

Nathalie Peregrine:Dear all, welcome to the GNSO Council meeting on Thursday 21 February 2019 at 12:00 UTC

Rafik Dammak:hi

Syed Ismail Shah:Hi

Keith Drazek:Hi all

Keith Drazek:Hi Syed, I'm glad you're with us today!

Syed Ismail Shah:Thank you

Marie Pattullo:Afternoon, all.

Maxim Alzoba (RySG):Hello All

Elsa Saade:hey everyone

Ayden Férdeline (NCSG):hello all

Carlos Raul Gutierrez:Its morning in America

Carlos Raul Gutierrez:in Central Amerrica I mean

Tatiana Tropina:Hi all :) lovely day here today (day already)

Marie Pattullo:It's lovely here too Tania (in the Brussels sense of lovely ;-))

Elsa Saade:snowing in New York

Tatiana Tropina:Marie :) I guess Southern Germany has more or less the same sense of lovely in February

Julf Helsingius:Afternoon :)

Osvaldo Novoa:Hello all

Nathalie Peregrine:Welcome all!

Rubens Kuhl - RySG:I will need a few minutes to get on audio.

Nathalie Peregrine:Noted, Rubens.

Julf Helsingius:Someone has mic on

Maxim Alzoba (RySG):submariners

Nathalie Peregrine:We're working on the audio disturbance

Martin Silva Valent:jajajaj

Michele Neylon:can someone please turn that bloody thing off

Tatiana Tropina:oh it is a bit painful :)

Julf Helsingius:Someone playing chimes?

Elsa Saade:lol

Keith Drazek:Sounds like a plumber banging on a pipe

Maxim Alzoba (RySG):sounded like a sonar, so it might be a torpedoe

Marie Pattullo:I thought it was Nathalie's kids on the swing in the garden ;-).

Carlos Raul Gutierrez:it is a GDPR bomb in the background

Julf Helsingius:Torpedoes away!

Carlos Raul Gutierrez:::):)

Carlos Raul Gutierrez:I'm awake now

Arsene Tungali:sory

Arsene Tungali:my apologies everyone

Scott McCormick:Good morning, working on dailing in here

Rubens Kuhl - RySG:Here

Rubens Kuhl - RySG:Now on audio, apparently.

