

**Transcript GNSO Council Teleconference
24 July 2014 at 11:00 UTC**

Note: The following is the output of transcribing from an audio recording of the GNSO Council teleconference on 24 July 2014 at 11:00 UTC. 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:

<http://audio.icann.org/gnso/gnso-council-20140724-en.mp3>

Adobe Chat Transcript

<http://gnso.icann.org/en/meetings/transcript-chat-council-24jul14-en.pdf>

on page: <http://gnso.icann.org/en/group-activities/calendar#jul>

List of attendees: NCA – Non Voting – Jennifer Wolfe

Contracted Parties House Registrar Stakeholder Group: Volker Greimann, Yoav Keren, James Bladel

gTLD Registries Stakeholder Group: Jonathan Robinson, Ching Chiao, Bret Fausett

Nominating Committee Appointee (NCA): Thomas Rickert

Non-Contracted Parties House Commercial Stakeholder Group (CSG): Tony Holmes absent, proxy to Osvaldo Novoa, Osvaldo Novoa, Gabriella Szlak, John Berard, Brian Winterfeldt, Petter Rindforth

Non Commercial Stakeholder Group (NCSG): Klaus Stoll, Maria Farrell, David Cake, Avri Doria, Amr Elsadig, Magaly Pazello

Nominating Committee Appointee (NCA): Daniel Reed

GNSO Council Liaisons/Observers:

Alan Greenberg – ALAC Liaison

Patrick Myles - ccNSO Observer -absent apologies

ICANN Staff

David Olive - VP Policy Development

Marika Konings - Senior Policy Director

Rob Hoggarth - Senior Policy Director

Mary Wong – Senior Policy Director

Julie Hedlund – Director SSAC Support/Policy Director

Steve Chan – Senior Policy Manager

Berry Cobb – Policy consultant

Lars Hoffmann – Policy Analyst

Glen de Saint Géry - GNSO Secretariat
Cory Schruth – Manager, Meetings Technical Services

Guests:

Maguy Serad - VP, Contractual Compliance Services
Paul Redmond - Director, Contractual Compliance

Coordinator: Thank you. This morning's conference call is now being recorded. May I hand the call over to Glen de Saint Géry. Please go ahead, your line is open.

Glen de Saint Géry: Thank you very much, (Tim). Good morning, good afternoon, good evening everyone. This is the Council call on the 24th of July. We have on the call Bret Fausett, not yet. Ching Chiao.

Ching Chiao: Present.

Glen de Saint Géry: Jonathan Robinson.

Jonathan Robinson: Present.

Glen de Saint Géry: James Bladel.

James Bladel: Present.

Glen de Saint Géry: Yoav Keren.

Yoav Keren: Here.

Glen de Saint Géry: Volker Greimann has not joined yet. Thomas Rickert.

Thomas Rickert: Present.

Glen de Saint Géry: Gabriella Szlak.

Gabriella Szlak: Present.

Glen de Saint Géry: John Berard.

John Berard: Yes, I'm here.

Glen de Saint Géry: Brian Winterfeldt.

Brian Winterfeldt: Present.

Glen de Saint Géry: Petter Rindforth.

Petter Rindforth: Present.

Glen de Saint Géry: Osvaldo Novoa.

Osvaldo Novoa: Present.

Glen de Saint Géry: Tony Holmes is absent and has given his proxy to Osvaldo Novoa.

Maria Farrell we are trying to call out to her but her line - her phone is not answering.

((Crosstalk))

Glen de Saint Géry: Avri Doria.

Avri Doria: I'm here.

Glen de Saint Géry: David Cake?

David Cake: Present.

Glen de Saint Géry: Magaly Pazello.

Magaly Pazello: Present.

Glen de Saint Géry: Amr Elsadri. I do not see Amr yet on the call. Klaus Stoll.

Klaus Stoll: Present.

Glen de Saint Géry: Daniel Reed.

Daniel Reed: Present.

Glen de Saint Géry: Amr has just joined the call now. Jennifer Wolfe.

Jennifer Wolfe: Present.

Glen de Saint Géry: Alan Greenberg.

Alan Greenberg: Present.

Glen de Saint Géry: Patrick Myles sends his apologies, he might be able to come onto the call but if he doesn't he has excused himself. And for staff we have Marika Konings, Mary Wong, Julie Hedlund, Rob Hogarth, Steve Chan, Berry Cobb, Lars Hoffman, (Cory Shultz), our technical staff, and myself, Glen de Saint Géry. Have I left off anyone?

Maria Farrell: Glen, it's Maria, I've joined the call.

Glen de Saint Géry: Oh, Maria, thank you very much, I'm sorry.

Maria Farrell: Thank you.

((Crosstalk))

Glen de Saint Géry: May I ask you please to say your name before speaking? And also if you have a noisy line please put yourself on mute. Thank you very much, Jonathan and over to you.

Jonathan Robinson: Thank you, Glen. Hello and welcome to everyone, particularly those of you who have had to get up very early this morning. I know that affects those on the West Coast at least of the United States.

Yes, Glen, follow up just a reminder, please can everyone put their lines on mute regardless of whether it's naturally noisy or not. If you'd like to talk raise your hand in the Adobe Connect room and we'll look forward to hearing from you via that route. If you aren't able to be in the Adobe Connect room just interrupt briefly and ask to be put in the queue.

So under Item 1.2 I'd like to call for a statement - any updates to Statements of Interest please. Seeing none I'll move to Item 1.3 which is an opportunity to review or amend the agenda.

There was a relatively recent amendment that came out that dealt with a minor change under AOB. Is there anything else anyone would like to comment on or add to with respect to the agenda?

Amr Elsadri: Jonathan, this is Amr, I've got my hand up.

Jonathan Robinson: Apologies, scrolled down on my screen. Go ahead, Amr.

Amr Elsadri: I just wanted to ask if possible that either under Any Other Business or during our discussion on the IANA transition if we could get an update from staff on the working group for enhancing ICANN accountability I'd appreciate that. Thanks.

Jonathan Robinson: Thanks, Amr. We'll see - if we don't come to it by Any Other Business I'll make a note of it and if you could similarly do so and we can deal with that there. I may be able to help as well there so let's come to that either under Any Other Business or beforehand.

Glen de Saint Géry: Jonathan, it's Glen. Just to confirm that David Olive is on the call.

Jonathan Robinson: Yeah and welcome David. The minutes have been recently provided for review. I haven't had an opportunity to go over them so they'll be posted to the Council very shortly and you'll receive them then. So at the moment we don't have the minutes from the 23 of June meeting to approve.

Right, moving on to Item 2 and just to set your expectations here this looks like we'll have to go through - we've got a pretty large action list and a relatively less dense agenda but main agenda. I think it's worthwhile trying to work through the action items and make sure that we cover these effectively and tick them off as much as possible.

So with your patience we may spend slightly longer than scheduled here. We'll see how quickly we can work through it. I'll aim to work through this as efficiently as possible so let's deal with that then.

The first item deals with the - planning for the Los Angeles meeting. We'll come onto that on a substantive item toward the end, although I think that's early days at this stage. The next is on the GNSO Council development session in Los Angeles. This is the plan to have a similar session that we had at the annual meeting in Buenos Aires on Friday the 17th of October.

Key points here are, A, that I have a couple actions against me to - against my name to invite the stakeholder group and constituency leaders to attend that opening session if possible and/or to provide an alternate. And also we are - I think we'll invite our - the GNSO Board members if they're available to come to that meeting as well.

We found that, I think, very positive before that initial session whereby we had inputs from the different stakeholder groups and constituencies and made sure that the Council was very much embedded in its role within the broader GNSO and not operating in any sense in isolation.

Please feel free to contribute to anything you'd like to as to the agenda, structure and organization of that day. It's designed to, as you know, effectively induct new councilors onto the Council and also provide an opportunity to plan for the most effective working and functioning of the Council in the year ahead.

The next item deals with the transition of the NTIA stewardship of IANA function. We'll come to that in a substantial item but I'll just note here,

and maybe someone might like to either bring me up to speed or comment here but we don't seem to have a CSG participant in the drafting team. And it was normally an opportunity for a participant from each of the stakeholder groups to join in the work of the drafting team. Unless someone can correct me, and that's changed, we don't seem to have a CSG participant.

And I guess there's two points here, one is to remind you that that's - that option is available and, two, to get an indication of - from the councilors whether they are aware of any imminent change or are going to do anything about that. So just a comment for which there may be a response.

Seeing none I'll move on and we will come to this in a substantial item further in the main agenda anyway, the work of the CWG and the links to the coordination group.

