

**Transcript GNSO Council Teleconference
7 June 2012 at 20:00 UTC**

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<http://audio.icann.org/gnso/gnso-council-20120607-en.mp3>

on page

<http://gnso.icann.org/calendar/#jun>

List of attendees:

<https://community.icann.org/display/gnsocouncilmeetings/GNSO+Council+Meeting-+7+June+2012>

NCA – Non Voting - Carlos Dionisio Aguirre

Contracted Parties House Registrar Stakeholder Group: Stéphane van Gelder, Yoav Keren Mason Cole – absent – proxy Stéphane van Gelder

gTLD Registries Stakeholder Group: Jeff Neuman, Jonathan Robinson, Ching Chiao, Nominating Committee Appointee (NCA): Thomas Rickert

Non-Contracted Parties House Commercial Stakeholder Group (CSG): Zahid Jamil - absent, John Berard – absent – proxy Zahid Jamil, Wolf-Ulrich Knoben, David Taylor, Brian Winterfeldt, Osvaldo Novoa

Non Commercial Stakeholder Group (NCSG): Rafik Dammak, , Mary Wong, Bill Drake, , Joy Liddicoat, Wendy Seltzer absent, proxy to Bill Drake, Wolfgang Kleinwächter – absent, proxy to Mary Wong,

Nominating Committee Appointee (NCA): Lanre Ajayi

GNSO Council Liaisons/Observers Alan Greenberg – ALAC Liaison

Han Chuan Lee – ccNSO Observer - absent apologies

ICANN Staff

David Olive- VP Policy Development,

Liz Gasster - Senior Policy Counselor

Rob Hoggarth - Senior Policy Director,

Julie Hedlund - Policy Director

Marika Konings - Senior Policy Director,

Brian Peck - Senior Policy Director,

Berry Cobb – Policy consultant

Steve Sheng – Policy Director

Alexander Kulik – Systems Engineer

Glen de Saint Géry - GNSO Secretariat

Liz Gasster - Senior Policy Counselor

Margie Milam - Senior Policy Counselor - absent

Coordinator: Excuse me. I'd like to remind all participants this conference is being recorded. If you have any objections you may disconnect at this time. You may begin.

Glen de Saint Géry: Thank you very much. Stéphane, would you like me to do a roll call?

Stéphane van Gelder: Yes, please, Glen.

Glen de Saint Géry: Good morning, good afternoon, good evening everyone. This is the Council call on the 7th of June. And on the call we have Jeff Neuman.

Jeff Neuman: Yes.

Glen de Saint Géry: Ching Chiao. Not yet on. Jonathan Robinson.

Jonathan Robinson: Yes.

Glen de Saint Géry: Mason Cole is absent; has sent his apologies and given his proxy to Stéphane van Gelder. Yoav Keren.

Yoav Keren: Here.

Glen de Saint Géry: Stéphane van Gelder.

Stéphane van Gelder: Yes.

Glen de Saint Géry: Thomas Rickert.

Thomas Rickert: Present.

Glen de Saint Géry: Zahid Jamil we cannot get a hold of him. Has anybody any message from him because I have not.

Stéphane van Gelder: No.

Glen de Saint Géry: Ching Chiao has just joined the call. John...

Ching Chiao: Good morning.

Glen de Saint Géry: ...Berard is absent and his given his proxy to Zahid Jamil. Brian Winterfeldt.

Brian Winterfeldt: Present.

Glen de Saint Géry: David Taylor.

David Taylor: Present.

Glen de Saint Géry: Osvaldo Novoa.

Osvaldo Novoa: Present.

Glen de Saint Géry: Wolf-Ulrich Knoben.

Wolf-Ulrich Knoben: Yes.

Glen de Saint Géry: Bill Drake.

William Drake: Yeah.

Glen de Saint Géry: Wendy Seltzer is absent and has given her proxy to Bill Drake.
Mary Wong.

Jeff Neuman: Mary will be late.

Glen de Saint Géry: Thank you. Rafik Dammak.

Rafik Dammak: Yes.

Glen de Saint Géry: Joy Liddicoat.

Joy Liddicoat: Yes.

Glen de Saint Géry: Wolfgang Kleinwachter is absent and his given his proxy to Mary
Wong. Lanre Ajayi.

Lanre Ajayi: Present.

Glen de Saint Géry: Carlos Aguirre.

Carlos Aguirre: Present, here.

Glen de Saint Géry: Alan Greenberg.

Alan Greenberg: Here.

Glen de Saint Géry: Han Chuan Lee is absent on leave. Sends his apologies. And for
staff we have Liz Gasster, David Oliver, Rob Hogarth, Marika Konings,

Julie Hedlund, Berry Cobb, Wendy Profit - who is Kurt's PA, Steve Sheng and Alexander Kulik from our IT team, and myself, Glen de Saint Géry. Have I left off anybody? Stéphane?

Ching Chiao: Hi, Glen. This is Ching Chiao. I just joined. Thank you.

Glen de Saint Géry: Thank you, Ching. Stéphane, over to you.

Stéphane van Gelder: Thanks, Glen.

Glen de Saint Géry: Thank you.

Stéphane van Gelder: Thank you very much. Hello everybody. Welcome to this Council meeting. And at this time I'd like to ask if there are any statement of interest updates please? Hearing none. Are there any requests for reviews or amendments to the agenda? Hearing none.

I will draw your attention to the minutes of the previous meeting and also to the GNSO's pending project list; both of those items have links provided for them on the agenda that you can find on the GNSO Website.

And talking of which, seeing this is the first time we've met since the new Website has been put up just a word of congratulations to Rob Hogarth and the team that was involved in that. It's a great site and it's lovely to see that work finally complete so well done to the team behind that.

So let's move onto Item 2. And we have two items on the consent agenda today. Just as a heads up to you all I have been in meetings all

day so I have not accessed my email since this morning. I don't know if there was any further discussion on the first item on the consent agenda which is a draft letter which we had - we were looking to send to the GAC. And it's pertaining to the IOC and Red Cross names.

Have there been any further discussion on this? Let me put the question another way. Does anyone object to this being on the consent agenda? I see Jonathan, you have your hand up.

Jonathan Robinson: Hi, Stéphane, it's Jonathan. Yeah, thanks, Stéphane. Yeah, thank you. No objection to it being on the consent agenda. I did a minor rework of the text. And as I said in my email it was to not materially alter it I just felt it improved the flow of it so I did a quick rework of it this afternoon. That's now up on the screen thanks to a wonderful member of the ICANN staff, I suspect. So that's all, thanks, Stéphane.

Stéphane van Gelder: Thank you very much for doing that, Jonathan. So once again is there any objection to this being on the consent agenda? Thank you. In that case let me ask is there approval from - is there any objection, sorry, to us approving sending of this draft to the GAC from me as Chair to Heather as Chair of the GAC? Hearing none that item is approved. Thank you.

We will move on now to another administrative item which is our approval of the Chair and Vice Chair volunteers for the UDRP Domain Locking Working Group. This is - just as a reminder - this is part of the new PDP procedures that we need to approve the Chair and the Vice Chair of the working group that we have put together. So the new working group guidelines require that we do that and that is why this item is up on the consent agenda.

We will have an agenda item on the Domain Locking Working Group at - on our Prague schedule so we will be in Prague going into more depth on the actual working group itself. But today in the interest of time and to help the working group's - carry out its work we are just looking at approving this administrative matter. So is there any objection to this on the consent agenda?

Hearing no objection. Is there any objection to Michele Neylon becoming Chair of this working group and Alan Greenberg becoming Vice Chair; both of which have very kindly volunteered to carry out this work. Hearing none that item is also approved. Thank you very much.

And we will now move onto Item 3 of our agenda. I don't know if Kurt...

((Crosstalk))

Glen de Saint Géry: Kurt is on the line, Stéphane. Kurt is on the line.

Stéphane van Gelder: Okay well let's get started then straightaway with this agenda item. You'll remember that we had this item on our agenda for the last meeting and Kurt was unable to attend that meeting so we had a few questions we felt that we needed to try and get the answers to the questions that we asked the last time.

And Kurt has very kindly - I know he's just come out of another meeting to be with us today so we've rejigged the agenda slightly to accommodate that. Kurt, thanks very much for being with us and perhaps I can turn this over to you.

Kurt Pritz: Thanks, Stéphane. Yeah, I think I've been in enough meetings that I could almost be another - maybe a GNSO (unintelligible) or something. So I think, yeah, I'm really here to answer questions. As far as status of applicant support, you know, the process and procedures are published for some time so I know you're familiar with them.

I think statistics on potential sub-panel members - the evaluation panel - the number of panelists and the different nationalities and (unintelligible) that they have is also published but I could review that with the Council.

