
ABU DHABI – GNSO Council Public Meeting
Wednesday, November 1, 2017 – 13:00 to 15:00 GST
ICANN60 | Abu Dhabi, United Arab Emirates

JAMES BLADEL: Okay. Let's get started. Good afternoon and welcome to the GNSO Council open session. And we have two hours scheduled for this meeting, and the agenda is coming up here. We have a couple of items flagged for AOB. But first up, we'll start the recording, and we will call the role of councillors. If you don't mind, if we got a thumbs up. Okay. Nathalie, if you would, please.

NATHALIE PEREGRINE: Thank you very much, James. Good morning, good afternoon, good evening, everybody. Welcome to the GNSO Council meeting, part 1, on the 1st of November, 2017. Please acknowledge your name when I call it. Thank you very much. James Bladel.

JAMES BLADEL: Here.

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NATHALIE PEREGRINE: Donna Austin.

DONNA AUSTIN: Here.

NATHALIE PEREGRINE: Rubens Kuhl.

RUBENS KUHL: Here.

NATHALIE PEREGRINE: Keith Drazek.

KEITH DRAZEK: Here.

NATHALIE PEREGRINE: Darcy Southwell.

DARCY SOUTHWELL: Here.

NATHALIE PEREGRINE: Michele Neylon.

MICHELE NEYLON: Here.

NATHALIE PEREGRINE: Valerie Tan is absent. She has given her proxy to Donna Austin.
Phil Corwin.

PHILIP CORWIN: Present.

NATHALIE PEREGRINE: Susan Kawaguchi.

SUSAN KAWAGUCHI: Here.

NATHALIE PEREGRINE: Paul McGrady is joining us remotely.
Paul, can you hear us?

PAUL McGRADY: Here. Thank you.

NATHALIE PEREGRINE: Wolf-Ulrich Knoblen.

WOLF-ULRICH KNOBEN: I'm here.

NATHALIE PEREGRINE: Rafik Dammak.

RAFIK DAMMAK: Here.

NATHALIE PEREGRINE: Stephanie Perrin.

STEPHANIE PERRIN: Here.

NATHALIE PEREGRINE: Stefania Milan.

STEFANIA MILAN: Present.

NATHALIE PEREGRINE: Heather Forrest.

HEATHER FORREST: Here, Nathalie. Thank you.

NATHALIE PEREGRINE: Tony Harris.

TONY HARRIS: I'm here.

NATHALIE PEREGRINE: Tatiana Tropina.

TATIANA TROPINA: Here.

NATHALIE PEREGRINE: Tatiana is temporary alternate for Ed Morris for council meeting
part 1 only.

Martin Silva Valent.

MARTIN SILVA VALENT: Here.

NATHALIE PEREGRINE: Marilia Maciel has sent her apologies, given her proxy to Rafik Dammak.

Johan Helsingius.

JULF HELSINGIUS: Here.

NATHALIE PEREGRINE: Cheryl Langdon-Orr.

CHERYL LANGDON-ORR: Here.

NATHALIE PEREGRINE: Ben Fuller.

BEN FULLER: Here.

NATHALIE PEREGRINE: Erika Mann.

ERIKA MANN: Here.

NATHALIE PEREGRINE: Carlos Raul Gutierrez.

CARLOS RAUL GUTIERREZ: Present. Thank you.

NATHALIE PEREGRINE: GNSO support staff is also in the room. Can I please remind you all to remember to state your names before speaking for transcription purposes.

Thank you, James. Back to you.

JAMES BLADEL: Thank you, Nathalie. Welcome, everyone. As I mentioned when we were gathering, please make sure you are in the GNSO councillors Adobe link because that's where we will manage the queue and record the votes, if any. There is a separate link for participants and observers. So the microphones are really hot, by the way, for the staff in the back. I think they're working on it.

So just to be clear, Marilia is not attending remotely. She has given her proxy to Rafik. That's correct? And Paul is attending remotely. Has he assigned his proxy in the event that he has any connectivity problems?

NATHALIE PEREGRINE: Yes. Sorry about that. He assigned his proxy to Heather for part 1 and part 2 in case of connectivity issues.

JAMES BLADEL: Nathalie is referencing -- the microphones are really hot up here. Can we ask -- thank you. They are working on it.

We just remind folks because this is an AGM, there is a part 1 of the council meeting, which is our regular council meeting that you would find if you were one of our fans and you followed us remotely through the different months of the year or if you attended any other council meeting at ICANN.

However, because this is an annual general meeting, it is the end of the term for a number of councillors here and we have a number of incoming councillors that will be seated. So part 1 will be a standard council meeting, and part 2 will transition to the new council as they're seated. So that's what Nathalie is referencing.

Just for clarity, is there a break in between part 1 and part 2?
Just a small one. Okay. Thanks.

Okay. Second order of business, does anyone have any updates to their statement of interest or their status as a councillor?

Please raise your hand either here in the room or on the Adobe Connect.

Erika.

ERIKA MANN:

I think I made it before, but -- so in our law firm, we do have one client who is engaged in one of the disputes. So just to make this known. I still haven't done the update. I just can't get into the system. It never works. So I hope I will have the time a little bit later to sit down with somebody to get this done.

JAMES BLADEL:

Okay. Thank you for that announcement, Erika. And we will watch for that change.

Any other updates? Okay. Then moving on to 1.3, if we could go back to the agenda. Does anyone have any updates or additions or modifications to our proposed agenda that was circulated earlier? It's also on the right-hand column of the Adobe room.

Okay. Seeing none, we will proceed with that agenda and adjust as necessary.

And then, finally, the status of the last previous council meetings, which I believe are going back now to October 12th and September 20. What is the current status of the minutes for

those previous meetings? I believe the September meeting was posted, but we're still waiting on the October 12th meeting?

NATHALIE PEREGRINE: That's correct. They will be posted on the 3rd of November.

JAMES BLADEL: Thank you, Nathalie. We will watch for those minutes to be posted, it sounds like, as we are all in transit back home.

Okay. Then let's move on to our agenda -- first agenda items, which is number 2, which is a review of our projects and open action items list.

Let's start with whichever document you have handy. If you have the projects list open, we can take a look at that. Okay. And I don't suspect that we have seen a whole lot of changes from this document from our meeting on the 12th of October, but we will run through it fairly quickly regardless.

So you can see we have a number of working groups, PDPs that are in the working group phase. That's phase 4. I believe of those listed, the one that is furthest along in its life cycle would be the second from the bottom, which is the curative rights protections for IGOs and INGOs. I believe compared to the other three, I think that one probably closest to completion.

We also note that the CCWG on Internet governance has a transition plan in place. And Rafik updated us on that during our working session on Sunday and in our discussions with the ccNSO yesterday -- Monday, Monday. So thank you, Rafik.

We have still an open item for deliberations, which is the bylaws. Marika gave us a fairly comprehensive overview of that item on our working session on Sunday. And I think that's also scheduled for future sessions as well because that is a very -- that's a very heavy lift, and we want to make sure we are very thorough in our examination of those proposed bylaws changes.

We have two items up before the board, which is the protections for IGOs in all gTLDs and the geo regions review.

May I ask staff what the second item, if you can give us an update on what -- are we waiting on that geo regions review? Anything particular? Mary.

MARY WONG:

This is Mary from ICANN staff. So that was a working group that completed its report some time ago. The report was out for public comment. It is now at the board stage. So there's nothing for the council of the GNSO to do at this point.

JAMES BLADEL: Okay. Donna said 2004. Is that correct?

MARY WONG: Not quite that ancient. I believe it's 2015.

JAMES BLADEL: Okay. Still not very great, though. Thank you.

We have another slate of items that are in the implementation phase, including, I believe, some that we made progress here in Abu Dhabi. So, for example, there have been some fairly recent updates on privacy proxy, PPSAI accreditation issues, and I think something as well as -- there's been some discussions recently between registrars and -- I'm sorry, contracted parties and Commercial Stakeholder Group working out some of the last issues associated with IRTP-C. So I think that probably not on our agenda today but in the future, near future, those will be wrapped up, the last few items on that.

And country and territory names was adopted. Maybe -- can someone give an update on what the implementation of that involves or what the time line for implementation? Because a lot of those recommendations were fairly benign, if I recall.

Heather, go ahead.

HEATHER FORREST: James, thank you. Heather Forrest. No, it's not you. It's the microphone.

Heather Forrest. That's a bit better. Thanks, James, for the question. So in relation the Cross-Community Working Group on the use of country and territory names as TLDs, the GNSO and the ccNSO as chartering organizations of that effort have received a final report. The working group has indeed -- it received a final report and it -- what is envisaged in that is that those and indeed in the charter of the subsequent procedures PDP is that the conclusions will be part of -- form part of the subsequent procedures Work Track 5's efforts, what's now called Work Track 5. That was mentioned in the Work Track 5 commensatory call which happened this morning from 8:30 to 12:00, and I would say this, James, just so we're very clear on implementation, the primary recommendation of that group was that it wind up its work and the forum be shifted to an effort with a broader scope, which indeed Work Track 5 has. Thank you.

JAMES BLADEL: Okay. Excellent, Heather. Thanks. The only other one that's listed here in implementation that might be worthy of an update because of some recent updates would be the transition to thick WHOIS. And I think that we heard that the timescale of that has

been modified recently. I don't know, Keith, if you have any details on that or perhaps we can pick on staff a little bit.

KEITH DRAZEK:

Okay. Thanks, James. Keith Drazek. Yeah, so I think, as James noted, the board passed a resolution earlier this week effectively extending the -- the enforcement -- sorry, I should rephrase that. Basically suspending enforcement of the terms in the thick policy -- thick WHOIS policy in light of the fact that the -- that VeriSign and the registrars are still engaged in attempting to finalize language in the RAA and the action currently is actually with ICANN staff to take the next action. But I think they've recognized the -- that in light of GDPR there are still challenges very relevant to the transfer of such data in recognition of the ongoing discussions on GDPR that the ICANN board, I think, appropriately recognized that there -- this extension was necessary. I hope that's succinct and happy to answer any questions. Thanks.

JAMES BLADEL:

Thanks, Keith. That's about it for our project list. There's quite a bit more in there, but most of those received an update in our working sessions. Any other councillors have any comments, questions, or anything they'd like to discuss relative to our projects list, or we can move on to our action items. Okay. If we

could load that other list, please. Thank you. And just a reminder that items that are in yellow, I believe, are ongoing. Items that are blue are appearing in our agenda for this meeting. And items that are green are marked as complete and will not appear on future action item lists.

So a lot of these -- I don't know if we can shrink that or -- and I don't have it in the council room. No? Okay. We'll see if we can work that out.

UNKNOWN SPEAKER: (Off microphone).