Scott McCormick:I'm dailed in as well

Arsene Tungali:i am here

Philippe Fouquart:Hi everyone

Ayden Férdeline (NCSG):sorry loosing my voice

Philippe Fouquart:sorry go disconnected

Philippe Fouquart:have to reconnect to dialin
Nathalie Peregrine:Noted Philippe, thank you.
Rubens Kuhl - RySG:It's kinda like flight safety instructions.
Philippe Fouquart:back with AC audio now, sorry about that
Nathalie Peregrine:Thank you Philippe.
Julf Helsingius:Keith: might be good for me to be on that meeting with GAC
Nathalie Peregrine:The doodle will be sent out later today.
Julf Helsingius:Thanks!
Carlos Raul Gutierrez:how nice
Carlos Raul Gutierrez:chopin
Marie Pattullo:take your partners for the waltz
Tatiana Tropina:that was very nice music....
Arsene Tungali:nice break
Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):odd and my audio dropped at that same time... I don't have holdusic on my system however...
Ayden Férdeline (NCSG):nicer hold music than i usually receive....
Rubens Kuhl - RySG:The phases are in the charter, just not named phases.
Ayden Férdeline (NCSG):exactly Rubens
Paul McGrady:@Staff - can you confirm the voting threshold? It is supermajority, correct? Also, how many votes from each house are needed for supermaority?
Marika Konings:Correct, supermajority support is needed for EPDP recommendations
Ayden Férdeline (NCSG):A "GNSO Supermajority" shall mean: (A) two-thirds (2/3) of the Council members of each House, or (B) three-fourths (3/4) of the Council members of one House and a majority of the Council members of the other House.
Marika Konings:A "GNSO Supermajority" shall mean: (A) two-thirds (2/3) of the Council members of each House, or (B) three-fourths (3/4) of the Council members of one House and a majority of the Council members of the other House.
Ayden Férdeline (NCSG):what a coincidence...
Ayden Férdeline (NCSG):+1 Keith
Ayden Férdeline (NCSG):deferrals are not a right!
Marika Konings>Note the guidance on deferral of motions here:
https://urldefense.proofpoint.com/v2/url?u=https-3A_gnso.icann.org_en_council_sci-2Dguidance-2Ddeferral-2Dmotions-2D12dec12-2Den.pdf&d=DwlFaQ&c=FmY1u3PJP6wrcrwlI3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0AIGN-H4xR2EBk&m=77r9TVNLwPUCJsbVYpUq_VkRwlpYmVsnD-dTjf-SciQ&s=FygDNm2r0lR4fjqotXaTxqsFRbk7nBexmus8MnlzoFo&e=
Ayden Férdeline (NCSG):deferrals are at the Chair's discretion ultimately
Rubens Kuhl - RySG:A deferral is not a right.
Marika Konings:that was developed by the SCI - it is at the discretion of the GNSO Chair.
Michele Neylon:Deferral is discretionary
Rubens Kuhl - RySG:BC/IPC should note that deferring is the only way that prevents EPDP discussions. Outside of a positive vote and actions from the council, EPDP is frozen until further notice.
Ayden Férdeline (NCSG):I hope we can vote today - the sooner the vote happens, the sooner implementation work, and phase 2, can begin.
Rubens Kuhl - RySG:Any EPDP discussion, Phase 2 or not, requires Council affirmative actions.
Paul McGrady:Seems odd that only those against the deferral are able to make substantive comments about it.
Tatiana Tropina:EPDP has no more meetings, so let's just vote

Rubens Kuhl - RySG:Paul, if the deferral goes against the goals, should even BC and IPC support such ?
Ayden Férdeline (NCSG):it is particularly odd given the BC and IPC's minority statement, which states their "concerns do not rise to the level that would cause us to dissent from the Final Report overall. We are looking forward to discussing them with our colleagues on the EPDP Team in Phase 2." So why can't we just move on with the vote?

Paul McGrady:@Rubens - whose goals?

Rubens Kuhl - RySG:Paul, BC's and IPC's.

Rubens Kuhl - RySG:They can't reconvene unless the Council tells them to do so.

Ayden Férdeline (NCSG):The EPDP team has submitted its final report to the Council. There is no need to convene another meeting.

Rubens Kuhl - RySG:So by deferring, we are causing exactly the opposite.

Maxim Alzoba (RySG):removal of lawful access wording might lead to the opposite

Ayden Férdeline (NCSG):One of the changes was the BC and IPC minority statement, which was submitted late and past the deadline – not that anyone objected to that.

Keith Drazek:Document advance notice is 10 days not 14 days

Ayden Férdeline (NCSG):How would deferring the vote to 4 March change this objection Paul? If the report isn't going to change...?

Tatiana Tropina:I thought the constituencies already voted for the recommendations

Paul McGrady:@Keith - either way its not 16 hours

Michele Neylon:Any changes were at the request of the IPC BC

Tatiana Tropina:Michele +1

Elsa Saade:Didn't we all have representatives at the EPDP? And had all the time to feed into the discussion and final report??

Maxim Alzoba (RySG):hopefully voted for inside of the constituencies?

Rubens Kuhl - RySG:The guidance to make EPDP discuss anything, deferring is going against that guidance.

Paul McGrady:@Keith - EPDP members are not the same thing as a full constituency.