And we're - given that we've had this delay to the new gTLD program now it's started we're at a point and a number of financial assistance applications will shortly be known. We are in a position to select the appropriate number of panelists and march through the system.

So I think, you know, there's been an email from a month or so back; there were concerns about the role of (unintelligible) member representative in either helping or observing staff including the selection and training of the panel members and the observation of their operation.

And, I don't know, rather than describe them I think I'd rather just take questions. And like I said, I could also provide more statistics on the kind of applicant we have to be a panel member and so on.

Stéphane van Gelder: Okay great. So we did have some questions from last time. Can I open this up to questions for Kurt? If anyone has a question please either raise your hands in the Adobe room or just speak up if you're not in the Adobe room.

Jonathan Robinson: I'm in the Adobe truck so I can't raise my hand.

Stéphane van Gelder: Jeff. Jeff Neuman has a question.

Jeff Neuman: Yeah, sorry, it's just taking me a second to get off mute and I'm on my cell phone so I apologize for any distortion. Kurt, a question, so when you all had approached the JAS group, I mean, some of the things that it seems like that was asked that I read on the list it - was there an open community call or you just assumed that you would go to the JAS group for the volunteers?

Kurt Pritz: Thanks, Jeff. So the idea for JAS member participation and say training the SARP members came up during a set of calls we had with the JAS. And those calls were attended by Board members. And I don't know if there's any other staff members that can help me out. I don't know if they were representatives of the Public Participation Committee. But there's a small group of Board members that were interested in JAS I think back (unintelligible).

And so we held a few calls among those Board members, the JAS members and staff as we went through the drafting of the process and procedure how it would work. In other words when, you know, typical to any policy implementation as we developed implementation details we would have a call now and then with the JAS because they were tasked with overseeing the development - you know, implementation details to review our progress and to get the (unintelligible).

As a result some of the implementation details changed. And - what do I want to say next? And the idea that being a JAS member would

participate in the selection or training of the SARP members. And then I want to flesh out in a little more detail.

So we had to be really careful, right so - and I think the documentation reflects that. JAS members aren't selecting SARP members they are rather providing some input as to given a menu of, you know, geographical diversity or certain types of skills or experience what would be - what would be good to have on the panel. So we didn't want to put them in the place of recommending panelists for many reasons.

And then as far as training, you know, any input that JAS members would have that they thought would be meaningful in the training or onboarding of the SARP members they thought was valuable.

Another point I want to make is that by that time, as with any project, participation had skinned down and there was really a subset of JAS members that were working with us. I don't know the exact mechanism by which they were appointed by the entire JAS, in other words, a designation at one time for this sub group but I don't know how that exactly worked.

You know, when we were talking about this goal for JAS participation, you know, we talked about how to make it clear to the rest of the JAS and then, you know, onward to the ALAC and the GNSO so that's kind of how it came about.

Stéphane van Gelder: Jeff, is that okay? Guess so. Alan is next.

Alan Greenberg: Yeah, I just wanted to clarify on which group it was and Kurt filled it in right at the end that it was the group that the JAS group had been

asked to select to work directly with the Board and staff on the implementation. And that was a group that met with the Board and staff members for the selection of the CMRs. That group felt that they did not have a mandate to do that directly so the JAS group was reconvened for one meeting to actually do that work. Thank you.

Stéphane van Gelder: Thank you, Alan. And, Jeff, you've got your hand up again.

Jeff Neuman: Yeah, sorry, it just took me a while. Yeah, Kurt, I think that answered the question. And I guess I have a comment that's more for the GNSO - for the Council - which is I think that membership on that JAS group - and this is our own fault - but membership from the GNSO is lacking, to say the least.

I mean, if you look at the chronicles of who is joining - sorry - the minutes of these minutes of who's joining there is good participation from the ALAC; I think there's good participation from - or at least some participation from the Non Commercials. But I think if you look across the board there's been very poor participation from the rest of the GNSO.

And, again, it's just more of a comment about us as opposed to, you know, the JAS group is moving forward as they should be because that's, you know, but I think people should - in our group should get reengaged if they're not especially the ones that were members early on. Or we should encourage other people from the GNSO to attend these meetings and to join this group if we want the GNSO say in this.

Stéphane van Gelder: Thank you. And do we have any further questions or comments on this? In which case, Kurt, is there anything else you want to say?

Kurt Pritz: No, that we, you know, we agreed to the JAS participation in the, you know, in the thought that, you know, community participation and oversight would be good. I think that, you know, we have a wealth of SARP members to choose from so that process worked really well. So to the extent that GNSO members and, you know, others beat the bushes a little bit to get people to volunteer was really a great outcome, you know, any potential panel members I think from something like 47 different countries.

So I have no other comments. I want to thank everybody for accommodating my schedule.

Stéphane van Gelder: Kurt, thank you very much for being with us and making that effort; it's really appreciated. So we'll move onto Item 4 and I'll pass this over to Jeff. We will be talking about our GNSO working weekend agenda for Prague. And you've seen - you're seeing now, if you're on the Adobe room - the draft for that weekend agenda. This is the result of a lot of hard work by Jeff, Glen and others on the staff to try and put this all together so thank you all for that.

And, Jeff, let me turn this over to you for an update.

Jeff Neuman: Yeah, thanks, Stéphane. And I also want to thank Glen and ICANN staff for helping find time and helping us put this together. So this is just in draft form. The reason I say in draft is because there's a couple

of subjects on here - I think all the subjects are right; I think the timing for these may change around depending on ICANN staff availability.

So if you look at the Saturday agenda one of the things I really wanted to do - but I'm not sure it's going to happen now is we had thought several weeks or - or had hoped several weeks ago that the ICANN CEO would be announced or, you know, that we might have an opportunity to meet with the ICANN CEO. So I put an hour in the schedule to meet with the ICANN CEO but I think that's looking less and less likely.

It's possible that we may - that the new CEO, if named and announced, could stop by for a few minute but I'm not sure that's going to happen so that one that's currently scheduled on Saturday may either slip or be significantly shortened.

The other thing I'm waiting for confirmation on, if Kurt's still on, but I'm waiting for confirmation of when I can get Kurt and some other ICANN staff like Xavier and Akram and John in to discuss some of the outstanding issues with new gTLDs to give a Council update.

Right now it's on the schedule from 4:30-6:00 on Saturday but I think that timing has to be moved. The Board has a workshop I think most of the day or Board committees are meeting that day and so it's very tough to get some of the ICANN staff members on these meetings.

Which might be something that we want to try to work on in the future is to see if - I don't know if ICANN can - if there's a way that they know these are our working sessions if there's a way that they could block

out certain time when they're not meeting so that they can come meet with us or that certain people could meet with us.

So, you know, here are the topics. Not everything that everybody wanted is on here. It does look like we may have an open spot or a couple open spots to add a few issues. But I think this captures most of them.

And then once this meeting is over Stéphane and I and Wolf will be talking about the proposal for the Council agenda on the Wednesday - for the Wednesday meeting.

So I guess I'll throw it out to everyone are there things - glaring issues that are being missed here, things that you think might take a little bit more time so, you know, I think outreach may take a little more time but is there anything else on this agenda that's missing or needs more time?

Stéphane van Gelder: So, Jeff, on the new gTLDs you mentioned 4:30-6:00; your schedule says 5:30-6:00 which did strike me as slightly too short so that is a typo, we're from 4:30-6:00 on the new gTLDs on Saturday?

Jeff Neuman: Yeah, it didn't - so I did this in Excel and when you put it into a PDF form it doesn't translate very well. So I actually merged...

Stéphane van Gelder: Okay.

Jeff Neuman: ...I merged the cells in Excel and it printed it at the bottom of the cell. So if you look at the Excel spreadsheet it shows 4:30-6:00.

Stéphane van Gelder: Right.

Jeff Neuman: Yeah.

((Crosstalk))

Stéphane van Gelder: Does anyone else have any questions? Sorry, Jeff.

Thomas Rickert: This is Thomas.

Stéphane van Gelder: Thomas.

Thomas Rickert: Yeah, just regarding the point that we briefly discussed on the mailing list yesterday maybe we can add a few minutes to discuss workload and document output by ICANN and how that can be streamlined possibly.

Stéphane van Gelder: Yeah, thanks for that suggestion, Thomas.

Jeff Neuman: Yes.

Stéphane van Gelder: I think it is a good one if you can accommodate that, Jeff.

Jeff Neuman: I think we can because I think there was one session that we were going to do from 4:00-4:30 that was taken off and so what I could do - what I think I'm going to do is move the break on Sunday - instead of 3:30-4:00 is really move it from 4:00-4:30 so that we can get to the GAC meeting and then put that session prior to - or where it says Break now.

