Welcome to the GNSO Council call on Thursday, 26 April 2018.

Hi all

Hi all! This Webex is such a terrible thing :-)

First time WebEx hasn't required an update. It required two on Tuesday...

Am happy this time it started in 30 seconds (last time it was like 5 min or so)

Marika, thanks for the reminder - am certainly going to beg them to bring the AC back

You can send your feedback (Zoom, WebEx, return to Adobe Connect) before May 2nd here: RP-tool@icann.org

Hello all

Hello Keith

hi all

Hello Ayden

Evening!

hi all

evening

Hi, hi

Hi. This is Syed Ismail

Hi all

Good morning
April 26, 2018 4:01:32 PM from Erika Mann to all participants: It's an awful connection tonight with a lot of noises

April 26, 2018 4:01:56 PM from Cheryl Langdon-Orr to all participants: there are / is mic(s)

April 26, 2018 4:02:20 PM from rafik dammak to all participants: joining via audio

April 26, 2018 4:02:35 PM from Cheryl Langdon-Orr to all participants: If mine was open you would hear a chorus of my dogs barking :-(

April 26, 2018 4:03:00 PM from Erika Mann to all participants: @Cheryl - I would love to hear the dogs!

April 26, 2018 4:03:01 PM from Marika Konings to all participants: @Erika - let us know if you need a dial out as audio is clear on this end.

April 26, 2018 4:03:23 PM from Cheryl Langdon-Orr to all participants: no Rubens probably someone daring to use the road as some sort of public thoroughfare ... they have a different bark for snakes ;-

April 26, 2018 4:04:07 PM from Rubens Kuhl to all participants: @Cheryl are the dogs barking due to "visitors" ?

April 26, 2018 4:04:24 PM from Keith Drazek to all participants: Snakes!

April 26, 2018 4:05:16 PM from Ayden Férdeline to all participants: out of curiosity, what is the order in which names are read out? it does not seem to be alphabetical

April 26, 2018 4:06:01 PM from Thomas Rickert to all participants: Hi all!

April 26, 2018 4:06:06 PM from Ayden Férdeline to all participants: welcome Thomas

April 26, 2018 4:06:11 PM from Terri Agnew to all participants: All documents shown during the Council meeting can also be found here: https://community.icann.org/x/8YLpB

April 26, 2018 4:06:17 PM from Erika Mann to all participants: The mute button is not working

April 26, 2018 4:06:18 PM from Marika Konings to all participants: @Ayden - random selection for every meeting to keep you all on your toes! (just joking ;-)

April 26, 2018 4:06:38 PM from Cheryl Langdon-Orr to all participants: no Rubens probably someone daring to use the road as some sort of public thoroughfare ... they have a different bark for snakes ;-)

April 26, 2018 4:06:47 PM from Terri Agnew to all participants: @Ayden - roll call done by house

April 26, 2018 4:06:55 PM from Syed Ismail Shah to all participants: OK
April 26, 2018 4:07:00 PM from Ayden Férdeline to all participants: thanks

April 26, 2018 4:07:43 PM from Rubens Kuhl to all participants: The only question I have about WebEx is when Adobe Connect returns.

April 26, 2018 4:07:52 PM from Marika Konings to all participants: To repeat my previous comment: You can send your feedback (Zoom, WebEx, return to Adobe Connect) before May 2nd here: RP-tool@icann.org

April 26, 2018 4:08:08 PM from Nathalie Peregrine to all participants: All documents shown during the Council meeting can also be found here: https://community.icann.org/x/8YLpB

April 26, 2018 4:10:34 PM from Nathalie Peregrine to all participants: Project list can also be found here: https://gnso.icann.org/en/council/project

April 26, 2018 4:11:32 PM from Julf Helsingius to all participants: Back

April 26, 2018 4:13:51 PM from Nathalie Peregrine to all participants: Action item list"
https://community.icann.org/x/RgZIAg

April 26, 2018 4:13:56 PM from Julf Helsingius to all participants: WebEx doesn't accept my password on the browser, had to join on phone

April 26, 2018 4:14:25 PM from Nathalie Peregrine to all participants: The password should auto populate, if it doesn't, please try ICANN.

