
ICANN68 | Virtual Policy Forum – GNSO Council Meeting
Wednesday, June 24, 2020 - 13:00 to 15:00 MYT

NATHALIE PEREGRINE: Keith, this is Nathalie. I see we're at the top of the hour. Would you like to get started or give it a couple of minutes more? I can see that we have quorum regarding Council membership.

KEITH DRAZEK: Thank you very much, Nathalie. Let's go ahead and get started and we'll try to keep on time today.

Thank you.

NATHALIE PEREGRINE: Thank you very much, Keith.

Could you please get the recording started.

>> This meeting is being recorded.

NATHALIE PEREGRINE: Thank you very much.

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

Good morning, good afternoon, good evening, everybody.
Welcome to the GNSO Council meeting on the 24th of June 2020.
Would you please acknowledge your name when I call it out.
Thank you very much.

Pam Little.

PAM LITTLE: Here.

NATHALIE PEREGRINE: Sebastien Ducos.

SEBASTIEN DUCOS: Present.

NATHALIE PEREGRINE: Maxim Alzoba.

MAXIM ALZOBA: Here.

NATHALIE PEREGRINE: Keith Drazek.

KEITH DRAZEK: Here.

NATHALIE PEREGRINE: Greg DiBiase.

GREG DiBIASE: Here.

NATHALIE PEREGRINE: Michele Neylon.

MICHELE NEYLON: Here.

NATHALIE PEREGRINE: Tom Dale.

TOM DALE: Here.

NATHALIE PEREGRINE: Thank you. Marie Pattullo.

MARIE PATTULLO: Here. Thanks, Nathalie.

NATHALIE PEREGRINE: Thank you. Scott McCormick.

SCOTT McCORMICK: Here.

NATHALIE PEREGRINE: John McElwaine.

JOHN McELWAINE: Here.

NATHALIE PEREGRINE: Flip Petillion.

FLIP PETILLION: Here.

NATHALIE PEREGRINE: Philippe Fouquet.

PHILIPPE FOUQUART: Here.

NATHALIE PEREGRINE: Osvaldo Novoa.

OSVALDO NOVOA: Here. Thank you.

NATHALIE PEREGRINE: Thank you. Elsa Saade.

ELSA SAADE: Here. Thanks, Nathalie.

NATHALIE PEREGRINE: Thank you. Rafik Dammak.

RAFIK DAMMAK: Here.

NATHALIE PEREGRINE: Tatiana Tropina.

TATIANA TROPINA: Present. Thank you.

NATHALIE PEREGRINE: Thank you. Farell Folly. I don't see Farell yet on the attendee list. We'll circle back to him. Juan Manuel Rojas.

JUAN MANUEL ROJAS: Here.

NATHALIE PEREGRINE: Thank you. James Gannon.

JAMES GANNON: Here.

NATHALIE PEREGRINE: Thank you. Carlton Samuels. I don't see Carlton yet. Cheryl Langdon-Orr.

CHERYL LANGDON ORR: Here I am.

NATHALIE PEREGRINE: Thank you. Erika Mann.

ERIKA MANN: I'm here.

NATHALIE PEREGRINE: Thank you, Erika. Julf Helsingius.

JOHAN HELSINGIUS: Here. Thank you, Nathalie.

NATHALIE PEREGRINE: Thank you. And Maarten Simon, who I don't yet see in the attendee list either. We'll circle back to them.

From staff we have David Olive, Steve Chan, Mary Wong, Julie Hedlund, Caitlin Tubergen, Ariel Liang, Emily Barabas, Berry Cobb, Terri Agnew, and myself, Nathalie Peregrine.

So I would like to remind you all to please remember to state your name before speaking for recording purposes. And a quick reminder to councilors that, as you know, we are now using a

Zoom webinar room. You have all been promoted to panelists, and we just audio checked your mics and you can participate in the chat as usual. Please remember, however, that when you do type in the chat to set it to All Panelists and Attendees and not just the panelists to make sure that everyone can read your message.

We're also going to be using the Q&A pod, so that's the pod underneath the final proposed agenda and you can see on your screens. You've got a little icon at the bottom that says Q&A. So please feel free to type your comments in the chat. The questions you would like a formal answer to, please type in the Q&A pod.

Councilors, you'll have the option to type the answer to a question that pops up in the Q&A pod directly, if there are questions you feel you're comfortable replying to; otherwise, questions which will remain non-answered will be read out during the open mic session at the end of the call.

Please remember also that today's session is being -- well, transcribed in real time, so again, a reason to please remember to state your names before speaking.

To access the live scribing please clicked on the closed caption icon at the bottom of the screen next to the Q&A pod for those that wish to follow in that way.

As a reminder also, those who take part in the ICANN multistakeholder process are expected to comply with the standards of behavior. And thank you, Keith, and it's now over to you.

KEITH DRAZEK:

And thank you very much, Nathalie.

I heard a little bit of background noise there, but thank you very much, Nathalie. Very much appreciated, and welcome to you all, both council members, staff, and attendees, to this GNSO Council meeting of June 24th associated with ICANN68. And with that, I would like to ask councilors if there are any updates to statements of interest.

And if anybody has any, please feel free to speak up.

And I don't see or hear any, so we will move on.

So we'll do a quick review of the agenda, and then we'll get down to some of the administrative matters.

Item number 2 on our agenda is typically some opening remarks and a review of our action items and project list. I am going to essentially defer this item, item number 2 on the review of the projects list and action items, to then end of the call when we talk about workload prioritization. I want to make sure that we have time to get to that and also to ensure that we have time at the end of this call for a Q&A. Q&A so attendees have the opportunity to engage with the GNSO Council as is typical during our face-to-face engagements at the ICANN meetings regularly.

And for the record, the -- the projects list is accurate and up-to-date as distributed by Berry, so if you haven't had a chance to review that before today's call, I strongly encourage you to do so. And then also, the action items list is largely covered by the topics on the agenda that we're about to review.

So with that, item number 3 would be normally our consent agenda. We have no items on the consent agenda today. Item number 4 is actually a Council vote. We have not had a formal vote in a bit. And this particular vote is to authorize the request of an issues report on the transfer policy. I think as most will remember, the -- we had a scoping team pull together recommendations related to a review of the transfer policy, and our vote today is essentially authorizing and initiating the

request for an issues report to -- which is the first step in initiating a formal PDP.

Okay?

Item number 5 onto our Council agenda for today is a discussion related to the EPDP on temporary spec Phase 2 which includes the Project Change Request that the Council received since our last meeting, and also to discuss next steps for the priority 2 items. And when we get to that section, I will hand it off to Rafik to introduce as he was the Council leadership member who circulated the proposed framework that I hope all of you and your groups have had a chance to consider and that you'll have some feedback and input for this discussion.

Item number 6 on our agenda is a discussion on the Cross-Community Working Group on new gTLD auction proceeds. And with that we will have an update from Erika Mann. Thank you very much, Erika. And we'll have an opportunity to discuss the current state of the final report.

Item number 7, Council discussion on the CCWG-Accountability Work Stream 2 implementation. As you should have noted, the assessment report was recirculated to the Council list by me, and this is an opportunity for us, as the GNSO Council, to discuss

next steps related to the workstream 2 implementation items that are under the auspices or remit or obligations of the GNSO.

Item number 8 will be a Council discussion related to the Independent Review Panel standing panel selection. This is following up a question we received in an email from David Olive at ICANN Org asking for community input and SO and AC input on next steps related to the selection of the IRP standing panel. The question that was posed to us is, you know, how should we, as a community, establish the team to do that and should we be considering the use of the existing IRP-IOT which is the Implementation Oversight Team, that exists that the Board has he recently rechartered or repopulated and whether that's the appropriate group to carry on the work of the actual appointment of standing panel members.

Item number 9 is a Council discussion on GNSO work prioritization, and this includes a review and overview of the Council work plan and program management. Councilors should recall that as we discussed in our January strategic planning session this year, we started talking about the concept of not just thinking about, you know, projects or PDPs in silos but, rather, considering all of the various work tracks under a program management consideration. And we'll have some

important input from Steve and Berry as we get to that section. This is an important one for at least for us to touch on today.

And then finally, item number 10 will be any other business where we will have an opportunity to talk about the topic of DNS abuse as it's been obviously a major, major area of focus for many of the community sessions here during ICANN68 so far. We'll have an opportunity to discuss a draft response to the ICANN Board regarding recommendations from the RDS review team 2 that were passed to the Council. And finally, we'll have some time for an open mic.

So do I have any comments or questions, any suggested input?

Sebastien, thank you. Go right ahead.

SEBASTIEN DUCOS: Hi Keith. This is Sebastien Ducos for the record. I was just wondering if we have enough time on the any other business, if I could have just two minutes to give a short report on the work done with the IOT on Rec 7.

KEITH DRAZEK: Yes, absolutely, Sebastien. Thank you very much. And we can fit that in, in AOB for sure. So thank you for that.

Okay. Let's get back to the agenda. And I need to note for administrative purposes that the status of the minutes for the previous meetings of the GNSO Council were posted in accordance with the GNSO operating procedures. Minutes of the council meeting of the 16th of April, 2020, were posted on the 1st of May. And the minutes from the meeting of the 21st of May, 2020, were posted on the 5th of June.

And with that, we will move to the next item on the agenda which is the council vote on the initiation or the request for an issues report on the transfer policy.

So, Nathalie, if I can hand this back to you, please.