The SSAC liaison to the Council is still open as is the item on a note from myself a letter to Ram Mohan, although I have a draft of that and should give credit to Mary for his assistance in that but I have yet to send off that note on IDN variants so that remains an open item.

The other - next two items are complete, which is the Whois requirements under national law and conflicts. To the extent that the Council decided not to put in any input there.

I'm sorry, I skipped over one, there's the strategic plan where the Council decided not to put any input in and then next is the Whois requirements under national law which I don't know if there's anyone who has any intention to draft anything or do any work on this.

Technically reply comments may be submitted until the 1st of August but I haven't seen any intention to provide any input. Thomas, I see your hand is up, go ahead.

Thomas Rickert: Thanks, Jonathan. This is Thomas Rickert for the record. We had a discussion, I would say, 1, 1.5 year back when I suggested at the time that the Council should discuss the issue of such legal conflicts. Not solely about Whois but in more general terms the question of ICANN being more inclusive by offering to its contractors around the globe, contract language that would at least be compliant with the laws of the certain region, for example, the EU or maybe one jurisdiction in Asia.

Because at the moment the contracted parties have to ask ICANN for sort of an exemption so that to go to private company to ask for approval to be compliant with the local laws.

At the time there was the feedback from Council that this was not an initiative that the GNSO - that the Council should take. So I guess my question to the Council would be whether the Council feels that it's appropriate for the Council to respond to that as a Council? And if the answer was in the affirmative then I would certainly be more than willing to help with this.

Because I think that particularly since I'm coming from Europe there are a lot of European entities that sort of suffer from this special treatment that they're being given.

Jonathan Robinson: Thanks, Thomas. So we have a question and a prospective volunteer. Are there any responses to the question posed by Thomas? James.

James Bladel: Good morning, Jonathan. James speaking. And thanks to Thomas for that overview. I know that this is certainly something that's very near and dear to the heart of many Registrars in specific areas. And I think it's - this topic deserves some attention.

My question is specifically what we as a Council can and should be doing in this area? Is this more of a staff function or a function of ICANN legal? Or is this something where we can provide some specific direction to ICANN the organization?

Or, you know, I guess I'm trying to feel out what our specific role here is particularly noting that while, you know, we need to level the playing field on a global basis, we also want to guard against any shopping of jurisdictions so that folks - contracted parties might establish entities in different jurisdictions in order to take advantage of relaxed or reduced contractual requirements.

And I don't know if that's a significant threat or just, you know, just a smokescreen. But I think, you know, it bears discussion. And I just - I don't really know what our role is in all of this.

Jonathan Robinson: Thanks, James. I think the suggestion I was hearing was less about the Council providing a solution but more the Council providing a potential requirement or request for a solution. It strikes me that one question we could usefully pose is simply the question of what if anything is staff doing to address the multi-jurisdictional nature of participants in ICANN's processes over and above the current exemption procedure.

I suppose what would be useful to know as well is not only in framing the potential question but also understanding whether there is broader support on the Council for doing something along these lines in addition to that from the registrars.

John Berard, I see your hand is up. Go ahead, John.

John Berard: Good morning, Jonathan. This is John Berard. I appreciate that Thomas has volunteered to put pen to paper. And while I'm always happy to have the staff do more of my work, I'm not sure that this is really an area where we can - where we as the Council have much standing at this point.

I know the Business Constituency, of which I and Gabby are a part, have offered comment during the public comment period. I'm certain, although I haven't confirmed it, that the other constituencies and stakeholder groups represented by councilors on this call have done the same.

As I have said in the past, I don't think it's our role as a Council to be offering comment in the primary period. However, we could synthesize the view of the GNSO stakeholder groups and constituencies in a reply period and maybe that is what Thomas can help us understand is where is the common ground or is there common ground among the stakeholder groups and constituencies of the GNSO represented here on the Council that we could, as was done in the public forum in London, speak on as - with one voice.

I certainly would support that. But more than that I think oversteps our role and steps a little bit on the responsibility of the stakeholder group

and constituency. I mean, it's almost to your point earlier, Jonathan, about a CSG rep on the cross community working group, you know, from, you know, that is a question being handled by what Fadi has described as the SO AC leadership and truthfully the BC councilor is not part of the SO AC leadership and so there is a bit of a disconnect there as well.

And so there are - there are separate roles I think that we need to adhere to. And I would not like to see us overstep ours. Thank you.

Jonathan Robinson: Thanks, John. Let's deal with those two points separately. It'd be great if you could clarify that point in the later - that latter point, that second point you made when we come to the cross community working group and the coordination group to make sure there's clear understanding of that. But on the former, which is the substance of what we're discussing now, I hear you and understand I think your suggestion.

So, Marika did put up her hand in response I think to your point. But go ahead, Marika, in any event.

Marika Konings: Yeah, this is Marika. Not specifically to John's point but more on the conversation we're having, I think John was specifically referring to, you know, the public comment forum that's open on the Whois requirements and national law conflicts procedure review while I think Thomas may have been referring as well to the more broader conversation.

But I just wanted to point out on specifically the Whois requirements and national law conflicts procedure review, if you look at the staff

paper the idea is that, you know, staff will look at the comments received and based on that, you know, review and possibly come up with a new proposed implementation of the original policy recommendations.

But that proposed implementation would - the idea would be that it would come back to the GNSO Council for a review at that stage before a final implementation. So, you know, I think regardless of whether, you know, the Council decides at this stage to provide input there will be further opportunities to provide feedback from a Council perspective as well as a broader community perspective on that topic.

Jonathan Robinson: Thanks, Marika. So notwithstanding Thomas's offer to try and synthesize or to try and provide some sort of input I'm not hearing a really strong view apart from the obvious support - by James on behalf of the Registrars - for the Council to put some comment in here.

So it feels to me, Thomas, I'll come to you now then, let me take your point before attempting to capture this. Go ahead, Thomas.

Thomas Rickert: Yeah, let me just clarify that I volunteered conditional to the Council's view that something should be done. And I had offered some history to this. And at that time when I suggested looking at the subject of the jurisdictional clashes at the global level the Council chose not to discuss this and put it on the agenda.

But I wanted to reopen this discussion and should the Council feel we should be doing something then I would volunteer. So I think it's a good conversation that we're having to see whether this is something for the Council to have standing or not. But I guess that I'm quite

satisfied with the answer that Marika gave so if this passes our desks anyway then maybe it's good enough for the individual groups to comment at this stage.

So unless there's overwhelming - an overwhelming request for the Council to be doing something in which case I would be more than happy to volunteer I think there is no action needed at this point.

Jonathan Robinson: Thanks, Thomas. And I'm not hearing that overwhelming support although there was - I will note that there was - James did indicate that this was important to the Registrars. If feels to me like the groups have got to put in their comments under this. It will circle back to the Council after the public comments.

And yours is a broader point that you might well want to keep up your sleeve for an additional discussion at some point. And I'm just not - I'm not sure whether this is in the sort of Council's jurisdiction; it doesn't feel like there's support for it now but it's certainly something to bear in mind for the future. James.

James Bladel: Hi, Jonathan. Just quickly wanted to note that I note that the issue itself is important to registrars not specifically that the Council get involved; a minor distinction that I wanted to clarify. Thanks.

Jonathan Robinson: Appreciate that, James. That's very helpful actually. And it's - that makes it clearer. Thank you. All right I think I'm going to move on to the next action item then so we'll consider this one completed - the previous one completed as it is marked.

And the next is the GNSO Council liaison to the thick Whois IRT. I haven't confirmed with you offline, Amr, but are you willing to serve as a Council liaison to that effort?

Amr Elsadri: Sure. There are other councilors I believe who are also on there if any of them would like to, that'd be fine as well. Thanks.

Jonathan Robinson: Is there anyone else - thank you, Amr. Is there anyone else who strongly feels that they would like to act as a liaison or are we happy to confirm Amr as that liaison? Thank you, Amr, for accepting being sort of co-opted into that. I don't think it'll be particularly onerous if you are already a member of the IRT and appreciate your willingness to take that on.

The next item deals with issues for the Standing Committee on Improvements. And there's two different items which we had previously put onto the action list. One was to work, which was the prospect of Alan and Avri scoping out the issue of voting thresholds in relation to implementation changes. And you may remember this coming up a meeting or two back.

I wonder whether there is - whether this doesn't seem to have been taken up, Alan and/or Avri, and I wonder whether this is simply because you've been busy and haven't had the chance to do it or you have some other feeling like this might be picked up through the course of the GNSO review or by some other mechanism and it's just not timely to deal with it now. So that's the question. Alan, go ahead.

