Transcript GNSO Council Teleconference
19 March 2015 at 18:00 UTC

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http://audio.icann.org/gnso/gnso-council-19mar15-en.mp3
Adobe Chat Transcript :
http://gnso.icann.org/en/meetings/transcript-chat-council-19mar15-en.pdf
All on page: http://gnso.icann.org/en/group-activities/calendar#mar

List of attendees: NCA – Non Voting – Carlos Raúl Gutierrez
Contracted Parties House
Registrar Stakeholder Group: Volker Greimann, James Bladel, Yoav Keren
gTLD Registries Stakeholder Group: Jonathan Robinson, Donna Austin, Bret Fausett – joined after roll call
Nominating Committee Appointee (NCA): Thomas Rickert
Non-Contracted Parties House
Commercial Stakeholder Group (CSG):Phil Corwin, Susan Kawaguchi, Osvaldo Novoa, Tony Holmes, Heather Forrest, Brian Winterfeldt – absent apologies proxy to Heather Forrest
Non-Commercial Stakeholder Group (NCSG): Amr Elsadr, Marilia Maciel – absent apologies proxy to Amr Elsadr, Edward Morris – joined after roll call, Stephanie Perrin – joined after roll call, Avri Doria, David Cake
Nominating Committee Appointee (NCA): Daniel Reed

GNSO Council Liaisons/Observers:
Olivier Crépin-Leblond– ALAC Liaison
Patrick Myles - ccNSO Observer - absent, apologies
Mason Cole – GNSO liaison to the GAC

ICANN Staff
David Olive - VP Policy Development
Marika Konings - Senior Policy Director
Rob Hoggarth - Senior Policy Director
Mary Wong – Senior Policy Director
Steve Chan – Policy Director
Lars Hoffmann – Policy Analyst
Berry Bobb- Consultant
Larisa Gurnick – Strategic Initiatives Director
Glen de Saint Géry - GNSO Secretariat
Cory Schruth – Systems Engineer

Guest:
Jennifer Wolfe- GNSO Review Working Party Chair

Coordinator: The recordings are started.

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

Jonathan Robinson: Yes, Glen, go ahead.

Glen de Saint Géry: Good morning, good afternoon, good evening everyone. This is the Council call on the 19th of March. And on the call (unintelligible) Donna Austin, Jonathan Robinson, James Bladel, Yoav Keren, Volker Greimann. I do not yet see Bret Fausett; is he on the line or on the line or on the Adobe Connect perhaps? I don't see him yet. Thomas Rickert?

Thomas Rickert: Present.

Glen de Saint Géry: Philip Corwin.

Phil Corwin: Present.

Glen de Saint Géry: Susan Kawaguchi.

Susan Kawaguchi: Present.

Glen de Saint Géry: Brian Winterfeldt is absent and his proxy goes to Heather Forrest. Heather Forrest.

Heather Forrest: Present. Present, thank you.

Glen de Saint Géry: Thank you. Osvaldo Novoa.

Osvaldo Novoa: Present.

Glen de Saint Géry: Tony Holmes.

Tony Holmes: Present.

Glen de Saint Géry: Edward Morris.

Avri Doria: Edward is on another call and just about to get off it for one of the CWG meetings or CCWG meeting.

Glen de Saint Géry: Amr Elsadr.

Amr Elsadr: Present.

Glen de Saint Géry: David Cake is absent and he has given his proxy to Stephanie Perrin...

David Cake: Actually I'm present.

Glen de Saint Géry: Oh you're present.

David Cake: Yes.

Glen de Saint Géry: David, thank you. Marilla Maciel is absent and she has given her proxy to Amr or is Marilla perhaps on the call. Stephanie Perrin. Avri Doria.

Avri Doria: I'm here, thanks.

Glen de Saint Géry: Daniel Reed.

Daniel Reed: Present.

Glen de Saint Géry: Carlos Gutierrez.

Carlos Gutierrez: Present, thank you.

Glen de Saint Géry: Olivier Crépin-LeBlond.

Olivier Crépin-LeBlond: Present.

Glen de Saint Géry: Patrick Myles is absent and sends his apologies. Mason Cole.

Mason Cole: Present.

Glen de Saint Géry: And for staff we have David Olive, Marika Konings, Mary Wong, Steve Chan, Lars Hoffman, Rob Hogarth, Berry Cobb and myself, Glen de Saint Géry. Have I left off anyone?

James Bladel: Glen, this is James Bladel, I'm here.

Glen de Saint Géry: Thank you very much, James. And so it's over to you, Jonathan. Sorry, everybody is complaining I'm inaudible, I hope you've been able to hear up to now anyway. I'll do something about it, thanks.

((Crosstalk))

Jonathan Robinson: Thanks Glen. I'll take over now. You're sufficiently audible but it's not great audio quality so that's worth noting.

((Crosstalk))

Jonathan Robinson: And if I can just remind everyone to please make sure that your audio is muted, that helps for the quality for everyone. So we've got a full agenda this evening. We'll work through items efficiently but that doesn't mean that you shouldn't speak up, make yourself known if you'd like to contribute. Please raise your hand in the Adobe room if you have anything you'd like to contribute.

So just calling for any updates to statement of interest, Item 1.2. Thanks. Glen, it looks like your microphone is open. Heather, go ahead.

Heather Forrest: Thank you, Jonathan. In regard to statement of interest, although it went around by the email just making sure all have seen that I have updated by statement of interest to reflect that I'll be doing some research at the University of Tasmania for the rest of 2015.

Jonathan Robinson: Heather, sounds nice; sounds like a good job to be doing. Thank you for that. And welcome now to Olivier who has his hand up so welcome, Olivier, go ahead.

Olivier Crépin-LeBlond: Thank you very much, Jonathan. Olivier Crépin-LeBlond speaking. And just to let you know that I have shared my statement of interest which is published under the At Large statement of interest with Council mailing list. If there is a statement of interest required for the GNSO Council of course I'll be glad to fill one up. And I'll follow up with Glen and you if that's the case so thank you. And I'm very glad to be here.

Jonathan Robinson: Thanks, Olivier. Welcome again. And I did briefly check the statement of interest and it was very interesting so thank you for that. Right, so we have an opportunity now to make any comment or points on the agenda under 1.3.

And seeing none I'll move to 1.4 and note that the status of the minutes are still not - are not posted from the previous meeting so I'll get on the case and review those with the vice chairs right away. We do have them; I can confirm we have them to review so we'll sort that out and turn it around shortly.

Under Item 2 we will have a quick look over the action list. So if I could see that list of actions up in the Adobe that would be great. And then we can all see that.

So there is - first of all a requirement to get on with planning the Buenos Aires meeting. That will be David Cake and myself working together with the

support staff, GNSO support and policy staff to do that so we'll look forward to getting on with that soon, David.

It would be worth picking that up shortly because it's one of those things where the sooner we get some shape and structure to that the better. On the CWG I think we'll come to that on the - on both of the cross community working groups. We've got a specific item on the agenda to deal with that so we'll come to both of those points.

The next couple of items are on hold although we do have an item specifically dedicated to whether or not we pick up the two items which are now appropriately scoped for the SCI or at least there is a template being developed so we can have a look at that.

The expert working group final report, that item is now complete so we can - that will go off the list at the next meeting. I think the outstanding IGO INGO PDP recommendations we still wait for some more guidance from the New gTLD Program Committee on that so that's on hold pending that further input.

On the GAC communiqué, we haven't made stellar progress on this one and so there is - there is a decision to be taken here as to where we go next with this. There is a couple of things to figure out here the first of which is ensuring we have the mechanism right which Volker has been leading us on and that work has gone reasonably well.

We have to make sure we deal with the sort of optics of it. And I know Mason has reached out to the GAC to try and set up a meeting. And I suspect - and I'll probably end up following up on that just making sure that we don't do the work without at lest discussing it first.

And then there's a question of timing. The question is have we missed the moment now to deal with the GAC template? I think we've probably - with the GAC communiqué. I don't know if anyone else has any view on this. I mean,

time is passing since it's - since the last meeting. We have a provisional - we have a sort of empty template we could work with.

Question mark, have we missed the moment? And in any event we need to make sure we discuss this. Any comments or thoughts on whether the opportunity remains live and whether we should keep on with this and notwithstanding developing a mechanism?

David Cake: Sorry...

((Crosstalk))

David Cake: I don't seem to be in Adobe Connect so but I've been in - as long as the board has not yet delivered their response to the GAC advice and as long as we get in, you know, long enough before that that they are able to consider it, it's still timely. Thank you.

Jonathan Robinson: Okay, thanks David. I see James has got his - go ahead, did you want to say something more, David?

David Cake: No, that was all.

James Bladel: Thanks, Jonathan. James speaking for the transcript. Pretty much agree with David. I think that we still have some time although you're correct that the window is probably closing quickly so we should go before to respond to the most recent communiqué. But I think there is value in pursuing this generally and making this a - perhaps a fixture for future post-meeting follow up and with a targeted goal of having a response, you know, within one to two weeks after publication of the communiqué.