NATHALIE PEREGRINE: Thank you very much, Keith. I would note for the record that we have an absence by Farell Folly, NCSG councillor. We are expecting a proxy form to be sent in any minute. But right now we are starting the vote, I can't see it's in the inbox. Please correct me if my email is being slow. But on the council mailing list, I don't see a proxy form received as of now.

Okay. Hearing nothing, we will proceed with a roll-call vote as this is a request on an issues report on transfer policy. The

voting threshold is more than a quarter of the vote in each house or majority of one house.

I will call out your names. Sebastien Ducos.

SEBASTIEN DUCOS: For. Yes. Sorry.

NATHALIE PEREGRINE: Perfect. Philippe Fouquart.

PHILIPPE FOUQUART: Yes, thank you.

NATHALIE PEREGRINE: Tatiana Tropina.

TATIANA TROPINA: Aye.

NATHALIE PEREGRINE: Juan Manuel Rojas.

JUAN MANUEL ROJAS: Aye.

NATHALIE PEREGRINE: Gregory Dibiase.

GREGORY DIBIASE: Yes.

NATHALIE PEREGRINE: Pam Little.

PAM LITTLE: Yes.

NATHALIE PEREGRINE: Flip Petillion.

FLIP PETILLION: Yes.

NATHALIE PEREGRINE: Marie Pattullo.

MARIE PATTULLO: Aye.

NATHALIE PEREGRINE: Maxim Alzoba.

MAXIM ALZOBA: Yes.

NATHALIE PEREGRINE: Elsa Saade.

ELSA SAADE: Yes.

NATHALIE PEREGRINE: Osvaldo Novoa.

OSVALDO NOVOA: Yes.

NATHALIE PEREGRINE: Scott McCormick.

SCOTT McCORMICK: Yes.

NATHALIE PEREGRINE: Michele Neylon.

MICHELE NEYLON: Yes.

NATHALIE PEREGRINE: Rafik Dammak.

RAFIK DAMMAK: Yes.

NATHALIE PEREGRINE: James Gannon.

JAMES GANNON: Aye.

NATHALIE PEREGRINE: John McElwaine.

JOHN McELWAINE: Yes.

NATHALIE PEREGRINE: Carlton Samuels.

CARLTON SAMUELS: Yes.

NATHALIE PEREGRINE: Keith Drazek.

KEITH DRAZEK: Aye.

NATHALIE PEREGRINE: Tom Dale.

TOM DALE: Aye.

NATHALIE PEREGRINE: Thank you all. One moment, please. For the contracted party house, we have seven votes in favor. For the noncontracted party house, we have 12 votes in favor and one absence.

The motion, therefore, passes with 100% of the contracted party house and 92.31% in the noncontracted party house.

Thank you very much, Keith. Over to you.

KEITH DRAZEK: Thank you, Nathalie. Hi, everybody. This is Keith again.

And so procedurally, I made an error there that I should have handed this to Pam before giving it to Nathalie to present the motion.

And so, Pam, I would like to give you the opportunity now to do so. And I do apologize for the procedural oversight.

PAM LITTLE: No problem. Thank you, Keith. Pam Little speaking for the record.

I guess the councillors should be quite familiar with this item. It has been with us, the council, for over a year now, since early last year, for a long time.

So we are doing this for two reasons. Very quickly, one is because the original transfer policy -- it was called inter-registrar transfer policy back then -- final report recommendation actually recommending a review of the policy to see whether it's intended to do what it's supposed to do, whether it's efficient, whether it's effective, achieving its policy goals. So this was in the Recommendation 18 of the inter-registrar transfer policy final report.

And I apologize. There is a typo in your -- in the council meeting agenda. The reference should be to Recommendation 18, not 17. So we're doing that.

And as a result, ICANN Org actually prepared as a first step for reviewing this policy a transfer policy status report that was delivered to the council in April last year.

And then subsequently, council, as you probably would all recall, formed a transfer policy review scoping team to advise the council how to go about the review.

And then further on, we have the EPDP phase 1 final report, Recommendation 27, also identified transfer policy as one of those ICANN consensus policies that might have been impacted by the recommendations in the EPDP phase 1 final report and recommending some sort of review and update.

So as a result of those two sources or reasons, now we are kicking off this policy review effort. And the scoping team council convened actually delivered a paper to council in April. And we actually deferred sort of requesting the issues report as recommended by the scoping team until this meeting, considering the amount of work that council is looking into or the work in the pipeline. We tried to make sure this is -- there is community bandwidth as well as staff resources to prepare the preliminary issue report.

As the GNSO operating procedure actually states once council requests such a report, there's a time line, like 45 days, to deliver such an issue report. And the preliminary issue report would also be open for public comment. In other words, it would kick off the sort of PDP process and the time lines associated it.

So the Resolved clause, I just posted in the chat, if you care to have a look. And I'll just quickly read it because it's only just one clause.

Resolved, the GNSO Council hereby requests the preparation of a preliminary issue report, for delivery as expeditiously as possible, on the issues identified in the transfer policy initial scoping paper, to assist in determining whether a PDP or series of PDPs should be initiated regarding changes to the transfer policy.

With that, I'll hand it back to Keith. Thank you.

KEITH DRAZEK:

Thank you very much, Pam. And thank you for that and for the record, keeping the record accurate.

So thanks to all for this one. Obviously, this is yet another piece of work that we as the GNSO Council need to undertake in terms of next steps. Now the staff will essentially work towards developing the request for the issues report and the issues report itself. And we will then look forward to consideration and next steps on the initiation of the PDP.

So with that, let me then move on to the next item, and that is the council discussion, Item Number 5, on the EPDP temp spec phase 2 project change request and next steps for Priority 2 items.

And I will shortly hand it over to Rafik. But I just want to note for all councillors and everybody that's listening, all of our attendees, that the GNSO Council has recently instituted a new process related to project change requests. It's part of our effort to improve the efficiency and effectiveness of our management of the policy development processes of the working groups under our remit.

And the process change requests are intended to alert the council if a targeted deadline or time line is at risk and is going to be slipping. We actually had two previous project's change requests submitted this year. One from the subsequent procedures group and one from the RPM PDP working group. Both of those were received by council, I believe, back in January or February. And we approved both of those.

And typical practice so far has been that we have an opportunity as a council to discuss them, to review them, and, if there's no objection, to approval of the project change requests. The council leadership essentially communicates to the working group chair as well as the staff supporting the effort. And so just a little bit of background and context there for what the project change requests are, their usefulness, the intent for using them.

And in this particular case, the project change requests that we have received from the EPDP phase 2 team is to extend the deadline from June 11th, which is now, of course, past, to the end of July which is not far ahead. So that's essentially the background on the project change request.

Rafik, I'll hand it over to you now, please. And then we can engage in the council discussion. Thank you.

RAFIK DAMMAK:

Okay. Thanks, Keith. Thanks, everyone.

So for this agenda item, we have, in fact, two topics. So we have the project change request. In fact, this is the second time that the leadership of the EPDP is asking for an extension since, as you mentioned, we already missed our initial target of the 11 of June.

And so the extension is for the purpose of -- to finish and vet the final report and to get those recommendations for the SSID.

And so that's three, the focus.

We also have the constraint that Janis as the chair of the PDP is leaving by the end of June, so maybe he can stay with us like a few extra days, but in order just to be able to deliver the SSID,

which is the main expectation for the Phase 2, we are asking for the extension till the end of July to give us buffer and a way to not be -- to not have in some case to ask for another change request. So that's why we are asking for that specific date.

So if we can maybe see the PCR just to emphasize what we are suggesting here as proposed action.

So as mentioned, we are changing the target delivery rate to the 31st of July. Because the change -- I mean with having Janis leaving, so I will take over for the role of chair. And also as you can see, and that's kind of the link to the other topic, is we are expecting here the GNSO Council to consider how to deal with the remaining policy issue for priority 2 items.

And so for that, I shared or I sent to the Council list a few weeks ago a framework to explain the background of the priority 2 items. The current situation between the EPDP team with regard to the work done for those items, the level of consensus, and what can be as action items or follow-up.

So maybe if we can move to that framework.

Okay. So in the first, we have the list of priority 2 items. We could cover several of them, and we expect that we will have a

final recommendations, but we have, I think, three topic that it will be hard to cover within the timeline. And so that's why we are proposing for them a different next step.

So maybe we can go to the table. I'm not sure, second or third page, that summarize -- yeah, this one.

So here there was (indiscernible) in term of process, like option 1, option 2, and option 3. That one option 1 is just to reset the EPDP, to give that -- maybe an opportunity to continue work. But after some -- maybe some work from the Council in term of the scoping, just to clarify, since there was maybe some confusion or in clarity.

And to give a specific timeline for the EPDP to finish those remaining items.

The other option is to terminate the EPDP, and then afterwards, the Council to initiate separate tracks or activities to address those topics following the usual process.

The option 3, it's more a combination of two, and to try to be specific in term of action for each topic. So we can have for some the idea of EPDP reset, but for one topic, and that's the accuracy, is to have a separate PDP after a proper scoping, as at

the end the scoping was -- I mean, and the interpretation regarding accuracy was one of the issues within the EPDP when working on that topic.

So that's kind of what is proposed. And if we can go to the last page. So that's just kind of the explanation. That's a recommendation from me, but I am putting here it as for discussion and for input. And I want to thank those who already responded in the Council list regarding their position or thought about those -- those options.