Alan Greenberg: Thank you. Certainly for me it's been an issue of time. I know Avri and I had a brief discussion on it a week - a couple of weeks ago, I guess,

and she may want to comment differently. But I think because of the issue of the kind of action that we've been taking recently potentially changing consensus policy with only a 50% vote I think we do have to look at that.

Jonathan Robinson: Yeah, and that's helpful...

((Crosstalk))

Jonathan Robinson: And that really was a key question I had was whether or not - you wanted to put this on hold or whether you still felt it was - and something we wanted to keep on the list. Go ahead, Avri.

Avri Doria: Hi, thanks. This is Avri. Yeah, I actually - we did have that brief conversation and I'm not sure what all we can do about it other than send it to the SCI if we think that a rule needs to be developed before review for how to modify to do something to the bylaws to, you know, because at the moment the way things are set is it's a majority vote.

And there's no procedure for doing something else even though Alan makes the correct point that on a consensus policy that affects contracts that doesn't seem to be in keeping with the rules about PDPs and consensus policies.

But because the bylaws say if it hasn't been specifically defined it is majority there's really nothing for us to do other than to change the rule and at that point it becomes an SCI or a future review issue. I don't know that there's anything the Council itself wants to do because I don't think we want to start changing the rules now when we have an SCI to deliberate these things in detail. Thanks.

Jonathan Robinson: Thanks, Avri. And I think just to be clear on what the scope - what this action is is simply to scope out the issue and make sure there's a clear Council view on the scope of the issue before it's referred across. I see Alan's hand has come up again.

Alan Greenberg: Yeah, I'll be glad to draft something, pass it by Avri and then get it back to Council. I don't think it's a big issue it just, you know, slipped between the cracks perhaps because it was a small issue and no one was bugging us.

((Crosstalk))

Alan Greenberg: I'll consider us bugged and we'll do something.

Jonathan Robinson: Thank you, Alan. All right let's move on. And the next one is a similar issue and it's - the action is on me, I offered to lead the discussion on amendments to motion and the role of the maker and the seconder. I think this is perhaps not quite as urgent so I'm happy to leave it live and pick it up in due course.

The next item is the GNSO review which was feedback on the 360 assessment and I think that feedback was provided so that's not effectively complete although it's not - at least insofar as the deadline has passed on the 10th of July.

The next is on enhancing ICANN accountability and we've passed that based on the fact that we agreed not to put public comment in and the deadline has passed. Whois studies was completed yesterday - or today even. I think I sent the letter off to the GAC chair just indicating

the work that had been done on Whois studies and ensuring that that's properly, I hope, understood by the GAC.

We have a charter for the working group on curative protections for IGO and INGO names. Two letter domain public comment forum is completed in the sense that no comments were submitted. Next one, facilitation training academy; Thomas, you were going to send a note on facilitation training and request for SG or constituencies to nominate participants, did that take place or is that still open?

Thomas Rickert: That's still open.

Jonathan Robinson: Thanks so just as Alan said previously if you could consider yourself bugged or politely reminded.

Thomas Rickert: I do, thanks.

Jonathan Robinson: Key point, this next one, Expert Working Group final report. There is a request out for us, as you know, to provide some feedback ultimately on how to address the report but more urgently to provide feedback from either the Council or the stakeholder groups or constituencies to provide issues for clarification or further explanation so that these can be shared with the EWG. And the request has been circulated requesting that input is provided by 31 of July.

So in a sense this is a further question for the Council. I mean, I don't know how many of you are aware of whether your stakeholder groups or constituencies have provided issues and whether or not you think anything should be done by the Council. I'd love to hear any input or comment on this noting that the deadline is one week from today.

James, go ahead.

James Bladel: Thanks, Jonathan. James speaking for the transcript. I don't know that we've been taken this up as a stakeholder group and perhaps some of the registrar reps can correct me if I've, you know, nodded off in one of our ExComm calls. But I think that, you know, as far as providing feedback one week from today that's starting to look shaky at least from our side.

I do know that we had a request as a Council to better understand what our role was with regard to this as a Board-initiated PDP and what our options and/or required next steps were. So I think that - I think those are two separate issues but I would welcome some clarification on what the Council's role is and, you know, what our options are in that regard.

And then, you know, in practical terms I wonder what the process would be as far as asking for an extension to that deadline.

Jonathan Robinson: Well just to clarify - I think Marika is going to come and clarify this but your two points are recognized and distinct, but go ahead, Marika.

Marika Konings: Yeah, this is Marika. On the deadline issue I think that's more a deadline that, you know, we picked as maybe a reasonable timeframe to, you know, provide input or questions to the EWG. As said the whole idea is to identify certain specific questions or areas that need further explanation or clarification.

It's not necessarily to provide feedback on whether certain ideas were good or bad, as more to take the opportunity now that many of these things may still be, you know, fresh in the minds of community as well as the EWG to put those in front and use that as well as an opportunity to start gathering information on some of the items where there may be less clarity or more feedback needed as we start looking ahead to, you know, the next steps in this process.

And on the other point of the next steps that is indeed something that we're actively working on as well closely with the staff that has been supporting the EWG and as well, you know, the Board that is going to consider the report as well to see how we can indeed outline some of the options for next steps and make sure that it actually comes together, as you said, as this is a Board-initiated PDP so there are certain requirements already in place so we hope to be able to provide the feedback to the Council in time for the next meeting.

James Bladel: Jonathan, can I respond?

Jonathan Robinson: Please do.

James Bladel: Thank you, Marika. That's actually a very reassuring response because I thought that I had completely missed, you know, a discussion or an explanation of this so I'm glad to see that that is still in progress and that there'll be some, you know, some further clarifications are still forthcoming on that so thank you very much.

Jonathan Robinson: Yeah, and James, just to remind you and remind everyone, if you look on the action list there's two separate bullets. One is the point that you rightly and correctly remember which is this request for clarification

that Marika just responded to and the second then, sorry, is - sorry the first is staff providing their suggestions and ideas as to how Council might deal with and process the output of the EWG and then the second is this more short term requirement where there's an opportunity to provide issues for clarification or further explanation.

And that's really in a sense the bit that we're discussing now and that had the nominal deadline of 31st of July.

((Crosstalk))

James Bladel: I apologize for conflating those two issues. It's fairly early here so I don't mean to confuse the discussion. Thanks.

Jonathan Robinson: No need to apologize, we're all busy and there's a lot to cover which is why I wanted to systematically work through this action list and try and either assist everyone in being clear on what was open or what was completed and/or what if anything needed more work.

So I think - what I'm going to say is that actually if - I don't think we can take this much further now without sort of flogging it to death. But what would be good to do is to see if anyone is willing to pick up this if there is, you know, anyone who's paid particular attention to the work of the EWG and see if there is anything that the Council in particular as opposed to stakeholder groups and constituencies should be asking for clarification that's not covered by the first bullet point which is the staff work on developing ideas and suggestions as to how Council might tackle this work forward - going forward.

Right, I'll move on in the interest of time and trying to get through this rather substantial list. The data in relation to the validation requirement under 2013 RAA, there's no further action required and/or that this is completed.

A reminder on the GNSO liaison to the GAC, I guess we'll come to that in a brief update from the GNSO GAC consultation group. But anyone within your groups, you know, this has been - the call has been sent out by the groups and constituencies but this is not a group or constituency volunteer that's being selected, this is someone to represent and effectively communicate the work of the GNSO in thorough and well-informed and probably politically sensitive way in the various GAC forums.

And that call for volunteers has been circulated and the names of candidates need to be submitted back to the GNSO secretariat by 31st of July. So if you are aware of any expressions of interest bubbling out there within your groups or constituencies, like I say, the volunteer will not be representing your group or constituency but rather working on a pan-GNSO basis but nevertheless it would be - we have the deadline of 31st of July for those submission of applications.

John, please go ahead.

John Berard: Yeah, this is John Berard. There have been two, at this point, members of the Business Constituency who have expressed an interest to me and have been encouraged to provide their official statement of interest to you.

The candidates will be assessed by you, Volker and David and the three of you will make the decision or will there be some role for the broader Council in this as well? Or will it be a decision that you three make that's then ratified or passed through the Council members on the GNSO GAC consultation team?

I don't really know how the person is going to ultimately be selected, can you help me understand that?

Jonathan Robinson: Sure, John. This has been communicated previously but, again, with the deluge of information and activity it's not surprising, it's good to seek the clarity. The intention and plan is for the candidate to be selected against the specification and criteria in a systematic a way as possible by myself, David and Volker and then to recommend that selection to the Council for I guess ratification is probably the correct word to describe it. So that's the intended procedure. Yeah, that's it.

Thanks. And just for the record and for the benefit of councilors the process is posted up on the screen from the document that we've been off which was previously prepared by the GAC GNSO Consultation Group and then reviewed and seen by the Council during the course of the run up to the London meeting and at the London meeting.