JAMES BLADEL: Yeah. There's no Goldilocks zoom scale on this one. It's either can't read it or it's taking up the whole screen. I can read some of it so I'll just jump through here that the community gTLD change process is on our agenda for later today. I think we added that as a matter of AOB. We have a note here for the process for handling WHOIS conflicts with local law. And there have been some developments on that here, some discussions in Abu Dhabi. We'll probably turn it over to Michele and Heather maybe to lead that conversation. The standing committee on the budget and operations is also a topic that we can discuss today and just -- it's easy for me to say because there's no

tomorrow for me, but I would just recommend, you know, maybe we make a decision on that fairly soon, whether that's a viable option. I think that there's been some discussion about what it would look like and how it would operate, but I think the first question is, is it necessary at all, and I don't know that we've, you know, conclusively landed on that one. Scrolling down, I think that's it for the items that will appear today.

So that's roughly what stands to be knocked down from today's meeting off of the action list. Any other comments, questions, for the action list? Anyone wants to discuss the items that are in yellow? Fodder for the list probably. Okay. Thank you. We can put that one away and go back to our agenda. And agenda item number 3 is our consent agenda, which is empty. So well done, everyone, there. Agenda item number 4 is the first and only item that is up for a vote and it is a vote to approve the new liaison for the GNSO to the GAC, and that is coming via recommendation of the standing selection committee which is chaired by Susan. Susan, would you like to give us an overview and introduce the motion? And I think, do we need a second for this? I'll go ahead and second the motion so we can table it and then Susan, if you don't mind me putting you on the spot, we can have you introduce the motion, read it into the record, and then we can open up the discussion. Susan.

SUSAN KAWAGUCHI: Thank you. Susan Kawaguchi for the record. As you know, the standing selection committee takes instructions from the council. A candidate -- call for candidates was performed, and we received three applications for the liaison to the GAC. It -- all were very good, substantial candidates and the selection committee fully reviewed the applications and discussed the candidates and decided on one. Which is good. We have -- we could send three, I guess. So can I just read the resolved or do you know the whereas?

JAMES BLADEL: Just the resolved is fine.

SUSAN KAWAGUCHI: Resolved. The GNSO Council hereby appoints Julf Helsingius to the role of the GNSO liaison to the Governmental Advisory Committee until the end of the ICANN AGM 2018.

Two, the GNSO Council will review the role and is expected to annually reconfirm the appointment, unless the review indicates otherwise and/or the liaison has indicated that he/she is no longer available to continue in this role, in which case a new selection process will take place and/or the review indicates.

Three, the GNSO Council leadership team will coordinate with Julf as well as the GAC leadership team and GAC Secretariat on the next steps and the successful implementation of this role.

The GNSO Council and the SSC thanks all the candidates for their interest and would like to express its appreciation for the highly-qualified applications received.

The GNSO Council thanks Carlos Gutierrez for his service as the GNSO Council liaison to the GAC.

JAMES BLADEL:

Thank you, Susan. And we can open up a discussion. I just wanted to note that I believe it's resolved three mentions the -- references the GAC leadership team. They concluded their elections yesterday, and the incoming GAC chair will be Manal, taking over from Thomas Schneider, so Manal will be a part of that new leadership team. So just kind of an FYI for council and for the room. Okay. Questions or discussion? Michele.

MICHELE NEYLON:

Michele, for the record. I'm not going to discuss the outcome of this. And I think we can agree, there was some discussion around this and it's positive. I think what we should be really looking at is how we can make sure that this position is effective. The -- in the meeting we had on the weekend between the GNSO

-- GNSO Council and the GAC there was some of the usual complaints coming from the GAC side that their workload was heavy, they didn't have the resources, et cetera, et cetera, et cetera. And it's a false assumption that we have massive resources at our disposal and that we all have clones of James. Which, of course, isn't the case. So I think the position itself needs to be -- needs to be effective, it needs to be proactive as much as possible, and be able to translate GNSO speak into GAC speak and vice versa. That needs to happen. When we're looking at big topics at this meeting like GDPR, I'm hearing one thing coming -- that oh, my God, the GAC are thinking this and then I'm hearing from individual GAC members something which is the complete opposite. And as a contracted party stuck in the middle, I'm like going okay, what the hell, what do I do? Wait until they send out their communique, and then we have to get that translated from GAC speak into something we can actually parse and then we will respond to it, so on and so forth. So the person for that role, their role is important. We're counting on you. It is a big responsibility. But we feel that the person stepping in there will -- was the right choice.

JAMES BLADEL:

Thanks, Michele. And I think that speaks to Resolved 3. And I know that for the upcoming strategic workshop, this is one of

the items that's slated for; that is ensuring that this liaison is effective. And I think we heard the same thing on Sunday.

Wolf-Ulrich. Then Heather.

WOLF-ULRICH KNOBEN: Thanks. Wolf-Ulrich Knoblen speaking. Yes, just to this point, I fully agree, Michele, that the optimum thing would be to find a person who covers both, who is really familiar with all the issues from both sides. But this is an (indiscernible). That would be an optimum situation. And we had it almost fulfilled by it by Carlos because he knows both sides. It's hard to do so.

We are also trying for all constituencies to give -- to have as much as possible contact to the other side, to the GAC by itself, not just relying on the liaison. The liaison can just help us, well, to put the fingers on some issues and to help us. But what we would like to have and to know from the GAC side -- so we have to activate ourself and engage ourself in this communication in addition. So that's one point.

Another point is a more formal point, not to the substance of the motion. We are satisfied with that. I would welcome if the SSC could -- after having taken their decision, could communicate that to the -- to the applicants.

So it seemed to me that the first information came up when the motion came. I understand that we as council have the final decision to be taken. But it would be good to have a kind of communication to the applicants themselves in advance. Thanks.

JAMES BLADEL:

Thank you, Wolf-Ulrich. And I think that goes out after the council has ratified the SSC selection. Then those announcements go out both to the individual that was selected and those who were not. But if you're asking if we should change that sequence, maybe letting the -- all applicants know the recommendation that the SSC will make, that's something I think maybe Susan can take on board for future. So --

SUSAN KAWAGUCHI:

Can I just -- quick note. I think that's a really good recommendation because since the -- everything is transcribed and recorded, then the applicants will look to see what's happened. And before I know it, I mean, I'm like, oh, 24 hours later, I'm seeing chatter about that. And so I think out of a courtesy, I think we should change our process a little bit. So thanks for recommendation.

JAMES BLADEL: Thanks, Susan. So I have Heather, Stephanie, and Carlos. Heather.

HEATHER FORREST: Thanks, James. Heather Forrest. I would like us also to consider both now and in an ongoing -- as an ongoing tradition, process, that perhaps we have some way of in addition to the handover that I'm sure has taken place between Carlos and Julf in recent time that we have a means for the incoming liaison to the GAC to perhaps meet with the leadership of our four PDPs. We have an extremely heavy PDP workload right now, and I think much of the questioning that's coming out of the GAC in terms of what the GNSO is doing would require a very substantial knowledge of what's happening in the PDPs. So to the extent that maybe -- Julf, you're nodding. That's wonderful. For the record, Julf is nodding.

To the extent we can help facilitate those dialogues. Julf, you will just have to let us know if you would prefer to reach out to leadership on your own. But let's please do that so we are all up to speed. Thank you.

JAMES BLADEL: Thanks, Heather. That sounded like an item for Julf's to-do list.

So next up we have Stephanie, Carlos and Julf and Phil.

STEPHANIE PERRIN: Thanks very much. Stephanie Perrin for the record.

I would just like to, following up on Michele's statement, ask Julf to come back to us with any ideas that can help us communicate more effectively to the GAC what actually we are because I believe there are misperceptions that this is either some kind of cartel of rich business types that get together and set policy or people who love travel -- and that might apply to my colleague on my right.

But all joking aside, I think a few little cameos of who's actually on the GNSO and what exactly -- and we hold ourselves accountable to public service here, and it's costing us. It's costing you in your business. It's costing you in your activities, your home, you name it. We are actually trying to contribute, and there does seem to be a dialogue de sourds going on here that they don't seem to realize we don't have boundless money to cover their activities. It's costing us money. Thanks.

JAMES BLADEL: Thanks, Stephanie. Good advice.

And a lot of this is also useful for that upcoming session where this role will be examined and possibly modified. So I'm not saying we should squelch that discussion now, I'm just saying

we should make sure we are capturing these items so we don't forget in January.

Okay. Next up is Carlos and Julf and Phil and then we should probably -- and Rubens. Okay. And then we'll saw it off from there.

Okay. Carlos.

CARLOS RAUL GUTIERREZ: Yes, thank you. Carlos Gutierrez. I have been involved in this discussion since 2013 when I was in the GAC, and we produced a framework of cooperation called a quick-look mechanism. And I also paid a lot of attention what Michele just mentioned, what Thomas mentioned on Sunday and I think on Monday, again.

And I prepared, of course, my report. I submitted it to the leadership because I was not sure what the procedure is for the report is on your email. I guess you're going to distribute it.

But two basic points. I mean, we're not in sync. We will never be in sync. The GAC does not work between meetings, period.

From that first fact, in my report you will see some recommendations which are, of course, on our side. We have to listen. We have to listen more carefully to Thomas' comments and to the GAC complaints. And my suggestion is to put in a

little bit more of work on our side to pay special attention every time somebody -- doesn't need to be a member of the GAC, when somebody mentions public policy and public interest issues. We just need a yellow marker in our PDPs at any point in time, not only at the beginning, and keep track. Keep track of any suggestion on public policy, public interest.

At some point, the organization proposed to develop a framework, but that was lost in translation. So I don't think we need a framework for public policy. We just need to keep track, and I hope you will find my report interesting.

Julf knows it. We have spent a lot of time together. Mason Cole also knows it. And we will always be available for Julf for any help he needs. Thank you very much.

JAMES BLADEL: Thank you, Carlos.

And so next we have Julf, Phil, Rubens, and then we'll bring this one in for a close.

JULF HELSINGIUS: Julf Helsingius for the record. Thank you. I'm really happy to hear the offers of support because I'm really going to need it.

I definitely see my role as facilitator and communicator. But in the actual substantial issues, I will be leaning to all of you a lot. And I really count on your help.

We have already -- I have been talking to some of the GAC members and trying to find out exactly what they need to be able to usefully participate in our processes. And we've been discussing different communication channels and ways of briefing them in a way that they can assimilate about our PDPs and what's going on. So that's definitely something we'll be working on.

But, Stephanie, you really addressed a great point and I will definitely pick up on that, that there is this perception that the GNSO is some big companies doing domain business who are basically trying to pass their way through. And I think we need to change that perception. So that was a really good point, and I will try to pick up that. Thank you.

JAMES BLADEL: Thank you, Julf.

Phil.

PHILIP CORWIN: Thank you. Phil Corwin for the record. Excuse me.

Julf, to add to your difficult task ahead for you, I want to put a hot issue on your plate and ask you to handle it proactively.

Yesterday I spoke before the GAC. They had a session on the RPM review working group, and I sat there as one of the co-chairs. I thanked them for their early engagement on that and expressed the regret that they had not engaged similarly on the IGO CRP working group which I have been co-chairing along with Petter Rindforth for the last 3 1/2 years, and we are about to deliver our final report.

And I was distressed when we walked into the meeting room on Sunday for the council meeting with the GAC, I heard -- I'm not sure who the speaker was but someone was reporting on this working group and telling the GAC that we had rejected their advice to favor commercial interests, which shocked me because that had never been any rationale for anything we've done in that working group.

