Moderator: Glen Desaintgery-GNSO 2-07-15/11:00 pm CT

Confirmation # 1380211

Page 1

Transcription ICANN Singapore GNSO Council meeting with the Board Sunday 08 February 2015

Note: The following is the output of transcribing from an audio. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

On page: http://gnso.icann.org/en/calendar/#feb

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page

Jonathan Robinson: So this next session is the opportunity for interaction between the GNSO and the ICANN board through meeting, a session meeting between the GNSO council and the board.

So I'd like to take the opportunity to welcome Steve Crocker, Chairman of the ICANN board and the rest of the ICANN board, your colleagues on the board to our GNSO Council meeting room.

We always look forward to this and I know you do. So it's great to have you here Steve. Thank you for joining us.

Let me make sure that any other board colleagues who are in the room are aware that there are some remaining seats up at the table here. So please come and join us. We'd love to have you up here.

I did send across in the last 24 hours a suggested set of topics. And before we dive into those I'll just hand over to Steve for a moment.

Steve Crocker: Oops, thank you Jonathan. It is indeed a pleasure to be here, look forward to this a vigorous and diverse group.

And we're meeting right after lunch and I have no fears that we're going to fall

asleep so this is good.

Jonathan you did indeed send a list. And my quick reaction was that each of

the topics was pretty substantial and worthwhile.

I also shuttered a little bit as to whether we were going to get to all of them.

So we're in your hands for tight time management and ordering and so forth.

So with that let's do it.

Jonathan Robinson: Thanks Steve. I know it looks like a big list but I think we can break it

down a little bit.

Just to let you know that we're going to finish at 20 past the hour. So it's five

past 1:00 local time now. We're going to finish at past 2:00 sharply.

There's another session that many of us have to get to and so we'll finish at

20 past.

Steve and colleagues we broke this down into three different topic areas. The

first was really an opportunity to give you an update and take some feedback

from you on what we and I believe you think is a particularly critical area.

And that's ongoing work to make more effective our work with the GAC within

the broader community and indeed the GAC's work through that.

The second was an opportunity to get into a more meaty and hopefully more

of a two way discussion. Let's not say there won't be two-way discussion in

the first topic in and around your involvement within the broader community

and interaction with us and with others during the course of ICANN meetings

and in other ways.

Moderator: Glen Desaintgery-GNSO

2-07-15/11:00 pm CT Confirmation # 1380211

Page 3

So let's talk about how that works currently, how that might change in the

future, how it might be impacted by the new, the outcomes of the Meeting

Strategy Working Group and so on.

And under the third topic that was more of a catch-all. So it looks like a lot but

really there's a couple of opportunities to give some updates.

And of course you're right Steve, any of those could explode and be taken

out into take a substantial amount of time.

But in terms of envisioning how that might work that's really it. So I would

imagine we should only be ten or 15 minutes on the first topic perhaps a half

hour or so on the second and then five minutes or so in each of the subtopics

or the third one but let's see how we go.

I mean we don't have to cover it all. If we do great. If we managed to get

substantive and useful interaction on in one or more areas I'm sure that will

be productive.

Steve Crocker:

All right, are you going to queue up the topics? That's fine, let's do it.

Jonathan Robinson: So the first topic deals with our interaction with the GAC. And as I said to

some extent this is an update.

And we want to make you - remind you and make you currently aware from

the work that's going on via the GAC GNSO Consultation Group and the fact

that there is a fairly substantial proposal that's come out of that group which

is very encouraging to see.

And the first practical outcome was the appointment of Mason Cole as GNSO

liaison to the GAC. And then on the back of that the group has got more

substantial proposals for early engagement of the GAC and GNSO policy.

And we're going to run that with the GAC in fact and then at 11:00 a couple -

around a couple of hours from now?

Mason I don't - would you like to say anything about the work of the Consultation Group or your experience as a liaison and just make a couple of remarks and then see if there's any - really this is an opportunity for any questions or comments from the board.

You say that's great, we're very pleased to see it happening. If you've got any questions as to how effective it is, any thoughts but first from you Mason then we'll come back.

Mason Cole:

Thanks Jonathan, Mason Cole speaking. There's a Consultation Group between the GNSO and the GAC. And that consultation group has focused on two work tracks.

One is establishing a process by which the GAC can find a way to contribute to GNSO policy making. And the other is on the GAC actually voicing its preferences and its input on current issues going on with the GNSO.

So far the substantive output of the Consultation Group has been the establishment of a proposed process which we are running through today with the GAC that involves the creation of an early a - I can't think of the word.

It's not triage but an early system whereby the GAC can like to see if an issue before the GNSO has public policy implications and if it does the GAC can form a, perhaps a small working group or a committee to examine the issue and contribute their thoughts to the GNSO.

On the second track the - there's been only one issue so far where we've engaged with the GAC on any substantive input. And that is on the

development of curative right mechanisms for Internet, International Governmental Organizations, IGOs.

And that work is ongoing right now even as we meet here in Singapore.

So we're meeting again with the GAC today as a GNSO council to review the potential process by which the GAC would engage with us on policymaking.

And I know we're all looking forward to that discussion. I don't know if anyone else wants to add to that discussion? Does that help so far Jonathan?

Jonathan Robinson: Thanks. I'm going to tee up the two other sub topics and then would like to open it up for questions, comments, other input.

The two other subtopics within here is one of the things that struck us in fact when we met as a - we've set up over the last couple of years what we call a Council Development Session, an opportunity to bring together the newly formed council at the annual general meeting. And we went through a number of topics and issues and thoughts.

And one of the points that if that came up in a discussion with (Bruce) -- and it was great to have (Bruce) and (Marcus) at that meeting so I'd like to acknowledge their presence there -- was that we recognize that for some time the GAC puts out a communiqué at the end of each meeting.

And quite often that communiqué may have some kind of policy related content for it yet somehow the GNSO doesn't really deal with that.

So one of the things we've been talking about is whether we make a review of that communiqué and try and posit it if you like for policy implications or prospective policy work.

You know, and the reason I raise that is not only because it's relative to our work with the GAC -- and we haven't raise that with the GAC -- but I think it's relevant to the boards working with the GAC and it may make all of our interaction more effective so that's a second component of the subtopic.

I know there was a third one. And out of the GAC communiqué that came from LA there was a concern over a sort of relatively late intervention in the policy process around two letters of domain names, two lettered SLDs.

I don't know if anyone wants to comment on that, anyone from the GNSO side if anyone is willing to make any further comment or input on that. But then I suggest we throw open this topic to a little more discussion. Donna, go ahead.

Donna Austin:

Thanks Jonathan, Donna Austin. So on the two character labels of the second level the GAC has recently sent another letter to the board which you're probably all aware of.

The Registry Stakeholder Group has actually responded because the impact of that letter was that the process that staff had put in place on the 1st of December as a result of a board resolution has now been placed on hold because the GAC essentially does not like that process and they've requested more time to discuss that with staff and try to get some I guess it's whether it's a change of process or what the outcome is we don't know.

