

Marika Konings>Welcome to the GNSO Council meeting of 24 August 2017  
Tony Harris:Good Morning  
Nathalie Peregrine>Welcome all!  
Ben Fuller:Hi Nathalie  
Nathalie Peregrine>Hello Ben!  
Tatiana Tropina:Hi everyone  
Nathalie Peregrine>Welcome Tatiana, temporary alternate for Ed Morris, welcome to the Council call  
Keith Drazek>Hello everyone  
Cheryl Langdon-Orr (CLO):hi all  
Stefania Milan>Hello everyone!  
rafik:hello  
Tatiana Tropina:My phone bridge got disconnected, do I have to ask for another dial out? Thanks!  
Tatiana Tropina:or may be I just stay on Adobe audio - it seems working  
Martin Silva Valent:Hi all  
Nathalie Peregrine:they will dial back out to you autimatically Tatiana  
Tatiana Tropina:Thank you, Nathalie!  
Keith Drazek:FYI, Tatiana, Michele and I are all sitting together in an office in Stockholm. But we're not plotting a Council coup, I promise. Really.  
Heather Forrest:Beautiful time of year to be in Stockholm!  
Marilia Maciel:hello everyone  
Darcy Southwell>Hello!  
Michele Neylon:well.. Keith would never admit to it  
Cheryl Langdon-Orr (CLO)::-)  
Julf Helsingius:A coup over a portion of meatballs?  
Rubens Kuhl (RySG):Is the merge going to be called BlackSign ?  
Michele Neylon:lol  
Keith Drazek:lol  
Keith Drazek:I promised James it would be a meatless coup.  
Tatiana Tropina:Julf, I would die for the portion of meatballs. No food here :(  
Martin Silva Valent:I have mate  
Julf Helsingius:tatiana: ouch!  
rafik:a coup d'etat needs some secrecy :)  
Michele Neylon:she's getting a little hangry  
Michele Neylon:Lucky for Keith there isn't much meat on his bones  
Michele Neylon:I however might look more appetising  
Keith Drazek:Time to clear the chat!  
Rubens Kuhl (RySG):Not yet on the bridge. Will answer the call using chat.  
Rubens Kuhl (RySG):Here.  
Rubens Kuhl (RySG):(Actually, waiting for the dial-out...)  
Terri Agnew:@Rubens, the op is dialing out but it goes to voicemail - we will continue to try  
Rubens Kuhl (RySG):One time it signalled a call, I answered but heard no one.  
Terri Agnew:will ask op to continue trying  
Marika Konings>Please remember to mute your microphones when not speaking  
James Bladel>Please mute if you're not speaking. Thx!  
Rubens Kuhl (RySG):AOB 9.2 also needs to be striken out.  
Rubens Kuhl (RySG):I suggested that item but won't be able to talk about it in today's call.  
Terri Agnew:finding the line

Keith Drazek:Question for Staff: Do we have meeting dates confirmed for the January and February GNSO Council meetings?

Marika Konings:for some reason the difference between the blue and green is not very visible in AC - sorry about that

Terri Agnew:finding line

Heather Forrest:Will we fold one meeting into the Council development session?

Marika Konings:@Keith - usually those dates are confirmed once the new Council is in place so shortly after ICANN60

Keith Drazek:Ok thanks Marika

rafik:about GNSO scheudle item, what is the request about gender diversi

Donna Austin, RySG:@Heather, i think we should fold one into the strategy session.

rafik:gender diversity in structures?

Marika Konings:@Rafik - are you referring to the survey? I don't think there is anything on the agenda today, but I may be missing it.

rafik:@marika just reading from the wiki, so I have no idea about thwat meant :)

Michele Neylon:the stereo

Heather Forrest:Audio seems pretty rough on today's call

Marika Konings:oh, there was a survey from one of the CCWG-Accountability sub-teams that the Council leadership responded to from the perspective of the PDP and Council , assuming that SG/Cs would be providing their respective responses.

Marika Konings:I am assuming it is that as I am not 100% what you are looking at :-)

rafik:@Marika thanks got it, it was under ICANN60 schedule and mentioned Goran request

rafik:I was talking about action items list

Paul McGrady:February. We don't want anyone feeling like we are blowing up their holidays.

Marika Konings:'I've changed it to e.g. February GNSO Council meeting so you have some flexibility. Does that work?

James Bladel:Yes, thanks Marika. Will await Keith's confirmation.

Keith Drazek:Yes, thanks Marika

Stefania Milan:I lost connection via th phone bridge. Staff can someone kindly call me back?

Philip Corwin:BC supports Motion as well

Nathalie Peregrine:Dialing you back Stefania

Keith Drazek:@Heather, my understanding is that the other Chartering Organizations are also moving in the same direction as we are with this motion. We may be a bit ahead, but there's a general recognition among the other groups that this work is imminent.

Stefania Milan:thanks Nathalie

Heather Forrest:Great to know, thanks Keith. That will help to address lingering concerns

Cheryl Langdon-Orr (CLO):exactly James

Donna Austin, RySG:Call it a Discussion Group.

