GNSO Council Meeting Adobe Chat Transcript - 1 September 2016

  Marika Konings: (8/30/2016 15:20) Welcome to the GNSO Council meeting on 1 September 2016
  Volker Greimann: (9/1/2016 06:51) hi all
  glen de saint gery: (06:51) welcome Volker and your proxy as well!
  Carlos Raul Gutierrez: (06:52) hello!!!!
  Volker Greimann: (06:52) thank you and apologies for the chaos
  Carlos Raul Gutierrez: (06:52) Does Volker buy indivual tickets for each session? isn´t chepaer to have an abo?
  Julf Helsingius: (06:54) Good $LOCAL_TIMEOFDAY
  Julf Helsingius: (06:55) And someone has their mic on :)
  Volker Greimann: (06:57) nope, my subscription runss out in Hyderabad anyway
  Carlos Raul Gutierrez: (06:57) mine too
  Carlos Raul Gutierrez: (06:57) we should go partying afterwards
  James Bladel: (06:58) Nice one, Julf.
  James Bladel: (06:58) Good morning N. America, afternoon Europe, Evening Asia/Australia.
  Mary Wong: (06:59) Greetings from Singapore!
  Amr Elsadr: (06:59) ..., and from Cairo.
  James Bladel: (07:00) Some wind noise on the line. Is that Marika's beach?
  Heather Forrest: (07:01) Definitely not the beach here, although ladies and gents it IS the first official day of spring here Down Under today
  Marika Konings: (07:01) Nope, I am on mute! :-)
  Keith Drazek: (07:01) Congrats Heather!
  Heather Forrest: (07:01) We have survived another winter here at the edge of the earth
  James Bladel: (07:01) Makes sense. Football season starts this weekend, so Fall has arrived. Almost.
  Wolf-Ulrich Knoben: (07:01) hello all!
  Amr Elsadr: (07:02) I'm off to the beach, but only after I get off this call..., so lets get going. ;-)
  Keith Drazek: (07:04) We're getting an echo
  Amr Elsadr: (07:04) Echo?
  James Bladel: (07:04) Some echo on the line. Please be sure to mute when not speaking or after your name has been called. Thx.
  Volker Greimann: (07:04) someone needs to mute their line
  Nathalie Peregrine: (07:05) Thanks, this has been fixed.
  James Bladel: (07:05) Thank you Nathalie.
  Stephanie Perrin: (07:05) present Glenn mic not working
  Carlos Raul Gutierrez: (07:05) present
  Heather Forrest: (07:06) WINTER
  Stephanie Perrin: (07:06) Is the echo still there?
  Nathalie Peregrine: (07:06) Fixed
  Marilia Maciel: (07:07) Hello everyone and sorry for the slight delay.
  Stephanie Perrin: (07:09) Hi Marillia!
  Stephanie Perrin: (07:09) I am going to try reconnecting as my mic seems to be not working correctly.
  Heather Forrest: (07:11) No questions thanks Marika
  Paul McGrady -IPC: (07:11) We are dazzled by the lovely chart!
  Marika Konings: (07:12) Note that this change of dates had to be made as a result of the change of dates for ICANN57
  Olivier Crepin-Leblond: (07:14) the echo made it a lot of yeays
  Nathalie Peregrine: (07:14) Some AC mics create an echo just by being opened, and they must be opened for the "yays" :)
  Heather Forrest: (07:15) FWIW I do not think "disbanded" is the best word for this
  James Bladel: (07:17) Agree. Suggested alternatives?
  Heather Forrest: (07:17) wind up?
  James Bladel: (07:17) Adjourned?
  Donna Austin, RySG: (07:17) retired
  Paul McGrady -IPC: (07:18) "Retired with thanks for the GNSO Council"

Mary Wong: (07:18) For the next Project List, we were simply going to note that future requests regarding procedures would go to the new GNSO Review Working Group.

Paul McGrady -IPC: (07:18) "from the GNSO Council"

James Bladel: (07:18) I like retired. implies golf & a beach.

