Transcription ICANN Singapore
GAC Consultation Group meeting
Monday 09 February 2015
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Man: Hello. All right. Hello, should we go ahead and get started? Looks like I've been drafted to Chair the meeting so first order of business is if you haven't eaten, please help yourselves to food over here. There's - there should be plenty. And I think we're waiting for a couple of other group members or consultation group members to be here. They're wrapping up the transition meeting right now, so.

               But in deference to everyone's time, maybe we could go ahead and get started. Sound good?

Man: Thank Brian on the record.

Man: Yes, of course, on the record. Let me thank (Brian) for sponsoring lunch. Thank you very much Brian. Appreciate that. Let's just do a quick roll call, if we could. Let's start down here with Glen.

Woman: (Unintelligible).

Marika Konings: Marika Konings, ICANN staff.

Man:				(Unintelligible), Vice Chair GNSO.

Olivier Muron:		Olivier Muron, ICANN staff.

Woman:			(Unintelligible).

Man:				(Unintelligible) GNSO Council.

Man:				(Unintelligible) .Chair.

(Joan Kerr):		(Joan Kerr), (MPAR) Membership Chair.

Man:				(Unintelligible).

Mason Cole:		Mason Cole, GNSO Liaison to the GAC.

Woman:			(Unintelligible) GNSO Council.

Brian Winterfeldt:	Brian Winterdeldt, GNSO Council IPC.

Man:				Okay. All right. Well thank you all for being here. We have a brief agenda which I'm now looking up in the Adobe room. Okay. So first I want to say thank you to everyone for their attention yesterday, particularly everyone on the GAC for allowing us to present the proposals for a working method for the, or process for the GAC to engage in GNSO work.

				The first item on the agenda is to discuss that and to take any comments or feedback from, particularly from the GAC but also from the GNSO on that proposal. So if I may, I'd just like to go ahead and open the floor to that and we can start with that discussion point.

Would anyone like to kick that off otherwise, this will be a very short meeting. (Palmer).

(Palmer): Yes, I mean if no one else has any questions, I was going to actually seek clarification on a question we did get yesterday. I wasn't exactly sure if it meant what I thought it was but I think, if I'm not mistaken, Argentina, a quick look mechanism works both ways. We spoke about this briefly afterwards.

The quick look mechanism wasn't meant to work both ways. It was meant to sort of outline a process for the GAC to engage as early as possible in the GNSO process. But I thought it would be worth mentioning that there is a GNSO working group right now with its preliminary recommendations up for public comment on a new process on the GNSO side of a GNSO input process for (the policy implementation working group) being called and this is sort of the process for other SOs and ACs to follow.

Very simple. If they want input from the GNSO on any work that they are doing - and so if for any reason the GAC is developing a document and would like input from the GNSO on it for any reason, then they could do this since it's a fairly straightforward and easy process to follow and you would, and the GNSO would be - would be able to provide this input.

This process is not formally adopted yet but when it does, I would suggest that we (Mason), maybe communicate this to the GAC and let them know that if the GAC might (like input) from the GNSO's point then it's pretty easy and straight-forward.

Man: Thank you. Marika.

Marika Konings: Thank you. This is Marika. Maybe I missed it, but which process and which working group are you referring to?

(Palmer): Policy Implementation, the GNSO input process (GAC), yes.

Marika Konings: Yes, right, and just to clarify that is, it's not that someone else would trigger that process. It's up to the GNSO to decide whether they would want to provide that process to provide input. So just to maybe make that clear that it's not an automatic, you know, I ask the GNSO something and they will automatically start off that process. So, it's the choice of the GNSO whether to use that or not.

Man: Oh.

Man: Thanks, a question on that (for the record) or maybe I'm (unintelligible) today. But that policy implementation, just for clarity, it's not concluded yet or is it?

Man: No.

Woman: No.

Man: So it's not something that will happen tomorrow or next month or what kind of timeframe?

Man: They've released a report. The report (unintelligible) and so on and it hasn't yet hit Council to be followed on. You know, it's a few months off being sort of being made actual GNSO policy. But they completed their report which was a huge bit of work that took a long time and so it was relatively late, you know, given the stages of - and, of course, there's no, I mean some of the processes that we've made uses a bit of guidance but will there - fully dead anyway.

