

**ICANN
Transcription ICANN64 Kobe
GNSO – CPH Membership Meeting
Tuesday, 12 March 2019 at 15:15 JST**

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Graeme Bunton: (Unintelligible) we're going to get going. We're turning around, we're facing the front. Are we good to go in the back? Are we ready to start the recording? Is there anyone back there?

Beth Bacon: Yes, yes, they are. They're back there.

((Crosstalk))

Graeme Bunton: Great. Okay, ladies and gentlemen, we're going to get going.

((Crosstalk))

Graeme Bunton: Elliot, Jonathan, thank you. Michele. There we go. There it is.

Beth Bacon: It's like a kindergarten class.

Graeme Bunton: Hey registries. Thank you for joining us. Aw, that's really nice. All right, I hope registry day so far has been fun. We've been having a delightful time over here in registrar land. Filled with lots of spicy moments. Elliot shouted "No" at me. It was definitely my favorite thing of today. Oh, right. Thanks. Right, so we have an agenda up there. I might invert it and leave topics for board discussion last, because I think we could spend a lot of time on that and I suspect a couple of these other ones are going to be quicker. So if I can, let's do the tech ops update first, because I think that might be the most

succinct. And who's that? Is that you, Marc? You ready to go? Sorry, and let's - I am terrible at this. This is Graeme for the transcript. Let's remember to say our names. Take it away.

Marc Anderson: Great. Thank you Graeme. Hello everyone, I'm Marc Anderson for the transcript. And I am one of the co-chairs of the tech ops group, along with Tobias Sattler down there on the other side of the room. So I'm going to provide a quick update on tech ops and where we are with that. Sort of two things have dominated our discussion recently. And we had - we've had a couple of meetings leading up to (Kobe) and then a half-day session on Sunday. And so in the half-day session we divided up into two main topics.

The first was around the state of the transfer policy. And by way of a little bit of background for everybody, I think it was identified, you know, almost a year ago now that there are impacts to transfers thanks to GDPR. And there the tech ops group worked on a recommendation for a Band-Aid approach to how to address transfers under GDPR. And ICANN GDD staff largely accepted those recommendations, included them in the temporary policy.

The work of the EPDP group recommended keeping those - keeping that Band-Aid in place, but noting that it was a Band-Aid. Also recommended to the GNSO council that -- as soon as practical I think was the words in the report -- that the GNSO council undertake a review of that particular policy. In the meantime, the tech ops group has been looking at the transfer policy in a lot of detail and has come up with some ideas or a recommended approach for how to improve the transfer policy. And so that's been focus of our meetings going back probably the last year. It's a - it was a topic of many of our breakout sessions and discussions in Vancouver on the GDD summit. And we have a - we have produced a document for what we think the transfer policy, you know, should or could look like in a post-GDPR world.

So where we are now is, okay, we have this current Band-Aid for transfers and we have a proposal or an idea for how transfers could be. And so how

do we go from where we are now to getting our sort of our recommendations or our proposals put into place? And so that was the topic of discussion on Sunday. And we came up with sort of three recommendations or three ideas for how to proceed. The first is to first do a delta. First produce a, you know, simple, easy to read document that provides a delta of where the policy is today and where we would like it to be. And I think (Sarah) actually volunteered to hold the pen on that one, so thank you, (Sarah).

The second thing is it was pointed out that there is going to be an IRT phase for the EPDP phase one recommendations. And that there may be some things that can be done in implementation rather than through policy. But we also recognize that not everything can be accomplished through implementation and that some of the recommendations that the tech ops group is looking at really require policy change. And so that's where the group sort of has stumbled so far is how do we get, you know, policy changes in place to sort of improve on this Band-Aid approach to the transfer policy.

So let me just pause there on that one. You know, I know there are a number of tech ops people in the room. If you have any comments or anything you want to add to that, we'd love to hear feedback on transfers or any input on that. And Tobias, I don't know if you want to add anything, as well. Nothing? Okay. I'll take that to either mean everybody's all tired out from the earlier discussions or I did a great job explaining it. Oh, I got a thumbs up. So thank you.

All right, so I'll say this is not a onetime deal. The tech ops group is obviously open to anybody's input. So, you know, we look forward to moving from sort of the idea phase to actually implementing our ideas. And if anybody wants to join that or help out, we certainly welcome the input and feedback on that.

Going on to the second half of the agenda for tech ops, we focused on the interplay between sort of the big three items that are going on around RDS right now. And that's the availability of the RDAP profile and ICANN having

triggered a notice to registries and registrars to implement that within 180 days. The completion of the EPDP phase one report and the recommendations that come in there and the TSG report that was just recently posted and that we've been hearing about a lot here at ICANN 64. And so there's a lot of overlap between these three items.

But the first two in particular -- the EPDP phase one policy recommendations and the implementation phase that's to follow and the triggering of the requirement by ICANN to implement RDAP -- those have some very - very real and significant technical implications on us as registries and registrars. And so I think this is an area of the tech ops group that's going to have a lot of attention in the next year or so. There's a lot of moving parts there. And it involves a lot of interaction between the registries and registrars, which is really, you know, sort of the sweet spot of where that group is focused. Any time there's technical implementation between registries and registrars, that's an area we want to focus on. And we have plenty of that to look at between the RDAP profile and the EPDP phase one report.

So that was the focus of our second half. And really what we expect to be - see as a dominating theme for the next year or so for the tech ops group. So I'll sort of wrap it up there. If anybody has questions or comments, happy to field them now.

Donna Austin: Thanks Marc. Donna Austin. So we had a conversation with (David Conrad) this morning in relation to the kind of -- what was it -- security DNS ecosystem or something. And, you know, obviously that's something that's - is important to registries and registrars. And, you know, (David's) starting conversations this week. I think it's probably a conversation we need to be engaged in as well.

And I think I might have suggested that it might be something that the tech ops group could take on as well, understanding you've got a fair amount going on. But it seemed to be the right place for that discussion to happen.

So just a heads up that that was a conversation we had with (David). I think it is important that we find a mechanism to be part of the conversation, so maybe that's - maybe you have a view, I don't know, Marc. Anyway, thanks.