Stefania Milan: (07:18) I am on the phone bridge but having troubles holding up wifi connection (hence visibility of the adobe connect). I am following the meeting all right, but would like to ask staff to let me in as many times as needed into the adobe connect room. Thanks!

Nathalie Peregrine: (07:19) Of course Stefania! Sorry to hear you're having issues!

Valerie Tan: (07:19) Retired sounds good.

Mary Wong: (07:20) You could just thank the SCI for their work and say that future requests will go to the GNSO Review WG, so no need to use loaded words :)

Philip Corwin: (07:21) "put out to pasture" ;-)

Amr Elsadr: (07:21) That language is consistent with the July 16th motion, which is why I used it.

Philip Corwin: (07:22) more seriously, "concluded"

Wolf-Ulrich Knoben: (07:22) "disband" also appears under 6.

Stefania Milan: (07:23) I like Mary's suggestion

Heather Forrest: (07:24) I like Mary's suggestion too, but if a simple find/replace of the one word is most agreeable, let's do that

Rubens Kuhl: (07:25) I'm ok with disband, conclude and retire.

Amr Elsadr: (07:26) Thanks Mary.

Heather Forrest: (07:27) no objections

Rubens Kuhl: (07:27) Friendly it is.

Rubens Kuhl: (07:27) (IMHO)

Stefania Milan: (07:28) +1

Stefania Milan: (07:28) +1

Stephanie Perrin: (07:28) Good question AMR.

Marika Konings: (07:29) The charter foresees that the Council will need to consider that before the GNSO Review WG concludes its work on the GNSO Review implementation.

Stephanie Perrin: (07:29) I wonder if "standing down" is a better phrase to use, because then it could be "stood up" again as required.

Stephanie Perrin: (07:30) (however procedurally I doubt there is a difference)

Amr Elsadr: (07:31) Thanks Marika.

Amr Elsadr: (07:32) Thanks all.

Paul McGrady -IPC: (07:33) Isit "Yea" or "Yay!"?

Keith Drazek: (07:33) I'm regretting not saying "yippee!"

Paul McGrady -IPC: (07:33) +1 Keith

Amr Elsadr: (07:34) Glen told us to say "Yay again". I do what Glen tells me to do. :)

Julf Helsingius: (07:35) :)

Philip Corwin: (07:36) Yo!

Mary Wong: (07:38) Nobody said "hooha" :(

Amr Elsadr: (07:39) Thanks for that Volker.

Marilia Maciel: (07:41) sure

Marilia Maciel: (07:41) go ahead

Amr Elsadr: (07:42) @Heather: All good points, but you didn't address the point that the IAG did not deliver what they were asked to. Do you disagree with this?

Rubens Kuhl: (07:43) If one asks "Do you know which road I take to go South ?", the other person can say "Yes, I know". That answer is correct but was not the answer being sought for.

Amr Elsadr: (07:43) Not very helpful to shove the purpose of the IAG behind how the motion is worded.

Amr Elsadr: (07:43) @Rubens: :D

Volker Greimann: (07:44) I would propose an amendment:

Mary Wong: (07:44) Note that the IAG has no authority or mandate to review the underlying policy, only a GNSO PDP can do that.

Amr Elsadr: (07:45) @Mary: Right. We're only discussing the implementation of the policy re: triggering mechanisms.

Amr Elsadr: (07:45) They need more work done.

Stephanie Perrin: (07:46) The status of the IAG was always a wee bit odd. IT is the policy that needs to be re-examined.

Marika Konings: (07:47) The mailing list may still exist, but I believe that per its assignment, their work was concluded with the delivery of the Final Report.

Marilia Maciel: (07:48) I think there are two issues. The triggers are problematic. That could be reverted back to the IAG. There are also more general problems with the policy. That could be referrred to an ongoing whois discussion.