So I guess we're concerned that one the process has been stopped even though we've been - the registries have been trying to get the release of the second two characters. There's a second level for almost 12 months now so that process is again been put on hold as a result of a communication from the GAC which we understand is not consensus advice.

So I guess we have a concern about when it comes to reviewing communications from the GAC that we understand are not consensus positions how does that have the ability to stop a process?

So I guess we'd like some clarity around that. And we had Akram here earlier this morning.

The registries have specifically requested that either the halt of process is actually reversed and we can move forward with the process or in the event that that's not possible that we actually get a written reply to the letters that we've sent to the board. Thank you.

Jonathan Robinson: Okay Steve so should we open that - I mean the topics are now fortunately up in front of you on the screen so welcome any opportunity to discuss and respond to your comment on any of those.

Phil Corwin: Phil Corwin I wanted to comment. In my capacity as I've been cochairing the Working Group on curative rights process for IGOs and we've got a very good working group.

We've had excellent staff support. And we're on track to deliver a report and recommendations by Buenos Aires.

But our relationship with the GAC I would characterize as frustrating and showing the need for improvement. And I'll site two things. One we're operating under specific charge under a charter from the council.

And the GAC as part of the LA communiqué issued a statement on our work which told us not to do something that we're told in our charter we must do and also told us to do something that we have no power to do.

Moderator: Glen Desaintgery-GNSO 2-07-15/11:00 pm CT

2-07-15/11:00 pm C1 Confirmation # 1380211

Page 8

And the other thing is that at the end of these six working days here the members of our working group on Friday will engage in a seventh straight

working day, a full day face to face facilitated working group meeting.

And we asked all the SOs and ACs and the IGO group and the GAC for input

in advance of that full face to face working meeting on Friday.

The IGOs we got some helpful feedback. All we got from the GAC was a

message that they had nothing to say on this topic until after this meeting

which is not helpful in giving us any feedback at all for our full day face to

face meeting.

So I just cite that as we have attempted to work with the GAC but it's like two

ships passing in the night and there's certainly room for improvement.

Mason's been very helpful in trying to bridge this gap and get us some useful

feedback. Thank you.

Steve Crocker:

So we're pretty much aware of the back and forth on the two letter issue. And

I don't want to make a definitive statement here and now about that but if it

relates to actually all of these topics that interact between the GNSO and the

GAC. It is a very fair question for to raise.

I thought we had an understanding about the process. All the rules are written

down and now the rules seem to be changing or at least the process seems

to be in your favor with how can you have any certainty about the process of

trying to accurately and positively reflect on what I think the issues are that

you're concerned with. And all of that I think is right.

I want to set that aside for just a second and look deeper for a minute. The -

another way to look at this perhaps is that there is some fundamental

difference in the way the GNSO and the way the GAC engages in topics.

So a syndrome, a pattern might be that we see the GAC coming late to the party and in fact not even perhaps beginning to engage until after they're presented with what looks like a decision.

And that acts as a kind of an irritant or stimulant and then they get energized and deal with it.

I don't know if that's an accurate picture so I put that up as a test but if it is then we have a kind of fundamental problem that we could try to deal with by having a cut dried set of rules to say this is the way it is.

But it will wind up being unsatisfactory somewhere along the way if we say that the GNSO has finished its process and the GAC is too late. Then the GAC will be very unhappy and that will build and build and become a point of frustration that will overflow into bigger areas.

And if we say the GAC has to be listened to then that puts the GNSO in a very awkward position. You have no certainty of process and so forth.

So I anytime I've seen things like that I say well let's see if we can figure out what's going on underneath and try to find out if there's fundamental issues that we can deal with rather than just try to adjudicate this one way or another into some sort of zero sum game.

Does anybody want to jump into that and speak to those kinds of dynamics?

Jonathan Robinson: Steve I have to respond and then let others come in. But I think what we've got here is an attempt to resolve or at least confront and deal with those fundamental underlying dynamics through the GAC GNSO Consultation Group. Now we should lose sight of that.

There is productive effective work going on to deal with that right now. An additional supplementary piece of productive effective work is very, very, very

early stage. It's a concept and idea is the processing of the GAC communiqué.

Notwithstanding those two activities Phil is caught in the old world within his working group and in fact the two letter SLDs is also a manifestation of the old world order.

So in a sense we've got a practical urgent problem and to some extent dealing with Phil's working group and this two letter SLD issue but we shouldn't confuse that with the productive work that is dealing with the big issues.

So I'm pretty optimistic that we're getting somewhere on dealing with early engagement. It's not clear that it will work but it's very - there's some productive work going on there. And we're going down the right avenue.

So in a sense we've got a, I don't know in medical terms an acute or we've got a chronic problem that's got two acute manifestations.

And the manifestations are I guess one thing we could talk about but also from my point of view the purpose of this topic was to make you aware that we were dealing with the chronic problems as well with my two methods.

Steve Crocker:

So let me just simply do some amputation for the acute problems and then recommend a better diet going forward I guess.

Yes, no it's a hard set of problems.

Chris Disspain:

Thank you Jonathan, Chris Disspain. Phil can I - I don't know how many and how much detail you want to go into on this here and I'm happy to take the IGO stuff off-line with you if you'd like.

Moderator: Glen Desaintgery-GNSO 2-07-15/11:00 pm CT

Confirmation # 1380211

Page 11

But you - that's what you're talking about right, you're working group on IGO

remedies?

Phil Corwin: Yes.

Chris Disspain: I - you're aware that we've written to the GAC on this in the last few weeks?

You've seen the letter to the board that the NGPC wrote saying we

understand there may be some issues with what the IGOs are asking for

remedy-wise? Have you - are you aware of that?

Phil Corwin: No we are - yes staff has been very good at bringing that and other

developments to our attention.

Chris Disspain: Right.

Phil Corwin: And at this full face to face facilitated meeting we're having on Friday that that

and all the other input we've gotten from the other SO ACs...

Chris Disspain: Yes.

Phil Corwin: ...which have responded will all be taken into consideration during our work

that day.

Chris Disspain: Do you feel that given that we've asked the GAC to sort out what may be a

mismatch between what the IGOs wanting and what the GAC would be prepared to accept should actually mean that you maybe put some stuff on

hold for a little while while they sort that out?

Phil Corwin: Well I don't think we can put our Friday meeting on hold because people

have committed to it and they've scheduled hotels and flights to

accommodate that.

We have a facilitator lined up...

Chris Disspain:

Sure.

Phil Corwin:

...to work with us. After Friday's work we can, you know, we're operating under a mandate from the council to operate within certain parameters.

And but so it's really I think the decision to hold in place it's probably at a pay level higher than mine as a co-chair of the working group.

But we don't want to produce a final recommendation as is dismissed out of hand by the GAC. So...

Chris Disspain:

I'm more concerned about you, look exactly yes. And that could be both ways. That could be dismissed out of hand because it doesn't go far enough or dismissed out of hand because it goes too far. So that's why I'm suggesting we might want to kind of temper the speed with which this happens.