Man: Right.

Marika Konings: Yes this is Marika. So building on what (David) said, the public common period is currently open until the fourth of March so again this is, you know, open to anyone interested to provide input on.

So if this is an area that, you know, the GAC would be interested in and I know that in a previous email Suzanne expressed interest in that report and its recommendation. If there's any information, you know, that we could or should be sharing with the GAC on that. And if there's any interest to provide input we can of course do so.

And following the closing of the public comments period on March 4, the working group will basically review the input received and determine whether there's any need for changes or updates to those recommendations which will then be presented to the GNSO Council for its consideration and adoption and eventually as well the ICANN Board as it includes a number of recommendations for changes to the ICANN bylaws.

Man: Okay. Thank you. Any other discussion on that? Then we can get back to the process we outlined yesterday.

Man: (Unintelligible).

Man: No. I'm glad you did. Okay, yes.

Avri Doria: This is Avri speaking. When you mentioned when would they possibly want to ask us a question? In the eventuality that they do decide, the GAC decides if they like to request an issues report on a PDP, that might be the time when they would kick in, you know, a request to the GNSO Board. I can't imagine it otherwise.

Man: Thank you Avri. Other discussion on this? Yes Sir.

(Rudy Dekker): Taking the sample of the translation in terms of (reiteration) PDP working group where we having the group, the working group's representative from GAC from Thailand to be more precise, we had a good calibration with this

person in itself. But when we were requesting comments and answers from the questions we have been sending out, the return was quite poor.

So maybe it's good if we could in the future for, especially for PDP, having a closer relation and reaction on issues that have to be tackled where we need input from the GAC in order to be able to bring up good recommendations, (armor) is also GNSO (results) in this working group.

And, you know, at the end of the comment period, we've seen no comments from GAC itself so it would be good if we get (any) so that we are enabled to say okay, our recommendation covers all the input from all the parties. Because it's touching upon policy that's probably going to be implemented, so it is important that you have all parties heard at that moment.

So maybe it's something that we could take up in future discussions and try to get a little bit more involved during the process itself and not at the end.

Man: Okay. There's Jonathon. Welcome. We started without you.

Jonathan Zuck: Yes.

Man: Help yourself to lunch. We just got started. So we're turning to the issue of our proposals from yesterday. I'd be interested if anyone on the consultation group, particularly from the GAC, (Honor) or your colleagues have any other feedback for the GNSO on the proposal?

                I know we heard some yesterday from GAC colleagues, You know, it was very useful and it was mostly positive and I think the sense in the room was this looks like a good process. There could be some hiccups but let's go ahead and try it. And, you know, try it as a test case and see (the outcome).

Woman: Exactly

Man: Yes.

Woman: Yes, I think we are all waiting now for this case. And we, I think that we (unintelligible) between Singapore and Buenos Aires to do it and to...

Man: Marika, okay.

Marika Konings: Yes, this is Marika. Maybe a question for the GAC members. Do you think any further formal approval or adoption is needed or as Mason said, I got as well a sense from the room yesterday at least from those respondents was well at least let's try it out and see how this moves forward.

Woman: I think this is better now to try and not to ask for a formal adoption of anything. I think it's, otherwise I think that it will be maybe not very positive or very cautious. And if we have a good - it will be better.

Woman: I have a question in terms of why would it even need to be an approved process? I'm not, that's something I don't understand and sort of I'm asking. Does it ever need to be formalized?

Woman: I think that in theory, right, because at a certain point people will say well, we never adopted such a thing. Why we are here now? Why are we discussing this? We never adopted? I would like to avoid that.

Marika Konings: And this is Marika. I think from a GNSO perspective and as well, Jonathon, I think we did discuss having based on the feedback received during the meeting to see if there would be kind of formal, not an adoption of the procedure but just an adoption of a green light from the Council to go ahead with a kind of pilot testing it.