So I did express the hope yesterday to the GAC that the members would actually read our final report before taking a position. I can tell you our interim report was more than 100 pages with more than 200 footnotes. It was a very serious report, and I expect our final report will be even longer.

But we -- this is a very contentious issue between the GAC and the board and the council. And I feel that our final report's going

to be a very solid and balanced report and very well-informed, very logical in the recommendations we're making.

But there is a danger that if the GAC is not hearing all sides of the story and is not working between meetings and reading the final report and how we reached our decisions, they're just going to say, well, they didn't take our advice to benefit commercial interests so we're going to object to the board when -- if and when council adopts the recommendations.

So to the extent you can proactively engage with the GAC and get them to actually deal with our rationale, that would be very welcome. Thank you very much.

JAMES BLADEL:

Thanks, Phil. It sounds like another to-do list item. And certainly he or she who summarizes wields a significant amount of influence in that group.

Julf, if you wanted to respond. And then I have Rubens.

JULF HELSINGIUS:

Short response. Yes, I will definitely pick up that one and see what I can do.

It scares me when you say the report is going to be over 100 pages because I also informally just talked to one of the GAC

representatives who said if it's one page, he might read it. If it's two pages, forget it.

PHILIP CORWIN: Let me respond. One, I will personally -- I'm sure Petter would as well -- engage with you and help you boil down the very long report to key points.

But, frankly, if the attitude of GAC members is that if it's more than one or two pages, they're not going to engage intellectually, that's troubling.

JAMES BLADEL: Okay. Thank you, Phil. Thank you, Julf.

Rubens.

RUBENS KUHL: Rubens Kuhl. I'd like -- just like to encourage us as stakeholder groups and constituencies to try taking off the heat of the GNSO with GAC when those opportunities arise. Sometimes GAC attributes to GNSO some specific attitudes from stakeholder groups or constituencies. And we should try keeping GAC-GNSO relations to a more collegial tone. So when those stakeholder groups and constituencies have to put their positions forward, it would be in interest to say, Hey, no, this is not the GNSO. This is

Registry Stakeholder Group. This is registrars. This is IPC. This is something. That would help the overall relationship with GAC involved.

JAMES BLADEL:

Thanks, Rubens. Good suggestion. I'm thinking back to Hyderabad and Graeme was here. There he is. Graeme and I made a presentation to the GAC. It was basically Registrars 101. And I thought that that went over very well. It was well received. It wasn't well attended but it was well received. And I think it goes right to your point, is it helps kind of clear up some of the misconceptions and gives GAC members a little bit more insight on to how the different stakeholder groups operate. So thanks for that.

Okay. So that brings us to the end of our queue, and we do have a motion on the table. And if there are no objections, I would like to proceed then to a vote. Could we do a vote with show of hands? Otherwise, if there is an objection, we can move to a roll-call vote.

Okay. No objections.

Nathalie, would you proceed please with show of hands.

NATHALIE PEREGRINE: Thank you very much. We'll do a show-of-hand vote for those of you in the room.

And, Paul McGrady remotely, please express your vote by saying aye.

Would anyone like to abstain from this motion?

[No verbal response.]

I note that Julf Helsingius is abstaining from this motion. Could you please state your reasons.

UNKNOWN SPEAKER: The Dutch style.

JULF HELSINGIUS: Yes, I think it's appropriate not to vote for yourself.

NATHALIE PEREGRINE: Thank you very much.

Would any of you like to object to this motion?

[No verbal response.]

Seeing no one, would all those in favor of the motion please raise your hands and remotely say aye.

[Chorus of Ayes.]

Thank you very much. Donna Austin, Rafik Dammak, proxies for Valerie Tan and Marilia Maciel. Please express your vote.

[Chorus of Ayes.]

NATHALIE PEREGRINE: Thank you very much. One abstention, no objection, and the motion passes.

[Applause]

JAMES BLADEL: Thank you, Nathalie. And congratulations, Julf. Big things are in your future for the upcoming term.

And, of course, as the motion indicates, thank you, Carlos, for your service over the previous term. This is certainly a challenging role.

Okay. Then let's move on to Agenda Item Number 5. And it's all discussion points from here on out.

Agenda Item Number 5 is a discussion on the SSR2 review team, which if you had told me a week ago that I would have been speaking more about SSR than GDPR, I would have probably laughed at you. But that's exactly how it went down this week.

But we can discuss -- let me just kind of take a look here and get that tee'd up. The SSR review as many of you are aware is underway, was discussed sporadically, I think, and certainly not in a way that was very clear to all the SOs and ACs between the board and specifically the Organizational Effectiveness Committee, that the board issued an announcement that the group was being suspended pending further discussion by the SOs and ACs. And that's raised a lot of questions about the mechanism by which the board suspended this work, if that's even a real thing that they can do since these reviews are certainly intended to be independent.

But we do have this situation where the SOs and ACs at least in the board's view are being asked to discuss the path forward to getting this group unsuspending or restarted as quickly as possible.

To that end, there have been a number of conversations both pair-wise within different groups and SSR and the board, which we had some as well with the ccNSO, if you recall, on Monday, and some with the board in our working session on Sunday.

But we've also -- Heather and I, for example, had some conversations with Steve Crocker and Cherine to discuss the status and the path forward. So there's quite a few conversations occurring in parallel.

This morning we met with some of the other SO and AC chairs to try to hammer out what that will look like in the immediate future.

And so for this group, and for the participants, I can tell you that we -- Heather and I have been participating in the drafting of a -- very rough draft of an initial statement that would be executed by all of the SOs and ACs that indicate we, in fact -- and I'll just hit the highlight here because the language is still very much in flux, but that we want to see this group get started, get back to work as quickly as possible, that we are engaging around the community, we're collecting -- I don't know if it's input or feedback, whatever the correct term is, and that we will use that to address those concerns, if any.

So I would look for that statement probably close to the end of the week, if we're able to get everyone on board. And that at least acknowledges that the ball is back with the community, back with the SOs and ACs and this is not a top-down decision where the board starts and stops these review teams, that they pass the baton to us and that we're taking the baton and we are going to start running with it.

With that -- oh, and I'm sorry. One other point.

This has raised, as I mentioned, a lot of concerns about just the unchartered waters we're in procedurally. Whether or not these

-- you know, this review team and future review teams could be subject to similar interventions, and I think we indicate in the statement that those are important topics, that we intend to take up and revisit. But that's not on the critical path to getting the work restarted. And that's our focus coming out of this meeting, but that's definitely something that we want to fix in the long term. So we're not letting them off the hook for that, but it's just we're not putting it in front of the other work that's necessary. So that's -- that's where we stand today. And I see quite a queue coming up. And -- you can see I forgot my computer so I'm working off my iPad which means I don't have the list. So it's going to start with Donna, Wolf-Ulrich, Heather, Keith Susan. Okay. Thank you, Donna. So let's start with Donna.

DONNA AUSTIN:

Thanks, James. Donna Austin. I think it's a positive step that the SO and AC chairs have gotten together to discuss this and try to work it through. I'm interested to understand, I think you said there would be a review of what's being done to date in order to move this forward. And I'd just like to understand well, who's going to do that review and how's that going to happen. And to the extent that the statement is agreed with the SO/AC chairs, what's the sign-off process going to be on that? Thanks, James.

JAMES BLADEL: Thanks, Donna. All good questions. And I don't -- I think because of the unprecedented nature of this situation we find ourselves in, we are inventing as we go, to some extent. I will tell you that the -- the -- we are right now in the process of acknowledging where the -- where the decision lies, and that's with the SOs and ACs, and what the immediate next steps are. As far as how we're going to vote or reach consensus or acknowledge consensus that all the SOs and ACs have identified the path forward. I think that's TBD, and I think it would be unfair for me to speak and kind of get ahead -- get too far ahead of it. Things are happening fairly quickly and very much in the blind. But good questions, and certainly bridges we will have to cross here fairly shortly. And when I say we, I mean Heather. Sorry. Okay, next up is Wolf-Ulrich.

WOLF-ULRICH KNOBEN: Thanks, James. Wolf-Ulrich speaking. Well, it's -- I'm always usually well to move this thing ahead. Not just looking back on what happened and so on. So we had an -- in all our meetings, so we had discussions about this, what happened. So the question I'll try to understand really is, what's going to happen in the future. I understand the SO/AC leaders met in order to draft something. There shall be a meeting tomorrow with the

board on that SO/AC whatever. So I'm also invited to that. I wasn't invited to the other meeting, but -- so okay, I just would like to clarify, you know, how we proceed in that so that is really transparent to move this forward.

Did I get this right, that you're planning well to have a statement available, not by the end of this meeting but let me say later on end of this week or -- and should be happened and how is the coordination process here? That's my question. Thanks.

JAMES BLADEL:

So thank you, Wolf-Ulrich. The statement, I think, is targeted for this meeting before we -- before we conclude. The meeting tomorrow I think is open and transparent, but as far as how it's going to work, I would give you an answer similar to the one that I gave Donna, that's -- you know, we're not entirely clear because of the unprecedented nature of this -- of this situation. And to your point, the letter, the statement, or whatever, it currently says that the SO/AC chairs will consult with their communities -- that's this group and the broader GNSO -- and with each other, amongst each other, to coordinate the restarting of that work. So it is -- it's not something that just the chairs are going to go off into a room and come back with some announcement. They are broadening that discussion. So I

expect that will be one of the potential outcomes of this. Yes. Go ahead.

WOLF-ULRICH KNOBEN: Just to this one, the nature of this statement is really to come up with a proposal from our side how to move that forward; is that correct?

JAMES BLADEL: That is one possible outcome, yes.

WOLF-ULRICH KNOBEN: Okay. Well, because I'm thinking well, just move it -- just putting a statement, a further statement to what has been said and discussed already with regards to some issues we have discussed, that would be a waste of time, I would say.

JAMES BLADEL: That's not what the statement would entail. Thank you, Wolf-Ulrich. But again, you guys are trying to put me on the spot for questions I really don't have any good answers for at this point. And that's not a dodge. That's just, I think, more indicative of how quickly things are moving and how far outside of the lines we are with the board's decision. So next up is Heather.

HEATHER FORREST: Thanks, James, very much. Two points. Number one, I think it's important, James, that we note that in this draft, in this rough draft we are but two in a larger group and we're trying to hash out a text that we can live with. And one of the significant interventions that you and I have made is to be sure that it's very clear in this communication that we understand where the board has gotten its information from and I've pushed hard to say that, you know, the only explicit information from the community of which we are aware has come from SSAC so that there's no confusion that there has been any request from the GNSO to take this action. So that's a specific point that we made in drafting that letter.

And the second thing would simply be to acknowledge and thank Steve DelBianco for his sensible question in the public forum the other day which really gave rise to the answer of the fact that it's the community's job to restart this. So that was an excellent question and very helpful for our efforts. Thank you.