Phil Corwin:

Yes. Well I think, you know, we were very, I think the members of the working group are very proud at the excellent progress we've been making and meeting our timelines to deliver something by Buenos Aires.

But I think let's see what we get done on Friday which is we plan on we think we can wrap up on one of the two major issues (unintelligible) for the working group.

But the most difficult one lies ahead and then we can consult with council leadership and with board and others and figure out what the best next thing is for us to do.

I'm just concerned that if we just hold in place we'll lose the momentum we have and the interest of the participants in the working group.

Jonathan Robinson: So anxious that we don't get too caught up in that specific example. I think Chris is willing and able to help which is great and anyone else from the board that it sounds like Chris is the point person and that's great.

Are there any other comments or questions or productive suggestions relating to I guess particularly the two that's our SLDs but any other questions that anyone would like to ask about the other work that's going on? Are you satisfied with it? Are you pleased? Are you - do you think it's way overdue? (David)?

(David):

Just particular I mean in this IGO issue this is the - I mean I know - I don't want to in any way down play the work done by the GAC GNSO Working Group and Mason. And I've been part of that work, you know, and I think I think it's very productive.

But when we do not get sort of full early engagement with a GAC, when we are as with this working group sort of dealing with the working group is having direct commentary on its work in the GAC communiqué that we are sort of our supposed to take I mean it is on occasion it's like trying to have a communication with someone who communicates only by someone who periodically puts up a large billboard.

It's and trying to have a conversation in this case about some, you know, fairly complex legal analysis I mean I haven't even - I'm not a lawyer. I don't even want to comment on whether or not that legal analysis is correct but it is quite detailed and quite complex.

And I mean I'm sure if someone from, you know, if there's someone in the GAC who disagreed with our, the analysis of that working group and wanted to tell us why in detail we'd really happy to hear it that would be a very valuable contribution to that work.

But that is the kind of dialogue we really need here to be guided by. And I - unless we sort of voluntarily get the GAC to jump in and sort of provide that in response to a report or something I don't know what mechanisms we have for making that happen.

And I think I was talking to David Olive. Part of this is not the - it's not so much that the - there is a real failures with the ICANN system. It's partly it's maturing to the point where some of the problems we have to deal with are very specialized and need quite intense special dialogue between specialists to really resolve. And I'm not sure we have a good mechanism to do that in some of the current systems.

So this may, you know, my comments around this specific issue shows off I think problems that are bigger problems within the system that we will have to gradually think about how to overcome.

Jonathan Robinson: Any other comments, questions? Steve, what do you what to think about the usefulness of - I mean in some ways I'm interested to know your thoughts. If anyone's got any thoughts about us trying to do something with the communiqué since the communiqué is technically the communication from the GAC to the board as far as I understand it.

So there's clearly some sensitivity about the GNSO stepping in there and having a look at that. And that would need to be handled which is one of the reasons I think it's on the agenda with you here. (Bruce)?

(Bruce): Yes. I think where you can provide input is really identifying where it is the GNSO policy issue. I mean the GAC and the bylaws can provide advice on public policy issues which I interpret generally to be laws, national laws

making sure we're compliant with those national laws.

But I think when the GAC is providing advice that is related to gTLD policy more so than public policy I think would be useful if you had a look at that and

said look, that issue actually is covered in this policy or we've made a conscious decision not to go down that line for the following reasons because we need to get more input from the GNSO because otherwise we're flying blind all the time.

Steve Crocker:

We've in the past taken something that came in on a communiqué from the GAC and asked explicitly for GAC input - for GNSO input.

We took some flack from the GAC about that. I said, "Well, you know, we've spoken." "Why are you doing anything?" So well, we actually get to ask some hard questions and get input from competent sources and so forth. We didn't - it didn't stop us very much.

I - at the end of the day it is very, very bad business for the board to be in the decision - in the position of making primary decisions.

And the more that can be settled and work out among the people who have more direct knowledge the better off we are.

And if the board's put in a position of saying well we're going to do it this way or we're going to do it that way we create both immediate heartburn for whoever the losing parties are and long-lasting heartburn about process.

Jonathan Robinson: Okay. Perhaps that's enough on that topic. I think it achieves what I think we've set out to achieve which is to make you aware of the work and make you aware of some of the challenges and aware of some of the perspective immediate changes and longer term changes and have some discussion with you about it.

So let's flip to the next topic then which is where we wanted to talk with you a little bit more about your role and position and interaction and engagement with the community.

Moderator: Glen Desaintgery-GNSO

2-07-15/11:00 pm CT Confirmation # 1380211

Page 16

I've certainly heard this personally a few times a sort of recognition that

increasingly the board seems to be at ICANN meetings involved in board

related meetings.

I know you come and meet with us here and you're involved throughout

Tuesday in the community days in a he succession of meetings.

I've heard informally that those are not necessarily perhaps the best use of

your time in the sense that you perhaps hear the same things repeatedly from

different groups.

We heard an update from on the implementation of the new meeting strategy.

And that raised some issues and concerns from our point of view simply with

how effectively we as a GNSO might conduct our business.

But also it threw up in relation to the board how we might work with you in

those new meetings, new meeting structures and as that new meeting

structure gets implemented.

So the question was have you had any thoughts or discussion about you're -

the way in which you will meet within those new types of meetings in

particular in and around Meeting B?

So that's really it's a broad discussion around your involvement in community

related in the ICANN meetings and community structures.

And, you know, we feel like we miss a former presence that was in some of

our meetings. Heather would you like to say anymore? Would you - is there

any - and then we'll open up to the floor?

Heather Forrest: Thank you Jonathan, Heather Forrest. I had the opportunity to attend the

non-contacted parties' intercessional meeting that was held in January and

Fadi is nodding.

Moderator: Glen Desaintgery-GNSO

2-07-15/11:00 pm CT Confirmation # 1380211

Page 17

We very much appreciated your time in that environment Fadi. And you will remember that one of the issues that we discussed at length in those sessions with you was this very issue.

And it is let's - I need to be very clear here say I mean it is an issue like Jonathan, I've heard another context that says not simply that came out of that non-contracted parties meeting but it's something that indeed our contracted party colleagues have echoed.

I suppose if I offer a humorous antidote for the group to frame this discussion. One comment was made to the extent that the board could perhaps have some sort of secret tunnel under or under the floor or over the ceiling between ICANN rooms that perhaps they were prefer to use that to get around at an ICANN meeting rather than interact with the community as they travel from room to room. I suppose that captures the sentiment that the community has around this.

And one of the points Fadi you told us you took this on board, very much took this on board. And with that in mind perhaps we take Fadi off of the hot seat and open this up for other board members to discuss your thoughts on how to improve engagement with the community in light of these comments. Thank you.

Jonathan Robinson: I saw Chris wanting to speak.

Chris Disspain: Sorry yes. Thanks. I was on the meeting committee that went through the process to create this new structure so I thought it might help if I said a few things about it.

One of the clear intentions of Meeting B was to break with the sort of structure that means that there - we have a whole day of opening ceremonies and large groups and get all of the groups together to work to do their work

over three or four days. The intention being that you would work from let's just say for the sake of discussion 9 o'clock in the morning until 3 o'clock in the afternoon.