I think the GAC certainly works very hard to write the communiqué during the ICANN meetings. And I think we could respond with an equal level of diligence on our side to get the comments turned around. Thanks.

Jonathan Robinson: Thanks, James. Carlos.

Carlos Gutierrez: Yes, Carlos Gutierrez for the record. I just want to say that I don't know exactly where the template is but I volunteer to help. Thank you.

Jonathan Robinson: Thanks, Carlos. So I think if I'm not - so there's really three things that need to happen - I think - well we have the template. I think I need to follow up and make sure - my concern is a sort of political one if you like. I don't want us to be producing a response without at least discussing it with the GAC chair and/or vice chairs. So I will follow up on that note to make sure we have that conversation.

And in the meantime - thank you for that, Carlos. David, I think you were - you had originally said you would do some template. Perhaps you could confirm that and if so work with Carlos to populate that template.

David Cake: Okay, thank you. I will do that.

Jonathan Robinson: Okay great. So if we can have David and Carlos and anyone else who wants to work with them in a drafting team to make a review and populate a template we can work on this and potentially sign if off at the next meeting. And in the meantime I will reach out to the GAC and make sure that they are - or to the best of my ability that I can make sure that they are familiar with what we are proposing and/or get the opportunity to give any feedback. Good, well that's helpful. Thanks, David. Thanks, Carlos and others.

James Bladel: Jonathan, this is James with a quick question on that subject before we wrap it up.

Jonathan Robinson: Go ahead, James.

James Bladel: Thanks. So the question is when you said you were going to consult with the GAC chair and vice chairs on this response or comment on the GAC communiqué, do you anticipate that's something that will be done each time that we issue a response or just that that would be sort of an introductory consultation for this first one so they're not caught off guard and then just more of a courtesy notification through the liaison or through Mason or is that an ongoing thing or is that just a one-time event?

Jonathan Robinson: Thanks, James. Good question. It's very much the latter, it's just that it's something we haven't done before. And, you know, the GAC produces the communiqué. As I understand it the communiqué is a communiqué - it's a GAC communiqué but essentially it's us stepping into a process where we haven't stepped into before. And whilst it's with the best intentions I would like to make sure it's understood and so, yes, it's very much the latter of your two points.

James Bladel: Okay, thank you. And just to clarify that we are - that we understand that the communiqué is - or the advice in the communiqué is directed at the board and not at the GNSO unless it specifically says that.

((Crosstalk))

Jonathan Robinson: ...so therefore our objective is to say however, we identify these areas as either subject to existing policy recommendations or potentially subject to future policy work and just want to make our voice known without inappropriately intervening in the process.

Donna, go ahead.

Donna Austin: Thanks, Jonathan. Donna Austin. This may have been said already but I can't remember. The intention is that this will go to the GAC and the board or is this just going to the GAC?

Jonathan Robinson: Good question. I would have thought it went to the board copied to the GAC.

Donna Austin: That would be - if I understand correctly what we're trying to do in relation to this is provide the board with an understanding of potentially where there are, you know, previous policy decisions or things made in regard to GAC advice to have the board better informed when they respond to the GAC communiqué. That would make sense that this is directed at the board and copied to the GAC.

Jonathan Robinson: Yes, and so that's - exactly therefore that's how I would envisage us doing it although I don't know that we've captured that exactly but that's certainly how I would envisage doing it. The GAC produces the communiqué, we say oh good, the GAC has produced a communiqué, well let's make sure the board, as you said a moment ago, properly informed as to any previous and/or prospective policy work that's going on directly related to those points in the GAC communiqué. Thanks, Donna.

I would like to make sure we capture that intention as well so I guess in terms of any process Volker or staff who's worked on capturing that, we have a template here and we have a notional process so it would be good to make sure that that's captured. So if we could capture that as an additional detail action point coming out of this meeting that would be useful.

Volker Greimann: Yes, of course.

Jonathan Robinson: Thanks. Can I just confirm who from staff is capturing the actions coming out of this meeting?

Glen de Saint Géry: I'm doing the action points, Jonathan.

Jonathan Robinson: Great, Glen, so you've got that I take it. Glen, did you capture that or would you like me to make sure you've got that?

Glen de Saint Géry: We'll make sure that I've got it. Thanks, Jonathan, please.

Jonathan Robinson: Okay so the intention here is - Volker will hopefully capture it but the idea is to add to the process relating to the GAC communiqué that this is intended to be - the output is intended to be sent to the board and probably to the GAC.

Glen de Saint Géry: Thank you.

Jonathan Robinson: All right next I guess is the ICANN meeting strategy group, that's up and running. And that's going ahead. There's the CWG on the auction proceeds which we'll deal with later in the meeting. Did we deal with policy and implementation? Can someone help me there? Marika, did we deal with the - oh it was - that was just to encourage the groups, right, so that's going on via the various groups.

And I know from my involvement that the Registry Stakeholder Group there's work being done there. So that - and that deadline is now past but the idea was to encourage the groups to participate. Yeah, so that's clear.

All right so I think we're done with the actions and we can move then onto the Item 3 which is the consent agenda point. And here under 3.1 we confirm the selection of the Privacy and Proxy Services Accreditation Issues Working Group for a facilitated face to face meeting at ICANN 53 in Buenos Aires.

Essentially we are ratifying that they will benefit from this funding in order to move the work of that group forward. So James, go ahead.

James Bladel: Hi. Thanks. James speaking. And maybe, you know, maybe Mary or Marika can weigh in on this but I'm not sure that we reached a consensus on that particular group that that scheduling of that face to face is going to work out.

You know, or at least that conversation appears to still be ongoing. Could staff maybe correct me on that?

Jonathan Robinson: Thanks for the question, James. Mary, go ahead.

Mary Wong: Thanks, Jonathan. And thanks, James. As you know and a couple of other councilors know who are members of that group, the conversations that are ongoing relate to when it would be optimal to hold the face to face meeting. And there's obviously things surrounding each face to face meeting that we're going to take back to the Council as feedback on each of the groups.

But given the pressures of time and the other topics that are occupying the community's time and the stage at which this group is at there's a possibility that instead of doing it as an additional day, which is how it was done for the other two in the pilot, that this might be broken up and have at least part of it during the week.

So the staff understanding is that a very large majority of the working group and the chairs want to go ahead with the face to face, that the issue here is when it will happen, although obviously there's a couple of members and that's true of almost every group, that would question whether or not we need it a particular time. So hopefully this helps.

Jonathan Robinson: Thanks, Mary. I see Philip has a hand up so go ahead to Philip.

Phil Corwin: Yeah, thank you. I'm a member of this working group. I would urge the decision be made today. While the discussions within the working group aren't complete if there isn't a go ahead that allows the working group to make its own decision taking place today it'll be deferred for another month.

And, frankly, I know that I and other members of the working group are deferring making our air travel arrangements until a decision is made and the working group can't make a final decision until it knows whether it has

approval if it wants to hold a full day face to face. So I would urge any action other than deferral today. Thank you.

Jonathan Robinson: Yeah, so thanks, Philip. Let me help you, James and Mary, if that's a new hand I'll come to you in a moment. But essentially that we will - what I suggest we do here is confirm you for the facilitated face to face meeting. The working group then is empowered to take advantage of that in whatever way it sees fit, whether that's during the course of the meeting or before or after the meeting.

It is almost certainly too late in the day to give this opportunity to another working group so whether you take advantage of this in part or in whole we will empower you through this. So I suggest we go ahead and do that and then you are in a position to take advantage of it as you see fit and as it's due to the work of the working group.

So that's my suggestion. If I don't see any hands I suggest we proceed on that basis. If I do see hands obviously we'll take the discussion further. All right seeing no hands at this point I - we will put this to a voice vote to approve the consent item. So I will ask for anyone who objects to this to being on the consent agenda to please make yourself known now. I will then ask for anyone who seeks to abstain from voting on this item being on the consent agenda?

Glen, hearing no "no" votes and no abstentions, I'd like you to record that all those present are in favor of this item on the consent agenda including those holding proxies.

Glen de Saint Géry: Thank you, Jonathan. I will.

Jonathan Robinson: Thanks, Glen. Thank you, councilors. Item 4 is the one motion we have on the agenda today. And this is really to formalize the position with respect to the GAC GNSO Consultation Group and the work that they will undertake

in dealing with the initial phase of the PDP. I'll remind you that this is part of a bigger piece of work and this is dealing with the initial issue scoping.

Carlos, you are the maker of the motion. I'm not sure it's necessary to read the entire motion but you may want to say a couple of words and read the resolve clauses and then we can have any discussion - any appropriate discussion.

Carlos Gutierrez: Thank you, Jonathan. This is Carlos for the record. We had a very good meeting with the whole GAC in Singapore. And we came out with the proposal as follows.

"The GNSO Council agrees to jointly implement with the GAC, the preliminary recommendations by the Consultation Group concerning the issue scoping phase of the PDP as outlined in the document, on a trial basis for a minimum of three PDP processes."

"Following the end of this trial period, the Consultation Group is expected to report back to the GAC and GNSO Council on the effectiveness of these recommendations as a result of the experience gained during the trial period."