JAMES BLADEL: Thanks, Heather. And good point. Thanks, Steve, for getting -- and I think someone else, was it Jonathan Zuck, also made that point and really just put an underline around, you know, who has the ball and it -- it lies with us, the community. Okay. I have

Keith, Susan, Phil, Stephanie, and then just looking at the clock, probably should saw it off right there. So Keith, go ahead.

KEITH DRAZEK:

Right here. Thanks, James. Keith Drazek. Hi, everyone. Yeah, so just a sort of -- maybe looking at this from a bit of a high level in terms of the potential impact on the -- of the board's decision, I think the fact that the board made a decision that was clearly sort of unprecedented or out of bounds as it relates to review teams, key accountability mechanisms, particularly following the IANA transition, the new bylaws, and let me just state, you know, there may be legitimate concerns raised. You know, they have -- SSAC raised some concerns, the board has raised some concerns, they took unprecedented action, so I think we owe it to the community and to this process to do a clear-headed analysis of the concerns. Part of that will be getting clear explanation of the concerns, so we can do that proper assessment. If it's a scope question, as we've heard, then we need to check the bylaws and check the terms of reference for the group and make sure that no one's coloring outside the lines. And if they are, then we need to bring them back in. But I think that there's a real perception problem here that we're dealing with as a community. And I think there's potential risk and damage to the institution if there is a perception left that the ICANN board was somehow, you know, sort of acting outside

of an accountability mechanism or trying to unduly influence a key accountability mechanism. So I fully support the SOs and the ACs coming together and making a statement, a very clear statement, taking the responsibility back, if you will, for reenergizing -- reviewing, reenergizing, and kicking off this review team once again.

I want to note that the review team today is not fully -- what's the word I'm looking for. Staffed isn't the right word, but it's not a fully-constituted review team. Review teams typically have up to 21 members. This one, I think if that's the case, there's only 16 current people. So I think there's an opportunity for us, you know, speaking -- trying to be constructive, there's an opportunity for us to look at this and make sure that against the scope that we have the people with the right expertise on that group. And that's not just the GNSO responsibility. That's all of the SOs and ACs. So I think there are things we can do. But we need to send a clear message to the board and to anybody watching that the SOs and ACs are in charge of this process, not the board. We can thank them for alerting us to their concerns. But really put a marker down that this is something that is our responsibility, as a community, and that we are going to be doing a careful review of this situation as to how the board came to its decision and that we're not -- by taking the next steps as our responsibility, we're not in any way saying that what they

did was appropriate and that that's going to be part of our review. Thanks.

JAMES BLADEL:

Thanks, Keith. And just a couple of quick comments. These reviews, just for a refresher, they came directly from the AoC and were incorporated into the bylaws as part of that transition, the IANA transition. This is not something that -- this is not just a pro forma check the box. This is a very fundamental accountability mechanism that Keith and I and probably no one more than Steve dedicated quite a bit of time and effort to converting into the -- into the institution itself. So it is concerning. We have put the marker down, as you indicated. So as far as the -- you know, the composition, the participation, whether or not we could staff this thing up and get some more staff -- there -- whether we can send in some reinforcements maybe, that's certainly one idea that I've heard throughout the week, and I think it's worth considering. You know, I will point out that, you know, as part of our -- our approach we have three guaranteed slots in these review teams and four alternates. I went with our full slate of seven. There was a significant resistance to having the maximum 21 or taking all 7, which would -- basically the GNSO would essentially overrun the -- but maybe it's time to revisit that decision and certainly something to put it on going forward. But I think just going to the accountability, I -- I actually -- I'm

concerned but I'm less concerned because I feel like the board has played this card now. And if they ever play it again, it's actually going to backfire. That, you know, okay, we understand, you know, that they've -- they've taken this step and if -- you know, once is a -- is an occurrence, twice is a pattern sort of thing. So I think we're all on notice now that -- that that is something that needs to be addressed going forward. Yeah, go ahead.

KEITH DRAZEK:

Thanks, James. Just to follow up on that. I agree, if you're looking inside the ICANN tent. I'm concerned about the perceptions from outside and the criticism that ICANN, the board, the institution, the community, will receive if there's an assumption or an expectation or an allegation that somehow the board is -- is not living by the spirit or the letter of the rules that we put in place coming out of the transition and that critics of ICANN, you know, around the world and those who opposed the transition are going to go see, we told you. That's what we really, really need to avoid as an institution. Thanks.

JAMES BLADEL:

Thanks, Keith. Fair points. Next up we have -- and just to go through the queue, we have Susan, Phil, Stephanie, and I put

myself in just to close it off because we are on a schedule. So Susan. You're up next. Go ahead.

SUSAN KAWAGUCHI:

Thank you. Susan Kawaguchi, for the record. I just want to note that the letter the board sent out last weekend said suspended. Now we're seeming to dilute that to pause. So is there a pause which seems a little less critical than this team was suspended. And we have a full component of 15 or 16 committee -- you know, of review team members here that are in limbo and have a full day's work planned on Friday. So are they suspended and can -- cannot do any -- any of the review teamwork on Friday, or do we think it's paused for some reflection but they should get to work on Friday? So that's the first point. And I absolutely agree with Keith that we need to make sure the board understands this was not the way to do this and develop a process that makes it easy to have communications delivered back and forth and that that's followed up on so that we don't come to this critical path again.

JAMES BLADEL:

Thanks, Susan. Agree with you and Keith on the communication. And I think it's -- you raise an excellent question on what to do with the Friday session. I think the instructions are ambiguous because they do say something

about continue your work here as usual but, you know, the pause takes place afterwards or something, but I don't know that that's -- maybe that's just one reading of it. So we have that session scheduled for tomorrow, and we'll make sure that that is front and center, that question of do we -- do we tell these folks it's okay to rebook flights or do we -- do we go forward with the green light for Friday. And I think that's a -- that's a point that we need to pin down. Thank you. Okay. Next is Phil. And if I could ask folks to make sure you put your hand down when you're out of the queue. Phil, go ahead.

PHILIP CORWIN:

Thank you, James. Phil, for the record. One I want to amplify a bit and add to something that Keith stated. A lot of folks went to the bat for ICANN in Washington last year to facilitate the transition and assured nervous members of the legislature that ICANN would be accountable because of the strong accountability that was built into this. And I can -- while the U.S. now stands on the same ground as all other GAC members, it's still retains a lot of influence. There may be times in the future where ICANN and the multistakeholder process needs government defenders and this will be noticed in Washington and people are going to be asking about what happened and will it happen again. So -- and that's a segue to my other statement which is, while it is important to get the suspension or

pause or whatever state we're in lifted as soon as possible, one thing that I heard in terms of rationales from the board when we met with them, which I found very troubling and very dangerous, was a sufficiency of resources argument. Which is basically a power of the purse argument that since ICANN paying -- all they're really paying for is the staff support because all the volunteers are unpaid by ICANN. Because we have some financial involvement, we get to define the scope and the focus and lots of other -- and whether this proceeds or doesn't. So I think while we need to get the suspension, pause, or whatever it is lifted ASAP, we also need to engage in a very frank discussion with the board about whether and under what circumstances the board has any power under the bylaws to do this type of thing. Because we shouldn't just say oh, we got this suspension lifted, because if we don't define what the extent of the board's power is in regard to these independent accountability teams, we're really setting ourselves up for something similar in the future. Thank you.

JAMES BLADEL:

Thanks, Phil. Good point about the financial implications, and we should probably add that to the marker that we put down in that statement. So next is Stephanie. Stephanie, go ahead.

STEPHANIE PERRIN: Thanks. Stephanie, for the record. My point is one about really procedure and methodology for these reviews, and it may be ill-informed. If so, please enlighten me. But it's my observation from the team that I'm on at the moment, which is the WHOIS review, and the ones that I have studied, that there seems to be a lack of clarity about exactly what that review is. Is it a program review? Is it an audit? Is it a performance management review? Is there a -- an ability to do research as in the CCT, the consumer trust. So in the absence of clarity, the scoping document is where everybody decides what you're going to do, and I would suggest that a little more clarity in the purpose of the reviews would take some of the pressure off the scope document because apparently this was an issue in this review. I've seen it in the other ones. That seems to me an odd way to do a key accountability measure. Thanks.

JAMES BLADEL: Thanks, Stephanie. To some extent the scope of the review is defined in the bylaws, but these groups are self-scoping also, to a certain extent. I know they reference their previous incarnation, so the security and stability review team, the second one will look back to the recommendations and the status of implementing the recommendations of the first one and RDS and so on. So it's -- it's probably a non-standard approach to developing a scope or work plan. Yeah. And that is

understood. And certainly needs to be one of the mechanisms that's worked out.

So I think that's the end of the queue. I put myself in as a backstop. Sorry? I'd -- I'd closed the queue, Erika, but I'll go ahead and let you -- if it's a brief intervention go ahead and then we'll wrap it up. Go ahead.

ERIKA MANN:

Sorry, James, if you already closed it. Just a quick one. I want to follow up on a point that Phil raised because I think that's a topic we have to come back to. And this is the point that there seems to be in the management in ICANN organization and understanding that because the -- this financial support comes from the organization that some liability risks are much higher with the organization, therefore intervention rights are given to them quasi automatically. We have this in a different context. I don't want to go into the detail here, but I think we might want to come back to this point. Not now. And I -- I sense there needs to be probably a discussion with the board about this, relatively soon.

JAMES BLADEL:

Thanks, Erika. Okay. That brings us to the end of the queue, and I think that we have now some points to take into that

discussion tomorrow. So I think that that is a good starting point. And, you know, perhaps one option, just throwing that out there, is that, you know, we try to work these items out in parallel with the reinstatement, restarting, rebooting, or whatever of the review team and so that we just move to that as quickly as possible. That would certainly answer Susan's question on what to do with Friday. And it would certainly send a clear message to the board, Keith, that you can pause a review team but only for about, you know, three days.

Okay. Thank you very much for that very thoughtful discussion and more to come as this is developing fairly quickly. Okay. And I would ask folks to just check their hands in the Adobe Connect if you're out of the queue.

Okay. Next item of business is a council discussion and update from the GNSO review working group. And just as you recall this is a fairly long-standing item as part of the GNSO review. There was a GNSO review and then there was the adoption of an implementation plan which I think happened during our meeting in Hyderabad last year, which we are required to submit our implementation plan to the board by the end of last year. That was done on time. And then the board approved that in early of this year, early 2017, shortly before our meeting in Copenhagen.

And we are now in the phase where I think staff is in the process of implementing that review. So I believe we have a slide deck for this section. And I'm wondering if we have a staff member who's willing to take the wheel and lead us through. The agenda says "slide deck." Is that correct? Are there slides? I can't see any staff members, anybody -- who has point on that. Yes, Wolf-Ulrich.

WOLF-ULRICH KNOBEN: I was charged to do so.

JAMES BLADEL: Oh, okay. I didn't see your name on here. So I'm sorry.

WOLF-ULRICH KNOBEN: It doesn't matter.

JAMES BLADEL: Okay. Take it away, Wolf-Ulrich. Absolutely. Thank you.

WOLF-ULRICH KNOBEN: Sorry. You almost covered all the status, but let me just chime in.

