

ICANN
GNSO Council Teleconference
Wednesday 15 March 2017 at 11:00 CET

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page <http://gns0.icann.org/en/group-activities/calendar>

List of attendees:

NCA – Non Voting – Erika Mann

Contracted Parties House

Registrar Stakeholder Group: James Bladel, Michele Neylon, Darcy Southwell

gTLD Registries Stakeholder Group: Donna Austin, Keith Drazek, Rubens Kühl

Nominating Committee Appointee (NCA): Hsu Phen Valerie Tan (apologies, proxy to Donna Austin)

Non-Contracted Parties House

Commercial Stakeholder Group (CSG): Philip Corwin, Susan Kawaguchi, Wolf-Ulrich Knoben, Tony Harris, Paul McGrady, Heather Forrest

Non-Commercial Stakeholder Group (NCSG): Avri Doria (Temporary Alternate NCSG), Stephanie Perrin, Stefania Milan, Ed Morris, Marilia Maciel, Rafik Dammak,

Nominating Committee Appointee (NCA): Julf (Johan) Helsingius

GNSO Council Liaisons/Observers:

Cheryl Langdon-Orr– ALAC Liaison

Ben Fuller - ccNSO Observer

Carlos Raul Gutierrez– GNSO liaison to the GAC

ICANN Staff

David Olive -Senior Vice President, Policy Development Support and General Manager, ICANN Regional Headquarters- Istanbul,– absent apologies

Marika Konings - Senior Policy Director

Mary Wong – Senior Policy Director

Julie Hedlund – Policy Director

Steve Chan - Senior Policy Manager, Policy Development Support
Berry Cobb – Policy consultant
Emily Barabas – Policy Analyst
Nathalie Peregrine - Specialist, SO/AC (remote)
Terri Agnew - Secretariat Services Coordinator, GNSO
Josh Baulch - Senior Manager, Meeting Planning Operations, Meetings Team
Robert Hoggarth - Sr Director, Policy & Community Engagement, Policy Development Support – absent
apologies
Ariel Liang - Policy Analyst, Policy Development Support

James Bladel: Good morning. Let's get started. Welcome to the public meeting of the GNSO Council. I'll wait for a green light from the back of the room that our recordings have started. And then we will begin. Okay recordings have started. (Terry) if you don't mind would you call the role-plays?

(Terry): Thank you. Good morning, good afternoon, good evening everyone and welcome to the c Council meeting on 15 March 2017. Would you please acknowledge your name when I call it, James Bladel?

James Bladel Here.

(Terry): Donna Austin?

Donna Austin: Here.

(Terry): Rubens Kuhl?

Rubens Kuhl: Present.

(Terry): Keith Drazek?

Keith Drazek: Here.

(Terry): Darcy Southwell?

Darcy Southwell: Here.

(Terry): Michele Neylon?

Michele Neylon: Here.

(Terry): Valerie Tan sent her apologies, a proxy given to Donna Austin. Phil Corwin?

Phil Corwin: Present.

(Terry): Susan Kawaguchi?

Susan Kawaguchi: Here.

(Terry): Paul McGrady?

Paul McGrady: Here.

(Terry): Wolf-Ulrich Knoben?

Wolf-Ulrich Knoben: Here.

(Terry): Rafik Dammak?

Rafik Dammak: Here.

(Terry): Stephanie Perrin?

Stephanie Perrin: Present.

(Terry): Stefania Milan?

Stefania Milan: Here.

(Terry): Heather Forrest?

Heather Forrest: Here (Terry). Thank you.

(Terry): Tony Harris?

Tony Harris: Here.

(Terry): Ed Morris?

Ed Morris: Here (Terry).

(Terry): Avri Doria?

Avri Doria: I'm here thank you.

(Terry): Thank you. And Avri is the NCSG Temporary Alternate for Amr Elsadr who has left the council. Marilia Macel?

Marilia Macel: Present, thank you.

(Terry): You're welcome. Johan Helsinguis?

Johan Helsinguis: Present, thank you.

(Terry): Cheryl Langdon-Orr?

Cheryl Langdon-Orr: Here (Terry).

(Terry): Carlos Raul Gutierrez?

Carlos Raul Gutierrez: Thank you and congratulations to Phil Corwin for his birthday. Thank you.

(Terry): Ben Fuller?

Ben Fuller: Here.

(Terry): And Erika Mann?

Erika Mann: Here.

(Terry): Staff is also present. I'll turn it back over to you James. Please begin.

James Bladel: Thank you. Well Carlos already covered my first item of administrative business. Happy birthday Phil.

Phil Corwin: Thank you very much and I really can't think of a better way to spend a birthday truly this is not BS and I'm doing work I love with people with colleagues I...

James Bladel: With people you like.

((Crosstalk))

Phil Corwin: So I'm doing what I like and I feel great so it's a great way to spend a birthday. But I am going to go out with friends tonight and drink a lot.

James Bladel: There you go. Happy birthday. Thank you (Terry). And I – can I ask everyone to please state your name for the transcript and for remote participants before speaking? Also if you can at the table log into the Adobe Connect room that will help me immensely to manage the queue. Okay so let's dive into our administrative matters now that we've made our acknowledgments to Phil. Does anybody else have any statements of interest or updates to their status as a counselor? Yes Wolf-Ulrich?

Wolf-Ulrich Knoben: Yes Wolf-Ulrich speaking. Yesterday I was moved from the seat of vice chair to the seat of the chair of our constituency.

James Bladel: Thank you and congratulations. I would like to acknowledge although we met him over the weekend that our new ccNSO liaison Ben Fuller is with us at the table. Ben welcome to your first open council meeting and we're glad to have you. Okay and then did anyone have any amendments or changes to our proposed agenda? Go ahead Donna.

Donna Austin: Donna Austin. I have an item I'd like to raise under any other business. It's a recognition.

James Bladel: Okay. We'll add an AOB item for Donna. Okay thank you. Let's then moved to the review of our projects and action items list if we could bring that up onto the screen if that's possible or maybe I should go look something okay, so they're digging that up.

I think that, you know, we spent a - almost the entire day Sunday going over the open projects and the status of our open PDPs. So I think primarily the question is did anyone have any items that came out of our session on Sunday that they'd like to discuss on council particularly anything relative to our open PDPs or implementation reviews? Michele?

Michele Neylon: Thanks James. Michele for the record. I think we do need to bear in mind the GDPR when it comes to the RDS PDP and that we need to look at maybe sending some kind of instruction there because if we don't it's going to cause a massive problem.

James Bladel: Okay Donna, Keith again I'm going to start focusing on the Adobe Connect room for hands that would be...

Donna Austin: Donna Austin. Michele could you just spell that? Was it DGPRS please?

Michele Neylon: Sorry it's the - okay I'm going to get the acronym wrong as well so that's not going to help. It's - I'll just - I'll describe what it is. The European Union is - has passed a set of laws which completely revamp how privacy is handled within the European Union. But the way it is done it also means that anybody who interacts with citizens of the European Union has to comply with it whereas previous privacy legislation didn't have much teeth and the new regulation does in that it can all allow if you are found to be in breach, if your company is found to be in breach they can be fined up to I think it's 4% of their global turnover. It's a very large amount of money.

So the thing with how ICANN forces contracted parties to collect and process a lot of personally identifiable information it's not going to be - it's not currently going to be complied with any of that which means that both registries, registrars and everybody else will be put at a very, very high risk.

As you all know the RDS PDP has been going on now for over a year and it's been - it's a PDP that is very, very big very, very complicated and it's broken up into multiple phases. The GDPR -- I think I got the acronym right -- will come into effect I think it's March - May 2018. Erika has - is better on this than I am. There is absolutely no way that the RDS PDP will be done in time for that. And this it's just not going to happen, not at the rate it's currently going. There's something that needs to be dealt with because otherwise basically most of us are going to stop publishing any Whois records.

James Bladel: Thanks Michele. I have Keith and...

Keith Drazek: Thanks James and thanks Michele.

((Crosstalk))

Keith Drazek: Yes just very briefly because if this is a discussion of what needs to be added to our agenda we can talk about it later but this is exactly why we need the updated legal advice memo from ICANN or from, you know, a third party contracted by ICANN so you can inform the RDS PDP Working Group about these issues. And just very briefly the registries and registrars during our session with the board yesterday had a fairly lengthy conversation about this topic. And I think there was a recognition by board members and others in the room that this issue needs to be fast tracked because if and when these - the GDPR goes into effect in May 2018 there will be potential penalties on contracted parties for not complying with regulations. And that is potentially a direct conflict with our contracts with ICANN. So I think that this is an issue that will probably be a major focus over the course of the next year. Thanks.

James Bladel: Thanks Keith. I have Susan and Paul. And I just want to note that a couple of folks appear to be in the wrong Adobe Connect room because I think Susan is I think maybe Carlos is because Heather and I were just a moment ago because we were using the one from the published public calendar as opposed to the one that we normally use for our call. So just make sure you're in the right room.

Woman: (Unintelligible).

James Bladel: I think so yes. Okay Susan and then Paul.

Susan Kawaguchi: So I agree with most of the comments. I think we do - I think this is the GDPR is going to push this forward probably a faster rate than the working group can

handle. But if we have the tools to that we need I think we could get somewhere closer.

I also after the data commissioners' session the other day did not feel that it's a slam-dunk that you cannot transfer data or process data or collect data. If we have the purposes for collecting the data defined correctly then I think that there's a way forward. But if we get a legal opinion and ICANN, you know, sets, you know, provides the resources for doing that along with the - it could be, you know, maybe the RDS working group needs to finance the funds to ask the right questions and also the memo or legal brief that we're asking to be updated now the GNSO Council we could have a clearer picture sooner on what this really requires. I know this is a whole debate that could - we could take the whole meeting up but I don't want to jump to the conclusion that registrars and registries will have to shut down the Whois record. I don't think that's where we're going.