                But I resume then that may also include, and maybe that's something to discuss for the consultation group, a kind of timeframe by which a review

would take place or which moment we would say okay, this is working or this isn't working or this is how we may want to force correct.

I think over time if this is indeed, you know, becomes a kind of standard approach, it is for example something that we may want to codify in the PDP manual, not be asked what the GAC does but at least this requirement, you know, that the GNSO, you know, liaises and expects, is expected to incorporate the feedback that is received, if it is received through, you know, the consultation and (mechanism) into the issue report or something like that.

But again, I think what is maybe worth discussion for the consultation group, when do you think you would have enough information to be able to assess if it's working or not, you know, one PDP, two, three four, so.

Man: I was going to ask that exact same question actually because, Jonathon, I don't know if you, I mean, I don't know, I don't know where we are in terms, we started a process where we sought some GAC feedback on the IGO, INGO, rights mechanisms but that PDP was already well underway by the time we did that.

We haven't had a test case where we opened the consultation with the GAC on, the issues at the stage. So I'm not sure how soon we're going to have an opportunity to do that or how may PDPs before the pilot of the (unintelligible) is concluded. Do you have any thoughts on that?

Man: Well I guess two thoughts. One, it's a little presumptuous but my feedback from the room from the GAC was that we got the go ahead to proceed yesterday. So from my point of view we got a pretty clear green light to proceed with this as an experiment.

I like what Marika says. And I thought that we would in any event take it back to the Council to just formalize that this is where we intend to go even if we

don't codify that in our procedures at this point and in so doing, we can also in the sense institutionalize a review of it.

So for me, I think procedurally that feels the right way forward. We bring it back to the next Council meeting. We indicate, in fact I think we will talk about this at the Council meeting here on Wednesday. So we'll run it by the Council at that point and possibly formalize it through a motion at the next meeting.

Did that answer in full your question? I'm not sure it did or if there was a supplement to this one?

Man: Yes, the other question was how soon do we anticipate being able to test this out with a real; live PDP?

Man: I would like to respond. I mean I would imagine when the next PDP's come along but...

Man: Right.

Man: It's just that we got a request from policy staff for an extension on the preliminary issue reports that we are expecting to be published soon I guess so it might be, I think by March, the current state of all the protection mechanisms for existing and future (GTOB)'s.

So maybe when that preliminary issue report comes out, maybe we could start something there but that should be quite soon I think.

Man: Okay. Marika.

Marika Konings: Yes, this is Marika. Just to clarify. We actually asked for an extension so it wouldn't be published in March but actually in October.

Man: Oh.

Marika Konings: But I think something else that is being lined up, but again, that's on the discussion is a preliminary issue report on the purpose of detailed deregistration data. I mean as it's currently being discussed, that may be published by April, May timeframe.

So I think at least we'll know that it's likely that there will at least be two, if not three because I know we're also talking about, you know the new detailed discussion group with (Emma) making recommendations for an initial report. So I think in this year's timeframe, my expectation is that we would see at least two, if not three PDP's that may have, or at least a preliminary issue report being published.

So that may give you an idea of at least what is coming.

Man: Okay, so we'll at least have an opportunity to try this out, at least once if not more often.

Man: Yes.

Marika Konings: Yes, and this is Marika. Maybe a question as well for the GAC members, because how much time do you think is needed now, now that indeed there is support from the GAC side to actually, you know, formalize your procedure performing this quick look mechanism.

I know some people yesterday made comments that maybe some further guidelines would need to be developed within the GAC to, you know, establish criteria for what would, could be considered as public policy and who would actually from that group.

I think we still left that in the middle as well and I presume a decision for the GAC to make is that the GAC leadership is a separate group. So maybe a

question would be as well or maybe feedback we need from the GAC is when you would be ready to actually, you know, operate such a process.

Woman: And, so what I perceive is that in the communique when we'll discuss, the communique from this meeting, so something will be there about the process, how we are going to start.

So I think that we are going to endorse all this process and I think that maybe we will say something about next, I think that could be a good time to continue. I don't think that the time is right to start with another group so I think that we have to continue to work and...