We are the GNSO implementation -- GNSO review implementation working team. And Julf is the chair of it, and I'm the vice chair of it and we alternate in running the team.

So I would like just briefly to guide you through the stages of that work, where we are, what are the challenges.

Next slide, please.

So to your memory, so we are executing and implementing the Review 2 recommendations. So the group itself is not doing the implementation. It's done by staff. We have an oversight on that, and we are discussing about the framework how we are going to do this.

The group is staffed by -- and participated by members of almost all the stakeholder groups. So we have -- sometimes as usual, working groups have a lack of participation. But in general, we reached -- we could follow our time schedule which we have set out at the beginning of this year. And so at the time I can report that we are in line -- still in line with the time schedule we have set out so far.

So we have since February 17, there was -- in February of this year, the implementation plan was adopted by the OEC and we started our work. And we would like to have the work done by end of September next year.

Next slide, please.

So, not just to bore you to come back to what this is about, I think we have around 36 recommendations or 35 recommendations from the review itself to cover and to implement. And what we did is we prioritized that in a way which was adopted in three phases. So the first one was where we put in all the recommendations where throughout the ongoing work and the former work they have been implemented so far. And all other recommendations have been then put into phase 2 and phase 3. Phase 2 is one which was higher priority. And then for the phase 3, we have all the rest of the recommendations put in.

To do so, we have chosen a format which is usual, provided by ICANN in a kind of chartering the recommendations and the work of the recommendations in terms of setting what is it about the recommendation to see what is the status of the work done, to put out what kind of research has to be done in order to find from already existing documentation what are the issues, what is the work to be done, and also how to go further and what are the implications, what maybe are the interdependencies with others.

And that work has been done and is ongoing work. There will be charters. And our charters suggested and drafted by staff.

And we are discussing that within the group, you know, how we see that. And in the end, we come to the determination of the status of the implementation, whether it has been already done, it needs further work or ongoing work, or which part of the work is still open which may interdependent with other recommendations and to some extent, we are putting recommendations together in order to work in a combined way on these recommendations.

We have reviewed and discussed implementation charters for all the recommendations in phase 2 and one charter from recommendation moved from phase 1 to phase 2 as well.

So as I talked already about the combined recommendations, we are working on as well.

And the phase 3 recommendations will begin right now after the meeting here in Abu Dhabi.

Next slide, please.

So we are confident that we will keep our time line and have implemented all the recommendations by September of next year as we have set out in our original time line.

We have in parallel to this update sent a report to the OEC, which we are required to do so, and also detailing and setting out where we are, what may be the issues, what are the

challenges. And we have also followed this update to give some information that we are still in line with what we have planned.

The working group itself notes that the time line's implementation plan versus the adjusted time line, yes, so that was from the beginning. So we adjusted the time line to be then -- so we make follow-ups. At almost each meeting, we look at the time line, where we stand, what is new, what should be implemented as well to the time line that could have an effect on potential financial impacts or potential timing impacts to the time line.

Next slide, please.

So that's just how we did it with the three phases. The first phase of work, already underway. The second phase with higher priority recommendations second. And the third one with the rest of the recommendations which we are starting in September -- in November of this year.

Next slide, please.

I think that will give you an overview where all the recommendations stand. It seems to be complicated. It's not that complicated. It just says here what we have planned, where we are, so -- and whether we have completed or not. So we have

ticks on the left-hand side and all the green recommendations which are done so far and implemented.

And then we have the next slide with all the other recommendations we are doing and the time line. This is what -- the plans and the way we have dealing with implementation -- with the recommendations of all three phases.

This is just a little bit formal. To give you an example with regards to one recommendation, we have set out this example here, and I would like follow up with the next slide.

Not to bore you just on plans, so, for example, one recommendation which we had put into and allocated to phase 1 -- and we have already done -- is the recommendation about working groups -- the question working group's recommendation that working groups should have an explicit role in responding to implementation issues related to policy they have developed. You know, from the working group, chartering that is a major task for Working Group 2 to come out with policy development. But in former times, it handed over to staff to implement that. And here's now the role, is described and is asked for the working group itself to have to answer questions or to chime in when issues arise during the implementation phase.

So we reviewed the final report on this policy and implementation working group which was working on these implementation issues. We reviewed the PDP manual. An inclusion was made for a requirement of creation implementation review team. As you know, at the time, there are already implementation of review teams installed.

And we reviewed also the IRT principles and guidelines which addressed the composition of the IRT.

In addition to IRT, the operating procedures including the changes, the amendments which have been made to the PDP manual, to determine whether this work has been done properly.

And then it was made a consensus call which we are doing after determining the result for the implementation of the recommendations. So we are going out for a consensus call of about, I think, two or four weeks to give the stakeholder groups and constituencies all a chance to chime in to give their related participants in the review team -- implementation review team to contact those groups and to comment if that is wished so.

In most cases, so we found consensus already on the implementation we have done so far. So we are going to continue with that work.

Next slide.

So, okay. That's it. That's where we are. So I can summarize. We are still in time. We may have -- we didn't have challenges with regards to any budgeting impact, not yet at the time being. So we will see what is going to happen with the rest of the recommendations, but we are still confident that we can keep our deadline. Thanks so far.

JAMES BLADEL:

Thank you, Wolf-Ulrich. And pleased to see that your group is on time and on schedule. And that's a very thorough overview. We'll make sure that we get these slides circulated to the council list; and anyone can view them, if they want.

We're running a little short on time. And I just want to remind folks that we have not only our second session of the council with the new councillors but we also want to leave some time for open mic as we do in these face-to-face meetings.

So with that in mind, if anyone has any quick discussion items or questions for Wolf-Ulrich, we can address those now.

Otherwise, we'll say thank you to Wolf-Ulrich for a presentation and we'll move then to the next agenda item, which is a discussion of the -- with ICANN finance. And that is -- I believe we have a guest here. Xavier is here? Come on over. Welcome,

Xavier. The microphones are a little hot. So you might want to keep your distance so we don't get the feedback.

And I just would reiterate as well that we are cutting into our time for open mic and our administrative matters. So if you could take us through your presentation, and then we will table the discussion.

So, Xavier, please.

XAVIER CALVEZ:

Thank you, James. Thank you, everyone, for taking time to allow us to come in front of you. And I'll be concise, as usual.

So three topics really to talk about quickly: Long-term financial planning. I wanted to make sure we provide you with the understanding of the reserve fund public comment that's currently underway. And we will probably cut short the overview of the planning and budgeting so that we can discuss the topic that was on the agenda earlier -- on the earlier slide relative to the standing committee on budget working for the GNSO Council, which is I think of interest to everyone here.

So next slide, please

Long-term financial planning, you've heard Goran speak about it at various occasions.

Next slide, please.

While the next slide is coming, why are we talking about it more? First of all, that's been a long time that there's been discussions in the community and the organization to give ourselves a longer horizon of planning than the next year. It's also a best practice to simply plan on a long-term basis so that you give yourself enough visibility in the future to plan your resources and decisions of the moment which then have an impact in the future.

We have circumstances under which we -- the community has workload that is quite strenuous. And notably after the IANA transition, everything that was put on hold during that time frame now comes back on the plate.

ICANN has also limited resources. ICANN's funding expectedly and as anticipated is starting to stabilize to get to its cruising altitude, in quotes. Now that we have most of the registries from the new gTLD program into the root, ICANN's funding, which is partially based on that, is now reaching its plateau.

And we happen also to be heading into the next strategic plan development as we are in year three of our current strategic plan, and we need to ensure we do develop our next strategic plan before the end of this period of five years.

So what are we suggesting to do? We think that we need to continue to use this current strategic plan development process that is in front of us to then continue planning for five years on an annual basis so that we continuously, as we make decisions every year, have a horizon of five years to understand the impacts of our decisions over a long-term period, over a five-year period.

And that's what we're calling by a five-year rolling plan, every year looking at five years ahead and, therefore, each new year looking at one more year out in the horizon.

Our current plan -- current strategic plan contains five objectives and 16 goals determined through community input. What it doesn't have is action plans in the roadmap. It doesn't have any resources requirements, meaning what resources are required to be able to carry out that plan and to achieve those objectives.

Those resources requirement by not existing are also not quantified in dollar terms. And we have no projections of funding available over the next five years. So our current strategic plan lacks all those elements. Of course, this is something we want to remedy. We want to develop in the future a strategic plan that says what we're trying to achieve, what is most important in the mission of ICANN. Currently the strategic

objectives of ICANN are not prioritized. Everything is important. We want to have action plan road maps that define what we need to achieve, what we think the resources are that are required to achieve those objectives, what we think the cost of those resources are, and that, of course, we match that to what we think our resource incoming will be. Of course, on a projected basis.

The reality of ICANN is that most of its budget is simply the result of decisions made in the past. When we have between 12 and 15 million spent every year of three ICANN meetings, it's the result of the decisions having made in the past to have three ICANN meetings. So if we don't do anything, we will have 12 to \$15 million every year for three ICANN meetings. We can make a decision to not have three ICANN meetings, but that's a strategic decision. That's what we need to be able to make in the future, strategic decisions on prioritized our activities.

So most of the ICANN budget is committed. And then we -- so we want to be able to look at this committed budget to be able to say, can we do the same thing with less resources, be more efficient, simplify what we do today. In addition, you also want to be looking at what are the emerging trends that appear in our environment, either driven by the environment or driven into our activities of ICANN. Data privacy concerns across the world

is an emerging trend. ICANN needs to deal with it. It's currently not in our budgeted or strategic plan. So that's an example.

Combining together our current core budget that exists with the impact of those emerging trends and making choices between new work that needs to be done and existing work that may not have to be done or not to be done with the same cost is what we will need to do in the future. There will be trade-off decisions to be made. And those trade-off decisions will not be between something good and something bad. It will be between two things that are good. And that's what the choice is, and that's why it will be painful. We will need to make decisions.

I'll stop here and see if there's any comments or questions on that item before we proceed.

JAMES BLADEL: Speaking queue is clear. In the room, we have Wolf-Ulrich. And Michele.

WOLF-ULRICH KNOBEN: Thanks, Xavier, for this. I agree, I welcome this part, you know. The question is, how do you weight that in terms of flexibility, you know, with the -- with the ongoing budget and with things who may interfere, you know, on a short term, you know, in that. Thanks.

XAVIER CALVEZ:

Thank you, Wolf-Ulrich. We -- you're absolutely right. Of course, a plan is just a plan. Reality kicks in every day and reality is always different than the plan, which is fine. So a very practical aspect and then a different one additionally for -- as an answer to your question. First, ICANN has in its budget, by design and on purpose and always has had, a contingency. The contingency represents more or less 5% of our expenses and is simply an amount of expenses budgeted but that are not allocated to any specific activities. So they can be allocated to activities that come up that need to be carried out that they're a result of requirements that are imposed on the organization and were not foreseen at the time of budgeting. So that's what we use on an annual basis. But certainly we will need also to define the mechanism of decisions to be made when some things that may be going beyond the level of a contingency on an annual basis will need to be decided upon. You know, as I keep going back to the data privacy example. What impact could it have on the strategic basis to ICANN over the next few years? So in the middle of a fiscal year, in between two planning cycles, we may have to make very significant decisions, and that's also why the reserve fund is there, when it is needed. But we also will need to make decisions on strategic priorities and redirecting the activities that we have. So those mechanisms need to be

defined. We have not tried to define them. They, of course, will need to involve the community and the board as a decision-maker as they go.

