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## ICANN Transcription

### Council Committee for Overseeing and Implementing Continuous Improvement

**Wednesday, 13 April 2022 at 12:00 UTC**

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NATHALIE PEREGRINE: Good morning, good afternoon, good evening, everybody. Welcome to the Council Committee for Overseeing and Implementing Continuous Improvement call taking place on Wednesday 13th of April 2022. In the interest of time, there'll be no roll call, we'll be taking attendance by the Zoom Room. If you're on the phone—and I don't believe anyone is, so we can skip that bit.

We received apologies from Thomas Rickert today.

Statements of Interest must be kept up to date. If anyone has any updates, please raise your hand and speak up now. If you need assistance updating your statements of interest, please email the GNSO Secretariat.

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

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All documentation information can be found on the wiki space and recordings will be published to the wiki space shortly after the end of the call. Please remember to state your names before speaking. As a reminder, those who take part in the ICANN multistakeholder process are to comply with expected standards of behavior. Thank you very much and over to you, Olga.

OLGA CAVALLI:

Thank you. Thank you very much, Natalie. Good morning, good afternoon, good evening. Thank you very much for joining. We have an agenda. Let's check it very briefly. Any comments, updates, suggestions on our agenda which is on the screen now?

No objections, so let's go to the first item which is update from the first Work Stream 2 Community Coordination Group Work Stream 2 CCG meeting. It happened on the 5th of April and some highlights of the meeting. Attendees agreed that alternates and observers should be able to join and participate on calls, it's important for you to communicate to your communities.

Attendees agree that the designation of a chair is not necessary at this time, topic leads can be appointed on as needed basis and the group can revisit the question that arises.

There was agreement to keep Tuesdays from 13:00 to 14:00 UTC as one of two rotating meeting times. The second time remains to be defined by Doodle poll mainly. Frequency of the calls [inaudible] to have an initial call frequency once a month with proposed agenda that will be circulated previously and some reports to be sent to the people participating in the committee.

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And attendees. There was no concern with the proposal to begin with the recommendation 1.1, diversity.

Okay. So this is mainly an update, was the first meeting, quite informative and organization on meeting of this Community Coordination Group meeting for the Work Stream 2 items. So that's the update. Any question, comments about that information? I will keep you updated about the progress of this committee as I am also participating as liaison in that group.

Okay. So let's go to our work. We have a document that was sent with the agenda by email. Thank you very much, staff for that. Very, very helpful. There is a document with the proposed order of work. I don't know if you have time to review it, but we will review it with you now. And as you can see, there is a specific list. I don't know if you want me, Ariel or real Marika to go through the document or you want to explain the rationale of why it's ordered in this way.

ARIEL LIANG:

Thanks, Olga. I'm happy to walk through the order of this proposed work plan and provide some rationale behind the thinking. So hello, everyone. So the order we propose, as you see the first item is complete ranking of recommendation 1, 2.3 and 3. And you have already done that in the pool. So the reason why that's the first item is because the CCG is going to discuss the order of tackling these three recommendations. And we hope that this group can provide Olga the input, and she can get back to the CCG on Council's preference in terms of the priority for these three items. So that's the first one.

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And then the second, third, and fourth items, they're all related to Recommendation 1 on diversity. So the reason we hope the group can tackle this first is because CCG is also going to discuss this recommendation. And some of you may already know that CCG will work with a diversity consultant on tackling the implementation of diversity recommendations. So we just expect this recommendation may be worked on as one of the first items in CCG. And it will be good for the Council to work for this group to figure out what's the Council's point of view regarding the implementation of diversity recommendations at Council level, and so that will also serve as the input for Olga to bring back to the CCG, when she discussed with representatives from other groups on this recommendation.

So as you see that, item two is about defining diversity is 1.1, 1.2. And then item three is about measuring and promoting diversity is 1.3, 1.4, 1.5. And 1.6 to 1.8 is supporting diversity. So we kind of divided the diversity recommendation into three subgroups. So that's hopefully a kind of bite sized chunk, and just something digestible for each meeting to discuss.

And then following the diversity recommendation, item five, and item six on the list is about guidelines for good faith conduct recommendations, it's recommendation 2.1 and 2.2 in the Work Stream 2 recommendation or the final report.

So we presume that it shouldn't take a long time for the group to discuss it, because the staff already conducted the assessment of the implementation status for these two recommendations. And we're hoping to hear from the group whether you believe the staff assessment is correct. And also, we have some potential

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implementation approach for the sub recommendation 2.1.2 for discussion. And we hope these two recommendations can be tackled within two meetings. And then we'll be okay with that.

