ICANN
Transcription ICANN Hyderabad
GNSO Council Public Meeting
Monday, 07 November 2016 at 13:45 IST
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James Bladel: It is the 7th of November from ICANN 57 in Hyderabad. Welcome.

Glen, if you don't mind, if we could get going and start the recording and call the roll please. And I note that we have a number of - I saw a flurry of proxy assignments on the list in the last 24 hours, so if we can make sure we cover all of those, that'd be great. Thank you.

Glen De Saint Gery: Thank you, James. I think the recording is up and going. Keith Drazek?

Keith Drazek: Present.

Glen De Saint Gery: Donna Austin?

Donna Austin: Present.

Glen De Saint Gery: Rubens Kuhl?

Rubens Kuhl: Present.

Glen De Saint Gery: James Bladel?

James Bladel: Here.

Glen De Saint Gery: For Volker Greimann we have a temporary alternate, Michele Neylon.

Michele Neylon: Unsure.

Glen De Saint Gery: Darcy Southwell?

Darcy Southwell: Here.

Glen De Saint Gery: Valerie Tan is absent but I think she's on the line? Valerie, are you on the line?

Valerie Tan: Yes hi, Glen. I'm here (unintelligible).

Glen De Saint Gery: Thank you very much. Thank you. In case there are any connectivity issues, Valerie has given her proxy to Donna Austin. Phil Corwin?

Phil Corwin: Present.

Glen De Saint Gery: Susan Kawaguchi?

Susan Kawaguchi: Here.

Glen De Saint Gery: Paul McGrady?

Paul McGrady: Here.

Glen De Saint Gery: Heather Forrest?

Heather Forrest: Here, Glen. Thank you.

Glen De Saint Gery: Tony Harris?

Tony Harris: Here.

Glen De Saint Gery: Wolf-Ulrich Knoben?

Wolf-Ulrich Knoben: Here.

Glen De Saint Gery: Marilia Maciel is absent and there is a temporary alternate in her place, who is Sarah Clayton. Sarah?

Sarah Clayton: Here.

Glen De Saint Gery: Amr El Sadr is also absent, and he has a temporary alternate in his place, Matthew Shears. Matthew?

Matthew Shears: Here.

Glen De Saint Gery: David Cake?

David Cake: Present.

Glen De Saint Gery: Edward Morris?

Edward Morris: Here.

Glen De Saint Gery: Stefania Milan?

Stefania Milan: Here.

Glen De Saint Gery: Stephanie Perrin?

Stephanie Perrin: Here.

Glen De Saint Gery: Julf Helsingius is on the phone with us. Julf, can you hear us?

Julf Helsingius: Yes I can hear you loud and clear. (Unintelligible)

Glen De Saint Gery: Thank you so much, Julf. But in case of connectivity issues we also have a proxy for Julf, who is Carlos Gutierrez. Carlos Gutierrez?

Carlos Gutierrez: Here thank you.

Glen De Saint Gery: Olivier Crépin-Leblond?

Olivier Crépin-Leblond: Present.

Glen De Saint Gery: Patrick Myles as the GNSO liaison. I think Patrick is at a meeting. Mason Cole?

Mason Cole: Here.

Glen De Saint Gery: And that is all for the council. Thank you, James. And over to you.

James Bladel: Thank you, Glen. And welcome everyone. Two names that we did not hear on that roll call were Chuck Gomes and Jeff Neuman, I can see are both in the room as visitors. And, Chuck, am I to understand this is your 54th ICANN meeting? And Jeff just went golden with his 50th ICANN meeting. So thank you for your service and please find a hobby.

Okay thank you. And as we proceed through our agenda, does anyone have any updates to their statements of interest or anything relevant to their status

as a councilor? Seeing none, we will move on to item 1.3 which is a review or our agenda.

The agenda has, as is often the case, has changed a little bit since we've arrived here in Hyderabad, and we moved some things and altered the titles of some of our sessions. I think I would note that we do have one request from staff, which is that during the administrative section where we have the election for chair, which is item number -- I'm scrolling quickly here -- I think it's possibly in the next session, we have a request from that staff that we have an option whether we can have an open vote where either by stating our vote or raising hands we are identified.

We also have an option for a secret ballot where the ballots could be kept secret. If we choose the secret ballot option, staff needs to go and print some ballots, so we need to get them started on that now. So can we make a decision now while we're hammering out the agenda of which of the two voting methods we would prefer when we approach that time? And I would also put this question to our incoming councilors as well, who will be participating in that vote.

Heather, go ahead.

Heather Forrest: Thanks, James. I can speak on behalf of the IPC and say we're very happy with an open vote and do not see a need for a closed vote. I'm looking to my fellow councilors from the CSG I see we're happy with an open vote, and NCSG they're happy with an open vote as well. So from our house, we're happy with an open vote.

James Bladel: Thank you. And I see heads nodding from registries and registrars as well. So any objections? Going once, going twice. We will conduct that will an open vote. You're off the hook, Glen. Thank you. Thank you councilors.

Okay and then item 1.14, the status of the minutes from the previous meeting from our council meeting on October 13 before we left for India. And the status of that I believe those minutes were approved. I think we approved - I recall approving those, and those were posted to the list and also to the web page. Is that correct, Glen?

Glen De Saint Gery: Yes.

James Bladel: Okay fantastic. Excellent. Okay then moving on to item 2 is where we typically review our active projects list and our action items from previous meetings. I don't know if we can pull those up on the screen quickly to walk through those. Here they come. And I think most of this is fairly familiar to everyone. It hasn't changed significantly since our call on October 13, but if you have any questions or any comments you'd like to make, then this would be a good time to do so.

Marika, do you -- to put you on the spot here -- do we have any significant updates or changes to this since our last call? All of the active projects are in the same state that they were when we last discussed them? And I see no indication around the table that we would like to address any of these.

Okay, if we could bring up then the action item list. And we'll wait for a moment while that loads. Once again, our color coding is that green is completed and will not appear on the next action item list, blue is something that appears later in our agenda. So just scrolling down very quickly, we have IGO-INGO PDP recommendations that are outstanding. We certainly have beaten that topic to death this week, including in our last session, but if anyone has any comments, I think we - I think Heather had mentioned that she wanted to table some of this discussion in our wrap up session later this week as we start to look for a path forward. So.

Heather Forrest: James, sadly -- this is Heather Forrest -- our wrap up is today, not later in the week. And I just want to put a mark on this to make sure that we do something about it.

James Bladel: Absolutely. And we will it capture it for the wrap-up agenda. There is a CWG on Internet governance that we have - that comes up later in our agenda. And the PDP improvements, I'm actually not familiar with that or perhaps I'm familiar with it by a different name. Where does that appear in our agenda? It's marked blue so it should be there somewhere. We took away Marika's microphone. That was a tactical error on our part. So Marika, go ahead. Can we enable the floor mic please?

Marika Konings: Can you hear me?

James Bladel: Yes.

