

**ICANN GNSO Council Meeting Part II**  
**Wednesday 1 November 2017 at 15:15 local time**

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page <http://gns0.icann.org/en/group-activities/calendar>

**List of attendees:**

NCA – Non-Voting – Erika Mann

**Contracted Parties House**

Registrar Stakeholder Group: Pam Little, Michele Neylon, Darcy Southwell

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

Nominating Committee Appointee (NCA): Carlos Raul Gutierrez

**Non-Contracted Parties House**

Commercial Stakeholder Group (CSG): Philip Corwin, Susan Kawaguchi, Philippe Fouquart, Tony Harris, Paul McGrady, Heather Forrest

Non-Commercial Stakeholder Group (NCSG): Martin Silva Valent, Stephanie Perrin, Ayden Federline, Tatiana Tropina, Arsene Tungali, Rafik Dammak,

Nominating Committee Appointee (NCA): Syed Ismail Shah

**GNSO Council Liaisons/Observers:**

Cheryl Langdon-Orr– ALAC Liaison

Ben Fuller - ccNSO Observer

Julf (Johan) Helsingius – GNSO liaison to the GAC

**ICANN Staff**

David Olive -Senior Vice President, Policy Development Support

Marika Konings – Vice President, Policy Development Support

Mary Wong – Senior Policy Director

Julie Hedlund – Policy Director

Steve Chan - Policy Director,

Berry Cobb – Policy consultant

Emily Barabas – GNSO Policy Support Sr. Specialist

Nathalie Peregrine – Manager Operations Support

Terri Agnew – Operations Support, Lead Administration

Ariel Liang - Policy Analyst, Policy Development Support

>>DONNA AUSTIN: Hi, everybody. If you will take your seats we need to get cracking on this.

Heather. Can we start the recording? Okay, great. Thank you. So I'm going to take us through this next part of the process, but bear in mind that I don't really know how the next part of this process really goes. So we're going to wing it.

So welcome, to our new councilors. I'd like to take the opportunity to let folks know that we do have SOIs from councilors available and new councilors coming in. But I would, if I could, for the new councilors that have just been seated, I'd like to provide you an opportunity just to, you know, let everybody know who you are and where you're from and if there's anything else you would like to add to your statement of interest, if you could do that. Thanks. Nathalie, I've forgotten roll call. Okay.

>>NATHALIE PEREGRINE: Thank you, Donna. Good morning.

>>DONNA AUSTIN: as I said, we're winging it. Sorry. Nathalie.

>>NATHALIE PEREGRINE: Good morning, good afternoon, good evening, everybody. Welcome to the GNSO Council meeting part II on the 1st of November 2017. Could you please acknowledge your name when I call it? Thank you very much. We have Pam Little, incoming registrar councilor.

>>PAM LITTLE: Here.

>>NATHALIE PEREGRINE: Donna Austin.

>>DONNA AUSTIN: Here.

>>NATHALIE PEREGRINE: Rubens Kuhl, re-elected to the council by the registries.

>>RUBENS KUHL: Here.

>>NATHALIE PEREGRINE: Keith Drazek.

>>KEITH DRAZEK: Here.

>>NATHALIE PEREGRINE: Darcy Southwell.

>>DARCY SOUTHWELL: Here.

>>NATHALIE PEREGRINE: Michele Neylon.

>>MICHELE NEYLON: Here.

>>NATHALIE PEREGRINE: Carlos Gutierrez, returning to the council as NomCom appointee for the contracted party house.

>>CARLOS RAUL GUTIERREZ: Present. Thank you.

>>NATHALIE PEREGRINE: Phil Corwin, reElected for the BC.

>>PHILIP CORWIN: Present.

>>NATHALIE PEREGRINE: Susan Kawaguchi.

>>SUSAN KAWAGUCHI: Here.

>>NATHALIE PEREGRINE: Paul McGrady, joining remotely, re-elected for the IPC.

>>PAUL McGRADY: Here.

>>NATHALIE PEREGRINE: Thank you very much. Paul has Heather Forrest as his proxy should he have any connectivity problems. Philippe Fouquart, incoming ISPCP councilor.