JAMES BLADEL: Thank you, Wolf-Ulrich and Xavier. Michele. I'm sorry, Michele and it looks like then Erika and Heather, and I just will note that we are going to try and then wrap this -- wrap this up. So Michele, go ahead.

MICHELE NEYLON: Thanks. Michele, for the record. Thanks, Xavier, for the update. Illuminating, scary, and much needed. I love the way the double speak in the -- and that lovely little line "ICANN's funding is stabilizing." So translating that into plain speak, it means ICANN's revenues are dropping and ICANN's revenues are no longer growing. I mean, that's basically what you're saying.

XAVIER CALVEZ: So stabilizing doesn't mean dropping. So it's stabilizing.

MICHELE NEYLON: Okay. But we both know they're actually dropping or predicted to drop since you're not getting --

XAVIER CALVEZ: Absolutely not.

MICHELE NEYLON: Okay. You want to disagree on that. Okay.

XAVIER CALVEZ: Well, they're not dropping. I can give you the figures. They're not dropping. They are -- the growth is dropping. The funding of ICANN is not dropping. It's stabilizing. We had -- okay. So we had \$128 million of funding in FY '16, 134 in FY '17. We're planning for a budget of 142 for FY '18, and we think it will be a little bit below that budget but still above FY '17. So it's stabilizing and it's not decreasing. So far.

MICHELE NEYLON: Okay. The other thing around the prioritization, the fact that things are not being prioritized, that does strike me as a little bit odd. I mean, I would have thought that, you know, the focus on the core mission like, you know, running root servers and that kind of thing would have been, you know, priority number 1, and that everything else would flow below that. And so what do you need in order to make sure that that is what happens, that the priority is given to those core functions which we were all fighting about for the last couple of years and trying to rest from the U.S. government?

XAVIER CALVEZ: It's very simple. So to date, as I said, the strategic plan has no priority in it. Everything is important. Or unimportant equally. So we will need in the future that we, the organization, will need to help the community being able to provide input as to what is important and not important. So that you can say that the L-Root server maintenance and development is important. And that it's more important than something else that is less important and therefore should receive less resources. This is the input that we will need to enable as part of the strategic plan development process so that then the organization can try to carry out the plan that reflects those strategic prioritization.

Today, of course, there is prioritization, but it's not driven by the strategic plan. It's not driven by community input either, other than on an annual basis.

JAMES BLADEL: Thanks, Xavier. Next we have Erika.

ERIKA MANN: Thank you, Xavier. A few questions on a few points. I mean, in principle I like the idea to combine the strategic plan with emerging trends. The trouble with emerging trends is that sometimes you come too late and sometimes they -- emerging

trends are not finally working out as emerging trends. In particular in tech environment, it's a difficult environment. So it will be extremely important that however you want to communicate these kind of -- the strategic plan and the emerging trends you, from the management, want to focus on this, this is communicated as early as possible. You have a point here that you say the strategic plan development process needs to be defined with community engagement. So as early as possible, you know, to focus on this topic will be really important because keep in mind, you mentioned as emerging trend data project, and I wouldn't call this an emerging trend. For most industry sectors, this is practically already budgeted and, you know, the peak is already over. So, I mean, this would be for the community, I would say, extremely important to understand this and get to hear your thoughts as early as possible.

XAVIER CALVEZ:

If I may address that now. Thank you, Erika. You're absolutely right. It's very important that we find the right ways to identify those trends and be able, on a timely basis, to convey them through community input and translate them into plans. And from data privacy, you could argue that data privacy was an emerging trend before and now is a reality for many. For everyone really.

What we are thinking about doing is that carrying out exercises with the community that lead to the identification of those emerging trends to be fairly practical with the ICANN management and then with the board over the past few months we have carried out those exercises of brainstorming on emerging trends, aggregating the information, and determining any action plan that needed to come out of that. It's a bench -- it's a workshop type of exercise. It's actually fairly easily carried out, and we are thinking that it could be carried out with the community -- the communities as well at ICANN meetings likely that would allow to produce that information and can be consolidated across organization, board, and community to result in a set of agreed-upon trends. It's not -- it's a relatively heavy exercise but one that could let us be able to involve all the community and all the members interested into it.

JAMES BLADEL:

Thank you, Xavier. Next I have Stephanie and then Chuck, and then we'll close the queue because we have a couple of other things to address on this while we have you. Stephanie.

STEPHANIE PERRIN:

Thanks very much. Stephanie Perrin, for the record. I'm wondering what our opportunity as the GNSO is to weigh in on the risk management plan because given the stability of the

resources and the lack of prioritization, if we could at least weigh in and indicate what we think are emerging risks, I understand the -- the transparency issues with discussing your risk management plan in an open setting, but there are ways to achieve at least some level of transparency on that and have fuller discussions in private. Thanks.

XAVIER CALVEZ:

Thank you, Stephanie. And thank you for bringing that topic, which I know is close to your heart. And we'll talk more about it together, if you don't mind. I'll be very quick. Yes, it's really important. The emerging trends process that I just described has a tendency to generate four risks for one opportunity. So it's actually a process that we have identified for the risk management function at ICANN to leverage in order to identify the risks. That's exactly what we want to see is what is in front of us that creates a risk so that then we can develop plans to manage those risks and obviously mitigate those risks as we see them coming into the organization.

So we have strengthened the risk management function at ICANN because we've managed to hire a VP of VRM who now takes over from me who is very competent. He's a one-man band, but he's helping us to enable that process, be able to extract the information from the emerging trends and answer

them in our risk matrix so that then we develop monitoring and plans to mitigate those risks.

What we do need to do, and we've been talking about it again with the Risk Committee of the board is, how do we share and engage with the community on the risk management information. Everything cannot be shared, but there's more than nothing that can be shared. And that's what we need to be able to do. So it's in the plans. Thank you for reminding us of it. Thank you.

JAMES BLADEL:

Thank you, Xavier. A question from the floor. Chuck.

CHUCK GOMES:

Not so much a question as first a compliment. In the last couple of years the GNSO Council has started to focus on the budget planning and the things that go with -- with it. And so I compliment you on that.

This conversation illustrates how important it is for there to be people in the GNSO, council level and constituency and stakeholder level, that are actively monitoring and participating. I'm speaking as an individual who has been involved in the budgeting process since the beginning of ICANN. Diane and I were talking yesterday. She led it way back at the beginning.

But you need to keep it up. It's really important. And there's one -- one real fundamental reason. Over 95% of ICANN's funding comes from GNSO sources. But if we in the GNSO aren't actively involved at the earliest stages, we can't expect Xavier and his team or the Finance Committee from the board to just guess our input, guess our concerns, guess our priority. So again, I compliment you for your involvement. Get more involved and do it very proactively and clearly so that the council knows that it's happening and then again constituencies and stakeholder groups. It takes time. I know it very well. But it's essential time. And I know from a -- from my experience and being involved, they want this input. They want it desperately, and they welcome it. And that's why we saw changes over the last several years that were very important. So keep it up, increase it. That's what's needed.

JAMES BLADEL:

Thanks, Chuck. And that couldn't have been a better setup, if I'd paid you \$20 because the next -- the next part of this conversation was something that we've been considering for the last couple of meetings which is the creation of a standing finance and budget committee. And the goal of which would be again, and I want to be very clear on this, not to replace that examination or work that's going on in the SGs and Cs, but to look at it from a council perspective, as a decisional participant

in the Empowered Community to get involved early in this budget. Maybe to flag things that could be of interest for the stakeholder groups and constituencies and to help provide feedback into this process on a more regular and formal basis. So I guess you can kind of see where I'm coming down on it. I think it would be a good thing to have. It's not something we have settled. However, and I would just put this to the councillors at the table, it sounds like Xavier has laid out a couple of immediate asks that could be a good test case for this -- for this committee. And it doesn't have to be a standing committee. It can be a very informal just gathering of volunteers, similar to what we do for the response to the communique, the GAC communiques. We could get some folks together on the list, take a look at the budget, take a look at the strategic reserve fund, I think, reach out to the SGs and Cs. Does anyone have any objections to starting to launch that process coming out of Abu Dhabi? I mean, I know it's something we've kind of tossed around and discussed for the last couple of meetings, but I think it's time -- you know, it's time to kind of get moving on that. Michele.

MICHELE NEYLON:

Thanks, James. Michele, for the record. I think this is an excellent idea. I mean, we discussed this a couple of times over the last couple of months and there was a lot of backwards and

forwards but no actual forward motion. But then again, this is ICANN. It's not as if we ever decide anything without at least going backwards and forwards and waltzing around. The -- there's plenty of opportunities for SGs and Cs to get involved in the finance -- finance stuff. That's great. That's ongoing. That will continue. And Xavier and his team are always very open and transparent and happy to deal with that. We as council, I mean, as councillors should be taking something like this upon ourselves for members of the council. And I -- and please feel free to sign me up for that. Even though you are departing us, and I love the way you're giving me homework as you exit stage left, James.

XAVIER CALVEZ: James has volunteered to chair the standing committee.

JAMES BLADEL: I'm not eligible.

MICHELE NEYLON: Unfortunately he's not qualified.

JAMES BLADEL: I'm not qualified and not eligible and not available. Anyway, thank you, Michele, and I think this is the kind of thing exactly

that we would take to the list and solicit some volunteers. And, you know, I -- I think let's not wait until we have a perfect instrument to start playing some music here because Xavier wants to dance. Okay. So that's the tortured metaphor. Yeah. I really went afield on that one. So just noting the time, we do have a few more items of AOB we want to leave time, but we would say thank you very much for coming for this -- for this information, Xavier, and hopefully we have a plan in place or some -- some ideas to get you some of that feedback that you're requesting and to get involved earlier on in the process.

XAVIER CALVEZ:

Thank you very much. Just one comment that allows me to match what we discussed about and the topic that we are not covering next -- now is the reserve fund. There is a document under public comment right now. The end of the public comment is the 30th of November. And this is an opportunity for the informal part of this committee to start working together to produce comments on the reserve fund. It's really important. The contracted parties part of the GNSO should be very interested in it and providing input. And it's until the end of November. It's about the rationale for the reserve fund and what is its target level. So that's a really important thing, and we would very much welcome your input there. Thank you.

JAMES BLADEL:

Thank you, Xavier. Okay.

Next on our list is Agenda Item Number 8, also a discussion item and also something that's been kind of hanging around for a couple of meetings. So let's maybe -- let's see if we can bring it in for a landing.

This is the community change process. And, if you recall, a presentation by Craig -- Craig Schwartz, a couple of meetings ago -- I think it was in our September meeting -- which was a discussion about a potential change to the status of some community TLDs.