So I am more here suggesting as a way is to go with the option 3. And so we have the reset of the EPDP to allow the consideration of this one, and that's for the legal versus natural person and the visibility of unique context to have uniform anonymized email address. And this is important in aligning with what we discussed many times within the council in terms of managing process is that we want to set a specific timeline by when we are expecting an outcome or deliverable from the EPDP team.

As explained before, for the accuracy, we expect to go through a PDP here to -- a separate track, to cover that issue.

So I hope I covered and explained quickly what is proposed here in terms of next steps for those priority 2 items, and also to --

really I wanted to emphasize for the change request, just its (indiscernible), that we can get the final report for the SSID done. It's not an extension trying to continue endlessly for some topics.

And that's it from me.

Thanks.

KEITH DRAZEK:

Okay. Thank you very much, Rafik. Thank you for your service. Thank you for your willingness to step in as chair during the -- sort of the 11th hour here of the Phase 2 work on the SSID with the departure of Janis. Because he's got a new job that he is starting, he's simply unavailable to continue for the last month in the home stretch. So I do just want to thank you for all of the time you have put into this as the Council liaison and the vice-chair and your willingness to step into that role.

So, folks, there's -- I see James has his hand up but let me just tee this up for our discussion. We have two separate items here that are before us, one is the Project Change Request asking for the extension to the end of July. So I want to be very clear that if there's, you know, any concern, any questions on that particular point, this is your opportunity to ask them and to raise any

concerns because essentially if we don't hear any objection or substantial objection to the Project Change Request, we will, as the Council leadership team, respond in the affirmative and basically give them the authorization to continue working for the next month and a little bit.

Obviously the date of June 11th, which was the last target date for delivery of the final report, has been missed. So to me, this one just seems like it ought to be -- you know, it shouldn't be a high bar, a heavy lift. But if anybody has concerns about that, feel free.

The second part of what we're discussing here is the recommendation and the possible sort of framework of approaches to how we deal with the remaining issues or the priority 2 and remainder issues that are not on the critical path for development of policy recommendations related to the SSAD but that are still important to many parts of the community, have been identified as issues that require some additional work and additional focus. I think Rafik did a nice job of laying out what those are. And part of our goal here is to ensure that these items that require some additional discussion or additional work, you know, have a home or have a vehicle to be able to do that while still bringing the SSAD recommendations to hopefully a consensus position and bringing those to the Council by the

end of July. And so I think it's important for us as the GNSO Council to provide some predictability to the broader community and to our own participants in the EPDP to ensure that these items that are important to some and many are not simply going to be set aside; that we actually have an approach at the GNSO Council level to manage these.

So those are sort of the -- I think the key points here for our discussion today.

James, and then Michele. Thank you.

JAMES GANNON:

Thanks, Keith. James Gannon for the record.

So I have a comment on the first and a question on the second.

So on the Project Change Request itself, I think there was some discussion on list between councilors on our feelings around the change request itself. I know at least myself and Michele had some concerns about extending it through the end of July rather than an extension that was more fit for purpose to merely close out the report. And we felt that going beyond that has concerns about re-opening old wounds and old discussions.

If the feedback, maybe from Rafik, is that, yes, the 31st is what is needed merely to change out -- sorry, to finish out the report, then I think we can accept that, but it needs to be clearly communicated to the PDP from Council that this PCR is merely to close the report and nothing more. That needs to be made, you know, set-in-stone clear.

Then on the next steps item, what is our process around this? Do we intend to have a Council vote on this or how do we bring Council to a consensus on which decision this will be? Because we have three options in front of us, and just, at least, from my own personal view, I'm not sure what the process is oncoming to an agreement on our formal response to what option Council will choose.

KEITH DRAZEK:

Thanks, James. This is Keith Drazek again. I'll respond.

Yeah, my understanding, and I think our understanding as communicated by Rafik, is the Project Change Request to the end of July is to allow the team to finalize its work on the SSAD recommendations, the critical path topics, and not these other items that we're talking about that, you know, we're considering for other possible discussion paths. That, really, it's a matter of giving the team the extra few weeks that it needs to finish its --

you know, its review of comments and to be able to come to a consensus set of recommendations.

And, Rafik, if you want to jump in and say anything, you're welcome to do that, but that's essentially the understanding, James.

And the second question, it's a good question, James, in terms of like what the process would be for us to sort of figure out what the next steps on some of these would be. I would like to think that we can come together as a Council and figure out the best approach. And if we need to, you know, look at these various options and, you know, compare notes and have further discussion on it, we should do that.

I guess there's the possibility that it might have to come to a vote, but I'm going to ask staff for their thoughts on that as well. But let's go to the queue, and then if anybody would like it weigh in on James' second question, feel free.

We've got quite a queue building. So I have Michele, Tatiana, John and Rafik.

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

The first part of this is around the basic project extension request, and then the second part is around how -- what that looks like, what's actually included in that.

So my fellow countryman, Mr. Gannon, has pretty well articulated some of the concerns that I have raised previously on this. We have discussed this within our stakeholder group. Greg will probably speak to that later on. But I suppose the first thing is that in terms of the actual project request, as has been pointed out, due to just practical timing, we have to accede to that request in some shape or form, because the EPDP has already missed its deadline. So in many respects, that -- the actual timing on this is more of a rubber stamping of what is a fait accompli as opposed to Council making an actual decision, because that decision has been kind of taken for us.

But when it comes to the path forward, I think this is where we need to be very, very clear about what is it -- what is and is not included. Wrapping up the report obviously is in our best interest. We all obviously want that. Many parties have, for the - - since this entire project started, been concerned and have raised concerns around timing, around expediency, and wanted all of this to be done, if I recall correctly, for the entire thing to be done within three or four months back when we were discussing this -- what? 18 months ago. So extending -- extending this out

further in its current form beyond the bear minimum to wrap things up is not something that we can support. And as I've said previously, we can't -- we can't have a situation where items and matters that have been discussed at length, ad nauseam, in detail are re-opened and relitigated because that's where madness lies. The entrenched views that are held by some parties aren't -- are truly that. They are entrenched and they will not change. And holding this process to ransom in the hope that those views will somehow magically change is both unrealistic and is not -- it is not what Council should be allowing to happen.

Thanks.

KEITH DRAZEK: Okay. Thank you, Michele.

Rafik, I'm going to turn it back to you for response on the -- I think some further detail on the PCR. Go right ahead.

RAFIK DAMMAK: Thanks, Keith, and thanks, Michele. I guess maybe is to give more details of what is ahead for the EPDP team.

So what we have exactly is this week we had one call, and the next week we are planning three calls in a row. So we are kind of

still reviewing the different recommendation, trying to work some of them, and they are all about the SSID. And, for example, we have like the small team working on the mechanism for the evolution. So that's kind of the work plan we have still with Janis to try to do all the review. But the reality when we starting the deliberation and review, it took much more time than what we planned. And that's why we are adjusting.

After that, when we will finish, we will go through the proper process of giving time for all the groups to have like a silent week they -- or quiet week they can discuss internally, reviewing the final report and sharing any input or feedback. So it's really about wrapping up what we are -- I mean, the report and finishing. It's not to discuss more in the topic; that the leadership knows that we cannot -- we cannot have the luxury to handle them in that critical time.

So maybe one response we can -- if it's important, just share later kind of the work plan and how we will deal and the next steps, but that's it. It's really about finishing the review, giving time for the groups to review and share input, and then just to go through the designation of the consensus level and publishing the report.

So we are giving us some flexibility in terms of the time, and we are not aiming to go further -- beyond the 31st of July. And I expect, even personally, I cannot commit to go beyond that.

So this I think should be kind of give some guarantees and assurance to the Council. But on the other hand, it's important from the Council if it's -- to give guidance, communication to the EPDP team so we can send that. And I'm happy to carry that message to the EPDP team about our expectation to finish and to deliver the report on SSID within that timeline. So no more, no less. I think if we give that message, it will help a lot in that regard.

So for some of the topic, maybe just to add why we could not move, like, for the legal versus natural and so on, that we were expecting to have the study from the ICANN Org and that they didn't arrive in due time. So we are taking that in consideration. And now it's with the council to decide how to do with those next steps. But for the EPDP and the message to send from the council is to focus on finishing the SSID.

KEITH DRAZEK:

Thank you very much, Rafik. Very helpful additional context.

So let's get back to the queue. We have probably about 15 minutes left for this item. So Tatiana, John, Marie, Greg, and Philippe.

Tatiana.

TATIANA TROPINA:

Hi. Good morning from The Hague, everyone. Tatiana Tropina for the record.

When I was looking at the project change request form, when I was listening to all this conversation, as someone who follows EPDP and the deliberations, I wonder if there is any chance that when we, one, will approve the project change request with the extension until the end of July, can we communicate clearly what this extension is for?

Because I do fear the possibility that instead of finalizing the priority items 1, there would still be discussions about priority items 2.

And why I have this opinion, because I see letters coming to us, to GNSO, from other parts of the community talking again about what Michele called ad nauseam and madness.

So can we just clearly separate priority items 1 from priority items 2 in our communications, even before we decide what is going to happen with all the other items like data accuracy, like legal versus natural? Can't we just say these -- we expect to defer these somehow to later time and decide on the council vote or not how we're going to deal with them?

Because I -- I understand that we don't have any other choice but to actually extend the time line because there is no time to finish this. But I'm really afraid that this precious time will be used again and again for some discussions to keep the process hostage.

