ICANN
Transcription
EPDP Initiation Request and Charter Drafting Team
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Man: The recordings are started.

Nathalie Peregrine: Thank you, (Bob). Good morning, good afternoon, good evening, everybody and welcome to the EPDP drafting team meeting on the 5th of July, 2018.

On the call today we have Heather Forrest, Rafik Dammak, Donna Austin, Ayden Ferdeline, Susan Kawaguchi, Pam Little, (Yuls Halsinik), Stephanie Perrin, (Unintelligible), Paul McGrady, Darcy Southwell, Marie Pattullo, Arsene Tungali and Keith Drazek.

We've received apologies from Michele Neylon, (Tatiana Sapena), (Unintelligible) and Carlos Gutierrez, who might try to join us later.

From staff we have Marika Konings, Berry Cobb and myself, Nathalie Peregrine. I'd like to remind you all to please remember to state your names before speaking for transcription purposes. Thank you every so much and over to you, Heather.

Heather Forrest: Thanks, Nathalie, very much. And hello to everyone. I hope you had safe travels back home or if you are still in route, that travels are going well. We are back together, not as Council, but as the EPDP drafting team.

And we have a number of documents that we're working on live. As you will see, the way that we've set up the AC pod is the notes pod, on the far right, has links to all of those Google docs where the comments and issues have been captured.

You'll notice the remark there that the latest version of the charter is still unchanged as of when we left it in Panama City. And we've got each of those individual Google docs down the stream there.

The first one in the list, we're just taking them in list order, no real strategy here, is scope. And so, the document that we have in front of us is in relation to scope and, (Marika), is there anything we need to say about this document?

It appears to me that it contains the comments so it looks like it has everything we need. But if there's anything to be said, (Marika), you can tell us.

Marika Konings: Yes, thanks, Heather. So, what you can see, and indeed, that there have been some specific edits and suggestions made in the current language. And I think a number of those suggestions came from, I think, (Pam), (Darcy), Ayden, I think, were the main commenters.

But then there were also general comment that were made which can be found in the comments suggestion section of the document. You can see that there's a specific thread that basically captures the conversation that I think happened in the last two days between (Susan), (Rubins) and Stephanie mainly.

I do know that Paul - and I see Paul's hand up, I'm sure he'll explain, as well, but Paul has also sent some comments to the list but today came in too late to include them here. So, hopefully he can speak to those comments.

Heather Forrest: Thanks, Marika, that's helpful. Paul, over to you.

Paul McGrady: Thanks. Apologies everybody. I sent in comments on Monday and I thought that that was capturing them in the document. But actually it turns out that that's not the work process. I must've just got that completely backwards, from Panama.

So, my question is should I go through and try to frantically edit these before we get to work here or are we better off with me just attempting to work in the language as we go?

Heather Forrest: Okay, thanks, Paul. If Heather. I wonder if the best thing to do would be to speak to your comment here rather than - I'm just afraid if you're fastly working in the background, yes, then we kind of lose the value of you on the call.

So, do you want to – let's - before we had to go through your comments, Paul, is anybody else in Paul's situation that they have comments that are not captured in this document that they would like to speak to?

I don't see any hands, so, Paul, I think that suggests that your comments are the ones that need to be read in, so to speak. This is the (PDF) so we can really added these documents live.

The challenge of working with the Google docs is they don't really show on the AC screen unless we are all set up in a formal meeting and (it's hard to capture) the comments, so we've had to PDF them.

So, these are static so we're not able to make changes on the fly. But, Paul, with that in mind, do you - are you able to switch themes, let's say, and can you read in some of your key points here?

Paul McGrady: Yes, I'll get started setting up a second computer so that I'm able to work on two screens. They would just be a minute.

Heather Forrest: Cool. Thanks, Paul. In - so while Paul does that, we have comments that have made it in here. I understand there's been a fair bit of dialogue between, let's say, some of the members of the NCSG and I think Keith has weighed in on some of these points.

Would anyone like to - I mean, I can get my summary of where I think we are in scope, but the folks who've had the dialogue most, would anyone like to speak to where they think we are or summarize their position in relation to scope? Keith, go right ahead.

Keith Drazek Okay, thanks very much, Heather. Good morning, good afternoon everybody. So, I think as a relates to scope, just that a high-level I want to make sure that we're on the same page here.

You know, and then we can begin to the actual substance of the text. But I think there's a recognition that this EPDP need to be very, very focused on its initial phases or initial phase of the initial couple of months on this temporary specification and the temporary specification alone.

We have essentially eight weeks once the EPDP working group gets kicked off, you know, eight or nine weeks, to develop an initial reports by Barcelona which will put us on a time frame to conclude EPDP work on the temporary specification by May of next year which is the deadline for the temporary specification specifically.

And then I think it's also important to understand and recognize that the work on the access model is also very urgent and important, but that it cannot be done within the eight or nine weeks that we've got to focus on the temporary specification.

And importantly, the temporary specification focused work will actually informed the work of the access and accreditation discussion. In fact, there are some gating issues in the temporary specification that must be resolved specifically around, you know, who gets access and for what purpose that will inform and determine the work of the access accreditation piece.

And so, at a high-level, the structure or the proposed structure of this EPDP is to have a very focused set of work on the temporary specification heading into Barcelona. And then once the initial report on the temporary specification is complete, the focus of the work will turn them to access and accreditation.

So, at the time the initial report on the temp spec is posted, published, then there is an expectation that we will transition the group, the group will pivot, then, to start working on the access and accreditation piece as informed by the work of the temporary spec working group.

So, I just want to set out that that, at a high-level, is I think where we are, a recognition that the temp spec and the accreditation and access are parts of this process but they need to be staggered for the reasons I've described.

So, that is, I think, where we are today at least in our conversations and I want to make sure that, you know, that the language in the scope piece of the charter reflects that and happy to take any questions or any, you know, further comment about it. Thanks.

Heather Forrest: Thanks, Keith. We have Susan and then Paul. Susan.

Susan Kawaguchi: Thanks, Heather. Susan Kawaguchi for the record. I agree with most of what Keith has said. The BC does not agree that accreditation should be part of the EPDP, that for the most part, accreditation is, you know, is going to be handled (by both sides), (ICANN's remit).

And the work will be fairly limited on accreditations, (unintelligible). I (don't) think this EPDP have to concern itself with it. I (do think) that access is key and the BC understands that we have a very short timeframe and we are willing to (unintelligible) (goal) of Barcelona.

But I don't think we should (similarly) limit or put a false deadline in on the work on access. The access - I agree, there are gating questions that will inform the excess work that - get the excess work might be able to be done along - and get the deadline (of Barcelona).

And I think we should leave that flexibility and not limit the work and discussion of the EPDP based on perceived, you know, a perceived notion that we can't get the work done.

I think we should attempt to do it, see where we are in four weeks after this work has started. And the working group really, no matter what is put in the scope of this charter, the working group really is going to take the timeline and the importance of elements of the scope.

And so we need to (leave that) work to them to decide in some ways. But I - BC does not agree that the accreditation piece should be in the scope.

Heather Forrest: Thanks, Susan. Paul.

Paul McGrady: Thanks. So, Paul O'Grady year. I'm a little concerned that my inability to get the IPC comments into the five or ten various documents that were flying around may have given the misimpression that we are where Keith thinks we are.

I don't think we have moved on our position since Panama, which is, you know, the issue of access remains in scope because it's in the temporary specification.

So maybe we can have a little more clarity from Keith about what he's talking about in terms of what he thinks is out of scope and what can't get done before Barcelona.

But there's no way to read the temporary specification without dealing with the fact that, you know, there is process or there are - there is discussion of appropriate access to WHOIS data.

So, Keith, can we maybe have some more detail from you because I would love to agree with you if I can. I just don't know that we're saying the same thing.

Heather Forrest: So, Keith, you responded in the chat. Are you say a few words? And I will remind everyone that we are audio cast but we are the only ones on the Adobe. So if we want anything to be, say, formally heard, we need to speak up.

Keith Drazek   Yes, thanks, Heather. This is Keith Drazek. And absolutely, as I typed into Adobe Chat, as we said many times in multiple times, everything in the temp spec is in scope for this group. Everything.

And to the extent that there are things in the Annex, those are largely to be considered in my proposed or our proposed phase two of the work that ideally would kick off in Barcelona with the publication of the initial report from the temp spec.

So I just - I don't know how I can be any more clear than that. It's what I've said multiple times in multiple conversations from Panama and onwards, is that everything in the temporary specification is necessarily in scope.

We have to either confirm, you know, reject or amend the temporary specification by May of next year or it goes away. And essentially at that point, no obligation on the contracted parties to do anything regarding what's in the temp spec.

So we have to focus on that, make sure the initial report gets posted by Barcelona, work of that - and including the section four language around access have to be considered by the working group, focused on the top spec. So I'll stop there. Thanks.

Heather Forrest: Thanks, Keith, very much. Paul, your hand is up. Do you want to follow up?

Paul McGrady: Not yet. I apologize but I'm still trying to figure out how to get two screens going here. So, I guess the - on one hand, I guess I'm hearing everything that's in the temporary specifications on the table including access issues found in section four.

