
COPENHAGEN – GNSO Public Council Meeting
Wednesday, March 15, 2017 – 11:00 to 13:00 CET
ICANN58 | Copenhagen, Denmark

UNIDENTIFIED MALE: It is Wednesday, March 15th, 2017, in Hall C14 for the GNSO Public Council Meeting, 11:00 to 13:00.

UNIDENTIFIED FEMALE: The audio is loud and clear.

UNIDENTIFIED FEMALE: Hello. Can I get the presentation laptop moved? Thanks.

UNIDENTIFIED FEMALE: Testing from the bridge – one, two, one, two – testing.

UNIDENTIFIED MALE: Check one, two.

JAMES BLADEL: Okay. We're still waiting for Councilors to gather and take their seats, but we'll get started here in just a couple of minutes.

Welcome everyone. Welcome, guests.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

Let's ask Councilors to take their seats at the table and we'll get started.

Good morning. Let's get started.

Welcome to the Public Meeting of the GNSO Council. I'll wait for a green light from the back of the room that our recordings have started, and then we will begin.

Okay. Recordings have started.

Terri, if you don't mind, would you call the roll, please?

TERRI AGNEW:

Thank you. Good morning, good afternoon, and good evening, everyone, and welcome to the GNSO Council Meeting on the 15th of March, 2017. Would you please acknowledge your name when I call it?

James Bladel.

JAMES BLADEL:

Here.

TERRI AGNEW:

Donna Austin.

DONNA AUSTIN: Here.

TERRI AGNEW: Rubens Kuhl.

RUBENS KUHL: Present.

TERRI AGNEW: Keith Drazek.

KEITH DRAZEK: Here.

TERRI AGNEW: Darcy Southwell.

DARCY SOUTHWELL: Here.

TERRI AGNEW: Michele Neylon.

MICHELE NEYLON: Here.

TERRI AGNEW: Valerie Tan sent her apologies with proxy given to Donna Austin.
Phil Corwin.

PHILIP CORWIN: Present.

TERRI AGNEW: Susan Kawaguchi.

SUSAN KAWAGUCHI: Here.

TERRI AGNEW: Paul McGrady.

PAUL MCGRADY: Here.

TERRI AGNEW: Wolf-Ulrich Knoblen.

WOLF-ULRICH KNOBEN: Here.

TERRI AGNEW: Rafik Dammak.

RAFIK DAMMAK: Here.

TERRI AGNEW: Stephanie Perrin.

STEPHANIE PERRIN: Present.

TERRI AGNEW: Stefania Milan.

STEFANIA MILAN: Here.

TERRI AGNEW: Heather Forrest.

HEATHER FORREST: Here, Terri. Thank you.

TERRI AGNEW: Tony Harris.

TONY HARRIS: Here.

TERRI AGNEW: Ed Morris.

EDWARD MORRIS: Here, Terri.

TERRI AGNEW: Avri Doria.

AVRI DORIA: I'm here. Thank you.

TERRI AGNEW: Thank you. Avri is the NCSG temporary alternate for [Amar Alzdar] who has left the Council.

Marilia Maciel.

MARILIA MACIEL: Present. Thank you.

TERRI AGNEW: You're welcome.

Johan Helsingius.

JOHAN HELSINGIUS: Present. Thank you.

TERRI AGNEW: Cheryl Langdon-Orr.

CHERYL LANGDON-ORR: Here, Terri.

TERRI AGNEW: Carlos Raul Gutierrez.

CARLOS RAUL GUTIERREZ: Thank you, and congratulations to Phil Corwin for his birthday.
Thank you.

TERRI AGNEW: Ben Fuller.

BEN FULLER: Here.

TERRI AGNEW: And Erika Mann.

ERIKA MANN: Here.

TERRI AGNEW: Staff is also present. I'll turn it back over to James. Please begin.

JAMES BLADEL: Thank you. Carlos already covered my first item of administrative business. Happy birthday, Phil.

PHILIP CORWIN: Thank you very much. And I really can't think of a better way to spend a birthday. Truly, this is not BSing. I'm doing work I love with people, with colleagues I really like and respect.

JAMES BLADEL: With the people you like.

PHILIP CORWIN: So I'm doing what I like and I feel great, so it's a great way to spend a birthday, but I am going to go out with friends tonight and drink a lot.

JAMES BLADEL: There you go. Happy birthday.

Thank you, Terri. Can I ask everyone to please state your name for the transcript and for remote participants before speaking? Also, if you can at the table log into the Adobe Connect room, that will help me immensely to manage the queue.

Okay. So let's dive in to our administrative matters now that we've made our acknowledgements to Phil. Does anyone else have any Statements of Interest or updates to their status as a Councilor?

Yes. Wolf-Ulrich.

WOLF-ULRICH KNOBEN: Yes. Yesterday I was moved from the seat of Vice Chair to the seat of the Chair of our constituency.

JAMES BLADEL: Thank you and congratulations.

I would like to acknowledge – although we met him over the weekend – that our new ccNSO liaison Ben Fuller is with us at the table. Ben, welcome to your first open Council meeting, and we’re glad to have you.

Okay. And then did anyone have any amendments or changes to our posed agenda?

Go ahead, Donna.

DONNA AUSTIN: I have an item I’d like to raise on the Any Other Business. It’s a recognition.

JAMES BLADEL: Okay. We’ll add an AOB item for Donna. Thank you.

Let’s then move to the review of our projects and action items list, if we could bring that up on to the screen, if that’s possible. Or maybe I should go [look] something - okay, so they’re digging that up.

I think that we spent almost the entire day Sunday going over the open projects and the status of our open PDPs, so I think primarily the question is, did anyone have any items that came out of our session on Sunday that they’d like to discuss on

Council, particularly anything relative to our open PDPs or Implementation Reviews?

Michele.

MICHELE NEYLON: Thanks, James. I think we do need to bear in mind the GDPR when it comes to the RDS PDP, and that we need to look at maybe sending some kind of instruction there, because if we don't, it's going to cause a massive problem.

JAMES BLADEL: Donna, Keith – again, I'm going to start focusing on the Adobe Connect room for hands, so it would be [inaudible].

DONNA AUSTIN: Michele, could you just spell out what the GDPR is, please?

MICHELE NEYLON: Sorry, it's the – okay, I'm going to get the acronym wrong as well so that's not going to help. I'll just describe what it is. The European Union has passed a set of laws which completely revamp how privacy is handled within the European Union, but the way it is done, it also means that anybody who interacts with citizens of the European Union has to comply with it. Whereas previous privacy legislation didn't have much teeth, the new

regulation does in that it can allow, if you are found to be in breach, if your company is found to be in breach, they can be fined up to I think it's 4% of their global turnover. It's a very large amount of money.

So the thing with how ICANN forces contracted parties to collect and process a lot of personally identifiable information, it's not currently going to be compliant with any of that, which means that both registries, registrars, and everybody else will be put at a very high risk. As you all know, the RDS PDP has been going on now for over a year and it's a PDP that is very big, very complicated, and is broken up into multiple phases. The GDPR – I think I got the acronym right – will come into effect I think it's May, 2018. Erika is better on this than I am. There is absolutely no way that the RDS PDP will be done in time for that. It's just not going to happen, not at the rate it's currently going.

It's something that needs to be dealt with, because otherwise, basically most of us are going to stop publishing any WHOIS records.

JAMES BLADEL:

Thanks, Michele. I have Keith and [inaudible].

KEITH DRAZEK:

Thanks, James and thanks, Michele. Just very briefly because if this is a discussion of what needs to be added to our agenda we can talk about it later, but this is exactly why we need the updated legal advice memo from ICANN or from a third party contracted by ICANN to inform the RDS PDP Working Group about these issues.

And just very briefly, the registries and registrars during our session with the Board yesterday had a fairly lengthy conversation about this topic, and I think there was a recognition by Board members and others in the room that this issue needs to be fast-tracked, because if and when the GDPR goes into effect in May, 2018, there will be potential penalties on contracted parties for not complying with the regulations, and that is potentially in direct conflict with our contracts with ICANN. So, I think that this is an issue that will probably be a major focus over the course of the next year. Thanks.

JAMES BLADEL:

Thanks, Keith. I have Susan and Paul, and I just want to note that a couple of folks appear to be in the wrong Adobe Connect room because I think Susan is, I think maybe Carlos is, because Heather and I were just a moment ago because we were using the one from the published public calendar as opposed to the

one that we normally use for our calls. So just make sure you're in the right room.

Okay. Susan and then Paul.

SUSAN KAWAGUCHI:

So, I agree with most of the comments. I think the GDPR is going to push this forward at probably a faster rate than the working group can handle, but if we have the tools that we need, I think we could get somewhere closer.

I also, after the Data Commissioner's session the other day, did not feel that it's a slam dunk, that you cannot transfer data or process data or collect data. If we have the purposes for collecting the data defined correctly, then I think that there's a way forward. But if we get a legal opinion and ICANN provides the resources for doing that along with the – it could be maybe the RDS Working Group needs the finance, the funds to ask the right questions, and also the memo or legal brief that we're asking to be updated now – the GNSO Council – we could have a clearer picture sooner on what this really requires.

I know this is a whole debate that we could take the whole meeting up, but I don't want to jump to the conclusion that registrars and registries will have to shut down the WHOIS record. I don't think that's where we're going.

JAMES BLADEL: Thanks, Susan. I have Paul and then Erika, and then I'd like to move on to another topic, because as Susan notes, this could be a longer discussion and we should probably kick off a follow-up action.

PAUL MCGRADY: If we were going to kick off a follow-up action on this and not reach any conclusions today, then I'm happy to lower my hand.