Volker Greimann: (07:48) 1. The GNSO Council has reviewed the IAG Final Report (http://gnso.icann.org/en/drafts/iag-review-whois-conflicts-procedure-23may16-en.pdf) and concludes that the proposed modification to the procedure does not conform to the intent of the original policy recommendations and as such the GNSO Council refers [this matter] back to the IAG to review all proposed mechanisms with an understanding that a trigger mechanism does not predicate an outcome of a subsequent review of a request.

Heather Forrest: (07:49) Good point Paul - we sent this to the IAG for a reason - why is Council stepping in and second guessing?

Heather Forrest: (07:49) (It's not a Freshman question BTW!) I wonder too

Rubens Kuhl: (07:49) If we just rubber-stamped anything that came to us, we would be incurring the same issues BGC has faced in the Dot Registry IRP.

Amr Elsadr: (07:49) I'm curious on how there was consensus among the IAG, when it appears now that the registries/registrars/NCSG are not happy with what the IAG has delivered?

Donna Austin, RySG: (07:49) @Paul, if the solution is unworkable in reality then I think the Council does have an obligation to question the recommendation.

Paul McGrady -IPC: (07:50) @Donna - who among the contracted parties was on the IAG? Presumably they were involved in reaching consensus.

Mary Wong: (07:50) here is the Statement of Work for the IAG, which is not a PDP/policy group: https://community.icann.org/x/SCvxAg

Rubens Kuhl: (07:53) Besides the exposition of contracted parties, there is also a side effect that contracted parties might deny registrants of some jurisdictions of their lawful rights in trying to not break their contracts.

Heather Forrest: (07:53) This question Stephanie raises is NOT the one the IAG was asked to deal with

Heather Forrest: (07:53) (ie, revise the policy)

Volker Greimann: (07:53) She shaid that the remit was too narrow

Heather Forrest: (07:54) Agree that sending this back to the IAG is not useful

Donna Austin, RySG: (07:54) This is also unworkable for registries as well.

Stephanie Perrin: (07:56) To put it simply, it is hard to find an effective mechanism to implement a policy that is a nonsense.

Heather Forrest: (07:56) If we want to review the policy, we should use the proper process for that (PDP?)

Mary Wong: (07:56) @Heather, yes - you will need a PDP to amend what is already adopted Policy.

Rubens Kuhl: (07:56) We could also ask IAG to say to Council whether their mission could or could not be achieved without changing policy. It would be a valid response if they come to us saying it's an impossible mission.

Wolf-Ulrich Knoben: (07:57) @Amr: good question re finding consensus in the IAG on at least one item?

Amr Elsadr: (07:57) Was dropped off the call.

Volker Greimann: (07:58) I am not saying there was no consensus of sorts, I just note that this consensus does not conform to the mission of the IAG

Rubens Kuhl: (07:58) My country just removed an elected president from office, so dropping a procedure is easy. ;-)

Keith Drazek: (07:58) I think the point is the recommendation did not meet the policy requirements, not that there was/was not consensus.

Volker Greimann: (07:58) Correct, Keith

Keith Drazek: (07:59) Volker said it better

Olivier Crepin-Leblond: (08:01) +1 support for Donna's points - echoed on the ALAC

Volker Greimann: (08:03) could we withdraw and modify?

Heather Forrest: (08:03) Thank you, James - noted and that's why I pointed it out in starting the discussion on this motion

Amr Elsadr: (08:04) I was dropped off the call for a couple of mintues, but don't understand why the motion is being withdrawn, and not voted on?

Rubens Kuhl: (08:04) I promise not to second the motion if James withdraw it.

Philip Corwin: (08:05) It seems we need to buy some time to figure an acceptable way forward

Wolf-Ulrich Knoben: (08:05) @Phil: I agree

Stephanie Perrin: (08:06) +1 Phil

Marilia Maciel: (08:06) Withsrawing today will not change the nature of the problem, which seems to be the report, and not the language of the motion.