Stéphane van Gelder: Okay. Jonathan.

Thomas Rickert: Thanks, Jeff.

Jonathan Robinson: Thanks, Stéphane. Just wonder if what insight we have, if any, into, you know, Jeff's - I mean, perhaps you can say why you think we won't get to meet the new CEO there or what insight we have if any into the timing of the announcement of the appointment.

I mean, I would very much expect that the organization would intend to announce the appointment of the new CEO prior to Prague given that Prague is when Rod is leaving and the whole - a key objective of the whole selection process was to start it early to get in place so that, you know, effective succession was organized.

So I'd be somewhat surprised if they didn't announce it by or at the meeting which could give us a chance. I'm just wondering what makes you pessimistic that we won't get a chance to meet the CEO. Have you been given an indication by staff or someone else?

Jeff Neuman: Yeah, so I don't know the answer to most of those questions as far as the appointment. I just do know that frankly I think a lot of ICANN staff members don't know who the CEO is yet either. And so to try to arrange for a meeting with someone that they don't even know yet is difficult.

So, you know, I'm trying to work with ICANN staff - schedulers - but most of them are in the dark as much as we are so I don't really fault them at all for this. And, you know, I'd love to get that time on there but I don't have any other information.

Stéphane van Gelder: Thanks, Jeff. Anyone else?

Thomas Rickert: Yeah, it's Thomas again.

Stéphane van Gelder: Thomas, please.

Thomas Rickert: Sorry I can't raise my hand because I'm being thrown out of Adobe due to a very weak connection. I think that it might be worthwhile reserving a few minutes whether we can or cannot meet the CEO but at least to maybe write down or gather some points that we would like to let the new CEO know.

You know, I think that it would be appropriate for us to, you know, send them a welcome message and maybe voice some expectations, you know, certainly that shouldn't sound pushy. But I think that the Council or at least I personally would have certain wishes in terms of prioritization and how the organization can maybe gain back some of the reputation that has been lost during recent events.

And I think that it might be nice for the CEO to at least learn from the GNSO that if he prioritized certain aspects that that would be fully supported by the GNSO Council.

Stéphane van Gelder: Thomas, I think that's a - personally I think that's a good idea certainly to have a session to talk about it, I mean, and perhaps look at - examine the possibility of us sending - I like the idea of a welcome message myself.

I think one has to be cautious with the actual message obviously as you just mentioned appearing pushy or in any way trying to, you know, make any claims before the person has even managed to sit down at his or her new desk might be a bit difficult. But I think it's a great suggestion so if others agree then Jeff will take it on board and we will try to fit that into the schedule.

If the discussion with the new CEO doesn't happen then that schedule - that spot is right there anyway from 2:30-3:00 we could assign (Wolf) to that discussion.

Jeff Neuman: Yeah, I would also urge - I agree. I would also urge everyone to read the Excel because I think I had scheduled it from 2:00-3:00 for an hour. Again it's hard to look at the PDF version. Look at it in Excel it's much easier to see.

Stéphane van Gelder: Okay. Any further comments, questions? Jeff, thank you very much once again and we'll keep on working at this. Be ready for our weekend in two weekend's time.

Let's move onto Item 5 and the first motion of the evening. Now this is an item that we actually looked at at our - during our meeting on May the 10th. We had a request from the Registrar Stakeholder Group to defer this motion so we honored that request as usual. And we will be considering the motion today.

The motion is made by Zahid. And I believe Zahid is not on the call tonight, is that correct, Glen?

Glen de Saint Géry: That is correct, Stéphane. And I have sent him a message and I have had no response.

Stéphane van Gelder: Okay in which case - the motion was seconded by Carlos. Carlos, are you on the call?

Carlos Aguirre: Yes, Stéphane, I am on the call but I am not in Adobe chat. I'm not - in terms of connection. So I can't read the motion.

Stéphane van Gelder: Okay well in that case let me help you out, read it for you and then open up the discussion. How's that? So the motion reads: "Motion to create a drafting team to develop the charters for two working groups on the creation of nonbinding best practices to help registrars and registries address the abuse of registrations of domain names."

The motion reads as this: "Whereas following the recommendation of the Registration Abuse Policy Working Group the GNSO Council requested the discussion paper on the creation of nonbinding best practices to help registrars and registries address the abuse of registrations of domain names in accordance with the Registration Abuse Policies Working Group final report."

"Whereas ICANN staff submitted the discussion paper to the GNSO Council on 28-September, 2011, link provided. Whereas the GNSO Council discussed the discussion paper at its working session at the ICANN meeting in Dakar and a public workshop was organized."

"Whereas the GNSO council identified the issue as a priority topic at its wrap-up session at the ICANN meeting in Dakar. Whereas the

discussion paper recommended the creation of two working groups namely one GNSO working group to establish the framework for best practices and one cross community technical group to propose candidate best practices to address the abuse of registration of domain names."

"Now therefore be it resolved that the GNSO Council hereby approve the formation of a GNSO drafting team which will be responsible for developing the charters for the two working groups to address the creation of nonbinding best practices to help registrars and registries address the abuse of registrations of domain names as identified above."

"Resolve that the drafting team will consider the discussion paper prepared by ICANN staff as well as the discussions of the GNSO Council on the discussion paper in the public workshops on this topic as part of its deliberations and development of the charters. Resolve further that, insert name, shall serve as the GNSO Council liaison for this drafting team."

That's the motion. And I see, Jeff, you have your hand up. Please open up our discussions on this.

Jeff Neuman: Yeah, sorry, this is Jeff. I just wanted to restate what we at the Registries had stated on the last call before it was deferred which is the Registries, while we completely support the notion of addressing abusive domain name practices and abusive registrations of domain names the problem - the issue with this - I know it's leftover from several years - but the issue is that there are so many efforts right now

all considering - all considering either binding or nonbinding practices to address abusive registrations of domain names.

You know, there's all the work going on with the RAA. There's all the Whois access work and all the Whois studies. There's, you know, all of the new things that are in the new gTLD agreements on addressing abusive registrations.

And at this point in time before we see all of that in practice and finish those out I think it's premature to get yet another group together to talk about overlapping topics. So the Registries really feel like even though we support the notion of addressing abusive domain name registrations that we're going to vote against this motion but that should not be taken to mean that we don't support addressing abusive registrations.

Stéphane van Gelder: Thank you, Jeff. Wolf.

Wolf-Ulrich Knoben: Hi, thank you, Stéphane. Well, Jeff, just with respect to Jeff's comment on this. Jeff, do I understand - you mentioned that you are not against - your stakeholder was not against this motion. But it's a question of timing how to deal with it. If there was any discussion about it how you see that and in which timeframe you would see that feasible.

Just, you know, we cannot see, you know, that - and argue every time, you know, we have a load of work and then postpone other works and then there is something coming in between again and we (shift) and shift these things. So the question is really do we have a timeline when we could start with that from your point of view? Thank you.

Jeff Neuman: Yeah, and so I think that's a really good question and it's not something that we - I have a definitive answer for. You know, I think it's one of those things that we want to wait and see what plays out with all the policy work going on now and all of the contracts and to see how the new registries come in and are proposed addressing abusive registrations. And once that all plays out at that point in time we can create a drafting team to address anything that people feel are missing.

Right now to create this drafting team it just seems like we're just creating overlap and additional work. You know, so I don't know, does that mean that it's 18 months after new gTLDs are introduced kind of in concert with the UDRP review?

Maybe that's something we could talk about because that'll give us a good view into what the new gTLDs are doing so we could kind of look at all those issues together because I do feel - and, you know, one of the recommendations from the RAP working group was on the UDRP review that was pushed out 18 months because it was realized that we really need to see what's happening in the marketplace before we can start this process. So, you know, maybe start with something like that.

But at this point that's my personal view; that's not a view of the Registries because I don't - because we haven't talked about that.

Stéphane van Gelder: Okay thank you. Wolf, again. No, sorry, you just put your hand down...

Wolf-Ulrich Knoben: No, again, again.

((Crosstalk))

Stéphane van Gelder: Yeah.

Wolf-Ulrich Knochen: Sorry. Well it's just my personal view, Jeff, about this. So it is, you know, this is a point really about policy. And so we are dealing with other things also which are not so policy-related so this is an issue which is, from my point of view, is of higher priority there.

So I would like to ask if possible I would like to ask the Registries and maybe Registrars as well, I don't know, their standpoint in this regard, well, to come back with a real proposal. If you are - before you are against such a motion either to come back with something and maybe we defer that motion until you are back with a definite (time to do that). Thanks.

Stéphane van Gelder: Thank you. Jeff again.