Graeme Bunton: Thanks, Donna, that's a good point. It's a conversation the joint ex-coms were having earlier this week is that we don't have enough interaction with the OCTO -- Office of the CTO -- and you're right, I think that's a good fit. Anybody else in the queue for the tech ops, Marc?

Marc Anderson: I'll just respond and say I agree, you know. When (David Conrad) came and spoke with us, he talked about best practices and that's certainly something that we talk about a lot within the tech ops group. So good point, thank you.

Rubens Kuhl: Rubens Kuhl; just to mention that there is discussion in the registration extensions working group of the EIPS of (unintelligible) of registry lock like feature, which will - could also play into mitigating those threats. So these could be look at many different angles, both in tech ops and in ITS.

Graeme Bunton: Thanks, Rubens. Okay. Going once, going twice? Easy-peasy. Let's move on to - which one of these is going to consume the next least time? Technical study group? So registrars had our compliance session at the same time as the TSG update to the community yesterday. So we had them in today and had a pretty robust discussion. And it was I think enlightening for us. And I think where we ended up getting to is, you know, there's so much policy that's unknown and we really took a lot of issue with their assumptions and trying to get where those assumptions came from. And it became clear in that session that some of those assumptions were their own, but a lot of them were given to them and it seemed like a lot of them were given to them specifically by (Yorin). And that was pretty interesting for us.

And then, you know, I don't think any of us in this room find the technical problem of what they're trying to build particularly difficult. I think that there's, you know, a general assumption that the technical solution can be built

without too much hassle and it's a very surmountable problem. And all of the difficulty is inside the policy that is yet to exist. So that kind of is what it is. Did we have more pieces that we actually wanted to discuss on this? I see (Michele's) got a hand and then - I assume their report is going to come out for public comment at some point in the nearest future, and we should all be ready to have something there. Michele?

Michele Neylon: Thanks, Graeme. Michele for the record. I think the one bit that we might need to keep an eye on is how much they're spending on all this. What they've done to date, obviously cost money they've had. I think one if not two face to face meetings -- I'm not sure how many -- and they said in the update they gave us that they were definitely having one more face to face meeting. Now, obviously the, you know, horse has left the stable or whatever on this phase of their work. But I would be very, very worried if more money was spent on them taking this any further because -- as Graeme said -- the policy ain't done and -- to use horrible metaphors -- you know, carts before horses spring to mind. So I don't know. It's just - it's something I would be personally a bit kind of concerned about. Thanks.

Graeme Bunton: Thanks Michele. Do we have more collectively we want to chew on in - on the TSG other than there's a public comment and we'll need to have something robust for that. But - Donna, go ahead.

Donna Austin: Thanks, Graeme. Donna Austin. So is there a public comment? Because I got the impression that it was just going to the board or something. I wasn't really...

Graeme Bunton: Sorry, what?

Donna Austin: Yes, it - yes, it's not going out for public comment. It's just something they're going to hand back to (Yorin), yes. Whether it becomes an input to phase two or whatever, I don't know. But...

Graeme Bunton: Okay. I've now got - I saw Darcy, Beth, and then Volker.

Darcy Southwell: Thanks, Darcy Southwell. So I think what I saw when I looked at their post today is that, you know, within that ICANN org space if you log in, right, you can submit a comment. But I don't think they're doing a true public comment period. And if I'm not mistaken, (Rand) said today that they'll have their final done by April. So I'm assuming they're taking feedback from like yesterday's session that we weren't able to attend and incorporating some of that and whatever they do get submitted through the ICANN org site. But it's not the traditional public comment. But you can, I guess.

Graeme Bunton: Good heavens. Okay. This is Graeme. We need to provide some commentary on that, I think. Because I think we've got a fair amount of feedback. Beth and then Volker.

Beth Bacon: So I'm sure everyone's covered all the -- I don't know -- shortcomings of the TSG, so I don't want to go into those. But I do want to flag that something that's just concerning, especially considering there's no real public comment is that they're spending money on this, they're face to face meetings, and this was really not in any way asked for. We said we would support -- back in June -- some thoughts about how ICANN wanted to limit liability but we didn't ask them to form a study group, pay for it, and then also do it at the direction of the CEO and have that report then just live on in infamy or die a slow, quiet death, either one. But I think that process-wise, it's not a great precedent. So I just want to flag that as outside of the technical or policy or legal questions. That's a concern.

Graeme Bunton: Yes. Agree. Volker?

Volker Greimann: Unless I misheard earlier today, what they seem to be saying was that this is the public comment. This is our forum where we now have the opportunity to provide comments to them. In whichever form they include them in the report

is up to them, but here at this meeting they are collecting input to that. So that's what we did, provide them with input.

Graeme Bunton: Keith?

Keith Drazek: Thanks, Graeme. Keith Drazek. So regardless of how we arrived at this product -- this report -- and whether it stands up to first contact, as I think is some of the terminology that's been used, I think the expectation is this group is going to conclude its work sometime in early April. And then whatever it produces -- whatever final form it takes -- will simply become an input for consideration by the EPDP in phase two. And the EPDP at that point can choose to use it, choose to reject it, ignore it, or, you know, take components of it, right?

So I think that - I don't think that we should assume that that work product is necessarily predetermined or, you know, is going to eventually become what becomes real. It may not. It may not stand up to legal scrutiny, it may not stand up to, you know, assumption of risk scrutiny. So let's at least look at it as a potential opportunity that might help the EPDP working group during phase two, but it's not something that they're required to follow. Thanks.

Graeme Bunton: Thanks, Keith. Glass half full kind of guy. I love it. Okay, so we'll collect some feedback. Some of that will include process as well - process. Whatever you - process. I don't know what I say. And we'll get that to them and hopefully it becomes a useful thing. Or not. Any last thoughts on the TSG? As we're blasting through the agenda. Great. CPHE PDP team update next, I think. Who's on deck for this one? (Alan). (Alan's) on deck for this one.