And then there would be cross sessions with the G's and the C's and the GAC and the ALAC doing stuff together and that includes the board. And one of the intentions was that the board itself whilst the board might have a board meeting while it was there because, you know, getting the board together face to face is a useful exercise.

And so we might have a day's worth of workshops and a board meeting. It was certainly intended that the board would spend its time in the middle meetings, the big meetings with the community in the various different meetings and when - and especially when the community gets together outside of its own silo is not a word I particularly like.

So part of the planning for that was to create the ability to do that by taking stuff out of the meetings that has become sort of traditional and turning to the groups actually doing their work and to find ways of making sure that the groups can cross work. So even to the point we talked about things like even to the point of saying okay at 5 o'clock on the, you know, the afternoon of day two there is a room available for anyone who wants to discuss any topic in German

Or there's a room available for anybody - that's just because I'm sitting so close to you (Todd). Down to that level it was basically going to make - allow everyone to have - go to the further meetings, language based meetings, also to things and with an absolute intention of the board is far, far more imbedded in all of that stuff and involved in those meetings, thanks.

Jonathan Robinson: Thanks Chris that's helpful. So meeting B is one method by which things might improve. (Mike).

ICANN Moderator: Glen Desaintgery-GNSO

2-07-15/11:00 pm CT Confirmation # 1380211 Page 19

(Mike):

Thanks, I'm really disappointed that we didn't think of the idea of meeting venues with secret tunnels so I like the idea. If I can just remark and I think the point is well taken.

At the same time and I am seeing a number of people in this room who are part of the cause of this. Trying to get from one session to another and somebody grabs you and wants to discuss with you their pet topic and insists on haranguing you about their pet topic, which you find has actually been discussed in the their respective SO, AC working group whatever the case may be.

But because their view is not being heard they somehow think that you as a board member have a special magical ability to wave a magic wand and change the course of a bottom up policy development process.

And by explaining to you in long detail their subjective view of the particular topic, you're going to change it is one of the reasons why sometimes we do keep our eyes to the ground and walk as quickly as possible from one meeting venue to the other because we're seldom exposed other than informal meetings to consensus view the development and progress in policy development.

Instead you're approached often, personal, subjective and often somewhat (unintelligible) to things and you're expected as a board member to now take them on and address them and people get upset when you don't address those issues.

And so I think one of the issues is for the community to review what they expect the boards to do about things because people complain if we do things top down but they corner us and expect us to do things because bottom is not working to their liking.

Jonathan Robinson: So (Mike) I have two things. One in acknowledgement to the real issue.

Two, a frustration with the second issue. I mean I really I think

notwithstanding that valid point about the frustration with the second issue.

There is a real and widely felt concern, which I - you did acknowledge about the board appearing to be somewhat more distant that it perhaps used to be and less embedded, engaged, involved.

And perhaps that's even a cause of the second symptom but, you know, I welcome anyone else's thoughts or comments. Is that perception accurate, should we change it, should we make it, you know, any comments or thoughts? (Ron).

(Ron):

Jonathan thank you. In discussions inside the board, some of these comments have been reflected also. I mean when the board sits and talks we often are - sometimes sit down and say we wish we knew a whole lot more about what was going on in the industry or what was going on in this area of - or what is the motivation behind, you know, the non-commercials thinking this way et cetera.

And that engagement and that depth of engagement there is not a model right now that actually works. I mean the constituency day has I think evolved to the point where there is a pre-cooked agenda and in some cases even the points that are going to be made are pre-decided and the responses to them are also pre-decided.

So there is not necessarily the same level of depth and interaction and engagement that we ought to be having. So I guess what I'm trying to say is that there's acknowledgement of the problem from within the board conversations as well but there is yet to be kind of a clear way of engagement.

Moderator: Glen Desaintgery-GNSO 2-07-15/11:00 pm CT

Confirmation # 1380211 Page 21

And maybe, you know, the second ICANN meeting structure might help there. What I get most frustrated with is when the board is asked to think about topics and in some cases decide about topics where the level of detailed knowledge, there's greater knowledge from the community.

And there is some of that knowledge distilled by the staff and then presented to the board as a briefing paper. But if you actually went and pulled the board members themselves they wouldn't be able to point out exactly the specific reasons, you know, why a decision should be made in a particular way.

Jonathan Robinson: Thanks I saw a hand from (Ray) was it?

(Ray):

We don't have our usual good accommodations this time with these microphones. I'd like to echo what (Ron) was saying. In my time on the board as constituency day has continued to regress I find that I am engaging less and less with the community.

I find it much more convenient to where people are sitting around chatting about something and sitting down to talk to them because then I can actually engage in topics and discussions and get away from the hallway lobbying that (Mike) was describing because in reality that's all it is.

In a lot of cases we are moving from one place to another place because we're going from one meeting with one group to another meeting with another group. We spend all of our time meeting with groups but we never meet with individuals and it's individual communication that's the key.

So the problem is that whenever you set up a structure that's going to involve into meetings like this one, you end up then with agendas and you end up with talking points and who is going to say this, who is going to say that.

And certainly there is a degree of that that is necessary but there's also a larger degree of for lack of a better term socialization that's really necessary.

So that you really get to know who you're talking to instead of seeing (somebody) on the other side of a room and maybe even read the name tag that might be there.

And so I welcome the thoughts of what the intent is with a new meeting structure. I don't know if it's going to work or not because you don't know how it's going to evolve. And part of the evolution of these structures is personality driven.

If you have someone that really wants to make sure we cover all the points we want to cover then you're going to have fixed agendas. And so I think that we have to find the ability to basically create what amounts to free time for people to merge and mingle and talk.

And when we do that then people will actually begin to understand each other. And talking about understanding each other (unintelligible) if you will as opposed to group to group, thanks.

Jonathan Robinson: Thanks (Ray), Fadi and then Brett.

(Yona):

Thank you Jonathan. So (Yona) and I'm the (IAT) liaison to the board and I was the (F) liaison to the board in 2010. And at that time I felt that we had much more time to actually spend with the community and be engaged and work inside the community. I was active in one working group at that time.

And I feel that that has changed, we don't have that much time and we should really look at not just to talk to people but really follow the work and be part of the work that in that way we have first-hand knowledge of what's going on and first hand feeling also what is going on.

Of course this cannot change in that way that everybody is involved in everything but I think that there is something that personally at least I think

that there is something to improve here and I am hoping that the new meeting structure will actually help there as well.

What I would like to ask you is that you actually said that you feel that we don't perhaps feel that the constituency day is very useful, a useful use of time. It's asking how does it feel for you, is the constituency day something that gives you something, is that what that actually gets what people want. And or just is this enough on for GNSO these days, is this enough that you get enough (unintelligible) or do you feel that you need something more in that.

Jonathan Robinson: Good question and I'll leave that to others to pick up on. I know I've got
Brett and Fadi coming and I just remembered that when we discussed this
yesterday there was a positive recognition and acknowledgement of board
member contributions to the two major cross community working groups that
are going on.