Ayden Férdeline (NCSG):So, we have two-thirds of one stakeholder group requesting this deferral, and three entire stakeholder groups ready to vote today. And the language that these two particular constituencies would like edited has been discussed extensively by the EPDP team. And not on one call; across many calls. Indeed, recommendation 2 was added at the insistence of the BC and IPC – no one else wanted it. Why can't you see that's actually a victory for you? You got everything you wanted

Ayden Férdeline (NCSG):Time for dialogue? That is exactly what the EPDP team has been engaging in for 7 months.

Maxim Alzoba (RySG):different degrees of consensus were reflected in the paper

Ayden Férdeline (NCSG):Deferring this vote until 4 March will not change anything, as the substance of the report is not going to change. But it will delay implementation work and the important phase 2 deliberations.

Rubens Kuhl - RySG:WG could dialogue all they wanted before sending us a final report. Now they are frozen until we assess their recommendations.

Rubens Kuhl - RySG:GNSO OP define consensus in the context of PDP. It is way more subtle than dictionary.

Michele Neylon:damn lost my place in the Q by accident :(

Marika Konings:From the GNSO WG Guidelines: Consensus - a position where only a small minority disagrees, but most agree.

Michele Neylon:Flip - you need to read the GNSO WG guideline

Darcy Southwell:Given the definition of 'divergence' in the Charter, asking the EPDP WG to continue deliberations to reach consensus seem a waste of time.

Michele Neylon:+1 Darcy

Rubens Kuhl - RySG:Consensus - a position where only a small minority disagrees, but most agree.

Marika Konings:Annex E of the Final Report outlines the different consensus designations as well as how the EPDP Chair arrived at those.

Paul McGrady:What is the definition of a "small minority"?

Mary Wong:There are varying levels of consensus specified and defined in the GNSO WG Guidelines. A PDP Chair has the responsibility of designating each PDP Rec with a specific level of consensus (ranging from Full Consensus to Consensus to Divergence).

Marika Konings:the GNSO WG Guidelines provide further details re. the different definitions as well as the process used.

Paul McGrady:Also, Flip's question has to do with this language: "10. The EPDP Team has reached full consensus / consensus on the recommendations contained in the Final Report, apart from two recommendations (#2 and #16);" It references both Full Consensus and Consensus. Which is it?

Mary Wong:@Paul there is no numeric or percentage definition - it is the PDP chair's call (which can be challenged by PDP WG members before the Final Report is submitted).

Marika Konings:@Paul - some recommendations were deemed to have full consensus, others consensus, so it is both. Annex E provides further details.

Ayden Férdeline (NCSG):And if I may be frank, not everyone participated in the EPDP with the sincere intent of reaching full consensus – some have sought to never allow discussions to end, rehashing the same argument call after call, and rudely not listening to others. I will allow others to guess which constituencies might have fallen into this category... I consider this to be very dangerous to the multistakeholder model.

Ayden Férdeline (NCSG):+1000 Michele

Paul McGrady:@Marika - odd wording which could lead the reader to the wrong conclusion

Rubens Kuhl - RySG:Going back to further discussions would require council action. Without action, EPDP can't discuss anything else. Not even the weather.

Pam Little, RrSG:@Paul, what if the wording "full consensus / consensus " is changed to "full consensus or consensus"?

Paul McGrady:@Pam - would have been better, but hasn't Keith told us we can't make any changes to the report delivered on yesterday?

Marika Konings:as also noted in the report, Annex E provides the details of where full consensus was achieved and where consensus was achieved.

Marika Konings:As explained in Annex E: "Also note that several Recommendations are designated as Full Consensus / Consensus. While no group disagreed with the Recommendation in these cases, the designation was made in deference to the significant compromise made in developing this set of Recommendations."

Rubens Kuhl - RySG:The "final" in Final Report means it's final. In this case, same meaning as dictionary.