So really the primary purpose of this action point was to remind of the deadline, as I said, 31st of July.

Next item is the community working group on Internet governance. There was a charter circulated for this group just ahead of the London meeting. And again, with all the information and activity this may have

been either missed or not dealt with with the appropriate level of attention.

This group has provided, as sort of in a sense, retroactively worked on a charter. They began to work and then recognized the need for a charter and produced a charter which was circulated to the Council or to the broadly just prior to the ICANN meeting in London.

I guess the question really is is, I mean, does - is anyone minded to put this on the agenda of the Council to - as a motion? And if so it needs to come before the Council the motion to support that charter. And perhaps, you know, the question might be things like is this the core business of the Council? Are we supportive of this work? And have we got the bandwidth to deal with this?

I'm not sure what the questions are but my concern is that the risk in a sense inadvertently snubbing the work of this group in the sense that the charter has been put to us and we haven't dealt with it properly. So any comments or input or assistance with this charter from the community working group on internet governance. Avri, go ahead.

Avri Doria: Yeah, thanks. This is Avri speaking. We actually got a completed charter. I didn't know that it had actually been solidified and completed, maybe someone that's - I'm only an observer on the group so I only pay limited attention.

But I thought that the charter was still being argued in the group and that it hadn't been formally requested by the group at this point? Perhaps someone that's more central to the group can respond. But I thought it was still a draft, but I agree, once they submit something we

have to approve or not approve, we do have to vote on it to be a chartering organization for the group.

It's just I was under the impression that they weren't quite finished with the charter, but I may be wrong because I wasn't paying close enough attention. Thanks.

Jonathan Robinson: Good question, Avri. When I look at the detail on the action it does say that - again, I was under the impression that that had been submitted as a proposed charter. But I see there was a specific request in there that the Council looks at the voting or lack of it on a normalization per SO AC basis. The drafting team couldn't reach consensus there.

So let's - I think what we need to do is get this out to the list again, remind everyone of the question and see whether we can provide any input on the question being asked of us and/or whether that might ultimately bring the charter to voting.

So can I ask for a - ideally I guess I'll pick this up and make sure the charter is recirculated in its current form to the group and so if that could - and then we can see - we can answer the question - yes, that's my recollection, Mary, but I see that the notes - that the proposed draft charter was sent on the 17th of June but I see that in the notes here it indicates that there is an outstanding question on that.

So in either case let's look at it on list and if it is sufficiently complete that we can vote on it I suggest that it is brought to the Council as a motion at the next meeting; if it is insufficiently complete we give the

appropriate feedback. Avri asks in the chat if any other group has approved the charter. I'm not aware of that.

John, your hand is up, please go ahead.

John Berard: Yes, thank you. John Berard here. Avri's question leads me to remind people that Becky Burr and I, with the help of Mary and Bart, are working through guidelines for cross community working groups. One of those guidelines is that the chartering organizations need to have their - need to act consistently at the front end in order for the output to be as effective and useful as possible.

What we're talking about here with regard to this Internet governance charter is retrofitting some of that thinking onto this process that sort of began like a wildfire. So when a charter is agreed to by the drafting team I would encourage that the charter be sent to all of the appropriate potential chartering organizations at the same time with the same language so that the group can have the benefit of strong support when it concludes its deliberations or as it works through its - the issues.

So I think Avri's question leads to a large point which is that once there is a charter it should be at the same time with the same language sent to all of the potential chartering organizations.

Jonathan Robinson: Thanks, John. That's useful to remind us of that work. To the best of my knowledge, and again I'll double check this, Olivier, did - as chair of that working group, did circulate it to more than just the GNSO with - notwithstanding the question. But that's a good point.

It looks like we'll have to pick up on this on list a little. And I will perhaps write a note out of courtesy to Olivier as well letting him know that this is something we've discussed briefly at this meeting and we'll pay attention to in the weeks ahead.

The next one is on the - the next action item is on the outstanding IGO INGO PDP recommendations which clearly is a substantial item and finally the new gTLD subsequent rounds discussion group has been formed and a call for volunteers has been circulated.

I'm not sure if there's any additional updates on that. I'll just pause for a moment in case there is. But I suspect this is a bit of a slow burner. I don't expect there's big updates at this point.

All right well thanks for bearing with us. I felt it was valuable to spend a little more time than we perhaps usually do on this action items list because it's grown and it's important to sort of tick off some of these items and put them to bed and/or flush out where the points of discussion or issue might be so thanks for bearing with us as we took the time to go through that.

The next item is Item 4 which is the discussion on the proposed modification of the GNSO's consensus recommendations relating to IGO acronyms. This is a motion, and as you know the motion arises out of essentially out of a letter we received immediately prior to the London meeting and have had some discussion on and including some reasonably substantial discussion on the list.

Thomas framed the potential discussion for this meeting in a note to the Council and so I wonder where we take this. I mean, Thomas,

perhaps you might like to add some further framing comments to the discussion of the motion and/or Mary please go ahead if you would like to and then - so if you could put up your hand if you would like to make any additional comments or input and then we'll throw it open to the Council to discuss the points arising which currently are framed as in and around how we deal with this referral back to the working group which is an issue of Council process and making sure we're clear and comfortable - clear on and comfortable with that mechanism and then second, whether we have sufficient clarity of the request which is an open question.

((Crosstalk))

Thomas Rickert: Thanks so much, Jonathan. This is Thomas speaking. Now we have on the agenda the discussion of the motion that I sent a little bit earlier than the documents and motions deadline. You will recall, as Jonathan pointed out, that we are having this discussion because we received a letter from the NGPC that seeks to have a discussion and reconcile the differences between the GAC advice the Board received and the unanimous GNSO Council or GNSO recommendations on IGO and INGO designations.

I think the discussion needs to be held in two different areas, as pointed out in my note to the Council list. The first of which is to better understand the process that the Council is invoking for the very first time which is the process of amending policy recommendations that have already been adopted by Council. So I guess that's something that we should definitely discuss today. And I would call upon Mary to shed some light on this.

The second area that we should discuss the motion itself, the substance of the motion itself. And I guess there has been some confusion or there have been some questions surrounding what we are actually doing and whether what we are potentially doing with this motion will meet the needs or the requests of the NGPC and/or the GAC.

And I guess at that point in time the concerns need to be addressed that I think have been raised by James in the London meeting that this should not be an iterative process whereby the Council amends and amends its policy recommendations until the outside world or specific other groups than the GNSO are happy with the recommendations.

And in order to facilitate that clarification we had reached out to the NGPC to inform the Council about their status of thinking and the status of their discussions or exchange of information with the GAC.

Unfortunately Chris Disspain, who had originally volunteered to - and still does to discuss this with the Council is on a plane right now so he can't talk to us. Which is why we have to see to what extent we can discuss this without getting input from the NGPC or individual NGPC members.

Having said that, I should point out that Jonathan and myself had conversations with the NGPC. There was an exchange of information with them but certainly that has been an exchange of information that we can report about but that is not firsthand information for councilors.

And I think that the councilors should not make their decisions based on our reports but they should be able to - should they wish to ask the

questions they have directly to the NGPC and satisfy themselves that everything they need to learn about this they do know for making a - making a decision and vote.

And in the light of these new developments I had announced on the mailing list that I would likely withdraw this motion. And you might ask yourselves, why I withdraw it or why I announce to potentially withdraw it. And the answer is that the withdrawal would not be to get this off the table forever but it would be to take it off today's agenda and resubmit it for the next Council meeting.

I guess this is to not give raise to the assumption that the Council is not willing to discuss this timely but I guess that we might not have all the facts at hand to discuss this today. And I think that situation is a little bit different from the situation where you would ask for a deferral.

I would have consider a deferral in case everything was there in terms of information and if just the individual groups would need to have more time to discuss it internally. But I think the situation is slightly different.

So I hope that with these introductory remarks you agree that we should have this conversation into sections. And I'd like to start with the first one which is shedding some light on the process, spelled out in Section 16. And before I move to Mary I see James's hand is up; I'm not sure whether that's an old hand. But, James, please.

James Bladel: Thank you, Thomas. It's actually a new hand with a quick comment and a question. So the comment is, I agree with and support your I guess recommendation or your withdrawal. It feels like this issue is

moving intercessionally, it's shifting underneath our feet so it's very difficult to pin it down and put it under a microscope during these Council calls. So I appreciate you giving us a little bit more time to get our legs underneath us on this.

And one question that I still have, and I know I asked it if not in London I asked it in the Singapore meeting is my understanding is that this PDP affects all gTLDs but this issue is still being addressed within the context of the new gTLD program committee.

