ICANN Transcription

GNSO Council Meeting

Thursday, 21 July 2022 at 05:00 UTC

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The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page
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List of attendees:

Nominating Committee Appointee (NCA): **– Non-Voting** – Olga Cavalli

Contracted Parties House

Registrar Stakeholder Group: Antonia Chu, Greg Dibiase (absent), Theo Geurts

gTLD Registries Stakeholder Group: Maxim Alzoba (apology, proxy to Kurt Pritz), Kurt Pritz, Sebastien Ducos

Nominating Committee Appointee (NCA): Desiree Zeljka Miloshevic Evan

Non-Contracted Parties House

Commercial Stakeholder Group (CSG): Marie Pattullo, Mark Datysgeld, Philippe Fouquart, Thomas Rickert, John McElwaine, Flip Petillion

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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.

Non-Commercial Stakeholder Group (NCSG): Juan Manuel Rojas, Stephanie Perrin, Manju Chen, Wisdom Donkor, Tomslin Samme-Nlar, Farell Folly

Nominating Committee Appointee (NCA): Paul McGrady

GNSO Council Liaisons/Observers :

Justine Chew : ALAC Liaison

Jeff Neuman: GNSO liaison to the GAC

Maarten Simon: ccNSO observer (absent)

ICANN Staff

David Olive - Senior Vice President, Policy Development Support and Managing Manager, ICANN Regional (apology)

Marika Konings - Vice President, Policy Development Support

Mary Wong - Vice President, Strategic Community Operations, Planning and Engagement (apology)

Julie Hedlund - Policy Development Support Director

Steve Chan - Senior Director

Berry Cobb - Senior Program Manager, Policy Development Support

Emily Barabas - Policy Senior Manager

Ariel Liang - Policy Senior Specialist

Caitlin Tubergen - Policy Director (apology)

Nathalie Peregrine - Manager, Operations Support

Terri Agnew - Policy Operations Specialist (GNSO)

TERRI AGNEW: Good morning, good afternoon, good evening, everybody. Welcome to the GNSO Council meeting on the 21st of July 2022. Would you please acknowledge your name when I call it? Antonia Chu.

ANTONIA CHU: Here.

TERRI AGNEW: Thank you. We do have listed apologies from Maxim Alzoba, and he has given his proxy to Kurt Pritz. Kurt Pritz.

KURT PRITZ: I'm here.

TERRI AGNEW: Sebastien Ducos.

SEBASTIEN DUCOS: I'm here.

TERRI AGNEW: Thank you. Theo Geurts.

THEO GEURTS: Yes, I'm here.

TERRI AGNEW: Greg DiBiase. I don't see Greg has joined yet. We'll circle back. Desiree Miloshevic.

DESIREE MILOSHEVIC: Present.

TERRI AGNEW: Thank you. Marie Pattullo.

MARIE PATTULLO: Here. Thanks, Terri.

TERRI AGNEW: You are welcome. Mark Datysgeld.

MARK DATYSGELD: Present.

TERRI AGNEW: John McElwaine.

JOHN MCELWAINE: Here.

TERRI AGNEW: Flip Petillion.

FLIP PETILLION: I'm here.

TERRI AGNEW: Philippe Fouquart.

PHILIPPE FOUQUART: Here.

TERRI AGNEW: Thomas Rickert.

THOMAS RICKERT: I'm here. Good morning.

TERRI AGNEW: Good morning. Paul McGrady.

PAUL MCGRADY: I'm here. And just to note that I'm in the middle of nowhere in Idaho, so I'm a little worried about my connectivity. So I might drop off, but if I do, I'll try to get back. Thanks.

TERRI AGNEW: Thank you, Paul. And if a dial out would be helpful at all, just let us know. Wisdom Donkor. We're not sure if Wisdom has joined quite

yet, but we will circle back. Stephanie Perrin. Again, we don't see that Stephanie has joined, but we'll circle back. Manju Chen.

MANJU CHEN: Present.

TERRI AGNEW: Farrell Folly.

FARELL FOLLY: Present.

TERRI AGNEW: Juan Manuel Rojas.

JUAN MANUEL ROJAS: Hi everyone. I'm here.

TERRI AGNEW: Welcome. Tomslin Samme-Nlar.

TOMSLIN SAMME-NLAR: Here.

TERRI AGNEW: Olga Cavalli. So Olga is on the call. She did let us know earlier, because of the late hour it is for her, she's going to remain silent. But Olga is connected. Jeffrey Neuman.

JEFFREY NEUMAN: I'm here. Thanks.

TERRI AGNEW: You are welcome. Justine Chew.

JUSTINE CHEW: Present. Thank you, Terri.

TERRI AGNEW: You are welcome. Maarten Simon. I don't show where Maarten has joined either. We have no guest speakers for today's meeting. For GNSO staff support, we have Steve Chan, Marika Konings, Julie Hedlund, Emily Barabas, Berry Cobb, Nathalie Peregrine, and myself, Terri Agnew.

May I please remind everyone here to state your name before speaking as the call is being recorded. A reminder that we're in a Zoom webinar room. Councilors are panelists and can activate their microphones and participate in chat once they have set their chat to "everyone" for all to be able to read the exchanges.

A warm welcome to attendees on the call who are silent observers, meaning they do not have access to their microphones but they have access to view the chat.

Please note that private chats are only possible among panelists in the Zoom webinar format. Any message sent by a panelist or standard attendee to another standard attendee will also be seen by the session's host, cohost and other panelists.

As a reminder, those who take part in the ICANN multi stakeholder process are to comply with the expected standard of behavior.

With this, I'll turn it back over to Philippe. Please begin.

PHILIPPE FOUQUART: Thank you, Terri. Good morning, good afternoon, good evening. That's good morning here from Normandy, France, 7:00. I know it's much more uncomfortable for some of you. So thanks for being here. This is July the 21st, our call for Council. That's also a national day for some of you. So thanks, Flip and Marie, for joining us on the national day. That's quite the commitment. It was good to see a number of you in The Hague. But until the next one, it's going to be virtual as usual. So let's get on with our agenda.

Any updates to the statements of in Interest? Okay, seeing no hand, let's move on. Any change to the agenda you'd like to see? You would note that there was already an addition in the AOB on the next SBS. It was done just yesterday.

Let me just add that at this point, we will not vote on the GNSO guidance process. We've had some exchanges, as you would have noted, both on list and off list and within leadership, and given the exchange, we thought it would be preferable to turn that vote into discussion at this point and fix the model essentially, the

working group model, before we get a vote on this. So we'll have a discussion instead.

Any other change to the agenda? Okay, we'll just then note, as usual, the minutes of our meetings in May and June and then swiftly move on to item number two. That's the review of projects and action list. And for this, I will just refer to the e-mail that Berry sent [inaudible] July the 12th at 15:44 UTC or on the Wiki space, you will find the project management portfolio, the management tool. And I encourage you to look at the webinar that was recorded for those of you who haven't already.

So moving on, that leads us to the consent agenda. We have two items for consent this time. The first one is the appointment of Sebastien Ducos as the replacement for Heather Forrest as the GNSO representative to the Fellowship Selection Committee. That would be for the rest of Heather's term. That's up until April. And the second item is the usual recommendations report of the final report that we approved in The Hague, and the five recommendations of the final report on the specific curative rights protections for IGOs. So this is up for a vote for consent. So I'll hand over to Terri.

TERRI AGNEW: Thank you very much, Philippe. This will be a voice vote. And just as a quick note, before we begin, we are missing one Councilor, Greg DiBiase. So we'll go ahead and conduct a voice vote at this time. Would anyone like to abstain from this motion? Please say aye. Hearing no one, would anyone like to vote against this

motion? Please say aye. Hearing none, would any of those in favor of this motion please say aye?