Stephanie Perrin:So a working party??

James Bladel:Discussion Group or Working Party. Similar to the mechanism currently examining ICANN's role w.r.t. human rights.

Heather Forrest:In my view it's important that we build in the communications loop/accountability

Paul McGrady:+1 Heather

Tatiana Tropina:+ 1 to Rafik - we just started the process within the group (and of course teh comments will be taken into account)

Cheryl Langdon-Orr (CLO):the other cross community work on Accessibility in ICANN runs as a Cross Community Committee for example inclusive of key ICANN staff, so various options are possible

Keith Drazek:Agree with Rafik, the current group will develop and propose a solution.

Tatiana Tropina:Actually yes - the group can propose several solutions

Stephanie Perrin:THanks Cheryl, that is a good example I had not thought of.

Paul McGrady:I like the drama of the acclimation votes...

Keith Drazek:Thanks to everyone for the constructive engagement!

Paul McGrady:oops - Acclamation. Early here.

Marika Konings:Yes, correct as they were asked whether they were still available (just the alternates)

Rubens Kuhl (RySG):Unfortunately I have to drop now. Keith holds my proxy if any vote comes up.

Rubens Kuhl (RySG):Talk to you all at the next council meeting... bye...

Cheryl Langdon-Orr (CLO):bye 🙏🙏🙏 Rubens

Nathalie Peregrine:Thank you Rubens!

Heather Forrest:Paul's update was helpful - Paul, as SubPro Council Liaison, it will be helpful to have you keep tabs on things and report to Council as/when appropriate

Paul McGrady:@Heather - thanks. Will do.

Heather Forrest:Happy to answer

Terri Agnew:finding line

Amr Elsadr:Apologies. That was my line.

Heather Forrest:@Phil - this is something that we discussed at length with Becky, Markus and Matthew

Heather Forrest:(ie, they had the same question as you, Phil)

Cheryl Langdon-Orr (CLO):this is how the other 4 WTs operate Phil

Cheryl Langdon-Orr (CLO):I am CoChair of WT4 with Rubens

Heather Forrest:@Phil - just to be 100% clear, what do you mean by "cross-community type decision-making process"?

Heather Forrest:(follow up) Just so we're sure we know what to avoid

Philip Corwin:@Heather- in oparticular, we would not want decisions made by 1 vote per AC & SO. But we simply have to assert that any decision-making mode employed must be consistent w/GNSO rules

Philip Corwin:CC participation is welcomed. But WT decisions must be made in a manner consistent with GNSO rules

Cheryl Langdon-Orr (CLO):WTs within SubPro operate that way Phil we report to the plenary of WG then further discuss there also WT leadership meet \*very\* regularly together with WG CoChairs so ongoing support and guidance can occur through out the work

Mary Wong:@Phil, if it helps, even within the CCWG mechanism - and assuming the new WT follows the recommendations from the CCWG-Principles - the recommendation in the Final Principles was that (unless specified in the Charter) Full Consensus and Consensus designations are similar to the GNSO definitions, and designations are made by the Chair(s).

Philip Corwin:Thanks for all the feedback. Good discussion. Let's closely monitor and see if members of non-GNSO groups accept open invitation to participate, and keep a close watch on the WT. main reason for speaking up was to avoid inadvertently creating an undesirable precedent that might exacerbate internal conflict.

rafik:@Phil understood, we work to avoid setting any precedent that weaken our work in future.

Marika Konings:As the Council considers the option, it is important to assess what the issue is believed to be - the policy or the implementation as the appropriate path for addressing the issues identified will depend on that assessment.

Heather Forrest:@Phil - it would be excellent if you or others from BC could join the new WT5 to keep these concerns in mind

Philip Corwin:@Heather -- I will certainly encourage other BC members to join WT5, and will see if I can do so myself -- noting that I am already juggling two WG co-chair roles plus Council duties

Heather Forrest:Question: Has any contracted party sought to invoke the revised Procedure since it was promulgated on April 17?

Michele Neylon:Heather - we can't

Stephanie Perrin:We knew it was unusable when we were on the volunteer group.

Michele Neylon:+1 Stephanie

Keith Drazek:Very helpful input Cyrus, thanks.

Eleeza Agopian:@Heather: Not as far as we are aware.

Marika Konings:I don't think the IAG considered consistency, that was a Council determination to make

Marika Konings:I have the same recollection as Eleeza

Michele Neylon:the IAG wasn't asked that question from what I recall

Stephanie Perrin:Out of scope, I believe we were told

Mary Wong:GNSO Council resolution confirming that the IAG proposal was consistent with the underlying policy: [https://urldefense.proofpoint.com/v2/url?u=https-3A\\_gnso.icann.org\\_en\\_council\\_resolutions-2320170216-2D1&d=DwIFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0A1gn-H4xR2EBk&m=udd1c6I3pY4EjccnhotlqDuD9fw-KUi-TASSKhNBrTM&s=wgcke9B7yt7MtlkgXr0e6yiqcM3MGvu0jHGy6QeEeY&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A_gnso.icann.org_en_council_resolutions-2320170216-2D1&d=DwIFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0A1gn-H4xR2EBk&m=udd1c6I3pY4EjccnhotlqDuD9fw-KUi-TASSKhNBrTM&s=wgcke9B7yt7MtlkgXr0e6yiqcM3MGvu0jHGy6QeEeY&e=)

Donna Austin, RySG:It's an important point that Cyrus makes and as Michele said earlier, the current triggers are unworkable. I would also note that the trigger is only the first step in a considerable process.