Jeff Neuman: Yeah, well maybe - and I appreciate that, Wolf. But let me ask the other question - because this is what we were having a difficult time in thinking about within the registries is what are the items that you believe are not being addressed with all the other processes going around?

And if there are topics that you think aren't being addressed then perhaps we can narrowly tailor that and start policy work now. I mean, I'm not opposed to starting policy work now.

But until someone explains to us, the registries, and again I don't know if the registrars feel this way, tell me what you think is not being addressed or one of the other policy processes going on with Whois and Locking Domains and Transfers and the RAA and new gTLD agreements. Tell me what's missing, what the holes are and let's work on the policy work on those holes. But I don't know what those are.

So maybe, you know, we'll go back and think some more at the Registry level as to kind of timelines but if you can help us figure out what is missing that we're not doing I think that would be the biggest help.

Stéphane van Gelder: Okay.

Thomas Rickert: Stéphane, can you put me in the queue please? This is Thomas.

Stéphane van Gelder: Yes, Thomas. I have Joy next and then I'll go to you.

Joy Liddicoat: Thanks...

Stéphane van Gelder: Joy please.

Joy Liddicoat: ...Stéphane. Joy here. And thanks, great discussion. My point - a slightly different one - we've discussed the motion in NCSG. And we're just very aware of the amount of work that's happening at the moment and wanted to talk more about - and ask some questions about the proposal for two different working groups; one to deal with the framework for the proposal and the second to carry out work on candidate best practices.

We were just wondering why there was a proposal for two distinct working groups as opposed to perhaps having some kind of cross community group working as a whole and wondering whether there was any particular reason or aspect of that that you could talk to us about. Thanks.

Stéphane van Gelder: Thank you. Marika.

Marika Konings: Yeah, this is Marika. I can maybe answer the question on why there was a recommendation to have two different groups because I think that is what came from the staff paper. And I think the reasons for that was the idea that on the actual candidate best practices you really would need to look at a technical kind of expert group because you would really be, you know, writing out what these best practices would look like.

While, on the other hand, for the first working group which kind of would have to precede the actual development of the best practices would be a GNSO working group looking at a framework for, you know, determining what are best practices and how would they look, how would these be maintained, who, you know, determines whether something qualifies or doesn't qualify for a best practices.

So the idea would be that, you know, even though the two groups would work in a kind of tandem you would probably need a different kind of expertise for the different groups so hence the idea of trying to keep that separate and have a - one that develops the framework and another group that really looks at, you know, what would go into that framework. And of course, you know, the same people might be involved but that was a little bit the thinking behind it.

Stéphane van Gelder: Thanks, Marika. Thomas.

Thomas Rickert: Thanks, Stéphane. Just an observation that I'd like to share with you.

I'm not a registry nor am I a registrar but recently I've seen a lot of requests in particular by law enforcement that would particularly try to address the same issues as mentioned in the motion. And I think that we're in agreement that abusive registrations should be tackled.

But I would have enormous difficulties proposing additional measures and working on best practice during a time where requests are coming from third parties that at least would contribute legal provisions that would be applicable in the country that I'm living in.

And I've also noticed in other places, in other discussions, that best practice or voluntary approaches that you proposed would soon turn into required practices. So I think that in the current landscape of discussions I would feel quite uneasy coming up with additional, probably redundant, work in this area because each additional measure that was composed on registries or registrars would finally increase the prices for domain names.

And, you know, this is a point that I feel is not mentioned during this discussions. I think particularly with the new gTLDs coming up we sort of have a fresh start particularly for third world countries and other, you know, areas and users of the world that could get good domain names to start their business.

And every additional hurdle that we create would also be suitable to perpetuate the digital gap. And so I think I would be cautious at the

moment to propose additional hurdles or at least matters that could be additional hurdles. Thank you.

Stéphane van Gelder: Thank you very much, Thomas. Joy, do you still have your hand up?

Joy Liddicoat: Yes, I just had a follow up question.

Stéphane van Gelder: Please.

Joy Liddicoat: Thank you. Marika, thanks for that clarification. I just - your response made me wonder if there's been any thought to the calibration of these two working groups. I'm just looking here particularly for some of our members - constituency members who are interested in this topic see potential for confusion about simultaneous work happening across the two groups.

And I'm wondering is the proposal that these working groups work simultaneously or consecutively? If you could clarify if there's been any thinking about that please.

Stéphane van Gelder: Marika.

Marika Konings: Yeah, this is Marika. I think the idea was that would be something to be considered as part of the drafting team effort because the idea was that the drafting team would really develop the charters and really outline the responsibilities of each working group.

And as part of that also, you know, define at what point they would start interacting or whether that would be kind of in parallel or, you

know, that the first group would need to stop its work and then the next one would be able to commence.

So I think that the idea was that it would be part of the work - or the drafting team effort to really try to define the responsibilities of each of the groups and, you know, possible membership or, you know, who needs to be involved and take part and how the interaction between the two groups would work.

Stéphane van Gelder: Thank you. Any further discussion on this? In which case let me move to the vote and ask if there is - well let's do a roll call vote if we can. And there's only two motions so I think we have time. Glen, please do a roll call vote on this motion.

Glen de Saint Géry: I will do that, Stéphane. Yoav Keren.

Yoav Keren: No.

Glen de Saint Géry: Brian Winterfeldt.

Brian Winterfeldt: Yes.

Glen de Saint Géry: Wolfgang Kleinwachter - Mary Wong, would you please vote for Wolfgang?

Mary Wong: No.

Glen de Saint Géry: John Berard - Zahid Jamil is absent so there is no vote there. Joy Liddicoat.

Joy Liddicoat: No.

Glen de Saint Géry: Zahid Jamil is absent so there is no vote there. Mary Wong for yourself.

Mary Wong: No.

Glen de Saint Géry: Thomas Rickert.

Thomas Rickert: No.

Glen de Saint Géry: Osvaldo Novoa.

Osvaldo Novoa: Yes.

Glen de Saint Géry: William Drake.

William Drake: No.

Glen de Saint Géry: Ching Chiao.

Ching Chiao: No.

Glen de Saint Géry: Wolf-Ulrich Knoblen.

Wolf-Ulrich Knoblen: Yes.

Glen de Saint Géry: Sorry, Ching, you voted no, did you?

Ching Chiao: Yes I voted no. Thank you, Glen.

Glen de Saint Géry: And Wolf, you voted yes. Lanre Ajayi.

Lanre Ajayi: No.

Glen de Saint Géry: Mason Cole. Stéphane, for Mason please.

Stéphane van Gelder: No.

Glen de Saint Géry: Jeff Neuman.

Jeff Neuman: No.

Glen de Saint Géry: Jonathan Robinson.

Jonathan Robinson: No.

Glen de Saint Géry: Have I called everybody's name?

Stéphane van Gelder: No, you've left me out.

Glen de Saint Géry: Stéphane, yes. Stéphane van Gelder.

Stéphane van Gelder: No.

David Taylor: You've left me out as well, Glen.

Glen de Saint Géry: Yes, David Taylor.

David Taylor: Yes.

Glen de Saint Géry: Rafik Dammak. Rafik?

Rafik Dammak: No.

Glen de Saint Géry: And Bill Drake for Wendy Seltzer please.

William Drake: No.

Glen de Saint Géry: The contracted party house has seven no votes. The non contracted party house has six no votes, four yes and two people were absent. So the motion fails.

Stéphane van Gelder: Thank you very much, Glen. So let's move onto Item 6. This is our second motion of the day. And just to provide a little bit of context you will - this motion addresses the Whois access recommendation that you will all remember we had put on the consent agenda at our February meeting.

And the ISPs requested then that the item be removed from that consent agenda and be considered as part of the main agenda which was done. And the ISPs have now come forward with a motion on this. So with that introduction let me turn this over to Wolf-Ulrich Knoben who made the motion; the motion was seconded by John Berard. Wolf, do you want to read the motion for us please?

Wolf-Ulrich Knoben: Yes, sure. Thanks, Stéphane. Whereas the Registration Abuse Polices Working Group submitted its report to the GNSO Council on the 29th May, 2010, see link, whereas the GNSO Council reviewed the report and its recommendations and for the implementation drafting

team to draft a proposed approach with regard to the recommendations contained in the Registration Abuse Policy Working Group final report.

Whereas the Registration Abuse Policies Implementation Drafting Team submitted its proposed response to the GNSO Council on 15th November, 2010 and here's the link. And whereas on 3rd of February, 2011, see link, the GNSO Council requested feedback from ICANN compliance in relation to Whois Access Recommendation Number 2. And a response was received on 23rd of February, the link is included here.