And that was specifically called out and recognized the work on stewardship and accountability that it was appreciated to have board contributions to both of those groups. Brett.

Brett Fausett:

Thanks, two points. First I think (Ray)'s suggestion that free time is good, is very well taken. And my perception and I was here at ICANN 1 in Singapore in 1999 and I know that there were many changes for board interactions, there were many fewer of us so you had more time then to do that.

But I think your schedule is packed, there's no time to interact with us on a casual basis, which really brings me to my second point, was I was thrilled to see a couple of weeks ago I was at Domain Fest a big, a conference of people who own large portfolios of domain names in Las Vegas.

And there was George Sadowsky and I said George I'm surprised to see you at the Domain Fest why are you here. And he said he wanted to learn more about our side of the industry and I thought that was great.

And so it was an opportunity to have a very casual conversation just about, you know, the industry and why we were there and why he was there and what was going on.

And, you know, I hesitate to ask you to add more meetings and things like that to your already busy schedules but I think due to the extent that we can foster those informal collaborations, informal unexpected, you know, meetings of being able to see the board members in the wild, that's a nice thing.

Jonathan Robinson: I'm pleased that George didn't disclose that he was sitting on a massive portfolio of domains names or perhaps that's something that he's yet to disclose. Fadi you're next in line, all right so we'll - I've got (Bruce) and then Heather.

(Bruce): Okay thanks Jonathan. Just an observation I was talking to Chuck about this a little bit earlier before this session. I think part of the problem is that the overall meeting structure is very inefficient.

We just saw for example Thomas Rickert give a presentation on the work of the CCWG. He's been doing that almost continuous today, it's a slide presentation and there's a massive overlap.

And half of this room was in the previous presentation and yet we just burned 20 minutes doing that. We have a lot of these what I called siloed discussions. So a little earlier today we met with as a board we met with the leaders of the constituencies in the GNSO.

And there was quite a bit of discussion starting up there about compliance. We didn't have staff in the room and, you know, that was pretty much a

useless discussion because if that's what you're talking, that was issues you're having with staff interpreting something and the board had to sort of jump in on that.

What would have actually been more useful would be for the board to see and sit in the audience, sit back there while you groups have a discussion with the staff about that because they're obviously a very hot topic.

There are those that want particular things complied with, there are registries, registrants struggling with the reaction. So I don't think it's about appealing to the board, what we want to see is the processes working and observe the interaction between the community and the staff on that particular topic.

And then after that interaction we might meet with the staff and say look here's how you might be able to improve that interaction to make that more effective. So I think we've got to look at better ways of structuring meeting time to get the outcomes we want.

And just using compliance as an example, I expect I'm going to hear for the rest of the week I predict it now. I'm going to have a meeting on Tuesday I'm going to hear exactly what I just heard this morning, each of the same speaker will spend 15 minutes telling me what they just told me this morning.

And then we'll have another discussion in the public forum and I'll hear exactly the same speaker come up to the (Mike) and say exactly the same thing again, like that's just a waste of time we heard it the first time, we heard it this morning.

So I think we just got to structure our sessions a bit more effectively. So around topics and then we can engage on those topics.

Jonathan Robinson: So I mean it feels to me like that is the feedback that at least to some extent is going to go back to the meetings planning people. I don't know is

Moderator: Glen Desaintgery-GNSO

2-07-15/11:00 pm CT Confirmation # 1380211

Page 26

that - does that - is there any sort of liaison to the board to meetings planning or where does that go?

I mean I know there's other in the queue, I've got Heather and George but...

Steve Crocker:

Well the answer is yes. I think the question that (Bruce) raises and the questions he was raising about how the board spends its time are something we absolutely something we want to spend our time on.

And one of the things going through my mind as I listen to all this is that I'm not sure that we need to wait until the summer, sorry I'm not allowed to say summer, the middle of 2016 to make a change.

So perhaps we can do something sooner. I think this is a very important topic and we need to figure out what's the best use of time for everybody. It's balanced a little bit by the rule of the board to what extent is the board viewed as community representatives that need to be engaged and involved and take on the representation of different parties.

And to what extent should that not happen at the board because that undermines the bottom up process. So some subtlety there.

Jonathan Robinson: Thanks Steve. Fadi wants to come in and respond and then we'll go to Heather and George in the queue and then (Tony).

Fadi Chehadé:

Yes so Heather thank you for bringing this up again and actually I want to disagree maybe with some views of my fellow board members and agree that there are a number of things we do as a board at the meetings that we could restructure to do outside the meetings and take these times to spend it in the community.

And it doesn't have to be formal, we could be sitting there in community meetings and listening and learning. So I'm of the opinion we should try and actively reschedule things that we do.

Moderator: Glen Desaintgery-GNSO

2-07-15/11:00 pm CT Confirmation # 1380211

Page 27

For example today the board including myself had to be briefed by our staff

on what is important for GDD that is happening at the meeting. We could

maybe move these things prior to the meeting so that we could use that time

to have informal chats.

On the Tuesday, I think we should all have some just courage and deal with

the Tuesday disaster, let's just call it what it is. A lot of people are talking that

Tuesday is not working out, it's ending up being a dry discussion, too

structured a discussion.

Let's just as a community let's not keep saying this meeting after meeting and

let's get creative and come up with something else. Whether we do it topical,

whether we find some other mechanism.

But I encourage us to stop being frustrated about it, we'll get frustrated again

Tuesday. If we had a way to measure how much we're all drinking Tuesday

night I bet you it will be one of the highest drinking nights just to forget the

day.

So let's figure out a way to get out of that and I'm committed to this. I'm sure

my chairman who is - and many in the board by the way have discussed the

Tuesday meeting, this is not new.

We also are frustrated by the way, very frustrated. Let's figure out the time

and get it done.

Jonathan Robinson: Thank you.

Man:

The last time I focused on the useless day that we had it was Friday, we cut it

off. We could cut off the Tuesday too.

Jonathan Robinson: So that's an official decision then no more Tuesday's. We'll go to Heather next.

Heather Forrest: Thank you Jonathan, Heather Forrest. I'm trying to make sense and put together the answers that we've heard because this is really a valuable opportunity, a meeting like this not only for you to hear us but for us to hear you.

> And I hear in (Mike) and (Ron)'s and (Ray)'s response two very different things. One is we can't engage effectively with you if it's not in the consensus environment and the other is individual conservations is the way to go.

So how do we do that? Talking points, preparation, perhaps, you know, it's the gift that's gone astray. But the intention behind all of the effort that goes into putting together talking points is to achieve some level of consensus before we talk to you.

And it's not this pandemonium of individual interests that comes forward in a meeting and indeed to make a meeting more effective. If that is somehow not working then that's something we need to hear.

And this is interesting in a sense that it's the first time that I've heard from the board that Tuesday is not working for you. We've been talking about Tuesday but your engagement with us I suppose perhaps it's less about us reporting to you than you simply watching us work.

If I had to characterize the difference in what has happened over the year and we've heard from folks that have been around from the beginning. What we're not seeing is you simply observing us get on and do what we are mandated to do under the by-laws and that's the breakdown.