"Furthermore, the Consultation Group is expected to make a recommendation as to whether or not the preliminary recommendations concerning the issue scoping phase of the PDP should be permanently implemented, either in their current form, or with possible modifications based on the further work of the Consultation Group including experience gained during the trial."

Thank you.

Jonathan Robinson: Thank you, Carlos. Any questions, comments or issues relating to the motion that anyone would like to raise? Susan, go ahead.

Susan Kawaguchi: So I was - I read the motion and some of the background materials. It seems that some of the timeframes may not, you know, in my opinion may not be workable for the GAC and I was just wondering what your opinion on that was. I noticed there was a 15-day period where they were giving, you know, given the opportunity to make some decision.

And I was wondering if that really worked since the GAC doesn't actually - I don't think for the most part they meet between meetings. Do we have to wait for a meeting to happen and then the 15 days start? So I may just not understand the process and it would be great to hear it.

Jonathan Robinson: I've got an order of potential responses in the queue. At least I have a queue which is Carlos, Amr, Mason and so on. If I could ask you if you are responding to Susan's question, Carlos, to go ahead; if not I'll go to next in the queue.

Carlos Gutierrez: Just responding to Susan, please, Jonathan. This is Carlos again. We agreed that the GAC should have a committee of few people doing this work, Susan. We are not expecting the whole GAC to take the task. And we recommended that the beginning it should involve GAC leadership. Thank you very much.

Jonathan Robinson: Thanks, Carlos. Amr.

Amr Elsadr: Thanks, Jonathan. This is Amr. Yes, as Carlos mentioned this involves a pilot program right now being recommended by the GAC GNSO Consultative Group regarding eight recommendations that this group made. And these recommendations and this timeline was already approved by the GAC at the Singapore meeting as a pilot.

Although despite the sort of metrics for success that we're adopting in this motion there are going to be a lot more detailed success criteria involved in the consultative groups approach to this pilot. And just wanted to make it

clear that those will address specifically the issues and the timeframes that Susan raised just to make sure that they are indeed realistic timeframes that the GAC - either the quick look mechanism or the GAC on whole can respond to an initiation of a new PDP and an issue scoping phase. Thanks.

Jonathan Robinson: Thanks, Amr. And I'll draw your attention to a supplementary point made by Marika in the chat as well. Philip, go ahead.

Phil Corwin: Yes, thank you. Philip for the record. When we forwarded this resolution to the Business Constituency there was some question and concern about whether once this program started - and there's very good support for the concept of getting in the GAC more engaged at an earlier time in the policy process so there was support for the concept.

But it wasn't clear whether once the program begins whether there's an expectation, a requirement that it be three consecutive PDPs rather than having some flexibility in choosing which PDPs to use this and test it on. So if the intent is to have more flexibility in choosing when it's going to be tested we would suggest that be clarified. And that's it.

Jonathan Robinson: Yeah, that's a good question, Philip, that's a good point whether it is - whether the intention is of - I mean, it does say a minimum of three PDPs which implies, to me, that those are not consecutive.

Phil Corwin: Again, we would just like some clarification before it's adopted on that point.

Jonathan Robinson: Understood so there's a potential friendly amendment which might say a minimum of three consecutive PDPs if that's the intention. Can I ask if anyone is responding directly to that point, please?

Amr Elsadr: Jonathan, this is Amr, I'd like to give some input on this point.

Jonathan Robinson: Amr, go ahead.

Amr Elsadr: Yeah, Phil, thank you for raising this question. It's actually a question that I had as well and I sent a note to the Council list to that effect. But on rereading the motion - and I do think the wording may be slightly confusing but the conclusion I reached here is that when we say in the first resolve clause a minimum of three GNSO PDPs the conclusion I personally came up with is that we're talking about a minimum of three PDPs in which this pilot sort of - these pilot recommendations are being implemented.

So we're talking about three GNSO PDPs in which a quick look mechanism committee has been tasked to look into the issue scoping phase of a GNSO PDP. So those may not necessarily be consecutive. For example, the GAC may opt to launch a quick look mechanism for the next PDP and then skip one and then another one following that. But from this motion's perspective we're talking about a minimum of three GNSO PDPs which might not necessarily be consecutive. But that's my personal take on this. Thanks.

Jonathan Robinson: All right, Mason, you are responding directly to Phil Corwin's point?

Mason Cole: Yes, actually Amr just articulated that very nicely. I agree, the - it's - I think it's the first set - it's the first three PDPs where the GAC engages; it may not be the first three PDPs that come before the Council. But I agree with Amr on his interpretation.

Jonathan Robinson: So I'll intervene there to say I think that's potentially weak. That concerns me in the sense that this could run on then, I mean, the GAC can just choose to not engage and this trial never ends. So I would challenge that interpretation and feel that the wording should be made stronger.

I am conscious that David is in line. David, you're not responding to this - I think you had another point.

David Cake: I was just going to respond to the - originally I said I was going to respond to Susan's original point but all I was going to say really was that the GAC from discussions in Singapore is very aware that this mechanism is a historic change to their working methods and requires some response between meetings. That's it really.

Jonathan Robinson: Okay good. So that's helpful. Thanks, David. And that reinforces the point previously. So then let's continue to focus in on this issue of consecutive or not. James and then I'll come to you, Marika.

James Bladel: Hi, Jonathan. Thanks. James speaking. And just quickly, you know, it just occurred to me when I was listening to Amr's comments that it is - is the number of PDPs the right measure here? You know, three PDPs could be - and I think this is part of what we're trying to say - is three PDPs could come, you know, in a matter of months or it could take the better part of a year.

                     And I just - I'm wondering if there's some better way to put some boundaries around the pilot program without just counting PDPs whether they're consecutive to not if we just said, you know, this is a 12-month program or something like that it might make more, you know, just might be a little more intuitive. Thanks.

Jonathan Robinson: Thanks, James. Marika.

Marika Konings: Yeah, this is Marika. As one of the staff support on this group my understanding was that it would be the next three PDPs that would come up so basically to give a kind of sequence and as well for the GAC to, you know, come in the rhythm of how PDPs typically occur.

                     So that was at least my understanding when we discussed the minimum of three. And I'm not sure I understand what the concern is with regard to the next three. To me it seems more confusing also from a GAC perspective if on

one we do specifically ask them, on the next one we don't and then maybe two later we do again.

It was my understanding that this is a kind of a trial where we do it for each PDP that occurs. Of course it may still, you know, we don't know yet if - because the idea is that once we inform them of that, you know, they have their committee and provide a response but of course we don't know if from the GAC side that will all work as planned. So maybe they realize that it is not possible for them to respond within that time frame.

So maybe in the first one we actually won't have a formal response from them and maybe they need to adjust their, you know, mechanisms. And for the second one, you know, they may get it right.

So again I think this is - we're trying this out and I think that is the idea behind doing it in three consecutive ones it gives them, you know, on both sides a chance to try out the process that the group has written out but also be able to make, you know, certain course corrections internally if they realize that, you know, for example the committee needs to have more people on board or less people or would need to meet more frequently in order to meet that 15 day time window or whatever is said in the procedure.

So I think that was a little bit the thinking at least as I understood it. And as said I'm not really sure what the concern would be in the three consecutive ones. That's - I see Phil has written something so I'll read that now.

Jonathan Robinson: So I'll just note that Carlos agrees with Marika. Carlos is the maker of the motion. The question then is, is it satisfactorily raised to cover that intent? Does it satisfactorily cover that intent which to deal with the next three forthcoming PDPs? Amr, your hand is raised.

Amr Elsadr: Yeah, thanks Jonathan. This is Amr. Yeah, I think the language would need to be changed a little if we're talking about the next three PDPs. And sort of

take out the clause of a minimum of three PDPs because I think then we would be actually measuring success in a different way, the criteria of success we would be measuring in that sense would be different.

This language implies that we need to measure the success based on the preliminary recommendations made by the conservative group which are eight recommendations that cover the entire issue scoping phase, the first phase of the PDP.

If we're talking about three consecutive PDPs at any point within those PDPs one or more of the eight recommendations could fail to be implemented. And in that case we would need to sort of look at that PDP and see what it was that work that may be different.

A quick look mechanism may not be launched at all for one reason or another in one of those PDPs so the current language still wouldn't stand for that. So the language does need to be changed I think. Thanks.

Jonathan Robinson: May I ask then for a suggested or proposed friendly amendment to that first result clause? Stephanie asks if it's - if it matters that the three PDPs around similar subject areas. Well, my sense is not really. The intention here is to trial a mechanism rather than necessarily focus on the subject matter. It's really just to have a working trial of (unintelligible).

Carlos Gutierrez: May I, Jonathan? Thank you. Carlos for the record. I agree that we should focus on the next three rounds. And I just want to remind you that here we're talking only about the scoping phase. The only thing we are asking them is to read it before the first round of public comments of the first report. We might proceed in later stages differently, Amr.

And may I touch too many times the document and Marika too so I think we can - we can make clear rather easily. I defer to Marika to make the changes. I don't know if we have to do it right now on the air. Thank you.