JAMES BLADEL: I think we need to determine what that is specifically, so go for it.

PAUL MCGRADY: I guess I'm just trying to sort this out. There's lots of legislation all over the world that is constantly in flux, so it's fine I guess that the EU has promulgated a new rule that's two years out. From what I understand about it, it's still not settled exactly how that is going to play out. There's going to be legal challenges and other things of that nature over the time. I think the idea of a legal opinion, again, a legal opinion that says something is not in force yet and may face legal challenges and is not settled isn't really a terribly helpful document. So I would say before we get

too far down this path, it would be great if somebody could identify some basic background reading material, some library, some nice airplane stuff for all of us who are not privacy people to read to get up to speed. I think that'd be terrific.

But I think if we're going to go down this path, I think it has to be measured and it just can't be a panic knee-jerk reaction asking for a 15-page letter from some law firm. I think we really need to think through it first and decide if that's what we need here or if there's something else that we need. Thank you.

JAMES BLADEL:

Thanks, Paul. I have Erika, and then I think that we're starting to drift into agenda item number seven which is the discussion of the legal review that we have later, so we can revisit this topic a little later on in our agenda as well.

Go ahead.

ERIKA MANN:

Whatever you prefer, James. I think I did a draft to request a legal review, so I sent this to the Council and you have this in your hand. I can extend this. I can make, like it was just suggested, some recommendation what else to read. But my recommendation would be strongly to start requesting the legal opinion as soon as possible and not to wait. The law is, it's done.

There's certain modification which impact more European member states' law. Why is it important? There's only one reason. Because it has extraterritorial effect.

So if it would just impact the European Union, operators could say, "Okay. It's a minor issue. Still important but a minor issue." But it has extraterritorial impact, so I would say we should do this as quickly as possible.

Happy to update the document I sent and put more information behind and links to documents to read.

JAMES BLADEL: Thanks, Erika. I put myself in the queue, and Paul, is that a new hand? Okay.

PAUL MCGRADY: [Yes.]

JAMES BLADEL: Okay. On this topic?

PAUL MCGRADY: Yes.

JAMES BLADEL: Okay. Then I'll go behind you.

Stephanie, I really want to move on. This is agenda item seven that we're still in agenda item two, reviewing our action items. I wanted to raise a different point, but go ahead, Paul, and then we want to cut this one off.

PAUL MCGRADY: I think we sort of jumped ahead to action item seven and I feel a little bit rushed on this because it was seven, not number one. And so if I appear like I'm reacting strongly to it, I'd much rather have had it in the agenda where it went rather than where it got started. So that's that.

But I would say that if we are going to go down this road, I think it has to be gone down fulsomely. And we obsess a lot about Europe, but it's not the only place. I just think that we really need to understand the global landscape before we pull the trigger. I also have a process question which is, isn't this a request that should be coming from somebody in a PDP somewhere rather than the Council doing this?

It just seems to me like if a particular PDP needs it, then they should ask for it. If another PDP thinks it's interesting, it's fine if they suggest it that the other PDP needs it, but then we're still in the place where we've got one team saying the other team really

should be interested in it and then the Council doing something about it, but we still haven't – have we heard from the RDS PDP that they need this? Thanks.

JAMES BLADEL:

Okay. Thanks, Paul. We started off discussing a weekend session, and I think Michele kicked that off, but I think we, as noted by a couple of speakers, strayed into our agenda item seven which is the legal review. So we can take this up again when we get to that agenda item, but thank you for raising the topic of WHOIS privacy right out of the gate, Michele. Thanks.

I wanted to speak to another session – actually, two sessions – that occurred over the weekend, and these were the facilitated discussions between our group, the Council Leadership, our PDP Leaders for the IGO and INGO Red Cross along with the GAC and our liaison, and just kind of update the Council and the audience on what transpired and those, I believe, we're probably going to see some progress on that from the Board. I think it's fair to say that we cleared some hurdles, but we have some challenging topics remaining for us, not only in the current PDP that is being Chaired by Phil and Petter, but also in the previous PDP.

And just as an update – and please, Donna and Heather, if you feel that I'm missing something or would like to add on anything here – I think that the Red Cross names are going to require us

within our existing process to revisit one of the recommendations of the PDP that concluded in 2013. It's possible that this was something that could have been considered more fulsomely at that time or it's possible that more timely GAC advice or Board action might have alleviated it, but we are here now several years later on. We had some sequencing issues then, and we're just trying to capture all that now. So we have asked that the Board specifically request that of us, that we would not necessarily take that action unilaterally.

I think that we have identified some potential avenues that could help the IGOs with some of their concerns, their protections, that would not require us to revisit the PDP. It would be something that would occur outside of policy and be more of an implementation or even just a commercial service that they could engage to address some of the things that they were seeking in policy.

However, when it comes to access to curative rights, as I was mentioning, we still have an ongoing PDP and we still have a number of questions that need to be addressed in the work of that PDP. And I think some of that is going to feed back in through that PDP through the comment period which is currently open I think until the end of the month – two more weeks – and will be incorporated into the work of that PDP.

So the good news is, some progress on Red Cross, some items that we can feed into the existing PDP, and one item specifically that will probably cause us to revisit one of the recommendations from the old PDP. Nothing here I would say, aside from the conversations themselves – which we come to ICANN meeting to have conversations – but nothing that I’ve just described is necessarily coloring outside the lines of our processes. I think we’ve held the line fairly diligently on what we can and cannot do as leadership, and I think we were fairly clear in communicating that to the GAC and to Bruce who was facilitating the discussions.

I don’t know if anyone wants to discuss that any further or has any questions.

Sorry. Donna, go ahead.

DONNA AUSTIN:

Thanks, James. I’m not going to go into the substance of what we discussed, but I think the exercise was helpful, and I do want to recognize the effort that Bruce Tonkin undertook to prepare us for the discussions. I think Bruce’s knowledge of the community and the different aspects that we had to cover was really helpful, and also thanks to Mary for the help in preparing for the effort as well. The preparation obviously helped the conversation a lot, I think. So thanks to Bruce and Mary for that.

JAMES BLADEL: Thank you, Donna. Anyone else like to speak on this? Comments? Questions?

Okay, so watch this space. Further developments are expected here in Copenhagen, and I think in the immediate weeks to follow.

Any other items, either an open project or action item or anything resulting from this weekend's session on Sunday that we'd like to table at this time?

Heather, you've got one?

HEATHER FORREST: Thanks, James. I think we want to put a marker down for our next meeting which would be April since we did not have time to, or since they were not received in a timely manner the update from the Internet Governance CCWG – there's some airplane reading – that we all ought to have a look at that report that's been received. And if we have any questions, we ought to raise those in our next meeting. Thanks.

JAMES BLADEL: Thanks, Heather. I think that's agenda item number five, but I think that you're correct. We received the report while we were

actually either here or in transit to Copenhagen, so I don't believe that anyone's realistically had much time to review that. Thanks for the reminder.

Okay. Rafik.

RAFIK DAMMAK: Just asking here what Heather was suggesting exactly, just to clarify. I understand that the report was shared late. We are sorry for that, but are we still covering that in the agenda item number five as just to give an update? Okay, thanks.

JAMES BLADEL: We'll address it then, but we probably won't have a lot of substantive or intelligent things to say about it because –

RAFIK DAMMAK: That's okay, I guess.

JAMES BLADEL: Okay. Thanks.

Okay. If there are no other topics, then we can move on to item number three, which is our consent agenda. There is one item on our consent agenda which is the appointment of a GNSO co-Chair to the Cross Community Working Group on Auction

Proceeds. That candidate is Erika Mann. Thank you for volunteering for that, Erika. As Avri and I were discussing as a matter of process earlier, does it really make sense to have something on a consent agenda if there's only one item? Kind of a philosophical discussion, but yet there it is.

So, I'd like to open the floor for discussion of this agenda item, otherwise we can proceed to a vote. Comments, questions for Erika?

Yes, Heather.

HEATHER FORREST: Thanks, James. Simply to say thank you to Erika for volunteering.

JAMES BLADEL: Erika.

ERIKA MANN: Thank you to you as well, all of you, for giving so much trust. I'm a newcomer, so thank you. Not a newcomer for the topic, but a new environment. Thank you.

JAMES BLADEL: Thank you, Erika. We are fortunate to have someone who was present at the beginning of this effort taking the reins.

Okay. If there are no further comments, then we can proceed to a voice vote. Terri, if you'll do the honors.

TERRI AGNEW: Certainly. Thank you, James.

Would anyone like to abstain from this motion on consent agenda? Please raise your hand.

Seeing no names, would anyone like to vote against this motion on consent agenda? Please raise your hand.

Seeing no one, would all those in favor of this motion on consent agenda please raise your hand? Thank you.

Donna Austin, proxy for Valerie Tan, please express your vote.

Thank you.

The vote passes.

JAMES BLADEL: Thank you, Terri. Thank you, Councilors. Congratulations, Erika, and if we would ask staff to then follow up to communicate this back to the CCWG and to get Erika up to speed in her new role as the GNSO Co-Chair. Thank you.

Okay. Then – I’m sorry. I didn’t see your hand. Paul?

Okay. Then let’s move on to agenda item number four, and this is probably one of our more substantive matters, which is the motion to adopt the Charter for a new Standing Selection Committee. Just a little bit of background for those in the audience perhaps who haven’t been following this issue very closely is that under the new Bylaws, the GNSO – like many of the other SOs and ACs – must appoint members to primarily review teams, but also we have to identify liaisons to various organizations like the CSC, representatives to the Empowered Community and so on and so forth, and this just keeps coming up over and over where we have to either identify individuals to fill specific roles or evaluate a list of applicants to determine what a slate of GNSO delegates would be.