Just very quickly, ICANN staff, GDD has asked the council specifically to weigh in on whether this change process that was developed by the Registry Stakeholder Group or in consultation with the Registry Stakeholder Group would be considered new policy or implementation of the existing policy, and they're basically asking us to make that determination.

And we've had some discussions here on the ground in Abu Dhabi. And I can put Donna on the spot here. But I think we have a fairly straightforward path towards getting this moving. Donna, if you can bring us up to speed.

DONNA AUSTIN: Thanks, James. Donna Austin.

I think our path forward given that this has been on our agenda for two meetings, and we have provided information on the mailing list as well. Craig did a follow-up letter to try to address and confusion, and Russ Weinstein spoke to us during the week.

Given this is on a path of going forward for community comment to get some community input, that we continue on that path and that the process goes out for public comment. And in the event that there are any comments that come back that question whether this is a policy or an implementation issue, the council can deal with it then. But in the absence of that, that this move forward as an implementation issue. Thanks, James.

JAMES BLADEL: Thanks, Donna. I'm sorry. So the specific path forward will be to?

DONNA AUSTIN: That the effort that Craig has been leading in developing this process, which was on a path to go to community comment, to go through a public comment process, that that continue and that in the event that there are any public comments that question whether this is policy or implementation, then the council could deal with those at that time. And in the event

there are no comments, that this process goes through as implementation and can move forward.

JAMES BLADEL:

Okay. Thanks, Donna. So that's the -- that's the proposal, is that we would put this process to the community, to our community, to the broader community, and see what kind of response we get. And I think in this particular case, Donna is saying silence is agreement that this is -- this is implementation. And if there's a significant dust-up on that, then we have our answer.

Any concerns, objections, alternative proposals? Anyone have any strong feelings about whether or not this should go out for public comment on this particular question? Marika.

MARIKA KONINGS:

Yeah, this is Marika. I just wanted to note that I think there were a number of comments on the original process submitted by GDD colleagues. So I would like to suggest that there's a conversation between the working group and GDD staff so that those comments are addressed maybe before it goes out to public comment so that those don't need to be resubmitted again. At least some of those issues may already be resolved, as a suggestion.

DONNA AUSTIN: Yeah, thanks, Marika. Donna Austin. Craig and I actually had a conversation with Russ and a discussion is currently underway around those comments that are provided by GDD. So they will be taken into account. Thanks.

JAMES BLADEL: Okay. Any other questions, thoughts? Okay.

Well, let's proceed as Donna suggests. And noting Marika's addendum to take those other comments into consideration and let's start to draft -- I keep saying "let's," we, not me, draft a public comment -- a document to put this to public comment and get that out. And given we are currently in an ICANN meeting, the timing of that might vary depending on how close we're going to get to the holidays and the end of the year.

PAUL McGRADY: James, this is Paul. Can I say something?

JAMES BLADEL: Hi, Paul. I just now saw your hand. So go ahead, Paul.

PAUL McGRADY: Thanks. So for this, will whatever public statement make it clear that the GNSO Council is not opining on whether or not we think this is policy or implementation? We're simply saying what?

That this ad hoc group came to us and asked us to approve what they are doing and we are putting what they are doing out for public comment without commenting on whether or not it's policy or implementation? I guess I'm just not clear on -- since this is not in the usual method where there's a PDP coming to us with a final report, I guess I don't understand what the mechanism is here that we're suggesting.

JAMES BLADEL:

Thanks, Paul. The GDD and I think the small group are asking that question of council, and council is putting that question to the broader community of whether or not this is consistent with the existing policy and would fall under the heading of implementing that previous policy.

And if we -- I think what we're trying to establish here at the council level is if we receive significant response that indicates that it is not consistent with the existing policy, then it looks like it is a question for new policy development and we'd be subject to either a new PDP or would be referred to an existing PDP, possibly -- possibly subpro. I think that's the path that we're taking to address this question.

PAUL McGRADY: Thanks, James. It sounds like this first step is fairly agnostic. That sounds right. Thank you.

JAMES BLADEL: Yes, that's a good way to put it. We want to kind of put this out to the community and see what we get back.

Any other comments? I see the queue is clear. I'm looking around the room quickly. Okay.

So just a time check, we have seven minutes. We have two items of AOB and open mic. A couple of the items of AOB are some things that could potentially take a lot longer than seven minutes by themselves.

So let's just quickly go through, Item 9.1 is a recent paper that was published by staff asking for thoughts on the meeting strategy. I know this is something we discussed once before. And Donna has also indicated she has some thoughts specifically on the meeting strategy and revisiting the new format now that we're two cycles in.

Donna, can I put you on the spot? Do you have any thoughts on what our immediate next step is on this item?

DONNA AUSTIN:

Thanks, James. Donna Austin. So I think as I said before, there's two separate components to this. One of them is a paper that was circulated to the meeting planning team, SO/AC leaders, suggesting some incremental changes. I think the council should respond to that. And I'm happy to lead a drafting effort on that.

Separately, as we discussed with the ccNSO during the week, I think it would be helpful if the council could have a conversation about whether there is any interest in substantive changes to the way that the meeting structure actually works. The message we have from Goran is that staff are prepared to go forward with anything more than incremental changes. But if the community felt that there was time to reassess the meeting strategy working group recommendations and make -- and recommend substantive changes, then that would have to be a community effort.

So as a council, we could look at that, see if there's any interest and move forward if we think there is. If not, we just leave things as they are. Thanks, James.

JAMES BLADEL:

Thanks, Donna. And I note that we now have a queue developing here. So the three speakers on this topic will be Michele, Phil, and Rafik.

MICHELE NEYLON: Thanks, James. Michele for the record.

I think this is an important topic for us to consider because it feeds back into the previous speaker on the budget. And for those of us who are specifically from the contracted party house, you know, it's a matter of what we're paying and that has a tangible impact.

If you are looking at the meeting strategy and how things are communicated to us all, I know there's several of us here at this meeting in Abu Dhabi who've discovered that we basically have a free day. So, you know, that kind of -- that kind of thing is just silly and should be avoided. Some of the conflicts of the scheduling, there's a whole lot more can be said on it. Either way, I'm happy to put my money where my mouth is or my pen or my email or whatever it is, so please sign me up for that effort.

JAMES BLADEL: Thanks, Michele.

Next we have Phil, Rafik, Carlos, and we'll close it there because we are really short on time.

So, Phil.

PHILIP CORWIN:

Phil for the record.

I'll be brief. These are personal comments. One, I'm personally generally satisfied with the current meeting setup with the policy meeting in the middle of the year. I would not want to see us go to just two meetings -- face-to-face meetings per year for budgetary reasons. I think it's important for the community to get together more than once every six months and get together and meet with the board.

On the other hand, I think every quarter would almost be too much. So I think the present setup is fine.

I agree with Michele. I'm in a situation -- it's not the worst situation, but this meeting is scheduled as a full-week meeting. I bought my very expensive plane ticket pretty far in advance to get the best price based on the then draft schedule and then after purchasing the ticket found that everything had been taken off the Friday schedule. And checking with the airline to change for a day-earlier departure would have been a heavy financial penalty. It's not the worst thing in the world to have an extra day in Abu Dhabi to rest up before the trip home and maybe see some sites. But if we're going to have a week-long meeting schedule, we ought to use every day and not jam things into six days.

JAMES BLADEL: Thanks, Phil. Good points. I did the same thing bought the ticket way in advance and -- just a note that we offered Friday as face-to-face time for PDPs and other groups that were looking for time on the schedule. And no takers, so a lot of folks felt the same way.

Okay. Next I think is Rafik and then Carlos. Rafik.

RAFIK DAMMAK: Okay. Thanks. This is Rafik speaking.

Maybe just a quick question. Is it possible to remind us about the deadline by when we need to respond to that document? And, also, I think it was addressed to all SOs and ACs. And I think there is expectation that stakeholder group and constituency, they can respond, not just the council.

DONNA AUSTIN: Yeah, Rafik. Memory fails me at the moment. I don't know what the timing on that is; but I expect that, you know, anyone can come in on it.

I don't think it was a document that actually went out for public comment. It was circulated to another list. So we'll bring that back to the council list so that everybody's got it.

JAMES BLADEL: Thanks, Donna. Thanks, Rafik.

Next is Carlos.

CARLOS RAUL GUTIERREZ: Yes, thank you very much. This is Carlos. I agree with Michele that you have to look at the cost. But, also, the time to get to the place is cost. And if we're meeting in places that take more than one connection, it should also be brought into the balance. And then I would like to participate.

To change my ticket out of Africa cost me already more than \$500. And to leave on Friday, I would have to pay \$800, which I'm not going to pay. So thank you for this beautiful holiday. I arrived last Thursday and will leave on Saturday. It's a very long trip. And I won't be home until Sunday night. Thank you.

JAMES BLADEL: Thank you, Carlos. And just a note that I live in Iowa so everything is one connection from everywhere else, minimum.

Heather's Tasmanian agreement over here.

So, okay. That brings us to the end of 9.1. We have 9.2, which, I think we can knock that out in 45 seconds. This is WHOIS conflicts with local privacy law. And I see a lot of, you know,

giggles in the audience because this has come up and we've referred to it as quicksand or agenda killer.

But the good news here is that there has been some discussions in Abu Dhabi, and I think you saw my note on the list, is that we want to keep this -- keep this moving but also not try to boil the ocean on everything relating to privacy and just find some very concrete paths forward.

And I think, Michele, you wanted to speak to this. And I think, Heather, you had some thoughts as well.

Michele, you're the designated spokesman. Please go ahead.

MICHELE NEYLON:

Thanks, James. No pressure at all.

Michele for the record.

Keep this really, really brief.

[Laughter]

Yes. Thank you, dear.

As I put it on the list in the last 24 hours or so, just expanding a bit further on my previous email, what we need to do concretely is to respond to the letter from Akram. We're not -- we're not -- this should not be a massive, complicated endeavor. And the

topic has been on the agenda, off the agenda, for a very, very long time. It has been highly contentious in the past. However, the entire organization is now aware of some of the changes we've had with -- both in relation to GDPR and more concretely in specific cases such as the .AMSTERDAM situation.

Responding to the letter from Akram, if we can get a few volunteers together to do that, that would be beneficial.

And I will now pass over to Heather who may want to add one or two other final words maybe.

HEATHER FORREST:

Thank you, Michele. Heather Forrest.

Look, I think that this -- I very much appreciate the efforts that have happened here on the ground because I think this is important that it comes back to council at a point where we can do something with it.

And I appreciate, Michele, your willingness to, you know, take that feedback on board after suggesting that this come on the agenda for today.

I think what we all need to do is think about, you know, having that right group of folks who are willing to put together a response to Akram's letter and make sure that that reflects, you

know, the concerns that we all have. I'm very confident we can find points on this and which we agree, one of which is that GDPR is here and it's now changed the environment a bit. So GDPR can bring us together, and let's all think about forming a drafting team and getting that done. Thank you.

JAMES BLADEL:

Thanks, Heather. That's the nicest thing anyone has said about GDPR all week.