James Bladel: Thanks Susan. I have Paul and then Erika. And then I'd like to move on to another topic because as Susan notes this could be a longer discussion and we should probably kick off a follow-up action.

Paul McGrady: If we were going to kick off a follow up action on this and not reach any conclusion today then I'm happy to lower my hand.

James Bladel: I think we need to determine what that is specifically. So yes go for it.

Paul McGrady: So I guess I'm just trying to sort this out. You know, there's lots of legislation all over the world that is constantly in flux. So it's fine I guess that the EU has promulgated a new rule that's two years out. I - from what I understand about it it's still not settled exactly how that is going to play out. There's going to be legal challenges and other things of that nature over the time.

I think the idea of the legal opinion, again a legal opinion that says something is not enforced yet and may face legal challenges and is not settled isn't really a terribly helpful document. Is - so I would say before we get too far down this path it would be great if somebody could identify some basic background reading materials, some libraries and nice airplane stuff for all of us that are not privacy people to read to get up to speed. I think that would be terrific.

But I, you know, I think this if we're going to go down this path I think it has to be measured in inches, can't just be a panic knee-jerk reaction asking for a 15 page, you know, letter from some law firm. I think we really need to think through it first and decide if that's what we need here or if there's something else that we need. Thank you.

James Bladel: Thanks Paul. I have Erika and that I think that we're starting to drift into agenda Item Number 7 which is the discussion of the legal review that we have later so we can revisit this topic a little later on in our agenda as well. Go ahead.

Erika Mann: Whatever you prefer James. I think I did a draft to request the legal review. So I sent this to the council. You have this in your hand. I can extend this. I can make like it was just suggested some recommendation what else to read. But my recommendation would be strongly to start requesting the legal opinion as soon as possible, not to wait. The law is - it's done. There's certain modifications which impact more member states, European member states law. Why is it important? There's only one reason, because it has extraterritorial effect.

So if it would just impact the European Union operators would say okay. It's a minor issue, still important but a minor issue but it has extra (territorial) impact so I would say we should do this as quickly as possible. Help me to update the document I sent and put more information behind and links and to documents to read.

James Bladel: Thanks Erika. I put myself in the queue and Paul is that a new hand? Okay then I'll go behind you. Stephanie I really want to move on. This is agenda Item 7 that we're still in agenda Item 2 reviewing our action items. I wanted to raise a different point but go ahead Paul and then we want to cut this one off.

Paul McGrady: So I mean I think we sort of jumped ahead to Action Item 7 and, you know, I feel a little bit rushed on this because it was 7, not Number 1. And so if I, you know, appear like I'm reacting strongly to it I would much rather have had it in the agenda where it went rather than where it got started so that's that.

But I would say that, you know, we – if we are going to go down this road I think it has to be gone down fulsomely. And, you know, we obsess a lot about Europe but is not the only place right? And so I just think that we really need to understand global landscape before we pull the trigger.

I also have a process question which is isn't this a request that should be coming from somebody in a PDP somewhere rather than the council doing this? And it just seems to me like if that if a particular PDP needs it then they should ask for it. If another PDP thinks it's interesting fine that they suggested that the other PDP needs it but then, you know, we're still in the place where we've got one team saying the other team really should be interested in it and then the board or is the council is doing something about it but we still haven't – have we heard from the RDS PDP that they need this? Thanks.

James Bladel: Okay, thanks Paul. And so we started off discussing a weekend session. And I think Michele kicked that off but I think we as noted by a couple of those speakers straight into our agenda Item 7 which is the legal review. So we can take this up again when we get to that agenda item but thank you for raising the topic of Whois privacy right out of the gate Michele. Thanks.

I wanted to speak to another session, actually two sessions that occurred over the weekend. And these were the facilitative discussions between our group, the council leadership, our PDP leaders for the IGO and INGO Red Cross along with the GAC and our liaison and just kind of update the council and the audience on what transpired. And those I believe we're probably going to see some progress on that from the board.

I think it's fair to say that we cleared some hurdles but we have some challenging topics remaining for us not only in the current PDP that is being chaired by Phil and Petter but also in the previous PDP. And just as an update and please Donna and Heather if you feel that I'm missing something or would like to add on anything here. I think that the Red Cross names are going to require us within our process, within our existing process to re-visit one of the recommendations of the PDP that concluded in 2013. It's possible that this was something that could have been considered more fulsomely at that time or it's possible that more timely GAC advice or board action might have alleviated it. But we are here now several years later on. We had a sequencing issues than and then we're just trying to capture all that now. So we have asked that the board specifically request that of us, that we would not necessarily take that action unilaterally.

I think that we have identified some potential avenues that could help the IGOs, with some of their concerns, their protections that would not require us to revisit the PDP. It would be have - it would be something that would occur outside of policy and be more of an implementation or even just a commercial service that they could engage to address some of the things that they were seeking policy. However when it comes to access to curative rights as I was mentioning we still have an ongoing PDP and we still have a number of questions that need to be addressed in the work of that PDP. And I think some of that is going to feedback in through that PDP through the comment period which is currently open I think for another till the end of the month, two more weeks and will be incorporated into the work of that PDP.

So the good news is, some progress on Red Cross. Some items that we can feed into the existing PDP and one item specifically that will probably need us to – cause us to revisit one of the recommendations from the old PDP. Nothing here I would say aside from the conversations themselves which we come to ICANN meeting to have conversations but nothing that I've just described is necessarily coloring outside the lines of our processes.

I think we've held the line fairly diligently on what we can and cannot do as leadership. And I think we were fairly clear in communicating that to the GAC and to Bruce who was facilitating the discussions. So I don't know if anyone wants to discuss that anymore any further or has any questions. Sorry Donna go ahead.

Donna Austin: Thanks James, Donna Austin. So I think, you know, I'm not going into the substance of what we discussed but I think the exercise was helpful. And I do want to recognize yes that Bruce Tonkin and to talk to prepare us for the discussions. I think, you know, Bruce's knowledge of this, the community and the different aspects that we had to cover was really helpful. And also thanks to Mary for the help in preparing for the effort as well. So I think it was, the preparation obviously helped the conversation a lot I think so thanks to Bruce and Mary for that.

James Bladel: Thank you Donna. Anyone else like to speak on this comments, questions? Okay so watch this space, further developments are expected here in Copenhagen and I think in the immediate weeks to follow. Okay any other items either an open project or action item or anything resulting from this weekend session on Sunday that we'd like to table at this time? Yes Heather, you've got one?

Heather Forrest: Thanks James, Heather Forrest. I think we want to put a marker down for our next meeting which would be April since we did not have time to or should say were not received in a timely manner the update from the Internet governance CCWG that we all should - there's some airplane reading. We all ought to have a look at that

report that's been received and if we have any questions we ought to raise those in our next meeting. Thanks.

James Bladel: Thanks Heather. I think that's Agenda Item Number 5. But I think that you're correct we received the report while we were actually either here or in transit to Copenhagen. So I don't believe that anyone's had, realistically had much time to review that. But thanks for the reminder. Okay, Rafik?

Rafik Dammak: Okay so just asking here what - sorry, what Heather - Rafik speaking, so what Heather was suggesting exactly just to clarify? I understand that the report was shared lately. We are late. We are sorry for that but are we still covering that in the agenda Item Number 5 just to be an update? Okay, thanks.

James Bladel: We'll address it then but we probably won't have a lot of substantive or intelligent things to say about it because...

Rafik Dammak: That's okay, yes.

James Bladel: Okay. Okay if there are no other topics then we can move on to Item Number 3 which is our consent agenda. There is one item on our consent agenda which is the appointment of the GNSO co-chair to the Cross Community Working Group on auction proceeds. And that candidate is Erika Mann. Thank you for volunteering for that Erika. As Avri and I were discussing as a matter of process earlier does it really make sense dress something on an agenda item or a consent agenda if there's only one item? Kind of a philosophical discussion but yet there it is.

So I'd like to open the floor for discussion of this agenda item. Otherwise we can proceed to a vote. Comments, questions for Erika? Yes Heather?

Heather Forrest: Thanks James. Heather Forrest simply to say thank you to Erika for volunteering.

James Bladel: Erika?

Erika Mann: Thank you to you as well all of you for giving so much trust. I am a newcomer so thank you, not a newcomer for the topic but in your environment. Thank you.

James Bladel: Thank you Erika. And we are fortunate to have someone that was present at the beginning of this effort taking the reins. Okay if there are no further comments then we can proceed to a voice vote. (Terry) if you'll do the honors?

(Terry): Certainly. Thank you, James. Would anyone like to abstain from this motion on consent agenda please raise your hand? Seeing no names would anyone like to vote against this motion on consent agenda please raise your hand? Seeing no one would all those in favor of this motion on consent agenda please raise your hand? Thank you. Donna Austin proxy for Valerie Tan please express your vote. Thank you. The vote passes.

James Bladel: Thank you (Terry). Thank you, counselors. Congratulations Erika and if we would ask staff to then follow-up to communicate this back to the CCWG and to get Erika up to speed as in her new role as the co0chair the GNSO co-chair. Thank you. Okay then I'm sorry I didn't see your hand Paul.