Ayden Férdeline (NCSG):+1,000 Tatiana. The NCSG is not happy with the report and its recommendations in their entirety, but in the spirit of moving us all forward, we did not ask for changes at the 11th hour. We've compromised at every opportunity. Only the BC and IPC have requested last-minute changes, relitigating issues that had already been discussed. THAT is why the report was delayed. And I find it difficult to imagine that the contents of the final report will have come as a surprise to anyone, as the drafting process has happened in public for anyone to read or listen to on calls.

Ayden Férdeline (NCSG):+1 Rubens

Tatiana Tropina:I am leaving Adobe connect -- going to be on the phone for the second half of the meeting. Thanks all

Nathalie Peregrine:Noted, Tatiana, thank you

Marie Pattullo: We have of course fully read & digested the report, but do realise that not all of our membership could do that overnight – and discussion to us is key to the multistakeholder process. We always listen to other perspectives and if you think I have been “rude”, Ayden, I can only apologise as that is never my intention.

Darcy Southwell: Respectfully disagree with Paul. Having a backup meeting on March 4 in no way means we don't come prepared on February 21.

Michele Neylon: it's not a "quick vote"

Martin Silva Valent: I gotta stress that we are just reviewing the process, the content has already reached MS consensus

Ayden Férdeline (NCSG): Hi Marie, thank you, no I do not think you have been rude here

Michele Neylon: IPC BC has been heard

Darcy Southwell: +1 Martin

Michele Neylon: multiple times

Elsa Saade: +1 Martin

Michele Neylon: "railroad" - lovely choice of words

Michele Neylon: we engaged in good faith

Maxim Alzoba (RySG): was the issue that EPDP members from the groups were not following charter by not keeping their groups informed?

Ayden Férdeline (NCSG): Paul, your concerns have definitely been heard on the 46 EPDP calls I've dialed into. Although I have not yet had the time to engage in a detailed analysis of the amount of time IPC reps have taken the microphone throughout the EPDP, I can say quite confidently that your concerns were heard.

Rubens Kuhl - RySG: If it's only for SG/Cs discussion, and it's clear that is the only thing that can happen, fine. But the report we will be voting on will be the same one already on the table.

Rubens Kuhl - RySG: And by deferring, there will be 10 less days of discussion. Not more.

Paul McGrady: @Keith - you asked me several questions in your comments but didn't give me a chance to respond.

Keith Drazek: You're up next Paul

Carlos Raul Gutierrez: Will the Chair PLEASE proceed with the substantive discussion on the 2 contentious issues

Maxim Alzoba (RySG): in case the deferral is not granted- could we start voting?

Julf Helsingius: +1 Carlos

Rubens Kuhl - RySG: There will be no further assurances; they could only appear in a motion putting the EPDP back in motion.

Michele Neylon: IPC BC aren't going to get what they asked for

Michele Neylon: we should just vote and move on

Carlos Raul Gutierrez: I repeat myself: Will the Chair PLEASE proceed with the substantive discussion on the 2 contentious issues BEFORE we vote

Ayden Férdeline (NCSG): "I'll telegraph a little, it doesn't look good" sounds a lot to me like a 'no' vote. Let's just get it over and done with then?

Michele Neylon: there are a lot of things that were "traditions"

Maxim Alzoba (RySG): there is a deadline of tempspec expiry

Rubens Kuhl - RySG: So deferring actually prevents anything from being discussed.

Michele Neylon: clinging on to them isn't always a good idea

Ayden Férdeline (NCSG): I prefer a single vote

Martin Silva Valent: traditions only serve if there is a reason, deferrals are not denied in general because there is no harm in doing so, but this might not be the case

Julf Helsingius: Single vote, please!