April 26, 2018 4:16:58 PM from donna austin to all participants: hand is up on Emojis

April 26, 2018 4:23:45 PM from donna austin to all participants: All: as the Council is required to consider and approve the proposed amendments to the CSC Charter it might be helpful to have a small group consider the report and amendments.

April 26, 2018 4:23:51 PM from Rubens Kuhl to all participants: I support.

April 26, 2018 4:23:58 PM from rafik dammak to all participants: +1

April 26, 2018 4:24:14 PM from Stephanie Perrin to all participants: test

April 26, 2018 4:24:21 PM from Nathalie Peregrine to all participants: received Stephanie

April 26, 2018 4:24:38 PM from Stephanie Perrin to all participants: thanks!

April 26, 2018 4:25:51 PM from Marika Konings to all participants: Rubens, Rafik, does your support mean you are volunteering to be involved in the drafting team to develop a response to the public comment forum on the proposed changes to the CSC charter? Any other volunteers?
Can someone explain the magic trick of how to mute the microphone?

@marika seems like voluntelling but yes :)

Apologies for the phone, the dog, etc.

Rubens, it was support to what Heather was saying, not to the chat thread.

I mean, Marika. Talking to myself isn't productive.

I keep clicking, nothing happens

@Rubens - understood, I was just hoping I could also encourage you to volunteer ;)

Under 1, it's probably "was General Manager"

noted, thank you the typo will be corrected.

Thank you, Rafik. Very well said.

Very well put indeed!

Thank you. Brave man.

There is more

page 2

@Rafik - it's hard to talk about it. Thank you for doing this!

Thank you Rafik

Thank you Rafik

I think you said it all, Rafik.

Thank you Rafik.
Thanks, Rafik!

I suspect everyone on the Council would agree.

Agreed.

An outstanding idea.

Noted, Donna.

+1

Yes

Agree

yes

I support that suggestion.

I support

+1

I say Ay, but my microphone is muted by the webex.

and Vale to a wonderful leader.

Staff will check on the best way to communicate with Stephane's family (e.g. the email address set up for this purpose) and let everyone know.

To mute select the microphone (to the right of your name) Grey = unmuted and red = muted.

Everyone should have the ability to scroll through the slides by using the arrows at the top of the pod.

Reminder: all have scrolling rights for these slides.
April 26, 2018  4:41:58 PM  from Nathalie Peregrine to all participants:  Thomas is on slide 03.

April 26, 2018  4:48:29 PM  from Tatiana Tropina to all participants:  thanks Thomas - the budget and bandwidth and prioritisation was among the issues I was wondering about

April 26, 2018  4:48:42 PM  from Tatiana Tropina to all participants:  I am not in a hurry :-)

April 26, 2018  4:49:00 PM  from Tatiana Tropina to all participants:  totally answers my question - thank you, Thomas

April 26, 2018  4:49:51 PM  from Keith Drazek to all participants:  Is anyone else having audio issues? I had both Thomas and Rafik's lines cutting out a bit.

April 26, 2018  4:50:01 PM  from Marika Konings to all participants:  Same here

April 26, 2018  4:50:10 PM  from Erika Mann to all participants:  @Keith - yes, it's very bad today

April 26, 2018  4:50:14 PM  from Cheryl Langdon-Orr to all participants:  I thought it was just me but yes

April 26, 2018  4:51:04 PM  from Arsene Tungali to all participants:  i had the same issue but the audio is clear now

April 26, 2018  4:51:15 PM  from rafik dammak to all participants: sorry was speaking via webex

April 26, 2018  4:53:43 PM  from Stephanie Perrin to all participants:  I just assumed it was my low bandwidth, but I guess if all the rest of you are having it breakup too it must be something else??

April 26, 2018  4:54:34 PM  from Nathalie Peregrine to all participants:  It's better if all join the audio bridge as WebEx VoIP hasn't been wonderful.

April 26, 2018  4:54:35 PM  from Tatiana Tropina to all participants:  I had no breakups on my phone line. Oh wait just when I wrote this -- Thomas's audio started breaking a bit.

April 26, 2018  4:54:39 PM  from Ayden Férdeline to all participants:  yes, i am also impacted, and i am on the audio bridge

April 26, 2018  4:55:12 PM  from Ayden Férdeline to all participants:  thanks Thomas

April 26, 2018  4:55:14 PM  from Cheryl Langdon-Orr to all participants:  Thx Thomas

April 26, 2018  4:55:17 PM  from Nathalie Peregrine to all participants:  I believe Thomas was on WebEx only.