And I'm still not 100% clear on why that is - why this is being treated or, you know, directed as a new gTLD issue when in fact I believe it applies to incumbent TLDs as well. And I'm just - maybe this was explained to me and it's just not registering with me. But I don't understand why that's the case.

Thomas Rickert: Thanks, James. I think that's an excellent question. And as far as I can recollect I have not asked the NGPC, I'm not sure whether Jonathan has tabled it with them but I suggest we take good note of all the questions that are being asked by yourself as well as other councilors and pass them onto the NGPC to prepare their response for them.

Okay so, Jonathan, your hand is up, please.

Jonathan Robinson: In essence you've pretty much answered but I think there's two takeaways I'd really like us to get from this discussion, Thomas, is, one, comfort on - and understanding of the process as per the briefing note. Second, is an appropriate set of questions. And James's is indeed a very interesting point that we can then feed back in a note to the NGPC after this so that they are clear what our questions might be.

And we can have a exchange of information with them as such that when the motion next comes to Council we are confident that whether or not we vote to support we would be doing so in the knowledge that it is accurate in its understanding which we just don't seem to have quite hard enough confidence on at the moment.

So two questions, one, the process; two the questions that we need to ask back of the New gTLD Program Committee.

Thomas Rickert: Excellent. Thanks, Jonathan. And with this I'd like to hand over to Mary to explain a little bit about the modification process spelled out in Section 16.

Mary Wong: Thanks, Thomas. And so in view of the time I won't go through everything that's in the briefing note that was sent to you all and that you see on the screen here.

I think just trying to take into account some of the questions that some of you have asked in the last couple of days, and taking into account what Thomas, James and Jonathan had just said, essentially it's for the Council to decide at this point or at the next meeting or whenever the clarity comes back from the NGPC.

And you'll recall that it was the NGPC who sent that letter of 16 June with the request with the results that you're considering this proposal. So I don't have that to James's question but that really is why we are discussing with the NGPC and responding to them.

But essentially the Council does need to decide on a substantive proposal that it will then send in two directions, if you like. One is back to the reconvened PDP working group and the second is out for public comment.

And the purpose of having both of these processes obviously is so that ultimately the Council will consider its original proposal and any comments that have come in from both directions in figuring out what is the final form of the modification that it wants to adopt by a super majority vote.

So on this note I hope this is helpful. But I just wanted to make a comment on the second point that Thomas noted as a separate point, the substance of the recommendation.

And I know this has been the subject also of discussion outside of the - what the process is including I think most recently by Alan on the list. The proposal was developed, as you recall, in London immediately after receipt of the NGPC letter. And as Thomas mentioned since then certain discussions have evolved and hopefully more clarity will come from that.

Given that in the PDP working group there were so many details, requests and discussions what this proposal does is it lays out perhaps in more excruciating detail than it should the options that the Council might want to discuss with some clarity.

So for example, we take the question of claims versus the post registration notice; both of them are actually in the proposal. So the point I want to emphasize here is not, you know, what those substance

of the proposals are but that in the process at this point, as you're discussing the proposal, it is for the Council to decide ultimately whether what's on the table now that was proposed in London is too broad or needs to be changed.

And I think that's the point Thomas was alluding to when it comes to getting clarity on that from the NGPC so that whatever is ultimately sent back to the working group makes sense from all the various process and other perspectives.

So, Thomas, I hope that's what you had in mind. I'm happy to answer any questions. Thanks.

Thomas Rickert: Yes, at least my expectations are met. I'm opening the floor to councilors to ask questions to Mary. First of all is the process well understood? I see some communication going on in the chat. So seeing - Avri please.

Avri Doria: Okay yes, just basically what I put in the chat. So my understanding of this, and let me see if I'm wrong, is that we have to approve of these amendments. Now we only have to approve at the majority threshold but we would have to approve these amendments and then send them back to the - and then we (consult) the working group, send it to them, have the public comments.

They can say yes, yes we agree, your amendments are good amendments. They could say no, we think your amendments are bad amendments. And I guess someone says they could give us advice on how perhaps to change the amendments.

They can't reopen issues, they can't dig deep into these issues and offer a completely different amendment to us. At least that's what I'm understanding. Of course in that advice they could say, you know, it would have been better if you had asked us to do this amendment instead of the one you asked.

But the main point I'm trying to make is that we have to approve of the amendment at least the majority level. Enough of us have to say yes, that is what we should have recommended in the first place. And, yes, that is what we should be recommending now in order to activate this procedure. Thanks.

Thomas Rickert: Mary, I'll let you answer this.

Mary Wong: Thanks, Thomas. Avri, I would say that you are correct on the process that right now what the Council is being asked to do is to vote with a majority on what the amendment is to be sent back. You're also correct that the working group may respond, you know, in any of those numbers of ways that you have described.

I think what I might do with your permission is rephrase slightly some of what you said in that the working group can - we don't want to presume what the working group might come back with. You did allude to that by saying that the working group could suggest it may have been better if, Council, you had done X.

I think what the working group cannot do, and here's a rephrasing, is reopen discussions of substantive issues that are not within the scope of the proposed modification and certainly not reopen issues that were

discussed in the original working group if those are not within the scope of these amendments. I hope that's clearer.

Thomas Rickert: Thanks, Mary. Next is Alan.

Alan Greenberg: Thank you. I think a lot of this hinges - excuse me, on the definition of approved. I think in this case Council must agree, and you can read that as approve, the wording that we are passing back to the committee. That doesn't mean we support their intent it just means we all agree on what we are asking the committee and which I think should generally echo what was received in the letter perhaps augmented, if there is a strong feeling on Council, that it must be something different.

So yes we are approving the wording but not because we believe that it is a good thing if that were later approved and passed to the Board. But we're all in agreement on what it is the committee should be discussing. So I think it's a - perhaps not subtle difference on what approved means. It's the agreement on the content, not on whether the - on the goodness of the content. Thank you.

Thomas Rickert: Thanks, Alan. I see Avri objecting to this. Mary, is there anything that you want to provide in terms of a response or a comment?

Mary Wong: You know, I would say that if you look at Section 16 still on the screen, it doesn't limit it that way, it certainly doesn't go into detail that way. And there may be a number of circumstances and reasons why the final super majority approved recommendation may defer from the initial one that was sent to the reconvened working group.

And I think what Alan and Avri and others have done is pointed out some of those circumstances that could result in a change. I think one of Avri's points was that if nothing new comes back then for the Council to change its final recommendation, based on nothing, would be rather odd.

And so in that I would posit for example that if the working group comes back and says, "no comment," I mean, this is a hypothesis obviously, if there is no public comment received and then the Council will still have to vote on the final form of the recommendations I think Avri's concern was that, well, then why would you change at that point?

So, Alan, I think you are right that the Council doesn't have to make up its mind right now as to how it's going to act in 45 day time or whatever it is. But I think our suggestion and advice would be that whatever the Council sends to the working group should be something that you as a Council feel fairly comfortable with as being appropriate. And rather than, you know, depend on there being feedback in order to alter what you just sent to them.

Thomas Rickert: Thanks, Mary. Jonathan is next.

Jonathan Robinson: Two points. Thanks, Thomas. I like the distinction that's being made that there is, in principle a difference between what the Council sends to the working group and what the Council ultimately approves. I think it's an important distinction to make but nevertheless I take Mary's point that one would like to see the Council not changing that unless there was something substantial or new reason to change it.

So the intent should be that the Council is relatively happy with what is being changed that's being proposed, I think. Second point is, and this is an interesting one. Whilst it might be clumsy I don't see anything that precludes this happening in two cycles.

In other words, the Council makes a recommendation to the working group. Something substantial comes back from the working group and/or the public comment. And I guess this is in part a statement, part a question, could that cycle be repeated where the Council then sends something back or is this a once-off cycle? So that's a question that I'm thinking about in this proposal. And I don't know if anyone has any opinion on that.

Thomas Rickert: So I understand that those that have put themselves in the queue want to make their own comment so if there's somebody who wants to respond directly to Jonathan please just speak up.

Mary Wong: Thomas, this is Mary. Can I interject?

Thomas Rickert: Mary please, yes.

Mary Wong: And I think that's correct. I mean, Section 16 does not, you know, say you can only have one cycle or that you can have as many as you like. The intent there obviously is that the Council does not just make, you know, a unilateral decision, that it carefully considers feedback received.

So we would think from the staff side that it's pretty much what it would take to get to a point where the Council feels comfortable justifying that it is changing an original quality recommendation. So while it might be

inefficient, we don't think it would be out of bounds of Section 16
should that be the course you choose.