Darcy Southwell:Single vote.
Martin Silva Valent:single vote
Philippe Fouquart:no objection
Flip Petillion:single please
Osvaldo Novoa:no objection
Scott McCormick:single vote
Elsa Saade:single vote!
Arsene Tungali:single vote
Marie Pattullo:Single vote
Ayden Férdeline (NCSG):the minority statement from the BC and IPC will still be included...
Michele Neylon:the consensus levels are in the report
Michele Neylon:as are the minority statements
Rubens Kuhl - RySG:That's up to what we put on the recommendation.
Marie Pattullo:Question please: am I right that the BC/IPC statement will be included in the Report?
Ayden Férdeline (NCSG):yes
Marika Konings:It is already in the Final Report
Michele Neylon:it's in there
Mary Wong:@Paul, the Council will be asked to also approve a Recommendations Report to the Board (assuming the Council passes the PDP recs). The Ciuncil can highlight specific points in that report. if you choose
Rubens Kuhl - RySG:It is already in the report.
Marie Pattullo:Thanks Keith
Paul McGrady:Thanks Keith
Syed Ismail Shah:I do not support defferal
Michele Neylon:I strongly oppose deferral
Maxim Alzoba (RySG):I am not in support of the diferral
Michele Neylon:I won't be at the meeting on March 4th
Darcy Southwell:I do not support a deferral
Ayden Férdeline (NCSG):I will not be joining the March 4 meeting either
Martin Silva Valent:we should not deffer this time, we have a deadline
Rubens Kuhl - RySG:I believe deferral goes against BC/IPC best interests.
Keith Drazek:I agree Rubens
Michele Neylon:I agree with Ayden
Michele Neylon:I rarely doi
Marie Pattullo:Thank you Keith - we very much appreciate your perspective, and will be here & ready to vote on 4th March
Ayden Férdeline (NCSG):will ICANN be changing my flight? as it was booked before it was known we wuld have a special council meeting on 4 March. and I will not be giving my proxy to anyone on this important vote.
Rubens Kuhl - RySG:Ayden, BC/IPC will pay for your new flight.
Maxim Alzoba (RySG):will inability to keep the constituency informed make the particular EPDP members disqualified?
Maxim Alzoba (RySG):@Keith, please read my question
Marie Pattullo:I would like to be on record that I am neither acting in a disingenuous way, nor attenpting delaying tactics.
Ayden Férdeline (NCSG):There is no point putting that on the record; it is plain for everyone to see that the BC and IPC have acted in bad faith for the past 7 months on the EPDP. This is not new, but it is most certainly disappointing.

Maxim Alzoba (RySG):*inability
Marie Pattullo:I stand by my statement, Ayden.
Ayden Férdeline (NCSG):let me take a wild guess, the BC and IPC vote no next meeting
Maxim Alzoba (RySG):will such difference lead to different outcome?
Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):hard to hear
Michele Neylon:I can't hear properly
Carlos Raul Gutierrez:can't u dnerstand rafik
Rafik Dammak:I can speak again
Rafik Dammak:it was problem with earphones
Elsa Saade:i don't think so... Paul really said he doesn't know! So it's not so clear cut...
Rafik Dammak:thanks, I am happy to cimunicate that to EPDP team to diffuse any concern
Ayden Férdeline (NCSG):QUESTION: Do we even have a quorum for the meeting on 4 March? What happens if the answer is 'no'?
Ayden Férdeline (NCSG):much easier to hear you now Rafik
Michele Neylon:Ayden - Darcy is covering for me
Maxim Alzoba (RySG):@Ayden, you need to appoint the proxy
Ayden Férdeline (NCSG):No, I will not be appointing a proxy.
Rubens Kuhl - RySG:Ayden, then you are voting NO.
Ayden Férdeline (NCSG):I see, is that how it works?
Michele Neylon:Ayden - give someone your proxy :)
Michele Neylon:your SG Chair needs to
Michele Neylon:if you don't
Rubens Kuhl - RySG:Ayden, you can give your proxy to BC/IPC then. It's the same as not voting.
Mary Wong:There is the possibility of an absentee ballot, but the Operating Procedures strongly encourage Councilors to facilitate work going on, so a proxy is advisable.
Michele Neylon:What dialogue?
Michele Neylon:exactly
Michele Neylon:if it's internal to IPC BC - fine
Michele Neylon:Keith is deferring on the basis of a process point, which is a pain, but I support his rationale
Maxim Alzoba (RySG):+1 Michele, we have to wollow own rules
Maxim Alzoba (RySG):*follow
Ayden Férdeline (NCSG):this deferral to 4 March also gives the Board less time to evaluate public comment submissions
Elsa Saade:then we should follow the rules always. not when it's in the interest of one or two constituencies or SGs
Paul McGrady:@ELsa - correct. I do not know if the votes can change but I do know without the deferral there is no chance at all.
Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):So Sub Pro WG
Rubens Kuhl - RySG:Paul, chances of changing shouldn't be part of a process assessment.
Rafik Dammak:@CLO I think a calming topic :)
Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):Yes clear @Jeff
Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council): and I will ;-)
Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):and we have started the Review of the 50+ PC's received to WT5 (Geo names) Suplimantal Initial Report with the WT earlier today
Paul McGrady:@All - I respect each of you as advocates. I know most of you personally and know that any comments which could be seen as personal are out of frustration and not out of any real malice. I