Beth Bacon: So are (Farah) and Matt and James. I'll go. This - so we have - we talked about this a little bit in registries day and obviously moving into phase two and our major outcome was that it's pretty important for us to get to the - get together with you guys and figure out what the work plan is. Parse out what

the action items are and what the actual outcomes of phase two are supposed to be, in line with the charter. That the - that's going to stand as is, thanks to the very clear guidance of the GNSO. Thank you, Keith.

So we're - we have a work plan - sorry, like a list of to-dos, but we need to do the work plan. I believe out of this week -- and (Barry) and Marika can correct me, since they're in the room -- will be a rough draft of a timeline and some of those tasks, and then we can share that around and figure out how to get ourselves together.

I will note that we talked a lot about not only phase two but also another focus of work is the IRT that's going to start. So it's kind of split resources or, you know, figuring out how we can coordinate to cover that effectively as well. Because it's just as important as getting the report done as implementing it. And we did this for - we said this to (Barry) in our other - in our meeting, but now that Marika's in the room, I just want to say huge thank you to staff who was on EPDP. I don't think we'd have a report without them and you guys just did an awesome job. So thanks.

Graeme Bunton: Right, thanks Beth. And echo that support for staff, also. There was effusive thanks in the registrar session for our reps. But hear that again for the registry reps. You guys all worked together extremely well and the coordination between both our stakeholder groups I thought was excellent and amazing and everybody that worked on that did -- A -- a crazy amount of work in very little time and very stressful circumstances. So we are all deeply appreciative of that and thank you and please keep going. Marc, please.

Marc Anderson: Thanks, Graeme. Marc Anderson for the transcript. I want to echo that. You know, one of the strengths we had was our ability to work together, having a - having the CPH be able to work together. We had a lot of - a lot of common goals and that enabled us to really work together. It took us a little while -- I don't know if you guys remember -- you know, we were - you know, I think almost six weeks in before we had our first meeting between the registries

and registrars. So it took us a little while to get our feet under us. But once we did, you know, I think by the time we got to Toronto, you know, we all sat together in Toronto and, you know, really worked together as a team. And that was a huge advantage to us. And so I, you know, I just want to echo what Graeme said. That was great being able to work together on that team and, you know, work together to contribute to a report that we can all live with, I guess.

I want to, you know, jump a little bit on what Beth said about where we are. And in the registry update, I talked about we're kind of in a transition phase. I'm sure everybody's aware, you know, (Kurt) has stepped down as the chair. And that leaves sort of a big void. So the GNSO council is - with the unenviable task of having to refill that position. And so we're in a little bit of limbo or transition waiting for that to be filled. In the meantime -- as Beth said -- we've got to figure out how to accomplish the tasks that - set out for us in the charter for phase two, which is basically identify the policy language needed to accomplish access to non-public registration data for those that have a legitimate purpose.

That sounds real easy, but it's - I don't know how we're going to accomplish that. So that's the task set out for us in phase two. And we're, you know, sort of getting our feet underneath us to figure out how we're going to accomplish that. And then, you know, Beth talked about the IRT. The implementation of the phase one recommendations. But we have some - sort of some interesting challenges in those phase one thing - in those phase one recommendations.

The first is that there's a bridging mechanism. Realizing that we weren't going to be able to have all of phase one implemented by May 25, 2019, our phase one recommendations have a mechanism or recommendation in them that the language and the temporary specification will sort of be sufficient until April -- what is it -- or sorry, February 29, 2020. Thank you, James who post that date. So that'll be the transition period, during which contracts or parties

have the option to comply with either the language of the temporary specification or the recommendations in the phase one report. And so that's, you know, one of the challenges facing us in the next, you know, year or so.

And the other aspect of that - or included in that is a recommendation that the IRT -- which would typically be formed after the board approves the policy recommendations -- but there's also a recommendation in an informal IRT be formed ahead of time to sort of help jump start the implementation discussions. So these are sort of some of the - some of the challenges facing us and sort of ahead of us in the coming months.

Graeme Bunton: Thanks, Marc. I've got Matt and then James in the queue. And then Alan.

Matthew Crossman: Thanks, Graeme. Yes, this is Matt. Yes, I'd echo everything that Marc and Beth said. Curious; we - I don't know if you guys talked in addition to all of that stuff about -- and Marc, since you talked about the fact that we're without a chair now, just the timing of kicking off phase two -- and I think it was James actually that suggested that maybe we're best to wait until we have an actual chair in place so as to not get started down one path and then have a chair named and we have to scratch, you know, six weeks' worth of work and start over. Is that something that you guys had talked about in the registries? Or is it something that is worth talking about here?

But I - we should at least be prepared to talk to that when we have the discussion tomorrow, I guess, in the next EPDP meeting about our thoughts of the timing and how it relates to whether or not we'll have a chair in place. Thanks.

Graeme Bunton: Thanks, Matt. Anyone want to respond on that? No? Marc, yes.

Marc Anderson: Just - this is Marc Anderson. We didn't specifically talk about that. I think you make some great points. But that's - you know, maybe we can talk

offline, but I think that's a great point but not something that we've discussed specifically I don't think.

Graeme Bunton: Thanks Marc. Was that a response to that? Okay, go ahead, Keith.

Keith Drazek: Thanks, Graeme. Keith Drazek, just real quick. I guess the question is it seems to me that the EPDP team has enough work over the coming weeks just to identify the universe of possible next steps or possible work items. Even short up coming up with a plan for addressing them. And there's also the phase one stuff that needs to be addressed. So I guess just in the - in terms of keeping up momentum, I understand that there's the challenge of, you know, a new chair coming in and maybe having a particular view about working methods and things like that, but it seems like there's enough to be done in the intervening time between now and the middle of April when we expect to have a new chair in place that some work could be done without getting too far out over the skis, you know, and out too far in front of, you know, what a new chair might want to do. So I guess I'm encouraging folks to consider at least that, you know, rather than a full stop at this point.
Thanks.

Graeme Bunton: Thanks, Keith. James, then Alan.

James Bladel: Yes, well this is kind of where I was going as well and I certainly didn't want to interrupt Matt when he was quoting me back to myself. So - no, I think that we did discuss both at the EPDP level and at the council level setting up some parameters under which the substantive work of phase two could begin. And I think you make a point, Keith. There's a lot of housekeeping and administrative stuff that we could probably work on.