And following the guidelines for good faith conduct, the next batch is SO/AC accountability recommendation, which is recommendation 6 in the Work Stream 2 final report. And similar to the previous recommendation, staff already conducted assessment of implementation status for this recommendation, and indeed has some several sub recommendations, 6.1 about accountability, 6.2 about transparency, 6.3 about participation, 6.4, outreach and 6.5, updates to policies and procedures.

And similarly, we expect these recommendations wouldn't take a long time for the group to digest because the staff assessment kind of concluded that most of almost everything is either completed or not applicable to the Council. So we just want to confirm with CCOICI whether this assessment is correct.

And there's only one item that may require actions or decision from this group or the Council, it's about 6.1.5 which is the accountability, a specific report and but at the same time, it's not mandatory. So we'd like to hear from this group whether you think it's something worth implementing, and if so, staff can provide some suggested approach how to get it completed.

So that's the next batch of recommendations. And then final one, which is in staff's view, probably the most difficult one to implement is the human rights framework, Recommendation 3. So that's up to every group to implement on your own basically and then also at the CCG level, this recommendation will also be

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discussed. But it doesn't mean that we have to wait for the CCG's direction for how to implement that. Each group can go ahead and start the implementation process.

So we kind of expect that there will be some materials need to prepare it in advance and so that we know exactly what's the implication of that to the Council. So we were thinking this one probably will take the longest time for implementation or discussion at this group. So we put it at the last item. So that's the rationale for this work plan. I will stop here and see whether there's any comments, questions. Thank you.

OLGA CAVALLI:

I already have one question, is this totally defined? I mean, can we have any input about if it can be modified, or if depending on the feedback from our group, or GNSO? Marika, your hand is up.

MARIKA KONINGS:

Yeah, I just wanted to note, and I think that goes to your point, that this is a suggestion that staff is making based on our assessment of the recommendations. And as Ariel noted, other work that is going on. But of course, if the group prefers to organize itself in a different way, or order the recommendations in a different way, it's of course completely up to you to decide. This is just a suggestion.

One thing I do note is that we at the moment have not allocated a time frame or a timeline to the consideration of each of these recommendations. This is mainly because we don't exactly know yet how much time it will take to review each of the

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recommendations, how much time people have already prepared or are familiar with them.

And so I think as we start going through this, because the idea is that this is kind of a rolling agenda. So as you've seen for this meeting, we hope to start with the diversity recommendations. And depending on how far we go, we kind of will pick off this order, if that is what you agree with, during the next meeting and kind of continue the hour until we get to a point where we believe that okay, now the meeting is finished. And the next meeting, we just pick up then in the list of items. That is a little bit the idea behind this.

And as said, once we've run through a couple of these, we may get a better idea as well on how much time is needed for each of these items. So we'll also be able to associate a kind of timeline with it. And again, try to put that into a timetable. So the group also has an idea of which kind of target you're working towards. I hope that's helpful.

OLGA CAVALLI:

Thank you, Marika, another question from myself. Shouldn't we be aligned with what is discussed in the Work Stream 2 coordination group meeting, or we can have our own order of discussion of the items? That's my question, because then in the meeting that I just described, it was agreed to start with diversity, which maybe we agree or not, but then with the rest, how can we align with their work? Is there a concern about that, or we can work somehow independently? Yeah, go ahead, please.

MARIKA KONINGS: Yeah, I guess I can try to answer that one. But I'll also look to Ariel to correct me if I'm wrong there. The items that the CCG is working on and this group is working on is not identical. So there are some items that do not overlap.

Diversity is actually one indeed that both are working on. And that's also, as Ariel explained, why that one is first on the list as it is the expectation that the CCG is going to work on that first. So any input this group can provide on that will help inform as well as the work of the CCG.

We did do as well the ranking because I think that that is input that was requested from the broader community because the recommendations, as I understand it, that the CCG is specifically working on are the ones that are listed here. So on the screen on the item one. And as we know that 3 is one that is also within the remit of this group to look at. But I think as Ariel explained as well, it's not a dependency.

There might be, of course, interest to better understand what the CCG may be doing or how they're going to approach it that may impact or inform the work of this group. But at the same time if they are far behind, or they will not consider that recommendation until that is not aligned with this group's timeframe, I think there's nothing preventing this group from kind of moving ahead but making sure—and I think that's why it's so helpful as well that you're in both places. And so that is also an ability to kind of keep the CCG apprised of what is happening within this group and vice versa. But the diversity is already in there as the first one

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basically, indeed, because it's also the expectation that the CCG will first work on that. So I'll stop there.