Jonathan Robinson: Thanks, Carlos. I'm afraid we do. We need to just tidy it up before we vote on it. So I think - for a minimum of - probably something like a minimum of three consecutive GNSO PDPs following adoption of the motion - immediately following adoption of the motion. Amr, are you happy with that? Thank you. Carlos, any objection? Any other concerns or issues with the now friendly amendment but in fact I proposed the wording too but it's been generally discussed.

Amr, your hand is up and then I'll just remind Phil that we'll need you to accept that as the seconder of the motion as well.

Amr Elsadr: Thanks, Jonathan. This is Amr. Just to make another point regarding the concern with the length of the PDPs, as Carlos just said, this only concerns the quick look mechanism and the recommendations concerning that and the issue scoping phase. So this is something at least according to the consultative group this is a cycle that should take no longer than 100 days for each of the PDPs so we wouldn't have to actually wait to assess the success or lack of success of this pilot with the completion of each one of these PDPs.

So just wanted to address that as a concern raised regarding the length involved. Thanks.

Jonathan Robinson: Thanks, Amr. And just to highlight for everyone in case it's not clear the proposed revised wording is square bracketed on the screen in front of you so you should - if you're in Adobe Connect you should be able to see the revised wording. Philip.

Phil Corwin: Yes, I'm generally comfortable with that but I'd suggest a further clarification of the (event) possibility that there might be a PDP for which the GAC determines that there are no public policy issues that would require their engagement.

And possibly by adding just before the period of that sentence so it reads, "For three consecutive GNSO PDPs immediately following the adoption of the motion for which the GAC determines that there are public policy issues," something like that. We wouldn't want to waste one of these three on something where they just say doesn't concern us, no thank you.

Jonathan Robinson: Phil...

Phil Corwin: Does that seem reasonable?

Jonathan Robinson: No, I'm afraid not in the sense that...

Phil Corwin: Okay.

Jonathan Robinson: ...the intention I think is simply to determine whether or not; it doesn't matter either way. It's a - it's the engagement and the determination of whether or not not the necessary condition that there is public - that there are public policy implications. And that's - Amr's put that up in the chat. And so let me see, James, did you want to respond similarly or did you have something else?

James Bladel: Just that that was exactly was my thinking and I thought I was confused but that is correct, I would agree with you on that that, Jonathan, that the goal was to give them the look, not to count outcomes.

Jonathan Robinson: Okay so we have Carlos accepting the friendly amendment. Phil, I'll come back to you to check having had those explanations...

((Crosstalk))

Phil Corwin: Yeah, I'll accept it. I don't want to be an impediment to a vote. My only concern is that their next three PDPs might have no public policy issue so it

wouldn't be much of a test. But I'm not going to object to the amended language.

Jonathan Robinson: Phil, I think we will get the first look in any event and we'll get to work on the mechanism which is almost as important. But I take the point that a substantial discussion could then be useful as well. All right, I'm going to put this to the vote mindful of the time that this is going now.

I had thought this was a very simple motion; it's proved to be slightly more complicated and raised a bit of discussion but that's always useful to have so that's no bad thing. I suggest we put this to a voice vote and I'm going to call or any objections to the voice vote.

Seeing no objections I'm going to put this to a voice vote and I'm going to ask for anyone who would like to vote against the motion to please make themselves known.

Second I'll call for anyone who would like to abstain from voting for the motion to make themselves known. A minor correction, I should have said abstain from voting on the motion but I think you know what I meant.

And then finally, Glen, if you could record all those present including the proxies they hold to be voting for the motion since there have been no objections and no abstentions.

Glen de Saint Géry: Thank you, Jonathan. I will.

Jonathan Robinson: And I take it therefore that the motion has carried. But if you could confirm that.

Glen de Saint Géry: The motion has carried.

Jonathan Robinson: Thanks, Glen. All right I'll move us on then to Item 5 which is an update and opportunity to discuss any elements in and around the work of the Cross Community Working Group on the Transition Proposal for IANA Stewardship on Naming Related Functions.

I'm the co chair of that group and in that capacity I'm in a position to deliver that update since I have talked a lot today and already on this meeting, and I'm sure you have heard enough of my voice in recent times, I'll make it very brief and see if there are any questions.

Essentially the group is working on a draft proposal and that draft proposal has within it some key areas where there is substantive work required. Those key areas are being filled by the work of agile small teams which we've called design teams. And the draft itself is in a format that is readily comparable with those submissions that have already been made to the coordinating group, the ICG, from the protocols and parameters groups.

With respect to any new overarching structures that might be under consideration, the group is taking professional external legal advice and that legal advice has been engaged and initial opinion or some initial input has been received by the group and will be reviewed in due course.

And in particular it will - all of this will receive detailed attention next week when we have a face to face meeting adjacent to a face to face meeting of the Cross Community Working Group on ICANN Accountability.

And the objective of all of that is to produce in relatively short order thereafter a proposal for comment. So that in a nutshell is where the group's work is that. Any questions or comments are welcome. And I or any other members of the group or people associated and closely following the group will be more than happy to discuss it.

Thought you might of heard enough from me so I'll just remind you that - to keep a close track there are representatives of each of your groups involved in the work, at least there are four from the GNSO so you have either a direct representative or indirect representative to either stakeholder groups structure and should be able to at least track and get input into the group through those different representatives, please do so. And please be aware that as the work evolves in time we will be bringing it back to the Council.

Let me move on then to Item 6 which is the Cross Community Working Group on Enhancing ICANN Accountability led by - or reported to us by one of the co-chairs of that group, Thomas Rickert. Thomas, go ahead and I trust you'll be in a position to be similarly brief but yet give the opportunity for any comment or question that might be usefully delivered. Thanks. Over to you, Thomas.

Thomas Rickert: Thank you very much Jonathan. And I should say up front I am at the airport so I have to apologize for background noises and the bad sound quality. Now, Jonathan, as you mentioned both the CWG as well as the CCWG are going to have face-to-face meetings next week in Istanbul, so there will certainly be a lot more to report about after the face-to-face meetings take place.

All I think I should say is that we have currently structured our work, you know, aside from the discussions that we have with the whole group, we have a couple of sub teams that are working on individual questions that they are tasked with.

You might remember from the last update that I gave that our group is making the distinction between triggered and non-triggered accountability mechanisms. In non-triggered mechanisms would be those that regularly occur such as let's say the proposal to perpetuate the AOC or the ATRT reviews, one way or the other presumably by including them in the bylaws.

And then we have triggered mechanisms where certain incidents would invoke the process and that would, for example, be an independent review reconsideration requests or invoking a procedure or a process with the ombudsman.

We have worked on the standard template for accountability mechanisms to have sort of a standardized approach to get answers to all the aspects relevant to an accountability mechanism such as who has standing to invoke a process, how is the panel making a decision composed, what is the standard of review.

And these templates are being worked on and will be discussed during the face-to-face meeting next week. So we call that, you know, drafting the cookbook. So we've basically set out a form to fill in by the sub teams for each of the recipes and we are now going to discuss the recipes and hear from the whole group and discuss whether the ingredients that the sub teams have put into the recipes and the way of cooking is acceptable to the whole group.

So having said that, our hope is that we are going to mature our discussions to a level where we can have a public comment period sometime in April. I fail to remember the exact date. But having the combination of these recipes together with stress tests that we have prepared together with legal advice that we are in the final stage of hiring, we feel confident that we can successfully work against the aggressive deadlines that we set ourselves.

I think I should pause here, that's just to give you a little bit of an update on where we are in terms of the work that we are tasked with. But in terms of substance I think you should keep your eyes open. We will surely issue a message to the community following our face-to-face meeting giving a full update on what substantive process we have made.

Jonathan Robinson: Thank you, Thomas. I'll receive any comments, I'll chair any comments or questions that come up and just remind you all of this cross community working group, like the previous, is missioned or chartered by the GNSO amongst others in the broader ICANN community. Amr, go ahead.

Amr Elsadr: Thanks, Jonathan. And thanks Thomas for the excellent update. I have a question regarding the legal advice, and this was something that was raised on the monthly NCSG policy call.

There was a bit of a concern, and appreciating that there are significant time constraints and there is obviously a need for an aggressive approach in terms of doing this in as timely fashion as possible. But there was a concern regarding how much time may be made available following the legal advice being provided and the time for the representatives of the different stakeholder groups to take this advice back to their groups and sort of look over it in as thorough a fashion as possible and providing feedback to the representatives back to the cross community working group.

So I was just hoping to hear some thoughts from Thomas on this and what the thinking of the cross community working group leadership is. Thanks.

Thomas Rickert: Thanks, Amr, for the question. There is the scoping document setting out the questions that we need to get legal advice on. And this document is ready. So we are not working on these things sequentially but in parallel. So as our work fleshing out the proposed accountability mechanisms or the enhancements to existing accountability mechanisms progresses we are in parallel - are we have in parallel worked on quite questions need to be answered.

So our plan is to keep going, to keep doing our work. We as co-chairs have encouraged the group to work on the basis of legal tools that we know. You know, for example when it comes to empowering the community to let's say approve a budget or a proved a strategic plan then we can do that by virtue of

let's say a cross community working group. That is a tool that we know. We do have cross community working group so we don't have to reinvent the wheel necessarily to get workable mechanisms.