But I think the two things that we were saying that would, you know, be the green light to start working on the material aspects of phase two would be the appointment of a new chair and also I think there are a couple of outstanding requests to our legal advisors that need to be coming back. And that

anything that we do or attempt to parallelize, you know, before those two things happen we run the risk that that's work that we're going to have to - that's going to become re-work. And so that's kind of where we were setting those as the starting line.

But I agree with you, there's plenty of implementation of phase one issues and kind of set up and work plan of implementation two issues. But we need to remember, a new chair - he or she may have a completely different perspective on how to approach phase two. And so if he or she arrives on her first day of work and, you know, we've already baked a - you know, spent the last six weeks developing a work plan, you know, that's going to be somewhat constraining. So I just feel like before we dive in -- and I understand there are folks who want us to, you know, dive in now and figure out how to swim later -- but I think that we need to be a little bit more thoughtful about that approach.

Graeme Bunton: Thanks, James. Alan?

Alan Woods: Thanks, Alan Woods for the record. And maybe as a teeny bit of a segue into a topic for board discussion; I don't know if people have been watching the back channels on this. There has been two with the commercial stakeholder groups discussion with the board today, had two lovely little nuggets we should keep in mind. The first one was Steve Del Bianco suggested to the board that there was divergence within the approval of the report and therefore maybe it should be looked into before the board actually votes on it. Which is a re-opening of things that are - should be settled by now, to be perfectly honest.

And the second one is he was pushing them on the board setting - or trying to indicate a timeline for the next one, specifically stating like we thought that, you know, dates such as February of 2020 are being noted. So these are two conversations that have already been put before the board by the CSG. So I thought it would be worth pointing that out at the moment.

Graeme Bunton: Thanks. And we might need to bring those up. I've got a response from James.

James Bladel: Yes, just quickly, thanks Alan. You did remind me of another thing that we've mentioned today as well when we were talking with our councilors and discussing the timeline of phase two is that -- and I'm looking for my younger, snarkier counterpart over here -- that perhaps it would be worth noting that constituencies and stakeholder groups that voted against the initial report were also voting against phase two and therefore I believe have kind of surrendered a position in dictating its timeline. And I think that could be put on the table as a point of discussion is that the rest of the folks who supported phase one and therefore by extension phase two should probably be the ones that hold the most credibility in that conversation.

Graeme Bunton: Thanks, James. I enjoy that point quite a bit. I've got - oh, Elliot doesn't. Michele and then Elliot.

Michele Neylon: Thanks. And thanks -- Michele for the record -- thanks (James for reminding me about what we'd discussed. I've been following this back channel discussion as well. And I'd love to say I was surprised. I would really love to. But I am disappointed. I mean, if this is the way that they're going to proceed, then I don't understand why they get so terribly offended when I call them out for acting in bad faith. But hey, if I have to keep on being the snarky version of James at GNSO council meetings, I will keep doing so until my chair tells me to - not to or something.

On a more serious note, I think we do need to raise this with the board. I mean, I think that if - just speaking from my own perspective as a GNSO councilor, if they try to get the board to undermine a decision that was passed with a supermajority of the GNSO council and we all voted on the basis of the entire package, then I just don't know how we can - how we can work with that. I just don't see how that's workable. I mean, if the vote had been - if the

motion presented that we voted on was breaking out each recommendation and we voted up and down on each recommendation and then the board was doing something similar, that's a different conversation. But that's not what we did.

So I have huge problems with that. And on a practical level, the IRT composition -- something which we discussed in our meeting here earlier today -- I think the kind of general feeling was we obviously wanted contracted parties to be deeply involved with that. But what we hadn't really thought about -- and I know Marika did give us help with the kind of composition of IRT, how that normally works -- but the composition of the actual working group is completely different. So maybe that's something we need to discuss somewhere, I'm just not sure where. Thanks.

Graeme Bunton: Thanks, Michele. I got Elliot and then Volker.

Elliot Noss: Yes, I just think that around timing, I mean, you know, the fears can be what they can be and positions can be what they can be, but, you know, the pieces that need to be in place are both numerous and complicated. If you think of the legal opinions that need to proceed the - you know, any sort of centralized system and then you think about the selecting of the various parties who will be responsible for vetting and maintaining the pieces, you know, these things will take years, each of them. And that won't - nobody can artificially impose those timelines.

I mean, I'd love to see Steve negotiate that timeline with WIPO, you know, on having the output of a system - you know, remember that WIPO has said numerous times over the 20 years that we've all been doing this they can't do that. They can't centralize, you know, the blessing of copyright and parties. You know, law enforcement - FBI and the RCMP have said numerous times, you know, "We can't do that." So I think even if they suddenly said they could do that -- which they might, because WIPO has indicated that they might -- the process of getting from A to B around what those rules would be for any

one of these pieces will be so long as to make any time limit, you know, irrelevant. So I just think, you know, some of the realities will come crashing down on people.

Graeme Bunton: Thanks Elliot. I think we are seeing those organizations begin to change their tune a bit. Volker is next.

Volker Greimann: Yes, thank you. Two points. I agree, this whole EPB thing starts feeling a bit like Brexit where we have a package deal negotiated and suddenly one party wants to open it up again. And I think we should put our foot down and say this was agreed as a package deal. We made compromises on all the recommendations and if you now start cherry-picking, that entire compromise unravels. I think that should be our clear message here.

Paul Diaz: All right. Let's take us to the Boards. The GNSO Council passed this with the majority of the package -- and this package can't be unraveled anymore. If it is, then we put the entire multi stake holder model of (Chris) because we will be protesting anything that comes out of that if this is unraveled.

And I forgot the second point. And for now whether I will frequent it later.

Graeme Bunton: Thanks, Paul. I think that's new. Very important point. I've got Keith and then Beth and we've got about 55 minutes - he remembers second point. One second. We've got 55 minutes before we need to leave here for the Board meeting. It's a long trot - you might've noticed. And we haven't talked about the Board meeting yet. So I want to make sure we got plenty of time to sort through that. We just not the same cutting us out, I'm just setting expectations.