We have determined that the best way, the most efficient way, to handle this openly and fairly and consistently would be to create a Standing Committee to provide this function. The effort was kicked off late last year – Susan and Ed – so thank you for that. We have been working diligently to get this hammered out and in a way that addresses everyone’s questions and concerns, and I think we’re getting very close if not already there.

So we have a Charter, and I think first off, there were some potential changes to the Charter itself, to address some of the

concerns that were raised during the week. And I might put Marika or Mary on the spot to maybe help us address – I think, was it Paul who raised the question of the Charter itself? And then there were some changes to the motion as well. So, can we take a look at the Charter first and address any edits from yesterday on the draft Charter?

Okay. And what were the – sorry, we have Ed with your hand up.

EDWARD MORRIS:

Thanks, James. I just noticed we have the NCAs, one member on the SSC from the three NCAs, but then we repeat that the non-voting NCA is automatically on the SSC. Did we intend that?

JAMES BLADEL:

Correct. I don't think we intended that. I think we intended that one of the three would participate. So, we'll probably need to correct that. I think that was an artifact from the editing yesterday.

I'm not sure what we're waiting for. I think – we have the Charter here, but I don't have it here. Okay.

Paul, can you maybe – I'll put you on the spot here – can you maybe point us to the change that you proposed? I think it was just a minor change as well, correct?

PAUL MCGRADY: It was. It was just a clarification that the way the language was written before could be read to indicate that there was only one seat for each of the three constituencies within the Commercial Stakeholder Group, but instead, what we meant was one for each constituency not one for all three. And so Marika made a little change, I think solved the issue. It was just a drafting issue. Nothing substantive.

JAMES BLADEL: Okay. So just a little more precise. Thanks.

Yes. Heather, go ahead.

HEATHER FORREST: Thanks, James. Just for the benefit of those who aren't maybe familiar with what we're referring to – and I don't know if we're able to scroll – so what we're looking at is really over the page of two and three, the principle substantive item of discussion that we've really had this week is in relation to the composition of this committee, its membership, and what – as I understand it, and this is a good opportunity to correct if this not the case – what's been agreed is that we have one member of the committee from each of the registry and registrars, we have one member from the IPC, one member from the ISPCP, one

member from the BC, three members to be appointed by the NCSG – the Non-Commercial Stakeholder Group – and one of the three NomCom appointees. So that leads us to a total of we said 12.

JAMES BLADEL: Thanks, Heather. And for the benefit of the audience, this group, these 12 –

UNIDENTIFIED PARTICIPANTS: [Inaudible].

JAMES BLADEL: Yes.

HEATHER FORREST: That's right. We need – it's true. Bad math. We need to update the number. Sorry, James. It's nine, not 12. So we need to update that as well.

JAMES BLADEL: Right. Because we had also said that the three of us would be ex-officio members, but instead we've decided that if the Chairs participate, it would be counted against their – we would be counted as representing our stakeholder group or constituency.

One other item that we discussed fairly extensively last night would be how this group of nine arrives at decisions, and we have determined that that will be via full consensus.

Wolf-Ulrich.

WOLF-ULRICH KNOBEN: Sorry. Just going back to the Charter here because just going through and [thought that] I don't know whether it's going to be erased – the very last paragraph with regard to the membership. It still contains the Chairs and the non-voting NCA in a separate paragraph. That's the question, do I remark to staff how to take care about that?

JAMES BLADEL: Thanks for catching that, Wolf-Ulrich. I think we're fixing it. I think there's maybe just a discrepancy between the two versions that we're showing here or just...

Yes, Marika.

MARIKA KONINGS: So the version that's now up in the Council AC room has the changes that have been just suggested, which is making sure that it's nine members not including ex-officio, the removal of the reference of the Nominating Committee represented in the

second one, but I did believe that there was agreement to have the Leadership Team ex-officio participating in the SSC.

JAMES BLADEL: We took that out. If we do participate, it will be as representatives from our stakeholder group or constituency.

Yes. Go ahead.

HEATHER FORREST: Thanks, James. Let's say why so that everyone's very clear. One of the main objectives in developing this committee has been to ensure that it has a sufficient number of members to ensure representation of the various interests within the GNSO, but not so many numbers to be unwieldy. So we agreed that that was a sensible outcome to remove the three members of leadership and thereby reduce the numbers. And that explains the reduction from 12 to nine.

JAMES BLADEL: I'm sorry. Marika, go ahead.

MARIKA KONINGS: One question then, because that specific section also refers to the GNSO Chair serving as the Chair of the SSC. So by removing that, there's no clarity then on who should chair.

JAMES BLADEL: I think we're leaving it to the SSC to self-organize then.

Also, Paul is noting in the chat that the membership count is also wrong in Section [three]. It's fixed. Okay.

Yes, Marika.

MARIKA KONINGS: Sorry – okay if I just then add a sentence: “The SSC is expected to select its own Chair or Leadership Team?”

JAMES BLADEL: Yes. Thank you.

Yes, Paul.

PAUL MCGRADY: If we're done counting the heads, the other issue that we talked about on this was the consensus standard, and that we agreed to full consensus which I understand to mean 100% agreement. So essentially, the way that we've distributed the heads is predicated upon the fact that essentially any one constituency will have a veto, and I think that that's an important component, and I wanted to capture it in the record because that's the basis upon which we've agreed to the headcount issue. Thanks.

JAMES BLADELL: Yes. Thanks, Paul.

Okay. Any other questions, comments on the Charter? We can maybe put a bow on that one and step back and discuss the motion. But before we do so, I would need a second.

I have a second from Susan and a second from Ed. Perfect. Thank you.

Okay. Waiting for the motion to load back up in our screen, so just give us one moment here.

MARIKA KONINGS: If you just want to have two seconds, because I'm just uploading the revised Charter. I don't know if people want to take a quick minute to look at that specific section to make sure it's now in line with what everyone has suggested.

JAMES BLADELL: Okay. So this is the version that now has reflected all of our discussions today.

I'll just take one moment or two to look that over.

Okay. I think it's captured everything, Marika. Thank you. Anyone spot any remaining – okay. And again, I want to

emphasize something that also came up quite a bit yesterday for the audience is that this Charter and this group is expected to come back and report after two selections whether or not it has identified any deficiencies in its Charter that need to be addressed. So it is something that we can continue to revisit and at least iterate on a couple more times to ensure that we've got something that's flexible enough to address all of the roles and review teams and things that will need to be evaluated, but also consistent enough that it provides some certainty into those processes.

Okay. So can we then move to the motion? Because I think there were some changes last night to reflect a proposal from Heather, and I want to draw your attention to some of the changes on one of the resolved clauses. But why don't I just go ahead and – per our procedure I'll just go ahead and introduce the motion, and I'll start by just reading the resolved clauses.

Resolved 1) The GNSO Council adopts the GNSO Standing Selection Committee Charter on an interim basis and instructs the GNSO Secretariat to launch a call for volunteers per the membership criteria outlined in the SSC Charter as soon as possible with a view to establishing the SSC no later than X date,” which we'll need to discuss.

Resolved 2) The GNSO Council tasks the SSC to carry out the review and selection of GNSO-endorsed candidates for the Registration Directory Service Review Team for Council consideration at the latest by its 20 April meeting.

3) The GNSO Council tasks the SSC to develop the criteria and the process for selection of the GNSO representative to the Empowered Community for GNSO Council consideration by its June, 2017 meeting, and following the approval of the GNSO Council, carry out the selection process.

4) Following the completion of two selection processes, the GNSO Council requests the SSC to report back to the GNSO Council with its assessment of whether the Charter provides sufficient guidance and flexibility to carry out its work and/or whether any modification should be considered. Acknowledging that this is a work in progress, the GNSO Council will review this assessment as well as whether any modification should be considered, as well as any inconsistencies that need to be addressed as a result of the finalization of the work of the Bylaws Drafting Team.

5) The GNSO Council thanks the small group of volunteers, Susan Kawaguchi, Ed Morris of the GNSO Council Leadership Team for its work on the Charter.

I would like to propose one friendly amendment to Resolved 5 which is that Valerie Tan also participated in that small team and that we should probably include her in the acknowledgements.

Thank you. I'm presuming that's fairly non-controversial.

Okay. Discussion, please.

Really?

Donna.

DONNA AUSTIN:

Thanks, James. I just want to recognize that a lot of work has gone into this, so thanks to Ed and Susan for the work that you've done on this. I think it's really important that we stand up this committee. We have noticed over the past six months that this has become quite an administrative burden on the Council trying to select candidates for different review teams or working groups, so I think this will hopefully help us to clear some of that workload off the Council and have a more streamlined process when we come to these discussions or decisions in the very short term. So thanks very much to Ed and Susan for the work you've put into this.

JAMES BLADEL: Thank you, Donna. And just a note that we still do have to choose a date.

Heather?

HEATHER FORREST: Thanks, James. Following up on Donna's comments, I think it's also important to acknowledge in light of the concerns that we raised in our weekend session about Council strategy and Council priority that this was indeed one of the key objectives that we had established for ourselves at the end of last year, and it's great to see us achieve this in the context of our very first public meeting of the year. So it seems that we're off to a very good start on Council for the year. Thank you.

JAMES BLADEL: Thanks, Heather.

Paul.

PAUL MCGRADY: Purely procedural question. Most of these motions either have a push or a pull, so either staff publishes a request for people to identify a willingness to serve in this role, or the constituencies and stakeholder groups identify the person and pushes them.

Do we have a mechanism for that to happen? Do we need one?
Or am I overthinking it?