Okay then let's move on to agenda Item Number 4. And this is probably one of our more substantive matters which is the motion to adopt the charter for a new Standing Selection Committee. Just a little bit of background for those in the audience perhaps that haven't been following this issue very closely is that under the new bylaws the GNSO like many of the other SOs and ACs must appoint members to primarily review teams but also we have to identify liaisons to various organizations like the CSC, representatives to the empowered community and so on and so forth. And this just keeps coming up over and over where we have to identify folks who - either identify individuals to fill specific roles or evaluate a list of applicants to determine what a slate of GNSO delegates would be. We have

determined that the best way, the most efficient way to handle this openly and fairly and consistently would be to create a standing committee to provide this function.

The effort was kicked off late last year, Donna and Ed. I'm sorry Susan and Ed thank you. I was looking at Susan and Ed so thank you for that. We have been working diligently to get this hammered out in a way that addresses everyone's questions and concerns. And I think we're getting very close if not already there.

So we have a charter. And I think first off I think there was some potential changes to the charter itself to address some of the concerns that were raised during the week. And I might ask - I might put Marika or Mary on the spot to maybe help us address. I think was it Paul that raised the question of the charter itself? And then there was some changes to the motion as well.

So can we take a look at the charter first and address any edits from yesterday on the draft charter? Yes okay. And what were the - oops, sorry we have Ed with your hand up.

Ed Morris: Thanks James. I just noticed we have the NCA's three - one member on the SSC from the three NCAs but then we repeat that the non-voting NCA is automatically on the SSC. Did we intend that?

Woman: (Unintelligible).

James Bladel: Correct. I don't think we intended that. I think we intended that one of the three would participate. So we'll probably need to correct that. I think that was an artifact from the editing yesterday. Not sure what we're waiting for. I think do we have - we have the charter here but I don't have it here now. Okay. It's in the - okay. Paul can you maybe put you on the spot here but can you maybe point us to the change that you proposed? I think it was just a minor change as well correct?

Paul McGrady: It was. It was just a clarification that the way the language was written before could be read to indicate that there was only one seed for each of the three constituencies within the Commercial Stakeholder Group but instead what we met was one for each constituency, not one for all three. And so Marika made a little change I think solved the issue. It was just a, you know, drafting issue, nothing substantive.

James Bladel: Okay. So just a little more precise. Thanks. Yes Heather go ahead.

Heather Forrest: Thanks James. Just for the benefit of those who aren't may be familiar with what we're referring to -- and I don't know if we're able to scroll. So what we're looking at is really over the page of two and three the principle substantive item of discussion that we really had this week is in relation to the composition of this committee, its membership and what as I understand it -- and this is a good opportunity to correct if this is not the case -- what's been agreed is that we have one member of the committee from each of the registry and registrars. We have one member from the IPC, one member from the ISPCP, one member from the BC, three members to be appointed by the NCSG, the Non-Commercial Stakeholder Group and one of the three NonCom appointees. So that leads us to a total of we said 12.

James Bladel: Thanks Heather. And for the benefit of the audience this group these 12...

Woman: It was nine.

((Crosstalk))

James Bladel: Yes.

Woman: Yes.

Heather Forrest: That's right. We need – it's true, bad math. I'm – we need to update the numbers.
Sorry James, Heather Forrest. It's not 12. So we need to update that...

James Bladel: Okay.

Heather Forrest: ...as well.

James Bladel: Right because we had also said that the three of us would be...

Heather Forrest: Yes.

James Bladel: ...ex-officio members but instead we decided that the - if the chairs participate it would be counted against their...

Heather Forrest: Through those.

James Bladel: ...through the - we would be counted as representing our stakeholder group or constituency. One other item that we discussed fairly extensively last night would be how this group of nine arrives at decisions. And we have determined that that will be via full consensus. Wolf-Ulrich?

Wolf-Ulrich Knoben: Sorry just coming back to the charter here because just going through and in order - I don't know whether it's going to be raised, you know, the very last part of with regards to the membership. It still contains the chairs and the non-voting NCA in a separate paragraph. So that's a question to mark to staff to take care about that.

James Bladel: Thanks for catching that Wolf-Ulrich.

Wolf-Ulrich Knoben: Yes.

James Bladel: I think we're fixing it. I think there's maybe just a discrepancy between the two versions that we're showing here and we're just - yes Marika?

Marika Konings: Yes. This is Marika. So the version that's now up in the Council AC room has the changes that have been just suggested which is the - making sure that it's nine members not including ex-officio removal of the reference of the nominating committee represented in the second one. But I did believe that there was agreement to have the leadership team ex-officio participating in the SSC.

James Bladel: We took that out. We if we do participate it will be as representatives from our stakeholder group or constituency. Yes go ahead.

Heather Forrest: Thanks James, Heather Forrest. Let's say why so that everyone's very, very clear. One of the main objectives in developing this committee has been to ensure that it has a sufficient number of members to ensure representation of the various interests within the GNSO but not so many numbers to be unwieldy. So we agreed that, that was a sensible outcome to remove the three members of leadership and thereby reduce the numbers. And that explains the reduction from 12 to nine.

James Bladel: I'm sorry Marika, go ahead.

Marika Konings: Yes this is Marika. One question then because that specific section also refers to the GNSO chair serving as a chair of the SSC. So by removing that there's no clarity that on who should chair.

James Bladel: I think we're leaving it to the SSC to self-organize that. Also Paul is noting in the chat that the membership count is also wrong in Section 2. It's fixed, okay. You have it. Yes Marika?

Marika Konings: Sorry okay if I just then add a sentence the SSC is expected to select its own chair or leadership team?

James Bladel: Yes thank you. Yes Paul.

Paul McGrady: If we're done counting the heads the other issue that we talked about on this was the consensus standard. And that we agree to full consensus which I understand to mean 100% agreement. So essentially the way that we've distributed that is based upon - it's predicated upon the fact that essentially anyone constituency will have a veto. And I think that that's an important component and I wanted to capture it in the record because that's the basis upon which we've agreed to that count issue. Thanks.

James Bladel: Yes thanks Paul. Okay any other questions, comments on the charter? We can maybe put a bow on that one and step back and discuss a motion. But before we do so I would need a second. I have a second from Susan and a second from Ed, perfect. Thank you. Okay waiting for the motion to load back up in our screen so just give us one moment here. And we...

Marika Konings: This is Marika. If you just want to have 2 seconds because I'm just uploading the revised charter. I don't know if people just want to take a quick minute to look at that specific section to make sure it's now in line with what everyone has suggested.

James Bladel: Okay so this is the version that now has reflected all of our discussions today? Okay we'll just take one moment or two to look that over. Okay so I think it's captured everything Marika. Thank you. Anyone spot any remaining – okay and again I wanted to emphasize that something that also came up quite a bit yesterday for the audience is that this is a – this charter and this group is expected to come back and report after two selections whether or not it has identified any deficiencies in its charter that need to be addressed.

So it is something that we can continue to revisit and at least iterate on a couple more times to ensure that we've got something that's flexible enough to address all

of the roles and review teams and things that will need to be evaluated but also consistent enough that to provide some certainty into those processes.

Okay so can we then move to the motion because I think that there was - there were some changes last night to reflect a proposal from Heather. I want to draw your attention to some of the changes on one of the resolve clauses but why don't I just go ahead and per our procedure I'll just go ahead and introduce the motion?

And I'll start by just reading the resolve clauses. Resolve one, the GNSO Council adopts the GNSO Standing Selection Committee charter on an interim basis and instructs the GNSO secretariat to launch a call for volunteers per the membership criteria outlined in the SSC charter as soon as possible with a view to establishing the SSC no later than X date which we'll need to discuss. Resolve two, the GNSO Council tasks the SSC to carry out the review and selection of GNSO endorsed candidates for the Registration Directory Service Review Team for council consideration at the latest by its 20 April meeting.

Three, the GNSO Council tasks the SSC to develop the criteria and the process for selection of the GNSO representative to the empowered community for GNSO Council consideration by its June 2017 meeting. And following the approval of the GNSO Council carry out the selection process.

Four following the completion of two selection processes the GNSO Council requests the SSC to report back to the GNSO Council with its assessment of whether the charter provides sufficient guidance and flexibility to carry out its work and/or whether any modification should be considered acknowledging that this is a work in progress, the GNSO Council will review this assessment as well as whether any modification should be considered as well as any inconsistencies that need to be addressed as a result of the finalization of the work of the Bylaws Drafting Team.

Five, the GNSO Council thanks the small group of volunteers Susan Kawaguchi, Ed Morris of the GNSO Council Leadership Team for its work on the charter. I would like to propose one friendly amendment to Resolve 6 which is that Valerie Tan also participated in that small team and that we should probably include her in the acknowledgments.

Thank you, presuming that's fairly noncontroversial. Okay discussion. Really?
Donna?

Donna Austin: Thanks James. I just want to recognize that a lot of work has gone into this. So thanks to Ed and Susan for the work that you've done on this. I think it's really important that we stand up this committee. We have noticed over the past six months that we - this has become quite an administrative burden on the council trying to select candidates for different review teams or working groups. So I think this will hopefully help us to clear some of that workload off the council and have a more streamlined process when we come to these discussions or decisions in the very short term. So thanks very much to Ed and Susan for the work you put into this.

James Bladel: Thank you Donna. And just a note that we still do have to choose a date. Heather?

Heather Forrest: Thanks James, Heather Forrest. Following-up on Donna's comments I think it's also important to acknowledge in light of the concerns that we raised in our weekend session that council strategy and council priority that this was indeed one of the key objectives that we had established for ourselves at the end of last year. And it's great to see us achieve this in the context of our very first public meeting of the year. So it seems that we're off to a very good start on council for the year. Thank you.

James Bladel: Thanks Heather. Paul?