So there's a fair amount of effort that goes into reporting to you and achieving consensus and this sort of thing. And if that is not helpful then we need to hear that. So we welcome your comments there, this is the right time to tell us how do we better engage with you so that you better engage with us, thank you.

Jonathan Robinson: Thanks I've got George next and then (Tony).

George Sadowsky: Thank you Jonathan. I really welcome the opportunity to add my voice to the abolition of the current Tuesday schedule and thank you very much Heather for raising the point in the way in which you did.

I'd also like to ally myself with (Ray)'s comments, which I think were very direct and to the point. When I started becoming involved in ICANN it was 2005. I chaired the NomCom for three years.

And I attended every ICANN meeting and I remember that one of the things I considered to be a really important thing was to go around and learn about what the constituencies did, how ICANN was organized, how it functioned or didn't function and I learned a lot.

When I joined the board in 2009 that disappeared and I remember thinking that we were being marched lock step from meeting to meeting and the opportunity to engage one on one as (Ray) says, which is really a very important way to do it simply disappeared.

What's happened I think is that we're running out of time. We're doing more, we're doing too much maybe and we're not giving it the time that it requires. We cut out Friday, which the way in which it was structured was probably the right thing to do.

But now it turns out the board started meeting on Thursday of last week. So what's happened is the end point has moved forward but the beginning point has moved two days forward and we're trying - and we're still out of time to do the one on one's the free time that I think we need.

Moderator: Glen Desaintgery-GNSO

2-07-15/11:00 pm CT Confirmation # 1380211

Page 30

So we've got a problem. I don't have a solution but I think recognition of the problem jointly together is the beginning of the solution. I've heard that the new meeting schedule will help this and I've heard some comments about meeting B. What's happening to meetings A and C? Thank you.

Jonathan Robinson: Thanks George, I've got (Tony), Volker and then (Mike), Avri, (Ron).

(Tony):

Thanks Jonathan. I don't think we can solve the overall problem without looking at the whole piece of the meetings. I think the Tuesday issue has been raised enough and we've all got concerns about that.

But picking up on the point that (Bruce) made, the way ICANN evolved from a GNSO perspective we didn't always used to meet on Saturday's and Sunday's and now we do.

But already I've only been here a couple of days but I've attended three sessions on accountability. And I've sat through the same presentation three times. That can't be an effective use of our time.

Thomas Rickert: Are you saying you didn't find my presentation (unintelligible).

(Tony):

The third time I began to join in with you Thomas. But it would be better if we could find a way of maybe having those presentations given once. And then when Thomas comes to join us we actually spend more time having a dialogue.

It's exactly the same with SSAC. I've already seen a presentation from SSAC and now I'm going to see a second one. But although that's a very good use of our time it's far better if you can get straight into the dialogue than going through that repetition.

And it is an issue because currently people coming into the meeting at different times and that's something that needs to be thought about. But if we

Confirmation # 1380211

could have those presentations up front and then actually get to the grist of the conversation it's a much better use of our time.

Jonathan Robinson: There is a gueue and just a guick remark though on that point though because it may be I recall and I may be incorrect but that accountability session with the board was inserted relatively late in the process.

> So it strikes me that these are kind of related symptoms in the sense that, you know, perhaps there was only one opportunity to get to present that to the board notwithstanding the fact that it was presented elsewhere.

So, you know, it goes back to the points we've heard about meeting planning and making sure that the things are perhaps better managed. Let me not hijack the queue though and pass over to Volker.

Volker Greimann: Thank you Jonathan, Volker speaking. When speaking about the problems of Tuesday I think we shouldn't throw out the child with the bath water. Tuesday is a very important day for all the stakeholder groups and constituency and in many cases the day where most of the work, the effective work gets done.

> It's only that the interaction part with the board is essentially for the board very frustrating because they get to hear the same issues over and over again. So that one hour that every stakeholder group and constituency gets with the board will probably need review but the rest of the Tuesday is fine.

Jonathan Robinson: Thanks Volker. I hope we were talking about Tuesday's interactions with the board not Tuesday as constituency day. (Mike).

(Mike): Yes I think that Volker's comment was a very important one. My experience of the community interaction with the board goes back to when I was sitting on the other side of the table.

So the first thing is now most of the constituencies other than the GAC come to us. And my opinion that's been an improvement, I'm not sure if you all agree with me.

The critical issue for me is trying to understand what's happening in our community and trying to convince groups to give us more of an update because if you think about it we're not necessarily (unintelligible) we have a particularly interested involved in all of the policy processes going on in the GNSO, CCNSO et cetera.

So we get a briefing from staff in terms of where the policy process is at and that's a pretty high level briefing. We've being going to the meeting where we've been trying and asking increasingly, tell us what you're doing, tell us your pain points, tell us where we can help but still we get people that view their time with the board as petitioners coming before a sovereign asking us to solve their problem.

They don't get enough travel funding, they're not being listened to, we haven't taken the regard of their opinions or people who see this as an opportunity to interrogate the board and make us account for our decisions on issues.

And it's useful there's got to be a chance for that. I accept that, trying to say that cannot be done would be (stifling) the interaction with the community. But I'm saying we need to re-think how we do this because I would like to hear from your perspective how policy is going and where you're getting stuck.

Staff gives us an hour and that's policy across the organization not just GNSO. And by all means let's have sessions for interrogation and pleading but I'm far more interested in finding out what you're doing, where your problems are, where your stick points are.

And I think that would be if Tuesday was regarded as an opportunity to brief us, engage us, move us forward so that we don't afterwards when you

Moderator: Glen Desaintgery-GNSO 2-07-15/11:00 pm CT

2-07-15/11:00 pm C1 Confirmation # 1380211

Page 33

finalize the process we don't then re-think it because we know where you guys are at and we know what you're busy doing.

Jonathan Robinson: Thanks (Mike). I've got Avri and then (Ron) and then we're going to draw a line under this second topic group so Avri over to you.

Avri Doria:

Okay thank you, this is Avri speaking. I've actually very much enjoyed this question. I've often suggested to my stakeholder group that we politely reject the opportunity to come supplicate or I guess ask you to all be accountable. And perhaps I have a suggestion, you're spending all day with us in an unpleasant manner. Perhaps you could draw lots and one of your or two of you could spend all day with each of us and each time you could attend a different groups meetings for the day and actually see what we're talking about, see how we interact, interact with us.

And it wouldn't use any more of your time than you're using now but at least it would be a variety and you wouldn't want to strangle us by the time the NCSG came in at the end of the day.

Man:

As long as we can still be unpleasant.

Avri Doria:

I wouldn't doubt it for a second. The other thing I wanted to mention is we've often come up with this notion of if only people could do these presentations beforehand, if only we could have the reports before so that we wouldn't have to have - the problem with that is people don't read. People don't even look at the pictures.

So maybe on some of these critical presentations, and pardon me for coming up with suggestions, is that they be YouTubed beforehand, that, you know, those of that like to watch television, that like the passive, and then we could ask questions. But indeed, we keep having the same conversations, talking about the same problems every time we get together, and let's just try something different.