Marika Konings: That's an item on the survey that staff conducted. So I think it's the last item on the agenda that we will brief you on the outcome of the survey and propose the next steps.

James Bladel: Thank you. The procedure to address Whois conflicts with national law, we're trying to convene a group of councilors who volunteered on that issue on the mailing list. We're trying to get together in an ad hoc session later this week. I think this it's tomorrow. The ICANN board letter is complete. We have a slate of liaisons that we will need to fill for implementation review teams, and we'll certainly flag that as part of our wrap up because we will also have some incoming councilors that would - may wish to volunteer for some of those liaison roles.

We have a charter for a new cross-community working group for auction proceeds that comes up later in our agenda. And we have continued discussion on the GNSO's - that one actually is the interim GNSO representative to the empowered community. I think that one's currently

green but we do have a discussion of the draft bylaws later on our agenda, which would be blue.

Michele?

Michele Neylon: Thanks, James. Michele for the record. I unfortunately won't be present for the wrap-up session this afternoon either, as I'm doing a high interest topic with the GAC, but I know that you will quite happily volunteer me for lots of things without consulting me. But that's okay. Sorry, he is in my stakeholder group so he's kind of allowed to do that.

James Bladel: Well that is kind of one of the standing conventions, especially as we haze our incoming councilors and sign them up as liaisons for all working groups like that. So okay. So that's our action list. Anyone have any other items on the action list with a question or an update or discussion? All right. The queue is clear so we can then move to item number 3 on our agenda.

Item number 3 is our consent agenda, and usually this is the easiest part of my day because it's empty, but today we were able to move two motions to our consent agenda. The first is to adopt the final status report from the GAC GNSO consultation group, and the other is to approve the appointment of a GNSO liaison to the government advisory committee and that would be the approval of Carlos to succeed Mason at the end of this meeting in Hyderabad.

Just a quick question, when we have the motion on the consent agenda, is it typically the convention of the council or is it under our operating rules, Glen, to read the motion into the record or can we simply proceed to a vote or any - I would open the floor as well to any discussion points relative to these two items on the agenda. Glen, that was a question for - is it typical that we still continue to read the motion into the - okay, so once it's on the consent agenda they're voted as a package.

Glen De Saint Gery: James, I'm sorry, yes. No it goes through as just as the title of the motion.

James Bladel: Thank you, Glen. I believe - did you raise your hand, Rubens?

Rubens Kuhl: Just to point out that we could ask people to give consent to the consent agenda or if they want to move something to the standard agenda. I'm not suggesting any one.

James Bladel: Certainly we can reconfirm that. These were moved to the consent agenda when we put together our discussions during this week. But does anyone have any new objections to these items being in the consent agenda where we would pull them out individually? Okay. Then let's open up for discussion on any of these items on the consent agenda before we move to a vote. Heather?

Heather Forrest: I was only going to make you a comment (unintelligible).

James Bladel: We're exchanging Heather for Donna.

Donna Austin: Donna Austin. I'm just wondering if I can make my comment before we actually vote.

James Bladel: Absolutely, go ahead.

Donna Austin: Okay. Just in relation to the appointment of GNSO liaison to the Governmental Advisory Committee, thank you very much Carlos for your interest, and we really are looking forward to having you in the role, given that you have direct knowledge of the GAC and the inner workings that go on over there. I think it's a very important role and becoming more so as we move forward. So thank you very much for volunteering for the position and we hope that you can I guess - should I give you the opportunity to pull out now or we just go ahead?

And - sorry, and also just to recognize the work that Mason did and thank you very much, Mason, for filling the role. You know, it was the first time anybody had done it. It's always hard to submit a new role and I think Mason's done a really good job and provided Carlos with a good entry into the GAC. Thanks to the work that you've done in setting it up. So thank you to Mason as well.

James Bladel: Thanks, Donna. And thank you, Mason, for your service and Carlos for taking it on, especially given what we've seen this week. Your plate is full.

I just wanted to make a quick comment as well for the GAC GNSO consultation group and noting that this group also I think was the genesis of the liaison role as well as the quick look mechanism and some other discussions that are helping to foster a more - a closer collaboration between the GAC and the GNSO. And I think to that we owe at least an acknowledgment and thanks of Jonathan Robinson and (Menow) and (Olaf) also and Marika an also you on that one as well. So thanks to all who participated on that GAC GNSO consultation group, which my understanding is that group is now standing down as we accept their final report. So thank you.

Any other statements, questions, on the consent agenda? Okay. Then let's proceed to a vote. Glen, if you don't mind?

Glen De Saint Gery: Thank you, James. This is for the two motions on the consent agenda. Is there anyone who would like to abstain? Please raise your hand. Seeing no hands. Is there anyone who votes against either of the motions on the consent agenda, please raise your hand. Seeing no hands raised. Will you all raise your hand if you are in favor of the two motions on the consent agenda? Thank you. The motion passes unanimously, James.

James Bladel: Thank you, Glen. And thank you councilors. And can we confirm that Julf and Valerie were raising their hands remotely.

Glen De Saint Gery: Julf, Valerie?

Valerie Tan: I agree.

Glen De Saint Gery: Julf?

Julf Helsingius: Yes agreed.

Glen De Saint Gery: Thank you.

James Bladel: Thank you. Okay great. Moving then to item number 4, and this is a motion that I submitted here recently and submitted an update to the list. This is the consensus recommendations of the GNSO bylaws drafting team. This was the subject of quite a bit of discussion throughout the week. There was - there are actually I believe two amendments, one that was posted by Wolf-Ulrich and then one that was posted by myself. And I believe that's where we currently stand. No. Is that correct, Wolf-Ulrich? I haven't been paying attention to the list for the last couple of hours.

Wolf-Ulrich Knoben: Yes, James. Thank you. Wolf-Ulrich speaking. Well actually I withdraw the amendment on the list just a minute before.

James Bladel: Thank you, Wolf-Ulrich. And I apologize for missing that when we were in a different session prior to this meeting. So thank you for that update. The - there were several amendments submitted to the list earlier this morning that reflected our working session last night. And I note that I believe that Rubens as the seconder has also accepted those as friendly, so we are free to discuss this motion.

                    Why don't I go ahead and read the motion into the record that - as it stands currently with the withdrawal and with the accepted of the friendly amendments and we'll begin the discussion of this topic. Okay?

So whereas on 30 June 2016 the GNSO Council approved the creation of a drafting team that was to work with ICANN staff to fully identify all of the new or additional rights and responsibilities that the GNSO has under the revised bylaws including but not limited to participation of the GNSO within the empowered community and to develop new or modified structures and procedures as necessary to fully implement these new or additional rights and responsibilities.

Two, in creating the drafting team, the GNSO Council requested that the drafting team provide the GNSO Council with an implementation plan which will have the consensus of the drafting team, including any recommendations for needed further changes to ICANN bylaws and or/or GNSO operating procedures to enable effective GNSO participation in ICANN activities under the revised ICANN bylaws not later than 30 September 2016.

