ICANN Transcription
GNSO Review Working Group
Thursday 12 July 2018 at 1300 UTC

Note: The following is the output of transcribing from an audio recording of the GNSO Review Working Group call on the Thursday, 12 July 2018 at 13:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: https://audio.icann.org/gnso/gnso-review-12jul18-en.mp3

Adobe Connect Recording: https://participate.icann.org/p948niod91z/

Attendance is on the wiki page: https://community.icann.org/x/fgE5BQ

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page: https://gnso.icann.org/en/group-activities/calendar

Attendance:

Kris Seeburn

Lawrence Olawale-Roberts

Lori Schulman

Rafik Dammak

Sara Bockey

Wolf-Ulrich Knoben

Apologies:

Jennifer Wolfe

Staff:

Marika Konings

Berry Cobb

Julie Hedlund

Emily Barabas

Terri Agnew

Terri Agnew: Thank you. Good morning, good afternoon and good evening and welcome to the GNSO Review taking place on the 12th of July, 2018. On the call today we have Rafik Dammak, Lawrence Olawale-Roberts, Sara Bockey, and Wolf-Ulrich Knoben. We have listed apologies from Jen Wolfe. From staff we have Emily Barabas, Julie Hedlund, Marika Konings, Berry Cobb and myself, Terri Agnew.

I would like to remind all to please state your name before speaking for transcription and recording purpose and to please keep your phones and microphones on mute when not speaking to avoid any background noise. With this I'll turn it back over to Wolf-Ulrich Knoben. Please begin.

Wolf-Ulrich Knoben: Thank you very much. This is Wolf-Ulrich speaking. And hello everybody to our meeting here. We have an agenda on the right hand side of the Adobe Connect and it's – we're going through the agenda and then we would like to know about the status of the last consensus call and then with regards to the report we have to do towards OEC and Council, we should talk about and also the final report.

So with that I would like to hand over to Julie please just go ahead please, Julie.

Julie Hedlund: Thank you very much, Wolf-Ulrich. This is Julie Hedlund from staff. So first of all with respect to agenda item Number 2, the status of consensus calls for implementation charters for Recommendations 6, 33, 35 and 36. And as you may recall, these are recommendations all relating to diversity and for having various language in the stakeholder groups and constituency charters with respect to diversity as well as having diversity as a part of the formation of GNSO PDP working groups and that charter went out for a final consensus call that closed on the 21st of June.

There were no comments or objections to the charter and so as per the usual procedure the implementation of these recommendations is considered to be

agreed as of the 21st of June. And so the implementation charter was then posted on our summary page on the Wiki. So that is actually the last of the recommendations to be implemented. So with that all recommendations are implemented at least per the determination of this working group. And then back to you, Wolf-Ulrich.

Wolf-Ulrich Knoben: So thanks very much, Julie. So we have reached that line let me say, that we can have implemented all the recommendations. One question I have Julie, is do we have in our recommendations for the implementation or our statements, let me say, with regards to the implementation, do we have anything which we recommended towards the Council to take care of, specific care of that we have then to come up with in our report to the Council? Do you remember some of these items or is it – did we finalize all recommendations with a statement saying okay, under this and that condition so we have – we are of the opinion that these recommendations have been implemented so far?

Julie Hedlund: Thank you, Wolf-Ulrich. And this is Julie Hedlund again from staff. Yes, the way we finalized our determinations for each of our recommendations was that there was no action required by the Council and that it was deemed by the working group that the recommendations have been implemented and then in, you know, we had indicated how they've been implemented. In the case of the diversity recommendations, we noted that there might be further – there might be further changes that may come out of the recommendations by the Cross Community Working Group – sorry, the Cross Community Working Group's Work Stream 2 subgroup on diversity but these of course have only just been finalized and then they do need to be approved by the Board.

And then we did note where those recommendations might result in some changes to GNSO procedures, but that as for the recommendations themselves, they were considered at this time to be implemented. And just to cross over as this is a good transition for Item Number 3 and the update to

the OEC and the GNSO Council, in the report to the OEC and the GNSO Council, we did not – there was nothing to call out with respect to an action by either of those bodies; there certainly was no action called out by the Council.