So if we extend this, can we communicate clearly that some further items will be depended upon process-wise later? Thank you.

KEITH DRAZEK:

Thank you, Tatiana. This is Keith again.

So I think the PCR, as we've received it, is quite clear and quite explicit that it is focused only on the Priority 1 issues and the critical path for SSAD. I guess the follow-on question is if there's something that we need to make clear in our communication of the -- during the approval of the PCR, that I think we can take

that on. But I think the actual project change request as we've received it is quite explicit, that it's focused on the finalization of the critical path, Priority 1 issues for the SSAD, and not on these other issues.

It actually calls out, if I'm not mistaken, that the other issues that are not on the critical path are now the responsibility of the GNSO Council to figure out how to deal with them. So I hope that's helpful.

Back to the queue. John and then Marie.

JOHN McELWAINE:

Thanks. John McElwaine for the record.

And this dovetails very similarly with your last comment there.

So the IPC has no substantial objection to the time line set forth in the project change request. And, in fact, having submitted a project change request, I also want to compliment Rafik and the EPDP. The detail that's gone into this is really appreciated it.

I do note that -- at least it appears from the PCR, that the GNSO Council is supposed to decide for this Priority 2 and remaining issues the path forward, how it's going to be addressed. And I

would hope that would be in a revised PCR so that when we come to a conclusion on that path forward, it's all very clear, to Tatiana's point that we're setting deadlines and being very detailed about that.

With respect to that path forward for the Priority 2 issues and remaining issues, the IPC is leaning towards that option 3 that was presented. That would continue the work on things such as data accuracy, the legal versus natural person, the feasibility of the anonymized email address. I think we can see from the SSAC letter that automation would be important to try to put into this group.

I also recognize this doesn't need to be done in one group and that people that are closer to the EPDP process are going to have, I think, well-informed ideas of how we can scope this correctly and what type of other groups we can put together short of an EPDP -- excuse me, a PDP to try to get some of these other topics handled in a realistic deadline and efficiently. Thanks.

KEITH DRAZEK:

Thanks very much, John. Very helpful comments and very constructive as well. I really appreciate that.

And I think that really gets to the question and the point of the proposed framework that Rafik has given to us, is that it's an acknowledgment that these are important issues that still need the vehicle or the venue to discuss and to consider and that we need -- as the GNSO Council need to figure out what the right approach is for each one of those. And it could be an extension or a rechartering of the EPDP as it exists today. It could be a new EPDP or a new group. And I think particularly on the data accuracy point, there needs to be a careful scoping of that to figure out exactly what that looks like because that's -- that's a complex issue that probably -- there's some components of it within the EPDP, but it's a much broader issue as well.

And so I think what we as a council need to do is to come together and to -- I think we're acknowledging here during our conversation that this is something -- this is work that we now need to take on and we need to figure out what the most appropriate or most balanced approach is. So thank you, John.

Marie, you're next and then to Greg.

MARIE PATTULLO: Thanks very much, Keith. Marie Pattullo here from the BC.

Joining in thanking Rafik but also extending that to all of the members of the EPDP team. The fact that you guys are still standing I find extraordinary.

On the PCR, it's unfortunate to us that it's being categorized as if some people are, quote, holding things to ransom.

To us and to the wider community, in fact, because we've seen comments from SSAC, from ALAC, from GAC, the Priority 2 so-called issues are critical and were supposed to be resolved in the charter. That said, we know that they're not going to be. But we would support, of course, the PCR to close this out as soon as possible.

And on the second issue, a third path forward, we really do need to not just say, "Yes, we're going to talk about this, it's very interesting," but we need to set time lines, deadlines. The reason we supported, wanted, hoped that it would be dealt with within the EPDP is because we have the expertise. We don't need to be reinventing any wheels.

But issues like data accuracy need to be dealt with. They really need to be dealt with.

And, again, I can't understand why people think they're trying to deal with critical issues to the entire community is somehow something to be ashamed off.

My personal view is that we are complying with an artificial deadline rather than trying to deal with the policy that would serve a community as best we can, which I think in our role as policy manager is our job.

And to shorten that, agree that we need the PCR. But as soon as possible, please, can we move forward on something concrete to deal with the outstanding issues. Thank you.

KEITH DRAZEK:

Thanks, Marie. I think you make a really good point about we need to demonstrate that as a council we can take on this work of trying to figure out the next steps. And I think we need to be able to come up with a plan well before our next council meeting in July. I think we need to demonstrate to the EPDP team and the broader community and to ourselves that we're taking this seriously and that we are deciding on at least a framework, if not the specific mechanisms for each one of these but that we need to show movement in that direction pretty quickly here.

I know we've got more hands up. I just want to note that we're going to have to do some intersessional work here on this. And whether that's setting up separate phone calls of a small team to start working on this or doing some collaboration work on the list, that this is not something we can just set aside and talk about once a month during our monthly calls. This is something that we actually need to get busy with to your point. Thank you, Marie.

Okay. Greg, then Philippe, then Maxim, and then Rafik. And we're going to draw the line there in the interest of time. Thank you.

Greg.

GREGORY DIBIASE:

Hi, this is Greg.

So I kind of want to start with the concern that we seem to be conflating the word "addressing issues" with "reaching consensus on issues."

The EPDP has addressed all of these issues at length. They've gotten legal guidance on all these issues. They've discussed the legal issues at length.

So these issues have been addressed. And for that reason, the registrars are inclined to go with option 2 because this does need to come to a close at some point, especially given all the hard work that's gone into it.

And if there is a disagreement, you know, that should be reflected in the report and the community should be given more information about the nature of that disagreement as opposed to things being thrown around saying, "This has never been addressed." It's been addressed. There just wasn't consensus. Here's why. So I think that's the first point.

And then if there's broader issues like accuracy that kind of go beyond the EPDP and are wider in scope, then, yeah, we can consider scoping -- scoping the issue for a standard PDP. And that makes sense to us, too. But the registrars are pretty firmly in the camp of option 2 here.

KEITH DRAZEK:

Thank you, Greg.

Yeah, to your point, there's no question that some of these issues, if not many of these issues, have been discussed extensively within the EPDP. And there was clear lack of disagreement on many of these points.

There could be some areas of nuance that could benefit from further discussion. But, yeah, your point is well-taken that it's not that these issues have been ignored or not addressed at all. It's just that they did not -- that the discussions and deliberations didn't result in consensus within the group. So thank you, Greg.

We have just about five minutes left on this. So let's get back to the queue.

Philippe, Maxim and Rafik, if I could ask you guys to please be brief but make your points. Thank you.

PHILIPPE FOUQUART: Thank you, Keith.

On the PCR, I have no particular question pending the procedure part as to how we will decide this.

On the next steps -- and I realize from Greg's intervention that I might not be reading this properly and that there might be a need for more work on the various options. It's a question to Rafik maybe.

On Option 2, I see this as carrying over a number of things that are under Option 1, things like finding a new chair, et cetera. A new slate of members potentially will have to be addressed under Option 2 anyway.

And under Option 3, I didn't really read this as a combination of the first two options. But from Greg's intervention, I understand that we wouldn't be closing the EPDP but rather refocus on a limited number of issues that are listed in the document. I'm seeking clarification on this.

The ISPCP would be leaning towards Option 3, but we want to make sure that we understand what's behind those. And I think -- as you said, Keith, I think we probably need some more work on this in order for us to frame this properly and understand what we would be choosing moving forward. Thank you.

KEITH DRAZEK:

Thank you, Philippe. And I think that's a good clarifying point and a good clarifying question. I think option -- I think if we were to sort of do the reset that it would be effectively a rechartering of the group's work to focus very specifically on a couple of issues such as legal versus natural feasibility, but it would separate out the topic of accuracy for separate consideration.

But that's just my sort of high-level understanding. And I'm sure Rafik will comment further when we get to him as the last word.

So thank you, Philippe.

Maxim, you're next.

MAXIM ALZOBA:

Maxim Alzoba for the record.

Registries would like to go with Option 2 for a few reasons. First, yes, I agree that conflating "reaching consensus" and just not working on topics should be avoided.

Second, the community is exhausted with the same repetitions of the same discussions by the same people again and again. I'm not sure there is value in the repetition of this. That's why I think resetting of the EPDP in one or another forum is not a good idea.

Also, I have a question. Is it possible to ensure that EPDP leadership speaks -- ensures that the team sticks to the agenda so we don't have additional extensions? Because deadlines were set. And what we have? We actually discussed a bit late the PCR now. Thanks.

KEITH DRAZEK: Thank you, Maxim.

And, Rafik, I'm going to hand it off to you for the last word.

RAFIK DAMMAK: Okay. Okay, thanks, everyone, for the comments and the feedback.

So I think one take-away is -- and as I suggested, we need to send a clear message in term of guidance and instruction to the EPDP team about finalizing the work of phase 2, and so getting the report on SSAD.

I think that we give clarity to everyone what we are expecting. I guess maybe this is an action item for the council leadership. We can work on that message to send it as soon as possible and me as council liaison to carry that to the EPDP team.

With regard to the framework for next steps, that proposal I think achieved what it was intended, was to have the discussion.

And, also, I think if you go in the document, you will see an explanation about the three topics. Many times we talk about the Priority 2. In fact, we are trying to handle these topics that we could not cover or still pending, like the study and so on.

We have that framework. I think the idea from Keith that we have a small team that we can work on that framework maybe and taking into account all now the feedback I'm hearing, like support for a specific option. Because it's not just for us as the manager of the process but also to communicate to the other groups the expressed interest on those topics.