Paul Diaz: Yes, just one minor point. Just something that James said, when James said that, "by voting against it they basically voted against Phase Two." That is true for the parties involved in the GNSO. However, the GAC has also made that point and now in their meeting with the Boards. And the GAC, of course,

didn't vote against it. So it's true for part of the proponents of the (high) past the timeline.

Graeme Bunton: GAC don't vote.

Paul Diaz: GAC's don't count no vote.

Keith Drazek: Thanks, Graeme. Keith Drazek. So specifically on the point of the concept of it being a package, right? So I agree. This was voted - the Council decided and was asked to specifically, "Do you want to vote this as a package or do you want to vote individual recommendations?" And everybody agreed or nobody objected to it being voted as a package.

One caveat - or maybe two - is that there were two recommendations in the package that was approved -- that had divergence -- that did not have consensus coming out of the (EPDP) - terms of the recommendations. They were included and they are part of the package. So from a Council perspective they were approved and they are part of the package. And they were forwarded to the Board.

That's not typically how things happen in (PDP) working groups or in final reports where it comes to the Council. Things where there are divergence are typically or historically - and I'm sure staff would correct me - not forwarded or included or approved and sent to the Board. So it is possible that the Board could look at those two bits differently than that the portion that had consensus coming out of the group.

So I just want to flag that as one possibility. I don't know which direction or how they would feel about that. But it's just one minor sort of nuance for the concept of a package. But otherwise I agree fully that that's how the Council viewed it -- that's how the Council voted it. And that's how it's been forwarded.

Graeme Bunton: Thanks, Keith. This is (grand vesting), interesting observation. And I should miss that. And I think the Board has a bit of a history in the not so distant past of picking at little pieces like that on some other contentious issues. So that's worth paying attention to. I've got Beth and then Rubens in the queue.

Beth Bacon: (Self making), thanks. I just want - we could knit pick this part for a long time. I just want to point out that we do have an - what was going to be an ExCom's meeting with the (CSG) tomorrow - and now I think that they have opened it up to their membership. So I feel like we probably opened it up to ours. And if not, I just (dined) everybody out. Hey guys, there's a meeting there.

Paul Diaz: Actually on that note, thank you. That was an announcement we need to make. That (CSG) meeting that is on the agenda - it was closed - is now open to everybody in the (CPH) and please show up. Because I don't want to be alone staring across the entire (CSG). Thank you.

Beth Bacon: Well super conveniently, it's at the same time as the (EPDP) meeting. So some people (won't) obvious might not be there. But I do think it's a really good opportunity for all of us to raise these concerns. Because I do get the feeling just from discussions among, you know, ExCom's as well as some of the (EPDP) team members, that there's some discontent that there was a no vote. And they're not super pleased that there's a select group of people making noise and still faulty.

So maybe there's - it's an opportunity just to raise issues and get a reaction from more than just like three or four people who are noisy on this. Judge one to five. Thanks.

Paul Diaz: Thanks, Beth. And that says - conversation we are also having in our joint ExCom's the other day, is that we tend to treat the (TST) or at least the (ICBC)'s relatively monolithic. And there are a diversity of views inside of each

of those groups. And we should spend some time talking to them and figuring out what the diversity looks like inside those groups.

Groups.

Rubens Kuhl: (Movement Two). Although two of the recommendations from the report had divergence, I still believe that Board (would) needs to reach the (2,000 thousand) threshold to reject them that are forcing the bylaw. Not that this have to do - because most of our decisions are either consensus or unanimity. So, but they would still need to follow the bylaws and actually reject them and engaging whatever process that is foreseen there. Thanks.

Paul Diaz: Thanks, Rubens.

Jonathan. And then maybe we'll see if we can wrap this up.

Jonathan Robinson: This is just a comment - it's Jonathan for the record. Just the point on divergence. We quite often get that as a counter argument. You guys are all in it together. You've got the same commercial objectives. You're all registries and registrars. You've got commonly aligned business. And I think it's worth - just - I just wanted to make, you know, all of us - remind all of us, that actually, within the registrars, there's a variety of sizes, scales, commercial focal areas.

And similar with the registries. You've got the quite different perspectives now with the proliferation of new (GTOB)'s - how the different business models and different approaches. So I think that's a very important counter argument to the - you guys are all on the same side whereas we struggle within the (CPH) - (sorry) within the (CSG) of, you know - we're forced into one small stakeholder group. Yet we put a deal with divergence. And so I think that's - it's just then when we had that conversation, it's worth having that as one counterpoint. Thanks.

Paul Diaz: Thanks, Jonathan. That reminds me of a point that is kind of (tangentble). But the Board hasn't had their workshop training session about who registries and registrars are, and they may well be not - because it's, especially there's a lot of new Board members reasonably ignorant of that fact. And so that's a thing that we need to get back on their list of things to learn.

I've got Volker, I think, was last in the queue with a short point. And then we'll move on.

Volker Greiman: Yes, just a question with the - regard to the (CSG) opening up the meeting for all members. Have we accepted that formally? Is that something that we are happy with? Because if we are not, and if we have not accepted that, we could simply walk away from that meeting.

Because we could say, "We have planned this in a way that this would be an ExCom's meeting or a leadership meeting. We don't have the resources to send our entire membership. If you are sending floods of people, then we don't have the resources to counter that because we also on the (PDP) and that's with the attendant meeting. So we would prefer not to hold this meeting in this style. Because we had agreed to commonly a different model."

Paul Diaz: Thanks, Volker. This, again, came up in our ExCom - joint ExCom - on Sunday or Saturday where we talked about actually walking away from the meeting. And I think we decided that wasn't the most productive. I admit it was a - it was very tempting. And we have chosen not to do that. Jon?, you have anything to add to that?

Jon Nevett: I believe it's a small room. So if we kind of late, we won't have a seat. But, you know, I just think, you know, let's rise above it. Let's turn up. I don't - yes. No big deal.