April 26, 2018  4:55:51 PM  from Tatiana Tropina to all participants:  oh then Webex performed quite well.
April 26, 2018 4:55:52 PM from Thomas Rickert to all participants: Bye all! Thanks for having me.

April 26, 2018 4:55:57 PM from Tatiana Tropina to all participants: Thank you Thomas

April 26, 2018 4:56:06 PM from Heather Forrest to all participants: thank you Thomas

April 26, 2018 4:56:53 PM from Heather Forrest to all participants: Just a reminder to everyone you control the doc in the view screen individually, and we are now on item 6

April 26, 2018 5:01:13 PM from Mary Wong to all participants: The Curative Rights PDP was first chartered in June 2014

April 26, 2018 5:01:46 PM from Susan Kawaguchi to all participants: Thanks Mary!

April 26, 2018 5:01:51 PM from Susan Kawaguchi to all participants: you are welcome

April 26, 2018 5:04:22 PM from Marika Konings to all participants: Erika, we can hear you fine

April 26, 2018 5:04:25 PM from Stephanie Perrin to all participants: very clear Erika

April 26, 2018 5:07:05 PM from Ayden Férdeline to all participants: If the Article 29 Working Party issued a moratorium on enforcement of the law, they would be besieged by everyone else who did not prepare to comply with the GDPR asking for one too.

April 26, 2018 5:07:55 PM from Marie Pattullo to all participants: Art 29 can't do that anyway. They simply can't!

April 26, 2018 5:08:06 PM from Ayden Férdeline to all participants: No useful WHOIS data elements are going dark; it is only those that contain personal information, i.e. name, address, phone number. Cybersecurity researchers predominately use creation date, nameservers, etc - that will remain visible.

April 26, 2018 5:08:11 PM from Erika Mann to all participants: They can't, indeed they can't

April 26, 2018 5:08:24 PM from Tatiana Tropina to all participants: Marie, +1 - Art 29 is not on a position to grant this moratorium

April 26, 2018 5:08:27 PM from Arsene Tungali to all participants: True, Ayden. I believe that's why the decided not to mention ICANN's request in their letter

April 26, 2018 5:08:52 PM from Ayden Férdeline to all participants: It is not worth their time; it was a stupid request and an even stupider strategy to rely on.
April 26, 2018 5:09:37 PM from Ayden Férdeline to all participants: ICANN should not mandate by way of the RAA the collection of so many pieces of data; you can't disclose PII if you don't collect PII in the first place. But that's a conversation for the future...

April 26, 2018 5:10:58 PM from Ayden Férdeline to all participants: I understand ICANN is evaluating suing someone (Article 29 WP? it isn't clear) because they have made no preparations to comply with the law... any updates on what this legal action might entail?

April 26, 2018 5:14:00 PM from Keith Drazek to all participants: If the ICANN Board initiates a temporary policy, we will have a maximum of 12 months to confirm, amend or replace the temporary policy. The question to Council is, how best can we do that?

April 26, 2018 5:16:38 PM from Ayden Férdeline to all participants: 12 months to develop a policy - and how long will implementation take? a further 6-12 months?

April 26, 2018 5:16:53 PM from Keith Drazek to all participants: As Donna noted, it's critical that we as Councilors educate our SGs and Cs about the potential for a temporary policy and the requirement for a policy process. Every day will count and we may have to have a special Council meeting to execute the plan, whatever it may be.

April 26, 2018 5:17:25 PM from Darcy Southwell to all participants: 12 months to confirm, amend or replace a temporary policy is a daunting task for this very complicated issue.

April 26, 2018 5:19:00 PM from Paul McGrady to all participants: Aren't we in "wait and see" mode?

April 26, 2018 5:19:58 PM from Heather Forrest to all participants: @Paul - I think the concern is that if we wait until 25 May before doing prep work we eat into our limited time for Council to respond/fill a vacuum

April 26, 2018 5:20:18 PM from Arsene Tungali to all participants: Agree, Heather

April 26, 2018 5:20:19 PM from Heather Forrest to all participants: but yes, we're prepping but we don't know what we're prepping for

April 26, 2018 5:20:21 PM from Rubens Kuhl to all participants: One option in front of the board would be to issue an advisory instead of a temporary specification.