Paul McGrady: A purely procedural question, most of these motions either have a push or a pull. So either, you know, staff publishes, you know, a request for people to identify a willingness to serve in this role or the constituencies and stakeholder groups identify the person and pushes them. Do we have a mechanism for that to happen? Do we need one or am I overthinking it?

James Bladel: I think my reading of the motion and number one is that the staff will put out a call for volunteers and then each of the stakeholder groups or constituencies will then come back with their chosen volunteers. So if there were multiple responses to that the call for volunteers will direct them to notify their leadership of their SG&C and then whatever internal process is used to select that volunteer is then reported back to the council.

Paul McGrady: Can we tack on a dependent clause in one just to make that clearer because it could just be read equally clear that the staff puts out a call to volunteers and then what? The - I mean does the council decide I think we should - I mean we know the council doesn't so could we...

James Bladel: Yes.

Paul McGrady: ...just say at the end, you know, no later than X date and following that process each party that has somebody to a point will appoint them later - no later than another X date so that we have a date certain that that call for volunteers goes out and a date's there and then everybody has to have it populated so it doesn't drag out?

James Bladel: Right. Okay the only date we have currently is the date for establishment of the SSC. So you're saying we need a date for when?

Paul McGrady: We could say no later than the establishment of the SSC right? I mean because what - I know that sounds bizarre. It just sounds like there's a procedural step that's missing there because we we've got the call for volunteers right and then we've got

the thing kicking off. But we need to give instructions to the constituency that they've got to meet a certain deadline to fish through the list of people who come through because a constituency may have no problem finding somebody. They may have nobody step forward or may have 15 people want to do this. We just don't know.

James Bladel: Yes, right.

Paul McGrady: So we have to give the constituencies a deadline to get it together and get the name in. Can we put that in the call for volunteers and work backwards from the date that we want the committee to start working?

James Bladel: Yes.

Paul McGrady: But I...

James Bladel: Put a deadline in the call.

Paul McGrady: Right. But I just think that we need to make it clear in the motion that it is in fact is a call for volunteers. And then the parties that have the obligation to appoint somebody have to actually do that...

James Bladel: Name their...

Paul McGrady: Name it.

James Bladel: Name it, okay.

Paul McGrady: Yes.

James Bladel: Marika go ahead.

Marika Konings: Yes this is Marika. From staff perspective we can commit to getting this out by the end of this week provided this is approved. And I think if you just agree here on a date by which you want stakeholder groups and constituencies because we would send the call for volunteers basically to the stakeholder group and constituencies leadership teams or chairs and assume that they then, you know, go through their respective processes for selecting or identifying the members.

And maybe you can just confirm here in this meeting what you would want to be the deadline for stakeholder groups and constituencies to confirm their members so we don't have to over engineer the motion itself but we have clear instructions of what to put in there.

James Bladel: Okay so here let me just throw out a couple of ideas here that we would say something along the lines of that we'd launch the call for volunteers per the membership criteria outlined in the SSC charter as soon as possible with a view to having each member identified by 27 March -- that's ten days -- and the establishment of the SSC no later than 31 March.

Paul McGrady: Each member identified by their appointing yes, constituency or stakeholder group...

James Bladel: Right.

Paul McGrady: ...by that date.

James Bladel: Yes by 27 March - well yes. Yes the key is that we've got to get moving. We only have ten days from the end of the month to evaluate RDS so it's going to be close. I guess I would say I would recommend folks start talking about who the potential members are, you know, in advance for the call for volunteers. But if we can put out

the call for volunteers by the end of this week and we say 27 March for identifying the members, 31 March for establishing the SSC. It's aggressive but...

Man: (Unintelligible).

James Bladel: ...okay we're making those changes and updating the motion I think. Yes is that acceptable to the seconders of the motion? Getting agreement from Susan and a thoughtful look from Ed. Okay, nodding on both, okay.

Okay I think the language in the council room has now been updated to reflect that change for (result one). So the queue is clear. Any other comments, questions or notes about the motion? Okay then we can proceed to a vote. Any objections to a voice vote? Okay seeing none (Terry) if you'd do the honors and conduct a voice vote.

(Terry): Certainly, thank you. Would anyone like to abstain from this motion, the - on preliminary adoption of the GNSO Standing Selection Committee SSC charter if so please raise your hand? Seeing no hands raised would anyone like to vote against this motion please raise your hand? Seeing no one, would all those in favor of this motion please raise your hand? Thank you.

Donna Austin proxy for Valerie Tan please express your vote? Thank you. The bow passes unanimously.

James Bladel: Thank you (Terry). Thank you everyone for putting that work item through the process. That was very significant achievement and we have a lot of work to do to get this thing up and running so I won't spend too much time with the acknowledgments except just to say thanks to the council and thanks to everyone who helped work on this charter. It's in a much better place than it was when we started and I think we're in a good place now. Thanks.

Okay moving then to agenda Item Number 5 which is the updated charter for the Cross Community Working Group on Internet governance. As we noted I just want to time check we're about halfway through our meeting roughly. We have a number of agenda items left but they are all discussion items and please don't forget Donna has identified in AOB.

So agenda Item Number 5 is a council discussion on the updated charter for the Cross Community Working Group. That charter was submitted almost immediately preceding the ICANN meeting here in Copenhagen. That was something that we had requested from that group I believe in Hyderabad was that they come to Copenhagen with an updated charter. And realistically it's probably not had an opportunity to review but we'll still open the floor for any discussion of this agenda item or the charter.

I don't think anyone has had a chance to even crack it open. No? Okay I have Marilia and then Michele.

Marilia Macel: Thank you James. This is Marilia speaking. Actually I took a look at the charter being the former member of the CWIG and having a personal interest in the topics that are being discussed there and I would like to congratulate the team, the chairs Rafik and Olivier and all of the team that worked to update the charter. I think that it's clear that there was an effort to bring the charter into alignment with the parameters established by the CWG on CWGs.

And it – I think that the way that they presented the information to me was very useful putting side by side the changes that have been incorporated in the charter and on a second document porting side by side the criteria that has been established for CWGs and the efforts that were made to change their charter into that direction.

I think that of course more discussion will need to be made when everyone gets a chance to take a look at the charter but I think that it moves in the direction that we were expecting and there's more commitment with reporting back to SOs and ACs. I think that this is positive and it was one of the things that we wanted to see. Thanks.

James Bladel: Thank you Marilia. I have Michele and then Rafik.

Michele Neylon: Thanks James, Michele for the record. I haven't had a chance to review the CS because it came in at the last minute but I think it's good to see that there's - have been progress because I mean we asked them to provide us with this. They've done that. That's great. That's what we wanted, so positive.

James Bladel: Thanks Michele. Rafik.

Rafik Dammak: Thanks James, Rafik speaking. Maybe just I want to kind of for a minute just to explain what we did and what we tried to do. I understand that not everyone had the chance to review the documents. We are sorry we had to kind of work really till the last days to finalize the - revise the charter. So what we sent to the GNSO council in fact there are three documents. There are two documents to expand the changes we or amendments we needed in the charter based it in the framework free from principles for CCWG. There is the model template that we use it to see where are the difference in the gap. And also we sent an activity report. The idea behind that is to kind of to summarize the different activities we did last year because we had discussion within the CCWG IG and one of the conclusion is that maybe we didn't report enough or inform our chartering organization and the wider community of what we are doing and why we are doing.

With regard amendments in the charter I think we focus it lot on the area of activities and the scope to try to elaborate more what we are trying to achieve and also for to list the different deliverable that we need to work on. And I think we

acknowledge that we have to work more in the work plan as expected from any working group.

We got also into consideration the comment from the council with regard that any working group has a start and end but the reality that like an Internet governance discussion that it's always ongoing. So we try to find a solution for that, that every two years there will be a review for the activities deliverable. And if we want to renew we have to provide clear work for them to move forward. So this is clear, just quite brief explanation what we are try to achieve. We are looking for your input and to comment. So I understand that will - this will be put for - maybe if we just in term of procedure if we put to motion that can be under discussion and vote for the next council meeting. But just I want more clarification here so I can share that with - when I come back to the CCWG IG and the way to move forward because we also shared those information with other chartering organization. And if there is any changes we need to synchronize we are between all of them so....

James Bladel: Thanks Rafik. So given the fact that many of us haven't had a chance to review this yet I expect that this will be a continuing discussion when we leave Copenhagen on our mailing list and probably will be a future agenda item for our meeting in April. Any other thoughts or comments on this or we can continue?

Okay let's move then to agenda Item Number - where did I - I lost myself - 6 which is the discussion of the CCWG Accountability Independent Review Process Implementation Oversight Team. See and I can't call this an IOT because that acronym is actually taken. So I can't actually collide it with - we have a name collision in the real world here. So we're going to have to come up with something on this.

But this is a team and I'm actually going to lean on staff a little bit here or if there's certainly if there's a counselor that's closer to this that would like to tee up the discussion. But because the CCWG is putting together independent oversight of the

IRP function, IRT function sorry, it is asking the SOs and ACs to contribute to that team I think is correct. And oh, I see. And the leader of that team is David and there he is -- fantastic. And okay David I'm being told that you have a presentation or that we have for staff that you would like to give us on that.

So great you're going to rescue me from this because I'm - yes sure that'd be great. So welcome David to the table here. We - if you could go over the slides fairly and then we'll have a discussion. But ultimately I think where we're going to end is our shiny new SSC is going to have another job for it very soon. So David go ahead.

David McAuley: Thank you, thank you James. My name is David McAuley. I'm with VeriSign but I'm here in my capacity as the lead for the IRP what used to be called the Implementation Oversight Team. While actually it's still called - maybe we'll change that.