Paul Diaz: Okay. Anything else on the (EPDP)? It's good thing we'll never talk about it again. Yes. Imagine how much free time we'll have. (Oh), Donna, go ahead.

Donna Austin: Is it not just become a pay day pay? Does the "A" drop off now?

Paul Diaz: Keith?

Keith Drazek: So technically no because in (EPDP) it only - it basically different because it didn't have an issues report. So it's still in (EPDP). It doesn't have a deadline but yes - but, good point. It's no longer deadlined.

Paul Diaz: Right. Thanks. Okay. Thank you, guys.

There will be more - so much more of that in our future. So in about 45 minutes, we leave here to go talk to the Board. As a piece to discuss briefly ahead of this, I don't think anyone loves the meetings with the Board. We have talked about this for at least two years, three years - that we don't love their style of interaction. And we don't find it particularly productive. And we've been frustrated with it for quite some time.

So we're going to get through this meeting. We don't meet with the Board in (Marrakesh) and then the next meeting at the Board will be in Montreal via venue. So we have from now until probably something like Septemberish to figure out what the new format is going to be and pitch it to the board and see if we can get them on board - (bored) (sic).

So let, you know - we sort of tossed around ideas for some time and nothing has really stuck. But let me put this out to everybody inside the (CPH) that we need some ideas on how to - make this better, more effective, better exchange of ideas and - I think we maybe need to send up a little task team or get a group of people to work on this. Because we keep doing the same

thing over and over and it's kind of madness and no one loves it. So that's a problem for all of us to solve. Let's all put our brains to that. And thank you .

Having said that now, we're going back into the same usual thing where they have some questions for us. I think we have some questions for them. And so maybe we'll review the questions for us first. And then we can talk about what we're going to try and put to the Board. Do we have those handy?

Sue Schuler: Do you want to look at yours (unintelligible)...

Paul Diaz: Also I...

Sue Schuler: ...first?

Paul Diaz: Yours? So...

Sue Schuler: Hold on.

Paul Diaz: I was a jerk and went on vacation and so did not deal with ours questions at all and really haven't spent enough time looking at them. So I might hand this off to maybe Donna or someone on the registry to talk to those.

Samantha Demetriou: Thanks, Glenn. So sometime in January, we received a note from (Cherene). And they asked us three questions - we provided three answers. I think we followed the rules. We only provided one each to - for the Board. I (count all the community). This is all - I'd have to say there have been a number of communications have come out in recent times that are particularly difficult to follow from the Board. And some of the two-year planning thing - I think all these phases fit together. But it's a little bit - it's a jigsaw that they seem to want us to put together as we get the pieces in place.

So we responded so long ago now that I haven't had an opportunity to kind of go back to these. But it's - but in overall it's about how does, you know - I kept kicking off a number of initiatives with the strategic plan - this two-year planning cycle that - and that the financial reporting cycle. And that was kind of the, you know, what's, what needs to be done now to successful implementation of these plans. But it was - I think, Sam, myself and Kristine would've - could only been the ones to put these together.

So that's kind of the high level of what we're trying to do. And I'd say Sam's got a handle.

Yes, so for - they ask specifically what are our recommendations for the Board - for ICANN.org and then for the community. And how each are going to be involved in getting these plans kind of up and running and over the finish line. So briefly we, you know, and to Donna, find out that this is a big jigsaw puzzle. We're - on the registry side, we basically said, "The Board needs to be the ones who are the shepherds of these things from the very beginning. Lay out the whole, like, believe, 50,000 per view and how everything fits together for the community. But also importantly to make sure that any of the plans themselves - any projects that are associated with those plans are still firmly within ICANN's remit.

I think, when I took a quick look - I think this is something that was echoed in the registrar's comments on this particular piece as well. And .org or I can (arbitrary), their job is checking off all the dots and to ensure that there's solid data to support new ideas and projects. I think we have a bit of concern on the registry side that a lot of things get (ginned) up with just, rapturous, you know, people thinking that there's a people and there's not always necessarily a proven problem that we're often in search of a solution for.

And then also, you know, be the Project Managers - essentially keeping the community informed of the progress. You know, making sure there's a budget of the Tier Two - things like that.

And then finally, you know, the community should be involved in prioritizing the project and the efforts that, you know, providing kind of the backbone where it needs to be.

That's kind of an overview of these. And if you want, we can go into the second question. But I also kind of more of a procedural question to put to you guys about the next session, which is - I don't want to get us too off the (role) - so we can come back to it.

But we put together like very detailed response in writing. You guys did the same thing. I'm going to be a glass, three quarters full, kind of girl and hope that they read it. Do they expect us to walk through each of these responses? Or can we ask them to please react to our responses? Because I think if we just drone on - I mean, I just bored myself going through our responses, right? I think if we just - I think we end up...

Man: (Correct.)

Samantha Demetriou: ...using the session to do that, it's not time well spent for anyone.

Donna Austin: Thanks, Sam. So my assumption was that they would read all of these. And that would focus the discussion for them that they have with us. And I would also hope that there is, you know, they would give us a high level of how other parts of the community responded as well. So that's kind of my - that's what I've assumed. But there - it's based on (no way) direction with anyone as to what the plan was.

Jonathan Robinson: Yes, thanks, Jonathan. So I agree with Sam. And what you were thinking, Donna. I think we should go straight in and do that. Because I think

already it gives the opportunity, "Look. You asked us the questions. You gave us the responses. How do you feel about that? Tell us." Because otherwise, you're right. It upsets the whole thing into just a flat tone. They can hide behind their laptops, hearing us drone on.

And I think your second question - your second point's also good. So it's, "How do you feel about our responses? How do they coincide or not with what other groups have said?" But it's nice and clean and then let's let them do the talking for once. Because I've had that many times of a GNSO and with here we - we come in and we put a lot of energy in and it doesn't -

So I think our chance to hear - I think that would be a great start. And then we can come second to our questions for them. And much of that will then hopefully inspire them to be engaged and active and -

Donna Austin: Learning that they're at the end of the day. Darcy?

Darcy Southwell: Thanks, Donna. Darcy Southwell. So I think one of things I know we were trying to do - we were at ours - and I very much see in the registry answers and questions. It's how do we make this a dialogue?