So at the end, for example, like for accuracy, that needs a separate track and more work. And so we as a council need to do some preparatory work in terms of scoping following the usual process. For other items, we can figure out when it's appropriate.

But, again, we can have maybe a small team working on those frameworks since we heard already the input.

And as Keith suggested, by July meeting, we should make a decision. And that will send a clear signal to everyone that the council is managing the process and acting on that. So I think we have those action items and clear path.

And that's it from me. Thanks again.

KEITH DRAZEK:

Thank you very much, Rafik. Great summary.

So I think the action item here is that we will -- council leadership working with staff will continue to work on this. We will put out a call for folks who might be interested to contribute as a small team to try to come up with a -- maybe a consolidated recommendation.

And our hope here is that we can come to consensus as a council on this prior to our July meeting. If we can do that on the list and through the conversations, and if we need to set up separate calls, I'd like to try to bring this to a conclusion prior to the July meeting. But if we do need to at some point go to a vote, that we have the July meeting to do that.

Essentially we have to bring this to a conclusion by our July meeting so we can communicate next steps to the EPDP team and the broader community.

So with that, we've gone a little bit over time. So let us now move to our next item on the agenda, which is number 6: Council discussion on the CCWG on auction proceeds.

So with that, we're going to hand it over to Erika for an update. And then we'll have some opportunity for discussion.

Erika, thank you for your patience. Over to you.

ERIKA MANN: Thank you so much. Can we see -- can we have the slides?
Thank you so much. Just go on, please.

Next one. This is not useful.

So just to remind you about a few things. We have had two public comment periods. The first when we received the comments, we evaluated them one by one, and as much as possible we integrated them into the second once we published it, second public comment period. So we believe that most of the issues which came up during the first public comment period we have consolidated.

The second item which I want to tell you before I come to this slide is that we had established a quite interesting working method because we wanted to avoid to have a clash at the end where we come up with a report which looks nice but is not coordinated with the Board or isn't coordinated with ICANN Legal and ICANN Finance as well.

So the way we have worked this, we have -- once we had a question which either relate to Legal or to ICANN or to Finance or to the Board, we would address these questions immediately, and we have this all on record. And all the advice we have

received either from Legal or Finance and from Board, all these advices are on record as well.

So we do hope that once we are done with the work and we are going to be able not to have major debates or major disputes about what we -- the way we have worked or about the outcome and the result.

So what -- If you remember, the CCWG was tasked with developing a proposal for consideration by a chartering organization on the mechanism that should be developed in order to allocate the new gTLD auction proceed.

Now, a mechanism, it's a structure. It's the structure for the way the future system shall be set up for the allocation of the auction proceed fund. So it's a mechanism; it's a structure. So don't be confused by this word.

Here you see on the first slide, you see the chartering organization -- and I don't think so. I have to read them to you. We have submitted the final report to the chartering organization for the approval at the end of May 2020 expressing the wish that we would love to see comments back within two months. We do understand this might be difficult for some

chartering organizations. So we will have to evaluate the situation once we know a bit more about the timetable.

Can we move on, Steve?

So the options we have looked at, the mechanism, we had originally four and we took out one mechanism quite early in the process. So that the first one is an internal department dedicated to the allocation of auction proceed. It's a completely independent department inside of ICANN. It -- There can't be any kind of conflict of interest, confusion between what ICANN Org is doing and this department, and we have worked on this intensively.

Mechanism B would be the combination between the internal department and a separate ICANN entity which ideally is already familiar with the work ICANN is doing.

And the third mechanism would have been an ICANN Foundation completely independent, established from the scratch.

And the fourth mechanism which we discussed very early would have been an outsourcing of the auction proceed fund to an already-established fund management system which would

have done one on behalf of ICANN, this system. So we neglected four very early. And during the process, both in the comment public period, the first one and the second one, we then focused on mechanism A and B because here we received the biggest support from the chartering organization favoring A, second was B, and then C was less -- much less votes.

So the way we have put this forward to the recommendation, I will read the text to you. The final report includes the following recommendation with respect to the selected mechanism. The CCWG recommends that the Board select either mechanism A or mechanism B for the allocation of auction proceeds, taking into account the preference expressed by CCW members for mechanism A. As part of its selection process, the ICANN Board is expected to apply the criteria outlined by the CCWG. And the CCWG strongly encourages the ICANN Board to conduct a feasibility assessment which provides further analysis of the recommended mechanisms, including costs associated with each mechanism.

So this was a topic which came up in the -- during when we discussed the -- and prepared the report for the second public comment period to do such kind of feasibility assessment. We discussed that this shall be done short and sweet, so not a long process because we have many topics we discussed already put

in the guidelines which can guide such kind of assessment. So it's not needed that this needs to be a long process.

So can we have the next item, please.

So here, in addition to making a recommendation about the mechanism for allocation of auction proceeds, we have included a whole set of recommendation, and these recommendation are either in the report itself or included in various guidelines.

The guidelines, you have to keep in mind, are set up for the purpose for the next team which will now have to translate everything which we have done into concrete operational work in absolutely precise term, the way such kind of funds do work. We have put all of the topics which we believe are for this next phase important to evaluate, we have put them in guidelines so that nothing is forgotten or lost, so they don't have to start from the scratch.

All these topics which we -- few of them I will just mention in a second, they are all part of this process. So let me guide you through some of them.

Independent project evaluation panel will be established to consider and select projects. So we don't -- it doesn't matter if A

or B is selected. So in-house or in coordination with a second -- with another entity. The project evaluation panel needs to be independent. So it can't be staffed from any one of these two entities. We said community members can, of course, participate, but they can only participate in their complete individual and independent, from their organization capacity and only if they have the -- can prove that they have no conflict of interest be any other kind of work that they are doing, and they have to show that they are an expert in this field.

So the objectives of fund allocation, they shall benefit investment, distribution, evolution, structures, projects that support the Internet's unique identifier system. Benefit capacity building and underserved population, or benefit the open and interoperable Internet.

Now, I believe on bullet point one, we can all agree on. Two and three we debated heavily. We kept them in despite all the dispute we have, but we have given quite some text behind it so that it's clear these two items will fall within the category of the ICANN bylaws and ICANN legal structure. So they're not outside of the scope, but they -- once a project comes in, they will have to be evaluated following the ICANN bylaws and the scoping of ICANN organization.

So we have established safeguards to ensure that legal and fiduciary constraints are respected, conflict-of-interest provision, and auditing requirements. We went through them. It's all on record and can be seen in the report, further elaboration in certain cases and guidelines.

The last item, it's a quite interesting one. We came to conclusion that existing ICANN accountability mechanisms cannot be used to challenge decisions on individual applications. What we wanted to achieve here is that the PDPs are all kind of existing mechanism which sometimes can challenge processes. You can imagine a project is put forward. The individual -- the independent project evaluation team neglects next the project, and one can imagine if one would follow the traditional ICANN method, you would see years of disputes about this. And we wanted to avoid this.

So can we move forward?

The next item is the selected mechanism must be implemented in an effective and judicious manner, which is more or less clear, but still, it's important to mention. The disbursement should be done in tranches over a period of years.

Now, we have discussed here if there is a small amount given, of course the independent expert team, they can decide to do this in a single tranche. But I believe we haven't put this on record, but it can be found in the way we discuss this topic.

We have two types of reviews which we are recommending. It sounds a little bit too much, but that's experience from folks, including myself, which were quite heavily experienced in such kind of establishment funds.

So the first is an internal review. This can be done in different ways, but it's just ensuring that the process is working. So the financial stream is working, the evaluation is working, everything is put on record, et cetera, et cetera. Just typical business procedure.

The second one, it's a broader strategic review, which should kick in after few years. Some of (indiscernible) like it after the first year, some like after the second year, some even longer, for five years. That's important just to evaluate are the goals still met? Have we seen no application coming in? Are we totally wrong what we want to do? Et cetera, et cetera.

So that's why we are recommending these two, and I believe this hopefully is going to be accepted.

And then just a reminder, out of scope for the CCWG: Any recommendations or determination with regard to specific fund -- funding decision, including specific organization or projects to fund or not.

Yeah. So the -- the two -- the CCWG chairs, we had two, myself and Ching Chao. The two of us, we chaired it from the very beginning until the end.

So we had a -- the chairs designated the level of support for the final report and recommendation as consensus with the understanding and position where a small minority disagrees but most agrees.

One minority statement was submitted by the Commercial Stakeholder Group, the CSG highlighting issues in its minority statement. Now, I can't read the text anymore because all the nice pop-ups show up, so maybe you just read it yourself.

In light of the final polling results, the CCWG questions the stated preferential selection of mechanism A, and which is the internal department. And one CSG constituency -- namely, the IPC -- specifically strongly opposes mechanism A as an unreasonable risk to ICANN. Accordingly, as a precondition into forming an internal ICANN grant allocation department of any kind, the

Board should refer the matter to the Board Risk Committee for further assessment.

Just to give you the numbers in the final poll, seven members recommended mechanism A as their preferred mechanism and four members ranked mechanism B as their preferred mechanism and three members ranked mechanism C as their preferred mechanism. I haven't voted, I never voted, and I can check this but I believe Ching didn't vote neither. We wanted to stay independent.

So as you can see, it's one of the reason we recommend for the Board to look with open eyes at mechanism A and B. And since we had board members from us from the very beginning, and so there shouldn't be a surprise, because they always communicated with the Board about our discussion, so I expect this process to go quite smoothly.