>>PHILIPPE FOUQUART: Present.

>>NATHALIE PEREGRINE: Rafik Dammak.

>>RAFIK DAMMAK: Present.

>>NATHALIE PEREGRINE: Stephanie Perrin.

>>MICHELE NEYLON: I believe Stephanie Perrin is present but has stepped out for biological reasons.  
[ Laughter ]

>>NATHALIE PEREGRINE: Thank you, Michele. Noted. Arsene Tungali, incoming NCSG councilor.

>>ARSENE TUNGALI: Here.

>>NATHALIE PEREGRINE: Heather Forrest.

>>HEATHER FORREST: Here.

>>NATHALIE PEREGRINE: Tony Harris, re-elected to the council by the ISPCP.

>>TONY HARRIS: I'm here.

>>NATHALIE PEREGRINE: Tatiana Tropina, no longer temporary alternate but elected to the council.

>>TATIANA TROPINA: Here.

>>NATHALIE PEREGRINE: Martin Silva Valent.

>>MARTIN SILVA VALENT: Here.

>>NATHALIE PEREGRINE: Ayden Federline, incoming NCSG councilor.

>>AYDEN FEDERLINE: Present.

>>NATHALIE PEREGRINE: Syed Ismail shah, NomCom appointee for the non-contracted party house.

>>SYED ISMAIL SHAH: Present.

>>NATHALIE PEREGRINE: Cheryl Langdon-Orr.

>>CHERYL LANGDON-ORR: Present.

>>NATHALIE PEREGRINE: Ben Fuller.

>>BEN FULLER: Here.

>>NATHALIE PEREGRINE: Erika Mann.

>>JULF HELSINGIUS: Her laptop is here so I assume she's present.

>>NATHALIE PEREGRINE: Thank you very much, Julf. Johan Helsingius, returning to the council as GAC/GNSO liaison.

>>JULF HELSINGIUS: Present, and prefer to use the name Julf, rather than Johan.

>>NATHALIE PEREGRINE: Noted, Julf. GNSO policy support is also present in the room. I'd like to remind you all to please remember to state your names before speaking for recording purposes. Thank you very much, and over to you, Donna.

>>DONNA AUSTIN: Okay. Take two. So as I was saying, our new councilors have provided statements of interest and they're available for other folks to view, if they wish. But as I said, I'd like to provide our new councilors with an opportunity to introduce themselves, and anything they'd like to tell us about themselves would be great. So maybe they'll start with Philippe.

>>PHILIPPE FOUQUART: Thank you. Philippe Fouquart. I'm with Orange based in France. I work for the (indiscernible), Orange Labs. And to be fully transparent, we went -- we successfully went through the 2012 application round with a TLD, and as far as this is concerned I think that's all I have to say. Thank you.

>>DONNA AUSTIN: Thanks, Philippe. Pam.

>>PAM LITTLE: Pam Little. I'm with Alibaba Cloud Computing as one of ICANN-accredited registrars. I was former ICANN staff, or I am, until 2012 and have been working in the industry. I am very -- I'm looking forward to working with all the council members. And I'm fairly new, although I've been watching this space for a few years. Thank you.

>>ARSENE TUNGALI: Hi, everyone. Arsene Tungali from the Democratic Republic of Congo. I'm here representing the noncommercial stakeholder group. Thank you.

>>SYED ISMAIL SHAH: I'm Syed Ismail Shah. I am from Pakistan, and this is my first ICANN meeting.

>>DONNA AUSTIN: Is it Martin that's sitting next to you? Sorry.

>>MARTIN SILVA VALENT: I didn't know if you wanted to present -- okay. I'm Martin Silva. I'm from Argentina. I represent the noncommercial stakeholder group, and I've been participating in the council since, what, April or sooner than that. I don't know. It feels like a year almost but probably less than that. Thanks.

>>DONNA AUSTIN: Okay. Thank you. That's all our new councilors, I think. No, Carlos, please.