OLGA CAVALLI: Perfectly clear. Ariel, you hand this up. Go ahead.

ARIEL LIANG: Thanks, Olga. And I completely agree with what Marika said. And just want to mention one additional point. The reason we didn't put human rights framework as the next item following diversity is because we think it will take much longer time for the group to discuss and deliberate. So we are squeezing the low hanging fruit, which we believe is Recommendation 2.1, 2.2, and Recommendation 6. And the only task for the group is to assess whether the staff assessment of the implementation status of these recommendations are correct. And then we can hopefully quickly tackle that and move on to the most difficult one.

And also, for the diversity recommendation, the expectation is that at the CCG level, they may spend a few meetings, we don't know how many, but they definitely will spend a few meetings to work through the details. So basically this group can go simultaneously to complete other items independently, and it will be a while probably for the CCG to get to the human rights framework. That's the staff expectation. So that's why we put the proposed order this way.

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OLGA CAVALLI: Thank you very much, Ariel. Any reactions, comments to this proposed list? Manju, the floor is yours.

MANJU CHEN: Thank you, Olga. Sorry if I misunderstood. I thought we do the survey to kind of prioritize what we want to work first, or was it just—because I'm not—I don't know if this proposed work plan is in line with the result of the survey. I don't think we have gone through that. I'm a bit confused. Sorry. Thanks.

OLGA CAVALLI: You're right, Manju. Maybe Marika or Ariel can help me reviewing the survey results, because I think Manju raises a very valid point.

MARIKA KONINGS: Yes, and I think that brings us straight to our next agenda item. And yeah, apologies if that has created confusion, because this is basically a separate ask. The ranking that the group was asked to do here is to be communicated to the CCG. So this is not related to the priority of work for the CCOICI.

If you think it's important, or you would like to do a ranking on deciding how to tackle the recommendations, that's definitely something we can do separately. But the ranking of the three recommendations that are part of the survey, that is specifically to inform the CCG in their work plan.

So the idea will be that after we've reviewed the responses here today, and what you see on the screen is the result of the ranking

survey, is for Olga to take that back to the CCG and basically say, look, based on the CCOICI assessment, we think the CCG should approach these recommendations in the following order. And of course, it's up to the CCG to decide if or not they will follow that. I'm assuming that they will also get input from other groups on how to prioritize.

But that is basically what the survey was about, and maybe just skipping to the results—and again, I think that's open for discussion here. This is basically what came out of the responses we received from those that responded. And I think we had two members that did not respond. I know that Thomas was on vacation, so he may have missed it.

I see Philippe, we actually didn't get the responses so maybe that [inaudible] I think it's good that we also have the conversation here so you can confirm whether or not you agree with the ranking as it currently is.

So basically, based on the responses received, the recommendation would be to first deal with diversity, then deal with the framework for interpretation of human rights, and then deal with the indemnity as standalone items.

And again, this is a recommendation for the CCG in how they should organize their work, not for this group, because although some of these recommendations are also part of the assignment of the CCOICI, for example, 2.3 is not part of the recommendations that we will be looking at as far as I understand.

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As said, this is what came out of the survey, but of course it's up to the group now to discuss is that indeed—do you all agree, even if you may not have ranked it in the same way as the outcome? Do you agree that this is feedback that Olga can communicate to the group? If not, why not, and the group can have a conversation and of course, reorganize this order as you see fit. And hopefully, you can come to a common agreement. So again, Olga can take that back. And, again, it's just one piece of input that the CCG will likely receive on the priority setting. So it's definitely not determinative. But of course, it's an important piece of information that is provided.

OLGA CAVALLI:

Thank you very much. Marika. Manju, I think that answers your question. Making comments in the chat. So okay, no problem for misunderstanding. It is confusing. Also, for myself, having these two focuses on the Coordination Group and us. So no worries for that. Philippe says, would you please scroll up? Yeah, I was exactly asking the same so we can see the results.

MARIKA KONINGS:

I think the column you can see indeed how many people kind of ranked it as first. I thought that the table below is maybe a little bit more helpful because it shows in the right hand column the rank, that is basically the outcome of interpreting all the responses received.

And if you look under one, you can basically see five responses listed diversity as their number one priority, two listed

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recommendation 2.3—sorry, I'm now getting this wrong. One listed Recommendation 2.3 for number one priority, and two responses listed recommendation number three as their first priority.