Three, during the course of the drafting team's work, strongly divergent views were expressed on the role of the GNSO Council and the empowered community, leading to the production of a final report which included a minority report. And four, the drafting team submitted its final report to the GNSO Council on 12 October 2016 -- and there's the link. The GNSO Council has reviewed the drafting team's report.

Resolved, one, the GNSO Council accepts the recommendation in the drafting team's report as submitted. Two, the GNSO Council directs ICANN policy staff to draft proposed language for any necessary modifications or additions to the GNSO operating procedures and, if applicable, those parts of the ICANN bylaws pertaining to the GNSO. The GNSO Council requests that ICANN Legal evaluate whether the proposed modifications are consistent with the post-transition bylaws and report their findings to the GNSO Council.

Three, the GNSO Council requests that the members of the drafting team make themselves available for consultation by ICANN policy staff as needed. Four, in acknowledgment of the divergent views within the drafting team, the

GNSO Council directs ICANN policy staff to post the drafting team's final report, including the minority report and all proposed modifications or new procedures, for public comment for no less than 40 days. The GNSO Council expects that any comments received will be given meaningful consideration.

Five, as resolved previously, the GNSO Council intends to subject the adoption of the proposed modifications to existing procedures and/or ICANN bylaws to a GNSO supermajority vote. And six, the GNSO Council thanks the drafting team for its collaborative effort, especially in view of the limited timeframe available for the drafting team.

Excuse me. So that is the motion. We have accepted the amendments as friendly and we have a (unintelligible) in second. Let's begin discussion of this topic. We'll start with Wolf-Ulrich.

Wolf-Ulrich Knoben: Thanks very much. And Wolf-Ulrich speaking. Thanks very much for all the efforts to bring the motion to that where we are right now. I don't have to comment on the content on that. It's rather, then, how we are going to vote on that. Is that motion also understood to be under the threshold of a supermajority vote or are how are we going to do this? Thanks.

James Bladel: I'm sorry, Wolf-Ulrich, was your question whether or not this motion would be subject to a supermajority threshold?

Wolf-Ulrich Knoben: Yes.

James Bladel: And the answer to that is yes. The motion is - sorry, that was - that is no? Go ahead, Marika.

Marika Konings: Yes this is Marika. So the council has expressed the desire or the intent to adopt by a supermajority vote but under the bylaws or operating procedures a simple majority would be sufficient to make it pass, because the operating procedures are very clear that only those votes that are specifically called out

in I think it's, I don't know what the new section number is, but in the bylaws for the different voting thresholds only those can be subject to a different voting threshold. But the council has made it very clear that its intention to adopt the recommendations with a supermajority vote.

James Bladel: Correct. And we intend to keep that, so yes. That's why I'm confused. I always understood that we made that commitment when we put this out to the drafting team, and that's where we're still continuing. I have Keith or Ed.

Keith Drazek: Thanks, James. Keith Drazek. Yes, and my question is just a clarifying question to make sure I understood that exchange. I thought I heard Wolf-Ulrich ask about the threshold, the voting threshold for the passage of this motion. Obviously this motion has a resolve clause that talks about the intent for a supermajority vote for the adoption of the actual package, right, of the recommendations of the DT. But I think I heard Marika say that the - this motion, because it's not approving or adoption, would actually be a simple majority. Did I misunderstand that?

James Bladel: Yes Marika, go ahead.

Marika Konings: Yes so this is Marika. So when the council formed the drafting team, it also indicated that it would accept, adopt, receive those recommendations also with a supermajority vote. As I said, it's not something we could enforce because it's not in the operating procedures or bylaws, but it's the intent expressed by the council to make sure that there would be sufficient support to make that voting threshold. Does that help?

Keith Drazek: Thank you, Marika.

James Bladel: Yes, so just to be clear, we made that commitment when we set up the drafting team and we're essentially reiterating that commitment in this motion for the final output. No, for both, for both. But I think, to Marika's point, it's not

something that we're obligated to do under our bylaws but it's a commitment that we've made. Ed?

Edward Morris: Thanks, James. Given the fact that we just received the friendly amendments within the last hour or so I'd like to ask for a deferment so I have time to go back to my stakeholder group. But my question for Marika is can I? Because obviously the initial motion was already deferred. Can we defer again because of the amendments? Thanks.

Marika Konings: This is Marika. My understanding is that it's at the discretion of the GNSO chair.

Edward Morris: I would like to ask for a deferment, James, if we can.

James Bladel: So as you indicated, this would be the second deferral of the motion but not really because it has changed extensively based on our discussions here in Hyderabad, particularly in the last 24 hours. So I think it is a fair statement to say that a number of folks have not had an opportunity to fully consult with their stakeholder groups and constituencies and to review the motion.

I note that we don't have necessarily an external timeframe that we're trying to hit with this. We do have an interim representative to the empowered community. At Wolf-Ulrich's suggestion when we adopted that interim procedure process, we did put a time limit on it. We may have to take a look at that if this comment period and the subsequent motion go - start to look like we're going to extend that time period.

But generally speaking, I understand what you're asking and I'm inclined to grant a deferral if that's what you're seeking, and I think that would probably be best. That would put this on our docket for December 1 and that would mean that it would be the end of the road for this particular motion because there would be no more opportunities to defer it.

Edward Morris: Thank you, James.

James Bladel: And do we have any other folks who would like to continue discussion on this? Heather and Paul.

Heather Forrest: Thanks, James. Heather Forrest. I wanted to make sure that we captured the spirit in which the amendments were made. I realize that we haven't had much time to review these but all the more important I think to say a few things now so that when we come back to this in December we don't lose sight of what's been done here. I think we've made some very significant progress in a very short period of time. We do have a fundamentally different motion on the table now. I think that is a positive thing, and of course that also speaks to us wanting to see it here.

We listened very carefully to the comments that were made in our working session when we first discussed this motion. And the attempt here was to capture for - let's say for the general audience who wasn't with us yesterday evening, you don't perhaps know that we meet informally prior to the council meeting to discuss the motions that are on the table and thereby let's say try and raise any more complicated matters before we reach this table so as to have our time here be most efficient.

And there was a tremendous amount of goodwill and willingness to work on a path forward towards achieving motion language that we could all agree on. And the amendments were made in that spirit. And I hope that we have adequately captured that attempt. I will say that on the - speaking from the perspective of the IP constituency, we recognize the time that - the limited amount of time we've had to see this; however, given the good faith…

James Bladel: So we have a dial out going on on the speakers. Okay, Heather.

Heather Forrest: Great thanks. Given the good faith effort that's been undertaken here, we are prepared to vote today. We recognize, and it is captured in the final clause

there, six, we recognize the tight timeframe here, but in order to continue to express goodwill for this effort, we are prepared to vote today. Thank you.

James Bladel: Thanks, Heather. Paul?