JAMES BLADEL:

I think my reading of the motion, number one is that the staff will put out a call for volunteers and then each of the stakeholder groups or constituencies will then come back with their chosen volunteer. So if there are multiple responses to that, call for volunteers will direct them to notify their leadership of their SG and see, and then whatever internal process is used to select that volunteer is then reported back to the council.

PAUL MCGRADY:

Could we tack on a dependent clause in one just to make that clear? Because it could just be read as equally clear that the staff puts out a call to volunteers, and then what? Does the council decide? I think we know the Council doesn't, so could we just say at the end, "No later than X date, and following that process, each party that has somebody to appoint will appoint them no later than another X date," so that we have a date certain that the call for volunteers goes out and a date so that everybody has to have it populated so it doesn't drag out.

JAMES BLADEL: Right. Okay. The only date we have currently is the date for establishment of the SSC, so you're saying we need a date for when –

PAUL MCGRADY: We could say, 'No later than the establishment of the [SCC], right? I know that sounds bizarre. It just sounds like there's a procedural step that's missing there, because we've got the call for volunteers and then we've got the thing kicking off, but we need to give instructions to the constituency that they've got to meet a certain deadline to fish through the list of people who come through. Because that constituency may have no problem finding somebody, they may have nobody step forward, and they may have 15 people who want to do this. We just don't know, so we have to give the constituencies a deadline to get it together and get the name in.

JAMES BLADEL: Can we put that in the call for volunteers and work backwards from the date that we want the committee to start working? Put the deadline in the call –

PAUL MCGRADY: Right. But I just think that we need to make it clear in the motion that it is, in fact, there's a call for volunteers and then the parties

that have the obligation to appoint somebody have to actually do that.

JAMES BLADEL: Name their –

PAUL MCGRADY: Name it. Yes.

JAMES BLADEL: Marika, go ahead.

MARIKA KONINGS: From a staff perspective, we can commit to getting this out by the end of this week provided this is approved. And I think if you just agree here on a date by which you want stakeholder groups and constituencies – because we would send the call for volunteers basically to the stakeholder group and constituencies' leadership teams or Chairs, and assume that they then go through their respective processes for selecting or identifying these members, and maybe you can just confirm here in this meeting what you would want to be the deadline for stakeholder groups and constituencies to confirm their members so we don't have to overengineer the motion itself but we have clear instructions of what to put in there.

JAMES BLADEL: Okay. So here, let me just throw out a couple of ideas here that we would say something along the lines that we'd launch a call for volunteers per the membership criteria outlined in the SSC Charter as soon as possible, with a view to having each member identified by 27 March – that's 10 days – and the establishment of the SSC no later than 31 March?

PAUL MCGRADY: Each member identified by their appointing constituency or stakeholder group by that date.

JAMES BLADEL: Yes. Right. By 27 [March]. Yes, the key is that we've got to get moving. We'll only have 10 days from the end of the month to evaluate RDS, so it's going to be close. I guess I would say I would recommend folks start talking about who the potential members are in advance for the call for volunteers. But if we can put out the call for volunteers by the end of this week, and we say 27 March for identifying the members, 31 March for establishing the SSC. It's aggressive, but... okay. We're making those changes and updating the motion, I think. Yes.

Is that acceptable to the seconders of the motion?

I'm getting agreement from Susan and a thoughtful look from Ed. Okay, nodding on both. Okay.

Okay. I think the language in the Council room has now been updated to reflect that change for Resolved 1.

So the queue is clear. Any other comments, questions, or notes about the motion?

Okay, then we can proceed to a vote. Any objections to a voice vote?

Okay. Seeing none, Terri, if you'd do the honors and conduct a voice vote.

TERRI AGNEW:

Certainly. Thank you.

Would anyone like to abstain from this motion on preliminary adoption of the GNSO Standing Selection Committee SSC Charter? If so, please raise your hand.

Seeing no hands raised, would anyone like to vote against this motion? Please raise your hand.

Seeing no one, would all those in favor of this motion please raise your hand?

Thank you.

Donna Austin, proxy for Valerie Tan, please express your vote.

Thank you.

The vote passes unanimously.

JAMES BLADEL:

Thank you, Terri. Thank you everyone for putting that work item through the process. That was a very significant achievement and we have a lot of work to do to get this thing up and running, so I won't spend too much time with the acknowledgements except just to say thanks to the Council and thanks to everyone who helped work on this Charter. It's in a much better place than it was when we started, and I think we're in a good place now. Thanks.

Okay. Moving then to agenda item number five, which is the updated Charter for the Cross Community Working Group on Internet Governance. I just want a time check. We're about halfway through our meeting, roughly. We have a number of agenda items left, but they are all discussion items, and please don't forget Donna has identified an AOB.

So agenda item number five is the Council discussion on the updated Charter for the Cross Community Working Group. That Charter was submitted almost immediately preceding the ICANN meeting here in Copenhagen. That was something that we had

requested from that group, I believe in Hyderabad, was that they come to Copenhagen with an updated Charter. And realistically, it's probably not had an opportunity to review, but we'll still open the floor for any discussion of this agenda item or the Charter. I don't think anyone's had a chance to even crack it open.

No. Okay. I have Marilia and then Michele.

MARILIA MACIEL:

Thank you, James. Actually, I took a look at the Charter, being a former member of the CCWG-IG and having a personal interest in the topics that are being discussed there, and I would like to congratulate the team, the Chairs – Rafik and Olivier and all the team who worked to update the Charter. I think that it's clear that there was an effort to bring the Charter into alignment with the parameter established by the [CCWG on CCWGs]. And I think that the way that they presented the information to me was very useful, putting side by side the changes that have been incorporated in the Charter, and on a second document putting side by side the criteria that has been established for CCWGs and the efforts that were made to change the Charter into that direction. I think that, of course, more discussion will need to be made when everyone gets the chance to take a look at the Charter, but I think that it moves in the direction that we were

expecting, and there's more commitment with reporting back to SOs and ACs, and I think that this is positive and it was one of the things that we wanted to see. Thanks.

JAMES BLADEL: Thank you, Marilia. I have Michele and then Rafik.

MICHELE NEYLON: Thanks, James. I haven't had a chance to review this yet because it came in at the last minute, but I think it's good to see that there's been progress because we asked them to provide us with this. They've done that. That's great. That's what we wanted. So it's positive.

JAMES BLADEL: Thanks, Michele.

Rafik?

RAFIK DAMMAK: Thanks, James. Maybe just I want to for one minute just to explain what we did and what we tried to do. I understand that not everyone had the chance to review the document. We are sorry. We had to work really until the last days to finalize the revised Charter. So what we sent to the GNSO Council, in fact there are three document. There are two documents to explain

the changes or amendments we did in the Charter based in the Framework of Uniform Principles for CCWG. There is the model template that we used and to see where are the difference and the gap.

And also we sent an activity report. The idea behind that is to summarize the different activities we did last year, because we had discussion within the CCWG-IG and one of the conclusion is that maybe we didn't report enough or inform our Chartering organization and the wider community about what we are doing and why we are doing.

With regard the amendments in the Charter, I think we focused a lot on the area of activities and the scope to try to elaborate more what we are trying to achieve, and also to list the different deliverable we think that we need to work on.

And I think we acknowledge that we have to work more in the Work Plan as expected from any working group. We got also into consideration the comment from the Council with regard that any working group has a start and end, but the reality that in Internet Governance discussion it's always ongoing, so we tried to find a solution for that, that every two years there will be a review of the activities deliverable and if we want to renew, we have to provide a clear Work Plan to move forward.

So this is just a quite brief explanation what we are try to achieve. We are looking forward your input and comments, so I understand that this will be put for – maybe if we just in term of procedure if we put a motion that can be under discussion and vote for the next Council meeting, but just I want more clarification here so I can share that when I come back to the CCWG-IG and the way to move forward, because we also shared those information with other Chartering Organization, and if there is any changes, we need to synchronize between all of them.

JAMES BLADEL:

Thanks, Rafik. So given the fact that many of us haven't had a chance to review this yet, I expect that this will be a continuing discussion when we leave Copenhagen on our mailing list, and probably will be a feature agenda item for our meeting in April.

Any other thoughts or comments on this, or we can continue?

Okay. Let's move then to agenda item number six, which is the discussion of the CCWG Accountability Independent Review Process Implementation Oversight Team. And I can't call this an "IOT" because that acronym is actually taken. So ICANN actually collided with – we have a name collision in the real world here.

So we're going to have to come up with something on this, but this is a team – and I'm actually going to lean on staff a little bit here, or certainly if there's a Councilor who's closer to this, I would like to tee up the discussion – but because the CCWG is putting together independent oversight of the IRT function, it is asking the SOs and ACs to contribute to that team, I think is correct?

And the leader of that team is David. And there he is. Fantastic. Okay, David, I'm being told that you have a presentation that we have for staff that you would like to give us on that, so great. You're going to rescue me from this. Sure, that'd be great.

Welcome, David, to the table here. If you could go over the slides [fairly,] and then we'll have a discussion. But ultimately, I think where we're going to end is our shiny new SSC is going to have another job for it very soon.

David, go ahead.

DAVID MCAULEY:

Thank you, James. My name is David McAuley. I'm with VeriSign but I'm here in my capacity as the lead for the IRP, what used to be called the Implementation Oversight Team – actually is still called. Maybe we'll change that.

We are a small team that is grappling with bringing the new IRP – the newly reconstituted IRP process – fully up and running as it should. The new ICANN Bylaws, as you see there, actually took effect, as we all know, October 1st and so as of that date there is a new IRP process. No longer is IRP limited to simply reviewing procedural kinds of questions, but it now is actually capable of addressing substantive questions. This is a great development. But when you have the IRP, there is really a three-legged stool that needs to support that nose. That’s where we’re working right now, trying to bring it up to speed.