>>CARLOS RAUL GUTIERREZ: Carlos Gutierrez, 2011 some ICANN sherpas came to Costa Rica to prepare for the San Jose meeting 2012 so it's all Rodrigo de la Parra's fault. Thank you.

>>DONNA AUSTIN: Thank you, Carlos.

>>AYDEN FEDERLINE: Hi, everyone. Ayden Federline. A great honor to be among you, and I look forward to working productively with you over the month ahead. For those of you who don't know me, I have been a member of the noncommercial stakeholders group since December 2015. I've been on the noncommercial stakeholders group policy committee, and I've recently begun working for the Internet Society. But my participation on the GNSO Council and at ICANN in general is in my personal capacity. And I'm based in the U.K. Thanks.

>>TATIANA TROPINA: Tatiana Tropina, based in Germany. I am working for the Max Planck Institute for Foreign and International Criminal Law and I'm with the noncommercial stakeholder group. Thank you.

>>DONNA AUSTIN: Thank you. So welcome our new councilors and welcome back to the ones that have been here for a little bit of time before. So item 3, it's a review of -- do we need to amend the agenda? Is that -- that is our agenda? Okay. Item 2, this is the exciting part, isn't it, Heather? Election of our chair to take us through the next 12 months. Nathalie, can I hand that over to you?

>>NATHALIE PEREGRINE: Thank you, Donna. I think it was raised previously that by absence of objection this vote was to take place by a hand raise and for Paul McGrady joining remotely, a voice vote. I need to still check if this is still the case.

>>DONNA AUSTIN: So folks okay with proceeding with just a voice vote? Yep. Okay. Let's go, Nathalie.

>>NATHALIE PEREGRINE: Thank you very much. This will be a vote by show of hands and Paul McGrady on the phone, please express your voice -- your vote by saying aye. Would anyone here like to abstain from the vote? Hearing and seeing no one, all those in favor of Heather Forrest as GNSO Council chair, please raise your hands and express your vote.

[ Laughter ]

Thank you very much. All those in favor of none of the above, our second candidate --

>>PAUL McGRADY: Hold on a second, Nathalie.

>>NATHALIE PEREGRINE: Sorry. Please go ahead, Paul.

>>PAUL McGRADY: I need to express my voice vote, and I know that you guys are all waiting in anticipation about whether or not I will vote yes or no. But I'm very happy to vote aye for my dear friend and colleague Heather and am very glad that I get to do so by voice vote rather than just raising my hand.

>>NATHALIE PEREGRINE: Thank you very much, Paul. This is noted. Thank you very much, everybody. It appears that everyone has voted for Heather Forrest as the new GNSO Council chair. Congratulations, Heather, and over to you, Donna.

[ Applause ]

>>DONNA AUSTIN: Just before I hand the baton over to our new chair, Heather Forrest, I'd like to confirm that Rafik has been anointed by the non-contracted parties house as vice chair moving forward for the next 12 months, and I have been the same from the contracted parties house. So thank you to my side of the team for their continued trust that you have in me to continue this role, and I'm very, very pleased to be able to hand this over to Heather Forrest, chair of the GNSO Council.

>>HEATHER FORREST: Thank you, Donna, very much. Heather Forrest, and thank you very much to everyone. The voice vote was most unexpected, and I appreciate your willingness to do that and to put me here. Let's go to work, shall we?

So we have three items here on our agenda. This is our third, what you see on the screen in front of you, the update in relation to the strategic planning session. And I actually will make this easy and say that I propose that we speak about this in a substantive way in our wrap-up session tomorrow. So for those of you who are new to council, you may not be aware that Wednesday is not certainly the only day on council's agenda at an ICANN meeting. We tend to follow up with a meeting on Thursday that wraps up all of the points that have come out of the weekend working session. And indeed during the council meeting that we've just had, it is an anomaly, let's say the AGM, that we have a two-part meeting so you will not expect this then for ICANN61. We'll have a one-part meeting and likewise a follow-up on a Thursday.