[Laughter]

It's definitely a four-letter word.

Keith, you are up next.

KEITH DRAZEK:

Thanks, James. I would like to support both Michele and Heather in their comments. I think it's important procedurally for us to sort of close the loop with ICANN, Akram's letter, in terms of sending a response. But I also do think there's an opportunity here to sort of improve the implementation of this question. And I would be more than happy to help, you know, work with Michele and others putting together a proposal for consideration before our next meeting. Thanks.

JAMES BLADEL:

Thank you, Keith.

That brings us to the end of our queue on this topic. And it sounds like we have at least an immediate next step. Where it goes from there is still TBD, but we have a way -- a way forward. So thank you to Keith, Michele, and Heather for volunteering. And, of course, if others folks would like to join into that effort, I'm sure it's not limited to those folks. But you are correct, that we need to -- we have an outstanding request from GDD staff, and we need to find a way to formulate a response.

So that brings us to the end of agenda item 9.2. And before we go to an open mic -- and I would just note that there's no one currently standing in the queue for the microphone. For this, I would turn it over to my colleague Heather.

Heather.

HEATHER FORREST:

Thank you very much, James. This is Heather Forrest. This is an opportunity for us as the -- at the end of our council meeting, part 1, of the annual general meeting to say a very sincere warm thank you to councillors who have been with us for the year and who are -- who are on their way out and do so with a smiling face.

James, if you'll forgive me, I'm going to skip you for the moment because that means we're not letting you go. May we all please thank Valerie Tan who was a NomCom appointee for the Contracted Parties House; Wolf-Ulrich Knoblen, longstanding council member and representing the ISPCP; Marilia Maciel representing the Noncommercial Stakeholder Group; and Stefania Milan for representing the Noncommercial Stakeholder Group. We have gifts that Terri is bringing around to each of you at the moment. A round of applause would be most welcomed for those folks.

[Applause]

We also have an opportunity here to recognize Carlos Raul Gutierrez who's leaving the role of GNSO GAC liaison. If anyone is leaving here with a smile, it is Carlos.

[Laughter]

And, Carlos, your smile is short-lived, as you will be returning to the council as the NomCom appointee for the Contracted Parties House. So we'll save the welcome for the moment and simply wish you well for now.

And, also, sincere thanks to Julf Helsingius. Again, there's a bit of a trend on these last two items, leaving the appointment of Noncontracted Parties House rep from the NomCom and

returning as GNSO GAC liaison. So if we could thank those two as well, that would be wonderful.

[Applause]

And, finally, James, it does seem you will be able to get out of here. James, here's the thing. We have scoured the photos that are publicly available and a few that are not publicly available -- (laughter) -- to find an appropriate way to remind you of what it is you are leaving.

Donna doesn't look terribly thrilled with you in that final one -- in that previous one. There we are.

Donna, we'll leave you to comment on that.

James, very sincerely, we thank you for your service to the council. We thank you for your service to the GNSO. And we wish you very, very well in the peanut gallery provided that you do not throw things at us from there. So we will look forward to seeing your face out there in the times to come.

Donna.

DONNA AUSTIN: Yeah, thanks, Heather.

[Applause]

James at the end of a long ride, which is probably appropriate for his departure here today. You know, on a personal basis, the last two years serving as you -- one of your vice chairs has been a pleasure. And I really appreciated the way that you have allowed Heather and I to serve alongside you and be part of the team. And I think you've left us in -- with good knowledge about what's going to be ahead of us for the next 12 months. So I really appreciate that.

And on a personal level, it's been great to get to know you over this time as well. So thank you. And we'll see you sitting next to Chuck in the next meeting, I guess.

A little piggy. Look at that.

HEATHER FORREST:

So this happens to be one of the nonpublic photos that went around council leadership a couple of months ago.

James, you'll be pleased to know that I -- we made the sensible decision of not delegating me to coordinate your gift insofar as we didn't think sending it to Tasmania and then back was advisable given it would probably travel the same sort of route that I do to get to an ICANN meeting.

However, nevertheless, the postal service has failed us a little bit. So we have a holding gift for you. It, indeed, has something

to do with his T-shirt -- this picture. And whether it deals with the cycling or the pig, I will leave that to everyone to guess.

James, we have ordered for you two things that we hope you will enjoy, one in spirit and the other in physicality. A cycling shirt from all of us, one to wear -- one that we will all sign in due course. We have a little holder for you here with messages.

I understand the staff have seen fit to take down some of what we're calling "James-isms" amongst which I note the previous agenda item did include the phrase "boil the ocean." So there you are to remember your time on council.

And, James, as well, your gift from all of us to you including the staff. So with sincere appreciation.

[Applause]

JAMES BLADEL:

So I think I can see someone has been robbing my Facebook page. This was, by the way -- I rode -- for those of you that don't know, I rode a very long bike ride. And you can stop and kiss baby farm animals. So this actually is a series. There's goats, cows, chickens, ducks. There's a llama that I did not get a picture of. I did the kiss the llama. And then the previous picture of the finish line ending at the Mississippi is kind of how I feel today, maybe a little more choked up.

Thank you. Donna you said "allowed to serve." I don't know how I could even have made it through one meeting without you and Heather. This is -- I mean, if it's not obvious, this is a team. And we have been in each other's hip pockets now for two years. I'm sure that our respective spouses, including Donna's new one, have probably wondered why we, you know, are always on the phone with these same few people, and Marika.

So thank you very much to Donna and Heather, of course, the staff who make everything look easy behind the scenes.

And to this group who have been exceptionally easy to work with, you've really let me and the leadership team off the hook, I think, more than -- more than you were obligated to do.

This is a team of professionals. Everyone, I think -- regardless of how we came here or what ideas we bring to this group, I think everyone really does have the best of intentions and a desire to work hard and a desire to project an air of professionalism. You really can't go wrong with those three ingredients. So thank you. I'm very touched.

Next year's pictures will definitely show me wearing your shirt with all of your signatures. I promise you that one. So thank you very much.

[Applause]

So with that, we are a few minutes over. We are eating into our administrative time and our break a little bit. As our tradition, we do want to allow time for open mic and apologize to the audience for cutting that short.

First up is Mason. Go ahead. Follow the baby pig, Mason.

MASON COLE: Yeah, I can't do that. It's impossible, even as a fellow Midwesterner.

Congratulations, James. Thanks for all your good leadership.

JAMES BLADEL: One second. Could we get -- is Mason's mic on?

MASON COLE: So I just have a brief statement I'm going to read for the benefit of the council, if I may. As a member of the IGO/INGO working group I'd like to raise two concerns. The first regards the methodology around development of the list of Red Cross names that are to be reserved. The proposal is that exact matched names of organizations be reserved as well as what are known as common names. For example, the American Red Cross Society as an exact match name and the American Red Cross or the Red Cross as a common name. And as you know,

each name is to be reserved in multiple languages and in IDNs as well.

There's a concern that these will be -- that there will be claims to what are termed common names far beyond what was initially speculated. There's no criteria or standard for identify a common name, so one presumably relies on the word of each provider. However, that opens the door to potentially exponential multiplication of the name list that may not be warranted in all cases, or could lead to an organization to claim that an acronym constitutes a common name. The GNSO obviously supports the effort around formal names as they're unquestionable identifiers, but there should be concern about opening the process to numerous and potentially less unquestionably linked common names or acronyms.

The second concern is the methodology for adding the names of new societies to the reserve list. The current proposal is that once a Red Cross organization is chartered, the GAC can then make a request directly to ICANN staff for inclusion of that name on the list. Staff presumably would then notify the GDD, who could then instruct contracted parties to accommodate the new names. This is alarming on several fronts. Number one, it impacts our contracts. Number two, it puts the GAC in a position to instruct staff directly with regard to policy with no GNSO involvement. And third, there's little incentive for the GAC to

withhold more from its wish list in such a scenario. It would be much more preferable for the GNSO to be part of the process on policy that eventually impacts our contracts. I believe the GAC, in its communique, will reaffirm its Durban advice the Red Cross and IGO acronyms should be reserved permanently, so I urge the council to carefully consider these matters in the context of Red Cross and IGO names.

JAMES BLADEL:

Thanks, Mason. I just wanted to respond, and then we can see if we have any questions. When we agreed as a council to -- coming out of Copenhagen and the facilitated discussions that we had with several groups, we had a few stipulations that were prompting us to reopen and review this PDP, and some of them were that the list was finite, there was a -- a very low chance that new countries or new societies would be added frequently, and many of the -- the concerns that you've raised, Mason, we asked that those be part of the discussion and thought of. And for those who were here on Sunday when we received an update from Thomas Rickert who's leading that effort, we did also make it known that this was not to be a substitute for a -- for a strategy for managing a portfolio of brand names or strings. This is something that's basically meant to be a baseline to offer some minimal protections, some standard protections against those common things and not, you know, as you were saying, Mason,

to turn into an infinite set of permutations. So your concerns are heard and shared. I just want to remind everyone that whatever the group that Mason is participating on and that Thomas is leading, whatever they come up with still has to come back before this council, the new council, and has to be ratified and adopted by that. So that is -- that is not something that's just going to happen automatically. It does have another -- another check on that. And I see that Carlos would like to speak to this. Carlos. Oh, old hand? Okay. Sorry. Thank you, Mason. Any other -- Jothan.

JOTHAN FRAKES:

Hi. Jothan Frakes. I'm CEO of a registrar called Plisk, and I'm grateful to have the opportunity to -- I just wanted to personally build upon what Mason was saying. It's a very confusing process, the intergovernmental group, and I noticed one that was really strange to me that would be reserved which is LAS which I think is an alternative for League of Arab States but the League of Arab Nations. And, you know, I understand that it would probably want to be blocked in the number of strings. However, in the case of .VEGAS, it blocks LOSS.VEGAS, and it's a really absurd thing to think that there would be confusion potentially between, you know, such an organization and a geography like Las Vegas. So I wanted to call to attention it might be appropriate to look at this when it is looked at to see if

there's ways to withdraw or find exclusions or exceptions to these lists that might not be any a clear case of confusion. Thank you.

JAMES BLADEL:

Thanks, Jothan. And I think to be clear, that was -- that was an IGO or INGO and we're also talking about the -- the Red Cross and the national societies. So it's -- but they are all -- they are all linked, and I think your concerns are -- are applicable to both situations. So thank you. Okay. The queue is clear. The microphone is empty. We will adjourn then this meeting and, again, wish all of our outgoing councillors farewell and welcome all of our new incoming councillors. I will note that in pure GNSO fashion we finished right on time, 19 minutes over our posted schedule, which is, you know, pretty much ahead of schedule. So thank you, everyone. We did have a break noted. We've pretty much eaten that up. So if we can have a very, very short break and then return to the new councillors. We're going outside for photos. We have a group photo. We have a before and after. You know, you've seen those weight loss commercials. We're going to have our after photo now and then I believe the new council will also have some photos, come in, and then the administrative session will begin. So as far as this session for the GNSO Council session in ICANN60, thank you, farewell, and we're adjourned.

[END OF TRANSCRIPTION]