But we are a team of - a small team that is grappling with bringing the new IRP, the newly reconstituted IRP process fully up and running as it should. The new ICANN bylaws as you see there actually took effect as we all know October 1. And so as of that date there is a new IRP process. No longer is IRP limited to simply reviewing procedural kinds of questions but it now is actually capable of addressing substantive questions. This is a great development.

But there -- when you have the IRP there is really a three-legged stool that needs to support that. And those - that's where we're working right now trying to bring it up to speed. You can see on the screen that for those of you who are so inclined if you want to know all about IRP go to Bylaw Section 4.3 and you'll find it there. Bylaw Section 4.3 does leave some gaps that we're working through. Next slide please.

The IRP I'll just briefly mention what it does. I want to get to a later slide that says what the work ahead is. But the - what the IRP is reviewing is really claims that ICANN either by action or inaction -- and when I refer to ICANN I'm talking board

and staff -- exceeded or rather violated the articles or the bylaws. These five things I don't need to rattle them off, but these five things in front of you are the areas in which they'll be looking.

And it includes a couple of new things. One is reviewing expert panel decisions. As we all know the Applicant Guidebook set up these expert panels for things like legal objections, community objections, confusing similarity but there was no appeal. Now there is to the IRP. That's in the bylaws.

It also specifically calls out DIDP Documentary Information Disclosure Policy issues and where the -- where a claimant feels that ICANN's response to a request for documents violated the Articles of Bylaws. That can be reviewed as well as the other things. Next slide please.

There are two areas outside that standard, two areas that can be reviewed. When I say outside that standard I mean this doesn't need to rise to the level of violating Articles of Bylaws as the bylaws are written. One is claims that the - that ICANN has not enforced its right under the IANA namings functions contract and the other is with respect to customers, direct customers of PTI what - if they have service complaints that aren't addressed in mediation that can bring their claim to IRP. Next slide please.

This is simply talking about the Implementation Oversight Team but more from a CCWG into a bylaws creature. Next slide. This, the road to the new IRP, what I mean by that is as I said we have a new IRP standard. What we need to put in place now are the three-legged stools of new rules, that's one leg, rules and procedure. These are important rules that guide how an IRP addresses a question. And while they're procedural they're important. These are very important.

The second is an administrative support. This is in the nature of the secretariat. And this isn't a - this is not the panel itself but it's what supports the panel, organizes it,

gets it moving, paid, et cetera, et cetera. And the third stool I would say is what's called in the bylaws a standing panel. These are qualified arbitrators. You may call them jurists but this is the nature of the IRP panel. These are going to be people who are steeped in international law, corporate governance -- things of that nature.

And they need, this standing panel needs to be set up and it needs to be at least seven members according to the bylaws that obviously then it can be more but it needs to be at least seven. And from that standing panel of seven members in any one case the claimant in ICANN will pick a panelist and those panelists will pick a third and you'll have a three-panel member that -- a three-member panel that can then hear a case. So the admin support organization can be re-tendered and that -- there is an organization currently an admin support for the previously existing IRP and that's continuing until it's retendered if it is retendered. And that currently is the International Center for Dispute Resolution. So that's where the rules of procedure have been proposed by the Implementation Oversight Team. They were subjected to a public comment period that is now closed. And we have a lot of good thoughtful and some very complicated comments that we're working our way through -- a lot of good thoughts on this.

And we - it's important work for us and we're in the process of doing that now and hopefully we'll get that done in good order, good deliberative order because this is a thoughtful process and we have to keep our wits about us, et cetera. The next thing that's in the train is ICANN under the bylaws will issue an expression of interest document. This is a document that will ask people around the world that are qualified or believe themselves to be qualified and if they're so inclined to submit expressions of interest to serve on the standing panel to eventually be panelists that will hear IRP cases. I am in touch, we the IOT is in touch with the ICANN legal through me and I believe the ICANN legal will have the expression of interest draft done. And I'm talking now this week or next I mean very quickly they will bring it to us we, will give them our thoughts. And so my guess is that expression of interest will be released I'm hopeful within a month maybe two. Sometimes I'm optimistic

and so I should say maybe two. But that has been a train. We've been following it and that is on the verge of being done and that's a good thing.

Following the issuance of that expression of interest request will then come the expressions of interest. They will come piling in. And that's where this group and all of the other SOs and ACs will get a very clear role because when you have the expressions, when you have sorry the expressions of interest come in it will be up to ICANN, to the board and to the SOs and ACs to sort of put those expressions of interest into two buckets. One is the bucket of clearly qualified and the other is the bucket that perhaps may not be qualified.

And then you will have a job strictly for the SOs and ACs. And this is all that the bylaws says that the SOs and ACs will nominate from that well qualified bucket will nominate panelists. So there'll be - they have to nominate at least seven to get started.

ICANN's board has a role in this. They will then confirm the panelists but that confirmation cannot be unreasonably withheld. So in the very near future this organization and all the other SOs, ACs need to get to gather to nominate the panelists. You'll also be vetting the expressions of interest but you need to nominate panelists. That's what the bylaws say. That's the extent of it.

I can tell you that the IOT will be willing to help in this regard. It's not our role but we will be willing to help in this regard but it will be up to you and the others to nominate. And then once that's done you'll basically have a fully constituted IRP in the way that is currently envisioned under the bylaws.

The final slide will show you some of the issues that we're working through in the rules. And these are public comments. The – this is not the limit of what we've received but on time limitations, on retro – time limitations refers to the time within which someone must bring a claim or else they lose it. The others subjects are

retroactivity of the rules to pending IRPs, who can be a party to the IRP other than the claimant and ICANN, discovery questions, the extent of hearings and can, and the extent of how consensus policy kinds of decisions will be addressed.

These are some of the roles comments that were dealing with. So all of this is in train right now. We have a very good IOT team. And so that's the sum of my presentation just to underscore the fact that the SOs and the ACs have a job coming their way pretty quickly. Thank you.

James Bladel: Thank you David for making us aware of what's going on here and that we'll be called to action soon. Is there anything specifically that you need any action from the GNSO at this time?

David McAuley: No not at this time. Thank you.

James Bladel: Okay. Discussion, questions? It's a lot to take in. Phil.

Phil Corwin: Yes.

James Bladel: Oh I'm sorry, okay. Phil and Keith and then Marilia. Okay Phil.

Phil Corwin: Thank you James. Phil Corwin for the record. Thanks for that excellent update David. Just one quick question. You said you expect the when the application period opens for applications to come piling in and kind of just sort themselves into the clearly qualified but and not qualified. What if anything does the relevant documents say so far about either desirable were required qualifications for candidates for these panel positions?

David McAuley: Thank you Phil, David McAuley again. I didn't bring my copy, my trusted and getting worn copy of the bylaws with me so I'll wing it a bit. But there are – there is a discussion in the bylaws about the qualifications for the standing panel. And they're

somewhat perfunctory but it's things in the nature of there should be diversity both language and legal training, legal system. For instance there's common law systems and civil law systems. There should be diversity there. People conversant well-qualified jurists in a sense conversant with subjects like corporate governance, international law -- things of that nature. And I'm - I may be missing one or two but there is a discussion in the bylaws 4.3J about the qualifications and it will go to that. And it would be someone and it has to be someone who is knowledgeable about ICANN. ICANN has an obligation under the bylaws to give training to these folks but they also are expected to have developed a knowledge of the DNS over time. That's sort of what's there right now.

Phil Corwin: Okay, thank you.

James Bladel: Keith?

Keith Drazek: Okay thanks James, and thanks David. I just a quick note to say that this group has been working very hard over, you know, quite a bit of time to get us to this point. And I just wanted to note that Becky Burr was the original chair of this group. And when she went to the board on behalf of the Contracted Parties House she effectively had to resign from chairing this group and David has very ably stepped in to carry on the work so I think just wanted a note of thanks to both of them. Thanks.

James Bladel: Thanks Keith.

Keith Drazek: Thank you.

James Bladel: And can I make one comment? Thank you Keith. Luckily for us Becky did have two step down for the chair but she is remaining a member of the group. So that's very good for us. We're always lucky to have Becky whatever helping us with our work. Okay I have then Marilia and Paul.

Marilia Macel: Thank you James, Marilia speaking. Just two quick questions. The first one is which kind of effort are you putting in place bring a good slate of candidates for us to examine? Is it going to be advertised in any particular channel? And the second question is I think that the criteria that you mentioned would be quite useful to separate the two pile of candidates, the ones that we should look into and the ones that do not seem to be qualified enough. But when it comes to the analysis that will be made by SOs and ACs are we expected to develop our own guidelines?

For theoretical critical knowledge is very important however when we think about assessing if in a particular case there was a (deviance) to the mission of ICANN or not I think that's some political knowledge and as you said knowledge of their organization itself it's necessary. So will this guideline be provided to SOs and ACs or should we develop our own guidelines? Thanks.

David McAuley: Thank you Marilia. It's David McAuley again. With respect to the first question broadcasting the expression of interest document this is an obligation on ICANN's part and I imagine that they will release it in accordance with the way that they typically release expressions of interest. And I not yet familiar with what beyond that there might be. But we have - I am in constant touch with ICANN legal and we have offered to be a part of that process and to help in that process. And we've been helpful in some respects in the drafting process. And so I expect that's all I can say right now. I can't give you any more detail.

With respect to how the SOs and the ACs organize themselves and in with respect to considering the candidates there's nothing in the bylaws that says it's up to you to organize yourselves. However the IOT, the Implementation Oversight Team we just recently wrote to all of the SOs and the ACs and we made it clear that we're willing to help as long as it's, you know, clear that this is an SO, AC responsibility. We will help as best we can in our capacity as being conversant and familiar with this. We'll do the best we can to help.