Man: And (unintelligible), if I may fill in, because I have the same sense as (Honor) and she already said that okay, this is probably not the time to put sort of firmer decisions about principles and (dictate) but rather to run the test case with the scope as it's been outlined in the proposal and given the experience from the first test case, perhaps two test cases, well then comes the time to start to meddle with the GAC principles as such or the particular work streams that need to be established, perhaps not in the ultimate detail but rather try it out and try to go as close to the book and the proposal as we can and we see where we end up rather than trying to specify it right now. We're entering new territory (at least from the GAC's side).

Mason: Okay. Thank you. Any other thoughts on this? Sounds like we're all very much in agreement and it's only 1:15. We're doing great. (Honor)..

(Honor):   Thanks Mason. This is (Honor). I did have a question regarding recommendation six so when you all, when the GAC is looking over the recommendations of the consultative group, it's just something to look into. It's not that much of a big deal.

Mason: Can you remind us of what that one is?

(Honor): Yes, the way the recommendations are set us will provide their inputs along, in line with the schedule that the GMSO has in drafting an issue report and (unintelligible) public comments before it goes to a final issue report stage.

So it's an 85 day process, if I remember correctly. And recommendation six was that after the quick look mechanism takes place, okay, there we go, when a response is agreed to, the response is communicated by the GAC Secretary and the GAC Chair. The GAC communicates this information (unintelligible).

Basically the response would come through the GAC Secretariat to the GNSO via the GNSO liaison. What I was wondering and I was wondering what thoughts of GAC members might be is since this is already sort of synced up with the schedule of the public comment period with the GNSO, would the GAC be willing to submit it in the public comment forum which would make it available along with any (comments submitted) and everyone would, it's just a matter of sort of having it transparently submitted along with everything else.

So it's probably not necessary since we are sort of drawing up a new process here but I just thought it would be something to think about. If it could be done, I think it would be good. Thanks.

Man: Quick response, one could prevent the other. They're both possible. I think the main track as it was presented, that was actually conveyed and used with the (unintelligible) channel of communication we do have through Mason. And, well then it's an option to perhaps ask for transparency for whatever reason to perhaps have it posted to, included in the, in the public comment posting.

I'm just sort of speculating here but I think this is what we were talking about. Well this is probably the way, the primary way to go I think.

Mason: Okay. Thanks for that question, (Honor). Okay, any other, any other thoughts on the process? Welcome (unintelligible). Thank you for coming. That's okay. There's lunch if you'd like to help yourself. And if anyone else in the room would like to contribute to the discussion, just step up to the table and, to the microphone. Okay, so back to the agenda.

I know the other issue for us to discuss is the meeting schedule for this consultation group. Over the past several months, I know we've had some difficulty all making the calls on a regular basis so the open question for this group is do we need to continue to meet as often as we do or now that we have this process in place and ready for testing, can we meet less frequently or, you know, and start to actually work on some of the issues. Marika.

Marika Konings: This is Marika. This is just to note that of course this is only phase one of the PDP that we've looked at and I think we actually said that we would, you know, work our way through the other stages and maybe that is, you know, les work or there's nothing specific that needs to be defined.

I know, for example, you know, these recommendations in principle already feed into the second phase which is the working group phase, or I think we still have the charter in between.

But at least this also links automatically to the working group phase because I think the ideas, if the quick look mechanism indicates that there are public policy recommendations that would also form a trigger for the GAC to start developing, you know, input to possibly PDP on the topic.

So I think it is probably helpful to, you know, may through that whole process and see if there are any other elements that we, you know, need to introduce or think about so that it's kind of a continuum throughout the whole PDP process as this is just the issue scoping phase.

And I'm not saying that, you know, for that we need weekly calls or biweekly calls. It's also something that we can do on a mailing list. Maybe it requires a brief refresher as well of the different phases so people can think about, you know, or have ideas on how that may look like but I just wanted to note that we still have that on our agenda.

And I think there's also still on the, what do we call it, the daily ongoing communications. I think that we started looking at a kind of list of items or more formalized process around how those communications could or should look and I think that's another work item that we still have.