Moderator: Glen Desaintgery-GNSO 2-07-15/11:00 pm CT

Confirmation # 1380211

Page 34

Jonathan Robinson: Thanks, Avri. (Bruce) wants to make a quick response and then I put (Ram), who's last in the queue.

(Bruce):

The quick response, Avri, we did actually used to do that. And I'm not quite sure how many years ago that was not, it was probably four or five years ago. That, yes, the board actually divided up. I think we had two board directors who went to each of the different constituencies for the whole day, and at the end of the day, we all met together and we just went around the tables, what did you learn from the NCUC, what did you learn from the IP. Maybe we try that again.

Yes, yes, and then the debate was do you something that you know about or do you go to something else. So I think we're going to something else. You know, I'd spend the day with the ISOs only. Yes.

Man: Avri suggests we maybe make a start of it on this Tuesday. I'll leave...

Man: We'll rename it the Avri day.

Man: No that's Wednesday.

Jonathan Robinson: All right. (Ram), over to you.

(Ram):

Thank you, Jonathan. I think it would be useful for us to figure out what a good outcome means. You know, we've spent time identifying the problem and even acknowledging that there is a problem, but I don't get the sense that we've converged on what a good outcome is. And I've heard folks say more engagement, more interaction, and I ask the question: is that the goal, is that sufficient or is this more interaction and more engagement should it be something that drives us to a particular set of outcomes. And we can't define the outcomes, but what we don't have is a shared understanding of what good looks like.

Moderator: Glen Desaintgery-GNSO 2-07-15/11:00 pm CT

Confirmation # 1380211 Page 35

And I worry that without that, we're going try two more experiments, see how

that works, and if it feels good, maybe we'll continue. But the question is after

you're done with it, do you actually get the desired results, and I haven't

heard what the desired results, how do we know we've achieved the desired

results other than simply spending more time with each other.

Jonathan Robinson: Good point. I think the challenge with dealing with that, (Ram), is that it

clearly opens up for a whole new discussion, and maybe, and I'll put this to

everyone. I mean we've got a third set of topics, and we've got around15

minutes to go, the one option we could do is come back to that what good

looks like or what might be a way forward at the next time we meet, having

gone away and thought out it. That might be the way to do it. I don't know if

anyone else has got any other suggestions.

Man: Could we maybe do some - could we maybe just - in the spirit of trying to get

this fixed as soon as possible, Tuesday might be a bit hard for this coming

Tuesday, but it would be great if we went back here again in Buenos Aires.

So could we maybe some intersession -- we've got other people we need to

involve, right -- so maybe some small groups of GCs and have a little

discussion about and see if we can make a few, you know, instantaneous

changes for the next would one would be a good idea.

Jonathan Robinson: A formal kind of group...

Man: So if we upgraded to make a call across the SOs and ACs for like two people

from each one, and nothing's going to be decided, it's just to make some

suggestions.

Man: I'll...

Man: That's (Ram)'s point, though. What's the point? What's the improvement?

What's the point?

ICANN Moderator: Glen Desaintgery-GNSO

> 2-07-15/11:00 pm CT Confirmation # 1380211

Page 36

Fadi Chehadé:

Well, no, I'm sorry. I think the point is quite clear. I'm hearing the community here tell us we feel distant. Let's just take it for that. That's the point. I'm sorry. This is the point that I heard. So we can say tell us what the point is, but the point is they feel we are distant and we need to address that with them. What does it mean we're distant? I don't know. Some people are going to a nostalgic time when we had two, three topics to deal with, now we have 50. Fine, but we need to find a way not to appear or be distant. I don't know the answer.

I mean Avri suggested something. It may be a terrible idea, but she suggested something. I think what Chris Disspain just proposed that I'll get the staff that organizes how these meetings kind of get scheduled along with a few board members who are interested, along with some community members who are interested to meet once or twice by phone between now and Buenos Aires, and let's come up with a few ideas.

And you're right, you know, we sometimes need to experiment. I mean we may not have an answer, but let's experiment. Let's go - somebody said why, you know, let's go a little bit outside the box and see maybe we find ways to reduce the distance. That's why I'm hearing. I know, (Ram) you're disagreeing, but that's what I'm hearing. You're asking, what's the point?

(Ram):

Actually I was not asking what's the point. I think I get the point. What I was saying after we close with each other, after we take the steps to engage and embrace each other and kind of be in each of our spaces and understand it, is that sufficient? That's the point I'm making, that if you take that as a given, I mean there is consensus among everybody here that we all want to do that, so we can do that. And then it's matter of, you know, tactically focusing on how do you get it.

You know, Chris had some suggestions, Avri had a suggestion. But when you're done, when you're engaged in that process, I'm focused on then how -

Moderator: Glen Desaintgery-GNSO 2-07-15/11:00 pm CT

Page 37

Confirmation # 1380211

we're sitting together board and the various parts of the community, then what are we trying to achieve from that - in those moments. And that is not clear.

And I worry that with that not being clarified and not having a shared agreement on that, you know, I could be sitting in an NCUC meeting and Bruce could be sitting with the registries, and our engagement would make us feel very close with each other, and both those groups might end up coming back saying this entire exercise was exercise was a waste of time. That is what I'm trying to avoid. So it's kind of thinking that next step forward, Fadi.

Fadi Chehadé:

I'm sorry, Jonathan, just because this is a good dialogue, I think we're getting somewhere here. I think here's - this is not a - we're not going to define a specific outcome, we can't. This engagement is about seeing how the distance between the decision makers in different parts of organization get smaller so that we get to better decisions.

So for example, Bruce, when we started this session was saying the community may be very upset with how compliance is working. Let's today think how does the community get the word to us that compliance is not meeting some expectations, right?

Now if the board members are sitting in a community meeting and hear this directly, then my feeling is that may reduce the distance to solve that problem, because board members will quickly call me or call staff and say, "There are issues. We're hearing them straight from the community. What the heck are you doing in compliance? Let's sit down and review your work on that."

So I think it just reduces the time, the formal time we go through solving an issue. Let me put something on the table that we're dealing with right now. We've heard from many of you that there is a big issue with how the safeguards are being addressed. The GAC is up in arms and ALAC is up in

Moderator: Glen Desaintgery-GNSO 2-07-15/11:00 pm CT Confirmation # 1380211

Page 38

arms, and then we found out the ALAC and the GAC are meeting to join arms, and there's all kinds of things going on.

So Cherine today and Chris Disspain told me, "Well why don't we get the leaders together this evening and talk about it?" Oh but there's no time. The schedule is full. I said, "Fine, let's have a nightcap. Let's get the leaders around the table and say what are the issues, how can we address them?" This reduces the distance between the board and the community and moves us, I hope, along to better and faster and more effective, informed decision making. I don't know, that's my thoughts on that.

Man:

So, Jonathan, sorry, I don't mean to make this is a dialogue. But, Fadi, what you said here, faster, more efficient decision making would be a - for example, a definition of an outcome. It's not specific, but it talks about what we say is a metric for success. That's what I'm trying to point out.