But then I also heard the opening argument that we were all in agreement that access should not be included. So, I guess I'm just not following what Keith is attempting to get us all to agree to as an opening issue.

So, I guess I just don't agree to it that I don't understand it. And we'll just deal with it, you know, line by line as we go. Thanks.

Heather Forrest: Okay, Paul. Thanks. So, while Paul works on getting his other screen up, what I think we can (easily) do here is work our way through the text and see where we are.

We've given a high-level introduction and I'm not hearing that everybody is on board with the high-level introduction, so maybe we can find our way through this by way of the actual text.

The – so Ayden agrees, it's better to go through line by line. So, perfect. Our first paragraph says this EPDP (unintelligible) charter (shall) determine if temporary specifications for gTLD registration data in whole or in part should be (unintelligible) policy.

As part of the determination, EPDP team is, at a minimum, expected to consider the following elements of the temp spec and ask the following charter questions.

Everyone happy with the first paragraph including the addition of in whole or in part? Ayden's got a tick. Donna has her hand up. Paul has his hand up. Donna.

Donna Austin: Sorry, Heather. Donna Austin. So, I guess I'm concerned about going through this line by line, understanding that I'm seeing the changes that Paul has proposed and they're not included in this.

And I think some of the suggestions by Susan will change some of the language in this. So, I would like to understand, because my concern is I don't know that we can agree to this line by line because we haven't - it doesn't include comments that are being received and suggesting changes.

So, just wondering from a practical perspective, how we do this, because even if we agree to what's up here now, we know that there are comments out there that are outstanding.

Heather Forrest: Yes, fair point, Donna. Thank you. Paul.

Paul McGrady: So, you know, I'm still trying to get my second screen up here, but I'm happy to walk through the line by line proposed changes that I sent around if that would be helpful.

What's the process here? I guess I don't - I have obviously not understood the process from the beginning. I see that some, like, comments back and forth on the list were being captured by staff in this document.

My comments that, (within) my e-mail weren't, which is fine. Totally my fault for not understanding the process. How do we best do this?

Heather Forrest: Paul, it's Heather. So, I can well appreciate - we have lots of moving parts here. I think the one thing that we need to make more clear in the future, is the one thing we said we found very hard to deal with was red lines simply because if that means we've got to merge - if we each submitted a red line, we would have 21 red lines, and it wouldn't be possible to merge them.

So, staff have been capturing comments but they've been sort of comments on the fly as opposed to markups because it's - it just - yes, it was going to bury staff if they had to work with a number of different markups.

So, that's all of the - let's say, that's the summary process. And as Marika notes in the chat, some of the comments are diametrically opposed. It's difficult to integrate into one version.

So we've been sort of capturing summaries of where we are. And I think that's why it was helpful to start with a high level summary our introduction to this that Keith gave, but I can see that we're not all necessarily clear on the high-level summary.

To (Rubins)'s point, put in the chat, I think it's an excellent one. I think we're going to have to define temporary specification because any use of the term temporary specification seems to enliven some of the scope concerns.

So, I suppose, Paul, with the red line, I think a number of the comments that have been received until now have been high-level in principle as opposed to changing the text, wordsmithing, which is why I was maybe thinking we could read your comments in.

But it's not possible to read your comments in, and we might not be at the point, as Donna has just noted, we might not be at the point of a line by line. I mean, eventually, we're going to have to go through a line by line agreement, but it might be that we have to do that on our own or come again in another call.

Paul, do you want to tell us the general gist of your comments because I think, at the moment, we're dancing in shadows?

Paul McGrady: Yes, so this is Paul. I guess, I think we unfortunately will have to go line by line. I think we were going to have to go line by line anyway no matter what. So, I don't see any downside in doing that.

So, with the mission and scope paragraph, there were two, or I guess, a couple of changes at the end of - this is the first sentence, at the end of policy, the IPC proposed to add it in, and everybody can see these on the comments I sent around – as is or with modifications, comma, in accordance with a mandate to collect data set forth in ICANN's bylaws and the related principles of ensuring continued availability of the WHOIS service to the greatest extent possible.

And other processing and gTLD registration data while complying with the GDPR and avoiding fragmentation of WHOIS. So, that's fairly straightforward.

Basically, it's accessing three principles at the same time, which is, you know, the collection of data, continued availability of WHOIS service to the greatest

extent possible and processing of the gTLD registration data all the while complying with GDPR and hopefully avoiding fragmentation of WHOIS.

So, I mean, I don't think that that's controversial. I think everybody, first of all, wants to comply with the GDPR and hopefully would like for the WHOIS to otherwise function in a way that it has for years, except to the extent necessary for - to modify, to comply with GDPR, all with the goal of avoiding fragmentation of how WHOIS data is collected, processed and accessed.

So, that sort of a, you know, that the contained comment but several principles wrapped up in there. The other change was at the end, the EPDP team shall consider the impact of its responses to these questions on any existing consensus policies which shall be preserved in accordance with the principles above.

In other words, when the EPDP team does its work, have to keep in mind other consensus policies and, essentially, there's a principle here of conservation that the things that the EPDP team comes up with should have a minimal consequence on the footprint of all of other – of ICANN's other consensus policies as possible.

So, on the mission (and skill) introductory paragraph, those are essentially the changes we propose and they are tied to some basic principles, none of which I think are terribly controversial. Thanks.

Heather Forrest: Thanks, Paul. So I think we have a (certain) text there and it would be helpful for that to be seen. What I propose is this - I think, had a good idea some time ago in the chat.

Is I wonder if it would make sense, Paul, if we talked about it in principle now because I'm not sure we've got some comments in the chat that universally agreed, let's say, those two points.

If we talk at a high-level about those now, and then perhaps we get Keith and maybe Susan and – so Stephanie and Ayden or the first ones to make comments on your language.

I wonder if we get you guys to put your heads together after this call and see if we can't get to some common agreement there on precise language. But, Stephanie and Ayden, you've made comments in the chat. Anything you want to speak about that we can then sort of hash out in principle on this? All right, so I don't see any hands up.

Stephanie Perrin: Sorry, Donna, it's Stephanie. Can you hear me?

Heather Forrest: Yes, Stephanie, go right ahead.

Stephanie Perrin: I'll just repeat what I said in the chat, was that this isn't about fragmentation. I mean, first of all, WHOIS is fragmented. Secondly, compliance with law demand fragmentation, so avoiding fragmentation is something I don't think we should set ourselves up further argument about that matter.

We've already said that we're going to attempt to maintain access to WHOIS. That says it all. You don't need to get down into how we're going to do it.

Heather Forrest: Thanks, Stephanie. So, Keith, thanks very much for your comment and chat that you're happy to work further on fine-tuning. Keith, Paul, your obvious folks to put your heads together.

Would anyone else - I think ideally, perhaps somebody from NCSG and maybe, Susan, I don't know if you want to join us, too. Or do we want to just let Paul – and Susan's happy to help. Okay.

And, Stephanie and Keith are typing. Stephanie, okay. Good stuff. So, with that, let's record that. We've got it in a sidebar, in the notes. Paul, Susan, Keith and Stephanie will work together on this IPC language.

Paul, are you happy with that? Paul's happy. Cool.. All right. Now, in terms of what that gives us, Paul, just for clarity, the input that you gave us, that really went to the opening paragraph. Did you have edits, as well, to each of the charter questions?

Paul McGrady: There – yes, there'll be added on down the line. So, again, I'm not sure about the best process there is, other than to bring them up as we go.

Heather Forrest: I would suggest, I think, Paul, that you guys do that as a small team in the first instance if everyone is comfortable with that because I think it's going to get challenging to work through reading and, you know, details comments.

I think it will probably be most efficient if you guys took a stab at it in a small group if you're willing for that happened.

Paul McGrady: Thanks, Heather. I guess that's fine. My only concern is that, at minimum, we're allowed to introduce concepts on this call.

Heather Forrest: Paul, that makes sense. The one thing – so Keith also has some suggested edits and accounting of all the inputs received so far. So, I think that's a good idea. I'm also mindful of the time. We're 30 minutes into our two hour call.

We're on scope. If you scroll to the bottom of the document that you see in the main pod, you'll see that there are inputs received that aren't directly in line into the document, are all captured in that bottom half of the document starting with Stephanie's comment from 28th of June.

If anyone notices that they're missing something, so, Paul, let's have those out first - if anyone thinks that - so Keith, you raised this point - if anyone thinks that they have comments that haven't been captured here, then we need to make sure that this document is up to date. Does anyone have concerns about (unintelligible) something missing?

Paul McGrady: Hi, Heather. It's all again. I'm sorry to be the problem child. Paul here again. So, can I just say blanketly that there are, you know, lots of – that the IPC suggested on Monday that are not here and leave it at that?

Or – and then that work goes to the small group off-line so that I shouldn't worry about it because what I don't want to happen is that we, you know, essentially, on the next call or whatever, that you know, everybody says, well, we had agreement on the text that was here because the IPC comments got sent off to a small group and weren't heard by the larger group.

How do you – I'm happy to – because this is my screw up, I should've done some other process – how do you – is it sufficient for me to remain silent knowing that the small group will look at all the IPC comments? Is that what we should do for speed?