PARTICIPANTS: Aye.

TERRI AGNEW: Thank you. Would councilors holding proxies please say aye? So it's Kurt Pritz for Maxim Alzoba.

KURT PRITZ: Hi, this is Maxim. Can you hear me?

TERRI AGNEW: Yes, Kurt. We could hear you. Thank you. One moment please. Thank you. With no objection, the motion passes.

PHILIPPE FOUQUART: Thank you, Terri, and congratulations to Sebastien for the appointment. That now leads us to what's now a discussion on the initiation of the GGP, the GNSO guidance process. So what we will do is that I'll just recap where we are at the moment with the motion as it stands, and most of all, the attachments, the brief recap, and with the amendments that Kurt, you suggested on the list last week, I'll then hand over to you to briefly go through those changes, the amendments, changes to the proposed working group model. And then we'll take that discussion from there on.

So as you would recall, [this stance on] the exchanges we had with the ODP, the SubPro ODP team relative to the remaining substantive work in the SubPro that was identified in the SubPro final report, notably on applicant support.

So we have agreed that there'd be a benefit in launching an initiative, let's put it that way, before the IRT, and that that initiative will take the form of a GNSO guidance process and that would be the appropriate vehicle for that, bearing in mind this would be the first of the kind. So we want to get straight.

An initial draft was shared in May, and we discussed that both in The Hague both on the remit and the model that we'd like to use. In The Hague, we have agreed that the scope of work would be limited to applicant support. And in terms of the model we'd like to use, it'd be good that given that limited scope, it'd be good that the model would allow for extensibility in a way, i.e. addition of new items moving forward.

So in terms of the structure, you would have seen that as it stands, the GGP, the tasks would be structured in tasks that would take all implementation guidance that was identified in the SubPro final report, and the other items have been taken out. So that's essentially for the scope.

Now, for the working group structure—and I think that's where we need to have the discussion—it was envisaged that it would be a representative plus observers model, 20 plus 10 plus a chair. So that's a fairly comprehensive group with the flexibility of adding subject matter experts on specific items.

The decision-making process would adhere to the GNSO operating procedures, and the completion date timeline would be left in the initial stages of that working group.

So this in a nutshell the structure that was put forward in the motion that was shared prior to the meeting, and that was the basis of the proposed amendment. So I'll stop here and maybe open the floor for comments or additions from both staff and Councilors to see whether I missed anything that would be in the motion and structure that we'll discuss that would be worthwhile highlighting at this point before we go to the proposed amendments. Anything that people would like to add? Yes, Justine.

JUSTINE CHEW: Thank you, Philippe. I just wanted to clarify in so far as the original proposed structure of the steering group. I believe there is silence on the possibility of a nominating group, say, changing their representatives along the way. And I think well given the silence, I presume that it is permissible. And the reason why I bring that up is because this GGP is envisaged to start with applicant support but could possibly include other topics down the line.

So insofar as—I can only speak on behalf of ALAC, for example, insofar as applicant support is concerned, we have certain individuals in the At-Large community who we consider as "suitable experts" for applicant support, but they may not be suitable experts in other topics. So therefore, we would just want to clarify the flexibility of changing the nominated reps for ALAC at

least down the line, should there be additional topics added to the GGP. Thank you.

PHILIPPE FOUQUART: Thank you, Justine. That's a good point. My reading of this is that that would be, as you put it, permissible, that would be allowed. But it's certainly something that we should make in the text. We'll take what we have here as a basis anyway whether we accept payment or not, but you make a good point in the fact that depending on the topic, people may have to be to be changed. So unless anyone would disagree, I think we could put that explicitly in the text. Thank you. Anything else? Okay, so seeing no hands, what I would suggest is then—I'll hand over to you, Kurt, for you to just go through the proposed changes that you suggested last week.

KURT PRITZ: Thanks, Philippe. Hi, everyone. So I think given that the ODP—and ICANN has handed this issue back to us because of policy considerations. I think the GGP is a good solution. And as written, the GGP in our toolbox is flexible, so we can design it the way we want.

And so I thought that rather—you've probably read what I wrote in my not too brief e-mail, but rather than a steering committee with 20 active members and 10 alternates, I thought a more flexible approach would give the working group a better chance of success. So the idea here is to set them up for success. So rather than have everybody chip in, two from column A and one from

column B, let's configure this working group so it possesses the right skill set so that it can see that it succeeds.

So then I think, reading through the implementation guidance in the report that we approve, we should just do what that report says. It says essentially that in the implementation advice and then the body of the report, that the community-based team didn't possess the requisite skills to develop an applicant support program and that really, an issue specific team was necessary with outside skillsets to be formed.

So rather than convening a 30-member committee to then maybe convene a smaller team, let's convene a team that can find these necessary skill sets and give them the best chance of success. And I don't think making the team not representative on a person by person basis doesn't contradict a participatory bottom-up model.

First, in all fairness, the broad community discussed this for five plus years and decided the best direction was to get outside help. And in any event, I think this team that we form, if it's not just the straight representative model, shouldn't preclude any GNSO stakeholder group. As a matter of fact, I was conferring with some of my colleagues and came to understand that the GAC might have excellent resources for identifying how best to serve underserved regions, and ALAC might possess that also. And so we should seek participation of those who can find those resources we need to flesh out this team.

So I think it's more a matter of the Council taking the extra step before setting this group to work to try to configure it in a way that

it can succeed. To what just Justine said, she's right, once we have this group, no matter what model we adopt, it's not going to be well suited for taking on other tasks. People interested in applicant support will join this group and make it difficult for people interested in the next issue, which will be different, to join the group.

So I think it's better for us to set this up, our first GGP, as simple as possible, dedicated to the issue of applicant support and nothing else. There's this old engineering principle that every component should have one function. And anytime you try to identify two functions for one component, you start to screw things up. So I think keeping it simpler would be better.

And finally, out of respect for our depleted, exhausted volunteer workforce, I think the council could do a little work to tailor this team to have the right set of people on it so that it can start to work quickly and efficiently and more efficiently use their time.

So I think the goal of this small team would be to, with ICANN staff, because ICANN holds the purse strings, solicit the participation of those non-community experts that are required and set a group to work fashioning an applicant support program. Some of the ways that will operate can't be determined at this point but will be determined by the small group once they have all the sufficient resources in place as to who will participate and what the decision making mechanisms will be.

But anyway, that was way longer than I planned to talk. And I apologize for that. And I really hope you all have some questions

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so I can try to defend this or maybe realize it's not the best approach. So thanks very much.

PHILIPPE FOUQUART: Thank you, Kurt. Before we get to the discussion, maybe any comment or questions? I see Flip.

FLIP PETILLION: Thank you, Philippe. Good morning, everybody. Just very quickly, actually, from a personal point of view, I intellectually support the idea. But I think it would be appropriate if we can discuss it in our respective constituencies. And what I would simply also raise is that I think it's important that you involve people with expertise, with experience, with focus, and that we add a correct representation and transparency into the discussions. Thank you.

PHILIPPE FOUQUART: Thank you, Flip. And mindful of the note that Marie sent on the list earlier this week, I think that's the purpose of having this discussion now, for you to go back to your respective groups and be able to vote. But your personal vote is duly noted. Thank you. Marie.

MARIE PATTULLO: Thank you. First up, thank you for raising this, Kurt, because it's forced me to go back and read this in much more detail. And thank you also, Flip, for the points you just made, which I agree.

I find the idea of a GGP in this instant, really interesting. The first time we've ever used it, it does seem to me this is a very good place for it to be used. And I very much understand why we're trying to call forward applicant support, because it's so complicated, and we need to make sure it's scoped correctly, we have enough time to test it out and to make sure it works. So all of that as a baseline, I completely agree with.