What's the next on our item?

So just one -- let me thank quickly the GNSO for being so patient, Keith and everybody involved. Because of this method, it took us maybe longer than we had hoped, but hopefully we have a work given to you and to the chartering organization you can work with.

I'd like to thank the members and the participant of this group. The staff in particular, Marika, Emily, and Joe who were just outstanding in their work, everybody involved. The Board. The Board was committed always to be present in -- just let me name the last four, which was Maarten, Becky, (indiscernible) and Sarah. We never had a situation where we didn't receive a reply from the Board or the Board wasn't present with us. The same goes with Legal and for Finance; in particular, Sam and Xavier who have done an outstanding work. So let me thank them all.

Back to you, Keith.

KEITH DRAZEK:

Thank you very much, Erika, and thanks to you for your time and commitment as the GNSO co-chair along with Ching from the ccNSO. This obviously was an effort that had a tremendous amount of thought, consideration, and work that went into it. So I just wanted to say thank you to you for your commitment and, as you noted, to the staff and the other members of the -- of the CCWG itself. So thank you.

Just to note we are running a bit behind, and I want to make sure that we have time at the end of our meeting for Q&A. So we'll take a couple of questions here, and then note that we've received the final report. As a chartering organization of the

CCWG, the GNSO Council has an obligation, you know, in its upcoming meetings to consider and to vote on the final report of this group. We will have time to have further conversation on this topic if necessary, and I'm sure that we could always invite Erika back if there are more detailed or in-depth questions.

But let's take a couple here quickly, James and Michele, and then we need to move on.

ERIKA MANN: Please let me just add one point. We have a webinar next week, and we will communicate the time for this webinar.

KEITH DRAZEK: Perfect. Thank you so much, Erika.

James and then Michele.

JAMES GANNON: James for the record. Just a personal note for Erika. I want to thank her for her shepherding of this. I think particularly over the last 18 months it's been almost a solo effort. She's been putting in an incredible amount of work, and I think we have to thank her as Council for essentially bringing this to a closure. I

think without her leadership it probably wouldn't have happened, to be very honest.

And, yeah, I hope that we can get this to a Council vote quickly and that we can release her back to a normal life again. And I -- I think that Council should support the final report as it is. I think that the CSG's minority statement is probably fair, and so, you know, that will go to the Board along with the report. And, yeah, from the board members that I've spoken to about it, I think they are ready to receive this at this point and to close this chapter and move on into implementation.

So I just hope that we can get this cleared from Council's agenda as quickly as possible.

KEITH DRAZEK: Great. Thank you very much, James. Well said.

Michele.

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

And again, thanks to Erika for the very comprehensive and detailed update plus all the work that you have done on this.

So one question. And you may have covered this indirectly but I don't think you covered it explicitly. In the past, ICANN Org transferred some funds from the auction proceeds to cover shortfall in its reserve fund, or at least that's what we understood has happened. And that that shortfall we believe was created by legal fees associated with the IANA transition.

Is that kind of scenario prevented in what's being proposed here? I mean, is there -- are -- is there a -- kind of a firewall, as it were, between funds -- between the various funds and their sources and all of that? I mean, are they safeguarded?

KEITH DRAZEK: Thanks, Michele. Good question. Erika, if you would like to respond, please do.

ERIKA MANN: We have discussed -- Michele, we have discussed this topic, and it's an absolute fair question.

Now, we came to the conclusion, first of all, that it's not our obligation to build such kind of firewall but that we do have an understanding that the Board -- and I personally think we had a long discussion with the previous Board chair about this topic.

So we have an understanding that's something they would only consider in extraordinary circumstances.

And that's -- the argument from legal and from the Board is -- and I believe in legal terms, it is correct -- that if ICANN would face a really substantial financial situation which would put the organization at risk, of course, these kind of funds would be considered as a possible source to mitigate any such kind of risk.

But on the other side, the understanding is that at one time, I believe it was, 30 million, if I remember this well, was a situation which was an extraordinary one and would be a burden sharing across the organization and wouldn't happen again.

We have -- but that's something good to remind me, and I will go back to staff just to verify how we have put these discussions we had on record. Since some of the discussions have been informal, we may not have put this on record. But I will go back to staff and I will discuss this as well with Sarah and with (saying name) from the Board and Maarten because he was present at these kind of discussions at least to some degree. So we can evaluate the situation and can see what we can put on record.

I believe there's a strong understanding it's not going to happen again, but you have to take the potential risk factors into consideration when I say this.

KEITH DRAZEK:

Thank you very much, Erika. Thanks, Michele, for the good question. And there's been some discussion in chat about sort of the Board's fiduciary responsibility where there may be some instances in the future where they would be compelled to use the funds for particular purposes.

And Stephanie makes a good point. But there are ways to create some level of protections against that. And I think that's a good topic of conversation moving ahead.

So we will draw a line under this one. Erika, thank you very much for joining us again, of course, and always for your commitment to the effort.

ERIKA MANN:

Keith, that's a topic maybe -- because you mentioned this and I couldn't follow the chat. Maybe that's something which should be -- the GNSO should pick up, and it should be -- once we have the evaluation of what we had discussed put on record, I think that's something you should put up. But I would recommend

not to confuse it with the report but to put this on the record in a separate way.

KEITH DRAZEK: Yeah, thanks, Erika. That could be a topic for discussion around implementation rather than the actual report itself. So agree completely.

ERIKA MANN: Thank you.

KEITH DRAZEK: We are about 15 minutes behind, folks. So we need to pick up some time in order to have our Q&A.

We are going to move on to item number 7 on our agenda, which is an update on the Work Stream 2 implementation effort and the assessment report and next steps for the GNSO and GNSO Council.

I think the key here is that we are trying to understand the potential impact of the Work Stream 2 recommendations and the implementation that the GNSO will have to undertake based on the items that were referred to us.

And as I noted, I did circulate -- or recirculate the implementation assessment report to the council list. I hope folks have had a chance to consider it. And I know there were some councillors and others who expressed an interest in engaging on this and helping to -- help to inform the council on this.

So I'm just going to open this one up to see if anybody has any initial questions or comments as it relates to next steps on the Work Stream 2 implementation work before us.

And this will feed actually into some of the discussions that we're going to have in item number 9, which is the work prioritization, work plan, and program management. So would anybody like to speak to the Work Stream 2 implementation effort?

Okay, Tatiana, please go right ahead.

TATIANA TROPINA:

Hi, everyone. Tatiana Tropina again for the record.

Keith, just a couple of initial thoughts. As someone who participated in several parts of the Work Stream 2, I went

through the implementation report. And I was wondering -- because, I mean, it is a lot of work, right?

There are various recommendations.

And I was -- I was going to ask the fellow councillors and GNSO Council leadership whether it would be feasible for us to maybe convene a small group of councillors who will go through the report, highlight where GNSO actually has to be involved. I mean, there are various recommendations, right?

For example, for the diversity recommendation, there would be some diversity assessment and maybe some implementation about human rights core value. It would be much more important for GNSO to actually integrate this into the policy process.

Then there are some recommendations on the AC/SO accountability that might, you know -- might be -- in a way go through not only GNSO but also stakeholder groups. So there would be various considerations with regard to different recommendations.

So what I was thinking of, maybe would be feasible to convey a group of councillors who are interested in this issue. Maybe,

maybe get input from stakeholder groups and constituencies on this. I don't know how feasible it is.

But what is really feasible, I think, is to reach out on the MSSSI -- to MSSSI department of ICANN. This is why I think cooperation would be very much welcome for us to coordinate with ICANN Org.

And what else? Yeah, I saw some comments on the mailing list from Tom Dale about accountability review and about the multistakeholder model -- development -- evolution of multistakeholder model. I'm sorry. Just a few comments on this.

Many of us, including me, raised concerns about the ongoing work of the evolution of multistakeholder model because we perceived that it might either overlap with Work Stream 2 items which have not been implemented yet or it might reopen the old debate which was already resolved in the Work Stream 2 with the use of the evolution of multistakeholder model process to renegotiate some of the issues.

So I think while we have to take into account the entire, you know, landscape of ongoing work which is going to develop further the process of accountability and transparency and

evolution of multistakeholder model, we should really commit to the implementation of the Work Stream 2 as much as we can without allowing the new processes to intervene Work Stream 2 implementation without a proper reason. If there is a proper reason, we have to consider it and reassess. Thank you.

KEITH DRAZEK:

Thank you very much, Tatiana. That's helpful. And I think we did discuss on our last council meeting the idea of asking for some volunteers from council, folks who would be interested in this. And I recall that Tom put his hand up. I think you did as well. Let's make that a little bit more formal in terms of actually saying let's pull a small team together to focus on this and to probably set up an intersessional phone call of that group to be able to sort of tackle this. And then that group can engage, as you noted, with ICANN.

And Mary has typed, I think in the chat, that there's also the planning function that's being established under Xavier in ICANN Org as it relates to implementation planning. So I think there are probably a number of touchpoints that we could look to with ICANN on this one.

So next Rafik, then Tom, then we will draw a line under this one. Thank you.

RAFIK DAMMAK:

Thanks, Keith.

So to -- I think I agree with Tatiana here about the small team and also engaging with whatever we now have within ICANN Org handling the Work Stream 2 implementation.

My point is more what maybe the small team should deliver and to have that fitting within the discussion about the work plan.