Amr Elsadr: (08:06) OK. Got it. Thanks. I imagined that if the motion failed, the Council would direct the IAG to revisit its work/recs.

Volker Greimann: (08:07) This was not a PDP. This was an implementation advisory group that missed the intent of the PDP recommendation.

Mary Wong: (08:08) If it helps, the IAG scope was defined as "tasked with providing the GNSO Council suggestions on how to improve the current Procedure. The IAG's mission is to make the Procedure more accessible to contracted parties. Considering that, to date, no party has invoked the Procedure, the IAG's recommended changes should work toward amending the Procedure in line with the current GNSO policy to provide a more useful tool".

Heather Forrest: (08:08) +1 Susan's suggestion to inviting the IAG

Rubens Kuhl: (08:08) Mary: mission not accomplished.

Mary Wong: (08:08) Hence the motion is worded as whether the IAG recs conform or do not, to the Policy.

Volker Greimann: (08:09) Thanks Mary, I was looking for that quote

Tony Harris: (08:10) Agree with James

Wolf-Ulrich Knoben: (08:11) I agree

Donna Austin, RySG: (08:12) Agree James

Susan Kawaguchi: (08:13) +1 to Paul

Philip Corwin: (08:13) Yes, it was a useful discussion

Philip Corwin: (08:15) I will speak to #6 -- but for starters, the Board's question is too narrow

Nathalie Peregrine: (08:20) @ all, in case of audio or connectivity issues, please private message my colleague Terri Agnew in thos AC room, as she is taking this call over from me. Thank you!

Rubens Kuhl: (08:21) Thanks Nathalie!

Heather Forrest: (08:21) Bye Nathalie, thank you! Thanks Terri for taking over and keeping us in line

James Bladel: (08:22) Thanks, Nathalie.

James Bladel: (08:22) And Terri

Donna Austin, RySG: (08:24) The RPM PDP is directly linked to the Subsequent Procedures PDP

Rubens Kuhl: (08:24) My guess is they refer to CCT-RT and Root Stability Review.

Heather Forrest: (08:25) @Phil - just to clarify - you said 3 efforts need to run: Sub Pro, RPM and ??

Heather Forrest: (08:25) CCT?

Philip Corwin: (08:25) CCT-RT

James Bladel: (08:25) competitiong, consumer trust review team

Heather Forrest: (08:25) super thanks, thought so but just wanted to check

Rubens Kuhl: (08:26) Oh, forgot the TMCH review. The 3 reviews I think they mentioned: https://newgtlds.icann.org/en/reviews/

Philip Corwin: (08:30) As noted, the RPM Review WG should be able to deliver its final report and recommendations on new gTLD RPMs for Board consideration before the end of 2017.

Philip Corwin: (08:30) Don't believe there is any need to complete our phase 2 work on UDRP in advance of a next application round

Rubens Kuhl: (08:31) Phil, do you think phase 1 could be phased or does it need to complete in its whole ?

Rubens Kuhl: (08:32) (like phases 1-A and 1-B, where 1-A is critical but 1-B could be seen later)

Rubens Kuhl: (08:33) CCWG-Accountability WS2 will still be with us for a while...

James Bladel: (08:34) Terri, can you addess that line.

Philip Corwin: (08:34) I don't see any practical way to phase it. We are addressing PDDRP, TMCH, Claims Notice, Sunrise Registration, and URS, in that order. I don't see how we practically parse the questions we must address into ws1 and 2 priorities.

Mary Wong: (08:35) @Rubens, the RPM WG is using Sub Teams where appropriate to address certain issues as well, esp to perform data gathering ahead of time.

Rubens Kuhl: (08:35) Phil, considering the questions I don't see either. But I preferred to hear from the directly involved instead of guessing.

Volker Greimann: (08:35) They really want that ICANN cruise ship for upcoming meetings

Donna Austin, RySG: (08:36) @Paul, as I explained the RySG has raised this a number of times with the Board, but I think it is a reasonable question for the Board to ask of the GNSO.