My concern is what Kurt said, also what Justine said at the beginning, and partly what you've raised in chat, Jeff, because on rereading it, the idea to me is that we set up, if you like, an oversight group, who can then set up underneath them expert small teams bringing in the external expertise as foreseen by the SubPro report.

However, if we do that with a big permanent 30-people structure, who by definition will not have that expertise, because it's not just going to be about applicant support, as we've said, it's also possibly going to have other things under its umbrella, I could see that group becoming not overly effective in substance because they will be looking only at procedure.

And thus to me, it's kind of like a mirror of the Council, which seems perhaps unnecessary. So please don't think that this is an official proposal, it's not. I need to put it in my own head and also, of course, need to speak with the BECAUSE

But I guess what I could see is a smaller, tighter group. Doesn't actually necessarily need to be on the representative model. Because I think, to me, the most important is we get the expertise, not the representation. Completely agree. Of course, it has to be

transparent. That goes without saying. But we need SubPro experts from various parts of the community who will pony up the time to put in place experts in the working group who will actually do the work, and then report to Council.

And I'm wondering, maybe the SSC could be used in that procedure. Okay, I'm talking too much. I'm not quite very awake. But I hope that makes sense. Thank you.

PHILIPPE FOUQUART: Thank you, Marie. You make a good point about how formally we structure this, if this were the way forward that we choose. And maybe before we go to Manju, I'd like to turn back to Kurt to clarify whether that's—I understand that the proposal will be to have a small team—you refer to a small team from Council plus—I think you meant plus community members, or did you say that? I'm sorry if I missed it—with the help of staff. Is this correct or is it just a small team of Council, Kurt? Would you like to clarify that?

KURT PRITZ: Yeah, it's a team of those with the skill set and ability to recruit the outside skills that are necessary. So I think we sort of—and I'm going to make a comment about doing things more quickly, but write sort of a job description about, these are the skills we're looking for, and it could be a Councilor, it could be a member of a constituency or stakeholder group within the GNSO, it could be a member of the GAC or ALAC or someone nominated by one of the stakeholder groups or SOs or ACs that know someone. So we're really trying to put together a recruitment team to get to get

the rest of the players onboard, a set of people to work with ICANN staff.

And I read Jeff's comment, and I think I'm concerned about timeliness also and the amount of time to spin this up. But I'll say that it's kind of—it might be poor, but I wrote my GGP request in a couple hours. And there's no reason why a motion can't be generated to spin up a separate effort quickly when the next effort comes. So in favor of tailoring this just to applicant support, and then when the next one comes along, I think within one meeting cycle, we could spin up another team. Anyway, so I hope I answered the first question and responded to Marie's comment, which was good.

PHILIPPE FOUQUART: Thank you. Thanks, Kurt. Manju.

MANJU CHEN: Thank you. I guess I have two questions. So first, just reading from the e-mail, it looks like the small team will be composed of Councilors, but then reading from this request, not the original but regards to [inaudible], it looks like this small team, smaller teams than original one, will be actually composed by members, not limited to Councilors, which I think is better, because we have a lot of things on our shoulder already as Councilors.

But then it's unclear what—I think people are trying to clarify. And also, Kurt has tried to explain, but sorry, I'm still confused. So I'm not sure who exactly is going to be in the small team. And

supposedly, from what I heard, this small team will recruit another group of experts. Is that correct? Please correct me if I'm wrong.

And also, I'm hearing some concerns about how, if we set this up this way, if other issues arise, this composition, this kind of request might not be able to solve another set of issues. But I personally don't find that as a problem, because I thought this GGP thing is like a kind of working group. So every time you have to set up a new charter for the working group, you have to set up a new request for the GGP. So it's going to be tailored to what the problem is, and like the whole setup of the group, how it works might be changed to tailor to the issue. So is that understanding also correct? Please correct me if I'm wrong. And that's my two questions. Thanks.

PHILIPPE FOUQUART: Thank you, Manju. Good points. So the question about the selection of the members, how will we do that? And on the second question, I think it was answered earlier. Well, I think. And as you said, the task of that group would be to convene—as was the case in the initial proposal—to convene workstreams if necessary, including subject matter experts outside of the community. But I'll hand over to you, Kurt, if you would clarify that or possibly correct what I've just said.

KURT PRITZ: Yeah, I think more thought's required, but I think in the small group approach, it would be the start of the team that would formulate the applicant support plan. And the first thing that team

would do would be to augment their skills with the outside skills that were requested by the SubPro report. So it'd be tailored to applicant support and to be populated by people who are interested in applicant support and had appropriate skills that we would write into our requests for volunteers. And then they would work with staff to augment that team with necessary skills.

I think, in my opinion, it should just be tailored toward applicant support and designed to succeed at that only, and if another effort comes up, we'll get another team to work on that. And that way, we won't be required to take 30 of our volunteers in order to populate a steering committee. And we can be more targeted in our approach and more efficient with how we use our volunteer time.

PHILIPPE FOUQUART: Thanks, Kurt. Indeed, it's a correction to what [I just said.] The team would be doing the work themselves with additional help from other community members or people outside of the community, depending on the topic, possibly. But there's a hope that at least for applicant support, there will be some stability within that team. Thanks, Kurt. Justine, you're next.

JUSTINE CHEW: Thank you, Philippe. I'm just speaking on my own behalf because it's not something that I've actually consulted ALAC on, but they are aware of the situation. But in any event, I have less to say about the proposed steering committee of 20 members plus 10.

My suspicion is the more nimble this group is, the better, the faster we can get things done.

But it kind of makes sense to me that we should start up a group that just focuses on applicant support and not to be too concerned about the other topics. I kind of agree with Kurt. I think he was the one who said that if we need to spin up other groups to deal with other topics, I don't think it's going to be that difficult for Council to do. And we will have, presumably, the applicant support GGP as a basis to build on anyway.

But I do want to say that whatever steering group or small team or whatever you want to call it, whatever Council wants to call it, that particular group, I would certainly advocate—and I'm happy to hear that Kurt kind of agrees as well, that it should also have members from outside of GNSO, because we are talking about bottom-up number one, and in particular, ALAC and GAC.

ALAC, as you folks will know, we've had a lot to say about applicant support and we have a particular interest in applicant support. In fact, we're the ones who actually started the ball rolling on applicant support. So we would like to be able to participate directly to see it through. And we obviously have an interest in making sure that the next round, applicant support program works properly.

I am hesitant to speak on behalf of GAC because I don't represent GAC here. But I do note that GAC has also named applicant support as one of the topics of importance in one of the communiques, I think ICANN 69 communique if I'm not mistaken. So I think it would be wise to also not leave GAC out of the picture

here in terms of the steering committee or the oversight group, if I want to call it that way. And you're right in the sense that ALAC and GAC would probably have the expertise to draw upon or to recommend in support of the oversight group.

Now, I note that when you say experts, we're talking about experts in the area of, say, fundraising or grant giving, that's the focus of applicant support. But these experts aren't going to be the ones that actually decide on the policy. It's the oversight group that's going to guide and presumably, it goes through the process of the community input and Council will approve or adopt whatever comes out of that.

So yeah, just bottom line is, please, definitely include ALAC and GAC in the oversight group. Thank you.

PHILIPPE FOUQUART: Thank you, Justine. And just to pick up on your use of the word "oversight," from the discussion we've just had, the oversight of that group is somewhat limited since that group would be, at least at the beginning, the basis of—they would undertake the work with the help of others, and if need be, launch specific work streams. But the idea would be for them to take up the work, again, with the help of other members. That's at least what I understand. Next is Jeff.

JEFF REYNEUMAN: Thanks. Justine, I guess, raised part of what I was going to say as the GNSO liaison to the GAC. So I'm not going to repeat that. But the second part is a tiny bit of history of the original proposal.