And I think Jonathan, what you really said is really important. Because I am personally extremely tired of this ping pong back and forth. If you asked a question, we give you an answer, often which is a nonanswer. And then we move on to the next question. And so, I think - I hope that they see this as a way to start a dialogue. Because I think that's what we can do better. We set it up probably the best we have in a long time to make it a conversation. And I think especially if they can share with us the feedback they received from other communities and how that filters and fits in with what we're saying. Or is divergent and whichever.

But to make it - however we can make it a dialogue and not an - like a ping pong game.

Graeme Bunton: Thanks, Darcy. So I think that's great. And I think Jonathan distilled that really nicely into, you know, how do you feel about our responses? And how they (belong to community)? That's a great place to start the discussion.

Keith?

Keith Drazek: Thanks, Graeme. Keith Drazek. So I agree with everything that's been said. You know, if you go back to (Cherene)'s speech yesterday, at the opening - was it yesterday - I'm losing track. The opening ceremony - this is something he's clearly passionate about. And I think it's tied directly to the questions that were posed to us. You know, strategic plan, operating plan, budgeting, prioritization - I mean, you know, sort of all those themes were hit. And it's reflected here.

So the community was all asked these questions. GNSO Council was asked. We responded as well at the Council level. So, you know, they should have, as has been said, you know, digested that and considered that. They also had the session immediately after the opening speech where there was a public engagement and, you know, they had the opportunity to - this should be their opportunity to sort of tell us what they've heard. And so, I agree. I think it's an opportunity for us to say, "You know, really this is something you've put a lot of time into. Would love to hear what your thoughts are after hearing the feedback from the community - both in writing and in person this week.

Graeme Bunton: Oh, okay. So I think that's half a Board Meeting, more or less. And then we can get back to what we've asked them. I'm going to hand that back to Donna because (be there) your questions.

Donna Austin: And so we've - we got two basic quick questions, you know. One is around the budget and Jonathan - we'll look to Jonathan for that one.

And the second one is about this, you know, the Governor's project that they're kicking off. And some of you might have heard me in the public forum yesterday that I'm very tired. Because we have all these (different) projects but we never seem to, you know, wrap up in a bow and send off. And yet we continually start, you know, the next shiny thing's that's come along.

And that's what I see this Governor's project as. It's going to take up more resources and, you know, focus everybody's energy on that. And that's going to be the detriment to these other open issues - maybe (EPDP) exempted from that. But it is a problem that when you start these other efforts, the community just, you know, "Ooh, next shiny thing. Off I go." So that's kind of a - the second part of the question. Or the second question we had.

So I don't know whether you guys have any questions that you (pose) to?

Jonathan Robinson: I would. I would have to look at someone who has any idea what those questions were.

Woman: You go first.

Donna Austin: Do you want yours up next?

Jonathan Robinson: Yes. (Let's figure ours) and see how much alignment there is? I mean, those are points we can agree with. So I, you know, that's not just a registry concern.

Graeme Bunton: Let's go just, Jonathan, for the record - just while you pull these out. I mean, on the first one, on the budget. I mean, we've pushed pretty hard on - for some time - on a couple of points, really. The overall fiscal responsibility and it's become more and more apparent to me that there's really a divergence within the community, right? Because the money is channeled through our - we are the ones. If anyone's going to hold ICANN (see to the bone) and keep ICANN 50 responsible, it's going to come to our two groups.

So we've pushed that for some time. And that now includes the additional - the top of the reserve fund - which they've taken on board and they're doing. So that's good. But I think we've started to go a little bit below that, you know, go (PO) below a further (lay) and say, you know, "How do you benchmark yourself? How do you know, other than in the ICANN bubble, and with self-reference, that you doing the right thing?" Because it's all very well to say, "Well, we had 400 staff last year, and we've got 400 staff this year. And so we're doing pretty well. We haven't got anymore staff. What are you concerned about?"

And our question is: "How do you know that that's the right amount?" Being (a vis), "How do we know - by what measure are you operating efficiently or do it?" So that's what the - so seeking to do is go a little bit further into things. So that explains perhaps a little bit more about the item - in fact, there's three on our list as well, first question to the Board.

Graeme Bunton: Thanks, Jonathan. So I think our suggestions for the Board - actually I should not be talking to this. I'm going - I'm just going to pass it over to Darcy.

Darcy Southwell: Thanks, Graeme. Darcy Southwell. So I think our suggestions to the Board, ICANN.org and the community as a whole really focus on prioritization of work. We have too many things going on here. And in order for us to do whether return at - the Board level, org level or the community level - if we want effective timely outcomes, we've got to prioritize the work that's going on here. And I think that all three of those areas need to hold each other accountable for accomplishing that.

So our responses - probably not as concrete as they were hoping for. But I think we're, all three inches are in that vein and I think (in term) expect some more to the registry.

Let me just scroll down here. Our question - I don't think the registrars have ever been as intimately looking at the budget as the registries - and we should've. I think we're doing - we're starting to do more of that. So our question to them is somewhat vague, in the sense that, I think we're all concerned about how they're spending their money and what controls they have in place. So we have a question to them about that.

But then the second question again is really around that same sort of volunteer burnout, "How are we going to prioritize work so that we are doing the work that we should be doing first?" And then I think the final question we had was really about, you know, their strategic or their - I think it's in their vision. They talk about being key player in internet governance and establishing themselves as a key player in internet governance.

And they, I think, I personally am really struggling to understand what they mean there. I would like to understand that. Because I think that - that's going to impact a lot of the strategic objective that they outlined in their five-year plan, four-year plan - five, I guess - to understand what that even means before we can talk about how they're going to do it.

So that's kind of - that's a really (unintelligible) from what we put. I hope - we tried to stay in alignment with the registries, I'll tell you. So hopefully we did a good job.

Donna Austin: Keith.

Keith Drazek: Okay. Thanks, Graeme. I think one of the things and reflecting on, Darcy, what you just said about sort of, you know, the prioritization, making sure you - how are we going to get everything done with the resources that we have - staying within budget. I think we're probably going to hear the same concerns from the Board themselves.