April 26, 2018 5:20:24 PM from Keith Drazek to all participants: @Paul: Yes, we are, but the signals are pretty strong that the Board will impose a temporary policy that will trigger the 12-month timeframe for a policy process.

April 26, 2018 5:22:36 PM from Keith Drazek to all participants: I'll take my hand down and type into chat instead.

April 26, 2018 5:22:41 PM from Paul McGrady to all participants: FYI - I have a hard stop today at the top of the hour.
April 26, 2018  5:23:05 PM  from Heather Forrest to all participants: Thanks Keith - and I think your idea about a special meeting is a good one

April 26, 2018  5:23:15 PM  from Stephanie Perrin to all participants: Regardless of what the Board decides to do, we need to strike a pdp. I would suggest that we limit the participants on the PDP, and put many people on observer status.

April 26, 2018  5:23:22 PM  from Heather Forrest to all participants: there is quite a bit to discuss here and a 15 minute agenda item won't possibly do it justice

April 26, 2018  5:23:45 PM  from Stephanie Perrin to all participants: Each SG or AC could nominate two reps from existing members.

April 26, 2018  5:24:09 PM  from Stephanie Perrin to all participants: Make membership, in short, like we do for Review Teams.

April 26, 2018  5:24:22 PM  from Stephanie Perrin to all participants: Then we could have a sensible discussion.

April 26, 2018  5:24:39 PM  from Rubens Kuhl to all participants: Stephanie, wouldn't that repeat the EWG ?

April 26, 2018  5:25:48 PM  from Stephanie Perrin to all participants: Secondly, and I must say I am not optimistic about this point, if we could bring in an independent dispute resolution professional to differentiate between fact and fantasy, that would help. E.g.: the GDPR is a fact, it is not realistic to discuss having it repealed.

April 26, 2018  5:27:02 PM  from Michele Neylon to all participants: Stephanie - yeah

April 26, 2018  5:27:17 PM  from Michele Neylon to all participants: the constant questioning of DPAs + GDPR has given me migraines

April 26, 2018  5:27:29 PM  from Stephanie Perrin to all participants: I don't think so Rubens. First of all, I was not a participant when I joined the EWG, and i was the only privacy advocate on the team. Sadly, my knowledge of ICANN processes was not deep enough. (and noone was particularly interested in my data protection expertise, I must say :-))

April 26, 2018  5:28:03 PM  from Susan Kawaguchi to all participants: I object to that point Stephanie we listened thoroughly to your data protection expertise

April 26, 2018  5:28:13 PM  from Ayden Férdeline to all participants: i don't think we should take this discussion forward until we receive direction from the Board

April 26, 2018  5:28:26 PM  from Michele Neylon to all participants: Ayden - we need to be prepared
April 26, 2018 5:28:30 PM from Ayden Férdeline to all participants: i don't think we should act prematurely

April 26, 2018 5:28:33 PM from Michele Neylon to all participants: the ePDP is an odd animal

April 26, 2018 5:28:35 PM from Stephanie Perrin to all participants: We would need people on this team that has deep knowledge of the previous struggles.

April 26, 2018 5:28:38 PM from Michele Neylon to all participants: Ayden - nobody is acting

April 26, 2018 5:28:42 PM from Stephanie Perrin to all participants: have, sorry

April 26, 2018 5:28:43 PM from Michele Neylon to all participants: we're looking at options etc

April 26, 2018 5:28:53 PM from Michele Neylon to all participants: laying the groundwork

April 26, 2018 5:28:59 PM from Keith Drazek to all participants: We have to recognize that, come May 25, we're likely to have a fragmented Whois experience regardless of what any temporary policy may dictate. In my view, the temporary policy (or advisory as Rubens noted) gives the community an opportunity to focus on an RDAP-based replacement for Whois and finally get it right so legitimate purpose/access is enabled while also protecting operators (including ICANN) from running afoul of laws and regulations in a range of jurisdictions. As Erika noted earlier, this is not just about GDPR. We need a protocol, policies and implementation that gives us operational flexibility to turn dials based on jurisdictional requirements. Council should be planning to initiate a policy process that will deliver this in the 12 months allocated. A tough job, but necessary.