So this may be an easier way to kind of read the responses that were received. But the most important part is kind of here on the right, based on the input received, the ranking as proposed is, one, diversity, three, number two, framework for interpretation and number three, indemnity as standalone items.

But as said, it's, of course, up to the group to decide whether that is indeed the ranking you want to communicate to the CCG or whether there's a good rationale for reconsidering that order. Because as you can see, as well as the ranking wasn't necessarily unanimous in the same way, I noticed while some indicated that they may have misunderstood the survey, which may have influenced their responses. So again, it's really open for discussion whether you're happy to stick with the ranking as came out in the survey, or whether there's a need to adjust.

OLGA CAVALLI:

Thank you very much, Marika. Yes, with your explanation, it's very much easy to understand. Any comments, reactions to this ranking, which makes first diversity, second framework for interpretation of human rights, and third, indemnity standalone items? Any comments, feedback? Are we okay with this? Philippe says, "Mine was two, one, three." But Philippe, are you okay with this result, or any comments? Philippe your hand it up. Go ahead. Welcome.

PHILIPPE FOUQUART: Thank you, Olga. Hi, everyone. I don't know if I need to be okay or not with this. But I would just observe that if you look at the numbers, unless there was a complete misunderstanding of, as Marika said, of what this is about, it doesn't seem to be the result is quite clear. Overall, that's five for one. You see what I mean? It's more than a majority. I'm hesitant to phrase it properly. But you see what I mean, there's no tie there. So unless there's a good reason for not using this, I tend to think that it's perfectly usable for you to put forward.

OLGA CAVALLI: Thank you, Philippe. Flip is agreeing in the chat. Manju agrees. Any other reactions? Plus one from Antonia. I think that's all of us, Sebastien. Any comments? Plus one from Sebastien. Okay, I think we are all in agreement that this is a good outcome of our survey. So what's next and in our agenda?

MARIKA KONINGS: Olga, just to know that that actually completes the first assignment of the group, because this was the specific ask, to do the ranking. So we can already tick one box, one item completed. So, Olga, we can discuss how we prefer to communicate this, if it's something you want to refer to the survey or just in an email, but we can work with you on that.

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OLGA CAVALLI: Okay. We will do that. Okay, fantastic. So, next steps are, should we start with diversity recommendations? Do we have a material for starting with that? Oh, Ariel has always something interesting to show us.

ARIEL LIANG: So you have seen it's the background briefing document. So basically, our task is to read the detail of the defining diversity recommendation, that's 1.1, 1.2 first, and then we can discuss what you believe the Council's implementation status with regard to these recommendations.

And then one thing I do want to note is that there was a Council small team that kind of went through all the Work Stream 2 recommendations and determined the priority level for these recommendations. And that was done, I believe, in 2020, or even earlier, actually. So when they reviewed the diversity recommendations, the conclusion is that none of these recommendations is applicable to the Council, because they believe it's something for the GNSO community or the wider ICANN community to work on. It's not something for the Council to work on precisely. So that's their conclusion in that priority exercise.

And for this group is to reevaluate that conclusion and see whether you actually agree with that previous priority determination for these diversity recommendations. Do you still believe it's non applicable to the Council? And if not, what should be the implementation status to assign to these recommendations?

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And just as a refresher, and I'm going to put the list of possible implementation status in the chat. So this is something for the group to kind of keep this at the back of your mind when you discuss these recommendations. So if you believe it's actually applicable to the Council, then what should be the right implementation status to tag to these recommendations? So that's something to keep at the back of your mind.

So I guess we can perhaps start with the first one, 1.1 recommendation. One, SO/AC group should agree that the following seven key elements of diversity should be used as a common starting point for all diversity considerations within ICANN. Sorry, the graphic, I think it's something kind of pulled from the report.

But the main thing to focus on is one, geographical, regional representation, two, language, three, gender, four, age, five, physical disability, six, diverse skills, and seven, stakeholder group or constituency. So that's the text of this recommendation.

And when the Council small team discussed it, they basically said this is something require cross community work. And there needs to be some kind of standardization for these key elements of diversity. So it's up to the ICANN community to decide or implement these recommendations. So that's why the Council small team back in the day believed it's not something for the Council to work out.

So I will stop here and see whether there's comments inputs, and do you agree with that previous assessment by the Council small



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team? If not, what should be the implementation status for this one, from Council's point of view? Thank you.