Paul McGrady: Paul McGrady. In the event that the motion ends not being deferred, I have some substantive things to say but it sounds like that may be where it's heading. All I wanted to say at this point was just a special thank you to James for his leadership in this and slowing down the process enough to give a chance for this to work out, and also the two co-chairs who I know were very much involved in this process as well, Donna and Heather. So thank you very much.

James Bladel: Thanks, Paul. And certainly would share all the credit with Heather. She and I were performing emergency surgery on these motions at an early hour so glad we were - and Marika. So. Okay. So any other comments on this agenda item and this motion? Okay. Ed, your deferral is granted and we will take this up again at our meeting on December 1, so please use the intervening time to consult with your stakeholder groups and constituencies and give it a thorough review. Thank you.

Next up is - yes I've got to scroll here sorry, agenda item number 5, which is the discussion of our status at the GNSO as a chartering organization for the Cross-community Working Group on Internet Governance. As many of you aware, we've had a number of discussions here in Hyderabad as well as some topic of conversation with our ccNSO colleagues regarding the status of this group. And this is a follow on of course to discussions we had with the CCWG IG in Helsinki and in Marrakesh.

As a result we are changing course from where we started prior to when we left for Hyderabad where we were considering withdrawing our support. And instead, based on our discussions with those other folks and in our working session last night, we arrived at a slightly different approach.

And if there are no objections, I'll go ahead and read this into the record and we'll get started. However, I would note I think - am I still missing a second for this one? I am missing a second for this motion. So I'm seeing Paul is, Paul McGrady, is seconding the motion. Thank you, Paul. Okay. So let's read this into the record and we can start our discussion. And I just lost it. Oh there it is. Okay thanks. The motion title has also changed so I'll read that as well.

Motion, conditional participation of the GNSO as a chartering organization for the cross-community working group to discuss Internet governance issues affecting ICANN. Oh I'm sorry, this was Darcy's motion. Darcy, welcome to council. Would you please read your motion into the record?

Darcy Southwell: Absolutely. Motion to conditionally - okay hold on. That doesn't make sense, sorry. Conditional participation of the GNSO as a chartering organization for the cross-community working group to discuss Internet governance issues affecting ICANN.

Whereas the GNSO Council adopted the charter for a cross-community working group to discuss Internet governance issues affecting ICANN and make recommendations to the charter organization on these issues on October 15, 2014 and as such became a chartering organization.

B, the charter foresees that at each ICANN annual general meeting starting 2014 the charter and deliverables of the working group shall be reviewed by the participating SOs and ACs to determine whether the working group should continue or close and be dissolved. Consistent with the ICANN community practices, the working group will continue if at least two of the participating SOs or ACs extends the charter of the working group and notify the other participating SOs and ACs accordingly one month after the annual review date. The CWG - excuse me, the CWG IG provided its first written status update on June 23, 2016.

D, the GNSO Council recently adopted the uniform framework of principles and recommendations for cross-community working groups which details the life cycle of a CCWG, which includes initiation, formation, operation, decision-making ,adoption of final report by chartering organizations, and closure of CCWG and post closure of CCWG.

E, the GNSO Council has observed that the CWG IG does not follow this lifecycle nor has it established and adopted an initial work plan and associated schedule as foreseen in its charter. F, the GNSO Council recognizes the importance of a continued dialogue and discussion in relation to the topic of Internet governance within an ICANN context. G, the GNSO Council has shared its concern with the ccNSO Council and representatives of other SO or ACs on the subject of this CWG and its future.

Resolved, the GNSO Council will continue to participate as a chartering organization for the CWG IG. However, this participation is conditioned upon a comprehensive review of the CWG IG charter by the CWG IG in accordance with the CWG framework. B, the GNSO Council expects that the CWG IG will present by ICANN 58 a report on its findings, which may include a revised charter or a recommendation to reconstitute the group under a new structure.

C, following the submission of the CWG IG report, the GNSO Council will consider the recommendations and decide whether or not it will continue as a chartering organization. D, the GNSO secretariat will communicate this decision to the CWG IG chairs as well as the other chartering organizations.

James Bladel: Thank you, Darcy. Not as easy as it looks. So this is the revised motion, and Darcy accepted our amendments as friendly based on our discussions from last night where we offered conditional extension of our participation based on the terms that were outlined in the four resolve clauses. So discussion of this motion on the CCWG IG charter. Michele?

Michele Neylon: Thanks, James. Michele for the record. We did discuss this in our meeting
                   with the ccNSO and I think it's something that ultimately the discussion there
                   we decided that killing - removing our support for this completely would have
                   been counterproductive. I think we felt that having these discussions was
                   important. It was more around the process and the technicalities of how that
                   fits in within the entire ICANN framework. So the idea behind this is if they
                   could please refocus themselves and then come back to us, I think that would
                   be a positive move, and we're supportive of the work they're doing.

James Bladel: Thanks, Michele. I agree. And using the opportunity of the recently adopted
                   framework for CCWGs as a jumping off point for that change is probably also
                   a timely decision on our part. Any other comments? If there are no other
                   discussion on the motion, then we can proceed to a vote. Any objections to a
                   show of hands vote? Obviously including a verbal indication from Julf and
                   Valerie. Okay. Glen, if you will proceed, please.

Glen De Saint Gery: Thank you, James. Would anyone like to abstain from this motion?
                   Please raise your hand. Seeing no hands raised. Would anyone like to vote
                   against this motion? Please raise your hand. Julf, Valerie, would either of you
                   like to abstain or vote note against the motion?

Julf Helsingius: No.

Valerie Tan: No.

Glen De Saint Gery: Thank you. All those in favor of the motion, please raise your hands. Julf,
                   Valerie, would you please say yes if you are in favor of the motion.

Julf Helsingius: Yes.

Valerie Tan: Yes.

Glen De Saint Gery: Thank you very much. James, the motion passes unanimously.

James Bladel: Thank you. And I do note that we have a hand raised from Julf and I don't know if that was to indicate his vote or if he has a comment or a question.

Julf Helsingius: No, just to indicate the vote.

James Bladel: Thank you, Julf. Perfect. You have a little icon of a hand raised. That worked very well. Okay thank you. And Glen, if you could record that and as we indicated, note - communicate that to the CCWG IG chairs.

Glen De Saint Gery: Thank you, James. That will be done.

James Bladel: Thank you. Okay. Moving then to the next item in our agenda and I believe it is another motion. This is the chartering of a new cross-community working group on new gTLD auction proceeds. This is a motion that I believe I made. I'm just trying to - I don't want to - yes it was a motion that I had made and was seconded by Wolf-Ulrich.

There were additionally, like the other motions, there were some modifications and amendments submitted last night. Wolf-Ulrich, I don't know - sorry, I haven't been on the list, but have you accepted those as friendly amendments?

Wolf-Ulrich Knoben: Yes I did.

James Bladel: Thank you, Wolf-Ulrich. So then with the motion and the friendly amendments accepted, I will read the motion for the record. We can begin our discussion.