James Bladel: Thank you. Paul?

Paul McGrady: Thank you, Paul McGrady for the record. I just think we would be remiss if we didn't acknowledge the historic nature of this that for a long time this community has struggled by having an executive which is essentially ICANN, the corporation and a legislature which is essentially all of us but absent from all of that has been a judiciary. And while this is not a full-fledged judiciary yet it is essentially the equivalent of changing from having a circuit writing judge come through town whenever it was your turn and he or she may not understand the background of your problem to having a courthouse in the middle of your colony with judges who understand what's going on and are learning.

It will also speed the process because there will not be a giant learning curve every time a new IRP panel is formed. I think it was Prime Minister Gladstone who gets credit for saying justice delayed is justice denied. And so this will speed the process as well. So I hate to wax emotional here but I think that this is really a terrific moment in ICANN's history and I just hate to see us not acknowledge that. So thank you for your hard work and for propelling this forward, really good to hear this. Thank you.

James Bladel: Thanks Paul. And I think I remember reading somewhere that most of the time spent on an IRP was identifying and standing up the panel. So while I may not be able to convey it as eloquently as Paul I think there is some time and money to be saved in this process as well, not just an example of the maturity of the organization.

Any other speakers? Keith? Okay old hand? Okay so thank you David. And we will be on the lookout for more updates and action requests on this topic. Okay were just a couple minutes behind schedule but I think we're doing okay. With that said we're going to then move to agenda Item Number 7 which we touched on earlier.

Agenda Item Number 7 is the discussion of the potential draft request for a legal review in relation to a letter from Thick Whois implementation. I'd like to kick off this discussion but I would just want to acknowledge if we didn't catch that from the preview earlier that this is the kind of thing where agendas could go to die. We could spend the next hour talking about this. I'd like to identify some concrete actions that we need to discuss and identify here and then take those actions to the list and to the interim time that we have and make the most of our time in this particular meeting if we can. And I note that Stephanie I cut you off last time because we were straying pretty far into this agenda item when we were on agenda Item Number 2. So I will give you the honors if you'd like to launch this agenda item first?

Okay I posted something to the list. I don't know that I got a lot of traffic but it was just asking some sort of fundamental questions of do we want to request a legal review? Do we - when should that happen? What should we be asking them for? And just noting that while this is a resource that's available to us it's not free or inexpensive and it is something that we should make the most of both in terms of timing and scope.

So I just put those out on the list as consideration questions for counselors as part of the framing of this topic. I'm interested in hearing I know Erika has done a lot of the heavy lifting for us by drafting something but I don't know that I've heard a lot of extensive discussion about that draft or those particular questions so where do we go with this one folks? And I would just note back on agenda Item Number 2 Paul mentioned, "Does this even belong in the council? Should we be encouraging one of the PDPs to take up this project?" Okay first up is Keith.

Keith Drazek: Okay thanks James. I think the answer is clearly yes in my mind. There may be differences of opinion but I think the - a request for additional information and expert analysis I think can only help us as a community as the council as the RES PDP Working Group is engaged. And I don't think we're asking for legal advice. I think

that's probably unnecessary at this point but expert analysis of the situation I think is, you know, is - I don't understand how that could be controversial. More information is always better as we, you know, conduct our review of the policy landscape and as the PDP Working Group undergoes its work.

So I think the - probably the next steps if you're asking where do we go from here are we probably need to take Erika's I think excellent draft or note to the council of a few weeks ago and really identify the core questions that we think need to be answered. And we can form a sub team within the council to, you know, initiate that process so we can do it on the list, you know.

But I think we need to establish, you know, very clear and concise questions too, you know, to basically, you know, and to your point about the cost and the time this is fairly urgent. We don't want it to be, you know, overly broad. So if we can establish some very clear and concise questions I think that would be extremely helpful. And I know that there's probably quite a few interested parties who would be willing to contribute to that. So I'll just pause there, happy to answer any questions as well.

James Bladel: Okay thanks Keith. I have a queue forming now. Next up is Paul.

Paul McGrady: Thanks, Paul McGrady for the record. So I guess I still have the same question which is why is this emanating from council? Why is it not emanating from the underlying PDP? If they see a problem and they want funding to get some sort of legal analysis it seems like that should be coming from them. Why isn't frankly what we're really talking about is whether or not we need amendments to the registry agreements and the registrar accreditation agreement. So why is it not coming from that aspect of our community rather than at the council level?

I mean if truly there's been a European law change and that's going to require the registries and registrars to breach their agreements and get breach notices then it

seems like that part of our community should be is equally interested in seeking these answers as opposed to having council seek the answers for them. So while I don't disagree that more information is better than less information I do question whether or not it's council's job to be the procurement body for legal, you know, legal analysis for various parts of the community that need to know things.

And lastly to Keith's point about it being comprehensive again not to harp on this but, you know, we tend to for whatever reason we only seem to view the world as North American and European when it comes to privacy and there's a great big world out there. So it's not going to do us any good to take, you know, one fraction of the world and fixate on it. So and then last point I think that there is a big difference between an opinion letter from an outside law firm that might scare somebody and may be taken as a basic document for risk analysis as opposed to getting a legal analysis perhaps from a law professor who specializes in global privacy issues that might be very different and maybe a different topic easier to handle than, you know, the council for the benefit of segments of our community going out and procuring a law firm's, you know, risk analysis memo. Thanks.

James Bladel: Thanks Paul. Okay so here's who I have for the queue. I have Erika, Michele, Susan, Avri, Chuck is at the microphone and then I'd like to kind of draw a line under that and move on. So okay so next up is Erika.

Erika Mann: I'd don't want to comment on the point David raised with the question why the community is not requesting it? It's a valid point. But I mean I heard many from different parts of the community arguing actually and seeing the problematic issues with regard to the upcoming changes in law.

Now my point is a very pragmatic one. I know that there will be implication. I mean I work for the Internet companies and it is an issue for all of the Internet companies, just for this particular domain name environment. So there is no reason why it wouldn't impact the domain name environment. It will impact the domain name

environment. And it's as I mentioned before it's expiratory. It doesn't only impact UN and US but it will have an impact on global operators independently where they are located.

What I think is so what would worry me if he wouldn't do it if he wouldn't get - it doesn't matter if it's cause opinion or analysis is really not relevant. And I like David pause actually to say we should reach to maybe to somebody out who has a broader understanding, doesn't have to be a law firm. That's fine but it needs somebody who understands this particular environment, the domain name industry because it's so particular that I don't think that if you can answer to the question, the specific questions with a background of understanding the domain name environment you might miss the point. So I agree with you it's good to do this and with Keith I agree as well.

But my final point would be not to wait too long. Although it will be implemented in 2018 keep in mind it is already voted on. So there is nothing which will change. There will be certain implementation part which are really not relevant even to talk about here but it will have an impact.

And my final point would be since the data commission or the European too at least one European and one national one was invited. So their attention is already now drawn to the – to our environment. So I don't see them actually, you know, looking away again because we had them here this week. So they themselves will look into this environment so it makes no sense for us to stay absent and to wait what is going to happen.

James Bladel: Thanks Erika...

Erika Mann: And maybe one point which I forgot to say keep in mind it's the domain name is both professional and private. So they although the European data requirements

only impact personal data, not professional data but personal data there will be confusion for some players in our environment.

James Bladel: Thanks Erika. Michele?

Michele Neylon: It's Michele for the record. Do you mind if I let Chuck go first and then come back to me?

James Bladel: Sure. Chuck was actually further down but if you want him to take - if you want to swap out go ahead Chuck.

Michele Neylon: Swap with Chuck for now. Thanks.

Chuck Gomes: Thanks Michele. Well first of all let me - this is Chuck Gomes and I'm Chair of the RDS PDP Working Group as I think most of you know. First of all let me say I'm sure the working group will be willing to cooperate however the council thinks best in terms of any requests.

But I'm not sure it's a working group - at a working group stage. ICANN provided some guidelines for contracted parties with regard to this. It's been identified that they're outdated so it's not really a working group issue at this point. It's something that you've identified as needing an update.

Now I assure you the working group will really benefit from any information you get. So if you really want us to request it we could. I think you can do it yourself and it'd probably be faster. And the point's been made that it should be done quickly. So let's not get bogged down on process too much. Let's get it out.

Now we've heard from some experts this week who came here in person that can probably and have expressed willingness to provide expertise. So I suspect that maybe even without incurring any costs that they could be asked to weigh in on

this. That doesn't mean that's all you have to do. I think we're a ways off from any contractual requirement amendments. They will have to come but there probably won't be time for the - for new consensus policies to change the registry agreements. There may have to be some emergency procedures put in place which the bylaws provide for.

And again I'm the wrong one to say exactly what needs to happen. I'm sure ICANN legal and other experts will be able to weigh in on that. So I'm not minimizing the importance of this happening. In fact I think it needs to be expedited as came out pretty clearly yesterday in particular the board session with the contracted parties. And I know some of you weren't at that but it's pretty clear that some things need to be done.

If you want us as a working group to do something we're going to be willing to do it. I don't think it's necessary to go that route because it's not a current issue with us. At the same time we will benefit greatly from whatever advice or information or expertise or whatever you want to call it that's obtained. But we do have contracted parties who are going to be seriously impacted by this. So it's I think as the policy management body it's very appropriate for the council to do it.

James Bladel: Thanks Chuck. I have next to go back to Michele, Susan, Avri and then I'm - just have some closing remarks.

Woman: Yes.

James Bladel: Sorry okay Michele.