I think that we did note that there, you know, where there were budgetary possible budgetary impacts, and I think those were relating to recommendations with respect to translations or real time interpretation, that any – in the future if any working group is requesting these, you know, types of additional translations, transliterations beyond what is already provided for and if there are budgetary implications that those would need to be considered by the Council.

But that was not contingent on the implementation of the recommendations. The recommendations were still considered to be implemented and really this was just calling to the attention the Council that again as the manager of the policy development process they would be considered to be involved if there were any budgetary implications to any recommendations.

Wolf-Ulrich Knoben: Okay thank you. This is Wolf-Ulrich speaking. So let me ask, well to the group to our small team here whether all of you could agree to that, that we are of the opinion that all these recommendations have been implemented under the – with the notes given by Julie, and or whether you have any further comments to that to add, so please, if you are of the opinion there are some open questions or we should think over some – so that point please raise your hand or comment on that. Any further question? I don't see yet any.

But I would say, well Lori is saying, "I have no comment," and – yes. So it's just no comment from Sara as well. So if that's the case anyway so we have to officially, well, to deliver that and the report well to the entire group and then we'll see whether there is additional comment or not. So I can say, you know, for my person, from my constituency I – of the time, you know, when

we had the various consensus call so I informed well about that or the recommendations my constituency and we're also asking for input if there were questions, at most time there was no question. So I – that is why it was accepted at all and there's no additional question from my side.

So Julie, I think we can take that as agreed from our team right now. And so thank you very much for this update. And then how to move forward. I think we could move forward to the next point with regards to the OEC and GNSO Council reporting or also including how to deal with the final report. Julie.

Julie Hedlund: Thank you, Wolf-Ulrich. Again this is Julie Hedlund from staff. So yes, the report – the – our interim report or our what the OEC deems as our semiannual report did go to the OEC and the GNSO Council prior to ICANN 62. The Council did not set aside specific time on its agenda at ICANN 62, it did have a really quite full agenda and because we did not – this working group did not have anything to request from the Council as far as any actions with respect to the report, it didn't seem to be an issue to simply have delivered the report and, you know, and to see if there were any comments. There were no comments from the Council.

I am coordinating – staff is coordinating with the MSSI staff who are in supporting the OEC to see if there are any specific comments from the OEC concerning our last report. And if there are then staff will ensure that these are brought forward to the working group here and also addressed in the final report. So I think there may possibly still be some comments coming out of the OEC. I haven't heard either way. I do know that Avri Doria takes a specific interest in these reports and has been the one to collate comments at least previously, so we might expect to have a few questions from her that we'll need to address.

And that follows on then into agenda Item 4, so the status as staff sees is that we are now prepared to produce the final report which essentially is, as far as we know, and we're confirming this with MSSI, is the same format as our

interim report but just updated to reflect that all of the recommendations have been implemented. And really the only recommendation that had not been implemented at the time that we delivered our report was this one that was under consensus call that ended on June 21.

So we will update the report for this working group to review. We'll incorporate any – if there are any comments we need to address from the OEC, we'll incorporate them in the report. We'll indicate that, you know, per this report that all recommendations are deemed to have been implemented. And staff will also prepare a motion to go before the Council in its August meeting. The motion would be to accept the report and to, you know, indicate that, you know, that this completes the work of the GNSO Review Working Group and also then that staff will submit this final report to the OEC.

And then there will have to be an approval by the OEC that the work is completed as well. But one would hope that given that there will be very little difference between the final report and the report that we've just given the OEC, and if we can address any comments they may have, that hopefully we might expect that the OEC would approve the report and then that that implementation of the GNSO review would be deemed complete in time for the September 2018 deadline.

Wolf-Ulrich Knoben: Okay, thanks Julie. This is Wolf-Ulrich speaking. Well let me just briefly summarize what I understood from that, from this process. With regards to our – the update which we have given to OEC and the Council, well, this is – doesn't impact, you know, how we go forward, so we don't expect reaction – there may be reactions on that still coming from Council but we can move forward – move ahead as you described with the final report.