The motion is the adoption of the charter for a cross-community working group on new gTLD auction proceeds. Whereas, one, following a number of sessions on the topic of new gTLD auction proceeds during ICANN 53 in Buenos Aires -- see link -- a discussion paper was published in September

2015 to solicit further community input on this topic as well as the proposal to proceed with the CCWG on this topic.

Two, as the feedback received on the discussion paper confirmed, the support for moving forward with the CCWG, James Bladel, GNSO chair, reached out to all the ICANN supporting organizations and advisory committees to ask for volunteers to participate in a drafting team to develop a charter for a CCWG on this topic. All ICANN SOs and ACs, apart from the ccNSO, responded to this request and put forward volunteers to participate in the drafting team.

Three, the GNSO Council appointed Jonathan Robinson to chair the drafting team, which commenced its deliberations on the 23rd of February 2016. Four, the drafting team published a draft charter for community discussion in advance of ICANN 56 which was discussed during the cross-community session held at ICANN 56. Following that meeting, the drafting team reviewed all of the input received and updated the proposed charter accordingly.

On the 13th of September, 2016 I guess, this proposed charter was shared with all ICANN SOs and ACs with the request to review it and identify any pertinent issues that would prevent adoption of the charter, if any. Five, subsequently a webinar was held on 13 October 2016 to allow for additional time and information to undertake this review. See link. Six, as no pertinent issues were raised, the drafting team submitted the proposed CCWG charter with the link for consideration to all ICANN SOs and ACs on 17 October 2016.

Resolved, one, the GNSO Council approves the charter. Two, each GNSO stakeholder group will identify one member for the CCWG by 5 December 2016 taking into account the charter requirement that best efforts should be made to ensure that members, A, have sufficient and appropriate motivation and ideally expertise to participate in the substance of the work of the CCWG.

Appropriate experience could for example include experience with allocation and final distribution of funds.

B, commit to actively participate in the activities of the CCWG and on an ongoing and long-term basis. C, solicit and communicate where appropriate the views and concerns of individuals in the organization that appoints them. D, commit to abide to the charter when participating in the CCWG. Excuse me. E, understand the needs of the Internet communities that ICANN serves, standards, domains, and numbers. F, understand the broader ecosystem the Internet community in which ICANN operates and the needs of those working other aspects of the Internet industry, including those not yet connected.

Three, the GNSO Council expects to select a GNSO co-chair for the CCWG from the slate of GNSO appointed members to the CCWG during its meeting on the 15 December 2016. Four, furthermore in addition to a statement of interest, all members and participants will be required to provide a declaration on intention to apply for or in any way support the application for new gTLD auction proceeds either as an individual or through the entity you are representing or employed by or are otherwise funded by or affiliated with or support or endorse. It will be mandatory to report any changes in relation to these intentions throughout the CCWG lifecycle.

Five, the GNSO will collaborate with other SOs and ACs to issue a call for participants and observers to join the CCWG in accordance - each in accordance with its own rules. And six, the GNSO Council thanks the members of the auction proceeds drafting team for their contribution in developing this draft charter.

That is the motion that we have as amended and that has been accepted as friendly. I would note, just for the record, that two SOs or ACs are required to adopt this charter for the CCWG to become active. And my understanding is that at least two if not more have either indicated that they adopted this charter or intend to do so here in Hyderabad or immediately following this

meeting. So the train is already starting to rumble down the tracks. It's simply a question of whether or not we will jump on.

So with that, I'll open this motion up for discussion. Michele?

Michele Neylon: Michele for the record. Do you need a seconder for that motion?

James Bladel: No I don't. Wolf-Ulrich seconded the motion. Thank you. Wolf-Ulrich?

Wolf-Ulrich Knoben: Thanks. Wolf-Ulrich speaking. I just want to - I think it's under two or one that the GNSO stakeholder group should provide a - the members, the names of the members by 5th December. I would like to add that it's clear that I think staff should send out a call for nomination that's all circulated. Thank you.

James Bladel: Thank you, Wolf-Ulrich. And I think we'll send that out not only from staff but we can circulate it to our SGs and Cs. One note, and I just - I would ask maybe Marika and Mary to take a look at this question that was raised to me privately whether the charter notes that we would have four members in addition to the GNSO co-chair or four members including the GNSO co-chair. There's some discussion about that may be ambiguous. Or do you have an answer? Go ahead.

Marika Konings: Yes this is Marika. The charter's actually assigned on whether the appointed co-chair needs to be a member. So it only says that you can have up to five members and you have the option to appoint a co-chair. But it actually doesn't specifically say that the co-chair needs to be a member. So it's up to you to decide how you fill that in.

James Bladel: Okay. Thank you for clarifying because - or at least acknowledging the lack of clarity in the charter. Because I think the way the motion reads we are indicating that we will select our co-chair from the slate of GNSO members. So is everybody okay with that? Okay. Yes, Marika?

Marika Konings: This is Marika. Of course one option in not having to change the motion is that if you pick that person as a chair then you have, you know, one additional member that you may want to appoint, for example.

James Bladel: Okay fair enough. Olivier?

Olivier MJ Crépin-Leblond: Thank you, Mr. Chair. Olivier MJ Crépin-Leblond on behalf of the ALAC. The ALAC has met earlier today and has resolved to proceed forward with this charter but with the intent of also naming a co-chair for this cross-community working group. Thank you.

James Bladel: Thank you, Olivier. And I wonder if I can put our liaison to the GAC on the spot. Is there any discussion about the GAC - status of the GAC adoption of this charter?

Man: I'm sorry I was paying attention to something else. Can you repeat question?

James Bladel: Just Olivier's indicated that the ALAC will adopt the charter and put forward a co-chair and I don't know if you can report on any GAC status on this charter.

Man: No but I'll find out.

James Bladel: Excellent thank you. Okay. Any other comments or interventions relative to this charter? The queue is clear. If there are no objections, then we'll move to a vote. Glen, if you'll do the honors.

Glen De Saint Gery: A vote by a raise of hands. Thank you, James. Would anyone like to abstain from this motion? Please raise your hand. Valerie, Julf, would you like to abstain from this motion?

Julf Helsingius: No.

Valerie Tan: No.

Glen De Saint Gery: Thank you. Would anyone like to vote against this motion? Please raise your hand. Valerie, Julf, would you like to vote against this motion?

Julf Helsingius: No.

Valerie Tan: No.

Glen De Saint Gery: All those in favor of this motion, please raise your hand. Thank you. Valerie, Julf, are you in favor of this motion?

Julf Helsingius: Yes.

Valerie Tan: Yes.

Glen De Saint Gery: Thank you very much. James, the motion passes unanimously. Thank you.

Paul McGrady: Paul McGrady here. I would like the record to reflect that Heather had my proxy for this vote and so I don't know if you need to do anything different, Glen, on that front other than to make sure that it's in the record.

Glen De Saint Gery: Thank you, Paul. We will note that.

James Bladel: And, Glen, Heather is voting yes.

Heather Forrest: Glen, for the record. This is Heather Forrest. Just to note officially that I vote in favor of the motion using Paul's proxy.