There was a small group of people working on that proposal. The original proposal that I drafted and submitted to that small group of people only had 10 people on the steering committee. It was basically one from each community to try to pick the small group that worked on—or the group, I shouldn't even say small, whatever group it was, to work on the specific area. So it was sort of like a mini SSC, but a standing committee that had some expertise in SubPro.

But then—I can't remember who it was, it doesn't matter—on the small team said, well, if you only have one person from each group, what if that one person can't be there? So we need to make it two. And then someone else said, "Okay, so we make it two and then we need an alternative in case one of them has to drop out. And so now it's three." That's how the group grew from 10 to 30.

So the original proposal was actually only 10 people on the steering committee. And I'd be happy to recommend that again as the original proposal was, if it's the size of the group. But it was meant to be more like the SSC, with experience in SubPro, to know who needs to be in a group working on the substance of the issue. So the steering committee wasn't necessarily supposed to do the work itself, but just sort of oversee and make sure that people that had the experience from different parts of the community were put into those groups instead of the Council having to do it again, because as you can see, a Council of the members that we have now, it takes months and months and months.

And as easy as we keep saying, "Oh, once we do the GGP for the applicant support, it should be really easy to just do another quick charter," but this has already taken four months now, five months—I can't remember when the original one was. So obviously, I have no vote or say in this. But I just wanted you to understand what was behind the original proposal before it got expanded to 30 people. It was actually a proposal of 10. Thanks.

PHILIPPE FOUQUART: Thanks, Jeff. And certainly, if we were to go with the alternative proposal, we'll need to flesh out how the selection would be made and how we keep that group somewhat small. You make a good point, Jeff. Kurt, I see you raised your hand. I assume that's a follow up. So I'll offer Tomslin my apologies. Kurt.

KURT PRITZ: I was going to let Tomslin go first. Go ahead.

TOMSLIN SAMME-NLAR: Thanks. So I have a couple of questions. But I just wanted to say I actually do support the idea of making this size of the team efficient and smaller. Where I have concerns and have previously said that I prefer personally—and this is not an NCSG position— personally I prefer the community to staff this steering group, is that flexibility and those policy questions that Justine was talking about there, who makes the final policy decision in that? Is it the steering group, or is it the experts? It's something that's not very clear to me, but I had assumed that it will be the steering group making the policy decisions and not the experts that they hire to

help them. And so that's why I supported the community staffing this.

And the other reason I supported that was the flexibility. In the event that Councilors are busy with other things in other small groups, I think a community-led approach makes it possible that we actually put people who are interested in this work in that steering group rather than just someone feeling like they must do it and they don't do a good job. And that was the flexibility I was thinking about, too.

So I don't think it has to be representative. But I think the SSC model, which Jeff mentioned, would help. But I think the question of who makes that policy decision also comes to play.

And then the final thing I wanted to ask Kurt was, based on his proposal, it seems to me then that we are unable to determine the final size of the group. It's flexible to be any size of the final group that's doing the actual work. So we don't have, say, we'll get X number of experts, we'll just get any Y number of experts to come support the work of the group. The final number will grow as needed, if that's correct. Thanks.

PHILIPPE FOUQUART: Thank you, Tomslin. Just to pick up on one thing that you said on who makes the decision. The proposal will be made by that group, whichever form it has, whether that's the one that was in the original motion or the more flexible small team that was suggested. And the degree of oversight on the recommendations that have been put forward—small Are recommendations—will be

left to that group. However, the decision and the endorsement in both cases will be made by Council. There's no question that those decisions will be taken by that small group. That will be referred back to Council. I think that was the spirit. Kurt.

KURT PRITZ: Yeah, so I agree with that. I was thinking that. Whatever proposal is developed would probably be subjected to community comment process, a public comment process in any event. So it would have the review of the whole community.

And as far as the size, that's why this group has to work with ICANN staff, because if we're going to bring in outside help, and if that help is compensated, we want to do that in an efficient way. And ICANN of course holds the purse strings. So there's judgments to be made along the way about the size of the group and the efficacy of the group and the payback for the dollar spent. And those are judgments that are going to have to be made, which is why I think we really want to get a specific sort of operationally minded team working on this.

And a vision of it could be that we essentially create a position description so that—we're forming this small team, this is the kind of skill sets we want, and we'd like a person from each constituency group if they want to, or stakeholder group or advisory committee, to nominate a person. If you think you have two great people that have to be on it, let us know. If you're really not interested in participating, let us know. And it'd be up for, I think, the Council leadership to decide at the end of the day who's

on it or not, which is a little bit of a tough call, but I think it's our job to create an efficient team that's set up for success.

And then finally, to Jeff, I don't know why it took four or five months. I think the motion was written kind of quickly, and like I said, a GGP initiation request can be written in a few hours. So if you work with any Councilor, I think we could make a motion in time for a meeting, and if it's not settled, settle it by the next meeting. So, Tomslin, I hope that answered your question.

PHILIPPE FOUQUART: Thanks, Kurt. And Flip, you're next and last. We'll have to wrap this up.

FLIP PETILLION: Thank you, Philippe. Just very briefly, I agree with quite a lot that has been said already. But I just wanted to share my concern that I have about timing. I hope this is not going to be a precedent for the future in that we are going to have these kinds of discussions on groups that we need to set up for every single topic that we may raise during the development of policy in the future. I hear people say that we reinvent the wheel a lot. And I think we need to avoid that and be aware of the fact that we really need to make progress. And so we need to be efficient. Yes, I've heard that a lot today. But we need to think of timing. I think we really need to speed up. Thank you.

PHILIPPE FOUQUART: Thank you. So in that spirit, what I've heard is I think it can be accommodated with changes made to the original proposal. I think there's a need for some degree of a representative model. That's what I heard. If only to not differ too much from and have an ad hoc model for that group. There are concerns of size and efficiency of that group and the need for flexibility, as well as the opportunity for that group to ask for external help.

So I think what we'll do from now is to try and merge those two proposals, sizing down the size of the steering group. I don't think we're very far from each other, really. It's just a matter of sizing down the group and making sure we have that flexibility either for the group to take on the work themselves with the help of other people or spin off a specific work stream on a specific subject. So I think we can flesh that out for a motion to be voted on at the next Council call.

And as some of you have pointed out, we've been working on this for some months now. But it may be due to the fact that it's the first instance of the GGP. But as you put it quite rightly, Flip, I think we shouldn't reinvent the wheel here, just try and have some more flexibility with the model.

So with this, we'll take that forward for an updated motion for the next Council call. Certainly, we'll reach out to Councilors to make sure that the new version would accommodate the concerns that were expressed this week on the list and during this meeting, or we could have these things voted on by e-mail. But I don't think we're far from something that we could vote on at the next Council call. So we need to move on. Anything else on this?

Okay. Let's move on with our agenda then, and the next topic is the possibility of a PSR, policy status report, on two policies relative to expired domain names on which we voted a deferral back in 2020. Those two policies are the EDDP and ERRP, the expired domain deletion policy, and the expired registration recovery policy.

So we voted a deferral back in November 2020. It was expected to last for 16 months. And this is now up on the ADR, the radar. So we need to take a decision on this. Obviously, we have various options. Either to continue to defer, and we need to define for how long. There might be an intermediate option to start a review of compliance data, for example, to determine whether there are any issues that'd be flagged on those two policies or actually request a PSR. I guess that's at a very high level. Those are the options that are available to us for that. So in a nutshell, this is the goal of this discussion. And I'll hand over to Tomslin to lead this discussion.