OLGA CAVALLI:

I have a question. The fact that we agree or not, it means that it is feasible at different SO/AC level or just agreeing this as a definition of diversity?

ARIEL LIANG:

So I think we're probably not discussing the substance of this recommendation, whether this should be the definition of diversity, because this item is the thing to be worked on at the CCG level, was the diversity consultant.

The current task is more like, do you think Council has a position to make in terms of defining the key elements of diversity, and if you believe this is not something that Council should do, then it's not applicable. So that is consistent with what the small group assessed in the past.

And if you disagree with that, and you believe it's something the Council needs to work on as well, then we need to discuss how the Council has done with regard to defining the key elements of diversity. Is that already reflected in operating procedure, is it already reflected in some other documents governing Council? Then we need to have a further discussion of that. And I see Marika has her hand up,

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OLGA CAVALLI: Thank you, Ariel. Marika, go ahead.

MARIKA KONINGS: Yeah, thanks. I think it's just important to add indeed, that if you decide to say here that it's not applicable, it doesn't mean that you're saying that diversity is not important or that the Council doesn't care about it. But I think it's more a reflection of that there's no specific action here for Council because, again, I think on this notion as well, Council consists of members that are appointed by stakeholder groups and constituencies. So that is where many of those have already diversity requirements in place, maybe not along these lines but, as Ariel said, as something that community wide conversations need to happen on. And those have already started in the CCG.

So this is really about kind of assigning responsibility for who needs to be dealing with these recommendations. Are they applicable or not to the Council? And if you do believe that the Council should be agreeing on these key elements, then I think the question is, indeed, how should the Council do that? Or indeed, with Olga participating in the CCG, there's obviously already that linkage and if anything needs to be taken back, it would be done in that way.

But if there is something that the Council on its own can do with regards to these recommendations, I think then we need to look at, indeed, what are some of the other statuses that that would apply here?

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So that is the background behind this and just wanted to make sure as well that just because you may say not applicable, it doesn't say anything about the importance of a recommendation, it just means that it is not something that the Council is suited to implement, because either it doesn't specifically apply to it, or it's already being dealt with somewhere else, or it's already applicable in some shape or form.

OLGA CAVALLI:

Thank you very much, Marika. So comments, reactions, are we okay with this ranking? Should we have comments or disagreements with it? I think it's challenging for the GNSO. But that's a different issue. Philippe, your hand is up. Go ahead.

PHILIPPE FOUQUART:

Thank you, Olga. Yeah, just an observation. Let me state that I don't disagree with this being sort of—not out of scope but that Council probably wouldn't have anything specific given our remit to say about this. So this being said, I would agree for what it's worth. It's just an observation that the sort of advice or proposed approach is certainly fine with me.

I will just note that on the issue of language, speaking personally, maybe here, on the issue of language, for you, Olga, you're aware of that when you discuss these, there may be some thinking, a number of us are quite sensitive with that issue and the fact that for those of us whose native tongue is not English, the fact that there's a lot of—there's a difference between for example, GAC colleagues who have interpretation and the fact that we don't at

Council but elsewhere within the GNSO, it can be quite competent for some of us. And that there might be, among the SO/ACs, a variation on this particular point, on item two.

And I don't know whether that's a problem that can be fixed. I wish even we could have done better over the last few years, speaking, again, personally, but I would just note that the work that we do at Council, everything in English and the policy work that we do within the working groups being in English, this is—I wouldn't say a bit specific. It's nothing specific with regard to ICANN in general. But it is somewhat different than obviously the work methods that the GAC would use.

I appreciate that slightly out of scope of what we're talking about here. And again, I do not disagree with the fact that this is out of scope for Council. But I can't help making that comment on language, because like a number of others, I'm quite sensitive to the topic. Thank you, Olga.

OLGA CAVALLI:

Thank you, Philippe. Yes, it is a sensitive issue also, for me. We have discussed this many, many times. My first ICANN meeting was in 2006. And it was everything in English and discussing if it was worth having a translation, or not, at least at some parts of the meeting. It was very expensive at the time, and they told me, well, but you speak English. I said, yes, but not everyone does.

Although I totally agree that the working language should be one. And it's in this stage of development of technology and the world, it's English, because it facilitates much more the interaction and

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exchange of ideas and decision making processes. So the GAC does work mainly in English, but then there's translation. And you can make statements in other languages and it's translated. But the working language for some general issues is mainly English.