In addition a discussion with compliance staff was held at the ICANN meeting in San Francisco. Whereas the GNSO Council thanked the ICANN compliance department for its (unintelligible) in relation to Whois Access Recommendation Number 2 and it determines that no further work on this recommendation was needed.

The GNSO Council welcomes the commitment of the ICANN compliance department to report on compliance activities and publish data about Whois accessibility on at least an annual basis. That link is enclosed.

Whereas in response to Whois Access Recommendation Number 1 the GNSO Council asks the Whois Survey Working Group to consider including the issue of Whois access as part of the survey it has been tasked to develop. And the working group informs the GNSO Council on 11th January that the issue does not fall within the remit of its current charter and recommends that the item not be included in their upcoming survey.

Whereas the GNSO Council recognizes that the issue of Whois access is also covered in the final issue report on the RAA, see link, therefore be it resolved the GNSO Council recommends that the issue of Whois access, in brackets, to ensure that Whois data is accessible in a appropriately reliable, enforceable and consistent fashion, is included in the RAA policy development process when it commences.

And resolved the GNSO Council will review by end of September, 2012 whether the RAA PDP has commenced and included this issue or whether alternative approaches should be pursued.

That's the motion. And if I may I would like to add just something. So in addition to - from exchange on the list...

Stéphane van Gelder: Please go ahead.

Wolf-Ulrich Knochen: ...regarding that. So it is really so - we think so that it is necessary, well, to keep that item alive since it was, you know, it was proposed by the Registration Abuse Policy Working Group. And they had really pointed out that they have - in addition they have proposed that they, well, to go that way to charter a drafting team to take care about this item.

But the Council decided then, well, to allocate that to the Whois Working Support Survey Team. And so for us it cannot be the case that if the Council fails to allocate that to the proper team because it doesn't fall into the remit of that team then we shouldn't close that item. So that's our opinion and that's why we brought up the motion.

So we are of the opinion that the - to allocate that to the RAA discussion could be a proper way because we see that, yeah, several Whois items to be covered as well the RAA discussion. So - but if there is - if there may be another way, so when it comes up through the discussion today so we are open, well, to discuss that as well and find the proper alternative if necessary.

So that's for explanation so far. Thank you, Stéphane.

Stéphane van Gelder: Thank you, Wolf. And I will open this up for discussion now before proceeding to the votes. So if you have any questions or comments please raise your hand. And I see that we already have some people in the queue. Jonathan is first.

Jonathan Robinson: Thanks, Stéphane, and thank you, Wolf, in particular - thank you for responding so promptly on the list. And as you'll see it was my intention to represent the Registries in requesting a deferral. But I don't think that that is a basis on which we should cut short the discussion now.

I mean, what was quite interesting to me about the discussion we had on the previous motion was in many ways I felt that we could just as easily be discussing this motion in the sense that there is a lot of work going on, some of which may overlap with elements of this or at least make it clear what specifically we should do.

So that makes it quite challenging. And I realize, Wolf, in some ways if we take it that the discussion was relevant on the previous motion then your question will be the same which is, well, in that case where do we go?

But I suppose my perspective is that there's a lot of work going on both in terms of workload and volume but also in terms of moving parts. And until the dust settles on all of that it makes it more difficult to see that we should kick off some more work and that's notwithstanding the point that you are right, of course, this work originates in other work and there are some open questions or issues that have not yet been dealt with.

They may be dealt with at least in part by other work going on. So that's my perspective on the matter. Thanks.

Stéphane van Gelder: Thank you, Jonathan. So we have a request to defer from the Registries which we will honor but as you suggested, Jonathan, we will continue with the discussion. And, Joy, you're next.

Joy Liddicoat: Thanks, Stéphane and thanks, Wolf, for that summary of the proposed motion. NCSG has also discussed this motion. And while we perhaps hear some ambivalence around Whois access policy work in general we're willing to support this motion. And we have proposed a friendly amendment to it.

In particular our concern is that GNSO Council policy development processes in relation to Whois access really need to emphasize the importance of policy being consistent with freedom of expression privacy and related rights. And we've proposed a friendly amendment to reflect that, which I'll just put in the Adobe chat.

In the first part of the motion under the first resolution the words in brackets which refers to Whois access in brackets to ensure that

Whois data is accessible and in appropriately reliable, enforceable and consistent fashion we've proposed adding the words before the end of the brackets, which does not violate freedom of expression and privacy related rights.

We think that would send a clear message around the following PDP work which would also signal that those engaging in that work can comment on and more detail that - those specific issues.

So that's our specific proposed amendment. I have raised it with Wolf and he had indicated that he would regard it as friendly but it's on the table for discussion.

Stéphane van Gelder: Thank you, Joy. Jeff.

Jeff Neuman: Yeah, thank you. And I just - I want to reiterate the comments from Jonathan but also kind of drop something with Joy as well. See, I think there's confusion in - even in the Council level as to what we mean by Whois access. Because I think Joy's comments of freedom of expression, privacy and related rights I actually don't believe that that's the Whois access issue as is normally thought of by the technical community and others.

I agree with Joy that policy-wise all of those things need to be taken into consideration when determining what you should do with Whois. But when you talk about Whois access you - I think everyone here should read the SSAC Paper 51 and the recently released roadmap to implementing SSAC 51 which just came out a couple days ago.

Because that's what Whois access really means in the technical community. And I believe that's what was meant by the Registration Abuse Policies Working Group which is not necessarily, you know, it basically puts policy aside and saying okay we'll let the policy be decided by whoever, you know, as far as what should be displayed and, you know, the fields that should be displayed and when they're not displayed in certain countries and things.

That's not Whois access; Whois access is how can we make sure things that the protocol that was initially established is updated? How can we use consistent terminology in describing the database versus the service? How do we make sure that the characters are internationalized?

That's what Whois access is supposed to mean but this motion, and even Joy's comments, just demonstrates the confusion that's in the community about quote, Whois access. So you know, I completely support the deferral but I really urge everyone on the Council that wants to comment on this look at SSAC 51, make comments on that because that is what the Board has already in front of it and that's what the Board will likely act on very soon because they're getting a lot of pressure from the community to do that.

It's also dependent - the IETF is waiting for the ICANN Board to act on it to get more momentum for revising the protocol which deals with reliable access. I think enforceability - I don't even think - even though it's in this motion I don't think that's an access issue either.

I think we need to be clear on what the terminology is and be very distinct on what we mean because access at least how it's been used

previously in the ICANN community does not mean or should not mean what's in this motion.

Stéphane van Gelder: Thanks, Jeff. Wolf.

Wolf-Ulrich Knochen: Yes, thank you. So thank you for all these comments. Well, it's great to hear. And really so I think it is (necessary) and I would appreciate if we could get to a comment, let me say, definition - an acceptable definition of all of this.

So what I see, though, with regards to Joy's or the NCSG's amendment is, you know, I also see Whois access more from a technical point of view but - which may have and will have also implications with regard to that what Joy is here bringing up and pointing to. So I would accept this so and see it, you know, both together. So I do not have a problem with that.

With regards to Jonathan's request for deferral I have only one question so, Jonathan, is this - will you go more that way with regards to this second resource? The question is that open to find a way how to allocate that or is it a general discussion you need in your community about this motion? That's my question.

Jonathan Robinson: Stéphane, if I may respond.

Stéphane van Gelder: Yes.

Jonathan Robinson: Thank you, Wolf. I mean, that's a good question and it's a fair question. There are really two issues. One is - one is providing - and

that's really the primary reason for the deferral is providing adequate opportunity to discuss this properly within our group.

But also I think there's a kind of implicit concern that even if we do have time to discuss it there may be other issues that arise along the lines of things that I suggested previously and what Jeff was talking about.

So, you know, I don't want to preempt where we might go with a vote on supporting the motion as it stands or how we might suggest amendments to it so the primary objective of the deferral was to have adequate time to discuss it with you as we have done now to take that back to the stakeholder group and then to come up with a position. But - so I think that's really the response. I hope that answers your question properly.

Wolf-Ulrich Knochen: Yes. Thank you.

Stéphane van Gelder: Thanks to you both. Yoav.

Yoav Keren: Yes I just - first of all I wanted to say that I also support the deferral but just to kind of say another thing and maybe ask what was the meaning or - for this motion. The issue that I'm trying to - I want to talk about is that Whois access is relevant, as much as I know, for only two gTLDs when you talk about RAA or registrars. And this is for dotCom and dotNet.

All other registries are supposed to have thick Whois. And actually we're going to have a - or it seems like over 2000 new gTLDs with the same kind of thick Whois which is not relevant for registrars.

Now if you talk about Whois access, as Jeff has stressed, this is a compliance issue to make sure registrars and registries have their systems available and in the specific format and provide the data. Nothing to do with all the other things - I fully support what Jeff was talking about also regarding the amendment.