TOMSLIN SAMME-NLAR: Thanks, Philippe. So yes, you've covered most of what we could introduce to this topic. But if I could repeat the options available to us, one being to defer the request for the PSR again for another 16 months if we choose to, and the second being to request for—not a full policy status report, but rather something like a limited analysis, just so that the Council can use that to better understand how to move forward. And this could be the Council reviewing ICANN compliance data related to these policies. And the third option is we indeed request for the full policy status report from GDS.

So those are the three options currently known which the Council can take. But if there are any other options that Councilors can think of that we could put forward, I'm happy for us to discuss those. But otherwise, let's see if there are any comments from Councilors regarding this and how we could best move forward. So I'll open the floor to see if there any comments or suggestions. Marika, please go ahead.

MARIKA KONINGS: Thanks, Tomslin. I was actually typing this in the chat. I just wanted to note that there is an expectation that the Council on a regular basis reviews policies that it has adopted and that have been subsequently implemented. But of course, such a review doesn't necessarily mean that a new PDP needs to be initiated. So I think the options here allow for even—if it's a limited review to take place, for example, by requesting input from Compliance, which then can help you determine, is further work needed, or does that initial checking basically confirm that things are maybe working as they were intended and that basically can be considered that review of the policy that was implemented?

And of course, as has been noted, this can also be deferred. I think at least from the staff perspective, we're not aware of major issues. Of course, others may be better placed, especially contracted parties, to indicate if issues are encountered with these two specific policies. But as said, this is basically part of kind of due diligence and making sure that on a regular basis, there is the ability to kind of do a check to see, are there any issues that may need addressing? And based on the information that is received, the Council can then determine what is the appropriate next path.

And of course, the path could also be, everything looks fine, let's check in again in X amount of time.

TOMSLIN SAMME-NLAR: Thanks, Marika. And like you said, there was expectation for us to review the policies. And I guess that's what we are looking at now, whether it's necessary that we do it now or later, but we are expected to review these policies. And I'm guessing that the decision will come down to whether there are issues or whether we have the capacity to do it right away. But I see Theo's hand up. Theo, please.

THEO GEURTS: Yeah. Good morning. And thanks. So from the Registrar Stakeholder Group perspective, we don't have an opinion on this yet, because we haven't discussed this yet. Strictly speaking, on my own capacity as a registrar, these policies do work to a certain extent. Are there some minor issues with it? Yes. It's not a perfect policy, it has some quirks in it. There's some certain aspects that could be better. If that requires a complete review and a redo? I don't think so. But I do think that we as the Registrar Stakeholder Group should look at this and discuss this internally to see if we think there are any major issues with it. So from this point of time, I need to bring this back to the Registrar Stakeholder Group to see if there's any issues. Thanks.

TOMSLIN SAMME-NLAR: Thank you, Theo. And thanks for that input, because that sounds to me like that's potentially another source for information for the

Council to look at to make a determination whether to do an extensive review or to leave it at that if that information you mentioned there as the Registrar Stakeholder Group is not captured in whatever data we could get from Compliance. I see Philippe's hand.

PHILIPPE FOUQUART: Thank you. Just personally and in the spirit of the due diligence that Marika alluded to earlier, in addition to what Theo has just said, I guess that would be good precisely for us to ask. If that's not too much of an effort, ask Compliance to review the data that they have and come back to us to see whether there are any major issues that have been identified so far without requesting too much work as in a PSR. But I think that that would be the right thing to do within about 12 months or something. The Council, by that time, would be in a position to assess, possibly request the PSR formally and see whether any formal review is necessary both with the information provided by the registrars as well as those from Compliance. That would be a sort of lightweight but still robust approach. Personal view. Thank you.

TOMSLIN SAMME-NLAR: Thanks, Philippe. I do not see any other hands. But based on the inputs provided so far, going with the lightweight option seems to be the better way, both getting data from Compliance and also, if there is any other information that the Registrar Stakeholder Group can provide that would help us understand better how to move forward with this. I don't know if anyone thinks otherwise,

but it sounds to me like that is the way forward with this. And I'll just pause to see if anyone disagrees.

All right, I see no hand, Philippe. So I think I'll hand it back to you.

PHILIPPE FOUQUART: Thank you, Tomslin. So we can now move on to the next item. And that's our discussion on the PDP improvements tracker. We discussed this briefly during the wrap up. As you would remember, this is intended to track the various actions on PDP improvements that we have on the council. And this discussion is intended to be on the format, essentially.

If you remember the structure—maybe we could have that on the screen. Thank you. We have a particular format put forward for this, including the impact and the difficulty of implementing those changes, ranging from quite easy to more complicated.

Maybe if you would scroll down to the table and the format. Thank you. And maybe I'll hand over to Marika maybe to add anything you'd like to on this. I know we've gone through this during the wrap up, but maybe that'd be good to refresh people's memory on this.

MARIKA KONINGS: Sure, and thanks, Philippe. And yeah, hopefully, most of you recall that we also looked at this and discussed this during the wrap up session at ICANN 74. So as you've noted, the question today is really about the format. Does this work? Is this helpful in kind of tracking the specific suggestions that have been made, as well as

reviewing the proposed next steps? Because as noted, the next step on this would be—assuming that the tracker as is is helpful—and of course, we don't need to set this in stone as through conversations, if further enhancements are identified, that's definitely something we can do.

But then the next step would really be starting to dive in on the substantive review of the proposed improvements, and especially the proposed next steps. The idea would be to do that with Council and possibly also stakeholder group and constituency chairs to kind of work through this and then identify which are areas where we can maybe quickly move forward, because the kind of implementation of it is pretty straightforward, doesn't require a lot of effort and doesn't mean changes are needed to operating processes or procedures. But there are also some items here that may require a bit more work. And if we at least agree or if everyone agrees that those should be planned for, those can then be kind of incorporated into Council's planning. And we'll make sure that those are not forgotten.

And I think as we've noted as well, there is a lot of inter linkage between a number of these items, hence also this desire to kind of bring it all together to make sure that it's possible to keep track of all these different conversations that may happen in different venues with different audiences but that are still linked to similar topics or areas for consideration in the PDP.

And so as you may recall, there were, I think, six questions that we basically flagged during the conversation, and I think we got some initial input during the conversation itself, although I think a lot of that was actually focused on some of the substance. So I

think, again, here, we really want to know, does this provide the expected information for you to be able to keep track and also opine on next steps?

And we included an entry for impact. I think that was suggested, I believe it was by Kurt, and is that helpful here? And if so, who or how would that determination be made on impactfulness of a proposed improvement? And maybe that's part of the conversation, of the review. And if people feel that something has a high impact, it may also align with kind of high importance.

As we noted, some input as well on how to do that consultation. Some of these improvements may be firmly within the remit of Council, but others are definitely also in scope for the broader GNSO community. And so what would be the best way and kind of timeframe in which to have those conversations?

And one thing that just came to my mind was as well, maybe some initial input could be sought through the form of a survey that may help determine where there is general agreement that that's easy to move forward and let's just do it, and which are ones where we do need to discuss so that a conversation can really focus on those aspects that there may be more different opinions or views on how next steps should be taken.

And I think that we also had a question on where would it be best to house this tracker. I think our initial suggestion here was to kind of put that on the Wiki and kind of clearly flag when updates are made. And we hope as well to use this once Council and community agrees to move forward on some of these to also document them there and the progress that's being made. So

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that's also something for Council and community to kind of check in on. So I'll pause there and see if there's any reactions.

PHILIPPE FOUQUART: Thank you, Marika. Any questions or answers, I should say, to the questions that were just raised? On the format, is it fit for purpose? Any way to take that forward? Where would this be hosted, Wiki or else? How should we reach out to others? John.