Heather Forrest: Thanks, Paul. Look, I think – and I'll turn to Marika in a second here. Look, no need to stress. I mean, I think what – the IPC comments we know are there, Paul. I think what I'm trying to capture is, is there anything else that's missing from this document because staff, you know, have tried – staff are working with a moving target, too.

So, I think we all need to take a deep breath here (exactly). You know, there's no need to panic. We've had, you know, a long, hard week in Panama. We made excellent progress. It's natural that some things were going to get missed and as everybody gets back home and everything else.

And I'm about to, you know, as we hang up this call I'm about to start my 40-hour trip home. So I'm, you know, let's just take stock of where we are and see what's missing. I think that's what we need to do. Marika, your suggestion? Over to you.

Marika Konings: Yes, thanks Heather. This is Marika. So my suggestion would be that everyone -- as soon as we get off this call -- goes to the Google Doc and reviews whether, you know, their comments that have been submitted to date are in there.

Or those that indicated that there are further comments they would like to submit. I know I think Keith suggested he has additional input he wants to provide. As we know that the IPC input is not in there yet. So if you're able to incorporate that.

And -- as I - as noted before -- the most helpful way of doing it at this stage would be to insert it in the comments and suggestion section. And ideally kind of you know, describe in general terms what kind of changes you would like to see, as at this stage it's difficult to manage specific red lines. Especially if they go to issues that, you know, are obviously controversial.

That may then help the small group that has been tasked with looking at this input to take all this input and hopefully come up with a version that is acceptable to most if not all. So that may be the best way of working. Then the question is of course, you know, once, you know, hopefully everyone can do that within the next couple of hours after the call.

What would be the easiest for the small group to come together? And as said, you know, staff is happy to sit there as needed. You know, if a doodle is needed to find time to meet we can do that. You know, we can create another kind of Google Doc space where, you know, people can start making suggestions. Whatever is easiest for you to work.

And then -- I also have the question in the chat -- it probably would be helpful to have a kind of deadline by which time - which date the group is expected to come back to the bigger drafting team. Because of course at the end of the day you know, the whole group will probably want to have a look at this.

And provide their input on you know, whatever the group hopefully comes up with as a kind of compromise between the different positions that have been expressed.

Heather Forrest: Thanks Marika, that's helpful. I think my comment to that would be let's try not to increase the number of Google Docs. You know, when you suggest another Google Doc space I would be careful with that because we're already managing a fair few.

I think we're in a good, workable position now. Paul, your hand is up. It might be perpetually up.

Paul McGrady: Apologies. This - (I promise) this'll be my last comment. So I will just respond on principles rather than on facts. We'll - happy to have the small group look over the IPC proposed changes.

And lastly -- just for clarity -- the screw up is 100% mine, not staff's. I just didn't understand the process. And so I thank the staff and everybody else in this call for their indulgence of me. I really appreciate it. Thank you.

Heather Forrest: No worries, Paul. All right, look, I think what we need to do is this. The importance of the exercise is if it's clear - it's clear that the IPC comments are missing. And need to be added.

What's not necessarily clear but is a possibility is that there may be some other comments that are missing in this document. What I would suggest that we do as a way forward is -- and again, we're still only on scope and we have a fair few more documents to go through -- I would suggest that everyone take the opportunity after this call to have a look at this Google Doc.

Not the static PDF document. We just have a - take the snapshot immediately prior to this call. So you have the Google Doc links all on the side. And I think I'm - I might ask staff to do it again. Staff, I know you've

done it a hundred times, but if you can put in the top of our inboxes this list of Google Doc links.

Let's then -- after this call -- each of us take a moment to review. Start with scope. Take a moment to review. If you think that a comment of yours is missing from that document add it in. We'll try and do that in the next say, 24, 48 hours or so? And then the small team will get to work.

Now, small team, would you like -- so the small team as a reminder is Paul, (Heath), Stephanie, and Susan -- would you guys like the staff to run a doodle for you? Stephanie and Paul are typing.

((Crosstalk))

Heather Forrest: Okay, cool. Thank you. Stephanie and Paul, please do. Fabulous. Okay, (Natalie) if I could trouble you to run a doodle for those guys, that'd be brilliant. And give them a little bit of lag time for any further comments to be pumped into that Google Doc. All right.

With that it seems that we still have a fair bit of work to do on scope, which is not surprising. We could just - one that gave us the most discussion in Panama. What I would suggest what we do is turn to the next document in our list. Which is Membership Criteria.

And before let's say -- so staff are super prompt on switching documents -- before we do that, does anyone object to moving on to Membership Criteria? Nobody's screaming. Okay. All right. So let's look at Membership Criteria. That takes us to a new Google Doc.

And Marika, I think that makes good sense. Doodle for starting early next week so that everyone can provide their input into that document. I think that makes good sense.

Okay, so you see the document. It's the same sort of format again. This is ripped from a Google Doc. It's just a static PDF. We can't edit this one on the fly. I think the first thing we ought to do here is ask Paul, does the IPC have input on this one that we need to then work into the document?

Paul McGrady: Thanks Heather. Yes, I don't see any red lines in the IPC (unintelligible) space.

Heather Forrest: Great. So that's a good starting point. You note that this document is set up the very same way. We've got the Charter text and then we have what follows. That is a number of suggestions or general comments that have gone in here.

Some of them go to specific points, some of them are more high level. On this one it appears to me that we would be in a position to go line by line. Does that sound sensible? And we've got fairly short text here. Marika?

Marika Konings: Yes, this is Marika. Just to note that Donna has actually suggested kind of complete replacement of the original text, which you can find in the comments suggestion section. So you may first want to look at that and see whether that is an accessible approach.

And if not, then you maybe want to go back to line by line. And -- as noted as well -- some of the comments and suggestions also have made suggestions to existing text that are not captured as redlines, but just captured as comments here.

Heather Forrest: Thanks Marika, that's helpful. Donna, would you like to speak to your comments? I mean I - we can see them on the screen at the bottom of those - the high-level inputs. But it might be that it's helpful to have the context for your thinking.

Donna Austin: Yes, thanks Heather. Donna Austin. So all I've tried to do is combine the concepts I suppose that are - that we're trying to capture in the original text and just make a little bit simpler.

The only thing that I would note is there's a question in here about the "Commit to abide by EPDP team commitment" statement. So that is something that we've been working on offline. And Marika, I'm not sure whether that's been shared with the group or not.

And that's something that - that commitment to that is not reflected in my suggested rewrite. So that should be. So that's the only - that's kind of the background. So I'm just trying to make it easier or simpler. And we need to add in that commitment to the participation statement. Or whatever we end up calling it.

Heather Forrest: Thanks Donna. And I think in addition to simpler, let's say as I understand your opening line in the comments there. You're worried that the current line which might be a bit too narrow. Is that right?

Donna Austin: It's not too narrow, Heather. It's too prescriptive. So I think what we've acknowledged during the conversations that we've had around is that each stakeholder group is going to appoint their own representatives using their own method. And you know, approach.

So we can't be too prescriptive in this about what the requirements of the membership should be. So I'm just trying to expand - not make it so prescriptive.

Heather Forrest: Understood. Thanks Donna, that's helpful. Ayden, over to you.

Ayden Ferdeline: Thanks Heather. This is Ayden. I agree with what Donna has proposed actually. Is that that language will work very well. One comment or

suggestion that I had was, so the final bullet point is saying that participants need to be able to contribute including during the face to face meetings.

So perhaps we would want to tentatively schedule or put forward the dates of when these meetings might be, so that potential participants are able to assess whether or not they will actually be available. And at least for our stakeholder group, where some participants may need to acquire a visa depending on the location of the meetings.

That could be an important consideration before they'll be able to put anything forward. But aside from that, I think that language is great. And I could certainly live with everything that Donna has proposed there. Thanks.

Heather Forrest: Thanks very much Ayden. And just to clarify Ayden -- because I think Paul's picked up, you know, a similar point -- are you referring to the face to face, Ayden?

Ayden Ferdeline: This is Ayden. Yes, that's correct. And I think that Paul is right. And also the location would be important to know. Not necessarily...

Heather Forrest: Understood...

Ayden Ferdeline: ...in this document itself. But when we are putting out the call, I think that is important background information that people should have.

Heather Forrest: General understanding. Yes, I appreciate that Ayden. So I think what we need to do is we need to plan on, yes. Exactly as Marika says. We're at a slightly difficult point here in the sense of I'm, you know, (Org) will certainly work with the composition of the team -- those individual members -- to determine the most cost effective location.

I think we can anticipate -- from our own experience in the Strategic Planning Session that we held in January -- that was held in L.A. for cost efficiency

purposes. We had, you know, the benefit of our campaign headquarters close by.

And based on the numbers of this group I would anticipate that it's possible that the group could fit into ICANN offices in the main meeting room. And that being the case, that's always going to be the most cost effective solution for something like this. So I think, you know, to a certain degree it's a chicken and egg thing. I think we also need to have in mind that L.A. is at least a likely candidate, given that it's a cost-effective candidate.

So I think it'd be very difficult for us to go out with the call for volunteers and say "That meeting will be held here" because that almost puts the cart before the horse. That makes the venue determine the volunteers, as opposed to the volunteers determining the venue. So I'm - it - Susan. Over to you.