Philip Corwin: (08:37) A cruise ship would be preferable to applying for India visa ;-)

Rubens Kuhl: (08:37) Our way out of the chicken-and-egg issue is to ask both WGs, Subsequente Procedures and RPMs, their views on the board letter.

Amr Elsadr: (08:37) @Phil: +1..., or any visa in my case. :)

Keith Drazek: (08:37) I think the Board is trying to better understand the road map to the next round, which is reasonable. Clearly, no one has a clear picture of all the dependencies.

Donna Austin, RySG: (08:38) agree Keith

Paul McGrady -IPC: (08:38) @Donna. Thanks! I just don't want us to send them a laid back response if they feel under pressure, nor do I want us to feel under pressure just because we are asked aboyut it, if their interest is just for planning.

Amr Elsadr: (08:38) @Keith: I suspect that's the case.

Paul McGrady -IPC: (08:38) @Keith, thank you.

Keith Drazek: (08:38) That said, some are calling for a next round immediately under the current policy, others are suggesting a subset of reviews is sufficient, and others are saying everything must be completed. The Board is being pushed/pulled in different directions and no one yet has the answer.

Heather Forrest: (08:39) contractually there are challenges if applicants don't know the Ts and Cs they are signing up to

Heather Forrest: (08:39) so if policy will affect the contract, then I can't imagine applicants would be super excited to sign up without knowing what to

Tony Harris: (08:39) AGREE WITH JAMES

Philip Corwin: (08:40) @Keith--in regard to those asking for an immediate next round, what's their rationale? It's not like the first round has sold out.

Rubens Kuhl: (08:41) Phil, brands where their competitors applied are among them.

Heather Forrest: (08:42) Good idea to move this to SGs and Cs to develop and articulate their views as BC has very comprehensively done

glen de saint gery: (08:42) motion deadline 19 September for 29 Sept meeting

Paul McGrady -IPC: (08:42) @Rubens - which brands have been pushing? I've not heard much from the branding community on pushing for a next round.

Philip Corwin: (08:43) I'm aware of the desire for .brands, which we hear in the BC. Still, our consensus is that SubPro, RPM Review, and CCT-RT need to be completed prior to any subsequent round gTLDs opening for business

Rubens Kuhl: (08:43) Paul, Twitter was one the vocal ones.

Paul McGrady -IPC: (08:43) Thanks Ruben. I've not heard any others though. I suspect any pressure on the Board is coming from elsewhere.

Heather Forrest: (08:43) not quite, James, but thank you - tomorrow' Friday

Susan Kawaguchi: (08:43) not sure Twitter will still be active since Steven went to Amazon

Keith Drazek: (08:44) think it's a reaction to the suggested 2020 date. If it's going to take that long to resolve policy development and reviews, then why not just use the existing policy to reopen the process?

Olivier Crepin-Leblond: (08:44) Was 7 skipped?

Keith Drazek: (08:44) (not my argument, but my speculation)

Rubens Kuhl: (08:45) Susan, a good number of registry service providers are reporting that prospects contacted them with such a wish. I myself can say that about a couple, but I can't mention their names without breaking confidentiality.

James Bladel: (08:46) Sorry, folks, I did skip #7. Will catch it next.

Philip Corwin: (08:46) Again, at least in regard to RPM Review we aim to be done by end of 2017. Even adding implementation of any recommended changes, applications should be able to be accepted before 2020 (can't speak to SubPro or CCT-RT timing)

Keith Drazek: (08:46) Thanks Phil

Amr Elsadr: (08:46) @Olivier: Was wondering the same thing. I believe that this is a topic that was deferred from a previous meeting. Are we deferring it again?

Rubens Kuhl: (08:47) Paul, I think WS2 is only looking into jurisdiction for contracts, not for the whole structure, including ICANN and PTI.