So I think the opportunity that this strategic planning session presents is it -- for us to get together and picking up on some of the comments that we made about the budget and how we -- how we approach our -- our consideration of the budget, how we contribute to strategic planning, how we understand our role, how we understand what the council does in the new Empowered Community. This is a good opportunity for us to take some time and think about those things. Donna and I made some very introductory remarks in the previous council meeting, in the October council meeting. And since then, she and I have been working closely with Marika and Nathalie, simply to try and make a start. Because it's important that this work get underway. There are, as you can imagine, constraints for ICANN constituency travel and the logistics and other things. So we have put together what we would like to present in a more fulsome way tomorrow. We've got a high-level sort of straw person schedule for the three days. I suppose three -- three basic baskets that we are -- are going to propose to you in terms of

what we do and each day comprising a basket, one dealing with roles, scope, and remit, including council, council leadership, the liaisons, and the GNSO more broadly. Second basket of things is the GNSO Council in the Empowered Community, how do we understand the council's role post-transition. And we've been, I suppose, potentially perceived as kicking the can of the item of GNSO bylaws review or GNSO impacts on the bylaws in light of the Empowered Community down the road a bit.

And Marika very kindly gave us a high-level introduction in our October council meeting. What we want to communicate to the community is that we take our role as the council and as members of the Empowered Community very seriously. And rather than shove this into a Webinar, at which at best we all kind of vaguely think we understand what the bylaws say, that it would be important that we go through the bylaws in a considered way and have a think about those.

So, hence, we have that provisionally slated as our second basket or topic of discussion, including such things as anticipating budget review and anticipating a process for how we do that.

And the third bucket is really the most predictable one in a sense, which is the one that we requested this money for. This is a pilot program, what we have. We have three face-to-face meetings a year. I will give all credit to Donna in doing the math to say that equates to 16 days and how can we use those most effectively. And this is an opportunity, finally, for us to think in advance of a year what do we want to get done in the next 12 months and how do we allocate our own resources in relation to that so that on topics such as on comments on the public meetings -- again, something we addressed in our previous agenda -- the calendar for 2018, workload management, time lines, managing the PDP flow, how do we do these sorts of things. So those are the three broad buckets, role remit, Empowered Community, and 2018 planning, that we will propose.

Donna, any comments that you'd like to make?

>>DONNA AUSTIN: Thanks, Heather. Donna Austin. So just to note that this is the first time we've done this, so it's not going to be perfect. But we really think it's an opportunity for us as a group to understand what our responsibilities are. And I think, you know, what we've seen this week with the confusion around SSR2 and who is responsible for what and how they seem to work, I hope this gives us an opportunity to understand what our roles and responsibilities are so that we're on good footing going forward for the next 12 months and beyond.

So that's kind of the thinking that Heather and I had behind putting the program together and also to give us an opportunity to work out what we have in front of us over the next 12 months and how we want to prioritize that work if we actually need to do that, whether we're on a pretty good path in terms of workload over the next 12 months. That's some of the thinking behind it. As Heather said, we'll talk about this a bit more -- is it this week? Tomorrow. Yeah.

So thanks, Heather.

>>HEATHER FORREST: So we'll take a queue on questions, but I will say just to note that we ate into our time a bit earlier and we have this on our agenda for substantive discussion tomorrow.

Keith, over to you, please. Followed by Michele.

>>KEITH DRAZEK: Thank you, Heather. And congratulations.

So I -- I fully support the -- you know, as part of the session to focus on an update and overview and getting into sort of -- focusing on what the obligations are, particularly as it relates to the Empowered Community. Even those of us who were involved in the IANA transition process and the ICANN accountability work and the development of the new bylaws, you know, it's not always clear, you know, at what point in the process we might need to engage to enforce the community powers or to engage in sort of collaboration with other SOs and ACs around questions that might arise.

So I think in the event something like that were to happen, I think it's really more than that we have an understanding, a basic understanding, of the role and the responsibilities and the processes around that so we're not learning on the fly in an urgent situation. So just as long as we have that baseline, then we'll be well-positioned and well-prepared as a council to represent our community in the event that we

have to deal with something like that. So I fully support focusing on that as a training exercise for all of us. Thanks.