Susan Kawaguchi: Thanks Heather. So I just have a comment on the fourth bullet. I'm a little bit concerned with the word (temperament) required to work. I like the idea that Donna is attempting to get at here. But I'm not sure how you would define "temperament" and then truly utilize this language in selecting candidates.

So, maybe we drop the temperament. You know, requires in good faith towards (consensus) (unintelligible) solution. During the life that EPDP (unintelligible). And my eyes -- it's early in the morning for me -- or is there any typo though? And shouldn't that be treat other members (unintelligible)? So (unintelligible) would just be an edit I think we should change.

Heather Forrest: Thanks Susan. I'm - hopefully I'm not cutting you off. Your audio was a bit scratchy at the end. And I think we have found a few typos there, so we can clean those up.

And I think Donna is putting some just slightly modified language about - oh, and it just went away. It moved above the box. Be willing to work in good

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faith towards consensus. So I think we're getting down to sort of brass tacks on the language there.

(Ian), so I see your - Susan's comments saying there's support for this but for the few things that we're tweaking here. And Susan's typing, so she'll tell me if I'm wrong. Susan says "Thanks Donna, that's great." Is there anyone - so if we shift our focus to Donna's proposed five dock points here and we'll pick out the typos.

Is there anyone that has issues with these points as articulated by Donna? So I see Donna's points as having rearticulated in a clearer and more concise fashion the points above. Is there anything missing from Donna's points in your view? Donna...

((Crosstalk))

Donna Austin: Heather, it's Donna...

Heather Forrest: ...over to you. Yes.

Donna Austin: Sorry. So as I've said the only thing that needs to be put in here is that, you know, agreement to abide by the EPDP (team). I think Rafik and I have turned a statement of participation. And that has not been shared with the group, so that needs to be circulated through the group as well and agreed.

Again, if I can just talk to the statement of participation. This is really just something that spoke about in PDP 3.0. And something that would be in agreement from the participant that you know, they agree to abide by these certain things.

And they are - that the important thing is they understand that if they don't, the Chair has the authority to, you know, remove them is the wrong word. But to limit their participation or something. So there's a, you know, I agree to

do this and I understand the consequences is. And it's just five or six dot points. Thanks Heather.

Heather Forrest: Thanks Donna, that's helpful. Yes, at the moment that's just an in-principle thing. And you're right, there's a very clear segue to PDP 3.0. And it - Rubens, it's nice to see that you have a sense of humor this far along in the process. Stephanie, over to you please.

Stephanie Perrin: Thanks. Stephanie Perrin for the record. I just I mean I certainly agree with the concept of including consensus. I would just like to note that consensus policy -- with respect to WhoIs -- for the last 18 years we have been told that it was not in compliance with the law.

So I'm a little worried. I'd just like to note somehow that this - the GNSO's capable of coming to consensus that they should ignore the law. I'll give you the WhoIs conflicts with law policy. So is there a way -- and I don't have suggested language at the moment -- I had put in there a line about understanding the impact of the law upon certain actors in the community.

And I so understand of course that the registrars and registries have become aware that this - the law is going to hit them, so they are much less likely to agree to something that is going to result in fines. However, I'd just like to sort of note that history. Thoughts welcome.

Heather Forrest: Thanks Stephanie. It's Heather. I'm going to take a stab at let's say responding to that. Although I confess your point went a different direction that I thought it was going to go.

So in terms of the use of the term consensus here. I understand the use of the term consensus here as sort of directing the reader's attention to Section 3.6 of the GNSO PDP Working Group Guidelines. Which is all about how consensus is determined and how the group, you know, how we end up sort of capturing the will of the group. Consensus policy and its impact on the law.

I think, you know, first of all what consensus policy is is a different thing from that whole process of determining consensus or the will of the group. And then I think you know, consensus policy and its impact on the law -- its relationship to the law -- is another thing again.

I'm not sure Stephanie -- and it might be that I misunderstand -- but I'm not sure if we need necessarily a reference to consensus policy and its relationship to the law here in a membership criteria. You know, to suggest I mean perhaps what you're suggesting is that any members need to appreciate the impacts of consensus policy and its relationship to the law.

I'm afraid that might be a hollow statement in a sense of asking someone to appreciate something might be hard work. So I - Stephanie -- while I think your point is important -- I'm not sure that it's necessarily the right home for it here in Membership Criteria. But maybe I've misunderstood. So Stephanie, back to you.

Stephanie Perrin: I think that's a fair point, Donna. I just don't want people to point to this and say where we are agreeing on consensus here, because yours truly will not deviate from a stated interpretation of the law.

And I would hate to be accused of (refuse) to reach consensus if others have decided they're going to take a risk and try it. If you follow me. So I think -- I know I sound like some sort of Puritan here -- but I'm prepared to let it rest and see if it has a home in another spot.

Heather Forrest: Thanks Stephanie. And just for the record, Stephanie, you've been chatting with Heather. The - I'm - I wonder if there's a value here for -- Donna and I, you and I can double -- I wonder if there's a value -- in relation to consensus -- making a reference to the working group guidelines. Because we have I think agreed to adopt those in - further down in the Charter.

So to the point then that we have the reference to consensus, it - work in good faith towards consensus solutions. Actually, maybe the place to do this is - Donna, I might turn to you. We had something in the earlier text about commitment to the charter.

Should we also be asking -- or does it - is it not necessary Donna -- should we be asking about commitment to the working group guidelines? Because that is certainly - or should we just reference 3.6 after the word consensus? How might we pick up on this point about commitment to that sort of stuff?

Donna Austin: Hi Heather. I'm thinking. You know, my concern about you know, referencing something in the procedures or other documents is that we're not calling out what it is we're trying to address. So I'll have a think about it and I'll come back during the call to see if there's other language I can come up with.

Heather Forrest: Thanks Donna. That's fair. And I think as we progress -- because this will all sit - ultimately all of this stuff will sit in the same document -- it'll make much more sense when it's a coherent whole. At the moment we're dealing with separate documents.

So let's make a final -- and I appreciate that Donna -- Stephanie, your hand is still up. And further comments or old hand? Stephanie's typing. Old hand. Cool. Thanks Stephanie. Alright, so I'm - let's make a call then. These five points that we have here from Donna, Stephanie's made some comments on them. Is there anyone who objects in principle to using these dot points as a replacement for the dot points that are presently in the text?

Paul has no objection. And I see no hands. I see no one objecting. All right, so staff has already made a note there. We'll keep that action item to replace the existing points with these points suggested by Donna.

That - what that will do then is that only gives us the opening line to review. GNSO stakeholder groups and ACs, SOs appointing members to the EPDP team should make reasonable efforts to ensure that the (composite) of individual members colon and then we'll go on to list those dot points.

I would - I find it hard to believe that anyone would object to that opening line. It seems pretty innocuous. Any objections to that opening line? No objections. All right.

So after this call I'm - we'll go ahead and replace the dot points that Donna has suggested to follow that opening line. As I see it here, Ayden, Darcy, Michele, and Stephanie have made some high-level comments. Michele's not with us, but Michele's simply supporting Darcy. Stephanie, we've already got your comment considered there.

So I'm - Ayden, as you've suggested an amendment to one of the dot points. And Darcy's just suggested a general high-level amendment. It sounds to me like we've captured both of your comments by the replaced dot points. Okay. Ayden's okay with the language from Donna. Brilliant. And Darcy agrees. So that's fabulous.

Staff will clean up the document then. Donna, if we could ask you just in the quantum to come back to this, you know, at the end of the call. And in view of everything you've heard if you think that there's anything to tinker with or tweak. But otherwise this one I think what we can do is -- thanks Donna, appreciate that -- give this, you know, give Donna a bit of time. Give staff a bit of time.

We'll come back and sweep this one up. And it sounds to me like this one's in very good shape. So any further comments on this document in relationship to Membership Criteria? No, seeing none. All right, fantastic. Let's move along in our list then. That's great work. That's one achieved.

That takes us to EPDP team composition. Now, before we even get started here, this is one that's had a tremendous amount of dialogue on the list. I know we've had a number of comments. I think it's entirely possible that -- given that folks are in transit and everything else -- that there are comments that haven't been captured.

We've done the best that we can in capturing comments. If there's a comment that's missing, it's not intentional and it's not some sort of effort to undermine anyone. It's just a matter of this is a fantastically complex puzzle with a bunch of moving parts. So I'm - and I noticed there were comments on the list just moments before our call.

So I think what we need to do is Keith, might I put you on the spot? So you held the pen, am I right in thinking you held the pen on the initial drafting of this? Are you able to give us an impression Keith of where things were in your view as we left Panama? As we left the wrap-up session. Let's just get a level set on that and then we'll move forward.

Keith Drazek: Thanks Heather. This is Keith Drazek. I'll do my best. Recognizing this is a sensitive topic. The - and I sent an email to the list a couple of days ago that sort of laid out my thinking. I will refer people to that.

But essentially you know, we discussed in Panama developing a group structure that would be manageable, efficient, and limited in its scope -- in terms of participation -- to make sure that it was able to focus on its work. We've discussed the concept of using you know, a group of about 30 people as a target.