You can see on the screen that for those of you who are so inclined, if you want to know all about IRP, go to Bylaw Section 4.3 and you’ll find it there. Bylaw Section 4.3 does leave some gaps that we’re working through.

Next slide, please.

The IRP – I’ll just briefly mention what it does. I want to get to a later slide that says what the work ahead is, but what the IRP is reviewing is really claims that ICANN either by action or inaction – and when I refer to ICANN I’m talking Board and staff – violated the Articles of the Bylaws. I don’t need to rattle them off, but these five things in front of you are the areas in which they’ll be looking. And it includes a couple of new things.

One is reviewing Expert Panel decisions. As we all know, the Applicant Guidebook set up these Expert Panels for things like legal objections, community objections, confusing similarity, but there was no appeal. Now there is to the IRP. That's in the Bylaws. It also specifically calls out DIDP – Documentary Information Disclosure Policy – issues and where a claimant feels that ICANN's response to a request for documents violated the Articles of Bylaws, that can be reviewed as well as [the] other things.

Next slide please.

There are two areas outside that standard, two areas that can be reviewed. When I say, "Outside that standard," I mean this doesn't need to rise to the level of violating Articles of Bylaws as the Bylaws are written. One is claims that ICANN has not enforced its right under the IANA Naming Functions contract, and the other is with respect to direct customers of PTI if they have service complaints that aren't addressed in mediation. They can bring their claim to IRP.

Next slide, please.

This is simply talking about the Implementation Oversight Team more from a CCWG into a Bylaws creature.

Next slide.

This, “The road to the new IRP,” what I mean by that is, as I said, we have a new IRP standard. What we need to put in place now are the three-legged stools of new rules – that’s one leg – Rules of Procedure. These are important rules that guide how an IRP addresses a question. And while they’re procedural, they’re important. These are very important.

The second is an administrative support. This is in the nature of a Secretariat, and this is not the panel itself but it’s what supports the panel, organizes it, gets it moving, paid, etc.

And the third stool I would say is what’s called in the Bylaws a “Standing Panel.” These are qualified arbitrators. You may call them jurists, but this is the nature of the IRP Panel. These are going to be people who are steeped international law, corporate governance, things of that nature, and this Standing Panel needs to be set up and it needs to be at least seven members according to the Bylaws.

Obviously then it can be more, but it needs to be at least seven. And from that Standing Panel of seven members, in any one case, the claimant and ICANN will pick a panelist and those panelists will pick a third, and you’ll have a three-member panel that can then hear a case.

So the Admin Support Organization can be retendered, and there is an organization currently, an Admin Support for the

previously existing IRP, and that's continuing until it's retendered – if it is retendered. And that currently is the International Center for Dispute Resolution. So that's working.

The Rules of Procedure have been proposed by the Implementation Oversight Team. They were subjected to a public comment period that is now closed, and we have a lot of good, thoughtful, and some very complicated comments that we're working our way through. A lot of good thoughts on this, and it's important work for us. And we're in the process of doing that now, and hopefully we'll get that done in good deliberative order, because this is a thoughtful process. We have to keep our wits about us, etc.

The next thing that's in train is ICANN under the Bylaws will issue an Expression of Interest document. This is a document that will ask people around the world who are qualified or believe themselves to be qualified, and if they're so inclined, to submit Expressions of Interest to serve on the Standing Panel to eventually be panelists who will hear IRP cases. The IOT is in touch with the ICANN Legal through me, and I believe that ICANN Legal will have the Expression of Interest draft done – and I'm talking now this week or next, I mean very quickly – they will bring it to us, we will give them our thoughts, and so my guess is that Expression of Interest will be released – I'm hopeful – within a month, maybe two. Sometimes I'm optimistic, and so I should

say maybe two. But that has been in train. We've been following it, and that is on the verge of being done, and that's a good thing.

Following the issuance of that Expression of Interest request will then come the Expressions of Interest. They will come piling in and that's where this group and all of the other SOs and ACs will get a very clear role. Because when the Expressions of Interests come in, it will be up to ICANN, to the Board and to the SOs and the ACs to put those Expressions of Interest into two buckets.

One is the bucket of clearly qualified, and the other is the bucket that perhaps may not be qualified. And then you will have a job strictly for the SOs and ACs. And this is all that the Bylaw saysm that the SOs and the ACs will nominate from that well-qualified bucket, will nominate panelists. So they'll have to nominate at least seven to get started. ICANN's Board has a role in this. They will then confirm the panelists, but that confirmation cannot be unreasonably withheld.

So in the very near future, this organization and all the other SOs, ACs needs to get together to nominate panelists. You'll also be vetting the Expressions of Interest, but you need to nominate panelists. That's what the Bylaws say. That's the extent of it. I can tell you that the IOT will be willing to help in this regard. It's not our role, but we will be willing to help in this regard. But it

will be up to you and the others to nominate. And then once that's done, you'll basically have a fully constituted IRP in the way that is currently envisioned under the Bylaws.

The final slide will show you some of the issues that we're working through in the rules. These are public comments. This is not the limit of what we've received, but on time limitations – time limitations refers to the time within which someone must bring a claim or else they lose it. The other subjects are retroactivity of the rules to appending IRPs, who can be a party to the IRP other than the claimant and ICANN, discovery questions, the extent of hearings, and the extent of how consensus policy kinds of decisions will be addressed. These are some of the rules, comments that we're dealing with.

All of this is in train right now. We have a very good IOT team. And so that's the sum of my presentation, just to underscore the fact that the SOs and the ACs have a job coming their way pretty quickly. Thank you.

JAMES BLADEL:

Thank you, David, for making us aware of what's going on here and that we'll be called to action soon. Is there anything specifically that you need any action from the GNSO at this time?

DAVID MCAULEY: No, not at this time. Thank you.

JAMES BLADEL: Okay. Discussion? Questions? It's a lot to take in.

Phil, Keith, and then Marilia.

PHILIP CORWIN: Thank you, James. Thanks for that excellent update, David. Just one quick question. You said you expect when the application period opens for applications to come piling in and to sort themselves into the clearly qualified and not qualified. What, if anything, does the relevant document say so far about either the desirable or required qualifications for candidates for these panel positions?

DAVID MCAULEY: Thank you, Phil. I didn't bring my trusted, getting worn, copy of the Bylaws with me, so I'll wing it a bit. But there is a discussion in the Bylaws about the qualifications for the Standing Panel. And they're somewhat perfunctory, but it's things in the nature of there should be diversity, both language and legal training, legal systems. For instance there are common law systems and civil law systems, there should be diversity there. Well-qualified jurists, in a sense conversant with subjects like corporate

governance, international law, things of that nature. I may be missing one or two, but there is a discussion in the Bylaws 4.3J about the qualifications, and it will go to that. And it would be someone and it has to be someone who is knowledgeable about ICANN. ICANN has an obligation under the Bylaws to give training to these folks, but they also are expected to have developed a knowledge of the DNS over time. That's sort of what's there right now.

PHILIP CORWIN: Thank you.

JAMES BLADEL: Keith?

KEITH DRAZEK: Thanks, James, and thanks, David. Just a quick note to say this group has been working very hard over quite a bit of time to get us to this point, and I just wanted to note that Becky Burr was the original Chair of this group, and when she went to the Board on behalf of the Contracted Parties House, she effectively had to resign from Chairing this group and David has very ably stepped in to carry on the work. So I think just wanted a note of thanks to both of them. Thanks.

JAMES BLADEL: Thanks, Keith.

DAVID MCAULEY: Can I make one comment? Thank you, Keith. Luckily for us, Becky did have to step down from the Chair, but she is remaining a member of the group. So that's very good for us.

JAMES BLADEL: We're always lucky to have Becky helping us with our work.
Okay. I have then Marilia and Paul.

MARILIA MACIEL: Thank you, James. Just two quick questions. The first one is, which kind of efforts are you putting in place to bring a good slate of candidates for us to examine? Is it going to be advertised in any particular channel? And the second question is, I think that the criteria that you mentioned will be quite useful to separate the two pile of candidates – the ones that we should look into and the ones that do not seem to be qualified enough – but when it comes to the analysis that will be made by SOs and ACs, are we expected to develop our own guidelines?

For instance, juridical knowledge is very important. However, when we think about assessing if in a particular case there was

adherence to the mission of ICANN or not, I think that some political knowledge and, as you said, knowledge of the organization itself is necessary. So, will these guidelines be provided to SOs and ACs, or should we develop our own guidelines? Thanks.

DAVID MCAULEY:

Thank you, Marilia. With respect to the first question – broadcasting the Expression of Interest document – this is an obligation on ICANN’s part, and I imagine that they will release it in accordance with the way that they typically release Expressions of Interest, and I’m not yet familiar with what beyond that there might be. But we have, I am in constant touch with ICANN Legal and we have offered to be a part of that process and to help in that process. And we’ve been helpful in some respects in the drafting process. That’s all I can say right now. I can’t give you any more detail.

With respect to how the SOs and the ACs organize themselves and with respect to considering the candidates, there’s nothing in the Bylaws that says it’s up to you to organize yourselves. However, the IOT – the Implementation Oversight Team – we just recently wrote to all of the SOs and the ACs and we made it clear that we’re willing to help as long as it’s clear that this is an SO/AC responsibility. We will help as best we can in our capacity

as being conversant and familiar with this. We'll do the best we can to help.

JAMES BLADEL: Thank you.

Paul.