And we have encouraged the group to focus on accountability solutions that can be built out of the existing tools that we have at our fingertips in our ICANN repertoire, if you wish. And if and when legal advice comes in that suggests that there is a better solution or that we should, from a compliance perspective, rather not do things as we planned; then we have to reconsider.

So I think you have to see this as an iterative process whereby we might need to adjust the outcome of our work depending on the legal advice that we're getting.

Having said that, we are quite confident, and that was part of the hiring process for the external legal advice that we're going to get legal advice fairly soon. So that we are not at high risk of doing work that might completely be reversed because it is either not feasible or not compliant.

And you know, with that, we do hope that this, you know, iterative approach gives not only the colleagues that are working with us on the group but also the respective groups that they represent sufficient times to look at both of our recommendations as well as the legal advice backing it up and confirming it.

Lastly, we have factored into our planning that recommendations, once we come to conclusions, that we could try to see consensus from the group will undergo final compliance test with the legal advisors. So there are multiple stages in which we will review the legality of our approach.

Amr, I hope that answers the question.

Amr Elsadr: Yes Thomas, I think it does. It is helpful especially knowing that you're taking this iterative approach. And sort of just trying - and what I gathered is that you're saying that you're going to try to sort of flag where the legal advice conflicts with what the group has come up with. And along this process there will be time for the representatives of the groups to sort of consult with their broader membership.

So yes, I think you did answer that very nicely. Thank you very much.

Thomas Rickert: Thanks Amr. And Jonathan, if I may add, I think Amr, you elude to a very important point. And that is the need for every colleague, either participant or, you know, members in particular who also have the liaison function with their respective groups, to ensure that their respective groups are updated on the progress that we make.

We cannot afford to experience any last minute surprises because groups feel that they need more time to consider the recommendations that we will likely come up with.

So please do make sure that not only you wait for your representatives to brief you, but reach out to them practically to get updates; go to the Wiki on the ICANN Web site where we store all relevant documents and all updated documents for what we call the Accountability Cookbook. Try to make sure that if you have concerns or questions that you ask them as soon as you possibly can so that we can ensure that all concerns are either responded to or taken into account as we proceed.

Jonathan Robinson: Thanks Thomas, and that's precisely the reason these two items, 5 and 6 on the Council's Agenda, is to flag these points and ensure that there is constant update so that we don't suffer from unforeseen delays. (Unintelligible) the requirement to defer, take critical time/critical resolution when it finally comes to the Council. And that's precisely why we track and record ensuring that the GNSO is kept informed.

And I see your hand has come up again if you could be brief, I'm keen to move us along the agenda. And I hear another open microphone somewhere so if you could just check others apart from ours or that your microphone is muted.

Amr Elsadr: Oh thanks, Jonathan.

Yes, I wanted to again say that I absolutely agree with Thomas; it is up to the representatives of each group to keep your membership informed and aware of all updates that are happening. And to my knowledge this is being done very well.

I would like to note though that people are spread pretty thin on the different groups; not just the cross-community working groups but also on the current GNSO, the issues that are going on.

But my specific concern with the legal issues was really because there would be new material being introduced to those groups. And just wanted to make sure that there would be enough time for the representatives of the groups to take this back to their membership before any suggested action would be made to sort of act on them.

And I gathered from what Thomas said that this would be allowed then, and that's perfectly fine by me. Thanks.

Thomas Rickert: So Jonathan, I've raised my hand. I would like to make a final remark before you move onto the next item. That is that, you know, some of you might think that this Accountability work is sort of a dry topic and a lot bureaucracy and a lot of work and procedure left.

But actually, you know, the example that I mentioned earlier, you know, the community empowerment that you will remember that I spoke about in

Singapore, empowering the community to approve a budget or approve a strategic plan, that's quite a powerful tool.

And that leads to the question how does the community provide such approval and who is the community? How is a committee of whatever shape or form is composed, how many representatives of the SOs and ACs would participate in such approval? Do we do that by consensus call? Do we do that by a bunch of voting? And so are all those going to have the same weight or are they going to be weighted differently?

So you know, these are items, you know, are the votes mandated or non-mandated? These are items that will hugely or that can hugely influence ICANN's actions and ICANN's planning and operations. So you know, these are the questions that we are trying to seek agreement on what the group in the next couple of days.

And I would strongly encourage all of you to start thinking about that. It's all incorporated into the DNA of the template that we've built, and I think you should try to get your own opinion on that and if need be chime in so that we can make sure that your arguments and your wishes are being considered by the whole group when it comes to the consensus building. Thank you.

Jonathan Robinson: Thanks Thomas. I'm going to bring that item to a close now. Your passion and commitment is quite obvious and hopefully you've conveyed that an importance for taking note of this - proper note of it to the group. And thanks for your point Omar.

Let's move then on to Item 7 which is the progress of the PDP Working Group on the ITO-INGO curative rights. And here there is a requirement to provide some further guidance to the working group which is necessary for them to continue their work.

Mary did assist us by earlier this week providing a summary email which was supported by Phil Corwin. So let me hand over to you Mary and/or Mason who I see is also potentially associated with this work and this point to go ahead and flag concern briefly again and seek the input of the Council.

Mary Wong: Thanks Jonathan, this is Mary from Staff everybody. And if Mason would like to speak or Phil, I will to defer to them.

As you've noted, I've summarized the issue here for the Council. The Charter limits this group to considering only the list of IGOs that appeared on the GAC list that was sent to ICANN in 2013. That same list was the one that some of the recommendations from the prior PDP that Thomas chaired, that was the basis for those recommendations.

However as everybody will recall, this current PDP is somewhat separate in that we're looking at curative rights for IGOs. It made sense at the time to look at it as the same list. But as Phil and Mason can further describe, the working group has reached a point where it believes that in terms of looking at standing to file a complaint, whether that be under the UDRP, URS or similar procedure, you're really looking at a replacement for holding a national or regional trademark.

And so to the extent, the working group currently believes that finding a justifiable legal basis, which in this case would be an international legal treaty, would be a more appropriate substitute, if you like if I can use that word loosely.

And so the group is coming back to the Council, which is the chartering organization, to ask that the charter be amended to reflect this. And if the Council is so minded, then what would happen at the next Council meeting next month is that a motion would be put forward with the appropriate language for voting.

And Jonathan, I see Phil's hand is up so I'll seat to him.

Jonathan Robinson: Thanks Mary and thanks for that note again. I think it was very helpful; very clear. And you underlined the bottom of the one, two, three, four, five paragraph, bottom of paragraph five, exactly what you have hoped to achieve. So I found it very useful; I hope others did too.

Phil.

Phil Corwin: Yes thank you Jonathan; still here.

This working group has made very substantial progress with excellent staff support from Mary, Steve and others. And that would facilitate in part by a full day face-to-face meeting we held in Singapore after the full ICANN meeting, which at least to me was instructed that those meetings should be held before the meeting because we're all pretty exhausted.

The issue here is about standing to bring a complaint in an ICANN created arbitration procedure whether it's the UDP, URS or some new curative rights procedures. The working group has reached preliminary conclusions that the language of the URS already provides IGOs which have asserted their rights under the Paris Convention with standing. We believe that's probably the same for the UDRP, but we may recommend some clarifying language that would not add anything but just clarify that they have that standing.

The key issue here is that ICANN can't be creating legal rights; they should be noting existing rights and respecting them and providing mechanisms for protecting them where it's appropriate.

And the only we've been able to identify where an IGO games' legal protection and national trademark systems is by taking the step of notifying the world intellectual property organization that they wish to have their name

and certain acronyms protected under the provisions of Article 6 of the Paris Convention.

The mere fact that they're charted as an IGO even having that INT, domain does not confer legal rights. So that's the reason we want to narrow the scope.

And I would conclude by saying we don't think we're excluding any IGOs by asking for this narrowing, we're simply saying that they have to take the step of notifying WIPO that they want their Paris Convention protections.

So this would not create a situation where we're saying some IGOs have access, some don't. We're simply saying they have to take the step, and it's not a burdensome step to get their globally recognized protection under the Paris Convention.

So I'll stop there and see if there's any questions about that, but I hope the Council approves considering our resolution at the next meeting on this subject.

Jonathan Robinson: Thanks Phil. So in fact this is a detailed precursor to producing a motion at the next meeting, and I would also therefore say that, you know, having had this level of interaction, we should be in a position to deal with that motion and not seek deferral at the next meeting.

So I think now is the opportunity to ask any questions or raise any concerns if you have them. And if you don't, well and good, and you should anticipate seeing a motion to this effect at the next meeting.

Any concerns, questions or points around the issue which I think has been well characterized by the combination of Mary and Phil's input? And I note that some are recognized in the Chat as well.

Good. Well in the interest of keeping things moving, I'll just confirm that the outcome therefore of this will be that you should expect to see a motion seeking to modify this working group's charter to accommodate the request therefore - or the detail as described in Mary's note of the 16th of March and further discussed here.