So unless someone sees it separately I just think personally, from this view, that, you know, this is just not really needed.

Stéphane van Gelder: Thank you, Yoav.

Thomas Rickert: Stéphane, can you put me in the queue, please?

Stéphane van Gelder: Is that Thomas? Yes, go ahead, Thomas.

Thomas Rickert: Yes that's Thomas. Regardless of what the outcome of the discussions or ultimately a vote would be I think that Jeff's comments are most relevant in that at least it should be made very clear to the community what we're talking about. So I would recommend that maybe an additional whereas clause is put into the motion to clearly define what is meant by accessibility when it comes to this motion.

Stéphane van Gelder: Thanks for that, Thomas. So maybe I can suggest that as we now have a little bit of time before the motion comes up again at our next meeting in Prague that you also send a proposed friendly amendment to the list so that both Wolf and John can consider it. And I believe they'll be getting one from Joy if I understand - if I understood correctly.

Thomas Rickert: Will do. Thank you.

Stéphane van Gelder: Okay thank you, Thomas. Any further comments or discussion on this? Okay thank you very much. The motion is deferred until our next meeting. We will now move onto Item 7 and we will discuss the Consumer Metrics Working Group. They have prepared a draft document for Prague so that this can be discussed during the Prague meeting.

And as part of the process that they are working towards they want to - the working group wants to ask for the GAC's input. So a letter has been prepared. It is suggested that I, as Chair, send it to the GAC chair. And although - this kind of request is something that we could have considered as part of the consent agenda it was felt in this instance that a little bit of context would be useful and that we would put this on the main agenda.

We have asked Rosemary Sinclair, who is leading the working group, to be on the call with us and provide an update. Rosemary, are you with us?

Glen de Saint Géry: Stéphane, this is Glen. Rosemary is not on the call yet. And I have sent her a reminder.

Stéphane van Gelder: Okay in which case we will - I suggest we switch those items around, go to Item 8 and then come back to this.

Jeff Neuman: Hey, Stéphane, this is Jeff. Can I just make one quick comment because I do have to drop off early and it was on this. So if she does

come back on the call then maybe you can ask her the question if I'm not on.

But my question was they're asking us to submit a letter that contains draft advice but they haven't sent the draft advice to us yet. And so my whole point on this - and I think had sent a note to the Council was how can we send out quote, draft advice, to other SOs, ask for their comments, before we, the rest of the GNSO community, has actually even had a chance to look at it?

And I think their plan was to send it to all the SOs and ACs at the same time. But my point of view is why would we send out draft advice to other SOs and ACs if we don't at least have conceptual buy-in within the GNSO that this is what we can get behind putting aside the tweaks and other things.

So until, at least from my individual point of view, until I actually see the draft advice I'm not comfortable agreeing to a letter that's sending that draft advice to other SOs and ACs.

Stéphane van Gelder: Thanks, Jeff. I've made a note of your question in case we get to this item after you have left. And, Glen, please let me know if you hear from Rosemary. And in the meantime let's move to Item 8 and we'll come back to this if we are able to.

So Item 8 addresses the outreach taskforce which is, as we all know, an ongoing project that we've been looking at for a while. A couple of motions have been made with regard to the OTF, the Outreach Task Force. And both times we were unable to - well the first motion did not

pass and the second time there was no second for the motion so we were unable to consider it.

We have requested since Costa Rica that a group be formed to look at options on how to proceed so that we do not remain in this deadlocked position with the OTF. And this item is to provide an update to the Council on the work of that group so we will ask Wolf-Ulrich to provide us with that update please.

Wolf-Ulrich Knoblen: Hi, sure, Stéphane, thank you. So as you mentioned from the last meeting in Costa Rica from that discussion we had established a small discussion group, let me say that in that way, which was - had - not a formal mandate rather than the idea and the support of the group, well, to search for compromise solutions if possible.

This group is a very small one; it is just, well, to tell you it's Chuck Gomes, it's Bill Drake, it's John Berard and Rafik and myself. And we opened a mailing list for - searching for more volunteers, well, to come in but there was none in addition so we are a rather small team.

But it turned out that, let me say, the more or less - I would describe it that way - stick to the positions they have been put to the table before and there was, let me say, no, right, movement; rather than a movement, let me say, in - you can call in a circle or in a (unintelligible) somebody talked, well, it's come forward and sideways and then backwards again.

So we came up, then, with the question, well, this team would like to get more transparency in what's going on within ICANN entirely so with regards to outreach activities and initiatives. And we were asking staff

for that. And they are - as it turned out right now in the last two or three days they have been - done a lot of, let me say, research in that way from staff and a big initiative regarding the Prague meeting.

So, but maybe then is - could be explained by somebody from staff, by Liz or somebody else. Then how is that be seen. So this, what was - I don't know whether it was sent to the Council list or it was - I have seen that it was sent to the leaders of the ACs and SOs an invitation from Kurt Pritz, well, for a specific session - to take part in a specific session - public session in Prague with regards to outreach.

So, okay, coming back to our group so we need to find a - well we are to go, how to go, so we are still with the same positions. And maybe that initiative in Prague could make more transparent a little bit and could also shed some light in what the GNSO could do in future.

So this is my short report on that where we are. And I hope maybe - I would suggest, Stéphane, if somebody could just explain the initiative for Prague that would be helpful and then we could go to the discussion or questions. Thank you.

Stéphane van Gelder: Thank you, Wolf. So can I ask if there is any discussion around this item please? Not doing well with the OTF, are we? Who's Rob H?

Rob Hogarth: That's me, Stéphane, Rob Hogarth. I didn't know if you thought it would be of any value and I wasn't sure if Wolf's question was also asking sort of more what was behind Kurt's desire for the session and whether we thought it would be useful for a broader discussion of the invitation.

I think you circulated the invitation to the Council so that document I think was fairly self explanatory. But I'm happy to answer any questions if there are any.

Stéphane van Gelder: Thanks, Rob. Any further - Bill.

William Drake: Just to say the basic issue that had been between different parties in the Council had been over whether or not there should be a mechanism like the originally proposed OTF that would ensure some cooperation and information sharing in coordination across stakeholder groups as they pursued their respective outreach activities.

And we never could - that's basically a binary choice. Some of us thought there should be an OTF; others thought there should not. We had thought that there was going to be an alternative proposal for some other mechanism that would achieve the same thing. And that proposal never happened. So we kind of just remained where we were.

In the meanwhile we could never really figure out what was happening at the staff level in ICANN more generally around this issue. There were various bits of information floating around. We didn't know how, what we might do would need to be coordinated with something else. We were unable to really get much information.

It now appears that outreach activities are going forward. A questionnaire is being sent out to the heads of SOs ACs which is what some people wanted to happen through the staff. And so basically I feel like, okay we're done. The answer to the Board is that the GNSO Council will participate in whatever activities they plan to carry forward around outreach.

As far as doing something special in addition on its own there doesn't seem to be consensus on doing that. And I don't suspect that there will be so I think we can stop torturing ourselves with this kind of, you know, fairly - what for a lot of people is probably kind of a side show and not terribly important point and just say that this is something that ICANN will be pursuing at an organizational level and we, the constituencies and stakeholder groups will happily participate in their own respective ways.

Stéphane van Gelder: Bill, thanks a lot for that. And as I think you mentioned the document has been put up by Marika on the Adobe with the questions that Wolf was referring to (adding on) so people can have a look at that. Any further comments or questions? We will once again discuss this item in Prague so we will come back to it.

We are trying to find a way forward. We've had a lot of difficulty trying to find a compromise on a way forward on this. And we're still hopeful that we will. Wolf, you want to get back on something else?

Wolf-Ulrich Knochen: Yes, I would like to add something. It seems to me important. It is, you know, from my understanding from the discussion there is a critical point is, well let me say this way, you know, there is a - the motion and the OTF structure as it stands seems to many of the different part of the community, let me say, sent - has a flavor of centralization of the - of outreach efforts, you know.

And there are - there are concerns about, you know, the so-called silos you call it, you know, so what - because they are - they have different ideas, different approaches to go. So for the further discussion it would

be important if it is - it could be possible to find a definite, let me say, borderline between these two different approaches and to accept it if that is possible, you know.

That would help many, many of those interested groups and so if that is possible. If not - if it not seen that, let me say, in parallel the GNSO as a whole has - could have some responsibility with regards to outreach versus the diverse stakeholder groups then okay that should be also put on the table very clearly. I think this is a crucial point for the discussion. Thanks.

Stéphane van Gelder: Thank you, Wolf. Anyone else? Okay so once again we'll talk about this and let's move onto Item 9. Well hang on, let me ask Glen, do we have - have we heard from Rosemary?