JOHN MCELWAINE: It might be a question for Marika. I think this concept is in the PDP improvements tracker, but the recent questions that we've been getting concerning SubPro, the question sets, I think I've mentioned before that those are awfully hard for Councilors to do all the homework would be necessary to provide that feedback. And it appears that just a small group primarily are answering those questions.

But I think that if we could have those types of questions identified and addressed as a process goes along to the working group, that would be really the most appropriate group to be looking into those and answering those questions. And just maybe we could flag it. I don't know if those—I have been calling them interrogatories. Are they going to be something that we're going to receive on every policy that is having an ODP done, or it's just the SubPro? But I do think we need to come up with a much better process to answer those questions. And I think this improvement tracker document is the place to do that. So I'll see if anybody else has any comments on that subject.

PHILIPPE FOUQUART: Thank you, John. On this, I think we have an item relative to the ODP. And speaking personally, I think it'd be good to have that flagged somewhere because there's a procedural element to it, and see how we could be more efficient in terms of processing the questions that we may get from the ODP team. Marika.

MARIKA KONINGS: Yes, thanks, Philippe. to John's question, indeed, the review of the ODP is something that has already been identified, but I think a next step that was suggested here—and I think it aligns with specific suggestions that you have made—is to already maybe start collecting kind of experiences and issues or suggestions now so that when that formal review commences, the Council already has kind of a starter list of items that they would like to raise and flag.

And I think this is potentially also linked—I know that during the wrap up, I think Thomas made a specific suggestion as well on potential—trying to remember, I think implementation review or something like that, to have that take place during the PDP working group phase, if that will be something to consider. That also seems to be linked to the conversation around the ODP where I think some have said as well some form of ODP could, should, might be helpful to happen during or towards the end of working group's report so that it can also help inform the Council and/or the working group in its finalization of the report.

So those all seem to be kind of linked to that overall conversation of the ODP. And as said, a specific suggestion there or kind of next step would be to already start collecting some of that to be ready when that review commences. And I'm seeing already some other specific suggestions. So again, I think that is something when we do the substantive review, the group can maybe talk through how to best start collecting that and noting that of course, there may be different perspectives on if, what, when it needs to happen. But at least being prepared for that conversation and being able to really start developing a Council or GNSO community position on some of these things may be helpful in preparation for that formal review.

PHILIPPE FOUQUART: Thanks, Marika. And to John's comment, I think we should prepare for both. I think what you said, Marika, as posted in the chat, is more about anticipating the sort of ODP and make sure that some of these design-related elements are provided as early as possible during the work of the working group, whilst I think John's point was more about, given that some of those questions will be asked, after that, whatever we do, can we make sure that we have the proper set of people to review those questions and whether Council or Councilors would be best equipped for that?

And those two threads are not exclusive, I think. We should probably address both. And appreciating that [we're more on the substance now than the format,] I think it's good discussion. Anything else on the tracker? I for one would like to see this as readily available as possible. Certainly the Wiki. We need to probably reach out to other SO/ACs on these just to make sure

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that if they have some inputs on this, we can take that onboard as well. Maybe a survey. But there's certainly not an issue. But it's important that we disseminate this as broadly as possible.

On the format, any other comments? I take it that it's good to go, at least in the initial stage. We can start publishing it on the Wiki and move on with the various items that we'll go through at some of the next Council calls, including the way we assess the complexity of those.

As an aside, I know that there was the idea of, by the time Council approves the recommendations report, there would be, through the handover to the Board, I think there was a presentation envisaged or a conversation, and that's something that'd be easy to put in place. And maybe that's—at least for the curative rights protections for IGOs, that may be the right time for this, given what we just approved under consent today. As a side note.

With this, I think we can close this item. Okay, let's move on then to the next item. That's on the Council commitments document [that was shepherded by] Sebastien. So I'll hand over to you, Sebastien.

SEBASTIEN DUCOS: Thanks, Philippe. So we've put 15 minutes on this, but I think it's going to be a lot shorter. I presented a month ago the commitments that we had been talking about since the SPS. I'm just looking at the document now and see, essentially, there was a comment directly on the call a month ago, I think it was from [inaudible], about a few grammatical adjustments which we added

immediately after. There was a comment from Maxim, and I added something. But otherwise, there was no input from anybody. Which can be either great because it was perfect or bad because nobody cares.

But I wanted to suggest to—given the fact that we have only two months between now and the AGM, I wanted to suggest—first, if anybody wants to add anything, please go ahead—to have this all wrapped up in the lead of our August meeting, and maybe have that in the consensus agenda in order to and to agree to have this in place from the AGM on, so from the next Council cycle for those commitments to be part of our way of operating. Comments, questions? I'm happy to field any. Otherwise, I don't have much more to say on this today.

Seeing none, then, again, it's a wrap. Take two weeks to add any comments to the document. We will consider it wrapped by the submission deadline for the August meeting. Again, I propose to have that in the consent agenda on the August meeting and have it rolled out for our September AGM. Thank you very much. Back to you, Philippe.

PHILIPPE FOUQUART: Thank you, Sebastien. So moving on to our AOB agenda. So the first item is the last call for input on our response to question set four of the SubPro ODP. I think I forwarded a message, an e-mail from Jeff—I think it was yesterday—to the list. And I'd like to—[so we reviewed that during the Hague]—want to make sure that there's no objection to sending this back to the ODP team through

Jeff on our behalf. Jeff, would you like to add anything on this and what you just provided with the e-mail? Jeff.

JEFFREY NEUMAN: Yeah, no, I just would thank you, thanks to the small team for such a thorough review. And I think we should give another seven days for some comments by e-mail if there are any. And then I've also drafted the proposed responses for question set five, which is considerably shorter. So perhaps giving two weeks for that. There really is just one, mostly one question divided essentially into two parts. So I think 14 days would be enough, but happy to hear from others on that.

PHILIPPE FOUQUART: Thank you, Jeff. As you said, number five is quite short, so having two weeks for that seems quite reasonable. So what we'll do is that if by Wednesday next week, there's no objection, then you may respond with the responses developed by the small team on question set four. And then we'll take two weeks for the question set five for you to respond with your proposals. So please, Councilors, have a look at both, for Jeff to respond to the ODP team. I see Manju put something in the chat. And so yes, please, Jeff, if you would have a look at the comment and accommodate that in the response. Thank you.

So with this, I think we can move on to the next item. And that's the planning for ICANN 75. We've had, along with the SG/C leaders, a couple of meetings already for ICANN 75 planning. This

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is going to be a six-day meeting as opposed to the four-day format that we had for the policy forum.

Very briefly, the PDP sessions will be essentially on Saturday and Sunday. And likewise, the weekend is intended to focus on internal SO work. We will have, for Council, our usual prep session on Tuesday. And as usual for the AGM, there will be an administrative meeting of Council the second part on—I think it's on the Thursday—where the new GNSO chair is elected. So that's very quickly what's being planned for ICANN 75. I'll turn to Terri. Would you like to add anything or correct me if I got my notes wrong?

TERRI AGNEW:
No, everything was well spoken. I'll just add a few more items, if you don't mind. So thank you. So the schedule that you're looking at now on screen, we also put the link in the chat, but the draft schedule has been posted on the GNSO website if you'd like to take a closer look at it. Please note that this refers to the GNSO sessions request only. It does not indicate that these will be granted. Only the final ICANN 75 will serve as a reference—the ICANN 75 schedule that is.

A quick note. The prep week is the 6th through 8th of September, and that's scheduled to be published on the 22nd of August. So right around the corner. And then the ICANN 75 main schedule will be published on the 29th of August of 2022. All Council sessions, PDP, EPDP, [the ST,] small team sessions have been scheduled. We've placed them all on the schedule as you can see.