And the final report is then to be sent to Council and is it going to be sent in parallel to the OEC or is – are we going to wait for the Council go-ahead, you know, to send it to the OEC? What is that – what does that mean?

Julie Hedlund: Thank you, Wolf-Ulrich. This is Julie Hedlund again from staff. And to also address Lori's question in the chat, so staff anticipates getting the final report out to the working group next week prior to the next meeting on the 26th of July, we would then hope to finalize and get approval from the working group at that point. And then – and then staff would submit the report to the GNSO Council in time for the document motions deadline of the 6th of August for the meeting on the 16th of August.

Staff would anticipate that the report would go first to the Council as it needs to be approved by the Council. This is our understanding and the motion would need to be passed, at which point once that's complete then the report would be sent on – from staff on behalf of the Council to the OEC as an approved final report.

Wolf-Ulrich Knoben: Okay thanks. That makes sense. Any question here from the floor to this process? I think that's – that's okay, that makes sense from my point of view. Good. So then do you have an idea when we can expect well the first draft of the final report from you?

Julie Hedlund: Thank you, Wolf-Ulrich. This is Julie Hedlund again from staff. I would expect that you would see it early next week.

Wolf-Ulrich Knoben: Okay.

Julie Hedlund: There aren't a lot of changes. I'm actually just trying to give a little bit of extra time just in case there are any questions that MSSI forwards to us from OEC, then we've given them a little bit more time so that these can be incorporated into the report. And I'm still waiting on confirmation on that but I would expect early next week.

Wolf-Ulrich Knoben: Okay great. Thanks very much.

Julie Hedlund: Oh and also I should mention, we will deliver it in redline and clean and that you will be able to see where it differs from the last report so the updates from the last report and that should make it easier because I think the format will be largely exactly the same unless we get a different guidance from the MSSI. And so it should be as for the working group then to see where the update are, or what the final language is and so on.

Wolf-Ulrich Knoben: Very good. Thank you very much. Do we – one additional question, is it, you know, and when we look backwards so the entire cycle of the GNSO Review, which started in 2014, yes, isn't it? So is it that what we cover or are we going to cover just the implementation phase in our report? I mean, you know, not to cover, you know, what was done, you know, during the review phase itself but just to outline maybe in a graph or so the entire timeline of that.

Julie Hedlund: Thank you, Wolf-Ulrich. This is Julie Hedlund from staff. We certainly could include a graphic of that sort. The way the report is set up is it does give the background back to – excuse me – to or at least links to, you know, the various steps in the process. I think though that's a good point; it might be worthwhile bringing some of that background forward with a little bit more detail and perhaps a chart to show the progression.

That would be similar to what we did in our initial implementation report where – I should say implementation plan. So when this working group developed its implementation plan it did kind of look back on the progression up to, you know, the present and then you know, and then mapped out what would be the plan for implementation. So we could pull in some of that information and, you know, that way we'd have a complete picture without necessarily going into as much detail as in the original implementation plan.

Wolf-Ulrich Knoben: Okay, sounds good. Thanks very much okay so we can expect it – the first draft next week, very good. So where we are right now, so we are – we are talking about, well, drafting final report – yes, we are – if we do not have

any more comments on that or any further question how we should proceed then there is the suggestion of well then circulating the final report so within our communities and collecting comments on that in order to bring comments up by the next meeting, is that the intention? I mean, so I understand it wouldn't make sense, well, to have a meeting in two weeks from now.

Julie Hedlund: Thank you, Wolf-Ulrich. This is Julie Hedlund again from staff. Yes, so the – while there isn't the need to do a consensus call on this final report because all of the components have already had their consensus calls, I do think it is useful for the working group members to just circulate the final report within their various communities and capture any comments in anticipation of the working group call on the 26th of July so that certainly would be most helpful.

And so when staff sends it out in redline and clean format, we'll suggest that and while that doesn't leave a lot of time for that it would be over a week, and, you know, hopefully there might be some comments making, you know, recognizing that there's not a lot of new content in the report, there wouldn't be any new determinations or questions unless there was something that was raised by the OEC.