Thanks, we'll close that item then and move on then to just receive an update on the discussion group on new gTLDs. And I think that will be led for us by Bret I expect possibly with the help of Steve. So let's go on to the progress update and next steps with discussion group on new gTLDs.

Bret Fausett: Yes, thank you Jonathan; this is Brett. Can you hear me okay?

Jonathan Robinson: Brett, we hear you well.

Bret Fausett: Very good. So we have really kicked things up since the Singapore meeting. We have two new co-chairs who have joined the leadership in Jeff Newman and Liz Williams both of whom volunteered to help move things forward.

We have gone to every other week group calls together with a weekly call of the co-chairs just to coordinate things and do some work in between our meetings.

As you will recall, the background here is we are trying to do some initial issue scoping for talking about future rounds of new top-level domains. We have a chart that has been developed of issues that we think is quite comprehensive at this point.

We've had some recent discussions trying to refine some areas of the subjects, but we've asked the representatives to take this back to the constituent bodies. I believe that every constituency is represented in the discussion group, but if you have not received something from your

representative in your constituency discussion group by the end of this week, you know, please reach out to them.

In fact, you know what may be easier, let me forward the list of the current draft to the Council, and then if you don't get it you can forward it directly on to your members.

What our goal here is to have a comprehensive list of issues for future work that is neutrally worded that does not prejudge the outcome of any particular policy issue. We want everyone to feel that their issue is up there for discussion.

In parallel with this, the Chairs are preparing a draft charter for a future working group along with the report of the work we have done. Our goal and the reason we have gone to more frequent meetings is to make sure that our group is finished and complete by the time we all meet again in person in Buenos Aires and that we can present the Council a motion for the creation of an Issue Report. That will formally we believe start the policy development process once that is done.

So that's where we are right now. I'll turn it over to Steve to add anything that he would like and then we can open it up for questions if there are any.

Jonathan Robinson: Thank you Brett. Steve?

Steve Chan: Thanks Brett. That's a good summary, I don't have anything else to add to that at this time.

Jonathan Robinson: Good, thank you very much. I see a hand up from James so over to you James.

James Bladel: Thank you Jonathan, and James speaking for the transcript. And thank you Brett for that update; appreciate you giving us an overview of where things stand currently.

Just a quick question because I think this came up as a point of interest on our list recently in the last couple of days.

Given the state of this effort, is this still open to new participants, and if so how would someone go about joining this group?

Brett Fausett: To new participants, when I send the current draft I'll forward you the link for joining. I believe that Glen and Steve should be able to assist anyone in joining the mailing list.

And I believe that the (dariousry) is quite low. We have a list of issues, really an issue spotting exercise, that the task we're asking people to do now is tell us if this list is comprehensive, tell us if you disagree with the way a particular question is phrased. If you do, help us refine it in a way that, you know - we'll make sure that your issue is embraced by the question.

And I think the task is really to spend no more than 15 minutes. This isn't a very long, you know, detailed paper. I think anyone can get caught up in our work fairly simply.

SO maybe that's more information that you needed. But I'll give you the link and we'll make sure that whoever needs to get done, caught up with our work, is there.

James Bladel: Thank you.

Jonathan Robinson: Good. Any other comments or questions in and around this work? Thanks Brett and Steve, I think encouraging. It's really nice to see the work is

progressing with this sort of renewed vigor and we'll look forward to receiving site of a prospective charter shortly. That sounds good.

Okay, next up is Item 9 which deals with GNSO Review. And here you'll know that there has been quite some considerable work being done by Jennifer Wolfe with the GNSO Working Party when Jennifer was both a Counselor and now she's continued to work on that since leaving the Council. And we're fortunate to have Jen here to bring us up to speed and for the opportunity to have any questions/comments or issues arising.

Jen, welcome back and over to you.

Jennifer Wolfe: Yes, thank you. Can you hear me okay? Can you hear me all right?

Jonathan Robinson: Yes Jen, go ahead.

Jennifer Wolfe: Oh great, thank you. Just wanted to make sure. Thanks so much for inviting me to be here to provide an update on the GNSO Review. I know the schedule is very full and certainly appreciate everyone's time.

What I'd like to do in the time we have today is provide a brief update on our schedule and a little more information about when you can expect to see the Draft Report from Westlake.

If I could go ahead and have the next slide please?

On March 3, which isn't reflected on this slide but just to give you some context, on March 3 the Review Working Party held its first conference call since the working text was provided by Westlake. I think most of you know Westlake is the independent examiner conducting the GNSO Review.

During this call, we determined as a group that an extension of time would be helpful to allow for further review and comments, and specifically to be able to

review how Westlake incorporates some of the responses and feedback from the Review Working Party. So accordingly we've made some extensions to the original timeframe.

So as you can see, what we've asked is that the members of the working party continue to submit any written comments up through tomorrow which is March 20.

On or before April 24, Westlake will provide a revised working text. We've started to refer to this now as Version Zero which will be incorporating comments from the working party.

And something that's been very important to us is that we have asked Westlake to very specifically provide any rationale that they have for comments or concerns that are raised during this process that are not included in the draft that they will ultimately provide.

We will be scheduling additional calls to discuss the revisions with Westlake between April 24 and June 1. And on June the Draft Report will provided and the Public Comment Period will open. On July 20, the Public Comment Period will close and the final report will be issued by August 30.

So this schedule has been extended from a nine-month process to a 14-month process, and that's been done in order to respond to community concerns and ensure we receive the best possible results.

Can I have the next slide please?

So I think you'll see on this next slide - it's somewhat overlapping the other two but it's just providing in a few more details some of the dates with regard to when the working party is meeting. We do have working party meetings scheduled on May 4 and May 12, and certainly for all of you I welcome your comments.

If you want to send them directly to the list or to me, we'll make sure that they all get incorporated. That's really important that we have as much fb as possible, so we certainly welcome that. And you can go ahead and share the next slide as well please.

And then on the next slide again, these are just showing the dates with a bit more detail. You can see here we'll also be meeting during the ICANN Meeting in June and we'll be scheduling follow-up meetings as the group determines is appropriate. The last slide please.

So I think most of you have probably seen this slide before so I won't go through each and every component of it. But what I do want to make sure Council is aware of is that there has been extensive efforts to promote and reach out to the entire community about this process particularly during the ICANN Meeting in Los Angeles.

We've been working hard to engage the community and responding to both the quantitative and qualitative surveys and interviews, and work that the Westlake Team has been doing to ensure that we have the most accurate information available.

The Working Party has been working very hard to provide feedback and correct any perceived inaccuracies or incomplete information. And again, we certainly welcome your feedback or comments. Our goal is to have a review that provides meaningful evaluation and can lead to continued improvements as an organization.

So I'd be happy to take any questions or comments.

Jonathan Robinson: Great, I see a couple of hands up. I'll go straight to Omar.

Amr Elsadr: Thank you Jonathan and thanks Jen for the update and all the work being done.

I have a question regarding the Public Comment Period on the Westlake report. I've gone over the working text and this strikes me as a document that was drafted based on a study performed.

So when comparing this to a regular working group or a PDP where different stakeholders are involved in developing policy based on consensus, when you compare this process to that one, this isn't exactly the same. The information Westlake is supposed to be providing is supposed to be based on their own research.

And so I'm just wondering what you foresee as a sort of reaction to a Public Comment Period where different groups may provide the feedback on the report. How is that going to be incorporated? Is it going to be considered as a further step in Westlake's sort of survey of community input, or how exactly will that be approached? Thanks.

Jennifer Wolfe: Thanks Amr; that's a great question and it's a really important point because we are not functioning as a PDP. This isn't something where we have to gain consensus.

Our role is really to help move the process along to try to ensure that we're getting them as much information as possible and to provide feedback to them. Westlake is the independent examiner so you're absolutely right; this is within their purview what to ultimately put into the report.

What we're trying to do is to make sure it's valuable and that it's something that we can really use. And by that we want to provide as much feedback as possible.

And I'll lean on Staff here a little bit to provide any clarification, and certainly correct me if I say anything that's not right. But you know, my understanding is that during the Public Comment Period, it is simply that is an opportunity for the public to read the final report.

And just as a quick caveat, please know if you've read the working text, it really is a work in progress. So it is not what they deem as the draft report or the report that would go out for public comment as of yet. But when that does go out it's an opportunity for additional feedback to be provided to Westlake from the community at large, and then they will incorporate that feedback into their final report.

Once the final report is issued, then that is the final report. And then at that point it will be up to the SIC to determine what to do with that and what sort of direction to provide and for us as a community to decide how we want to use that report.

Does that answer the question?

Amr Elsadr: Yes Jen, that was really great. Thanks, that's very helpful to know that.

Jennifer Wolfe: Thank you.

Jonathan Robinson: Thanks Amr, that's a good question. It was something on my mind in part as well.

Go ahead Olivier.

Olivier Crepin-LeBlond: Thank you Jonathan. Olivier Crepin-LeBlond speaking.

Jen, you mentioned here 40 interviews, 41 and 1 interviews having been conducted.

Where these conducted with GNSO stakeholder group members within the GNSO or were there also interviews conducted of people outside the GNSO? And what I mean by that, in other SOs and ACs in ICANN.