Michele Neylon: Thanks James, Michele for the record. I think Chuck actually covered almost everything I wanted to say. Just reiterating, it doesn't make a lot of sense to me and my kind of simple view of the world that a GNSO PDP Working Group would request something that ultimately has to go back to us as the council to request. So it makes

more sense to me that we just request it from here unless I've misunderstood how things work. Thanks.

James Bladel: Susan?

Susan Kawaguchi: Yes. I just want to make one point about the actual Thick Whois legal review memorandum. I don't think this is a Thick Whois legal review memorandum that is being requested. I think it is a Whois legal review or registration directory services or data -- whatever we're going to title it. Thick Whois is the IRT is in process. It's being implemented whether or not in a year and a half or two years the, you know, that may need to be looked at again.

I don't think we want to as a council do anything to stall an IRT. And I think there's a bigger picture issue here that we could look at if we choose to. So I would prefer if we removed thick. And also just know which I'm sure somebody else noted that, you know, there is a Whois conflict procedure that ICANN has - and that we've just updated recently. And I know we're sort of maybe sending that back to be thought against through again. But we do have some procedures in place that we can use if there, you know, is a future determination that there are problems with how a registrar or a registry handles that contact data. But and as I said earlier I don't want the council to jump to a conclusion that this is -- this violates any applicable law around the world. I mean that's something that's being discussed, you know, and nausea almost. But and we do need to come to a decision but that's what the RDS Working Group is doing.

James Bladel: Thanks Susan. And Avri.

Avri Doria: Thank you, Avri Doria speaking. I think when Paul asks why the council doing it is the council is the manager of the process. And if the council sees that some information, some questions need to be covered that aren't being covered it's its responsibility to ask for the information and to make sure that the working group has the

information. At the end of the day you're going to have to review the output of the PDP. And it would be sort of unfortunate to have to send it back and sort of say there was this whole, this - the data protection that you did not pay attention to.

I don't really see it as a fixation on just Europe's laws. I mean this thing does have global impact. And because it has global impact it may not suffice or the waiver that exists now may not suffice and that needs to understand. I see it as the council asking for there to be more information available but not in any sense jumping at any conclusions and such. So I think there's been a lot of extra context that's been added to this that doesn't exist in the context of the request to obtain the necessary information on a very important change that is happening globally to the law.
Thanks.

James Bladel: Thanks Avri. I have a lot of hands up I think that are old hands. And Paul I had closed the queue. I just wanted to draw a line at this.

Woman: (Unintelligible) want that.

James Bladel: Okay very briefly please.

Paul McGrady: So, you know, two quick things. One is, yes we are the traffic cop for policy development but, you know, as Chuck said this isn't before that PDP yet and they're not asking for it. We don't have a PDP that's asking for this. If a PDP asks for it than that might fall within our remit that otherwise we're just becoming a procurement department where we go out and try to anticipate what legal issues might happen and get legal memos. I don't think that that's actually our role.

And secondly while the European directive may have global impact other countries may also view their legislation as equally important. And so, you know, I don't know what the current status of the law is in privacy in Tanzania. You know, that might have a global impact too. And so, you know, I think that if we are going to go down

this path which I'm not sure it's our - that's really within our remit but if we are it doesn't do us any good to do it halfway. Thanks.

James Bladel: Thanks Paul. And just a note from the timekeepers that we're going to have to try to get back on schedule. So here's my take away from this and I know I'm going to probably make everybody angry so I think this is a huge, you know, I'm coming from a contracted party. I think this is a huge problem and it's an urgent problem. And I think it's growing, you know, as we keep bolting on new aspects of the problem. We picked up a couple more today although I don't believe it's necessarily a council problem. And in fact I think the council might actually slow things down. I feel like the contracted parties and perhaps with your assistance Erika since you kicked this off need to start – continue the discussion that we had yesterday with the ICANN board on the GDPR and the timeliness of that and start seeking well I think two things.

First of all I think we need to perhaps start seeking, you know, advice and ideas and possibly even planning what the actions are going to look like as we get closer to next May but also at the same time including that has to be a public dialogue between the contracted party house in the board because it's going to inform Chuck's PDP. And I think that's where the council gets roped back in is when this lands on Chuck's doorstep.

So I feel like we need to move on this but I don't think it needs to – the wire needs to go through the council. Am I missing something here, because the GDPR is the part that is urgent and timely and I think that - I actually feel that council needs to get out of the way of this. Keith go ahead.

Keith Drazek: Thanks James. Yes I mean if the council is unwilling to come together to support a request for more information then I think the contracted parties can do that. I just want to make in response to Susan's point...

James Bladel: Can I...

Keith Drazek: Yes.

James Bladel: ...clarify one part? And I'm sorry to interrupt I think that it will become a council issue but I think the urgent part of the issue is a contracted party concern. And I think that once we have something back from them -- and I say we, CPH has something back from them -- that can be brought back to the council.

Keith Drazek: Okay yes thanks James. So just to respond to Susan's point about the ongoing transition of Com Net and jobs to and from Thin to Thick I think I'm sensing there's a concern that people think that somehow asking for this information, this analysis, this additional input on this very critical issue is somehow going to derail the ongoing transition of Com Net and jobs from Thin to Thick. That train has left the station okay? It is going to happen. It is moving forward. So I think let's just this is really about informing the RDS PDP Working Group and getting the contracted parties the information that we need as James has noted to be able to ensure that we are able to comply with these regulations and not be in violation of our terms with our contractual terms with ICANN so let's just separate the issues. Thanks.

James Bladel: Yes agreed Keith, separating issues. Okay so good discussion. We need to move on Marilia I'm sorry. We - I'm sorry?

Marilia Macel: (Unintelligible).

James Bladel: Ten seconds.

Marilia Macel: Thank you James chose to highlight that this may be a contracted party house operational concern but this is an issue that concerns us also. This we table the same topic with a meeting with Goran and the board. So this is pretty much an all

righter. We are happy that you facilitated dialogue but we pretty much want to participate in the dialogue too. Thanks.

James Bladel: I'm sure that anyone who's welcome to join in can participate in this effort and certainly be copied or sign on to whatever letter or request okay. Okay next up is we have an agenda Item Number 8 where we have an update with the GDD staff. They are here. If you would please make your way to the table. I understand you have slides. Cyrus, (Jen) and (Krista) welcome.

One please, we are way behind schedule. So if there's any way that you have to expedite our slides to ensure that we have time for our AOB item which is critical that we do here in Copenhagen as well as leaving some time for the open mic at the floor because that's our tradition for open public meetings. But with that said we'll just welcome the GDD staff and I'll turn it over to you Cyrus.

Cyrus Namazi: Thank you very much James. Hello everybody, Cyrus Namazi with ICANN's GDD team together with the rest of the team both here at the table and back in the audience. In fact I myself have a hard stop at 1 o'clock. So the slides we've actually shared with you I just wanted to give you a brief overview of what's in the implementation pipeline for GDD. I thought it might be useful information for you both in terms of policy development as well as other projects we have.

They are very self-explanatory. You can actually have a look at them. Then following that is with the discussion we had in Hyderabad that we had actually gone and collected the timelines of various policy implementations that we had done and compiled it into the - a chart basically. I think it was Donna actually who brought this up and reminded me to bring this with us. That's also there. That's also very self-explanatory. I don't know if in the interest of time we can actually just sort of have you take a look at it just to see how we have sort of evolved in the process of policy development and policy implementation over the years that the data goes back a

ways. So have a look at it. And if you would like to jump into the discussion part of it I'm happy to do it or if you'd like us to talk to the slides as well we'll do it.

James Bladel: I just wanted to note that the slide deck is – was circulated to the council list. However I think it just went out last night or this morning? Last night so...

Cyrus Namazi: I think yesterday yes.

James Bladel: Yes so many of us I think we're still hashing out the Standing Selection Committee charter late into the night and may not have had a chance to review it. If you have any particular without going through all the slides then because we can do that do you have any one or two items you maybe want to highlight before we go to Q&A?

Cyrus Namazi: Sure. If you could actually advance the slide just to explain to you what we have here. This one essentially charts what's in the timeline of policy implementation within GDD. Some of them the Thick Whois part is already actually been noticed, everybody talked about it the transition to Thick as well as consistent labeling and display they're actually in implementation phase. And then there's others down below. You can have a look at it. There's really no takeaways, mainly for information purposes just so that the folks can see what the staff in terms of the implementation is busy with, what's been in the pipeline and what's coming down the pike.

And if you go to the next slide these are non-policy implementation projects. It is not even exhaustive frankly. There's a couple of more things in there. There's RDAP and other things. This also I think is a good graphical representation of the types of things we're dealing with. If you could advance the slide one more time.

I think there's some more interesting data here and in the next slide but then again all the information that you need from it is in it. The takeaway is that it's taking us longer and longer actually to develop and implement policy. There's a host of reasons for that, most of them legitimate.

But something perhaps to digest and maybe we come back when we're in Johannesburg after you've had time or even in-between and have a look at, you know, the process and perhaps if it needs to be revisited to see if there's inefficiencies we can bring out of it to bring the timeline back.

Every horizontal line that you see in this chart is one year just to let you know. And the data is broken into just the various stages of the life of policy from concept to definition to implementation. And if you go forward one more this actually zooms in a little more. Essentially it goes into from the time that the council votes on a policy which is the money goes to the board and then it goes into its implementation lifecycle. So it gets a bit more granularity to the data just to see where time is spent in various stages of it.

Then we also had some slide in terms of updates on policy implementations but I don't think we need to go through those unless there are any specific questions. The team is here. The slides are fairly detailed and self-explanatory so perhaps we could spend the rest of the time on Q&A and a discussion if you would like.