So I would say that that's something that the community should understand. It's not the only dialogue space or participation space where the main working language is English. But I think also that the work that translators and all the team that ICANN has is very good and lowers barriers for many people. But it's a sensitive issue. I totally agree. And it's good that ICANN does provide a lot of services in that regard.

Any other comments, reactions to this defining diversity text that we have on the screen? Philippe was saying apologies for rambling, a bit out—also, having experienced this elsewhere, that interpretation isn't necessarily the solution.

Yeah, I agree. It helps. It also helps to have translation of documents afterwards for some that could not understand English, reading English. Sebastien, your hand is up. Welcome. The floor is yours.

SEBASTIEN DUCOS: Thank you. This is nitpicking. First of all, I don't know that indeed it's the GNSO's role to redefine that and etc. Two questions. First of all, the order in which these are given, I don't know if it has, if geographical has priority over gender or age, for example. And I would assume that maybe a different order. Again, gender, age, diversity of skills might be more important.

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And the other comment, but I guess it's almost also in line with what you were saying, Philippe. When we say geographical or regional representation, I know for a fact as representing Asia Pacific that that diversity is a representation of who shows up, I guess, the fact that there are like earmark seats for North America and Europe and then sort of the rest of the world knowing that the rest of the world is, in terms of population and more and more users of the Internet is completely underrepresented, it might be also something from time to time that needs to be revisited. That was all I wanted to say.

OLGA CAVALLI: Thank you so much, Sebastien. Ariel, your hand is up. Go ahead.

ARIEL LIANG: Thanks, Olga. Thanks for the input so far. And I'd just like to clarify one thing. 1.1 is about defining diversity, it's not talking about how diversity is being measured, promoted or done in the community. So basically, it's just a list of the elements for definition of diversity, and they're not in some kind of priority order or ranking. It's basically, they have equal footing, is the staff's reading of this. So it's just a definition.

And then, of course, for this group, it's not to talk about the substance of this definition. That's for the CCG to discuss. But regardless, the input and comments received into this call can be something Olga can bring back to the CCG when that group is ready to discuss this recommendation. So just want to clarify that

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we don't need to talk about the substance. And that's for the CCG to discuss.

OLGA CAVALLI: Okay, thank you very much, Ariel. Any other comments about the definition of diversity? Did we review 1.2, Recommendation 2, should identify which elements of diversity are mandated in the charters or bylaws and any other elements that are relevant and applicable to each of its levels, including membership diversity criteria, and publish the results of the exercise on their official websites? I have two hands up, Ariel and Flip, and I was reading, I don't know which one was first. Flip, you want to take the floor?

FLIP PETILLION: Thank you, Olga. Very briefly, I was just wondering whether we could complete 1.1 with some wording saying, in no particular order of priority. Just an idea. Thank you.

OLGA CAVALLI: It's a good point, Flip. Ariel, your hand is up.

ARIEL LIANG: Thanks, Olga. So before we move on to 1.2, I just wanted to confirm that it's indeed CCOICI's assessment that this recommendation is not applicable for action for the Council. I just want to confirm that the agreement among the members in this call right now so that we can record this on the list so that the folks

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that are not on the call can also confirm and we will have no ambiguity when moving forward.

OLGA CAVALLI: Sorry, I'm a little bit lost. Can you repeat and explain it a little bit clearer to me? So if we are okay, or do any changes or suggested changes to 1.1, what would be—what you said a moment ago?

ARIEL LIANG: No, it's about to confirm the assessment of this recommendation, whether it's applicable or not for the Council. So I just want to confirm that this group also agrees that 1.1 is not applicable for action for the Council. And if so, can we record that as the official assessment?

OLGA CAVALLI: I'm confused with the word "action." There are comments from Marika, "It is not within the remit for this group to make changes to these recommendations as these have already been adopted by the ICANN Board. It is about confirming the status of the recommendations from the perspective of the GNSO Council." I'm confused, honestly. Yeah, just one comment before you—sorry, Marika. So Flip proposed the change that we are not able to do that because it's [inaudible] text by the Board. Right?

MARIKA KONINGS: Exactly. These recommendations that are on the screen are the ones that were in the final report of the Work Stream 2 Group,



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which were then adopted by all the SOs and ACs and then adopted by the ICANN Board. So there's no room here to change the recommendations themselves, but the recommendations need to be implemented. And that is what the conversation is currently about.

It's about trying to establish who has responsibility for implementing these recommendations. And as Ariel noted, and it's an effort that a small team of the Council already went through, they went through all the recommendations to try and decide, is it something that the Council is responsible for? Is this something that GNSO stakeholder groups and constituencies are responsible for? Is it something that the whole community is responsible for? Is this something that ICANN Org is responsible for? Or is it something that indeed everyone will need to do individually?