So I think we want the small team to review the implementation plan, to identify what its concerns are requested to the GNSO. And so that's the work for the council.

And so we want them probably to come up with a plan or at least identify what are the next steps or preparatory work that is needed by the council or any other resources and how that can be reflected within our work plan, I mean, the main work plan so we can start thinking about target dates and so on.

And I wanted to arise this because we want to do this program management and the planning as we discussed this several times. So I guess now we will have -- we will have several volunteers for the small team, and they can engage with the corresponding department or division in ICANN Org.

And so maybe also we can set some time frame for this small team by when they should deliver. It doesn't need to be right now but just kind of a practice from our side as the council to be assured that we have a deliverable in due time.

About the points raised by Tom, I think they are valid. We have several activities going on. And also now coming the ATRT3 report that's under public comment, so it's maybe something for us maybe to comment.

And also about the review -- how to say -- streamlining the reviews, the multistakeholder effective model -- effectiveness, and so on, maybe just need to figure out if we have anything to say from the council since they are under public consultation or the request for input. And just we try to coordinate our level for all those activities or discussion. Thanks.

KEITH DRAZEK: Thanks, Rafik. Very helpful.

Tom, over to you for the last word.

TOM DALE: Thank you, Keith. Just to firstly support Tatiana's point about not losing sight in all of this of the outstanding WS2

recommendations, which are now looking a little long in the tooth.

I have looked at the ATRT3 final report, which is out for public comment. And I think that is the most recent publication out here in the ICANN governance universe. So it's worth a look. And I look forward to contributing to it in the small group, including picking up the work on the multistakeholder model. I think it's now enhancement rather than evolution. It seems to have stopped evolving in ICANN speak. Now it's being enhanced.

So I think that would be a very productive group, and I look forward to contributing to it. Thank you.

KEITH DRAZEK:

Thank you very much, Tom. And, yeah, thanks for noting the most recent developments around ATRT3 recommendations. Just to note that this is obviously a very complex web of implementation requirements and recommendations that have been accepted that need to be dealt with. And the SO and AC leaders have been discussing this as well and have had some conversations with ICANN Org.

And so this a timely discussion and timely topic. But it's important to note that these Work Stream 2 recommendations came out of the IANA transition, and they were -- there was a second track for reasons of time and urgency, but they're no less important.

And I think we as a community recognize that we have to treat these seriously and try to figure out how best to implement them where possible. So thank you for all of that.

Let's move on then. Thanks, everybody. We're still behind time but trying to pick up. Next item is 8 -- item Number 8, council discussion on the IRP standing panel.

This -- we actually forwarded the note from David Olive to the council list so everybody should have seen that. I'm just going to flag this one right now to say this is something that we need to determine whether there's a council position on next steps related to the right process and the right group for appointing standing panel members for the IRP. This is an ICANN bylaws requirement coming out of the IANA transition and the accountability work. And it's a pretty important topic.

I'll see if anybody has any comments they would like to make or questions about this one. I just want to flag this. This is

something you as councillors need to take back to your stakeholder groups and constituencies and make sure that people understand fully the real importance of the IRP standing panel moving forward as a critical accountability mechanism for ICANN.

And with that, I'll stop. I see James. Go right ahead.

JAMES GANNON:

Thanks, Keith. James for the record. I have looked into this in detail. I am familiar with what they're trying to do. I just want to register my concern about using the IRP IOT as a small representative group.

If that is language intended to say that they could serve as interim members of the IRP standing panel, that is something I fundamentally disagree with and I think goes against the spirit and ethos of everything we've tried to do. And if it is to establish them as a group to assist ICANN Org in establishing the standing panel, that is obviously a separate thing.

KEITH DRAZEK:

Yeah. Thanks very much, James.

Yeah, my understanding is that it's not an expectation that the IOT would become interim members or panelists. It's really a question more of how does -- how do we as the ICANN community contribute to the identification of appropriate and suitable panelists for an IRP standing panel and what's the right mechanism to do that.

I think there are questions and concerns about whether the IOT could be or should be that group or whether it needs to be something else. And that is the fundamental question, I think, before us for the GNSO and for our stakeholder groups, is to consider that question.

And I think what we -- and David -- David Olive's email goes into, I think, the appropriate level of detail. So I'd urge everybody to review that, engage with your groups, and then come back for further discussion on this point during our July meeting.

So with that -- I see we have Susan Payne who has typed into the chat, she is the currently chair for the IRP IOT. And she's noted that there is no suggestion that the IOT would be the panelists. Indeed, there are many disqualifying criteria which many IOT members would be excluded by. Thanks, Susan. Thanks for the question, James. It's a good one.

All right. Next item is the council discussion on the GNSO work prioritization and our work plan and program management. For this I'm going to hand it off immediately to Steve, and I'm sure that Berry will also contribute. So, Steve, over to you. Thanks.

STEVE CHAN:

Thanks very much, Keith. This is Steve Chan from staff.

And so I guess I would start with acknowledging that this has turned into a bit of a recurring item on the agenda for some time now. And so the goal here is really to make sure that does not become a pattern, that this just becomes a recurring item where there's no tangible action plans and decisions on what work can and should be initiated in the near future.

That said, prioritization is not easy. And I think as an example, it's identified as a key priority in enhancing the effectiveness of ICANN's multistakeholder model. And so I think that's sort of an acknowledgment that we can all do better in how we do prioritization.

As you've probably have seen over the course of several months, the approach for the council has evolved. And, hopefully, we're getting better and closer to an end state of something that's

useful for being able to allocate and understand the queue of work.

And as you've probably seen over the course of several months, that approach for the Council as evolved, and hopefully we're getting better and closer to an end state for something that's useful for being able to allocate and understand the queue of work.

And so just I think by way of background, maybe, to help understand how we got to where we are now, it might be helpful to look backwards as some of the things that have taken place already.

So prioritization isn't necessarily a new topic but it was identified as a key thing for the Council to concentrate on at the strategic planning session in January. And so at that point it was more about identifying a number of efforts and then taking a nonbinding and informal sense of the room and simply ranking the efforts based on what councilors perceived as the most important at that time. And that served as the basis for seeking further input from the stakeholder groups and constituencies.

And so the next step in the evolution from that next step was after having discussed at a couple of Council meetings, the

emphasis was changed to developing a more detailed work plan rather than just simply a ranking of projects. So that was able to take into account the urgency of effort, dependencies upon other work, the sense of urgency, and then also a sense of total capacity of the GNSO community and staff to really be able to support the work that is initiated.

So this step also looked at projects in a more granular fashion, and so by way of example, that might mean that there could be preparatory steps and research that the council and GDD staff could collaborate on before perhaps requesting an issue report or initiating a PDP.

And so the -- I think the agreement from the Council -- councilors at that stage was that that change in approach helped but it still didn't give us a near-term action plan, or in other words what work the Council could be considering to initiate in the next handful of months. And so that's what staff has been working on, a methodology and really a living tool to catalog and manage the Council's work. And so hopefully that brief background is helpful to understand how we got to where we are.

And so the goal in the interim now is really just to provide a sneak preview to see how things have evolved and where we

think we can go. And it's going to be a sneak preview at this point because it was really recent that we drafted and finished up -- or finished this draft of this document.

In discussing the document with Council leadership, I think there's an expectation that an exceptional meeting on this specific topic is likely warranted. So just bear with me for a moment. I'm going to switch the sharing.

All right. One moment, please.

All right. So I'm actually going to go out of order here and start with the last document. And I think the reason I'm going to start off with this page is it's sort of the payoff and I think what is hopefully going to prove useful to the Council. And I am purposefully not zooming in because I don't intend to go into the details on this page.

And as I mentioned, it's really a sneak preview about what this document is intended to do.

And so what you're looking at now is the Council action decision registrar -- radar, as it's been dubbed, and what it's intended it do is clearly point out what is on the Council's plate in the zero to one month, one to three month, three to six month, and six to nine month time periods. And this is -- what you're looking at is

a depiction on all the work on the Council's plate in those respective time frames.

And this list is already long and scary. And so all of this work needs to get done. And the point, I think, of identifying an exceptional meeting of the Council to discuss this topic specifically is to take a look at this long, scary list of work and to try to understand how the work can actually get completed in a timely manner.

So having started with the finale, I'm going to start at the beginning and provide you with sort of a sense of how we got to - - to get to a sort of list. So what is the rationale for being able to identify that list.

And I'm sorry, Maxim, it is, indeed, small but that's sort of the point. We don't really want to get into the details at this point. It's really about the methodology and how we got to a list of specific things that the Council could consider initiating.

So this is -- These next few documents that, again, you cannot see is really just about to give you the rationale for how that list was derived. And so it starts with a bunch of amazing work by the staff in the background, especially Berry. And at a high level, this page that you're looking at now is to create a catalog of --

well, actually the entire thing is really to identify a catalog of all the work, and then basically understand what it is the Council needs to work on and create a project plan out of all those things. And the work is organized in a programmed manner, and this is something I think the Council has talked about in the past. Rather than concentrate on a project-by-project basis, it's more about looking at things in their program. So the programs could be RDS, it could be RPMs, gTLDs, transfers, et cetera. And so this rather short list of things you see on the screen now in the Gantt chart is the program perspective. And so the next slide in here is the zoom in further. And so within each of these programs, let's say RDS --

>> Steve --

STEVE CHAN: -- we have each of the tasks and projects identified for each of the programs. And then you zoom in even further, and you definitely cannot see this. This is a challenging eye chart, of course, and this captures the high-level steps for each of the projects that constitutes each of the program.