And using the principle of inclusivity to make sure that we were making - we were ensuring that interests and participation across the ICANN community -- to include GAC, ALAC, SSAC who had all expressed interest in this topic -- that they would have the ability to participate. And it's important to note that

in a normal PDP there is no limitation on participation. Anybody can participate, anybody can join.

But in this case we as a Council -- as a drafting team -- sort of agreed on the need for something to be more limited and focused. So essentially where we came out of Panama was the idea that we would have three representatives from each SGNC.

Paul and Marie both requested that there be an opportunity for the constituency-level participation in the numbers breakdown. We as a group responded to that. So but there's been quite a bit more discussion on the list. There's been quite a bit of pushback and concerns raised, particularly from NCSG.

I think it's important to note that in the first round of this the proposal was actually for NCUC and MPOC to each have three. But I was told that NCSG wanted to remain, you know, counted or considered as a stakeholder group, not at the constituency level. Just an important data point there.

So look, this is a - still a moving target. I think there's been some constructive input on the list from Marie -- in particular -- and from others. So I think where we came out of Panama was a group of 30 participants with 5 liaisons and 1 independent Chair for a total of 36. To have included GAC, ALAC, SSAC, and I think we also had CCs eligible.

But there's been more conversation on this. And I'm just going to hand it back to the leadership team to try to take us forward at this point. Thanks.

Heather Forrest: Thanks Keith, that's helpful. And to support the point that Keith's made and there may be some enormous misunderstanding I'm - I walked away from the wrap-up as well and didn't hear objections. And it might just be that there were objections made that I didn't capture. But I'm - so I think that that's a helpful summary Keith, of where we were a week ago.

We have as you've noted, had a significant amount of discussion. I have noted that if the comments that have been made since, and as I understand it, the point under discussion is the number of representatives from the ISPCP, IPC and BC is the number of representatives from the MCSG also in question or is it just a matter of the three constituencies from the CSC?

Okay, so the two are linked and it's a parity point. Okay, now Susan and Marie have made - Susan, Marie, and in fact Philippe, but Philippe is not with us and we have Tony Harris, have made some suggestions on the list.

Susan, Marie, might I put one of you two on the spot? Is there a way forward from the BC's perspective? Marie please, thanks.

Marie Pattullo: Hi, can you hear me. This is Marie.

Heather Forrest: All good Marie. Thanks.

Marie Pattullo: Great. Sorry, it took me a while to get off mute. Firstly, thank you to everyone who's put so much work into this. It really isn't easy.

And looking at Ayden's last comments in the chat - yes, the NCSG with parity, NCSG. As we said, unless we, we have no problem with that whatsoever. Our concern was that the very, very, very first draft, if we can remember back that far, had one member per constituency with NCSG and two alternates with the NCSG.

And that of course is a problem because of the specificities of the our three constituencies. We then thought, purely on the basis of workload, and we don't want people falling over and we don't want people getting fired or even (unintelligible). But having two members each plus an alternate in case somebody can't make a meeting, breaks their leg, whatever, would be a good idea.

That's our simple basis. You know the points about consensus Heather. And we don't - we believe this would not in any way affect consensus. All it would affect is human capability, workload, biceps to be able to pull the load. That's all.

Now if there is an issue with each of us having two, plus ones, so six member CFG, six members NCSG, we from the BC, I think we'd also be fine with one full member and one alternate per constituency. So three members for CFG and three members for the NCSG. It really is all about practicality. Thank you.

Heather Forrest: Thanks Marie, that's very helpful. Both on a specifics and the general principles. Paul.

Paul McGrady: Thanks. So this is Paul. This is, you know, this is the led balloon that I'm afraid that on this topic it's going to be difficult for me to sell back to the IPC.

If every constituency besides the IPC, the BC, and ISP all have three members who can participate you know, in the complete sense, that they're not alternatives, but each of the three constituencies within the Commercial Stakeholder Group, each have two, the enormous amount of work to be done here, I think we all agree that the number of people at the table has nothing to do with consensus calling. It just has to do with work.

And so I agree with Ayden on the principle of parity. I just don't see how each of the two constituencies over there have three each and we all have two each is parity.

So I think it's - I guess I don't understand how parity is one point of view being compromised by having fewer people to help pick up the pen and do the work.

So I don't know how to get past this. I really thought we were on a good path. Tatiana had recommended beefing up the language to make it clear that the number of voices isn't how a Chair would sense consensus. I don't see that that particular compromise idea was picked up in the compromise section of this document.

And Tatiana said she was working on language along those lines. She may have sent that to the list and I just missed it because there were just dozens and dozens of emails about you know, everything from transcripts and on.

I would much prefer that we go down the path of agreeing that the number of people at the table isn't how you count. It's just people with the ability to work.

You know going back and saying, you know, good news, we god two and the Country Code Council god three, that's just going to be a really tough sell. Especially because you know again, this is not about voting. It's not how many people get, you know, get to raise their hands at consensus time.

This is about the ability to work and to participate. And if you take away people's ability to work and participate in this process then it's not an ideal process. Thank you.

Heather Forrest: Thanks Paul. And Tony, over to you to give the third perspective from this constituency or stakeholder group.

Tony Harris: Okay. Thank you. Good morning. Sorry I was a little delayed joining. We would be happy with a two member per constituency plus one alternate. In other words the CSG would have a total of six members and three alternates.

And we have no objection with the concern for parity that the NCSG has. If they want to equal the numbers that's okay with us. Thank you.

Heather Forrest: Thanks Tony, that's helpful. So it seems to me that that's the final sticking point here in relation to this document. If we can put that so there's effectively two proposals on it - so there's two things on the table. One is the existing language. The other is the - is a proposal put forward by the BC that the ISPCP supports.

If we park that for the moment and have a look at the document, is there anything else in the document? There are a number of comments in the comments and suggestions box. But I think they primarily go to numbers. And then we've got the proposed compromise as Marie has very helpfully explained.

Is there anything else other than the numbers in the three constituencies that form the CSG that's an objectionable in this text? Ayden?

Ayden Ferdeline: Thanks Heather, this is Ayden. So there was one suggestion that I had put in the document which was to revert to the original text in terms of numbers of representatives from the different SOs and AC.

So in the original version we had one member from each SO AC plus one alternate. And somehow we reached the stage where that was increased to three members. And in the Google doc I suggested that we revert back to one member per SO AC with the exception of the GAC where sort of as a political compromise I suggested that we do allow them to have three representatives. So that was one change that I had suggested. Thanks.

Heather Forrest: Thanks Ayden. And I think I see that language in the second doc point there, other SO's AC's will be invited to appoint one member each with the exception of the GAC who may appoint three members.

Does anyone have concerns about that? Before we turn to Pam let's take that comment. Anyone have questions, comments, concerns about the draft text that you see in the second doc point there?

Rafik is asking in the chat, any reason why having CCNSO? So Paul, just to be very clear, because I don't want - because and actually Pam, let's check in with you. Is your comment on this point or is it on a different point? Different point. Okay.

So let's pick up Pam with your indulgence. Let's pick up this point. Paul your hand came up so I think you're on this point.

Paul McGrady: Thanks Heather. No, no problem with the GAC having three seats other than what I've pointed out before which is you know with GAC, ALAC, (unintelligible) and the CCNSO each having three seats and the IPC having two, that's my concern.

It's not the number of seats they have. It's just that the optics is going to be super hard to explain. Thanks.

Heather Forrest: Okay Paul, thank you. Ayden, are you on this point? So Ayden you're initially the one that brought up this point. Well let's just circle back to you because your hand is up.

So I don't hear Ayden but my phone just made a funny noise so I'll make sure you can hear me. So you'll have a funny noise and you heard me say, funny noise. So Ayden I think you're unmuted. Ayden we can't get you off mute so we're going to come back to you.

And let's - we all can hear someone typing and breathing. Ayden is going to type. All right, very good. And Ayden we'll try and get you back on audio.

Anyone else have any comments? We're going to have to pause Paul's comment because it's related to the previous one. Anyone else have any concerns about one member each with the exception of the GAC and who may appoint three members?

And again to the point that was discussed in this chat, because those on the audio cast wouldn't have heard it. There were some questions in the chat primarily let's say, kicked off by Marika about you know, are other SO's and AC's compelled? The answer is no, they're merely invited. Marika, your hand is up.

Marika Konings: Yes, thanks Heather. I had another point of clarification that may have gone lost in the chat. Whether indeed those SO AC appointees would be counted as members or liaisons, especially thinking from the consensus approach. Would they be factored in if that would be a consensus call or, do they serve as liaisons?

I think that was as well, an issue that was discussed. I know that they're currently listed as members so, I just want to make sure that that's clear so language can be referenced accordingly.

Heather Forrest: Thanks Marika, that's a good point. And I wonder if I'm - if the option then would be to say, the way forward on that would be to say they're invited to a point either, you know, a member or a liaison as they choose.

It might be that if we're happy for them to be either, if we don't have a preference necessarily. But they might have some ownership of the process as well, and designate whether they wish to have their person be a member or a liaison.

Does that - does anyone find that troublesome? Multiple attendees are typing so, we'll see what that comes out to be. Darcy?