don't take them personally and I hope that we can use the time between now and March 4 to see if there is any way forward here for a unified vote. If not, so be it, but I do think it is worth the effort.

Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):but still all within 2019

Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):the possibility OF dependencies with RPM 8is referenced in our CHarter so we do need to note it... even though we don't see any such dependancies

Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):We have been Busy

Steve Chan:Slides are unsynced for your review.

Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):Thx Steve

Rubens Kuhl - RySG:And also available for download at the AC window.

Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):We as Chairs will still establish any levels of Consensus from the WG on any Recommendations made *in * the Final report accross all 5 WT's

Jeff Neuman (Overall SubPro Co-chair):Oh, absolutely we will have consensus calls on recommendations to include in the final report

Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):YUP

Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):-) @Pau;

Jeff Neuman (Overall SubPro Co-chair):The dependencies in the charter are just that we each pay attention to the other PDPs and "consider" them. Agreeing wih Cheryl.

Jeff Neuman (Overall SubPro Co-chair):We have referred a couple of things to them and they have referred items to us.

Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):-)

Jeff Neuman (Overall SubPro Co-chair):thanks all.....bye!

Flip Petillion:Thank you Jeff and Cheryl !

Elsa Saade:thank you Jeff, Cheryl! It's tremendous work being done at the moment. Kudos

Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):Thanks for your attention to our ongoing Sub Pro PDP WG activities and update... *especially* on todays call Councillors

Arsene Tungali:Thanks Cheryl and Jeff

Ayden Férdeline (NCSG):thaks Keith

Ayden Férdeline (NCSG):* thanks

Berry Cobb:PCF: https://urldefense.proofpoint.com/v2/url?u=https-3A_www.icann.org_public-2Dcomments_two-2Dyear-2Dplanning-2D2018-2D12-2D21-2Den&d=DwIFaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl415cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0AIGN-H4xR2EBk&m=77r9TVNLwPUCJsbVYpUq_VkRwlpYmVsnD-dTjf-SciQ&s=UoHfPkgMJmjXsE85JM4V7VezjDDhsPn8E-YUJI_4vUA&e=

Maxim Alzoba (RySG):downloadable from the window

Maxim Alzoba (RySG):bye all

Cheryl Langdon-Orr (@CLO3 ALAC Liaison to GNSO Council):Bye for now then...

Syed Ismail Shah:Thank You all

Ayden Férdeline (NCSG):thanks Keith

Marie Pattullo:Thanks to everyone. I need coffee now.

Michele Neylon:See you all in Kobe

Maxim Alzoba (RySG):safe flights

Arsene Tungali:see you all on March 4th. Thanks

Elsa Saade:thanks all

Flip Petillion:Thanks all

Osvaldo Novoa:Thank you and bye

Philippe Fouquart:thanks. Bye all.