Marika Konings:Council could just confirm that other triggers are not considered inconsistent and direct staff to implement

Michele Neylon:Marika - thanks that would be a lot saner

Keith Drazek:To Cyrus' points, if there's not an effective mechanism that can actually be utilized, contracted parties are in a bind. between laws and contract enforcement/compliance. The impact of GDPR enforcement will make it exponentially worse. An alternative trigger is needed.

Erika Mann:Apologies for being late!

Marika Konings:IAG is not a formal mechanism - it was 'created' for the previous review but doesn't have any kind of formal status / role (at this stage)

Nathalie Peregrine:Welcome Erika!

James Bladel:AND it's coming up again in October. We could move that up.

Erika Mann:Hi Nathalie! Thanks for alarming me. Was working on our upcoming Auction Proceeds call and did not check timing.

Stephanie Perrin:Indeed, but I am not optimistic that kicking it around again in another PDP is going to be quick...

Michele Neylon:the policy is fine - it's the triggers that are broken

Eleeza Agopian:Thank you.

Marika Konings:@Stephanie - a PDP would take at a minimum 1,5 year, but likely longer noting all the other work ongoing.

Stephanie Perrin:The policy is very unclear, it merely states that there is a mechanism. Not what one would call a policy....

Stephanie Perrin:Yes Marika. I think the fastest mechanism that follows procedure would be to redirect the RDS PDP, on the basis of the legal opinion in hand, to immediately focus on the privacy issues which have been deferred, and come up with an interim policy.

Nathalie Peregrine:That is correct

Michele Neylon:it's an implementation issue

Nathalie Peregrine:We need to ensure all PDP slots are assigned and SG, C requests will compete the GNSO schedule

Nathalie Peregrine:Aim is to have it ready by early next week.

Mary Wong:@Stephanie, the policy calls for a contracted party to "credibly demonstrate" it cannot comply. It also requires a procedure be developed to implement that Policy.

Stephanie Perrin:Are there any other laws where a contracted party has to "credibly demonstrate" that it must comply with the law? It is a sincere question, I have not gone through every policy in the organization.

Michele Neylon:Data retention waiver

Michele Neylon:Cyrus et al mentioned it

Michele Neylon:We've been through it

Stephanie Perrin:Also covered by national privacy law in many jurisdictions, so I don't count that one Michele....

Stephanie Perrin:Same bailiwick

rafik:thanks Nathalie

rafik:yes

Heather Forrest:Donna gets all the credit on this!

Donna Austin, RySG:Nathalie and Terri have pulled this all together, so big thanks to them.

Marika Konings:Do note that the GNSO Council Development session activity will be scheduled for Wednesday evening, instead of Thursday.

Marika Konings:We'll circulate an updated version shortly.

Mary Wong:On WS2, Councilors may wish to note that there is a Cross Community session scheduled for the Monday (day 3) of ICANN60 to discuss concluding WS2 work.

Keith Drazek:Partly related to WS2 is the WS1 carry-over work on the IRP. There's work remaining to establish and seat the standing panel. I believe ICANN legal has the action (or at least some of it) to move that forward.

Erika Mann:Leaving to join the AP call

Nathalie Peregrine:thanks Erika

Keith Drazek:My line dropped sorry

James Bladel:Ok, understood.

Bernard Turcotte - ICANN:glad to take other questions via email

Bernard Turcotte - ICANN:bye all

Marika Konings: the dates are in the same week as the intersessional

Marika Konings:NCPH intersessional

Marika Konings:so far only Phil has noted a conflict - are there others who would be affected?

Marika Konings:we are limited by availability of office and staff supporting this event

Marika Konings:so it is not just a question of moving around dates

Tony Harris 2:Apologize must run to a meeting

Philip Corwin:If schedule remains unchanged I will likely only be able to attend final day of GNSO strategy meeting, on Wednesday 1/31

rafik:tokyo-LA is just 10 hours I think :)

Paul McGrady:Party bus?

Tatiana Tropina:Rafik, less than Frankfurt - LA :)

Michele Neylon:Paul - who is the designated driver?

Paul McGrady:Not me

rafik:@michele I can but my driver license is expired

Michele Neylon:bye

Ben Fuller:Bye all

Darcy Southwell:Thank you, all!

Tatiana Tropina:Thanks all - bye

Philip Corwin:Ciao

Heather Forrest:bye everyone

rafik:bye all

James Bladel:Bye...goodnight Heather.  
Cheryl Langdon-Orr (CLO):bye ðŹŹŹŹ  
Marilia Maciel:thank you! bye all  
Julf Helsingius:bye