Jennifer Wolfe: Yes, and there is a complete list if you pull up - and I know the link can probably be circulated to the working text.

There is a list of everyone who was interviewed, so that will be part of the report that's issued.

It was up to the Westlake team to determine who to interview. We certainly provided feedback to them; they tried to interview, you know, leadership from all the GNSO. But yes it did extend out beyond the GNSO.

And they are going to be including in the next version of the report because that was a big question for a lot of people on the last call that we had. They are going to be providing an overview of how they selected those who were interviewed. So we'll have more to come on that point because I know that's a big issue for a lot of people.

Olivier Crepin-LeBlond: That's great, thank you.

Jonathan Robinson: Jen, just before we go to the next question, can you clarify whether or not the working text, is that a public document or is that only shared with the working group, or is that's something that's being shared more widely?

Jennifer Wolfe: It's publically available; it is on the Wiki of our working party. So you can access it and I'm sure we can get that circulated; the link to everybody if you haven't seen it. So we haven't widely sent it out everywhere or promoted that it's there, but it is actually there so everyone can see it and review it.

And certainly we welcome your comments, you know, while we're going through this process. If we can get your comments earlier, that will be helpful certainly to ensure that we've got as much feedback to Westlake as possible.

Jonathan Robinson: And I'll note just for the record that Marika has pointed out that the link is on Slide 6, and everyone is free to page through the presentation to access the different slides including Slide 6.

Volker.

Volker Greimann: Yes, one thing that you said - (Unintelligible) speaking for record - that if the public comment comes in and then the final report will be published based on that comment, will there be for the public comment a (Unintelligible) response period, or will it go directly into areas of the comments and then publication of the final report.

Because it strikes me that if I had something controversial to put into the report that I wouldn't want anybody to poke holes in, I would wait until the last minute and then send that in so that there's no possibility for any other (unintelligible) to contest what I'm writing potentially.

Jennifer Wolfe: Volker, were you asking is there another reply after they issue the final report, or would there a reply after the public comment. I'm sorry I misunderstood.

Volker Greimann: Reply after the public comment.

Jennifer Wolfe: I don't believe - and I'll ask Larissa; I know she's on the line to just confirm. But I don't think that we have any sort of reply period in between public comments in the final report or any sort of reply after the final report.

Larissa, can you comment on that?

Larisa Gurnick: Sure Jen, this is Larisa Gurnick for the record.

We are following the recently released new procedures for public comment which no longer includes a reply period. As Mary indicated in the Chat, the 40 days can be extended if need be.

And based on the new procedures after the public comment is closed, Staff prepares the summary of comments and then community has two weeks to review the summary of comments and make sure that that summary is fair and accurate.

So all of that time and process will be followed before Westlake finalizes there report considering all the feedback that they would have received through the public comments.

Volker Greimann: Thank you for the clarification.

Jonathan Robinson: Thank you. We'll move on to Stephanie.

Stephanie Perrin: Thanks very much.

Forgive me if I'm speaking out of turn here. I made these comments a couple of times in the written comments that I sent in and I'm still preparing an annotated version of the draft to send in tomorrow. But I just wanted to inquire again.

I find it very odd, this is such an odd thing as an independent review partly because of the number of Staff interviewed, and I did raise it. Eight or nine staff at least, former Staff. That strikes me as - the Staff are almost in the conflict of interest commenting on how well a stakeholder group is working it seems to me because they are the poor souls that have to work with us. They may have a very interesting opinion.

But how it works in a multi-stakeholder process shouldn't be up to Staff it seems to me. And given that out of 40 interviews, as I said, eight/nine and I don't recognize all Staff names; could be more than that that were consulted.

Can someone explain to me how that works? It's not like this is an audit and they're going in and getting facts and documents from Staff. Thank you.

Jennifer Wolfe: I think I can help with that. I mean part of this was intended to be a 360, so in fact part of it was intended to be like an audit where it is all the way around the organization so Staff is a piece of that.

I think we have asked for clarification in the next version that everyone is identified in terms of, you know, where do they fit sort of in the matrix of all of the stakeholders involved within the ICANN community and with the GNSO specifically.

So I'm hoping that we're going to see that in the next round - or the next draft I should say. And that we will see specifically how did they determine who was interviewed.

But I think that Staff - it was intended that Staff would be part of the interview process and part of the survey all along; that's what it was intended in terms of a 360.

Now was that weighted too heavily? I think that's certainly something that everyone can comment upon and discuss certainly.

Stephanie Perrin: Well what I find shocking is no registrars whatsoever, unless they are in the anonymous ones which would be so unlike the registrars, if I may say that. And very few GNSO members. It's odd, it's quite odd. I mean I hope we'll see the rationale tomorrow.

And I would just like to put in a bid that given the number of reservations some of us have about the overall methodology, it would be nice to see the report before it goes - and have another kick at the can before it goes out for public comment.

Jennifer Wolfe: And Stephanie, just to clarify. That is actually what we've reworked from the call that we had a few weeks ago.

So our period ends tomorrow, but on April 24 we will receive those revisions. So we'll be able to see did they take into consideration the feedback that's been provided, we should be able to see a revised schedule on who was interviewed, why, what group they are affiliated with. So we should have some of those questions answered.

And then we have a call scheduled, like I said - let me double-check our date. But I think we've got a call scheduled in May, a couple of different calls, where we'll be able to talk that through.

And I know you're on the working party so we'll definitely be looking through those issues, and we're definitely looking for answers from Westlake on, you know, who was selected, why, how does this fit the 360. So I think we can continue to look for, you know, accountability from Westlake on how those decisions were made. And hopefully we'll get to a point that everybody is comfortable with where we are.

Stephanie Perrin: So at the risk of, you know, being pushy, that means we can put further comments in on the next draft.

Jennifer Wolfe: Oh yes, that's correct, that's correct.

Stephanie Perrin: Okay, very good; that's great. Because as you know, there were a number of missing conclusions there.

Jennifer Wolfe: Yes and that's why we've reworked the schedule so that we could provide for that time; absolutely.

Jonathan Robinson: Thanks Stephanie, thanks Jen. Final point or question or comment from Heather. Go ahead Heather.

Heather Forrest: Yes thank you Jonathan very much. Just a quick question. And the reason I asked in the Chat to go back to the timeline.

I'm wondering how best can we be effective in terms of making comments. Let's say the Public Comment Period is still a long way off indeed as is the update to the community at ICANN 53.

So in terms of these working party sessions, if we have comments to make, if constituencies and stakeholder groups have comments to make prior to the start of the Public Comment Period, should we be doing that through the representatives of the working party sessions, or how is this happening? I'm just afraid we're going to waste a few months here.

I think there's a fair bit of concern as to what's happening in the report up to now and whether those concerns get adequately captured in the next draft and this sort of thing.

So in summary, how best to continue to provide feedback please.

Jennifer Wolfe: So that's a great question and thank you for asking it.

So there's really a couple of ways you can continue to provide feedback; certainly through your representative on the Review Working Party. They should be participating in the phone calls and presenting your opinions.

But if you do have things, send it to me, send it to the list. We will make sure your comments are incorporated.

As I said, we had a deadline of tomorrow to provide to the initial working text. Westlake is then going to have until April 24 to take all of that into consideration, but then we'll still have from April 24 to June 1 to continue to provide feedback.

So if you want to take a look at the working text that's on the screen right now, click on that link. If you have comments, please don't hesitate to send them to us and we'll incorporate those. If you want to wait until April 24 and then take a look at that version and then get us comments, that would be great too; that will be a little bit further along.

So at any point in time, your comments are absolutely welcome through your representative or send them directly to me and I will make sure that they're included.

Heather Forrest: Thank you.

Jonathan Robinson: Great, thank you very much Jen. Thank you all for a lively and interactive discussion. Interesting work and interesting to see how dynamic and developing it is; good stuff.

All right, we'll move on with that to - thank you Jen, thanks.

We'll move on from there then to Item 10 which is a discussion on the working group self-assessment survey. Lars was going to - I think Mary Wong will deliver this now given that Lars has had to leave.

Oh my goodness. I see it looks like there could be 47 pages here. And Mary, this doesn't look like it's going to be done in - maybe you can enlighten us.

Mary Wong: Surely Jonathan. Hi everybody, it's Mary again. And despite my reputation for being long winded in emails, documents and so forth, we will not be going through all 47 pages of this text.

In essence, this item is on today's agenda because the Council is being asked to think about next steps; not just with this survey but more broadly with the self-assessment exercise.

As you may recall, the working group guidelines now include a recommendation that each completed working group take part in a self-assessment exercise by way of a survey. And the survey was designed by one of our consultants who some of you may have worked with before Ken Bour.

The first survey was first tested with the Thick Whois working group. So what you're seeing here with the IRTP Part D is that this is the first full working group to go through a real assessment self-assessment quote/unquote.

And I should say at this point that in designing the survey and working through the self-assessment purposes and what sort of information the survey ought to bring up, Ken worked very closely with the SCI at the time and a lot of the questions were the result of input from the SCI, so I would like to thank them very much for really doing a lot of that work.