April 26, 2018 5:29:01 PM from Michele Neylon to all participants: ICANN normally moves at a snail's pace

April 26, 2018 5:29:20 PM from Susan Kawaguchi to all participants: I volunteer for that small group

April 26, 2018 5:29:22 PM from Keith Drazek to all participants: I will volunteer for the small group as well

April 26, 2018 5:29:31 PM from Michele Neylon to all participants: shove me in the small group as well

April 26, 2018 5:29:32 PM from Stephanie Perrin to all participants: Susan, I am sorry if you take offence at that remark. You all listened, but did not act.

April 26, 2018 5:29:39 PM from Michele Neylon to all participants: I still don't have hobbies or a social life :)
I would volunteer for this small group.

I oppose the creation of the small group, please have this noted.

Out me into the group - I don't know how much I can contribute now but I want to follow.

If the Board is not giving us direction I do not think we should be acting.

However, I don't think a small group is a good idea in general (but if it is there I want to follow).

*a small

Many thanks to Karen and Brian for being willing to join us.

That said, if this is the path we are going down, and given the importance of this issue, I think it should be discussed on our main list and not in a small group setting.

Not for the reasons Ayden stated -- I think it would be great to take a matter to the list instead of the small group, but...

Ayden, on that matter am with you, +1. I think it's a matter for the GNSO list. 15-20 min on the call wasn't enough.

(However, noting again that I want to be a part of the small group).

Hi Ayden, Tatiana - I wasn't trying to limit who discusses, or keep info off the Council list. Sorry if my idea was misunderstood. I agree that all should contribute to the broader discussion, but on the very precise point of what Council does next, that might be something a small group could brainstorm as a starting point and then bring to the list for discussion?

Heather, thank - I understand what the idea behind the small group is, and I totally understand why - would be totally willing to be a part of brainstorming, may be we could discuss both ways (list + group)

Just a side questions: do we know when the Board will provide guidance? For how long will this small group be working before delivering to the whole group?

Great Tatiana thanks
April 26, 2018 5:35:45 PM from Rubens Kuhl to all participants: Arsene, that's the million dollar question.

April 26, 2018 5:36:00 PM from Rubens Kuhl to all participants: (I mean the Board part)

April 26, 2018 5:37:23 PM from Cheryl Langdon-Orr to all participants: ouch

April 26, 2018 5:37:24 PM from Cheryl Langdon-Orr to all participants: Ouch

April 26, 2018 5:37:26 PM from Cheryl Langdon-Orr to all participants: Yes we here you

April 26, 2018 5:38:20 PM from Heather Forrest to all participants: @Paul sorry for delayed reply to your hard stop notice - we'll do our best, we're running a bit late

April 26, 2018 5:38:25 PM from Marika Konings to all participants: Erika, you need to mute your line

April 26, 2018 5:37:16 PM from Marika Konings to all participants: your line

April 26, 2018 5:37:37 PM from Cheryl Langdon-Orr to all participants: Yes we here you

April 26, 2018 5:38:20 PM from Heather Forrest to all participants: @Paul sorry for delayed reply to your hard stop notice - we'll do our best, we’re running a bit late

April 26, 2018 5:38:25 PM from Marika Konings to all participants: Erika, you need to mute your line

April 26, 2018 5:39:04 PM from Ayden Férdeline to all participants: Stephanie called the Board out in San Juan, predicting their strategy, but until they come out and say what they're going to do... I think it's a bit pre-mature to start this conversation now, even if many have predictions as to what advice/direction could be coming our way.

April 26, 2018 5:41:23 PM from Arsene Tungali to all participants: I kinda inclined to Ayden's thinking but then, since no one knows when the Board will reveal their plan, i am worried we may be loosing time waiting instead of starting reflecting on our plan whatever the Board says

April 26, 2018 5:43:16 PM from Mary Wong to all participants: If it helps, Goran's last blog post included this timeline for GDPR that may address the question about when the Board may be expected to act: https://www.icann.org/en/system/files/files/gdpr-timeline-implement-action-plan-20apr18-en.pdf

April 26, 2018 5:44:30 PM from Marie Pattullo to all participants: We should be as ready as we can be. This is too important to push into the "maybe one day we'll think about it" box. That is what got ICANN into this mess in the first place.