So that is what we're trying to do here by going through these recommendations, trying to establish what is the current status of these, and in certain cases, Ariel listed kind of the list of statuses that can be assigned. One is complete. So it's basically work that has already been done. So I think if the group assigns that it has been completed, you probably need to kind of indicate why you consider it complete, and how you can kind of demonstrate that it was completed.

And there's action/decision required. So it's something that hasn't been done yet but some kind of decision or action is required for it to be implemented. Partially complete means that a certain part has been done or is considered implemented, another part isn't. And again, in that case, you will probably need to define what is considered implemented and what isn't. And for the part that isn't

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considered implemented, you'll need to describe how it's going to be implemented.

Not applicable for action. That's the one we're talking about here. It's not applicable for action because it's not something that the Council is responsible for. It's a responsibility that lies with the broader community. And that is why the CCG is dealing with that, because again, it's not something that the Council can define or confirm on its own. That's a community conversation on agreeing on the key elements of diversity. So that's why, at least from a staff perspective, the suggestion was that this was not applicable for action by Council.

Implementation planned is another status that basically indicates there is already something in the works. And again, if that is the status that is designated, it means you need to describe what implementation is planned. Implementation ongoing is something that's already underway, implementation completed, it's already done. And again, you need to describe how it was completed.

And won't be implemented, I think that is one that can be assigned for those recommendations that are not mandatory, where you can basically say we appreciate the recommendation, but we actually don't think it's necessary to implement. And again, you can provide a rationale for why you don't think it would be implemented.

And again, the idea is that by clearly identifying the statuses of these recommendations, it will be possible as well as a whole to track where everything stands, because that's, I think, has been one of the challenges with Work Stream 2 recommendations, that

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because the responsibility lies with different groups and different parts of the ICANN community, it has been difficult to kind of keep track. So I think this is part of an effort as well to be able to really assign specific statuses and also to be able to mark when things are complete and done.

So I hope that's helpful in trying to frame what it is that we're trying to do here. And of course, as Ariel said as well, there may be comments or suggestions with regards to how implementation could be done or what should be looked at. And I think especially for those recommendations, like diversity that are being dealt with at the CCG level, that is probably very helpful input for Olga to take back. Because, again, this is a Council committee. Olga is in that group as a Council representative.

So again, I think any feedback that that people have on this is something that Olga can take back to there. And I'm assuming as well that when specific questions arise, Olga will also come back to the Council and this group to say, "Hey, this is what the CCG is thinking or going to do." And that is when you can have kind of that more substantive input. But that is not the conversation we're having at least with these recommendations, because it's really about confirming the appropriate status for each of these. So I'm hoping that this is helpful and clarifies what we're trying to do.

OLGA CAVALLI:

Yeah, it does. Thank you very much, Marika. Manju, go ahead.

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MANJU CHEN:

Thank you. So, I understand that we are not to be talking about a substance here but both Marika and Ariel have suggested that what was said could be something Olga can bring back to the CCG, the thing that's also doing this WS2 kind of reviewing job.

So I'm wondering if—so we have already brought up some points that I think Olga can bring back to the CCG. Do we have to note it down so we have reference lists of what we have already brought up about this?

Because, like you said, when the CCGs is doing this, then we come back and we re-look at this recommendation, and then we re-suggest what was already suggested is kind of [inaudible] work. Is it possible we just agree that it's not applicable in Council, but we have suggestions on how to implement this, and then we have a list of what we think can be modified or adjusted? And then when CCG is dealing with this, we have that list so we don't have to rediscuss this. Thank you.

OLGA CAVALLI:

Thank you, Manju. I think you're making an interesting point, that we can say it is not applicable, which I think, after the explanation by Marika, that clarified, at least for me, what we have to do in respect with this defining diversity issue.

But we may be able to address some comments about substance to the Coordination Group. And I have another question to Ariel and Marika, and to Philippe also. Should we take some of these common suggestions to the Council or should we just deliver them from us to the Coordination Group? Marika, go ahead.

MARIKA KONINGS: Thanks, Olga. I think it may actually be a question that you may want to take back to the CCG. Because I'm not involved in supporting that group, so I don't know exactly how they plan to work. But they are a coordination group. They're not a decision-making body.

So my understanding is that it's about indeed bringing the different perspectives together, and then kind of for each of the groups and also to go back again, and kind of implement whatever comes out of that conversation.