We do have a couple of bilateral meetings scheduled with ICANN Board, GAC and ALAC. Just a quick note, the ccNSO and the GNSO liaison have decided there's no need for councils to meet given that we had done so recently during ICANN 74. The SG/C secretaries in collaboration with their respective ExComs and GNSO SO/AC support have also input sessions requests as you can see.

Regarding logistics, the signup to ICANN 75 website is now open. Just a reminder for funded travelers, you should await your e-mail notification to use the registration link in the e-mail confirmation you receive. That should be coming shortly. Don't give up on it yet. Some of you may have received it. If not, be patient. It's coming.

The ICANN 75 website is up and running right now. And please, we highly encourage you to visit it—often, actually, not just once. Just keep going back to it. As per ICANN 74, it's being updated regularly with new information received. The health and safety is on there now. I'll quickly drop the link in there as well for ICANN 75. That's all I have at this time. Back to you, Philippe.

PHILIPPE FOUQUART: Thank you, Terri. Any questions on this planning? Okay, thanks. Let's move on to the next item. And that's a discussion on the way we approach the GAC communique, and should Council consider reviewing elements of that communique that would go beyond formal advice, such as the topics of interest? So for this, I'll give the floor to Jeff, if you wouldn't mind elaborating on this.

JEFFREY NEUMAN: Yeah, sure. Thank you. Jeff Neuman, GNSO liaison to the GAC. Yeah, I introduced this topic. Normally, we do an official response to the GAC communique when there is either GAC advice or follow up on previous GAC advice, I think is another area that we sometimes comment on.

But there's a lot of information in this past GAC communique on issues of importance to the GAC. And I shouldn't just say just this communique. It's actually been for quite some time that they put a lot of stuff and a lot of hard work into the information that's important to the GAC.

And so there's a number of things, for example, in this latest one about DNS abuse and suggested ways forward. The long and the short is that I was contacted by a Board member—I was hoping that Board member would allow me to post the comment publicly so you could see it. But essentially, it was to the extent that the Board would appreciate any comments that the GNSO would have on those issues of importance, because the Board does, in their scorecard or communications with the GAC—maybe not the scorecards themselves, but certainly in communications with the GAC, does refer to those items and does enter into discussions with the GAC on those items. So they said that knowing the GNSO's view on those issues would be quite helpful, even though it's not GAC advice.

Now, we can do that in a different format than in the official response to the communique if that's something that there's a concern about. But I do think those items, if they are of interest to the GNSO, should be responded to, or at least let the Board know what our thinking is, if there is any thinking, on that particular

subject, because even if for nothing else, to say, "Well, wait a minute, we know the GAC said that this is important to them and suggested X, Y and Z, but these are really GNSO issues. And to the extent the Board is considering doing something on those items, it should come to the GNSO or the GNSO is already working on it," or whatever the comments are.

I just think that for far too long, as a Council, as a community, we have just kind of been on the sidelines for these discussions. So that's it kind of in a nutshell. It's really just to see whether the GNSO wants some form of response to other areas of the communique that may be of assistance to the Board. Thanks.

PHILIPPE FOUQUART: Thank you, Jeff. Any views on this and whether that would be a good thing for the review to go further, I would say, than what that review usually does? Manju.

MANJU CHEN: Thank you. So I have read through the communique. And I personally—I didn't consult with NCSG on this, but I personally think I don't see the necessary of replying. And also, I am not super comfortable with the Board kind of have a person who asked a person who's a GAC liaison on GNSO Council to indicate that, oh, the Board wants Council to kind of reply. I mean, if they want us to say something, they should formally request. So, I am not really comfortable with this lack of transparency and kind of communication of, oh, one person thinks we should reply, because—I don't know, be helpful or anything. I think it's more

accountable, if they want us to do something, they put it on the record that they want us to do something. That's my comments. Thanks.

PHILIPPE FOUQUART: Thank you, Manju. In all fairness—but I'll hand over to you, Jeff, to further clarify that—obviously, that wasn't an official ask from the Board but just an individual impression that we shared. Jeff, to this, I suppose.

JEFFREY NEUMAN: Yeah, thanks. And it's really late or early, depending on, for me. So I may not be wording things exactly correctly. But Philippe, you're right, they didn't say that we should respond. They weren't making an official request or anything. They just said it would be helpful if the GNSO would weigh in on these kinds of subjects. And I agree with you, I hate coming to the Council and saying, "Well, this one Board member told me." And I requested that Board member to allow me to forward that or if they could send it themselves. I just haven't gotten a response. And it may just be because It's vacation season. I don't want to make it sound like the Board member ignored it or doesn't agree or doesn't want to do it.

And I think Manju, you said something like—maybe again, it's really late so I'm exhausted. But did you say something like the Board shouldn't be discussing that with the GAC, or really, it was just the Board member shouldn't have approached me? It was in response to the e-mail I sent to the Council which said, "Hey,

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there's no advice. But do you guys want to respond on anything else in the communique?" And the response I got sent to me directly was, "It would be helpful if you did." So that was it. I don't mean to be making more of it than it was. It was not a formal request. And like I said, I apologize. It's really late and I may be misspeaking.

PHILIPPE FOUQUART: Thank you, Jeff. I think Manju's point was more on the sort of transparency question, what you just addressed, whether that was an official request, suggestion. And to this, I think Tomslin made a good suggestion in the chat. That's something that we can bring up during some of our bilateral meetings with them, to clarify whether that would be helpful.

Speaking personally, I think that the concern over developing comments on anything else than advice was more on the way it was done rather than the principle of this. And what I mean by that is that in providing comments to the advice, it was understood that it was a question—it was not a question that the small team would develop positions on behalf of Council, but rather, providing pointers on relevant positions, discussions, projects that would be relevant to the advice. And that would have to apply on anything, not only on comments, on advice, if the decision was made to extend that. But I guess what I'm saying is that it was more a question of how that was done rather than on what. But that was my personal perspective. Jeff.

JEFFREY NEUMAN: Yeah. And I think that's right. We can do it in different forms. We don't have to do it in the, quote, official response. But like in the DNS abuse mitigation section, for example, of the issues of importance to the GAC, the GAC says that they'd like to see improved contract provisions, targeted policy development processes, and they go on to list a few other things.

The response from the GNSO—I'm not saying that we should be responding on behalf of the community developing positions. But we could say, "Hey, Board, in case you're not aware, we have a small team that's looking at the DNS abuse issues and they are in the process of finalizing their recommendations for targeted PDPs," or whatever it is. This way, we don't get something imposed on us. Rather, it's more helpful to inform the Board for their discussions with the GAC, if that makes sense. Thanks.

PHILIPPE FOUQUART: It does. Thank you, Jeff. Tomslin.

TOMSLIN SAMME-NLAR: Thanks, Philippe. I was just thinking some of those issues are items that we've discussed or informed GAC during bilaterals with them. Is it still necessary to informally respond to the communique to inform them about this if we've officially informed them during our sessions or meetings with them? Thanks.

PHILIPPE FOUQUART: Thank you, Tomslin. Before I hand over to Jeff, I think the purpose at least of providing comments would be more for the Board given

our respective positions than for the GAC themselves. Certainly would be helpful to provide them with our comments during the bilaterals, for example, as you're saying, Tomslin. But I think that was the initial intent of the suggestion. Jeff, am I right?

JEFFREY NEUMAN: Yeah, agreed. And there may—like the DNS abuse mitigation, I can't remember if we talked to the Board about that at this past meeting or not. Maybe we did, but maybe we didn't. And so maybe we just want to remind the Board, because they do have intersessional meetings with the GAC. And I agree with you, Philippe, it's to inform the Board more so than it is the GAC. And I always think it's helpful to follow things up in writing sometimes, even if we did discuss it, because what the memory may be of the Board or a member may not be how we remember it two months later. So the Council could decide to do whatever it wants to do. And I just thought I would bring it up as a topic. So thanks.