PAUL MCGRADY: Thank you. I just think we would be remiss if we didn't acknowledge the historic nature of this, that for a long time this community has struggled by having an executive which is essentially ICANN the corporation and a legislature which is essentially all of us, but absent from all that has been a judiciary. And while this is not a full-fledged judiciary yet, it is essentially the equivalent of changing from having a circuit riding judge come through town whenever it was your turn and he or she may not understand the background of your problem, to having a courthouse in the middle of your county with judges who understand what's going on and are learning.

It will also speed the process because there will not be a giant learning curve every time a new IRP Panel is formed. I think it was Prime Minister Gladstone who gets credit for saying, "justice delayed is justice denied." And so this will speed the process as well. So I hate to wax emotional here, but I think that this is a

really terrific moment in ICANN’s history and I just hate to see us not acknowledge that. So thank you for your hard work and for propelling this forward. Really good to hear this.

DAVID MCAULEY: Thank you.

JAMES BLADEL: Thanks, Paul. And I think I remember reading somewhere that most of the time spent on an IRP was identifying and standing of the panel, so while I may not be able to convey it as eloquently as Paul, I think there is some time and money to be saved in this process as well, not just an example of maturity of the organization.

Any other speakers?

Keith? Okay. Old hand.

Okay. So thank you, David. We will be on the look-out for more updates and action requests on this topic.

Okay. We’re just a couple of minutes behind schedule, but I think we’re doing okay. With that said, we’re going to then move to agenda item number seven which we touched on earlier. Agenda item number seven is the discussion of a potential draft request

for legal review in relation to a letter from Thick WHOIS Implementation.

I'd like to kick off this discussion, but I would just want to acknowledge if we didn't catch that from the preview earlier – that this is the kind of thing where agendas could go to die. We could spend the next hour talking about this. I'd like to identify some concrete actions that we need to discuss and identify here and then take those actions to the list and to the interim time that we have and make the most of our time in this particular meeting if we can. And I note that Stephanie, I cut you off last time because we were straying pretty far into this agenda item when we were on agenda item number two, so I will give you the honors if you would like to launch this agenda item first.

Okay. I posted something to the list. I don't know that I got a lot of traffic, but it was just asking some sort of fundamental questions of do we want to request a legal review? When should that happen? What should we be asking them for? And just noting that while this is a resource that's available to us, it's not free or inexpensive, and it is something that we should make the most of both in terms of timing and scope.

So I just put those out on the list as consideration questions for Councilors as part of the framing of this topic. I'm interested in hearing – I know Erika has done a lot of the heavy lifting for us by

drafting something, but I don't know that I've heard a lot of extensive discussion about that draft or those particular questions. So where do we go with this one, folks?

And I would just note back on agenda item number two, Paul mentioned, "Does this even belong in the Council? Should we be encouraging one of the PDPs to take up this project?"

Okay. First up is Keith.

KEITH DRAZEK:

Thanks, James. I think the answer is clearly yes in my mind. There may be differences of opinion, but I think a request for additional information and expert analysis I think can only help us as a community, as the Council, as the RDS PDP Working Group is engaged. And I don't think we're asking for legal advice. I think that's probably unnecessary at this point, but expert analysis of the situation I think is – I don't understand how that could be controversial. More information is always better as we conduct our review of the policy landscape and as the PDP Working Group undergoes its work.

So I think probably the next steps, if you're asking where do we go from here, are we probably need to take Erika's I think excellent draft or note to the Council of a few weeks ago, and really identify the core questions that we think need to be

answered. And we can form a sub-team within the Council to initiate that process, so we can do it on the list, but I think we need to establish very clear and concise questions to basically – to your point about the cost and the time, this is fairly urgent. We don't want it to be overly broad. So if we can establish some very clear and concise questions, I think that would be extremely helpful. And I know that there are probably quite a few interested parties who would be willing to contribute to that. So I'll just pause there. [I'm] happy to answer any questions as well.

JAMES BLADEL:

Okay. Thanks, Keith. I have a queue forming now. Next up is Paul.

PAUL MCGRADY:

Thanks. I guess I still have the same question, which is why is this emanating from Council? Why is it not emanating from the underlying PDP? If they see a problem and they want funding to get some sort of legal analysis, it seems like that should be coming from them. Frankly, what we're really talking about is whether or not we need amendments to the Registry Agreements and the Registrar Accreditation Agreements, so why is it not coming from that aspect of our community rather than at the Council level?

If truly there's been a European law change and that's going to require the registries and registrars to breach their agreements and get breach notices, then it seems like that that part of our community should be – is equally interested in seeking these answers as opposed to having Council seek the answers for them. So while I don't disagree that more information is better than less information, I do question whether or not it's Council's job to be the procurement body for legal analysis for various parts of the community that need to know things.

Lastly, to Keith's point about it being comprehensive, again, not to harp on this but we tend to, for whatever reason, we only seem to view the world as North American and European when it comes to privacy, and there's a great big world out there so it's not going to do us any good to take one fraction of the world and fixate on it.

And then last point, I think that there is a big difference between an opinion letter from an outside law firm that might scare somebody and may be taken as a basic document for risk analysis as opposed to getting a legal analysis perhaps from a law professor who specializes in global privacy issues that might be very different and may be a different topic, easier to handle, than the Council for the benefit of segments of our community going out and procuring a law firm's risk analysis memo. Thanks.

JAMES BLADEL: Thanks, Paul.

Okay. So here's what I have for the queue. I have Erika, Michele, Susan, Avri. Chuck is at the microphone, and then I'd like to draw a line under that and move on. Okay?

So next up is Erika.

ERIKA MANN: I don't want to comment on the point David raised with the question why the community is not requesting it. That's a valid point, but I heard many from different parts of the community arguing actually and seeing the problematic issues with regard to the upcoming changes in law.

My point is a very pragmatic one. I know there will be implications. I [worked] for the Internet companies and it is an issue for all of the Internet companies, not just for this particular domain name environment. So there is no reason why it wouldn't impact the domain name environment. It will impact the domain name environment. And as I mentioned before, it's extraterritorial. It doesn't only impact EU and U.S., but it will have an impact on global operators independently where they are located.

What I think would worry me if we wouldn't do it, if we wouldn't get – and it doesn't matter if it's called an opinion or analysis. It's really not relevant. And I like David [part] actually to say we should reach maybe to somebody out who has a broader understanding, doesn't have to be a law firm. That's fine, but it needs somebody who understands this particular environment, the domain name industry, because it's so particular that I don't think [so] if you can answer to the specific questions with a background of understanding the domain name environment, you might miss the point.

I agree with you it's good to do this, and with Keith I agree as well. But my final point would be not to wait too long. Although it will be implemented in 2018, keep in mind it is already voted on, so there is nothing which will change. There will be certain implementation [part] which are really not relevant even to talk about here. But it will have an impact.

And my final point would be since the Data Commissioners – two at least, one European and one national one – was invited, so their attention is already now drawn to our environment. So I don't see them actually looking away again, because we had them here this week. So they themselves will look into this environment, so it makes no sense for us to stay absent and to wait what is going to happen.

Maybe one point which I forgot to say. Keep in mind it's the domain name is both professional and private. So although the European data requirements only impact personal data, not professional data but personal data, there will be confusions for some players in our environment.

JAMES BLADEL: Thanks, Erika.

Michele?

MICHELE NEYLON: Do you mind if I let Chuck go first and then come back to me?

JAMES GLADEL: Sure. Chuck was actually further down, but if you want to swap out. Go ahead, Chuck.

MICHELE NEYLON: Swap with Chuck for now. Thanks.

CHUCK GOMES: Thanks, Michele. This is Chuck Gomes and I'm Chair of the RDS PDP Working Group, as I think most of you know. First of all, let me say I'm sure the working group will be willing to cooperate however the Council thinks best in terms of any requests, but I'm

not sure it's at a working group request stage. ICANN provided some guidelines for contracted parties with regard to this. It's been identified that they're outdated, so it's not really a working group issue at this point. It's something that you've identified as needing an update.

I assure you the working group will really benefit from any information you get, so if you really want us to request it, we could. I think you can do it yourself and it would probably be faster, and the point's been made that it should be done quickly. So let's not get bogged down in process too much. Let's get it out now.

We've heard from some experts this week who came here in person who can probably – and have expressed willingness to – provide expertise, so I suspect that maybe even without incurring any costs, that they could be asked to weigh in on this. That doesn't mean that's all you have to do. I think we're a ways off from any contractual requirement amendments. They will have to come, but there probably won't be time for new consensus policies to change the Registry Agreements.

There may have to be some emergency procedures put in place –which the Bylaws provide for – and, again, I'm the wrong one to say exactly what needs to happen. I'm sure ICANN Legal and the other experts will be able to weigh in on that so I'm not

minimizing the importance of this happening. In fact, I think it needs to be expedited. This came out pretty clearly yesterday, in particular the Board session with the contracted parties. And I know some of you weren't at that, but it's pretty clear that some things need to be done.

If you want us as a working group to do something, we're going to be willing to do it. I don't think it's necessary to go that route because it's not a current issue with us. At the same time, we will benefit greatly from whatever advice or information or expertise or whatever you want to call it that's obtained, but we do have contracted parties who are going to be seriously impacted by this, so I think as the policy management body, it's very appropriate for the Council to do it.

JAMES BLADEL:

Thanks, Chuck. I have next to go back to Michele, Susan, Avri, and then I just have some closing remarks.

Michele.

MICHELE NEYLON:

Thanks, James. I think Chuck actually covered almost every single thing I wanted to say. Just reiterating it doesn't make a lot of sense to me in my simple view of the world that a GNSO PDP Working Group would request something that ultimately has to

go back to us as the Council to request. So it makes more sense to me that we just request it from here. Unless I've misunderstood how things work. Thanks.