And maybe as I was looking back at our charter which I think also specifically maps out what the expected deliverables were of this group to determine where we're at and how to best deliver on that.

Jonathan Zuck: I think I'll support Marika on that. In summary, just sort of refreshing the scope of our work, making sure we have regular meetings but not too frequent and the third thing I would say as well as it feels to me like we need to check our membership and maybe invite one or two GAC members to participate.

I think we're slightly out of balance. I mean our original concept was that we were even in numbers and you've now got some new Vice Chairs. So the way we set the meeting, the group up originally was the Chair and Vice Chairs and then I'm not sure if we made any other requirement but we simply, I think we simply got volunteers. I don't think we did one per SG or anything like that.

((Crosstalk))

Jonathan Zuck: Yes, sorry, that's from the GNSO side.

Woman: Yes, okay.

Jonathan Zuck: From the GAC side, and then, so I just, I was thinking the GNSO membership constitution and then from the GAC side, the intention was that it was approximately matched in numbers. It was a rule of thumb. It wasn't, you know, highly prescriptive but I feel we're out of sync there so I think that, for me, would be and this meeting might be a perfect opportunity.

So in my mind's eye, I can see calling for one, two or three members from the GAC say to build up, to match the member numbers and to perhaps to commit meeting to once a month between now and Buenos Aires so that we can provide another update to Buenos Aires without driving ourselves crazy with too much work.

So that feels like a, that's sort of a proposal I guess really around how we work between now and then and what we do with the group.

Woman: Just to contribute to what Jonathon and even Marika earlier said, that I think we need to stretch our scope in terms of the work ahead, looking back to our charter and definitely the quick look mechanism would give into even the remaining part of our deliverables like what if the GAC comes up with a position that's complete the opposite of what the GNSO is thinking of.

How would this consultation or how would this input be handled within the GNSO? Because this was also one of the things that were mentioned in our charger. Again, if we identified the scope of common work then we would be better able to get more members that would be helpful in (unintelligible) in the work ahead.

And yes, I fully agree, we need to have some more from the GAC side. We start to (unintelligible) more than we are now. You already (unintelligible), your side used to be GAC, now being a GNSO. And time after, being a Vice Chair, she's even more loaded now and cannot participate too easily so we

really need some replacement from the GAC side and we will work on this definitely.

And finally, I'm with lowering the rate of the conference calls but also keeping the momentum and keep the work flowing but to have calls on concrete agendas and try to maximize the attendance because if we just keep the calls ongoing with one or two participants, then it doesn't really become that productive. So, thanks.

Man: Sorry. Do you have a view to a frequency of calls? Every two weeks? Every three weeks? Every month? I mean, I wonder what we should do?

Woman: I think empty slots (and to accountability, we are in a transition. I think everyone now has full schedules. We are in a transition and accountability. But again, maybe every few weeks, we used to have every two weeks and so this seems to be quite sequenced. So not sure, again, (I'm) in your hands.

I also, I want to be triggered by the work and the agenda ahead so just, and if we maintain some good exchange over the email this would prepare people here, the council, unless they want us to...

Man: Go ahead Marika.

Marika Konings: This is Marika. One suggestion I can maybe make is I'm happy to have a look at the charter and, you know, what we initially set out as our work plan and maybe come back to the group with kind of a proposed work plan for between here and Buenos Aires and then maybe as (unintelligible) suggested, maybe, you know, in three weeks' time have a call and walk through it and see if these people are on the same page with that and see if we can, you know, set up work in that way and maybe do a bit more on the list.

One other thing to note is that probably we'll require as well, Thomas' involvement because I discussed with Jonathon that we have again the

special community budget request coming up and, you know, the current liaison is funded through that way to come to ICANN meetings and participate in meetings.

And I think we initially said we do run a one year pilot, evaluate it at the end, but as it's still, you know, very early phases and the deadline for request is already later this month so we should already put in that request again to make sure that we, both groups can continue with that if need be.

I think that probably will require as well, you know, Thomas to sign off on that and I'm happy to base on the last one to prepare that request and maybe through you (unintelligible), if you could take that to Thomas or Olaf so we can get that in, I think the 28th is the deadline unless anyone strongly believes we shouldn't go down that path.