So we won't go through the conclusions in the survey. A couple of observations is that there were I think 22 members of this working group, and the response rate was slightly over 50%. The members who responded tended to be ones who were more experienced in GNSO working groups although there was one response from someone who identified themselves as a newcomer.

So in terms of overall highlights, there were some positive responses. Most folks rates the experience as a positive one - the working group. Their

perceived effectiveness of the working group rated very highly, resources and personal engagement, those are rated quite highly.

So from the Staff perspective, we'd like to thank the IRTPD working group members who filled in the survey. And it seems to us to be a very useful tool to look at, you know, effectiveness of the working group, how participants come in, how they identify with the work of the working group, etcetera, etcetera.

So what remains for the Council is to think about next steps bearing in mind that this is the first actually working group to do it. One option obviously is to wait for more groups to do the survey so that you will have a more complete or at least a more robust set of responses to base the next steps on.

Another option is to forward the responses to Westlake, and maybe it's fortuities that this update is coming right after Jen's. I don't know if it will be useful or if the timing works, but that certainly is one option. And of course the SCI having been involved with the design, there may be a role for them as well.

So Jonathan, this was more in the way of an update and to alert the Council to the need to decide on next steps and some suggestions on what those next steps might look like. Thanks.

Jonathan Robinson: Thank Mary. That puts it in context very effectively. My immediate reaction is why not send it to the GNSO Review Working Party Westlake in the sense that at the very least they could acknowledge that there is this form of self-assessment work going on if it hasn't already been recognized.

Any other comments or questions? I know to your point in the Chat, Omar, that there was a part of the Thick Whois and the response wasn't quite as good.

The question is whether this is something where - I mean Mary left us with three points; one whether it goes to part of the GNSO review, one whether there is any role for the SCI in this, and also whether or not we run with additional surveys prior to trying to do something more with this.

Any comments, questions, issues, thoughts?

So Mary, I have one other point. So is this going to be - are you seeking to understand whether this becomes a matter or will this be a matter of routine now, or is that subject to guidance from the Council? This is the example and you waiting then to - we wait then to decide whether this becomes a routine or not, or whether it's modified?

Mary Wong: Jonathan, this is Mary. I don't have the exact language in front of me, but I believe that this expectation is that this will be routine for all working groups. Obviously we may not necessarily always have a great response rate, but that the idea we're looking at effectiveness and engagement, that it will be something that is ongoing for each working group.

Jonathan Robinson: Okay, thank you. Well I'm mindful of time and I'm also not seeing any other responses at this point, so I think we'll leave it at this point. We may pick up on one or more of these.

I certainly suggest that this does get sent as a record to the GNSO Review Working Party in Westlake, and if anyone else has got any suggestions or thoughts in relation to this work, by all means flag them.

Okay, and Marika confirms that (unintelligible) something is specified in the charter as to whether or not a self-assessment is (unintelligible).

We have three more are normally on the agenda and a very tight timeframe. I'm going to skip 12 because I think that's something which is not urgent. I

think we'll continue briefly to discuss 11, and I would like to touch on 13 Any Other Business.

So let's deal with 11 first, an item that we had a couple of prospective pieces of work for the standing committee on improvements that were going to be in the pipeline. They are now adequately scoped with the help of Staff or at least there is a form of I think we'll call it a template. And those templates are now populated.

So the question is whether or not to refer these to the SCI. I just wonder whether there is any comment or question on these and where we take these.

I looked at these two myself and I found them to be - both items which just feel to me that if they are (unintelligible) scoped, we could usefully do with some input on developing these. They weren't created in a vacuum; we've run into real life issues.

Avri, would you or Mary like to provide any other background or comment on these two items and whether or not we could usefully refer them to the SCI (unintelligible)?

Mary, go ahead.

Mary Wong: Hi Jonathan and everybody, it's Mary again. And Avri is trying to unmute herself I believe so I will defer to her.

Just to say of course that it's not for Staff to suggest what would be the best course of action right now, but we can certainly provide some additional background if you like.

Avri Doria: Yes hi, this is Avri. I was on my phone and couldn't find the mute button. My apologies; I'm not used to using the phone.

Yes, at the moment - I mean unfortunately perhaps, these didn't come in a form of a motion but they were just ready in time. And I want to thank, you know, Mary and Julie for preparing them. I really just sort of read, reviewed and made comments so they did most of the work.

And what they did was they captured from the two conversations we've had relating to the two issues. You know, the issues that we could send to the SCI. So I think people need to read the description to make sure that they represent the issue correctly.

And then I believe this is something that we would need, you know, a function (sic) on perhaps it could fall in the consent mode if there's, you know, certainly been discussion on it and the text has been tightened. But I don't know how much further in these last minutes you want to go on these.

I think the discussions that we had in Singapore are fairly represented. Hopefully the people that participated in those discussions will make sure that they are.

And then I think we need to, you know, I think this would be a majority type vote, but I think it would be a motion that we would send it. Thanks.

Jonathan Robinson: Thanks Avri. I mean I too appreciate the work that's gone into these, and so I think let's see if we can't review these further, let's make sure we're satisfied with them, and then as you say, bring them to the Council then formally. We'll consider this a preliminary discussion.

To my mind, at least one of these items is something which we could usefully have as process improvement. So I'm attracted to putting at least one through the process if not both, and it will be useful to get other input, as you say, refining the content if necessary and then bringing them forward for being dealt with by the SCI.

We are tight for time so thank you. Let's do that and let's see if we can't bring this to the Council at the next meeting and deal with any issues in the interim.

Under Item 13, we highlighted here, this is Any Other Business. And there's an opportunity to briefly update on the call that went out to see whether there was interest in a cross-community working group on auction proceeds.

You've been given a status update which Glen prepared which is great including some what I think is now a composite including the sort of late entries as it were. And I think we have a pretty comprehensive guide that there is an interest in this.

I don't know that we've heard back from the ccNSO formally yet, so I think it would be very good to hear back from them. I don't know if anyone who was at the ccNSO meeting which I believe took place today is able to give us an update there, if not we'll have to wait until that comes in. But on balance there seems to be a pretty strong interest in developing it.

Thomas, your hand is up.

Thomas Rickert: Can you hear me? I had to switch from the telephone bridge to the Adobe audio, so I hope I can be heard.

Jonathan Robinson: I can hear you Thomas.

Thomas Rickert: Great. As ccNSO Council Liaison, I would like to report briefly that this matter has been discussed in the ccNSO Council call earlier today. And the ccNSO Council has decided not to participate in the ccWG, but they have offered that they do have experience in that area and that they would offer relating experience in the field i.e. particularly the using funds for capacity building.

You know, there are examples in the CC world which could be relevant to this exercise and therefore for example the (unintelligible) hand, as Swedish initiative funding text project, and SID and the Dot and (L) registry operator also have the project foundation. So that's just to give you some initial update from the ccNSO. Thank you.

Jonathan Robinson: Thanks Thomas. So they would not be a chartering organization but they would be willing to supply individuals with expertise.

Thomas Rickert: That is my understanding yes.

Jonathan Robinson: Helpful, thanks. Olivier?

Olivier Crepin-LeBlond: Thank you very much Jonathan. Olivier Crepin-LeBlond speaking here as ALAC liaison.

You will note on the document there is a very short one-liner from the ALAC Chair Alan Greenberg that he is absolutely sure there would be interest in the ALAC for a ccWG on this subject.

In fact I can expand by saying we have had some discussions in the ALAC about this topic already. And there was pushback from myself when I was ALAC Chair at the time saying, "Well let's just wait until everyone else in ICANN is ready to move with this."

So I would say that without having a formal discussion on the ALAC about this topic so far, there is considerable interest for a discussion. And I would absolutely speculate perhaps at this point that there would be interest for the ALAC to co-charter a cross-community working group if that was proposed by other SOs and ACs. Thank you.

Jonathan Robinson: Thank you Olivier. So it seems like, notwithstanding the ccTLDs, ccNSO point of view, there is quite some interest in getting this moving.

I'm mindful however of the number of initiatives, so I think the one thing which I've heard from others of course and reflects, so it appears that there's probably enough interest to get this off the ground but we'll need to get it off the ground when the train leaves the station but leaves it at a measured pace such as - in order to give those of us who are already spread thin, efficient time to keep up with what's going on.

I see your point in the Chat Olivier about the workload, and this of course is a concern. And so what we will need to do is seek to develop a charter, in the first instance, and so we'll need to form a drafting team per protocol or a drafting team to form. And so that's likely to be the next step.

But I just wanted to - I don't think we have the time because this is a full item. But we've hit the top of the hour and we've got a sense of the feedback which is very useful, and so we should be in a position to start to move forward with the next.

So I think the clock has run out on us. That was a useful and full meeting. We'll try and pick up on the open items, close off anything we can from here, and thanks very much. That's a full and comprehensive meeting.

Good, thank you all, we can end the recording.

((Crosstalk))

Man: Thank you everybody. Bye-bye.

Woman: Bye-bye.

Jonathan Robinson: Bye.

Woman: Thanks all.

END