And I think specifically, with diversity, as I've said before, if you look at it from a Council perspective, there is not really a lot I think the Council can do, because its diversity is really driven through stakeholder group and constituency charters. And I know that many or most or all have diversity requirements in their charters when it comes to appointing Council members.

So it's definitely something that the loop at some point needs to be closed, or it will already be automatically reflected in that way. But I think it may be helpful for Olga to kind of check in with the CCG and better understand what their expectation is on getting input from representatives on the CCG. Because as I put in the chat as well, Olga is there from a Council perspective. And of course, if we're saying here, this is not really for Council, it's really for stakeholder group and constituencies, your input path might be more through the lines of the representatives that your groups have on the CCG.

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So again, I think it's maybe an area where it's helpful to get a bit further clarification on how that back and forth is expected to work. But I know that the CCG has only just started as well. So it may still be very early days.

And I do know that we take notes of these meetings thanks to Julie and those we circulate as well to the group. So if you're of the view that we've missed something, a point that you've made or inaccurately captured it, please let us know as well. But those are there for the record. So if at any point there is indeed a need to kind of reflect what was said during these meetings, we can easily go back to those notes. And I think that indeed, there's also the question, especially if formal input is requested, it probably then also needs to go through Council to say, hey, this is what the CCOICI says are things. Council, anything to add, any concerns? And if not, Olga can take it back to the CCG.

OLGA CAVALLI: Thank you, Marika. That last part was one of my questions. I see Philippe has his hand up. Go ahead.

PHILIPPE FOUQUART: Thank you, Olga. Just on what Marika said. And on your very last question, Olga, I think by definition as standing committee, this would have to go through Council anyway.

And I just want to make a reflection on Manju's observation earlier. Wary of our respective responsibilities between Council and the SG/Cs, normally, the input would be seen as Council's input, the input from this group.

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Now, if there is a value in—depending on the feedback that you will get, Olga, if there is a value in broadening that a bit, mindful of the limited bandwidth that the SGs and Cs might have, I'm really cautious with this, as you can tell. But I think I see where Manju's coming from. By experience, it can be difficult for some SGs and Cs to have that bandwidth to provide that sort of inputs.

If we think this being a representative group—I'm being really cautious, but if there is a value with the notes that are being taken to provide this sort of input, this could go through Council with the appropriate caveat, and making sure that there's no misunderstanding

But if it helps it, it's also a way forward not to duplicate the work. Thank you.

OLGA CAVALLI:

Thank you very much, Philippe. Okay. Flip needs to leave. No problems. Thank you for being with us, Flip, today. We're running out of time. We will make notes and share them with you. And we will consult of course, before anything that we do. And Marika has something to share with us, Marika, go ahead.

MARIKA KONINGS:

Yes, I have an AOB item I just wanted to flag to the group. As you know, your previous assignment was about the working group self-assessment and a set of recommendations went to the Council for review, for modifications to the survey, as well as the introduction of a periodic survey.

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You may have seen that there's an AOB item on the Council agenda for tomorrow in relation to the working group self-assessment. We would like to propose to the Council, as the IGO PDP Working Group recently completed its work, to kind of test run the new end of life survey with that group.

As you know, the updates that were made were not of such a nature that it should represent a major departure from what has been originally asked. But there are a number of enhancements that have been made. So we thought it might be an opportunity to test run that [inaudible] group as well for its experience and feedback.

So it's something that the group then can consider when those recommendations come back at a later stage when they've gone out for public comment in relation to the changes that need to be made to the operating procedures.

So the agenda item tomorrow is really about asking the Council if there's any concern about doing that. So just wanted to give you all a heads up that it's on there. And of course, if there's any concern, do let us know. As I said, from a staff perspective, we think it may be a helpful test run that may also help iron out if there are any issues or any concerns or anything that the CCOICI maybe left out that would be useful to add.

OLGA CAVALLI:

Thank you very much, Marika, and we will take 1.2 for the next call. And we will share some notes about this meeting today. Manju agrees it would be helpful to test with the IGO PDP. Any



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other last comments, questions, reflections? I see none. I see nothing in the chat.

Thank you very much for your time, for your inputs and your comments, and we keep on working with this CCOICI group. Thank you very much. See you virtually soon. Bye.

NATHALIE PEREGRINE: Thank you all for joining. This concludes today's call. Have an excellent rest of your days and evenings. Take care, everybody.

**[END OF TRANSCRIPTION]**