Donna Austin: Mm-hm.

Keith Drazek: I think we heard a little bit of that from (Cherene) yesterday during the public session, the forum, or maybe it was the - yes, it was the forum where Jonathan Zuck was - so at the microphone talking about the (CCTRT) recommendations. And (Cherine) respondedly, "How can we do all of this, with the limited resources that we have? In addition to Workstream Two Implementation and all of the different things that are sort of out there hanging as, you know - community recommendation or review team recommendations or obligations on the Board."

So I think they have the same concerns, right? And I - they recognize, you know, that revenues are, you know, flattening or flat. And that the demands on the Board and Organization are continuing to increase. So I think we actually have potentially common interest in trying to figure out how to prioritize and how to make sure that they're spending within their means. You know, and figuring out how to do that. And I think they're probably genuinely confused as to how to move forward, which is one of the reasons they're going through this process of...

Donna Austin: Mm-hm.

Keith Drazek: ...you know, strap plan, drilling down over the course of the, you know, all of the different moving parts and the - eventually the budget. So maybe there's an opportunity us for - to find some common ground there.

Donna Austin: Mm-hm.

Keith Drazek: Yes. But also make our point that, you know, we've got to find a way to do that. And, yes - thanks.

Graeme Bunton: So I guess the question - thank you, this is Graeme. I guess the question is: "Do we feel like we have enough now in front of us between our responses and our questions to have at least a moderately productive Board session?"

And do we have some people to ask to (tee) these things up? (Naudit)?
Darcy? Jonathan? Okay. And then we'll see what goes.

Twenty after four. We've got 25 more minutes then to wrap up. Is there anything else on the Board Meetings? Anybody else have any other issues they want to raise there?

Go ahead.

Jonathan Robinson: I guess, on our ones, we got two. I'm expecting to do the one on budget, financial planning, (somewhere) (unintelligible) these objectives. Donna, were you going to take that? Okay. So we've got two of ours. And just to make sure, Graeme, that you know that's all of us. So facilitate (in a fashion). So we've got two key points we've - we - Donna and I will take those two. I don't know how - whether even if (to) that - what (you all) - you want it all or Darcy's going to take the whole thing?

Graeme Bunton: Are we discussing that now?

Donna Austin: We'll figure that out in a minute.

Graeme Bunton: Darcy and Jonathan - figuring that out. Great.

Okay. I think that gives us some time then, when they figure that out, to see if we have any (AOB)? Do we have anything else we need to raise while we're all together in the same room? Or do I get to give you a glorious 25 minutes back? "No," says Donna. Your time is mine.

Donna Austin: I'll only take two minutes. One of the - we had a working session early in the week about, you know, responding to proper comments and developing some guidelines. But during that conversation, I think (Javit Macauley) said that, "The - there's a request out in relation to the Independent Review Panels. So it's a request for input." And we - I went straight (for) the public comment

page to try to find it. And that's not where it is. It actually came out in a blog. And there's this - there's a link down the bottom that says, "Request for Input."

So it seems that - I'd like to understand, you know, what's - what - we seen over time that I can, you know, seems to rely on the public comment as the, you know, this is where you go to get input from the community. But more recently we've seen this thing around "Request for Input" and it goes into a black hole. So if you actually - I think this happened with universal acceptance model or whatever was being (tacit). It was a "Request for Input" and if you submitted something to that email address, it didn't become visible for a long time. And it was unclear what ICANN was going to do with it.

And on, you know, the Independent Review Panel is something that, you know, we've been trying to follow for a while. But - and now it seems that there's an opportunity to be involved in, you know - what's the criteria for selecting that panel and all the rest of it. But it's come out in a blog. And the "Request (the) Input" is actually buried down in that. So if you're not paying attention, if you don't see the blogs and you don't understand what's going on, you'll miss a lot of this stuff.

So I don't know where that fits. But I don't know if anybody else has noticed this as (well) the way that I kind of sort of do things. But I'd really like to understand why it - they seem to be doing things in this manner. It seems bizarre and not very transparent to me.

Graeme Bunton: Thanks, Donna. That's an interesting point. And it's easy to miss lots of stuff when there's just a constant fire hose of activity. So perhaps something we can bring up with - I don't know if that's the Board or if that's it's (Iris)? Someone? Maxim?

Maxim Alzoba: I suggest we monitor (tweeter) from them because maybe next time it's going to be done this way.

Graeme Bunton: Thanks. Jonathan.

Jonathan Robinson: Yes, I just - I mean, just to try and make sure we capture that. I mean, Donna's make - it's really two very good points in there. One is that the public comment mechanism is hidden and/or obscure or not transparent. The second is, what happens to it? It's not in a - we - the public comments - or first, if I well understood and commonly known mechanism - this - I think it's really important we capture those two. (And) I think at this time, I mean, it's worth to say, "Look. We didn't (preek) to pay you for this. But this is a concern."

And I don't see any harm in raising it with the Board. And just seeing - testing the reaction. Because them - some Board members might be quite surprised by that - to not even recognize - know it's happening. So I'd have the case that if we have time, we bring it up. Because we may steam through these other points, or we may not. But there's time, we should certainly consider bringing it up then.

Graeme Bunton: Thanks, Jonathan. Darcy.

Darcy Southwell: Thanks, Graeme. I think - I agree with Jonathan we should bring it up and see if they're even aware. I think the other option or an - and then an additional option - there's a Leadership Meeting, Thursday, maybe. Or (specially) and they've asked for questions in advance. So we should submit that. Because I'm guessing that from day-to-day basis, the one that its is staff - it's not the org - it's not the Board. But I'm not sure how the Board would feel about them using other methods that the community may be missing and not giving input on because they don't even see it. It's not in the traditional manner.

Graeme Bunton: Thanks, Darcy. Another good one. Okay.

I think that's it, guys. Delightful.

Thank you all very much for coming. We will see you in the Board Room which is the (Portopia) Hall, which is across the universe. And at 5. Five on the dot. So you've got 35 minutes to stretch your legs and prepare for the meeting with the Board. Thank you.

END