James Bladel: Thank you Cyrus. First up is Donna.

Donna Austin: Thanks, Donna Austin. Thanks Cyrus and the team for the information. I think the data's really helpful. And while we haven't had a chance to really take it all in and understand, you know, what the time frames are I guess just a request from a council perspective is that if there's any help you need with us in pushing along any of these IRTs so, if you get to a point where you're having, you know, some struggles kind of moving the dial we, you know, we're here to help. So please use us to come back assist you in any way that we can. So that's just the message I wanted to give to you. Thanks.

Cyrus Namazi: That's greatly appreciated Donna. Thank you.

James Bladel: Thanks Donna. Any other comments, questions for Cyrus and his team? I'll just say I appreciated the fact that that is being tracked, that data particularly on the lifecycle. I think that's something that council now and in the future is going to maybe want to reference as ways to shorten the life cycle because if I could just editorialize for a second I think a shorter PDP lifecycle means that we can produce more timely outputs in terms of policy development which makes the PDP a more viable and attractive mechanism for addressing problems which means we won't see all these folks trying to circumvent it with as we discussed over the weekend with CCWGs and everything. You know, if they see that the PDP is fast and lean and efficient process then, you know, then it doesn't look like this big, you know, big hairy monster that they need to avoid or go around. So I'm encouraged by that and I think we should always be looking for ways to improve that. Cyrus?

Cyrus Namazi: Thank you James. This is Cyrus again. I full heartedly I agree with that, wanted to echo the same thing. And I'm hoping, you know, having collected this data having shared it with you it could lead to a discussion on, you know, are there perhaps any chokepoints in the process that we should be revisiting it? The process has been around for a long time. Of course it predates me and my life at ICANN. But perhaps it is a good time for us to go back and see if there's efficiencies that we can actually bring to the table for the benefits that you just highlighted very eloquently.

James Bladel: Thanks Cyrus. And I agree it's probably time to take a look at that although I'm very, very nervous because the last time we revisited the PDP to make it faster it got a lot, a lot bigger and more complicated. So it just seems like this that part of our culture in this community we can't make things smaller, shorter and less complicated. Okay yes sir?

Cyrus Namazi: And I agree with that as well. The intent is not to make it more complex. We've done some thinking and kicked the can around so to speak. Yet I think there are some low-hanging fruits frankly that we can discuss and see if we can either bake

them into the process or sign up to follow. That would sort of lead to a great deal of added efficiency into the process maybe in Johannesburg.

I know Goran has also been tasking us to look at this stuff. And he's got it on his radar screen to initiate that conversation with you and the rest of the communities. So with that in mind.

James Bladel: Okay thank you. Any other questions? Thank you GDD staff.

Cyrus Namazi: We're excused?

James Bladel: Thank you. Appreciate...

Cyrus Namazi: I thought Phil Corwin was going to ask about URS?

Woman: Go now (unintelligible).

((Crosstalk))

Cyrus Namazi: Oh.

James Bladel: Oh, see you were in the clear.

Phil Corwin: I have nothing new to say on that subject and I don't want to get into anything like that on my birthday. Thank you.

Cyrus Namazi: I'm very grateful...

((Crosstalk))

James Bladel: All right.

Woman: (Unintelligible).

((Crosstalk))

James Bladel: We will grant Phil this birthday wish.

Cyrus Namazi: Thank you guys for...

((Crosstalk))

James Bladel: Thank you.

Cyrus Namazi: Thanks.

James Bladel: Okay. We're now moving into the agenda Item Number 9 which is open mic and AOB. First up is Donna.

(Richard Hill): Hi, (Richard Hill).

James Bladel: No I'm sorry sir, Donna.

Donna Austin: Sorry...

James Bladel: One second.

Donna Austin: Thanks, Donna Austin. So I can't actually see that. Okay. So councilors please, I'm sorry for the lateness of this motion but hopefully you'll indulge me and hopefully we won't have any concerns about the content so bear with me. It's coming up.

James Bladel: Yes. We're well past our deadline but I think you'll be pleased.

Donna Austin: Yes. Just bring a version up of that (unintelligible). Okay so this is a motion in recognition of somebody we all know and love whereas Glen de Saint Gery has been involved in the ICANN world before there was a ICANN and before anybody really understood what ICANN was whereas Glen was instrumental in the development of the practices and procedures that have supported the operation and administration of the GNSO since its inception as the DNSO and which have been adopted beyond the GNSO to support other ICANN supporting organizations and advisory committees whereas Glen has been responsible for developing and mentoring not only ICANN staff performing support roles for the GNSO but also incoming councilors whereas Glen has survived seven GNSO council chairs and too many GNSO councilors to count whereas Glen is the living embodiment of ICANN's core values of openness, transparency and fairness. You might have to finish James.

James Bladel: Having performed her duties without prejudice and with diplomacy, style, grace, humor and warmth that is second to none. Resolved the GNSO Council from the bottom of our hearts on behalf of all of the GNSO councils that have come before us sincerely thank Glen for her dedication, warmth and love in supporting the GNSO and the work that we do on behalf of the global Internet community. In recognition of the significant contribution Glen has made to ICANN over the past 14 years the GNSO Council recognizes that for the purposes of ICANN 58 Copenhagen the GNSO being known as the Glen de Saint Gery Name Supporting Organization. I'm sorry to be a nerd but we need a second.

Woman: I second.

Woman: Should we call for a vote on the motion?

James Bladel: I think probably just an acclamation all in favor?

Group: Aye.

Glen de Saint Gery: You've completely taken my voice away. Thank you.

James Bladel: I think the thanks are all coming from our side. We have a couple of more minutes we have a couple more folks in the queue. It's going to be hard to follow that. But we have a couple more speakers to - sir if you'd like to go first and Glen's going to stay up here since it's now her council.

Richard Hill: Thank you, Richard Hill. It's been sometime since I came to an ICANN meeting but I'm still following the work. I just wanted to add that about the requirements for the members of the standing panel in the new independent review process in addition to the ones who were mentioned which were found in 4.2J of the bylaws there's another one which is in 4.2Q which is that standing panel members must be independent of ICANN and its supporting organizations and advisory committees. I just wanted to get that on the record. Thank you.

James Bladel: Thank you for that clarification. I think independence is understood to be an important trait for those members. Anne?

Anne Aikman-Scalese: Anne Aikman-Scalese, Lewis Roca Rothgerber Christie. I'll try to be really brief but I had two different comments. One was on the subject of (Dez) and RC. And I know that those are proposed solution in relation to ICANN instituting a watch service for NGO names. And having worked on the Policy and Implementation Working Group we concluded that there was a – it was important not to categorize a solution or a proposed resolution of disagreement as either implementation or policy but just to recognize that there's a disagreement.

So I mean I personally feel like personal opinion obviously, that the board if that is the proposed solution even if everybody's fine with it as a matter of process and procedure they should write a letter to the GNSO Council saying here's what we plan to do, give us your input because even though everybody would be happy

potentially with that solution right now I think we don't want to distinguish based on these labels of policy or implementation when the agreements are resolve this way. We need to have the process consistent standard. And the board needs to write to the GNSO Council.

Second with respect to the topic of data protection the - in particular because of my work on the Workstream 2 human rights working group I or sub team I have delved a little bit more into this issue with respect to the EU data protection law. And I went and had a personal conversation with (Alessandro Peruchi) who is from Council of Europe and I asked her about the balancing that must need to go on when you're talking about collecting data, sharing data.

These are issues that are being discussed particularly in the GAC in relation to the public, the Public Safety Working Group and on the other hand the human rights working group in the GAC. And there is a very important principle that the community needs to keep in mind and even in EU law. And that is the principle of proportionality that there is public interest need that has to be protected in addition to the protection of data and protection of privacy and that there's a balancing that goes on.

In EU law it's known as Principles of Proportionality. And the Council of Europe folks will also confirm that to you. It's something the community needs to be aware of. It enters in not only in the area of public safety, pharma, trademark. Oh the dirty word trademark right but it enters into counterfeit. It enters into balancing of these considerations. Thank you.

James Bladel: Thank you Anne. And to your first point I should probably emphasize that the idea or proposal for monitoring of NGO names was floated out there. It's not fully baked. It's not in any sort of phase of adoption. It is something I would consider it, you know, something that's being socialized and examined as one possible way to reconcile the differences between PDP recommendations and the GAC advise in

such a way that don't cause either of those to have to be reopened or revisited or amended. It's a bridge.

But anyway but thank you for your comments on that and for the second part as well. Ed you have the last word.

Ed Morris: Thanks James. As Chuck reminded us on Sunday it's budget time. And as a member of the empowered community the GNSO has a special responsibility now not just to take a quick look at the budget, do draft a quick public comment but we have to decide whether we can accept this budget or whether we want to reject it, took a quick look at it last night. Goran's going around telling everybody, "Hey the budget's a little bit like parents talking to children that you have so much money you have to decide what you want to do." Having looked at it last night I'm concerned that it's a bit like a parent taking the family funds, going to casinos and amusement parks and leaving Spam in the refrigerator. And I think the GNSO has Spam and we deserve better. So I don't think it's a slam dunk were going to approve this budget. So I'd suggest we need to put together a team to look at the specifics.

James Bladel: Thanks Ed. Can we capture that for tomorrow's wrap-up session and we'll discuss that more fulsome there because I think you agree and particularly because that was part of the discussion of the empowered community that it's not necessarily a foregone conclusion that it will approve the budget each year?

The queue is clear. We are three minutes over our time which is amazing for the GNSO to finish so close to our deadline. If there are no other items from the floor? Okay let's adjourn the meeting. Thank you everyone. Thank you for your work here.

END