Thomas Rickert: Okay, thanks Mary. James is next and after Volker I have to end the queue.

James Bladel: Thank you, Thomas. And thanks, Mary, I was also curious as to Jonathan's question. My question is actually a little more elemental which is am I understanding correctly that - and maybe I misheard you, the Council cannot make any recommendations on any topics or issues that had been discussed and would effectively be reopening those issues that were previous discussed on the working group? Or did I skip a step here? I would like some clarification on that statement. Thanks.

Thomas Rickert: Mary, please.

Mary Wong: Yeah, and thanks for the question, James. I think here the distinction needs to be made between what the Council can do and what the working group can do. And by that we're going, you know, based on the wording of Section 16.

And if you look at it it basically says, you know, approved GNSO Council policies may be modified. So basically the Council can do what it deems appropriate. However, the working group's discussion is limited to the scope of what it is sent by the Council. I hope that helps.

James Bladel: I'm sorry, it doesn't. And I don't mean to belabor this point. So our recommendations we cannot send a recommendation back to the working group that reopens an issue that they previously discussed an

the working group is not able to discuss a topic that is not within the scope of our recommendation. So I'm not really clear how we get out of this.

Mary Wong: If I can try to, you know, also not confuse myself. You know, I think what we're doing here is a very specific application of Section 16. So one issue is obviously that Section 16 could be invoked by the Council in a completely different situation whereas in this situation you're being asked to invoke it at the request of the New gTLD Program Committee. And that request is set out in the June 16 letter.

So to that extent in this specific instance, you know, your consideration of the proposal is in some way limited by that. Now you could, you know, speaking broadly, decide to reopen other things that the NGPC did not ask you to consider and still use Section 16 for it.

But the premise of the proposal being discussed today is that really all you're going to do is look at what the NGPC asked you to do but in other circumstances, yes you could reopen other discussions. Does that help?

James Bladel: I think so. Thanks.

Thomas Rickert: Thanks, Mary and James. I have Volker and I'm mindful of time so, Volker, if you could take it brief.

Volker Greimann: Yes very briefly, I think that the proposals that we send - the recommendations that we do send back to the working group should be something that we would be able to agree upon as a Council with

the super majority once the group comes back to us and says that this is what they've come up with.

If that's not the case that would just be an exercise of wasting everybody's time. If we propose something that we fully know that part of the community would not support in the end we shouldn't try wasting everybody's time. So, yes, I think we should have clarity on what we're sending back and a certain indication that we'll be sending back already has an indication of being able to be voted in with the super majority and accepted with a super majority and that's it what I want to say.

Thomas Rickert: Thanks, Volker. So I guess my understanding is that we need to get some questions answered by the NGPC. I would recommend that councilors do send their questions to the Council list. We will then collate and communicate with the NGPC to get the questions answered and if needed to have them for a intercessional or for the next scheduled Council call present for a discussion with us.

I herewith withdraw the motion formally. And I guess with this we can close this agenda item. And I'd like to hand back over to Jonathan. Thank you.

Jonathan Robinson: Thank you, Thomas. Thank you, councilors, for conducting that discussion thoroughly but in a timely manner because as you know we're under some pressure to accommodate Maguy who has patiently born with us in a previous meeting and now in this meeting we're off to an early start.

So I think we're clear on what is open on that previous item and we need to pick that up. It was useful to discuss in particular the procedural points.

The next item is Item 5 which is an update on the Uniformity of Reporting final issue. And essentially we committed previously to review at the completion of the ICANN contractual compliance three-year plan which was expected for 31st December, '13 whether additional action was required on uniformity of reporting.

So this is an opportunity to inform us in order to make that decision. And thank you very much, Maguy, for attending our meeting again and sitting through those items that were not particularly relevant to you. But let me hand over to you without further ado to take us through some of the key points.

Maguy Serad: Thank you, Jonathan. Good morning everyone. This is Maguy Serad, Contractual Compliance. With me on the call I also have Paul Redmond who is the Performance Measurement Director in case we get more detailed question.

So could - if you could please, I'm not sure who's controlling the slides. Do I control the slides?

Marika Konings: Yes, Maguy, you can control the slides. I'm happy to do it for you as well.

Maguy Serad: Oh okay, I got it. Thank you. So what I'm going to do is very - I think I'm getting used to standing in front of the GNSO briefly. As I had mentioned at the ICANN 50 meeting, you know, uniformity of reporting

that was submitted - the final report submitted on - in April of 2013 to the Council, highlighted the efforts that we had said we will deliver against which focused on staffing, automation process and last but not least of course all aspect of transparency and accountability for reporting.

So from a starting perspective I have provided you - this is a very extensive deck as I have shared with you. The journey since April 2011 has allowed us to share the progress to fulfill our commitment not only to ICANN but to ICANN community of what we said we want to deliver.

So we've really built out our staff to become what we call a global model and have provided a lot of additional slides, like I said. And what global model is across the three (halves) and continue to grow. A global model also focuses on the global approach - oh I apologize, this slide doesn't show well in Adobe room.

But many of you are familiar with this especially from the GNSO participants. But all this is saying is that we really have now one approach, one model for Compliance. We have went from 9% automation to 71%. We have went from 10 complaint types up to 40. And that is due to the 2013 RAA and also the new Registry Agreements.

So the scope of Contractual Compliance has expanded in depth and complexity. I will not click on the consolidation of the systems and the improved user experience. But what we've done is, and please use that - those slides for your reference - basically built out a tool that will allow our ICANN community members who come to file a complaint give them the flexibility to have what we call Learn More opportunity.

It's provided in the different UN languages. And also allows them flexibility to file a complaint by providing them the guideline of what this complaint is about and how to go about it. So this slide here lists the different complaint types that we refer to.

When we speak of complaint types in compliance I would like the GNSO Council to know anyone can file a complaint, including ourselves, it's not just an external complaint. We refer to them as complaints. The Compliance team monitoring effort also can lead to a complaint.

The point is is that once a noncompliance or an alleged noncompliance is identified we all follow the same process internal and external. Improved transparency and accountability through reporting and metrics, which is the core element of this report to you guys.

We have built out different reporting areas to get to and keep the community informed. We continue to publish the annual report. We provide monthly update which focuses on a month by month activity to keep everyone informed of compliance statistics but also of the activities. Everything is reported in the six UN languages.

We also have a compliance metric that's found also online, we call it Compliance Reports. I'll try to click on it; hopefully it's going to take me to the Website. And here it is.

This is a full report. It's kept on a 12-month rolling period. And when you hover over it you start seeing the percentages but also when you click on each one of those it gives you a much more detailed view of

the application and the data that's requested. Try to go back to the presentation. Here we go.

So we have been able - the Council and the community given them the access to lots of the data so they can make it useful whether during policy development or while they're researching.

So the metrics focus on regional views across all areas down to the country level. Mostly we report a lot and publicly on the enforcement activity and we also have what we call operational reporting to help us drive our efforts.

So again we have a lot of slides provided for the Council here. I apologize, somehow on the Adobe room it's not showing the graphics very well. But to get back to the core of the slide, I'm trying to find here, let me go back to the slide here. Part of improving transparency and accountability what Compliance rolled out is a very critical element we call it post-survey.

It's one thing to keep working forward; it's another to get feedback. So every time we close - Compliance closes a complaint we send a post-survey that consists of five questions to the reporter or the complainant but we also send it to the contracted party in an effort to continue improvement of process communication and system.

The last thing I have here on this bullet on Accomplishments is the audit program. I'm not sure if the Council has been keeping up with the audit program. But it's - oh shoot, sorry.

The audit program focuses on base-lining every three activities within the audit program which is the three-year program that was launched and approved by the Board to baseline the current and legacy. But we recently launched a new gTLD audit program sampling 40 TLDs and we are also continue to conduct what we call internal audit.

Initiatives, we continue to monitor and enforce the new agreements. We just published the Year 2 audit program. There are lots of efforts that are system related with continued growth and integration with other systems at ICANN.

And last and not least are the two bullets which are critical to the informative reporting is Compliance continues to implement and report on consumer trust and consumer choice metrics that were proposed to us. And the activity that's taken a lot of effort of us in ICANN this year will be the Registry reporting. We have to grow and develop all the metrics around the Registry reporting.

With that, Jonathan, I'm going to leave you guys with the digital scanning (unintelligible). We've provided a lot of slides, like I said. Slides that provide year-to-date reporting trends and all kinds of metrics.

I'd like to open it for the Council for questions.

Jonathan Robinson: Yes, indeed, you have. Thanks, (unintelligible). There's a substantial set of supporting slides (unintelligible) appreciate it.

