit more quickly, but this is fairly non-controversial.

The next motion is -- if we're prepared to move on -- I believe is the discussion of -- while we're on the subject of the GAC -- we have a proposal

for GNSO liaison to the GAC to succeed Mason who will be stepping down at the end of this meeting.

Can we scroll down to that please?

So this is there emotion here that hopefully everyone has had a chance to read. And based on the process that we discussed earlier in the year and refined mid-summer, we received a number of applications. And by we, I mean Donna and Heather and I received a number of applications and one emphasized that all of them probably would have been outstanding liaisons to the GAC.

And so in some respects, it became a challenge to choose between three equal and outstanding candidates, so it would have been easier, perhaps, if some of them weren't so amazingly qualified; it would have made our job a lot easier. But unfortunately, that wasn't the case, so we had to choose between some very qualified candidates.

In this particular case, Carlos -- with his experience both on Council and with the GAC -- was our first choice. And we made this recommendation then to the Council for approval.

I guess - I don't know, Carlos, if you have any thoughts. I don't mean to put you on the spot or if anyone has any questions for Carlos with regard to this motion before you feel comfortable on this. Hopefully, you've had a chance to discuss this with your stakeholder groups and constituencies.

But if, again, given our ambitious schedule, an agenda for our Council Meeting -- if this is looking like a fairly non-controversial appointment for Carlos in this role -- then I'd like to propose that we move this also to the Consent Agenda.

And I know we don't have 100% attendance, so I'm just trying to be very cagy here about making sure that we're not cutting too many corners.

Okay, I have first Paul and then Michele.

Paul McGrady: Paul McGrady. Does this motion need a second?

James Bladel: I probably should have looked. It does.

Paul McGrady: Yes, so I would like to second it. And if it needs a second -- I'm not sure if it does or not -- but I don't see one here.

James Bladel: If it does, Marika, can we note that please?

Paul McGrady: And, you know, I think this is a great one for the Consent Agenda. We were thrilled with the selection. Carlos is terrific, and want to say thank you for taking on this task.

And also, thank you to James and the co-Chairs for ironing out the process. It's far-less bumpy, and so I think we ended up in a very good place. Thank you.

James Bladel: Thanks Paul. I think, during our discussions, we use the term embarrassment of riches more than once.

Michele, go ahead.

Michele Neylon: Paul has already covered everything. I was just going to offer to second it.

James Bladel: You can third it I guess.

Michele Neylon: I'll third it then.

James Bladel: Okay. I saw a hand go up over here and I apologize I missed that.

And Carlos, did you have anything you wanted to say to this motion? It feels like we're kind of fast-tracking you here, and if you're cool with that. All right, fantastic. You're cool with that now. We'll check back in a year and see how you...

Carlos Gutierrez: Thank you.

James Bladel: Okay, thank you. I'm sorry. Donna, you're up.

Donna Austin: I'm not sure that I 100% agree with moving this to the Consent Agenda because I think there's, you know, recognition quotas -- recognition as to the position that Carlos is taking is important. I don't know that we necessarily want to skim over that.

But if everybody else is in agreement, then that's fine. But if we can show recognition in another way, that this is an important role and maybe just note that at some point.

James Bladel: Can I ask that you make a note of that and when we come to Consent Agenda Item #3, that before we approve the entire slate of the Consent Agenda, that we make a statement to that affect? Okay, then I think we can cover it that way. It's a good point and we don't want to water that down, so thank you.

Any other motions? I think that's - I mean we have the two that we can spend a little more time on. But we have five minutes until we have to move to the - sorry?

Marika Konings: There's also the auction proceeds one.

James Bladel: Auction proceeds.

Marika Konings: And just to clarify on the Consent Agenda because actually from the staff side, we only understood that you wanted to move the Consultation Group final status report of recommendations. But you now also want to move the appointment of the liaison to the Consent Agenda?

James Bladel: Correct.

Marika Konings: Okay.

James Bladel: And then finally, this motion also needs a second. This is an adoption of the charter for Cross-Community Working Group for gTLD Auction Proceeds. This is something that we are also tabled to discuss or slated to discuss with the ccNSO.

And I think one question I have for staff - oh, first of all, we need a second on this. But I just had a question for staff of this motion.

Are we - I think I've seen some of the traffic that some of the other SOs and ACs have already approved this charter. Is that correct? No one has?

Go ahead, Marika.

Marika Konings: Yes, this is Marika. So the latest status is that indeed the ccNSO has indicated that they're ready to adopt. I don't know actually if it's on the agenda for their meeting here. Maybe Keith actually knows whether they have put it on their agenda.

We got an email actually today -- I think from the SSAC -- also indicating that they're ready. I don't know either what the exact processes they have in front of them. I don't think we've heard anything from the GAC. But to date, as far as I know, no one has formally adopted it yet.