April 26, 2018 5:45:16 PM from Marika Konings to all participants: the panel is not defined, and could be in the form of the Council once it has received the staff report.....
April 26, 2018  5:45:28 PM  from Rubens Kuhl to all participants: Mary, the scale on that timeline suggests a little less than a week before May 25th.

April 26, 2018  5:46:00 PM  from Keith Drazek to all participants: Thanks Mary. As I mentioned earlier, the signals are pretty strong on what's coming, likely in the next couple of weeks, and before our next scheduled Council meeting.

April 26, 2018  5:47:40 PM  from Rubens Kuhl to all participants: Our next call is May 24th, but the motion deadline is May 14th. So we can probably add a discussion item, but we won't be able to approve anything.

April 26, 2018  5:49:16 PM  from donna austin to all participants: Is this an exercise in substance or an exercise in process?

April 26, 2018  5:49:37 PM  from Heather Forrest to all participants: +1 Donna

April 26, 2018  5:51:18 PM  from Pam Little to all participants: So what would be a realistic time line for a staff prepared status report?

April 26, 2018  5:51:57 PM  from Pam Little to all participants: old hand

April 26, 2018  5:51:58 PM  from Marika Konings to all participants: @Pam, we would aim for the end of May, but it will depend on the data crunching part (and if there is Council concern to moving ahead)

April 26, 2018  5:53:19 PM  from Heather Forrest to all participants: @Paul - I've just put 2 and 2 together, sorry! You have a hard stop and we have you as last agenda item with Keith and Donna

April 26, 2018  5:53:57 PM  from Mary Wong to all participants: @Darcy, I think that's right

April 26, 2018  5:54:22 PM  from Heather Forrest to all participants: Paul I'm hopeful we can give you a few minutes after Darcy before you have to drop

April 26, 2018  5:56:38 PM  from donna austin to all participants: What happens if the public comment process doesn't resolve the outstandng issue?

April 26, 2018  5:56:55 PM  from Michele Neylon to all participants: no idea

April 26, 2018  5:57:16 PM  from Michele Neylon to all participants: but unless the fees are explained I can't see the comments from CPH members of the IRT being particularly favourable

April 26, 2018  5:57:17 PM  from Marika Konings to all participants: The IRT guidelines outline the process for addressing issues that cannot be resolved.

April 26, 2018  5:57:23 PM  from Darcy Southwell to all participants: @Donna, that's the key concern that many IRT members have expressed about handling the draft documents in this manner.
April 26, 2018  5:57:48 PM from Michele Neylon to all participants: We have two issues:

LEA emergency access + fees

April 26, 2018  5:58:05 PM from Paul McGrady to all participants: Have to drop off WebEx in 3 minutes but will stay on the line as I am in transit.

April 26, 2018  5:58:49 PM from Terri Agnew to all participants: Thank you Paul, this is noted

April 26, 2018  5:59:11 PM from Cheryl Langdon-Orr to all participants: We have of course had ongoing meeting between us up until now (speaking as a CoChair of one of the PDPs

April 26, 2018  6:01:43 PM from Nathalie Peregrine to all participants: GNSO draft schedule can be viewed here: https://gnso.icann.org/sites/default/files/file/field-file-attach/icann62-draft-gnso-schedule-26apr18-en.pdf

April 26, 2018  6:05:38 PM from Carlos Gutierrez to all participants: bye bye

April 26, 2018  6:05:38 PM from Cheryl Langdon-Orr to all participants: Thanks everyone, bye for now...

April 26, 2018  6:05:39 PM from Ayden Férdeline to all participants: thanks all

April 26, 2018  6:05:41 PM from Marie Pattullo to all participants: Night, all.

April 26, 2018  6:05:42 PM from Tatiana Tropina to all participants: Thanks Heather, Donna and Rafik, all - and bye all!

April 26, 2018  6:05:45 PM from Tatiana Tropina to all participants: night night

April 26, 2018  6:05:46 PM from Julf Helsingius to all participants: Thank you all! Bye!

April 26, 2018  6:05:51 PM from Philippe Fouquart to all participants: Thanks. Bye.

April 26, 2018  6:05:52 PM from rafik dammak to all participants: bye all

April 26, 2018  6:05:52 PM from Arsene Tungali to all participants: Thanks all for a great meeting. Going back to bed

April 26, 2018  6:05:56 PM from Keith Drazek to all participants: Thanks all.