Philip Corwin: (08:48) @Rubens--that question is open. Some parties want to address ICANN's own jurisdiction

Paul McGrady -IPC: (08:48) @Rubens - thanks. I sit on the Jurisdiction team and there are people who are definitely people pushing to reopen formation jurisdiction in that subgroup.

Rubens Kuhl: (08:50) @Paul, lawyers in WS2 should explain to those people what "Res judicata" means...

Mary Wong: (08:50) @Ed, what kind of additional staff support for which more $$ would be needed, do you haev in mind? FTEs aren't extra budget - are you talking about more contractos?

Paul McGrady -IPC: (08:52) @Rubens - we are trying but a comment on this topic from the GNSO indiacting its disinterest in opening up the formation jurisdiction as part of its approval of the budget would go a long way.

James Bladel: (08:53) +1 Paul, and given the work to adopt the bylaws, I don't think that would be acontroversial position for the GNSO

Keith Drazek: (08:54) I apologize but I will have to drop at the top of the hour.

Edward Morris: (08:54) Some numbers (through March): Transition billings for WS1: Jomes Day $1.7 million, Sidley Austin $2.8 million, Adler Colvin $2.4 million

Edward Morris: (08:55) These rates include a 15% discount

Keith Drazek: (08:55) Any change in ICANN's corporate jurisdiction would require a re-do of everything accomplished in WS1, and then some. Clearly a non-starter.

Marilia Maciel: (08:55) Along the lines of what Ed said, it was NCSG's position in our policy call that travel funding needs to be secured for rapporteurs/facilitators of the tracks being discussed in WS2.

Edward Morris: (08:56) Agree with Keith here.

Heather Forrest: (08:56) Not quite change, but improve transparency....

Heather Forrest: (08:56) On the topic of visas, may I ask please if anyone was turned away for needing more than the letter from the ministry and ICANN?

Amr Elsadr: (08:57) I just got the correct host-letter for the visa application.

Heather Forrest: (08:57) Also on Carlos' post...

Heather Forrest: (08:57) I ask because I have my appointment at the Consulate in Melbourne on Monday

Mary Wong: (08:57) @Heather, not that we have heard on the staff side.

Amr Elsadr: (08:58) @James: That was WUK, not me. :)

Heather Forrest: (08:58) Hmmmm - I am flying to Melbourne specifically for this so hope I don't get turned away for having only 2 letters

James Bladel: (08:58) Sorry.

Rubens Kuhl: (08:58) In social networks, some have been turned down for not having the internal letters between organizers and government in India, and some for being too soon (and then to go back two weeks before departure).

Amr Elsadr: (08:59) Agree with Marilia. Also concerned that we keep deferring this agenda item.

James Bladel: (09:00) Amr. Noted. We'll move it up for next meeting.

Amr Elsadr: (09:00) @Phil: +1

Stephanie Perrin: (09:00) PHil +1

Amr Elsadr: (09:01) Thanks James.

Philip Corwin: (09:02) Thanks Donna

Amr Elsadr: (09:02) Sorry..., that's my line beeping. Was dropped off again. Switched to AC audio.

Paul McGrady -IPC: (09:02) Great call today. Thank you everyone for the great discussion. Thank you James for a well-run call.

Donna Austin, RySG: (09:03) Thanks James

Susan Kawaguchi: (09:03) Thanks all!

Rubens Kuhl: (09:03) Thanks Councillors!

Heather Forrest: (09:04) Thank you James and all. Have a good rest of Thursday

Rubens Kuhl: (09:04) Thanks staff.

Philip Corwin: (09:04) Bye all

Olivier Crepin-Leblond: (09:04) Thanks everyone. Interesting call.
Rubens Kuhl: (09:04) Bye...
Julf Helsingius: (09:04) Thanks!
Marilia Maciel: (09:04) Thanks James and everyone!
James Bladel: (09:04) Thanks all.
Marilia Maciel: (09:04) Bye
Amr Elsadr: (09:04) Thanks all. Bye.
David Cake: (09:04) thanks all
Valerie Tan: (09:04) Thanks evryone