So normally, the process is that, you know, the CCWG is formed when at least two groups have adopted the charter. But I think in this case, we would indeed -- or hopefully during this meeting -- get an indication of, you know, who is interested to sign up for it and what timeframe they need.

And of course, you know, we don't want to launch a call for volunteers if others are maybe still half way in their approval process. So I think that's a bit on the timing issue.

James Bladel: okay, thank you. And just to note that we still have two blanks in this motion that needs to be filled in. the first is that we would need to identify a GNSO. If the GNSO becomes a chartering organization, then we have an opportunity to name a GNSO-appointed co-Chair for the CCWG.

Not to close the door on any other possibilities, but because Jonathan Robinson was involved in the drafting team of the CCWG, I asked if he would be interested in serving as co-Chair as a potential, and he said that he would be interested in that. But that certainly doesn't mean that we can't entertain other interested parties as well.

And then the second one would be that the Council would need to establish a date for all the stakeholder groups and constituencies to identify who their members to the CCWG would be and how those would be communicated back to the Council. And we've laid out some criteria there if folks could take a look at.

The reason I asked about the timing, Marika, is because I wondered if we had enough time to review the criteria when we have our constituency day on Sunday, and whether this could be an item of discussion that everyone can take back to stakeholder groups and constituencies, you know, in an effort to solicit volunteers.

And if that's not enough time, if we could defer this to the first meeting that we would have -- first Council Meeting that we would have -- after Hyderabad.

But I think if I'm hearing you correctly, if two of the SOs and ACs adopt this charter here, then the CCWG would already be effectively - go ahead. Just jump in there. You don't have to wave at me.

Marika Konings: So this is Marika. The CCWG would be formed on paper, but of course it doesn't mean it's formed in practice because the next steps would be to launch a call for volunteers. And I think as we anticipate that there is probably going to be broad interest in this. It's not something that, you know, we'll just do a week and then they'll already start discussing.

And again, my personal assessment, like even if some groups would adopt a charter here, I don't think we would actually get the group together until, you know, end of the year or maybe even beginning of next year because we recognize that, indeed, it will take some time for all the groups to identify who their members may be.

We need to give sufficient time for people to sign up for the effort, get as well from, you know, the admin side of things in place; have a mailing list, get the materials ready. So personally, I wouldn't see any problem if you would have the next meeting as your target for confirmation of members.

And again, indeed there's maybe a formal confirmation from the GNSO side. But even if there would be already a meeting, nothing prevents those people from already participating -- even without having been formally confirmed.

James Bladel: Okay, thanks Marika. And I think that goes to my primary concern is that, you know, we have enough time to not only to poke at these qualifications, but to socialize them out within the GNSO community and to start to get an understanding of what the level of volunteers would be.

So when is the date? I'm sorry -- I should know this. But when is the date of our next meeting after Hyderabad? Is it in November still?

Marika Konings: I actually believe it's the first of December -- looking at Glen.

Glen de Saint Gery: First of December.

Marika Konings: Yes, first of December.

James Bladel: Okay, so possibility exists for us to at least continue this discussion and adopt it at our meeting in the first of December. I'm not saying we have to do it that way, but it is good to know that we have that option.

Okay, what other motions? Is that the end of the motions we have for vote?

Marika Konings: Yes, and of course the two ones - this is Marika for the transcript - that have briefly come up before -- the Internet Governance and the bylaws.

James Bladel: Yes, briefly they came up. I just want to note that we are now scheduled to be walking over to the GAC room.

We do have a prep session. Is that Sunday? Is it Sunday? Okay. So we have our prep session that day. I think we've done -- to some extent -- we've already done the prep here.

I would propose to the Council that we spend most of that time on the prep session on Sunday discussing the drafting team motion as well as the CCWG-IG motion -- those two.

And those two - my understanding because we've already deferred the drafting team motion that those are on the hook for this meeting. Yes, procedural. Yes, I'm seeing some nodding heads down here so we have to give those our focus.

Okay, so I see everybody is ready and like super pumped to go talk to the GAC, so we'll close this session.

Oh, I'm sorry. Carlos, go ahead.

Carlos Gutierrez: Just to mention, the GAC is going to change all the Vice Chairs. Is that right Mason? Yes, I think they are changing everybody but Thomas Schneider in this session this week. So if that helps or (unintelligible) on top of your head.

James Bladel: For all five regions will cycle through as vice-chairs?

Carlos Gutierrez: Yes, they're all up for new elections just in case (unintelligible).

James Bladel: And are they - I'm sorry because I'm not familiar with the GAC. Are they all termed out and so that's why we'll have five new? Or will some of them be reelected (unintelligible)?

Carlos Gutierrez: I'm not familiar either. I just got that message and they have six candidates for the five seats and the election is going to take place during this meeting. And the only one who stays is the Chair, Thomas Schneider.