We of course have our own decision to make, which we don't need to deliberate on with you present, but it's a perfect opportunity to see if

there are any questions, comments, or input for you. So please, can I ask if - for a show of - for raising hands if anyone would like to pose any questions on or related matters to Maguy at this stage?

Yes, I'm not seeing any hands come up. We certainly have to decide whether we undertake any initial - any additional action on the back of the comprehensive work you've undertaken and recognizing whether that is therefore sufficient.

So, I don't see any hands, so if - we can leave it at that. And suffice it to say, very much appreciate you coming on at this early hour for you. I know you're pressed for time at the end of this, so let me leave you to get on with the rest of your day and thank you on my own behalf and behalf of the Council for presenting this to us.

Maguy Serad: Thank you, Jonathan. Have a great day everyone.

Jonathan Robinson: Same to you.

The question posed in this item really is - and we've - I do not know whether we can sufficiently answer at this point, but whether any additional action is required on this or whether we formally close this.

I guess what we'll need is probably - and maybe someone from staff could help me there, but I think we need - probably we may need a motion to close the uniformity of reporting work on the back of this if we don't see the need for additional work.

So could get a heads-up from - so Marika confirms. Yes, ideally yes.

So I think here's the point. What you can expect to see - unless someone makes the point for additional action, I expect that we will be presenting a motion to the Council to formally close this work at the next Council meeting, so that's where we stand.

Mindful of time, I think we'll close this item and move on immediately to the next point then, which is an opportunity to get an update on the work of the cross-community working group to develop a transfer process for the IANA stewardship role.

I suspect this here we cover two additional items. We may want to give the Council - from anyone - I'm not sure if anyone who is on the coordination group - forgive me for not remembering exactly who's on which group, but who was in London and present here -- I think James is at least one -- can give any insight into that, we can talk about the work of the cross-community working group.

And, we can probably also under Item 6 here briefly discuss what we know about the accountability track which, as John Berard pointed out on the list at least, and we seem to be all familiar with, is intimately linked and necessarily interlinked with this work.

So I don't want to put you on the spot, but is anyone willing to provide a quick summary, or update, or take any questions on the coordination group in London?

James, I see your hand is up, so I'll gratefully take that as a potential input.

James Bladel: Thank you, Jonathan. James speaking, and I will give you as brief a possible update on the coordination working group meeting.

As you mentioned, the group met last week in London at the lovely Hilton (unintelligible) that we all know and love. And while there were a number of self-organizing administrative functions such as establishing charter, which a drafter charter is on the microsite, and a draft timeline the group also discussed its own organizations for Chair and vice-Chair, and leadership roles.

The matters of substance that were addressed, I think that there were a couple. The first one being that the GAC requested this group consider expanding the GAC delegation from two members to five. My understanding is that the GAC wanted to represent each of the ICANN regions and their delegation to this coordinating group.

The group discussed this at length and I think it ultimately decided that because this was not a representative body, that that request would be approved on - you know, on the understanding that this group would not be formulating the proposal, but rather managing the process of reconciling proposals that would be developed within the various communities.

And I think that was encouraging, at least to me personally, to see that this group was not setting itself up as a - as the authors of this transition proposals, but rather setting the timeframes and required elements for those proposals that it would accept through a submission process from other communities and then it would merge or synthesize those and then present them to the NTIA.

The timeline that was developed is aggressive, bordering on unrealistic. I'll be blunt. It was requesting that communities finalize their proposals by the end of this calendar year, December 30th, and given that we are just now standing up our efforts in the cross-community group it seems that that is you know maybe perhaps a little too aggressive especially when you consider public comment and all the other functions that would need to take place.

So I think that more realistically we would see some proposals coming in from the community in the first quarter to first half of next year with this work continuing over the summer and the submission ideally to NTIA late summer to early fall of next year.

The draft, the timeline, the charter, the leadership of the group, everything has been addressed at this point and it's all available on the microsite. Certainly would welcome any comments or questions.

I would offer just one observation, not from the formal work of the group but just my conversations both with the other members from other communities is that the naming community, and I mean here the GNSO, ccNSO, and perhaps also the ACs, in particular the GNSO and ccNSO I believe have concerns about - accountability is a more fundamental concern to the naming community than it is to other communities who I believe have much more well-defined and cleaner relationship with ICANN than perhaps the naming organizations do.

So I think that we - it then falls to us on the naming community to make sure that our concerns are communicated and understood by some of the other communities who may not really you know appreciate why

we see accountability as just inexplicably intertwined with this transition process.

So I hope that's helpful. I would be happy to answer any questions. In the interest of time, though, I'll just drop it there.

Jonathan Robinson: Very helpful. Thanks James.

Any questions or comments for James before I link onto the work of the cross-community working group?

There's a question in the chat that Amr asks about the group submitting a proposal directly to the NTIA and not going through ICANN. Sorry, yes from Amr.

So - and James answered to the affirmative.

James Bladel: That is my understanding based on the discussions that we had. Of course, you know so many of these things are still in the draft form.

Jonathan Robinson: This is Jonathan back in.

I'll briefly update the Council in my capacity as co-Chair of the cross-community working group on the stewardship transition, and personally I feel we're in a pretty good place. We started - as you know, this took some time to get off the ground. And having heard what went on in London and having understood what's going on in the cross-community working group, it feels to me overall that we're in a good place, notwithstanding A, James' point about the speed with which this

work has got to be done. And B, the concerns about accountability and the integration of the accountability track.

Putting both of those aside for a moment, or at least in part, the cross-community working group has had two face-to-face meetings on the past two Mondays and will have another one on the forthcoming Monday, so it's meeting weekly and has got a pretty good version of a draft charter in place already and has the objective of getting that draft charter to the chartering organizations which is certainly the ccNSO and the GNSO, and likely ALAC and SSAC as well, to get that to those organizations as soon as practically possible for their next meeting.

So currently, that looks like a charter coming from that group to potentially charter the working group that we'll derive from it at our September meeting.

So it's an aggressive timetable and it recognizes that ultimately the coordination group is on a similarly aggressive timetable and there are good efforts being made to really put the effort in.

So I think that's probably enough for now. Any of you can go to the open mailing list and details, and some of you indeed are on that cross-community working group. But, that's possibly enough for now.

The accountability issue - and please put your hand up by all means if you have questions or comments on either of these two elements, but linking this into the point of parallel and intertwined accountability track, this was something that an update was given to the so-called SO/AC/SG leaders call that was held recently.

And, Theresa was able to give an update on where -- Theresa Swineheart from ICANN staff -- as to where the staff was heading on this and that there was likely to be something coming out. A refined version of the previous proposal in relatively short order.

I would encourage any of you who want to know detail on that to go to the transcript and/or the recording of that meeting. It's an hour-long meeting that took place recently. If you need a reference to that, I'm sure it can be - oh, thank you Marika. Marika's put that up in the chat so you have availability of that and that's available to you.

So let me pause now and see if there are any other questions or comments on or around this.

James, your hand is up.

James Bladel: Hi, Jonathan.

Just very briefly, I just wanted to note for Councilors' interest that Larry Strickling, Assistant Secretary for Commerce for the NTIA, made a speech recently. The transcript I can post in the chat - a link to the transcript.

But essentially, he seemed to imply that accountability was inseparable from the IANA transition process and I think that that's - if there's any doubt that NTIA will be scrutinizing transition proposals with accountability in mind, I think he put those doubts to rest recently.

And I think given the unanimous statement of the GNSO in London, I think that should be very encouraging. So I will link to that in the chat.

Jonathan Robinson: Thanks, James.

John?

John Berard: Yes, this is John Berard.

I think that was the text of the speech that I forwarded to the Council yesterday in noting Strickling's point. And then there was also a follow-up which suggested that Fadi in a meeting has also confirmed that the accountability is tied to the IANA stewardship transition.

I'm going to offer a small commercial at this point. If you have not and are able to, I would encourage you to take a look at the comments offered by the business constituency with regard to ICANN accountability. In particular, a recommendation that there be created a standing cross-community committee on accountability that reaches beyond the GNSO and across the entire ICANN community.

It is an attempt to create a counter-balancing structure that would allow for the organization to promote and to manage accountability on a go-forward basis. And, we think that it's - it could be an important step in creating a structure that would provide some not just community, but also a global confidence in ICANN's ethical approach.

Jonathan Robinson: Thanks, John.

By all means, provide that - any link to that or connection to that as you see fit.

Avri?

Avri Doria: Thank you. Avri speaking.

I have a question which I think is for James, and it relates to accountability.