Glen De Saint Gery: Thank you very much, Heather.

James Bladel: Thanks for that clarification. Thank you, Glen. And if you will communicate that to the other SOs and ACs as we've - that we have also adopted the charter and that we will be putting forward our members soon and then we will look for an announcement and a call from volunteers from staff to begin circulating that to stakeholder groups for members.

Glen De Saint Gery: Thank you, James. It will be done.

James Bladel: So did we blow right through our break? I'm just looking at the agenda. We're good until 3, okay. Next item on our agenda is the discussion, and this is the ICANN board letter regarding policy implications of the final report from the IRD expert working group. And if you'll recall, we submitted the letter and the questions posed in the letter to the co-chairs of the PDP on translation transliteration and asked them specifically for some points here. And I understand that Jim Galvin he was one of the co-chairs of that - okay. He was on the IRD thank you.

We received no response though from the PDP co-chairs, is that correct, Marika? This is - I'm trusting my memory here and it's - oh go ahead.

Marika Konings: No, this is Marika. So staff reached out to the co-chairs of that working group but unfortunately we have not been able to get any response. Well we got a response from the chair that he actually was busy, had other priorities at the moment and was not able to respond to this. And we haven't been able to get any response from the vice chair. So we then reached out to some of the working group members that we knew were active and had been following this debate closely, and Jim Galvin was one of those. And he was actually also on the IRD expert working group. So he's the one that in the end has provided some feedback and input for the council to consider.

James Bladel: Okay. And if I'm not mistaken, Jim had a conflict and wasn't able to attend and that's why he submitted this briefing in writing. And has this been

circulated to the list as well? Okay. So I don't know if there's an executive summary to his report here. Go ahead, Marika.

Marika Konings: Yes this is Marika. I believe I've the note up as well in the Adobe Connect room. I believe in summary he - in his view the recommendations that were identified as potentially having either overlap or conflict are actually intended to be complementary and in his view as such there's no issue. But he notes as well and maybe we should just summarize the - or read the last sentence.

So the finding with respect to what steps the GNSO Council should consider, I would suggest that the problem to be solved is to have a clear and unambiguous statement of whether or not there is any conflict between these two sets of recommendations. It is my personal opinion that there is no conflict based on my recollection of my engagement with the two working groups that created the sets of recommendations respectively. I recognize that since one set of recommendations is a result of a consensus policy, there may be a requirement for some additional review and consensus statements to confirm this.

James Bladel: Thanks, Marika. And please convey our thanks to Jim for putting this together on short notice. And also thanks for outlining the challenges of consulting with a working group years after it's completed its work. That was a foreshadowing by the way for anyone who has been following our IGO saga. So discussion, questions, comments?

Okay so proposals for next steps. We owe the board a response. We have I think a fairly robust position from Jim Galvin. We - and we should thank him because some of the other pertinent folks have not yet weighed in on this. So my proposal, and we should probably flag this for the wrap-up session is that we would begin to compose that response to the board letter and we probably would include Jim's statement as an annex for that as we address their questions and let them know that we believe these recommendations are complementary and not necessarily in conflict.

And yes, Marika?

Marika Konings: Yes this is Marika. It may also be worth maybe recirculating as well within your respective groups the response from Jim because obviously there were more working group members active in that group and it would be important as well to make sure that his interpretation aligns with other working group members view of the recommendation, especially in view that we haven't been able to get the co-chairs of that effort to provide their perspective.

James Bladel: So question, Marika. Can't we just send that directly? I mean do we have to send it through the council, through the stakeholder group list? I mean we have their names and emails, right? I mean it seems like if we wanted to reach those folks we should reach them as directly as possible, recognizing again that in the time interval some of them may have moved on or changed e-mail addresses or something. So okay.

Any other thoughts, comments? I just - I don't suspect from the reaction around the table this is generating a lot of fireworks in the stakeholder groups. So okay. All right we'll take that as an action item and we will flag that in wrap up and we'll endeavor to get some sort of a draft response to the board that we can post to our list and get that finalized.

Okay. Agenda item number eight is the GNSO newcomers survey. And I think David is on the hook for this one. So David, if you'd like to kick us off and then let us know when we're ready, we'll open it for discussion. David?

David Tait: Thanks, James. This is David Tait from staff. This is an item that was deferred from the last meeting of GNSO Council in October and it relates to an instruction that was given by the council at its 30th June meeting to ICANN staff to undertake a survey to assess the familiarity the community has with different newcomer and training tools, as well as their perceived usefulness.

On that basis, staff deployed a survey to look at five tools in particular, the GNSO wiki, ICANN learn, GNSO introductory course, the one-page PDP updates, the working group newcomer open house sessions, and the GNSO working group communication tool classroom. We received 29 responses. The - those responses were summarized and shared with the council at their - in advance of the previous meeting. I won't go through all that, but there are really four high level recommendations or conclusions that were reached and two recommendations which staff would like the permission of council to take forward.

Those two recommendations are to improve the GNSO wiki by adding some facilities to the wiki itself, some of which mirror those that are currently present on the At Large page, and then secondly in relation to ICANN learn and some elements of the structuring of the introductory course into separate modules which might be easier to engage with and to understand and they'll also do a better job of explaining what the relationship between GNSO procedures and those of the rest of ICANN. So that's essentially what this items deals with.

James Bladel: Thank you, David. Discussion amongst the councilors? Can you just give us a highlight? You said there were two recommendations for changes. Are you saying that that might be something that would require us to open up our operating procedures for amendment or is that something that would be a convention? Staff, can you walk us through that.

David Tait: Yes, it wouldn't be anything as dramatic as that. It's just making some amendments to existing resources and online. They're not making any changes to the operating procedures.

James Bladel: Okay thanks for clarifying. Michele?

Michele Neylon: Thanks, James. Michele for the record. Just very, very briefly, this survey went out to pretty much everybody, didn't it? Or am I mistaken, David?

David Tait: Yes that's correct.

Michele Neylon: And you had how many responses?

David Tait: Twenty-nine, and they came from the NCSG, At Large, ASO, ccNSO, RSAC and GAC. Apologies, I should have said those are the communities that provided no response.

Michele Neylon: Right. No, it's just because it's the low level of participation I suppose is what kind of concerns me. You know, we put out surveys and you get back so few responses that it's very hard to use the results of that survey to make any determination. Just a note more than anything else. Thanks.

James Bladel: Thanks, Michele, for your comment. On the hand, just turning it around a little bit for the sake of discussion, 29 people asking for the same thing would probably be sufficient to make a lot of changes within ICANN, particularly if it's not something that requires us to revisit our operating procedures. And I think David's group identified some fairly common themes. So. Okay.

                 Stephanie?

Stephanie Perrin: Stephanie Perrin for the record. And this is a totally non-relevant comment. Just a reminder that the acoustics in this room are really not great and if people could speak close to the mic, it would be appreciated. Some of us have colds and possibly I'm going deaf because I seem to be the only one complaining about this on a regular basis.