Jonathan Robinson: Okay. Let's try and wrap this up. And it's a pretty constructive set of suggestions but I've got three people, and Brett's been waiting for a while, Volker and Heather.

Brett Fausett:

I'll be quick. On the point of why this matters, I think the reason that distance matters is because we don't always know what you know. So I think it's, you know, just to go back to your analogy about sitting in the compliance session, I think it's not enough to see you sitting there. I mean at some point the dialogue is helpful because it makes me - I can learn what you understood from that session. So when I know that you sort of understand me, I've been heard, that's (unintelligible).

When the board is very silent and just receiving, I don't get that feedback -- and I'm speaking for myself, but I think other people feel this -- and I think that's why distance matters is because we want to feel heard, we want to know what you know so that if there are pieces that we think you haven't heard that we can fill in the gaps.

Confirmation # 1380211

Volker Greimann: Thank you, Jonathan. Volker speaker. In - essentially it's very hard to define results because we are talking about a feeling, the feeling that the board is distant, the feeling that staff is distant from the community. That's something that has to be addressed in the heads of the people.

> Now we have some - see some progress or what I would see as progress. Maybe it's just a return to old standards when Bruce attended the GNSO session, when (George) came to the main fest and actively engaged. That's very positive, that changes the perception that is present in a large part of the community.

> Now how do we address this further? ICANN in the multi-stakeholder process is a big experiment within the world of organizations and how they are structured. Now next year we're going to experiment with a new meeting structure. Why not also experiment with new structures of engagement, have a new suggestion, idea of how ideally engage at each and every meeting and see what works best at getting the community to engage the board and the board to engage with the community and be one, engage as one. Talk with each other, not past each other. I don't have the perfect solution.

> Perhaps nobody has the perfect solution, but if we look at different suggestions like Avri has made and try them out, see what works best. Maybe we can take something out of one suggestion and something out of another and piece them together someone. We will not - probably not find the ideal solution, but we might find a better solution that's good.

Jonathan Robinson: So we've got Stephanie, Heather and then that's it.

Stephanie Perrin: Thank you. Stephanie Perrin for the record. I think Volker has just said part of what I wanted to say. But I do really think that outcomes - it's important to figure out what the outcomes are, what is good. I'm all for getting close to the board, but really matters is whether they understand our issues. So I do

agree with Avri. By the time we, as NCSG, get to see the board, you're tired and grumpy, to be frank.

And solving the emotional issue and the lack of closeness, yes that I see as a process issue, but the outcome is more trust that you actually understand what we're talking about and that you're listening and that we were able to communicate, and then positive results in the form of better consensus decision making.

So if we're not having any impact, it could be we're not communicating correctly. There's a million reasons, it could be on our side, but if we don't have an interface that leads to that, and that's partly trust and partly process, so it's the two things. It's the process, new ways of doing it and then it's the results. We need to be results-oriented. Thank you.

Jonathan Robinson: Thanks, Stephanie. Heather?

Heather Forrest: Thank you, Jonathan. Heather Forrest. Just finishing off this question of what's the point, I suppose the point is being able to answer the question. And (Bruce) foreshadowed this in the beginning. What are on the various communities' minds? If you we were to ask you now what are the various communities' minds, would you be able to answer that question? So I suppose that's the point.

> And, Fadi, we welcome your ideas. You have particular methods for trying to capture this sort of information with the community, and perhaps that could be useful on a broader scale. I would say in terms of this responsiveness, an ad hoc dialogue with leaders and working around a busy meeting schedule, I'll end with the final point that we not make mistakes that we've made in the past and to ensure that those dialogues are transparent. Thank you.

Jonathan Robinson: Great. Thanks, Heather, that's a good note to finish. It seems like that's been a very useful discussion that really unpacked the issue properly and

gave that comprehensive input. So that was very useful. We're going to flash up topic set three. We clearly don't have time to go through it. I mean it's wrap-up time for this session. We're close to the 20 past finishing time. But if I could just have that last slide up just to flag with you what we might or could have discussed or what we might discuss with you next time.

We wanted to let you know that there is the very early seeds of a CWG being formed to deal with the auction proceeds. There's some concern expressed about the relative budget allocation within the ICANN budget to policy-related activities. There's an ongoing bubbling concern about universal acceptance of new gTLDs.

We know we're working together and we've corresponded recently on future rounds of new gTLDs, and at some point clearly the work on the accountability track will need to be - come to the board for adoption. So those are the three - the five topics. I realize there's a ton of things we could talk about three, but that's the flash. Steve, over to you.

Steve Crocker:

Thank you. Let me, if I might, just do a high-speed response on the very first item about the auction proceeds. That's something I've been following very closely. What we said is that we will curtain off those auction proceeds and we'll run through a full-scale consultation process. And the accumulation is on the order of \$30 million so far. The auction process is not yet complete. It's a little hard to estimate even what the total will be, but it'll go north of there somewhere.

One of the interesting pieces of feedback that I've gotten is an estimate that the - or a kind of judgment that the community is overloaded and does not have the bandwidth to engage in the consultation process on this subject.

And I see various heads, Avri and others, shaking their heads and saying no. That is my position. I'm just listening to that. Speaking again just personally, I'm fully prepared to move forward as rapidly as anybody wants.

Confirmation # 1380211 Page 42

I will say in addition, in accumulating preliminary responses for various folks without making any decision about what the answers are, I found it helpful to categorize the kinds of statements and thoughts and suggestions into four buckets.

Certainly there's a bucket that says do the following specific thing with it. The second bucket is it should only be used for such and such a purpose or various other things that are kind of covering statements that have a notion of principle. A third is process-oriented things like we should - like I said we should not do it until after the transition or we should do it right away, or things like that. I'm trying to remember what the fourth one was. It's very clear in my mind. It'll come back.

Oh, mechanisms. Start a foundation, for example, and an example of mechanism. It doesn't actually say what the purpose of the foundation is or how to make decisions, it's just another piece of mechanism there. So mechanism, process, specific suggestions, and general principles are in my mind the four buckets of statements that I've heard. And this is before kicking off any formal process and consultation.

Anytime that people want to start is okay with me, and at the same time, if it's generally the case that there is community overload and we're not ready to do justice to this, then we'll hold up on it.

So that's my statement about where we stand on this. And we have segregated the funds and treating them as separate and apart to be accounted for and so forth. They have been accounted for and they'll continued to be accounted. And so that's just the statement of where we're - if there is a grassroots cross-working group in formation, all the better. That's fine with me.

Jonathan Robinson: Okay thanks, Steve. We're at the end of the time slot. It's very useful that you responded particularly on that point. That's helpful. I think that's probably

ICANN Moderator: Glen Desaintgery-GNSO

2-07-15/11:00 pm CT Confirmation # 1380211 Page 43

time to sort of put a wrap on the meeting. From point of view personally and from - and behalf of the council and the GNSO, thank you very much for taking the time and engaging in a productive session all of you and your board colleagues, Steve.

END