Now all this discussions of accountability we're having are ICANN-to-ICANN, and it seems like what I'm seeing from the ICG, from the coordination group, is that the issue of accountability does not pertain at all to the two functions that have been sliced and diced for IETF and for the RIRs in other - in terms of numbers. There's nothing to be discussed in terms of accountability. It's between the IRRs, RIRs, and IANA, and it's no one else's business.

Likewise with the protocol parameters, it's between the IETF and IANA, and no greater degree of accountability is required. They take care of their own business in-house with their own MUOs and the rest of the global multistakeholder community really has nothing to say about that.

Is that a correct view of it?

And I guess while I'm asking the question in terms of doing the - what I'm calling the slice and dice, that there are there functional areas and that they're to be dealt with only by their functional groups.

That there's other stuff that didn't actually fall strictly into those categories and how are those issues being dealt with by the coordination group?

Thanks.

James Bladel: Jonathan, I can respond quickly.

Jonathan Robinson: All right, James.

James Bladel: Okay.

So Avri, I think your characterization is correct. I don't want to put myself too far out there because I don't quite believe I have an expert handle on how the other groups are structured, but there was a chart proposed and put on the screen at one point in the meeting, and maybe I could see if could dig that up for Council.

But essentially, it listed the three legs of the stool, the naming, number, and protocols. And it was very clear from that chart that the policy, the operations, and the enforcement mechanisms were very distinct for the other two communities, while for the naming community, particularly post IANA transition, it's just one organization. It's ICANN, ICANN, ICANN.

And, I think that that is why the issue of accountability is front and center I think for the naming community, while it is - it does not seem to generate the same level of excitement or enthusiasm, or a vigorous discussion in the other two communities. At least as of yet.

And so I think that the - part of the work of the GNSO delegation to the - and the At Large and GAC as well, that delegation to this

coordinating group would be to help explain why this issue is so critical to our community.

And if it's not, then maybe you can just - not even in the top five concerns of the other communities.

But that is my understanding. Your assessment is correct.

Jonathan Robinson: All right. Seeing no further hands in the chat - in the Adobe Connect room, I think that's probably a sufficient airing of the issues and updates on that activity.

Let's move on to Item 7 then and pick up on whether or not there is any update on the work of the GNSO working party, which I understand there may not be a lot of movement since London, but let me offer it over to Jennifer Wolfe in case there is anything to bring us up to speed with.

Jennifer Wolfe: Thanks, Jonathan. Can you hear me okay?

Jonathan Robinson: Yes, loud and clear. Thanks.

Jennifer Wolfe: Great. Great. Thank you.

I don't have a lot to update, but just a couple of points. I do appreciate everyone providing feedback by the July 10th date that we had discussed in the London meeting. We did get good substantial feedback from the various constituency groups, and that has been incorporated, so we have made a lot of progress in getting feedback

from the GNSO as a whole to amend and expand the scope of the 360 feedback.

We just received yesterday from the consultant who was hired to administer the survey, Westlake, that we now have a sample that we can review. A few people have reviewed it. A few of us haven't had a chance to yet. But over the next two weeks, we'll be reviewing the actual survey, providing feedback so that we can ensure it's as easy as possible.

And if anyone would like to participate in that, please let me know and I'll certainly send you the information in the link and welcome your feedback on that process.

We do met today and then we'll meet again in another two weeks to review the feedback on the actual survey, make any final modifications, and then be moving forward with the implementation of the survey itself.

So I do encourage all of you once the announcement is made that the survey is ready to take, please take it yourselves of course, and to encourage everyone from your constituency groups to take the survey. And, we'll be able to provide a more detailed update once the survey is underway.

Happy to answer any questions.

Jonathan Robinson: Thank you, Jen.

Any comments or questions for Jen on this item, Item 7, the work of the GNSO review working party?

Thanks again, Jen. Seeing none, I'll move us on to Item 8, which is on the work of the GAC/GNSO consultation group. I'll make a couple of remarks and see if anyone else has anything to add.

Really, I think there's a few things. We've talked about the liaisons, so I'm not going to reopen that part.

There is a survey out to the GAC to try and understand their - GAC members' understandings of GNSO communications and communication processes on policy. That's been filled in by a relatively small number, but we're going to push ahead and try and get as much input as we can.

It is a struggle to maintain momentum. I shouldn't be biased. I think we've been probably slightly more active from a GNSO perspective, although that said, I mean certainly my co-Chair, Manal Ismail from the GAC, has been very, very helpful in keeping things going.

But I guess my call would be just to remind anyone who's participating from the GNSO side to do your best to help keep this particular group's momentum going.

So that's really all the update I have for the moment. Does anyone who's participating in that group or is there anyone who would like to make a comment or question on this?

Amr, go ahead.

Amr Elsadr: I would like to make a brief comment on the liaison role. Just based on some of the feedback we got in terms of volunteering for that role from our stakeholder group, I think it might be helpful to disclose more of what this consultation group is proposing in terms of GNSO communication going beyond the role of the liaison himself.

And, I'm thinking specifically about the (PP) liaisons.

Maybe this is something we should discuss on the GNSO group. I was wondering if you or anyone else had any feedback on that?

Thanks.

Jonathan Robinson: (Unintelligible), I'd be very happy to pick that up with you on the group. And if necessary, bring it back to the Council.

I feel relatively clear on the scope of this and how it interrelates. But I'm fully aware that we may need to do some better outreach and communication.

So why don't we pick it up in the group, as you suggest, and if necessary bring it back to the Council, even if it's just as a briefing note to make sure that the Council is sufficiently clear and can communicate that out, or if there's any further discussion.

Please feel free to remind me and remind us on the group to pick it up.

Thanks for raising that.

All right, the next item is Item 8 - Item 9, which is an update and discussion on the planning for LA. This is really just kicking off now, but I suspect it's going to come up pretty quickly once we in effect return to full speed business after the various breaks that'll take place over the summer, at least in the Northern hemisphere. Summer tends to slow things down for some of us.

So I would - I guess what we're hoping for and expecting is a draft schedule from Glen and then myself, and David, and Glen, and the other ICANN staff will pick this up. But it is an opportunity for you to flag anything and for me to again remind you of that second Friday, Friday the 17th of October, where we'll be holding the development session.

Any other comments or questions at this early stage about planning for our meeting in October? Welcome to hear them.

I think everyone would like to get to the end of this call then I suspect.

Seeing Item 10 is any other business - now I have an old version of the agenda, so I need to see what the electronic version says because I know there was an additional one.

Oh, it was simply that point that I just made now, which is the Council development meeting on the 17th of October.

And in addition, it was earlier raised that we should discuss the parallel accountability track which we have discussed. So, let me see if there are any other points for - under any other business that anyone would like to raise?

Amr, go ahead.

Amr Elsadri: Thanks Jonathan. This is Amr again.

Just to be clear, when we did discuss the accountability, the ICANN accountability track, you said that we should go back to the transcripts of the SO/AC leadership meeting. Am I correct? So there would be no update right now by staff?

Jonathan Robinson: Yes. Good point.

Yes, I said that, and that was posted in the chat, and that's recent. That's within the last week, so it's fresh, if you like.

I don't think there's anyone on staff present on the call is my understanding who is appropriately equipped or connected to that work to give an update, but I'm sure we can request that such an update is requested by staff and that we're kept informed.

I have a feel I've got something in my email that I could forward to Council, and I will check that as well. Something recent or at least a follow-up from Theresa. So I will commit to do that.

But finally, I will note - I will do that. I will send what the most recent update I have received as part of whichever group on accountability.

I'll note that - and you may not have seen this if you aren't tracking your email at the same time, but we have had a note from Cherine Chalaby, Chair of the new gTLD Program Committee, essentially

indicating a willingness to provide clarity and also asking for some update from us on the PDP on (unintelligible) rights.

So the dialog is, if you like, initiated. So having had our discussion on the process issues, I think we can work hard and relatively fast to get the substance. My hope being that we'll have an equivalent, although not necessarily identical motion, that Thomas presented to today's group, and the subsequently with (Drew) for consideration in September.

At least check your Council email for that note which I've forwarded, and as I say, I'll commit to forwarding Theresa's note to the extent that I have it on accountability. And, check also that transcript and recording.

All right, it's ten before the hour, but it seems we have no other hands raised or other points or comments for the meeting, so that's great. Thank you very much for this useful discussion as usual.

And, look forward to seeing you all at our next meeting in September.

And for those you that are taking any form of break or vacation over the next month, I hope you enjoy it, and look forward to working with you in the months ahead.

Man: Thanks, Jonathan.

Woman: Bye.

Woman: Thank you, Jonathan.

Man: Thank you.

Woman: Thank you.

Man: Thank you.

Man: Thanks everybody. Bye.

Man: Bye.

Man: Thank you.

Woman: Thank you, Jonathan.

END