JAMES GANNON: Sorry, Steve. Just so you know, your slides are not moving.

STEVE CHAN: Ah, that's unfortunate. Sorry. Thanks for jumping in their, James. I think the screen was paused for some reason.

So here's the first one where it has the program perspective. This is expanded look at the RDS program. And this is the one I was just trying to speak to that you obviously, you can't see any of this. And this is the expansion of all the projects that constitute the programs. And then this is all of the things that constitute the duration and the dependencies that allow you to try to get to a specific set of work that the Council can initiate.

And so like I said, this was really wrapped up as a draft very recently, and that's why we didn't share it ahead of schedule or ahead of this meeting. And this was really, as I had mentioned, just a sneak preview. And it really deserves a whole, let's say, two hours and exceptional meeting it dive into the details and make sure that we got the methodology right and that the specific set of work items that were identified, that they make sense.

And then, you know, once we agree on the work items, it's a long list. Let's see how we can actually realistically tackle them and deliver and complete them in a timely manner.

So sorry that the slides didn't move, but hopefully that makes sense. And I'll stop there. Thanks.

KEITH DRAZEK:

Okay. Thanks very much, Steve. And, you know, thanks for the preview. Thanks to you and Berry and the team for all of the work that's gone into it.

I think this is a teaser for all of us, or a preview to say we're moving forward in terms of being able to, you know, organize and track and understand all of the work that is on the plate of the GNSO, and in some cases the broader community, and looking at it from a program perspective rather than just individual projects or individual PDPs or implementation work.

And so we will take an action item to schedule a dedicated session, an extraordinary meeting of the GNSO Council to focus on the detail and for, you know, a full understanding or a fuller understanding of, you know, what this work really means. And it's really important for us to understand this as it relates to being able to prioritize our work in a logical way. In a way that's, you know, program management and project management. So thanks very much, Steve.

All right. So in the interest of time, let us move on then.

We have next on the agenda the -- I think we're down to any other business, right? Yes. We are at any other business which includes a Q&A so let's move through these first items quickly.

The first item is just a note that obviously there is quite a bit of activity and discussion around the topic of DNS abuse during ICANN68. It's a broad term that I think folks are in good faith trying to come together and identify, you know, what that means in the context of ICANN and under ICANN's bylaws. And obviously we've had some intensive discussions around DNS abuse this week.

We flagged this one for AOB because we, as the GNSO Council, will need to take up discussion of this topic in response to or in related to the letter that we received from the subsequent procedures leadership on the referral of the CCTRT recommendation related to DNS abuse. Essentially, we received the letter referring that back to Council, and we now, as the Council, have the obligation to figure out how we are going to take those recommendations on, what we will do, and the appropriate path forward.

So we don't have a lot of time to discuss this in substance right now, but we will in the future. And I just want to make sure that

people understand that we now have an obligation to take this on and to try to figure out how we'll look at the issue holistically.

And I know, Jeff, you have a question on this in the Q&A pod, so thanks for flagging that. The question was: The GAC keeps bringing up its disappointment that sub pro referred DNS abuse to the Council. Likely to be in the communique. What are the Council's current thoughts on this?

And I think, Jeff, it's safe to say that the Council doesn't have concrete thoughts or well-formed thoughts on this, but that it is something that we'll be discussing moving forward.

I think there's an acknowledgment and recognition that if this is not a topic, if these particular recommendations are not going to be dealt with for only future TLDs, that we need to look at it more holistically and try to figure out the appropriate path forward so we can -- we can look at these recommendations and consider them.

We know that there's GAC advice that says that the next round of new gTLDs should not be launched until such time those CCTRT recommendations are addressed, but I think based on the timeframes for concluding the policy work and the implementation work, including the development of a new

guidebook and the buildout of the systems to be able to launch the next round of new gTLDs, that we have an opportunity to address this issue. And that's something that the Council will be discussing.

I hope that -- I hope that addresses the current state.

Let's see. Getting back to chat and participants. Sorry, I see a hand. Michele, go right ahead, briefly.

MICHELE NEYLON:

Yeah, thanks, Keith. Michele for the record.

I just think on this topic of DNS abuse, you know, this has been discussed a lot. There's a lot of noise around it.

From a kind of pure policy perspective, we need to be basing those policy decisions that we make on facts. Not on rumors, not on hyperbole, but on actual facts. And in order for us to do that, we need data.

Now, I think we've seen in the last couple of months some of the presentations given by OCTO and the security team, which I think is part of OCTO, I'm not a hundred percent sure, where they are able to talk to actual numbers and to data. And I'm sure

there are other sources of data that could be looked at. But just to remind people that data-driven decisions are much, much better and much more -- what's the word I'm looking for?

They're something that we can stand over rather than stuff that's based purely on hyperbole. And it's incumbent on us at Council to keep that very much in our sights.

Thanks.

KEITH DRAZEK:

Thanks, Michele. Noted.

And of course this topic, we need to make sure that any work that the GNSO Council undertakes is consistent with ICANN's bylaws related to the topic, ask that we are operating within -- within our remit and the broader remit for ICANN. So thank you for that.

Okay. Moving on, then, to the next item. Just to note that there's a draft response to the Board's -- sorry, to the ICANN Board regarding recommendations from the RDS2 review team, and the recommendations passed through to the Council.

Pam, go right ahead.

PAM LITTLE:

Thank you, Keith. Pam Little for the record. Hi.

Keith, I just wanted to say, acknowledge some proposed amendments from BC. Marie, thank you, and also Komin (phonetic). Can I suggest, given we are pressed for time, I will work with Marie and others. Councilors, obviously, please chime in if you wish and respond to Marie with those changes shortly, and -- within this week, and then we can hopefully close that item soon.

Thank you.

KEITH DRAZEK:

Thank you very much, Pam. And thanks for shepherding this one. Thanks, Marie, to the input. And that sounds like a great path forward. So if anybody would like to contribute to that discussion, please reach out to Pam, and we will try to wrap that one up.

So with that, we have a few minutes left, and I will open it up to Q&A. If anybody would like to ask any questions of the Council at this point. Oh, Sebastien. Thank you. I'm sorry. Yes, you wanted to give a brief update on the discussions with the EPDP Phase 1 IRT and Rec 7. Thank you.

SEBASTIEN DUCOS: Yes, indeed. This is Sebastien, for the record. I'll try to make it as short as possible.

As per our last call, I have been mandated as the liaison to the IRT to try to find a resolution to Rec 7. I have received of the CPH in general, so registries and registrars together. And for the IPC and the BC, a second joint position paper. I'll be happy to share that for those who haven't been able to see those. We had, on Monday, our scheduled IRT call and discussed that pretty much the whole call.

And needless to say, this is a -- a discussion point that is not simple. We have a big issue with this, related not so much to the wording of Rec 7 but of the implications around it. And to be very clear, the implications with thick WHOIS, with different parties having different views as to the pertinence of thick WHOIS; does it -- does it basically qualify as the appropriate legal basis to transfer data from registries to registrars or does it not.

I will need a bit more time to resolve that. I've heard from all parties that they would be keen to try to resolve that within the IRT. I've also heard it from all parties that they would be keen for their point of view to be taken and that be the resolution, so I don't know that we're going to be able to resolve that, but I will, probably given the small amount of time, put these points on

paper and share with the group. But so far, I'd like to keep that in the IRT for a bit more time to try to find internal resolution before bringing that officially back to the GNSO.

Thank you.

PAM LITTLE:

Thank you, Sebastien.

Keith apparently just has some connectivity issue right now, so I'm taking over. And thank you again, Sebastien.

We do have a hand. Sebastien, is that an old hand? Right? Okay.

So we look forward to your, perhaps, written update shortly in due course. And thank you for your -- your role in continuing to try to see if you can sort out this issue within the IRT.

We now have a hand up from the attendee Lawrence? The floor is yours, Lawrence.

Okay. So is Lawrence -- I think, Lawrence, you're muted.

We can't hear you if you are speaking, Lawrence.

CHERYL LANGDON ORR: He need to unmute himself.Ed.

Okay. Lawrence, can you please maybe type it into the Q&A? And if we can't get to you, we will write back to you as a response.

So I heard Keith is now back.

So, Keith, can I hand it back to you to wrap it? Up thanks.

KEITH DRAZEK: Yeah, thanks very much, Pam. And I apologize to everybody. I had a connectivity blip there but

I am back.

So we are going to have to wrap up this session very shortly. We are going to have to reset the meeting room for the GNSO Council meeting with the ICANN Board that begins in 15 minutes. So I will note that if there are any follow-up questions from members of the community or attendees that have been observing this, you are mother-in-law welcome to send us an email. You can contact me directly with any follow-up questions, and we will be more than happy to respond or to pull together a list of responses to any questions that we receive.

So with that, let me just take a moment to see if there is any other comments, any other business from councilors, if. There's anything else anybody would like to speak to, please do now. Otherwise, we will wrap up this call and get ready for our follow-on discussion with the ICANN Board.

Okay. Seeing no hands, thank you all very much for joining. I really appreciate the time that you've allocated to attending the GNSO Council meeting of June 24, 2020 at ICANN68 virtual.

Thanks so much, and we will close the meeting.

Bye, all.

NATHALIE PEREGRINE: Thank you very much. This concludes today's session. Have an excellent rest of your days.

[END OF TRANSCRIPT]