Glen de Saint Géry: No we haven't heard from her yet, Stéphane. And I've sent a number of messages.

Stéphane van Gelder: Okay thank you. So we'll move onto Item 9 which is an update on the Internationalized Registration Data Working Group. Why are we talking about this? Because the IRD submitted its final report to both the GNSO Council and SSAC. And SSAC came back with several recommendations for some substantial changes.

Some of the - I believe changes were quite substantial. And the group then produced an updated report which includes those changes. So we now have in front of us a report that has been updated to include the changes that were requested by SSAC. And the question on the table for us is do we now want to approve the report as it stands?

We are discussing this today as a primer for Prague. And we will - I think we should expect a motion on this topic for our Prague open Council meeting. So in order to prep us for that and to make sure we go into that meeting with a good knowledge of the topic we have got an update in this meeting on this from Steve Sheng. Steve.

Steve Sheng: Thank you, Stéphane, and the GNSO Council for giving me this opportunity to provide a status update on the Internationalized Registration Data Working Group final report.

So just a quick background; this is a joint working group of GNSO and SSAC that was formed in late 2009. Its task is to study the feasibility and suitability of introducing submission and display specifications to deal with internationalized registration data.

So by internationalized registration data we mean the registration data that can contain elements other than Latin or US ASCII so for example a Chinese registrant could have the data in Chinese, an Arabic registrant could have it in Arabic so on and so forth.

This is an important issue because for a couple reasons so first of all the Internet Architectural Board regards this as an important issue to address with the introductions of IDNs. So with the introductions of IDNs it creates two problems for Whois.

So the first problem, I think Jeff alluded earlier, is the underlying Whois protocol is not able to consistently support internationalized registration data because it has no mechanism to signal encodings so that's a technical problem.

The second problem is more or less a policy problem that is what are kind of the requirements for internationalized registration data? What data elements should be internationalized or could be internationalized. And this working group is tasked to address the second question which is more a policy question.

So moving on the working group deliberated for about two years and it produced its final report. Very briefly the final report has three recommendations. The first we call a data model to be developed that support internationalized registration data. And second is the requirement for translation or transliteration to be determined. And the working group recommend a PDP to accomplish this.

And finally they have a recommendation to identify a replacement protocol that meets the needs of the internationalized registration data which is the technical piece.

As Stéphane mentioned earlier the report was finalized in March this year and was sent to SSAC and GNSO. So when SSAC delivered this report they corrected some technical and other errors in the document but they also proposed a additional recommendation, now Recommendation 4, that says ICANN should take appropriate steps to require gTLD registries and registrars and persuade ccTLD registries and registrars to support the following standards, so those are the standards - you know, in the interest of space I did not include it here - that are already agreed by the working group.

So the rationale for this SSAC recommendation is the IRD Working Group was able to tackle most of the requirements if not all of them. The only remaining issue is regarding the requirement for translation

and transliteration which they could not tackle and agree on and they recommend a PDP.

So all the other requirements for other data elements they already agree on it. So the SSAC thought why wait for a PDP to determine the translation and transliteration requirements, you know, you know, for those areas that there are already agreements there should be some movement forward so that's the rationale they put forward, Recommendation 4.

Now the next steps we've sent the - a revised version of this report that was approved by the IRD Working Group to the GNSO Council about I think two to three weeks ago. And there will be a motion to - for the GNSO to discuss this if I understand correctly. That's the next steps.

So I think that's a quick update. That's all. Any questions?

Stéphane van Gelder: Any questions for Steve? Yes, Ching.

Ching Chiao: Thank you, Chair and thank you, Stéphane for - Steven, for the presentation and updates. Actually just two quick questions here. I know this subject, the IRD has been out for a while and I remember the resolution was made from the Board around three years ago as the new gTLD project was emerging and also the ccTLD Fast Track was just about to launch.

So could you perhaps first of all share the - kind of what is going to - what has happened and what is going to happen - what is going to happen down the road since we - so we have been aware of this subject but it seems that the IRD subject has been put in silence for a

while. So it would be really helpful for the Council to know that - why this issue is being brought up again - basically it's a technical one so that's the first one.

And just maybe let me stop now so you can answer it or just provide some comment on that first.

Steve Sheng: Thank you, Ching, for that question. Very helpful. The Board I think the IRD Working Group was approved in a Board resolution in - roughly in the Sydney meeting I think in June 2009.

It just took a while to finally come to this final stage in the process. They have released interim reports, public comments and final reports and then, you know, because this was a joint working group both the chartering councils and SO and ACs had to approve so it went through this length approval process.

In terms of next steps some of these - because this is a Board initiative group the - once the GNSO and SSAC approved the report the report will be forwarded onto the ICANN Board. Some of these recommendations have policy components so perhaps the GNSO would also like to provide advice in terms of the next steps on those recommendations that has, you know, policy related. So that's a quick answer.

Stéphane van Gelder: Thanks, Steve. Ching, is that okay?

Ching Chiao: Okay thank you, yeah. Yeah, I mean, actually a follow up on that because I've read through and also you talked about this - the follow ups that would require actually from both GNSO and SSAC for their -

either policy input, I mean, advice and a kind of a decision to be submitted to the Board.

So I guess my next question is - it's probably not just for you, Steven, but for the Council, is that it seems that this probably created another cross constituency or cross SO - I mean, kind of a statement or position to a very broad project - broad subject which is actually related to registration data, you know, it's actually related to the overall Whois subject.

So - and you're talking a potential policy position or even a PDP down the road. So just, I mean, right now - because it pops up once again this IRD subject so I - I'm just throwing a kind of a word of caution. It seems that it's a bigger things than simply ask - I mean, it is as a IRD but probably, I mean, whether for the Council it's one - is a cross constituency position or policy effort and, two, we are talking about a rather larger scope of the topic which is related to Whois. Thanks.

Stéphane van Gelder: Thank you. Any further comments please?

Glen de Saint Géry: Stéphane, this is Glen.

Stéphane van Gelder: Yes, Glen.

Glen de Saint Géry: We have Rosemary on the line.

Stéphane van Gelder: Great, thank you very much. So hearing no further comments let me thank Steve for his update. And we will now go back to Item 7. Greetings, Rosemary, thanks for being on the call.

Rosemary Sinclair: Hi, Stéphane. Thank you.

Stéphane van Gelder: Hi. I introduced the item earlier on and so let me turn this straight over to you for an update on the Consumer Metrics Working Group.

Rosemary Sinclair: Thanks, Stéphane. And the particular item that is before Council is a letter that we would like the Chair of GNSO Council to send to the Chair of the GAC. We've made good progress with this project since GNSO chartered the group towards the end of last year.

Our task, just as a reminder, is to prepare draft advice for consideration individually by each of the SOs and ACs in preparing a response to the Board all of which is in preparation for a review team which comes into existence 12 months after the launch of the new gTLD program.

So the work looks at three definitions, consumer trust, consumer choice and competition with a view to assisting the subsequent review team in determining whether the expansion of the gTLD space has promoted each of these topics.

The work offers definitions of those three elements and then goes onto suggest a range of metrics for assessing progress with those elements and subsequently some suggested targets for three years down the track so it's quite a long term piece of work.

The group is not a cross community working group; it's a working group of the GNSO Council. But we have nonetheless been reaching out to stakeholders across the community. And because of the set of

issues that we're dealing with in preparing the draft advice the working group feels that it would be good to have some early consideration from the GAC and that's the purpose of this letter to ask GAC to provide early consideration to the working group so that we can take account of it.

That's not to say that there won't be much discussion - or many discussions down the track but we felt that in preparing this work for GNSO Council's consideration it would be helpful if we were able to get input from the GAC. Thanks, Stéphane.

Stéphane van Gelder: Thank you very much, Rosemary. I will open this up for a discussion. And I'll start that discussion with a question that Jeff Neuman asked to be read out to you when we came to this item. Earlier on Jeff was - unfortunately had to leave the call since then.

But he wanted to get a better understanding of the fact that the Council is being asked to approve the submission to the GAC of a letter that contains draft advice or references it.

Rosemary Sinclair: Yes.

Stéphane van Gelder: But that draft advice has not been sent to the Council itself yet. So Jeff felt or was asking about that...

Rosemary Sinclair: Yes.

Stéphane van Gelder: ...that fact.

Rosemary Sinclair: The reference to the draft advice in our letter, Stéphane, is just for the purpose of making it easy for the GAC...

((Crosstalk))

Rosemary Sinclair: ...the draft advice that was made available for public comment.

Stéphane van Gelder: Okay. Does anyone else have any questions or comments for Rosemary? I'm not seeing any. The last item that - or sub-item that we had on this was to consider whether we approve of sending the draft that is up on the Adobe now to the GAC Chair. So let me ask whether there is any disapproval of sending the proposed letter from me as Chair to Heather as Chair? Does anyone disapprove?