PHILIPPE FOUQUART: Thank you, Jeff. And it's good that you do. Yes, and to Marika's point, noting in the chat, obviously, the DNS abuse small team might not be the best example [because I'm sure—I know that for those of you who attended the CSG meeting just a couple of days ago,] would know that they are perfectly aware that—at least the GNSO appointed members are perfectly aware of that small team. But generally speaking, for other aspects other than a DNS abuse, that may be something that Council would like to do.

What we could do on this is to do just what Tomslin suggested, that the next GAC communique will be for 75 will have a bilateral. I think—hope—before or during ICANN 75. That's something that we can raise with the Board. We can take that, disclose that at least informally during ICANN 75, if not during the Council meeting so that we're all set when the time comes to respond to the GAC communique for ICANN 75 in the spirit that we just discussed, potentially, i.e. not develop positions but provide pointers, if the group agrees. So that would be my suggestion for next steps.

So with this, and before we get to 8.4, just a few words about the renewal of the position of the GAC liaison, since this is due for 75 at the AGM. And that's traditionally done through a consent agenda item, I will just note—and Jeff will correct me if I'm wrong, but Jeff expressed his willingness to continue with this role. And as usual, leadership reached out to the GAC to have their views on the renewal of the position where they expressed their appreciation of how the role was taken up over the last months. So with that in mind, by ICANN 75, if councilors would have any views on this, please share on the list or off list as you see fit. Manju.

MANJU CHEN: Yes, thank you. I want to first clarify this, nothing against the current GAC liaison. I think he's doing a wonderful job. But I also think that there's a kind of accountability issue with one person doing both the GAC liaison and the SubPro liaison, because both are incredibly important roles. And while we all know Jeff is super capable of doing anything, I think this is a problem of Council. And so instead of the person doing the job—because it is really

important we separate the roles. So we ensure the accountability and transparency and everything in that role to make it so the Council itself is held accountable when they appoint people to these roles, right.

So what I'm suggesting is probably you can open this GAC liaison position to volunteers to see if anyone else would like to take on this huge responsibility that Jeff is doing super well. But as I said, this is nothing against the person who's doing this job, because we all know he's doing a wonderful job. It's more about we think the roles should be separated.

And also, I think another problem is traditionally, there's no kind of this term limit for GAC liaison. I think that's also problem. I think this is an issue the Council should look into, and we really should start reviewing this process. And maybe it's better if we have term limits so that if in the future, when we don't think a liaison is doing his job, or just any circumstances, it's better to have a term limit. So it's like a due process and we have the accountability of making sure that we have this role as an independent and neutral kind of position. I hope I'm making sense. Thanks.

PHILIPPE FOUQUART: Thank you, Manju. You r. Thanks for your inputs. Desiree, you're next.

DESIREE MILOSHEVIC: Thank you, Philippe. Yes, I believe that Manju brings here an important point from the governance point of view, and that there should be term limits. And it's something that the Council should

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think about. Of course, nothing to do personally with the job and the person who's currently GAC liaison. We all know that Jeff is capable and doing a great job. But it is definitely a worthwhile conversation about thinking about term limits, or reappointments, just to have a procedure. Thanks.

PHILIPPE FOUQUART: Thank you, Desiree. Jeff, you're next.

JEFFREY NEUMAN: Thanks. And no offense taken at all. I put in the chat I always agree with term limits for anything. I don't know how that actually gets codified. But I think four years, like Councilors, should be the upper limit is what I would suggest. But anyway, Council could talk about that.

I guess what I was going to say is last year when I was up for the SubPro ODP position, we did discuss the potential conflicts, and the Council at the time decided that they didn't think there were going to be conflicts, even though the amount of work was known at that point in time. So I did just want to restate that.

And then at the time, I had said that if the Council had viewed it as a conflict, I would have stepped down from the GAC role and just done the ODP. I think now at this point, the ODP was supposed to be over by ICANN 75. And I understand it's now going to end in December. I think, first of all, if anyone else wants to GAC liaison, absolutely come forward. But I don't think at this point, separating the roles for like a month or two makes much sense. But certainly something to keep in mind for the next ODP. Thanks.

PHILIPPE FOUQUART: Thanks, Jeff. All good points. I think moving from here, and mindful of time, we'll take that to the list with the idea of considering a term limit and the potential—not overlap but relationship between an ODP liaison and the GAC liaison. We certainly need to reach out to our GAC colleagues on this as well, because that might have an impact. But we'll take that onboard.

We still have some time between now and ICANN 75. And obviously, I'll just reiterate this, but this discussion has nothing to do with Jeff's tremendous work on this. It's more elements of principle that we need to consider as potential changes. Doesn't mean that we will change them, but it's worthwhile reviewing the role anyway, which is something that we must do. Thank you. Thanks, Jeff. Appreciate it.

So with this, I think we can go to our last item on the timeline of the next SPS. Who's going to take that? Is that Terri or Steve? Sorry, Marika.

MARIKA KONINGS: No problem, Philippe. I'm happy to just start off on this one. And of course, if Terri or Steve have anything to add, I'm sure they'll raise their hands. And we just wanted to use this item to flag that a message has gone out yesterday to those invited to the Council strategic planning sessions, which is basically remaining Council members and incoming Council members as well as the GNSO liaison to the GAC, as well as the GNSO-appointed Board

members, basically to flag that we have started planning for the next strategic planning session.

We are currently planning this as a face-to-face meeting to take place in Los Angeles from 14th to the 16th of December. Of course, keeping fingers crossed that health and safety circumstances don't change, and we'll be able to proceed in that way.

And also a reminder, especially for those that are coming new to the Council. This is an important event for Council which allows new Council members to come onboard, be induced and get to know each other better, making sure that everyone has the necessary tools and information to perform their roles as a Council member. And last but not least, to basically look ahead at the year that is to come and conduct some strategic planning on how to manage the work and make sure that the Council is prepared for what is ahead.

And we also shared, basically, the reports from the last two meetings and previous ones are also available online in which we've documented kind of the types of topics that have been covered and considered as well as some of the action items that have come out of the meeting. And actually, one of the previous topics on the Council commitments was a specific outcome of the last strategic planning session.

As we're going back hopefully to a face-to-face setting and we'll have more time to spend with each other, we would like to ask everyone's input through a survey that we've also included in that e-mail to give us your feedback or ideas or suggestions on what

you think is important, what we should be bringing back that we weren't able to do in the virtual setting, any topics or items that you would like to learn more about or you think are helpful to discuss in this setting. And yeah, we hope to be able to kind of factor that into to the planning, which of course we'll keep you all informed about and hope to provide you with regular updates on.

Like with previous meetings, we'll also create a dedicated Google Drive folder where we'll be posting preparatory materials so hopefully everyone will read up. We're running out of time. Terri also sent a message about the deadline for confirming whether or not you're planning to attend in person. And I believe that is 16th of August. Terri can correct me if I'm wrong. So please let us know as soon as possible if you are planning to attend in person or not. And then shortly, further details will of course be circulated with regards to logistics. So that's all I have.

PHILIPPE FOUQUART: Thank you, Marika. So keep an eye on all your mailboxes and for this, be prepared for the SPS. The more prepared you are, the more efficient that will be. And thanks, Steve. So that's the 12th of August for the travel prep.

With this, it's now 9:00 my time, CET. Anything else that people would like to raise as a final word? Thanks, everyone. I know it's very late for some of you. Hopefully you'll have a good rest now. And we'll speak to you soon. It's goodbye for now.

TERRI AGNEW: Thank you very much, everyone. I will stop recording and disconnect all remaining lines stay well. Thank you for joining.

[END OF TRANSCRIPTION]