Darcy Southwell: Thanks Heather. Darcy Southwell. Yes, I don't have any objections to that concept. I think - and I'm looking at the document and I'm trying to find if it's still there. But I think one of the original proposals Keith had in draft was that for these groups where we in the past that they struggled with consensus,

their group structure and their internal processes make their ability to
participate in groups like this speak to consensus is difficult for them.

And think Keith originally had proposed that if they're unable to do that, that it
doesn't have a negative on the consensus building. I know we were probably
talking about that in the terms of voting, more so originally. But I didn't know
if we needed to include that here.

So I guess what I'm trying to say is that I don't want their inability to
participate in a consensus call, because of their internal processes, to just be
a lack of consensus, if that's even possible under the rules. Thanks.

Heather Forrest: Thanks Darcy. I think that makes very good sense. Marika.

Marika Konings: Yes, this is Marika. I put my question in the chat as well because it's part of
the drafting that the call for volunteers. If we're indeed allowing them to
decide to either appoint a liaison or a member it will be important to explain
what the difference between the two is.

At least what I understand for now that the only difference would be if they're
a member they're expected to participate in consensus calls. While if they
were to appoint a liaison they're not expected to do so. If that is not a correct
understanding, please let me know.

Again, it's for the purpose of writing the draft call for volunteers so we can
explain if that is the direction you want to go of offering them the option of
appointing a member or liaison.

Heather Forrest: Thanks Marika. And I see Paul is agreeing with you in the chat. That would
certainly be my expectation at the most fundamental level is that the liaison's
primary purpose is getting information back to whatever group it is that they
come from. And not to state in that consensus call so that you know, to

Paul's point, not having to participate in the consensus call would have some degree of corresponding, let's say, impact on the workload involved.

So Paul since members have to commit to work, the liaisons can (unintelligible) work. And I think this also ties into the previous point that was made about the -- and forgive me, I forget what it's called -- but the Statement of Commitment that members would be asked to sign up to the Statement of Commitment.

And that as I would suggest, perhaps that the liaisons might not have that obligation.

Pam, we haven't forgotten your point I promise, but let's clear out this one while we're at it. Darcy?

Darcy Southwell: Thanks Heather. So I guess, that sounds great. I agree with that, my only concern is that -- not to pick on the GAC -- but you know they've often said that their internal processes don't - just don't support this way of working.

And I'm concerned, like well we don't want to be a liaison, we want to be an active contributor. But our internal procedures just don't work.

So I guess I would just sort of expect some pushback there. I agree that we put that out there like that and place that expectation. But I also wouldn't be surprised if they push back and say, well that's not the way we work but, we don't want to be a liaison.

So I don't know how we deal with them in the middle when they, you know, are refusing to come up with a consensus - you know, refusing to participate in the consensus (unintelligible) because their internal procedures don't work that when let's say, they've appointed a member. And then I don't know what we do with that at that point.

Heather Forrest: Thanks Darcy. I don't know. You know, all we can do let's say, is the work up front to try and tee this up. And my suggestion would be, if this is the direction that you know, we all agree, is that that Statement of Commitment, what that does is it says, as part of that Statement of Commitment that you agree to participate in consensus calls.

And that you are able to -- willing and able -- to participate in consensus calls on behalf of the group that you represent. And we need to maybe then include here, to the extent that you are not able to participate in a consensus call or, to the extent that you are not able to agree to the Statement of Commitment in full, without modification, then that suggests that you need to be a liaison.

Maybe that's the way to handle it. I mean we can't - we're not going to prevent every situation from happening down the pipe. But I think if we make it very clear what's expected of a member and someone realizes right up front that they cannot fulfill that responsibility, that that at least, it's an insurance policy on our part, let's say.

So Donna is saying to that point, she's tried to address it in the Statement of Participation.

And yes Stephanie to your point, again we can't influence - so Stephanie has made a comment in the chat -- for the purpose of the audio cast -- Stephanie has made a comment in the chat about I'm, you know, the members that other groups select, they need to understand that they're going to have to stay along with the process.

I think we can't influence or dictate who another SO or AC chooses or not chooses. What we can do, what's in our control in that Statement of Participation or statement of whatever we're calling it.

And we have to then make it crystal clear that we take that one very seriously and we're going to impose it on all of our own people as well. But if you can't agree to that then you're not the right party.

Now Donna said in the chat, we may need to explain what a consensus call is. On that one I agree Donna. And there I think we can hopefully reference -- and hopefully I'm not wrong on my number -- this 3.5 or 3.6 of the working group guidelines.

We can refer folks to that and say, if you cannot participate in this process; the process is laid out very, very clearly in that document. If you are unable to participate in this on behalf of the group that you represent then you are not qualified to be a member.

And of course Stephanie you're right. We say we can only handle what we can handle.

So I have Tony and Paul and then let's clean this one out. And we'll shift over to Pam. So, Tony.

Tony Harris: Yes, I would just add - reinforce the fact that should the GAC want to be members, getting them to tie into a consensus, that could take weeks or months. So that's something which has to be carefully considered. Thank you.

Heather Forrest: Thanks Tony, that's helpful. Paul?

Paul McGrady: Thanks. Paul here. Further to Tony's comment, yes to get consensus from the GAC, that would require this to go through at least one public meeting cycle. And so that - I don't know that that's a practical thing.

Should we be thinking differently for the GAC than for the other advisory committees and sort of blurring the line between member and liaison?

Because if we say you have to be able to do a consensus call for your AC, the GAC will say, well we can't do that.

And then we say well okay, you have to be a liaison then. And then the GAC says, you know, bad news. We're only allowed to have liaisons. We're now allowed to really participate in the EPDP which is I don't think, what we want to happen.

So is the solution for the other ACs that they have to be able to represent their views of the AC? But the GAC members who participate can represent their personal views? And then the idea that as they then become champions of the output here and they go back to the GAC to try to sell it for a consensus and GAC advice and later down the road?

I think we may need to find a way to break out of our binary here to accommodate what the GAC really is. Thanks.

Heather Forrest: Thanks Paul. And as I just put in the chat, I think that's you know, it's a helpful comment. And I also think we need to have a better understanding of what the GAC's intentions are with its representatives.

It may be that they are not intended to be representatives of the GAC. So I think - so what I would suggest that we do is, leadership work in the background to have a discussion with the GAC about this. About the difference between members and liaisons and their intentions and so on.

We could try and bring the Council and the GAC together. Although I suspect that's going to be difficult on a call. But what I would suggest is, leave it with Membership. We'll explore the options on how to have that conversation with them in the manner that best works for them and for us and we'll do that right away.

So staff, if I could ask you to capture that as an action item, that we need to follow up with the GAC to further explore these issues around the difference between members and liaisons and what their expectations are. Tony, is that an old hand on this point or a new hand?

Tony Harris: Old hand. Sorry I put it up.

Heather Forrest: Cool. Thanks Tony. All right, let's draw a line under that one and we'll follow up with the GAC. Because it seems to me that the GAC is the only sticking point there. It seems to me that - I didn't hear objections to this idea of modifying that text to the option of appointing a member or a liaison.

So we can update the text accordingly. And we will draw a line under that one for the leadership to follow up. And with that we'll turn to a new point from Pam.

Pam Little: Thank you Heather. Can you hear me?

Heather Forrest: Yes Pam, wonderful.

Pam Little: Great. I just have a quick question about the two ICANN staff liaisons we have allocated or are proposing here. One from Legal and one from GDD.

So do we need to - are these in addition to the policy staff who usually support PDP efforts? I just try to understand that and because I anticipate the workload not only going to be heavy for community members who participate in this effort but, we also need to - but it's also heavy for policy support staff. Do we need to specify that or do we need to make that clear? Thanks.

Heather Forrest: Thanks Pam. I think that's a good question. And before I turn to Marika, what I'll say is this.

The - let's see, I actually think you're raising two points Pam. One is about the workload. And I think that comes into resources. And as we start to nail down the resources on this, it's clear to all of us, although perhaps not quantifiable at this stage, that the impacts for policy support staff is going to be, and likely the gNSO secretary, is going to be high. That's something that we need to capture in resourcing.

Now as to these particular liaisons, remember all the comments we just made about the difference between members and liaisons. My understanding, at least in relation to GDD is that that person, in operating as a liaison, would be in a position, because of the expedited nature of our work and having to build an implementation and so on, that that person is better able to follow up where we are sort of live, in process. And Legal would be, for the quick referral of matters to internal Legal.

Bur Marika can put a finer point on both of those comments so Marika, over to you.

Marika Konings: Yes, thank you Heather. This is Marika. So apart from what has been called out here, I think it's something that staff has already been discussing internally. Because of course in the normal PDP there's usually more time for us to consult with our GDD colleagues for example, on implementation related concerns or any you know, questions that may arise for our Legal colleagues, which normally happens at this stage of the initial record.

But of course in this compressed timeline there may need to be more kind of direct or live consultation in that regard. So we had already anticipated that we would need to have more active engagement of colleagues from GDD, as well as, the Legal team in this PDP.

So I think it has been specifically called out here. I think from our side that there's no concern in that regard and it's something we would - we had

foreseen already, in any case, whether or not they're called a formal liaisons or not.