James Bladel: Thanks, Stephanie. And I don't know if you're referring to me. I'm trying not to cough into the microphone so I'm probably not doing a very good job. But

point taken. Any other comments on the PDP survey results, the recommendations? Okay.

Next steps. I think David and staff what we'll probably be doing then is giving you some sort of an indication from the council on proceeding with your recommendations. And we'll aim to do that between now and our next meeting. So if we could capture that as an action item. Okay.

We have another item here which is something that we do for our face-to-face meetings when we're at ICANN meetings, which is an open microphone as an opportunity for councilors - well we have our own opportunity for AOB but our visitors and guests from the room if they'd like to raise any issues, if they have any specific questions on any topics, they want to throw rocks at us, we can request that they are very small rocks. We'll take a queue for discussion and please feel free to use the microphone here at the front of the room.

Our first victim is Thomas Rickert. Thomas?

Thomas Rickert: Thanks very much, James. I just wanted to speak briefly to the new discussion surrounding the IGO-INGO topic. As you know, there has been a PDP. There is another PDP on curative rights mechanisms going on, and there was considerable debate between the GNSO Council and the GAC the other day. And what I see with some concern is that we seem to be falling back into old behavioral patterns in a pre-transition phase. So I saw there was communication on that topic as well and there was this small group that has been criticized by many between the GAC and the board and IGOs.

And I would recommend in order to take the steam out of this discussion that maybe the GNSO Council offers to the GAC and ICANN, the board specifically, and the NGOs to have a small team to just establish the status quo of where we are, a team not to do any policy, not to come up with any

recommendations. But there seems to be considerable misunderstandings in terms of process.

There seems to be substantial crosstalk or talking past each other, and I think that topic would benefit from a paper established by all parties that are involved in this to just be able to inform all groups where we are, what's missing, and then put it back to the consultation process with the community or to the PDP group. I see that Phil is eager to grab the mic now. But I think that we would - it would be a sign of maturity from the GNSO Council not to close the door but to offer dialogue and maybe to do that in a small team. And if I can help with this and revisit my PDP trauma on IGO and IGO names, I'm more than happy to do that.

James Bladel: Thank you, Thomas. I note that this topic is also scheduled for part two of our meeting. No it's perfect.

Thomas Rickert: I do apologize.

James Bladel: No it is perfect, no apology necessary, and we were glad to have you in the room. But that is something that we have also considered as a potential step forward, and we'll discuss that and other options and proposals that have come up during the course of the week as well. I think you are - but one thing I do want to agree with is that we need to maybe take some of the steam out of this issue, as you mentioned. It is very complex and I think if one thing is clear from this - from our discussions here in Hyderabad is that not everybody has a 100% grasp of all of the details of the issue. So thank you.

Avri?

Avri Doria: Thank you. Avri Doria speaking as a visitor and guest. I want to bring up the issue of the GNSO having closed meetings. It historically was one of the things once could be proudest about in the GNSO is that everything was done openly and transparently without any closed meetings. Now whether the

types of meetings that you had that were listed as closed count as the type of sessions that the operating procedures say need to be voted upon to be closed, I don't know. I would think they would.

So I'd be curious about whether there had been any voting among the members of council on closing various sessions. I understand there was not voting at that session, but I also understand that those sessions are used to iron out the issues before you come here for these sessions so that people won't see the messy work that goes into finding consensus amongst you all. So I really want to question this new practice. I want to caution against it. And I do want to ask that if you do decide to have sessions that are closed that you did it deliberately and that you take votes amongst you all to determine who indeed favors open meetings and who indeed favors closed meetings. Thank you.

James Bladel: Thanks, Avri. Two quick points of clarification. I think you said meetings but I think to my understanding we're just referring to the working session that we have each night prior to a council meeting. It's an informal session. It's not a meeting of the council necessarily. I wouldn't question your interpretation of the bylaws of whether we voted to close it or not. I don't know that it was an actual meeting, so I don't know that we took that formal step. I just note that it's also not that recent. I think 2012, 2013, it's been a number of years that that's been going. It at least pre-dates my time on the council. So. But points taken and thank you for your intervention.

Any discussion then from the table? Paul, go ahead.

Paul McGrady: So my hand relates back to what Thomas said rather than what Avri said.

James Bladel: Oh I'm sorry. I maybe closed that queue prematurely. Go ahead, Paul.

Paul McGrady: So just in reaction to what Thomas said, thank you for your idea about a method to begin the reconciliation process. And with regard to those two

PDPs, I do think that finding a way to, you know, calm the rhetoric and reach some sort of reconciliation if that's possible makes some measure of sense. But I do want to raise the concern that I have -- by the way a mosquito has decided to come after me right now so that's really terrific. I thought for a moment that there was a typo and the North American meeting was in Indiana but we are - mosquitos seem to be everywhere, whether they're Puerto Rico or India. So.

But in any event, I want to -- thank you -- I want to raise a concern about bicameralism and this idea now that we are - now that the IANA contract has expired and the bylaws contain a provision requiring board to - mandatory board voting on GAC consensus policy which was not supposed to happen under the drafting instructions that were passed in Marrakesh when the accountability Work Stream 1 work was adopted. But in any event, we are where we are.

We have this odd situation now where the GAC can opine really at any point in the process, including well after all the hard work of building consensus within the GNSO on a particular policy and we are then - could end up in this the particular pickle that we're in with the IGO issue we may end up in that pickle all the time. The bad news about that pickle is the GNSO is not built to be in that pickle and neither is the GAC. This is not a house of representatives and a senate and there is no mechanism to have a reconciliation committee hearing and work everything out at the end.

And so I do have - I agree that on this particular issue a conciliatory tone is absolutely what we need. It's a mechanism to move forward. But I do think that we ought to be very aware that because of the expiration of the IANA contract, we could end up going down this path where we end up quite dysfunctional because we essentially adopt a bicameralism that we're not built do adopt. And that will undermine the role of both the GNSO and the GAC. Thank you.

James Bladel: Thanks, Paul. And certainly point taken about we're not built to do that. And I don't know that Thomas' -- I don't want to speak for Thomas, but I don't know that his proposal was that we would merge or harmonize the different things. It was just more of a kind of an idea to get us out of the words.

Paul McGrady: Agreed. I'm happy to hear any suggestions on how to get us out of the woods in this particular issue. My goal was just to highlight the overarching concern that we do not want to end up in a bicameral situation that we simply will never be able to figure out how to deal with.

James Bladel: One hundred percent agree. Any other folks from the floor or any other comments or questions? I think we're due for a - oh sorry, Ed, go ahead.

Edward Morris: Thanks, James. I share Avri's concern. I see the benefit of the informal sessions but at the same point when we come out and we go back to our support organizations and we say we've decided X, Y, and Z, it's like it's coming out of a big black box and that's not what we're supposed to be doing here at ICANN. So what I'd suggest going forward is perhaps the development session we have coming up at least as a starting point, maybe we could talk among ourselves to try to figure a way to retain the benefits of the informal session but perhaps being able to open it up a little bit so folks know what we're doing. I'm not sure what the solution is but at least we can start the conversation.