Man: Any thoughts on that? I should probably stay out of that discussion. Back to (Honor) and then (unintelligible). You're done? Okay. (Olaf).

(Olaf):   From the perspective of what we're planning to do, it seems pretty obvious that we should (find) a renewed community request for next year. So we'll work on that. I don't think there would be any particular problems with having Thomas subscribing (to it).

Woman: Yes sure. We're going to work on that and again, it was highlighted here today that we don't want to complicate matters further. So I would ideally like that things go smooth and we can cooperate without. So you have (Suzanne) as your counterpart from the GAC side.

And also (unintelligible) just to be very specific on how we can communicate because there's also Thomas and myself and I mean I don't want to confuse things for you because from the GNSO side, it's very clear. We have Mason as our liaison but we have to be asking you from our side also for Mason to be able to communicate directly, so.

Mason: If I may, now that the Secretariat's function for the GAC is more settled, I think I'll have an easier time as well. Just an observation. Okay. Yes...

Man: Yes, I was wondering what do you mean by (Suzanne) being the counterpart to Mason? Is (Suzanne) going to be a GAC liaison to the GNSO or is...

Mason: If I may, yes, when I first started doing my role, I had no one really, I didn't know to whom I should communicate inside the GAC in order to get messages from the GNSO to the GAC. So (Suzanne) volunteered to be that person, at least temporarily until at least we had a more formalized process and until the Secretariat position for the GAC was ready to go. So no, it's not a liaison or anything of that nature.

Man: Okay.

Mason: Okay. So Jonathon.

Jonathan Zuck: Just a comment on that one and I suppose the other thing, and I think this will come through the ongoing look of the group as we refresh our charter and anything else that's been going on, but I just wanted to remind us that we put Mason's role in place. We set up the GNSO liaison for the GAC.

The purpose was to provide a mechanism by which the GAC could be made aware of GNSO policy related activity. So the primary function was in the direction of the GAC. I realize the whole point of this is to have a collaborative relationship but we must be careful.

And we thought of other mechanisms like, for example, we touch on a moment ago regular communications between the Chairs and perhaps the Vice Chairs. So we must just be careful that we don't think of putting everything on Mason's obviously competent shoulders but we must just

remember the scope of what we intended for the GNSO liaison for the GAC and also retain other channels open as well.

So that's just a reminder, I guess, collective reminder to all of us including myself that we just need to be aware of that. Thanks.

Mason: Thank you Jonathon. Manal.

Manal Ismail: Yes. Very helpful indeed. I was just trying, I'm all the time aware that you're not on the GAC mailing list so just to keep you informed also, we need someone from the GAC side really working closely with you so that we can facilitate the work and benefit the most from our side as well.

And I think with this quick look mechanism or what, earlier GAC engagement in the PDP would also feed into the day-to-day cooperation even and implicitly this would, I'm not worried about the day-to-day cooperation. Thanks.

Mason: Okay. Thank you. So Marika, if I, if I think I understand the conversation up to this point, we're discussing not meeting every two weeks but having you propose a meeting schedule at least up until Buenos Aires and that you and Olaf will cooperate to put in a request to extend the pilot program for the liaison role. Do I have that right?

Man: Okay.

Mason: Did I miss anything in the room? Okay. Any other discussion on this? Any other business to discuss? All right. Have I forgotten something? Is it really that easy that we're finished? Okay.

((Crosstalk))

Mason: Okay, then we have a...

((Crosstalk))

Man: Nothing complicated. But, you know, just to be clear, I've obviously been absent more than I would have like to have been from the work of this group because of the whole distraction of co-Chairing the CWG group which has been an enormous workload.

So just letting you know it isn't a reflection of my lack of interest and also on the back of that a vote of thanks to Mason who's really stepped into this and gone beyond what was clearly envisioned and been very helpful in keeping the group on track. So thanks Mason and it's great.

Mason: Thank you very much. All right. We're adjourned. Thank you everyone. Thank you.

((Crosstalk))

Mason: Yes, thank you everyone. Thank you for lunch. Yes.

END