And I think it was also called out in the Resources section that we perceive them you know, actively engaging where needed of course. Again, to make sure that, you know, the timeline is met and we're not in a situation by the time the initial report is published that, you know for example, significant concerns are raised with regards to implementation related issues or any kind of legal aspects that could otherwise have been called out at an earlier stage.

Heather Forrest: Thanks Marika that's helpful. I'm - can I make a suggestion? So Pam you're saying thanks in the chat. That's great.

In terms of this, I think one thing that I would find helpful, by way of an addition to this text is, we're specifically calling out here, three sort of - three classes of participation. There's member, there's liaison, and there's observer.

Can I suggest that we pull those out as a separate point and have some definitions here, at the top of this section which defines each of those terms. And the member point can link to those who represent a group who have agreed to the commitment - Statement of Commitment, liaison is, in broad line so long we described it here today.

And then observer, we have a specific point on observer. But I suggested that gets pulled out into this definitional section.

Does anyone have any trouble with that? I think just to clarify the terms used in this section? No one is screaming. Okay, good stuff. So let's - staff we can lean on you to help us make that change. I think that would be very helpful.

There's also the term, Chair. But I don't suppose we need to define that one. And in fact leadership is on our list of topics for today.

Are there any further comments on this? We have another - perhaps alternate is a term we need to define as well. So we have members, we have alternates, we have liaisons, and we have observers. So we'll define each of those. Are there any other points here that need to be picked up? It seems to me that the remaining point is the numbers, is the precise numbers issue and if I can think back to our previous small team. So the small team working on scope is Keith, Paul, (Susan) and Stephanie. I wonder if you guys would be willing - so Paul you and I - you're going to have to champion this one. You're going to have to take the discussion that we have here today back to the (IPC) on numbers. Could we make that something else that perhaps to the extent that Paul you come back with comments from the (IPC). Can that get discussed in that small group as well?

Paul McGrady: Yes, that's fine with me.

Heather Forrest: Okay, cool. So let's do that then. Let's park the numbers because we're not going to solve that today. There's obviously instructions that have to come back. As I understand it, up to the point of that number clarification, the number agreement, then this text looks like it's in pretty good shape. We've got some amendments to make, we're going to have that definitional section, we're going to add in the business (about) the other (XO)'s and (AC)'s can appoint a member or a liaisons as they prefer and that will actually be helpful once we have those definitions in.

That to me seems to catch things. Donna your hand is up, over to you.

Donna Austin: Thanks Heather, Donna Austin. So on the numbers, can we get some agreement on a good timeline to kind of draw a line under this because you know, one of the thing that I think we all understand is that there's a lead time to get this working team together so the sooner we can have resolution on

the numbers, the sooner we can go forward. So it would be good to get a commitment on the time to resolve that.

Heather Forrest: Donna, thanks. It's an excellent reminder because you remember that the sort of drafts timeline that we looked at in the wrap-up on Thursday in Panama City suggested that we were going to put out a call for members on Monday. Now, I don't think we're in a position to do that for a number of reasons; one is we haven't finalized the numbers so we don't know how many we're asking for and two is that (unintelligible) that we have a charter that was pretty much (speaks) that we were going to be able to do a vote on and what I'm going to suggest that we do is now I'm - we've got 25 minutes left in the call. I would suggest that we spend the last 15 minutes of the call talking about next steps because I think that's going to be necessary here. So that gives us ten more minutes on substance. Now, as to the small team and the timeline for the small team, that was - so I think Stephanie made a pretty sensible suggestion in the chat about let's try and lock down the documents on Sunday and let's have the small team try and come together early next week. I don't think you have any APAC people so you're all kind of close in time zones so that is more workable, let's say, for the small team in terms of getting together maybe on the Monday.

With that we're going to have to push out our call for volunteers, our call for team members till later in - later in the week. So Donna, to your point I think if we were to say the small team try and come together on Monday or Tuesday and this comes back to the council on Wednesday, that would maybe mean we're doing a little bit of timetable on the fly here without actually looking at the timetable but I would suggest that maybe that means we're looking at the call for volunteers later in the week. Like as soon as we come to agreement, I think we can start to wrap up the text for the call for volunteers but I think until we have a charter we think we can live within principal, I wouldn't like to go asking for folks to make a commitment.

With that, let's say take the first chunk of that. Small team come together on Monday, lock the documents Sunday, small team on Monday and then let's maybe come back to this mid-next week. So Stephanie says that sounds reasonable.

Yes, and I agree Stephanie. You know, Stephanie has made a comment in the chat and I'll say it for the benefit of all of those listening to us on the audio cast, this is a point that leadership made so we took to heart everything that was said in the council meeting and we went off and did that video with the (coms) folks and said, look, we've made brilliant progress and to the extent that there's any concern about rush we really don't want to rush, we want to get it right the first time and that's going to set us up with the proper platform going ahead.

So, I still believe that that's what we need to be holding to here. So Stephanie has said reasonable for the timeline. Anyone else objecting to or anyone objecting to lock the documents Sunday, move forward small team on Monday and then come back to this mid next week? Paul's (typing) timeline makes sense. Okay, and I seen how I'm (screaming). Donna your hand is up, go.

Donna Austin: Thanks Heather so just to be clear what we mean by documents locked down by Sunday, does that mean the full council has had an opportunity to review the documents by Sunday or that the small group has the documents back to the list by Sunday to give us time to review and then a decision Wednesday?

Heather Forrest: Thanks Donna. So, as I understood the comments from Stephanie and the small team, what we need to do is each one of us needs to go into these documents and review them to see if our own comments are captured here so that the small team has everything to be working with. So I think that's what I mean by locked down is let's make sure that the small team has everything that they need and now just to be very clear, the small team is working on scope and the small team is working on numbers in composition.

They're not looking at everything, we're not tasking these four souls with everything. We have done our own work in relation to - I've got to go back up to the list. We've done our own work and staff will help us clean up membership criteria and the small team will deal with the scope document and the team numbers. They're not going to have to look at the whole document, we'll clean up the document on the side.

And Keith I take your point about cataloging all inputs by tomorrow. I just think it might mean let's say, if instructions are needed, we might need more than 24 hours for instructions which is why I think maybe we just push this to the weekend. I understand that everyday I'm - I realize, yes, we're all waking up in the morning, all of us, waking up in the morning and thinking we're one less, one day closer to next May but I think the extra two days just for the purposes of consensus building and selling ideas back home, I think we need that extra two days.

Okay, Donna, I'll just circle back to you because you're the one that raised the very sensible questions. Does that make sense to you, have we actually answered your questions about timeline?

Donna Austin: Yes. I think so.

Heather Forrest: Clear as mud?

Donna Austin: Yes, pretty much. I'd like to say, you know, if it's possible to have this might clear (unintelligible) after the call, I think that would be helpful for everybody and particularly those (counselors) that actually aren't on this call, I think it's going to be important that they understand what the next steps are as well.

Heather Forrest: Yes, that's a good point Donna because we are - we are (light) on numbers here and we have to get everyone (accosting), we have to get (SG)'s and (C's crossing) too. So I think all the more reason to taking that extra time. Marika over to you.

Marika Konings: Yes, thank you Heather. I just wanted to ask a clarification on some of the other items, I believe most of the other items, there are some comments and suggestions were made. I don't think they (rise) to the same level and necessarily then the conversation we've been having on composition and scope. So would the group feel comfortable if staff kind of goes ahead and goes to the master document and incorporates some of those suggested edits and changes and maybe we can then use as well the opportunity to flag if there are any items that may be more of an item that needs further discussions so then we can also pull those out and either the small team or the next time this group meets you can look at that and share any concerns. Because, I said, you know, most of the other - some of the other common documents didn't receive any comment so most likely they're fine as is but in some of the others there were some minor edits that were suggested or some items that were flagged. And, again, maybe the effort of giving everyone 48 hours may bring out other issues but in order to move forward maybe we can start at least by incorporating some of those edits that appear at least minor clarifications but of course anyone can still challenge those never the less.

Heather Forrest: Thanks Marika that makes good sense and although we didn't do any sort of manipulation with the ordering of the documents there, I think we've gotten through the - I think we've gotten through, let's say, the ones that had the most discussion.

Paul, I'm going to turn to you, I've got to step away from the computer for two minutes and so I'm going to ask staff to help manage the queue while I'm away. So over to you Paul.

Paul McGrady: Thanks Heather. So, this is a question for Marika. So, for the other documents where you're taking comments out and moving them into the main charter document, what would be the process for us to continue to comment on that, would it still be back in the specific document (leads) that you sent so

the staff will do one pass and then you'll do another pass after the lockdown date on Sunday? Thanks.

Marika Konings: Yes, so this is Marika. So, to respond to the comment, yes from our perspective that would be the easiest because it keeps it all in one place. So, after this call we'll send out the links again to the different sections that deal with the different topics so as noted before, ideally you provide your suggestions in the comment/suggestion section although some have also taken the approach of providing red lines which as noted before, are a bit more challenging to deal with especially if there are opposite views on certain topics and then you'll - we'll take whatever has been provided and see how we can integrate that into the master charter basically and then also flag, if there are indeed any comments that either seem to be contradictory or basically changing what may have been original agreement so that the drafting team can specifically look at those and provide direction to staff on how to deal with those.