James Bladel: Thanks, Ed. Good proposal. And if we can salvage the benefits and address the concerns, that's always a good path forward. Susan?

Susan Kawaguchi: I agree with Ed and I do think that to me the sessions, informal sessions, are invaluable because you…

Man: Microphone please.

Susan Kawaguchi: Sorry. They're invaluable just because you feel very open to be able to express your concerns or viewpoint, and the wine doesn't hurt either in my opinion. So. But if we could figure out something, you know, that is better for the community but it still allows that free flow of ideas, then I'm all for that.

James Bladel: Thanks. I think that's a good idea. And yes, we would have to really take a hard look at the wine and beer if we're going to open this up or record it. Phil? By the way, that's a joke. It is not anything like that. I'm sorry, I guess to Avri's point, it's hard to tell when I'm being sarcastic. Phil, go ahead.

Phil Corwin: Thank you, James. And I'd like to get back to Thomas (Schneider)'s comment about making people aware of where the working group on CRP protections for IGOs is. There's been no difficulty for anybody at any point to understand where we were in our process or what we were moving toward recommending. We have operated in a completely transparent manner.

We proactively reached out to both the leaders of the IGO small group and the chair and vice chairs of the GAC very early on in our work and appealed to them to engage. They chose not to in any formal way. But I do know that the IGOs were carefully monitoring our work, listening to our MP3s, reading the transcripts and everything else.

We had a session this morning, an open session, in which we updated people on the likely output of our draft recommendations, which will be published before the end of the year. We provided the board with an update on where we are and what we're likely to recommend and how we got to that place when we met with the board earlier this afternoon. So there's been no obstacle to anyone with any interest in that subject knowing at any point in our process what we were doing and what recommendations we were likely to come out with.

I'll say two other things. By contrast the - there's been a situation where the GNSO more than two years ago provided recommendations on preventative

measures. The GAC provided conflicting advice. And the board for whatever reason chose to meet with the GAC and IGO representatives for a closed door, nontransparent discussions on that with no parallel meetings with the GNSO, which is the lead role in recommending policy. And that's a concern.

And I will say the IGO small group proposal, which was conveyed to council last month, while provided more details it really - our working group has been aware of what the IGOs wanted for two years now. We've just never seen a compelling rationale to go down the route that they've requested. And as we got into our work and researched the legal and policy relevant considerations, we became stronger in that view.

And the last thing I'd say - and again I'm not trying to stir anything up and I'd be happy to participate in any briefing of the GAC on our work process or our probable recommendations because I think it would be useful for the GAC to hear both sides before they render advice on these subjects. But I did hear one of the IGOs representatives state during our meeting between the GNSO and the GAC the other day saying well the co-chair of the working group publicly stated that their recommendations are going to differ from our - from the GAC advice.

Well that's okay. If working groups on policy matters were compelled to adopt GAC advice, we really can dissolve the GNSO because there - if that would be our job, there's really no reason for chairs or working group members to put in the countless hours we do in coming up with these recommendations. We would simply defer to the GAC, but then we would no longer have the multi-stakeholder model that we have all fought so hard to preserve by getting the transition completed.

So I just want to emphasize there's been complete transparency. There's been, from our working group, a complete openness to communicating our process and our substance, and we're happy to continue doing that. But any such briefing should not be for the purpose of negotiating the final results of

our working group. We're going to publish our preliminary draft report by the end of December. It's going to go out for public comment. Anywhere on the planet - anyone on the planet is free to comment on that, including IGOs and GAC representatives, and we're going to take all those comments very seriously before we deliver our final report and recommendations next spring. Thank you very much.

James Bladel: Thanks, Phil. And we're going to cover this subject as well during our second part and our wrap up, so - but I think Donna wanted to make a quick response. And then we have a break. So Donna, you have the last word. Go ahead.

Donna Austin: Thanks, James. Donna Austin. Just very quickly on this. I think we have to acknowledge that we're in a little bit of an unusual situation. To some extent, you have to ask the question why would you participate in a PDP when you've got the ear of the board. So obviously we had an unusual circumstance.

I think in relation to Thomas' suggestion that we just try, you know, clear the air here and start afresh, to the extent we can, I think we need to move past this. We understand the history, but let's try to move forward so we can get a resolution that works for the GNSO and also the GAC. So I hear what you're saying, Phil, I acknowledge it, but I think we also need to understand this was an unusual situation. Hopefully it doesn't happen again. Let's try to move forward in a positive light. Thanks.

James Bladel: Thanks, Donna. And, yes totally agree. No one is proposing we trade away ongoing PDPs or even close PDPs, but we are just trying to find a way forward. So. Okay. So with that, we kind of blended open mic and AOB. We'll adjourn for this section of our agenda and we will pick up I believe in part two. And because this is AGM, Marika, is this correct, in part we will be joined by our new councilors.

So first before we do, can I ask our departing councilors to stand? So we have David, Carlos, and we just want to thank you for your service. It's been a pleasure working with you. Glen is coming to the front with gifts. Sorry? Who? Me? Thank you, gentlemen, for your service to the GNSO Council. Carlos, you're not off the hook. You're not escaping that easily. We'll see you and all of the returning councilors when we reconvene in - what time do we reconvene? Thirty minutes - 15 minutes? Yes. At let's say 15:30, 13 minutes.

David Cake: And if I could just say thank you very much. I've enormously enjoyed my four years on council and found it both very productive and enjoyable and made an enormous number of very good friends, particularly unexpected ones in, you know, various - very different parts of the ICANN community. And thank you very much for making my time as enjoyable and worthwhile. Thank you all.

James Bladel: Thanks, David. And I did - I was remiss in pointing out that Olivier, our liaison from the ALAC, will also be leaving us and we will be joined by your successor, a stranger by the name of Cheryl Langdon-Orr.

Olivier MJ Crépin-Leblond: Yes James indeed, a newcomer to the ICANN world.

James Bladel: Well we will show her how this ICANN thing works. We'll take her under our wing.

Olivier MJ Crépin-Leblond: But I just wanted to say it's been an honor and a pleasure to be on the council and I really look forward to seeing continued work on the council going on in my absence. And I'll still be around. I'm not going to disappear altogether, so thanks for everything.

James Bladel: Thank you. And Michele, very quickly, we're about to break.

Michele Neylon: No it's just because Volker is also leaving the council and he is actually following the meeting remotely. So just, you know, thanks to Volker for his service.

James Bladel: Thank you. We should acknowledge that Volker is also departing. I wasn't aware that he was on the call. So, Volker, if you can hear us, of course you and David both not only do we thank you for your terms as council but also as vice chairs. Thank you very much.

Okay we are on a break then for 12 to 15, maybe 20 minutes. And thank you very much. We're adjourned.

END