In which case we will send the letter as requested. May I ask, Rosemary, that you send me the letter with a formal request? And I will pass it on.

Rosemary Sinclair: Thank you very much, Stéphane, and thanks to the Council.

Rosemary Sinclair: Thank you, Rosemary, for joining us this - today. I don't know if it's evening for you; it is for me but may not be for you. And we will now move onto Item 10 which is an item on fake renewal notices.

And we have a small group preparing a request for information concerning fake renewal notices. And we've had a report from the drafting team that was submitted to us on March the 6th. And we had a presentation of the report in Costa Rica. We've had - since then a public comment forum has been opened on this. There have been

some comments. And the question now for us is what to do with those comments.

One suggestion that we might be able to put forward is that we as the Council send the comment back to the drafting team for their recommendations. But before deciding anything let's turn to Marika for an update of these - the comments received.

Marika Konings: Yeah, thank you very much, Stéphane, this is Marika. And maybe to take, first, a little step back because what preceded this is actually another recommendation from the Registration Abuse Policies Working Group which actually recommended requesting an issue report on this topic but following further discussion in the Council it was then decided that indeed it might be helpful to first a little group look at this issue in more detail and really determine, you know, what is the issue at stake and, you know, possibly also look at potential avenues to address it.

So as I said that report was presented to you all in Costa Rica. But that drafting team also realized that they were actually working with a relatively small group and that it might be helpful to put their report and their recommendations out for public comments.

So that happened. The public comment forum opened in March; it closed in mid-May. And there were actually six contributions that were received from different parts of the community, many individuals but there was also a statement from the At Large Advisory Committee received.

And so the comments itself, you know, they varied; some comments specifically on what was covered in the report, where information was

missing. Some specifically commented on the recommendations that were in there and some new suggestions have been made as well as to other approaches that might be followed. And there were also some other little bits and pieces that people made suggestions on.

So as Stéphane said it's now, you know, up to the GNSO Council to determine what to do with these comments whether, you know, you feel indeed that this is enough information for you to take a decision together with what the drafting team already provided you with or whether it might be helpful to have the drafting team look at these comments and maybe determine whether they feel on the basis of the comments received that they should make any further changes to that report and recommendations and come back to you with that at a later stage so it's really in your hands now to decide what to do next.

Stéphane van Gelder: Thank you, Marika. Can I open this one up for questions please? Seeing no questions may I ask if there is any opposition to us asking the drafting team to make their recommendations on the basis of the comments received during the public comment period? Does anyone oppose this?

Hearing no opposition we will do just that. And, Marika, perhaps we can ask you to pass that message onto the drafting team?

Marika Konings: Yes, Stéphane, we'll definitely do so.

Stéphane van Gelder: Thank you very much. And we will now move onto our last item of the day, Item 11 on the uniformity of reporting. We have another update from Marika that is being uploaded on the Adobe

Connect. So - and it's now up so, Marika, let me hand the mic back to you.

Marika Konings: Yes, thanks, Stéphane. This is Marika. And this might look familiar because this is actually the same update I provided at the last Council meeting so just to serve as a, you know, refresher - I think it was actually two Council meetings ago - as a refresher of, you know, where this issue comes from and what it's all about.

This is another one of the Registration Abuse Policies Working Group recommendations that related to uniformity of reporting. And as you may recall a first step in addressing that recommendation was actually draft at the ICANN's compliance department to provide further information on how the current systems report and track violations and whether they have any improvements or changes planned in the near future and also asking them if, you know, what recommendations they might have for improvements possibly in the future.

But linked to that recommendation was also the further consideration by GNSO Council and of the Registration Abuse Policies Working Group recommendation which basically recommended that the GNSO Council and the larger ICANN community in general should create and support uniform reporting processes.

And to just give you a little bit of a background on what that was all about the tentative goals of such an effort, you know, would include providing education and knowledge to people wanting to report problems, that they would know where to go and what, you know, problems they can report and making it easier to submit valid complaints, reduce the number of false complaints as well an

understanding of, you know, what ICANN is actually responsible for and what it can take action on and which issues do not fall within its purview.

And also help inform policy making activities by having access to better data and information. Also improving data available from compliance activities and also looking at this question of, you know, what comes first, the policy process or the data describing what the problem is.

So also including suggestions as, you know, how data can be gathered more efficiently as, you know, we currently rely to a large extent on data that ICANN compliance might have which is, you know, not typically their prime reason is not to provide data for policy gathering, you know, they're enforcing contracts and that's why they get that information.

So basically on the basis of, you know, the information received from compliance the Registration Abuse Policies Working Group recommendation and goals that they set out it's now again back in the hands of the GNSO Council to, you know, consider the input that was received and it's how we want to address the recommendation from the RAP Working Group.

Stéphane van Gelder: Thanks, Marika. Let me open this one up for discussion then. Any comments or questions or suggestions on how to proceed. Marika, do you have any suggestions?

Marika Konings: This is Marika. I mean, I think this would - this would be another effort where people would need to be brought together and really think about this issue. And I've reached out actually to Mikey who was very vocal

on this issue and he shared some ideas, you know, that he might be willing as well to share with the Council so I can check with him if, you know, it would be - if I can forward you his suggestions.

But I think this is, you know, one of those topics where Mikey can do a bit of brainstorming if indeed the Council would like to move forward with this issue. So I don't have any concrete suggestions at this point in time.

Stéphane van Gelder: Thank you. It does seem, from the (size) that - and the fact that we're looking at this again so soon after the last time we looked at it that the Council does not have any concrete suggestions on moving this forward. In which case one of the other things we could do is also just decide that the work on this - we will not continue to work on this item failing any suggestions on pushing it forward.

In which case we could look at making that official as part of a consent agenda item in one of our upcoming meetings so we could also look at it from that point of view unless there are any more comments on this I will maybe suggest something along those lines for our next Council meeting. Alan.

Thomas Rickert: Stéphane, this is Thomas.

Stéphane van Gelder: I have Alan first and then Thomas.

Alan Greenberg: Yeah, just a very quick personal comment. This seems like one of a series of things that have been around for a long time; it's yet the next phase in a process and several of the things we looked at today are

like that. There's no real great interest in Council in pursuing it. But we seem compelled to, you know, make sure that we've done it properly.

And in a world where there are some really substantive issues to look at, and we're always worried about workload, I think this is the kind of thing that we need to look at and say is there really a compelling reason to do work on it right now?

If not either put it out of its misery or shelve it for another year and come back but not keep on spending time, you know, chartering yet another little group to look at it and then come back to Council for another 25 minute discussion.

These are the kinds of things I think that if there's no compelling reason, there's no driving interest in pursuing it right now, we're not even sure quite what the outcome will be or what the desired outcome are, maybe it's time to just move on. Thank you.

Stéphane van Gelder: Thank you, Alan. And personal response I fully agree. And this does seem to be along the same lines as my suggestion to perhaps put this out of its misery, to coin your phrase, on one of our next consent agendas. Thomas was next.

Thomas Rickert: Thanks, Stéphane. One question for Marika - and I'm sure that I have missed something on this - but currently there are other projects looking at technical formats to exchange reports and in those cases on abuse cases and stuff like that.

Has, you know, in the context of this effort has somebody reached out to the technical community so that maybe a unified response format

can be used for all sorts of incidents including compliance issues?
Because that may be a constructive way to move this forward is to talk to the technical people that are working on unifying a format for abuse messages to also include maybe a field that would indicate that this is a compliance issue, you know, so that at least the technical approach can be unified.

Marika Konings: And this is Marika, if I can respond. As far as I recall I don't think that was considered or actively discussed as part of the Registration Abuse Policies Working Group recommendations. But I think that was probably envisioned as part of the work going forward because what the working group did itself is identify certain issues and indeed made certain recommendations on moving forward or what the objectives would be.

But it didn't do, you know, the legwork itself because it was really a - what we at the time called a pre-PDP working group and the working group was really tasked to identify the different issues relating to registration abuse that they felt further policy work should be done on. And, you know, this was one of the items that was identified as part of that discussion.

Stéphane van Gelder: Thanks. Any further questions? Okay so I will put this on the consent agenda as a close with a proposal to close and we'll see where we go from there.

Let's move onto AOB. Does anyone have any AOB items for this meeting? Hearing none we will close with six minutes to go until the scheduled end of our meeting. Thank you all for your participation. And

I look forward to seeing you all in Prague in just a few weeks' time.
Thank you very much. Good-bye.

Mary Wong: Thanks, Stéphane. Thanks, everybody.

END