Wolf-Ulrich Knoben: Well thanks, Julie. Wolf-Ulrich speaking. Well just wonder how it is done in other working groups with regards to final – handling of final report. I understand the final report is a report of this working team and so it's up to the working team with their background communities, well, to solidify the final report and then put it forward to the Council this way. So is that the way how it is done in other groups as well? So then to follow just and I don't think we need a lot of time, well, to also to communicate with our communities about that. And if we get the next – early next week a draft so I don't see a problem well to have it done by 26th of July. Is that the procedure also for other working groups?

Julie Hedlund: Thank you, Wolf-Ulrich. This is Julie Hedlund again from staff. So this is a little different because most of the working groups tend to be PDP working

groups in which case they're developing say initial reports or final reports and so if it was a final report it might require – it would require a consensus call or determination of consensus. In this case we don't really have that as we've been applying consensus calls to each of the recommendations and actually have been – while we have in essence been following the full consensus model that's not required but has so happened in the calls.

So certainly this would follow in general the Working Group Guidelines in that there should be a, you know, review by the working group, in which case we will have that; the opportunity for the working group to consult with their communities which we do also allow time for. Certainly if the working group in that consultation felt that they needed more time we could give more time.

I would say though that the deadline for approval by this working group would still need to happen prior to the 6th of August if we do want this in front of the Council for its August 16th meeting so conceivably we could take a little bit more time. Otherwise it would get pushed into September which while still feasible would not be as ideal just in case for instance the OEC came back with any questions or whatever. But absolutely this does follow in principle the model set forward by the working group in as much as this is not a PDP working group at this point but more of a sort of an implementation working group in a way.

Wolf-Ulrich Knoben: Okay, thanks Julie. Understood. Wolf-Ulrich speaking. So I would like to ask the group so how you feel we should proceed. And I understand I personally would fully agree that looking that difference, you know, to a PDP working group that we came to the conclusion, recommendations by recommendations, that we accepted and implemented those recommendations and made this – the appropriate statement to that.

So the question is do we need – do we need from your perspective a, let me say, a combined consensus call for all the recommendations combined in combination and with – together with this report? Or could we move ahead in

our group so that means then we have the draft report? So we could agree well to comment until the 26th of July, maybe with consensus of our background communities or not, and then we can finalize on 26th. Would that be agreeable or are there any other – any ideas saying okay, let's really send out to the communities and ask for consensus. Any comments to that?

I see Lawrence was saying agreeing. I suppose it's agreeing to the – to my first suggestion. Kris, it would not hurt to inform our community. No, this is – it doesn't hurt it, really, so it's open as soon as you have available the report so please refer back to your community if you think it's appropriate to do so. So I think we can go that way, so not having – well Rafik, please go ahead. Rafik, we can't hear you.

Rafik Dammak: Okay thanks Wolf-Ulrich. Just – oh, I'm sorry, can you hear me now?

Wolf-Ulrich Knoben: Yes, yes.

Rafik Dammak: Yes thanks. Thanks, Wolf-Ulrich. So just trying to understand here you were asking if we do kind of consensus call for the whole report as we did consensus call for each recommendation. I'm just wondering here if we are going to do that and if someone has an objection how we will – how we will resolve that so I understand this is just maybe thought as a formality but what will happen if someone will raise a concern or something like that that maybe not what is expected, just to understand what you are trying to achieve here.

Wolf-Ulrich Knoben: Yes, well that was – Rafik, thanks for the question. That was just my question toward – to you. And I understand fully so we would be in a, yes, in a tricky situation if somebody comes back and says, no, no, the report is not accepted, okay there must be a rationale why and why not for a specific recommendation or to be implemented that they couldn't follow. But you know, that was – that's not what we expect. There may be something well in – how to say that – comment on how to formulate in the summary, you know,

the conclusion also of that. That's what I could expect but I don't think that is really critical.