JAMES BLADEL: Susan?

SUSAN KAWAGUCHI: I just wanted to make one point about the actual Thick WHOIS legal review memorandum. I don't think this is a Thick WHOIS legal review memorandum that is being requested. I think it is a WHOIS legal [review] or Registration Directory Services or data or whatever we're going to title it. Thick WHOIS' – the IRT is in process. It's being implemented. Whether or not in a year and a half or two years that may need to be looked at again, I don't think we want to as a council do anything to stall an IRT, and I think there's a bigger picture issue here that we could look at if we choose to.

So I would prefer if we remove "Thick," and also just note – which I'm sure somebody else noted – that there is a WHOIS conflicts procedure that we've just updated recently, and I know we're sort of maybe sending that back through again. But we do have some procedures in place that we can use if there is a future determination that there are problems with how a

registrar or a registry handles that contact data. And as I said earlier, I don't want the Council to jump to a conclusion that this violates any applicable law around the world. [I mean that's] something that's being discussed ad nauseam almost, and we do need to come to a decision, but that's what the RDS Working Group is doing.

JAMES BLADEL:

Thanks, Susan.

Avri?

AVRI DORIA:

Thank you. I think when Paul asks why the Council doing it, is the council is the manager of the process. And if the Council sees that some information, some questions, need to be covered that aren't being covered, it's its responsibility to ask for the information and to make sure that the working group has the information. At the end of the day, you're going to have to review the output of the PDP, and it would be sort of unfortunate to have to send it back and sort of say, "There was this whole law, [this] data protection that you did not pay attention to."

I don't really see it as a fixation on just Europe's laws. This thing does have global impact. And because it has global impact, the

waiver that exists now may not suffice and that needs to understand. I see it as the Council asking for there to be more information available, but not in any sense jumping at any conclusions and such. So I think there's been a lot of extra context that's been added to this that doesn't exist in the context of the request to obtain the necessary information on a very important change that is happening globally to the law. Thanks.

JAMES BLADEL: Thanks, Avri. I have a lot of hands up that I think are old hands. And Paul, I had closed the queue. I just wanted to draw a line under this.

[PAUL MCGRADY]: [Inaudible]

JAMES BLADEL: Okay. Very briefly, please.

PAUL MCGRADY: Two quick things. One is, yes, we are the traffic cop for policy development, but as Chuck said, this isn't for that PDP yet and they're not asking for it. We don't have a PDP that's asking for this. If a PDP asks for it, then that might fall within our remit, but

otherwise we're just becoming a procurement department where we go out and try to anticipate what legal issues might happen and get legal memos. I don't think that that's actually our role.

Secondly, while the European directive may have global impact, other countries may also view their legislation as equally important, and so I don't know what the current status of the law is on privacy in Tanzania. That might have a global impact, too. And so I think that if we are going to go down this path, which I'm not sure it's really within our remit, but if we are, it doesn't do us any good to do it halfway. Thanks.

JAMES BLADEL:

Thanks, Paul. Just a note from the timekeepers that we're going to have to try and get back on schedule.

So here's my takeaway from this – and I know I'm going to probably make everybody angry – I think this is a huge – and coming from a contracted party, I think this is a huge problem and it's an urgent problem. And I think it's growing as we keep bolting on new aspects of the problem – we picked up a couple more today – although I don't believe it's necessarily a Council problem.

In fact, I think the Council might actually slow things down. I feel like the contracted parties – and perhaps with your assistance, Erika, since you kicked this off – need to continue the discussion that we had yesterday with the ICANN Board on the GDPR and the timeliness of that and start seeking two things. First of all, I think we need to perhaps start seeking advice and ideas, and possibly even planning what the actions are going to look like as we get closer to next May, but also at the same time [including] that has to be a public dialog between the Contracted Party House and the Board because it's going to inform Chuck's PDP. And I think that's where the Council gets roped back in is when this lands on Chuck's doorstep.

So I feel like we need to move on this, but I don't think the wire needs to go through the Council. Am I missing something here? Because the GDPR is the part that is urgent and timely, and I think that I actually feel like Council needs to get out of the way of this.

Keith, go ahead.

KEITH DRAZEK:

Thanks, James. Yes, if the Council is unwilling to come together to support a request for more information, then I think the contracted parties can do that. I just want to make – in response to Susan's point –

JAMES BLADEL: Can I clarify one point?

KEITH DRAZEK: Yes.

JAMES BLADEL: And I'm sorry to interrupt. I think that it will become a Council issue, but I think the urgent part of the issue is a contracted party concern, and I think that once we have something back from them – when I say we, CPH have something back from them – that can be brought back to the Council.

KEITH DRAZEK: Yes. Thanks, James.

Just to respond to Susan's point about the ongoing transition of.com, .net, and.jobs, from Thin to Thick, I think I'm sensing there's a concern that people think that somehow asking for this information, this analysis, this additional input on this very critical issue is somehow going to derail the ongoing transition of.com, .net, and .jobs, from Thin to Thick. That train has left the station. It is going to happen. It is moving forward. So I think let's just – this is really about informing the RDS PDP Working Group and getting the contracted parties the information that we need,

as James has noted, to be able to ensure that we are able to comply with these regulations and not be in violation of our contractual terms with ICANN. Let's just separate the issues. Thanks.

JAMES BLADEL: Yes. Agreed, Keith, separating the issues.

Good discussion. We need to move on. Marilia, I'm sorry.

[MARILIA MACIEL]: [Inaudible].

JAMES BLADEL: I'm sorry?

[MARILIA MACIEL]: [Inaudible].

JAMES BLADEL: Ten seconds.

MARILIA MACIEL: Thank you, James. Just to highlight that this may be a Contracted Party House operational concern, but this is an issue that concern us all. So we tabled the same topic with the

meeting with Göran and the Board. So this is pretty much on our radar. We are happy that you facilitated dialog, but we pretty much want to participate in the dialog, too. Thanks.

JAMES BLADEL:

I'm sure that anyone who's welcome to join in can participate in this effort and certainly be copied or sign on to whatever letter or request.

Okay. Next up is we have agenda item number eight where we have an update with the GDD staff. They are here. If you would please make your way to the table. I understand you have slides.

Cyrus, Jen, and Krista, welcome. One note please, we are way behind schedule so if there's any way that you have to expedite our slides to ensure that we have time for our AOB item which is critical that we do here in Copenhagen, as well as leaving some time for the open mic at the floor, because that's our tradition for open public meetings. But with that said, we'll just welcome the GDD staff and I'll turn it over to you, Cyrus.

CYRUS NAMAZI:

Thank you very much, James. Hello everybody. Cyrus Nemazi with ICANN's GDD team together with the rest of the team both here at the table and back in the audience. In fact, I myself have a hard stop at 1:00 so the slides we've actually shared with you. I

just wanted to give you a brief overview of what's in the implementation pipeline for GDD. I thought it might be useful information for you both in terms of policy development as well as other projects we have. They are very self-explanatory. You can actually have a look at them.

Then following that – this was a discussion we had in Hyderabad – we had actually gone and collected the timelines of various policy implementations that we had done and compiled it into a chart basically [and if] if was done [I actually who] brought this up and reminded me to bring this with us. That's also there. That's also very self-explanatory. I don't know if in the interest of time you can actually sort of just have you take a look at it just to see how we have sort of evolved in the process of policy development and policy implementation over the years that the data goes back a ways.

So have a look at it and if you would like to jump into the discussion part of it, happy to do it. Or if you'd like us to talk to the slides as well, we'll do it.

JAMES BLADEL:

I just wanted to note that the slide deck was circulated to the Council list, however I think it just went out last night or this morning.

CYRUS NAMAZI; I think yesterday.

JAMES BLADEL: Yes, so I think many of us were still hashing out the Standing Selection Committee Charter late into the night and may not have had a chance to review it. If you have any particular without going through all the slides then because we can do that, if you have any one or two items you maybe want to highlight before we go to Q&A.

CYRUS NAMAZI: Sure. If you could actually advance the slide, just to explain to you what we have here. This one essentially charts what's in the timeline of policy implementation within GDD. Some of them – the Thick WHOIS part – has already actually been noticed that everybody talked about it, the transition to Thick as well as consistent labeling and display. They're actually in implementation phase. And then there are others down below. You can have a look at it. There are really no takeaways. Mainly for information purposes just so that the folks can see what the staff in terms of the implementation is busy with, what's been in the pipeline and what's coming down the pike.

And if you go to the next slide, these are non-policy implementation projects. It's not even exhaustive, frankly. There's a couple more things in there. There's RDAP and other things. This also I think is a good graphical representation of the types of things we're dealing with.

If you could advance the slide one more time. I think there's some more interesting data here and in the next slide, but then again, all the information that you need from it is in it. The takeaway is that it's taking us longer and longer actually to develop and implement policy. There's a host of reasons for that, most of them legitimate. But something perhaps to digest and maybe we come back when we're in Johannesburg after you've had some or even in between, and have a look at the process and perhaps if it needs to be revisited to see if there's inefficiencies we can wring out of it to bring the timeline back.

Every horizontal line that you see in this chart is one year, just to let you know. And the data is broken into just the various stages of the life of policy from concept to definition to implementation.

And if you go forward one more, this actually zooms in a little more. Essentially, it goes into from the time that the Council votes on a policy, which is when it goes to the Board and then it goes into its implementation life cycle, so it gives a bit more

granularity to the data just to see where time is spent in various stages of it.

Then we also had some slides in terms of just updates on policy implementations, but I don't think we need to go through those unless there are any specific questions. The team is here. The slides are fairly detailed and self-explanatory. So perhaps we can spend the rest of the time on Q&A and a discussion if you would like.