Heather Forrest: Marika thanks and Paul thank you. I'm back but what I'm going to do is this, I'm about to shut down the (AC) room, unfortunately, because I have to start the long (slog) home. I will be on audio, we can manage with that and I think we need to - Marika has already started discussing next steps and I'm going to rely here on Rafik and Donna to help manage the queue. I'm - with that, how do we want to move things forward and what perhaps we should (hopefully) look at the timeline on the screen and start to think about the timeline.

Donna, over to you.

Donna Austin: Yes, thanks Heather. So I know we've got 15 minutes left and I understand that - and this is in response to the email I sent about some folks were surprised about the leadership - sorry the expression and interest we did in relation to the chair for the (unintelligible). There were some concerns about an assumption in there regarding two (vice tiers). So I want wonder if that's

something we can address in the last 15 minutes, if we can get resolution on that I think it would be helpful and then with regard to next steps if we don't get a chance to just concern that now, maybe we can - Rafik, Heather and I can try to sort that out on the mailing list as regard to next steps. So, does that - is that okay if we move forward with that discussion on leadership? I see Stephanie supports that.

Heather Forrest: Donna - it's Heather Donna, makes great sense to me. Sorry to interrupt. It makes great sense to me and may I add my comments here as I'm shutting down and walking towards the car, I'm - there - so, and I apologize I missed some of the stuff on the list that came up in relation to this. There's been no intention of, obviously, no intention of stuff up here on leaderships part. We did meet as a team just at the end of our (unintelligible) and said the (party) was to get out the call, the (EIO) call right away and we tried to capture things as best we could and staff were really just following, you know, our suggestion. So to the extent that we've stuffed anything up here, holy cow, it wasn't intentional. It was just trying to move things along. So Donna I think it's a great idea, we'll follow-up with the documents that remain and open the floor here to comments on the leadership, so thanks Donna, great.

Donna Austin: Thanks Heather. Rafik, I wonder if I can turn to you or Stephanie to - because I think that's where concern came from with regard - and I think just to be clear with everybody I think the concern here is the fact that we mentioned that once the working group is formed that the working group would select two vice chairs to assist the chair and I think there's some concern around that issue. So, Rafik or Stephanie, could I ask one of you to speak to that initially?

Rafik Dammak: Thanks Donna. So, I think we didn't kind of agree or really discuss about if we need two (vice chair) or one (vice chair) but I think we believe that we should have small leadership team as also the (AVDP) team should be small and just having only one vice chair. So I think that per - if we think that two vice chair and the explanation of interest kind of - I mean, I think it was not

needed but we - it's just the language coming, if I'm not mistaken, from (unintelligible). So it's just maybe something we can clear out here to keep the size of the leadership small, just the vice chair can be back up for the chair as we are putting a lot of (unintelligible) and then the chair in terms of (neutrality commitment) and so on.

Donna Austin: Thanks Rafik. Does anybody else want to comment on this? So Rafik, are you - I'm trying to understand how we clear this up. So, is there a suggestion that we try to retract from the - or at least take it out of the current charter text that the reference to selecting two vice chairs and that we leave that as an open issue for the working group itself to sort out?

Rafik Dammak: So, it's - thank you for the explanation of interest I think because we (unintelligible) the (annex) it's something that we are still working on, the chart. So I understand that is to kind of give some insight about what's expected but I'm not sure if I have an idea. It's just at least to kind of have maybe kind of caution or disclaim that it's not said here and just to avoid that people assume that what is in the annex with the announcement it's the final version. So…

Donna Austin: Okay, thanks Rafik. So in terms of the charter development, we still need to go through the annex that is attached to the leadership and make sure that we're agreed on that because what I'm hearing from you is that currently there is not an agreement around (text to the annex).

Rafik Dammak: I think that's (it).

Donna Austin: Okay, so Ayden is saying in chat that there's no agreement on the annex text. And Marika has that text on the screen at the moment. I don't - and it doesn't look like - Stephanie has made some comments there, we don't have - that's the only comments so far so perhaps this is something that if I can ask people to pay attention to it, provide comments in the near-term so that we can try to resolve that before - today's Thursday maybe by the end of Friday

so that that becomes something that we can sign off on. Does that make sense to folks?

Yes, and (Rubin)'s (unintelligible) annex is different from the annex that I'm talking about now. So, if you recall the text that Paul McGrady and I worked on in wherever we just were, had an annex to it which spoke to the role - I'm looking at (unintelligible). But it had a description about the role of the chair and I think that's what we need to clean up.

Okay, so Ayden's noted some problems with that language in chat. So, Marika I think to the extent that we can take note of those and make the adjustments and then we'll try to put this back to the list as soon as we can.

Are there any other items within the charter that are of concern to people that we've only got six minutes left that they would like to highlight or flag now as potential sticking points?

Heather Forrest: Donna, it's Heather. Can I suggest a process point which is to say let's be super, super clear on what it is that we're doing at this point. We're working in the Google Docs that we counselors are the only ones that have access to and we're putting comments directly into the Google Doc or into that comments and suggestions field and I would actually suggest that we work with the actual text to the extent that we can given the point where we are. Does that make sense to everyone?

So in other words, no red lines.

Donna Austin: I would say that Stephanie has agreed to that in chat and I agree as well. Let's stay with a process that we currently have and we'll - and if could ask people that if they have any comments on any of the outstanding sections so putting aside composition and scope till now but any of the other sections if you have comments on those, could you please provide them by the end of tomorrow and we need to be clear what - whether I mean tomorrow here or

tomorrow in Australia, what date that is and then we'll try to get those wrapped up and back to the (unintelligible) by Monday, I think. Does - Marika I'm losing track of time but I think that works in with the timeline we're working for, the composition and (scoping) team.

And I know that Marika is doing about three things at once at the moment so, nobody has raised their hand or put anything in chat to say that there's any other sticking points or concerns that they have with the remainder of the charter. So I think, you know, if people could take the time to review today or tomorrow, get those - any comments that you have included in the Google Doc and then we'll review, the leadership team will review with staff and see if we can, you know, finalize those last bits and then have - and then try to have that wrapped up and back to the mailing list by Monday. Does that make sense to everybody?

And can I remind people that if - that we do have a mailing list set up for this. So, please any comments that you have, can you post those directly to the (EPDP DT) mailing list, rather than just send them to Marika or to the council list. It's the (EPDP DT) mailing list that we're dealing with.

Heather Forrest: Donna, it's Heather. I very much appreciate - yes, I'm super grateful to you for carrying us through. And you say there's no objections, there's no hands to - there's no further points that anyone wants to raise.

Donna Austin: Correct Heather.

Heather Forrest: Cool. Can I suggest then with our two minutes remaining we have a procedural point that's important that we need to deal with. I'm - so you remember our discussion in Panama City about the bylaws and what it takes to call an email vote and when we call an email vote, we have a seven-day notice period and we have to be confident, let's say, the chair has to be confident on discussing with counselors that we are going to be in a position to vote on that seven days and I personally don't feel that we're in that

position. If anyone - if I'm misunderstanding, this is an opportunity to correct me. I have a feeling given that the email vote would have put us to the 13th and we have a council meeting on the 19th, I have a feeling we're now shifting towards the 19th but this is an opportunity for folks to discuss just to make sure - I'm here to capture the collective will. So if I've misunderstood I'm - please, this is an opportunity to say so.

Donna Austin: Paul, I see your hand is up, go ahead please.

Paul McGrady: Thanks Donna. So Heather just because you can't see the comments that Stephanie and Rubens are both indicating that more time than seven days will be needed. I tend to think so as well just because I expect that some of the (ICP) comments in scope will note be universally beloved by all. So I do think that we are shifting away from an unusual vote and back towards taking this up for a vote on the next formal council call. Thanks.

Heather Forrest: Thanks Paul that's very helpful. So what I would suggest then that we need to do as well is that Donna, Rafik and I need to sit down and have a look at that timeline and see what the impacts are on the graph timeline that we put together for the wrap-up in Panama and I think you know that would be something that we turn around as well because it will have impacts on the call for volunteers and a few other things. So we'll put that on our immediate to-do list, let's make the documents our priority and then we'll come back to the timeline. So I appreciate that.

Donna, Rafik, does that make sense to you both?

Donna Austin: It makes sense to me Heather.

Rafik Dammak: Yes.

Heather Forrest: Great, excellent. We're (bang) on time everyone. Again, made very good progress and we'll continue to communicate to (org) and the (coms) team that

we're making very good progress. We'll follow-up on all of these action items that we've gotten to today and staff has worked incredibly hard to try and capture - herd the (cats) over the last week and in addition to flying back home from Panama and all of this, and we've all have traveled home so, you know, fantastic effort over some challenging circumstances and we'll just continue to plug away. So, thanks very much to our alternates as well. We've got Tony Harris on the phone, folks who have joined us from holiday's and whatnot. So thank you very much to everyone for your time today. We shall - to be continued, we'll follow-up with all of the action items and keep working. So thanks very much everyone. This ends our call today and to be continued. Take care everyone.

Paul McGrady: Thank you.

Woman: Thank you everyone for joining today's call. This concludes the call. Operator, you may now stop the recording. Have a great remainder of the day.

                              END