So I understand you saying no, we should not go this way, that was also not my suggestion to do so, I was also only – of the opinion, well, just to handle it as usual so we are looking at the report, we are commenting on the report on the formulations as well and then that we are going to deliver the report. That is my suggestion, my last suggestion to do so. Any further comment? Yes, so Kris is also saying no further group consensus call again. That is okay.

Good. So let's – Julie, please go ahead.

Julie Hedlund: Thank you, Wolf-Ulrich. So just for the working group's consideration, and Kris is noting just highlight the consensus has been carried out. Sara Bockey is still typing. If we were to want a final consensus call just to sort of put a final (unintelligible) on this but noting that each of the recommendations has already been agreed to by consensus, it's certainly not a requirement. If we were to do that, staff would suggest that we would want to send it out for a consensus call say by next Wednesday. We would probably then want to push the working group meeting out to say the 2nd of August and to allow a two-week consensus call because that really is the standard we've been using and one week seems too short.

And then, well let's see, so then, you know, have this consensus call wrap up on the 1st of August and then have the working group meeting on the 2nd of August to accept the report. And there would still be time to send it out to the Council. So that is a possibility if this group wishes to do that. Otherwise we could just follow what we've been discussing and just, you know, provide the final report noting that all the components have been agreed to by consensus, the working group members can get those out for a very you know, short, you know, notification to their groups and then finalize it on the 26th. So those are – those are a possible two opportunities.

But I see also in here Sara says, "I'm reluctant to do another group call. Everyone has a lot on their plates these days and folks may not be able to review the whole document. I understand the desire, just not sure how feasible or successful it might be."

And then just noting Kris says, "Perhaps the way out is just to highlight consensus carried out." And Rafik says for the motion to Council when the time comes I could submit it on behalf of the working group." And that is noted.

Wolf-Ulrich Knoben: Thanks, Julie, well this is – well is good suggestion, so I would suggest that we go the latter of your suggestions, well, just to send it out and we handle it in our communities and come back with comments if so needed.

Julie Hedlund: Thank you, Wolf-Ulrich. And there Lori says, "I would like to have the consensus…"

((Crosstalk))

Wolf-Ulrich Knoben: Yes.

Julie Hedlund: If there's a consensus call she would like to have it delayed past August, so yes, and then that timing gets difficult as well as people being on vacation. So staff will take the action to prepare the document to get it out as early as possible next week. And labeling it as for review for the working group and noting the consensus for each of the recommendations requesting that the working group members do notify their community members of the final report and the fact that it has reached consensus on all of the recommendations and then we'll have the task on the 26th of July to accept the final report.

Staff will also concurrently send the motion for review and so on the 26th we will hope then that the report and the motion will be finalized and then we'll be

prepared to send it – have – pardon me – have Rafik send it on behalf of the working group to the Council.

Wolf-Ulrich Knoben: Okay. Let's do so. Thanks very much, yes. Well I understand and Lori's also mentioning EPDP well, the most of these people and many, many of these people are engaged in that area as well and the Council so I'm wondering whether they find time, well, to talk about the review implementation at all. Okay let's go that way. And that's good. So thank you very much. And we'll keep the date of the next meeting on 26th of July.

Julie Hedlund: Thank you, Wolf-Ulrich. This is Julie Hedlund again from staff. Yes, meeting then will be on the 26th of July at 1300 UTC, this same time. And staff had nothing else on the agenda for today.

Wolf-Ulrich Knoben: Okay so let's ask – so I do not have anything else. Anymore question, any other item to talk about here? None, thank you very much. So thanks very much and well see you in two weeks or hear you in two weeks, yes.

Julie Hedlund: Thank you so much for chairing, Wolf-Ulrich, we really appreciate it. And thanks everybody for joining. And enjoy your next couple of weeks and we'll talk to you on the 26th.

Wolf-Ulrich Knoben: Thank you. Meeting is adjourned. Bye-bye.

Julie Hedlund: Thanks, all. Bye-bye.

Terri Agnew: Thank you, everyone. Once again the meeting has been adjourned. (Rose), the operator, if you could please stop all recordings? To everyone else, please remember to disconnect all remaining lines and have a wonderful rest of your day.

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