JAMES BLADEL: Thank you, Cyrus. First up is Donna.

DONNA AUSTIN: Thanks, Cyrus and the team, for the information. I think the data's really helpful. And while we haven't had a chance to really take it all in and understand what the time frames are, I guess just a request from a Council perspective is that if there's any help you need with us in pushing along any of these IRTs – if you get to a point where you're having some struggles moving the dial, we're here to help. So please use us to come back to assist you in any way that we can. That's just the message I wanted to get to you. Thanks.

CYRUS NAMAZI: That’s greatly appreciated, Donna. Thank you.

JAMES BLADEL: Thanks, Donna. Any other comments, questions for Cyrus and his team? I’ll just say I appreciated the fact that that is being tracked, that data particularly on the life cycle. I think that’s something that Council now and in the future is going to maybe want to reference as ways to shorten the life cycle.

Because if I can just editorialize for a second, I think a shorter PDP life cycle means that we can produce more timely outputs in terms of policy development which makes the PDP a more viable and attractive mechanism for addressing problems, which means we won’t see all these folks trying to circumvent it with – as we discussed over the weekend – CCWGs and everything. If they see that the PDP is a fast and lean and efficient process, then it doesn’t look like this big hairy monster that they need to avoid or go around. I’m encouraged by that, and I think we should always be looking for ways to improve that.

Cyrus.

CYRUS NAMAZI: Thank you, James. I full-heartedly agree with that. I wanted to echo the same thing. And I’m hoping having collected this data,

having shared it with you, it could lead to a discussion on, are there perhaps any choke points in the process that we should be revisiting it? The process has been around for a long time. Of course, it predates me and my life at ICANN, but perhaps it is a good time for us to go back and see if there is efficiencies that we can actually bring to the table for the benefits that you just highlighted very eloquently.

JAMES BLADEL:

Thanks, Cyrus. I agree, it's probably time to take a look at that, although I'm very nervous because the last time we revisited the PDP to make it faster it got a lot bigger and more complicated. It just seems like this is a part of our culture in this community. We can't make things smaller, shorter and less complicated.

Okay. Yes sir.

CYRUS NAMAZI:

I agree with that as well. The intent is not to make it more complex. We've done some thinking and kicked the can around, so to speak. I think there are some low-hanging fruits frankly that we can discuss and see if we can either bake them into the process or sign up to follow. That would lead to a great deal of added efficiency into the process, maybe in Johannesburg. I know Göran has also been tasking us to look at this stuff and

he's got it on his radar screen to initiate that conversation with you and the rest of the community. So with that in mind...

JAMES BLADEL: Okay, thank you. Any other questions?

Thank you, GDD staff.

CYRUS NAMAZI: We're excused? I thought Phil Corwin was going to ask about URS.

JAMES BLADEL: See, you were in the clear.

PHILIP CORWIN: I have nothing new to say on that subject and I don't want to get into anything like that on my birthday. Thank you.

JAMES BLADEL: Alright. We will grant Phil this birthday wish.

Okay. We're now moving into the agenda item number nine, which is open mic and AOB. First up is Donna.

RICHARD HILL: Hi.

JAMES BLADEL: No, I'm sorry, sir. Donna.

DONNA AUSTIN: Thanks. Councilors, please, I'm sorry for the lateness of this motion, but hopefully you'll indulge me and hopefully we won't have any concerns about the contents, so bear with me. It's coming up.

JAMES BLADEL: We're well past our deadline, but I think you'll be pleased.

DONNA AUSTIN: [Inaudible]. Okay.

So this is a motion in recognition of somebody we all know and love. Whereas Glen de Saint Géry has been involved in the ICANN world before there was an ICANN and before anybody really understood what ICANN was, whereas Glen was instrumental in the development of the practices and procedures that have supported the operation and administration of the GNSO since its inception as the DNSO and which have been adopted beyond the GNSO to support other ICANN Supporting Organizations and Advisory Committees, whereas Glen has been responsible for

developing and mentoring not only ICANN staff, performing support roles for the GNSO, but also incoming Councilors, whereas Glen has survived seven GNSO Council Chairs and too many GNSO Councilors to count, whereas Glen is the living embodiment of ICANN’s core values of openness, transparency, and fairness – you might have to finish, James –

JAMES BLADEL:

Having performed her duties without prejudice and with diplomacy, style, grace, humor, and warmth that is second to none – Resolved: The GNSO Council from the bottom of our hearts on behalf of all the GNSO Councils that have come before us, sincerely thank Glen for her dedication, warmth, and love in supporting the GNSO and the work that we do on behalf of the global Internet community. In recognition of the significant contribution Glen has made to ICANN over the past 14 years, the GNSO Council recognizes that for the purposes of ICANN58 Copenhagen, the GNSO be known as the Glen de Saint Géry Name Supporting Organization.

I’m sorry to be a nerd, but we need a second.

UNIDENTIFIED FEMALE:

Should we call for a vote on the motion?

JAMES BLADEL: I think probably just an acclimation. All in favor.

UNIDENTIFIED PARTICIPANTS: Aye.

[GLEN DE SAINT GERY]: You've completely taken my voice away. Thank you.

JAMES BLADEL: I think the thanks are all coming from our side.

We have a couple more minutes. We have a couple more folks in the queue. It's going to be hard to follow that, but we have a couple more speakers.

Sir, if you'd like to go first – and Glen's going to stay up here since it's now her Council.

RICHARD HILL: Thank you. It's been some time since I came to an ICANN meeting, but I'm still following the work. I just wanted to add that about the requirements for the members of the Standing panel in the new Independent Review Process, in addition to the ones who were mentioned which were found in 4.2J of the Bylaws, there's another one which is in 4.2Q which is that Standing Panel members must be independent of ICANN and its

Supporting Organizations and Advisory Committees. I just wanted to get that on the record. Thank you.

JAMES BLADEL: Thank you for that clarification. I think independence is understood to be an important trait for those members.

Anne?

ANNE AIKMAN-SCALESE: Anne Aikman-Scalese, Lewis Roca Rothgerber Christie. I'll try to be really brief, but I had two different comments. One was on the subject of NGOs and [RC], and I know that there's a proposed solution in relation to ICANN instituting a watch service for NGO names. Having worked on the Policy and Implementation Working Group, we concluded that it was important not to categorize the solution or a proposed resolution of disagreement as either implementation or policy, but just to recognize that there's a disagreement.

I personally feel like – personal opinion obviously – that the Board, if that is the proposed solution, even if everybody's fine with it, as a matter of process and procedure, they should write a letter to the GNSO Council saying, "Here's what we plan to do. Give us your input." Because even though everybody would be happy potentially with that solution right now, I think we don't

want to distinguish based on these labels of policy or implementation when [agreements] are resolved this way. We need to have the process consistent standard and the Board needs to write to the GNSO Council.

Second, with respect to the topic of data protection, in particular because of my work on the Work Stream 2 Human Rights subteam, I have delved a little bit more into this issue with respect to the EU Data Protection Law, and I went and had a personal conversation with Alessandra Pierucci who is from Council of Europe, and I asked her about the balancing that must needs go on when you're talking about collecting data, sharing data.

These are issues that are being discussed particularly in the GAC in relation to the Public Safety Working Group, and on the other hand the Human Rights Working Group [in] the GAC, and there's a very important principle that the community needs to keep in mind, and even in EU law. And that is the Principle of Proportionality, that there is public interest need that has to be protected in addition to the protection of data and protection of privacy and that there's a balancing that goes on.

In EU law, it's known as Principles of Proportionality, and the Council of Europe folks will also confirm that to you. It's something the community needs to be aware of. It enters in not

only in the area of public safety, pharma, trademark – oh, the dirty word “trademark” – but it enters into counterfeit, it enters into balancing of these considerations. Thank you.

JAMES BLADEL:

Thank you, Anne. And to your first point, I should probably emphasize that the idea or proposal for a monitoring of IGO names was floated out there. It’s not fully baked. It’s not in any sort of phase of adoption. It is something – I would consider it something that’s being socialized and examined as one possible way to reconcile the differences between PDP recommendations and the GAC advice in such a way that don’t cause either of those to have to be reopened or revisited or amended. It’s a bridge. But thank you for your comments on that, and for the second part as well.

Ed, you have the last word.

EDWARD MORRIS:

Thanks, James. As Chuck reminded us on Sunday, it’s budget time. And as a member of the Empowered Community, the GNSO has a special responsibility now not just to take a quick look at the budget to draft a quick public comment, but we have to decide whether we can accept this budget or whether we want to reject it. I took a quick look at it last night. Göran’s going

around telling everybody, ‘Hey, the budget’s a little bit like parents talking to children, that you have so much money, you have to decide what you want to do.’ Having looked at it last night, I’m concerned that it’s a bit like a parent taking the family funds, going to casinos and amusement parks, and leaving Spam in the refrigerator.

I think the GNSO has Spam and we deserve better. So I don’t think it’s a slam dunk we’re going to approve this budget. So it’s just we need to put together a team to look at specifics.

JAMES BLADEL:

Thanks, Ed. Can we capture that for tomorrow’s wrap-up session? And we’ll discuss that more fulsome there, because I think [I] agree, and particularly because that was part of the discussion of the Empowered Community that it’s not necessarily a foregone conclusion that it will approve the budget each year.

The queue is clear. We are three minutes over our time, which is amazing for the GNSO to finish so close to our deadline. If there are no other items from the floor...

Okay, let’s adjourn the meeting. Thank you, everyone. Thank you for your work here.

[END OF TRANSCRIPTION]