>>HEATHER FORREST: Michele, please.

>>MICHELE NEYLON: Thanks. Michele for the record.

Just I think this is a great idea because we -- we have these calls, you know, once a month. There's an email list. And then when we come to the ICANN meetings, you have your council sessions squeezed in between working group sessions and so many other things that are going on. There's very little time to step back, breathe, and actually think, Okay, what the hell are we doing?

And I've seen the same in other contexts, both in the ICANN space and elsewhere. Internally we hold a management meeting about once a month. We have space in the building to do, but we actually go off-site because that way there's nobody coming into the office to ask you what the hell is the story with this and there's no phones ringing. It's just that kind of a moment to get a breather and thrash a few things around.

I think to focus on some of these things around Empowered Community and all that, it's an important discussion. We need to have it. But also looking at things like how do we manage the workload, can we turn around to ICANN, the ICANN board, and say, no, you know, stop -- stop asking us to do certain things. Or can we turn around to the community and say, Look, we are actually going to have to pause a bunch of these PDPs and actually finish a few of them off. Or can we turn around to staff and say, How about you look at the impact assessment of these 15 WHOIS-related activities that are going on simultaneously? And this is all -- these are all the kind of conversations we need to have. And I think that's really important. So I'm very happy that we're doing it. And thank you for arranging it.

>>HEATHER FORREST: Thanks, Michele.

James, would you like to add any comments -- we have sought James' input very significantly in our thinking, Donna and I. James, to the extent you have any remarks you would like to make, we welcome that.

>>JAMES BLADEL: Nothing additional. I think you -- nothing additional. I think you've covered it very well. And I look forward to trying to remain useful to you, the new leadership, in this session. I think the bylaws in particular -- and I think that's to Keith's point, just to echo and reinforce the importance of the GNSO as a decisional participant in the Empowered Community, I think getting that straight is going to be critical. Thanks.

>>HEATHER FORREST: Good. Thank you, James. Any further questions on this item? Stephanie, I see your flag is up.

Michele, is your flag back up? No.

Stephanie, please.

>>STEPHANIE PERRIN: Thanks very much, Heather. Stephanie Perrin for the record.

I just wanted to add to what Michele had seen -- had said that in addition to possibly unnecessary PDPs, the whole issue of these review team efforts -- I'm sitting on the WHOIS2 review team at the moment. And given the current circumstances where we are living all things GDPR and the RDS review is, well, struggling, shall we say, it does seem that this is not going to likely be the most effective review in the world.

So I understand the accountability there, but I think it's very important to figure out whether we're doing the correct job with the review teams. Thanks.

>>HEATHER FORREST: Thank you, Stephanie.

Any further comments on this noting that we have this on our agenda tomorrow for the wrap-up? Nope. Nathalie. Please.

>>NATHALIE PEREGRINE: Thank you very much. Just a reminder to please all reply to the welcome email you should have received from constituency travel about your trip to Los Angeles in January. So if

you could please remember to do that. If you have not received that email, please let me know and I'll be sure to follow up with Joseph. Thank you.

>>HEATHER FORREST: Thank you, Nathalie.

So in regards to next steps, I would say that we continue the discussion in our wrap-up session tomorrow. So that ends our discussion on Item 3.

And we now have a placeholder in our agenda for any other business? Is there anything that anyone would like to raise at this time? Michele, please.

>>MICHELE NEYLON: I see James coming up to the mic as well. James, you are off the counsel. You are not allowed to speak.

Michele Neylon for the record.

I think one thing we should note is compared to some of the experiences we have in the past about change of leadership elections, it was pleasant that this was so smooth. Hopefully the rest of the ride will be equally smooth, but at least this part of it was smooth. And I'm thankful for that.

I was chair of the registrars at the time of the Dublin vote, and it was fun in a "kind of poke my eyes out" sort of way.

>>HEATHER FORREST: Noted, Michele.

James.

>>JAMES BLADEL: Thanks. You'll get used to that.

James Bladel, recently unemployed, registrar representative. I just wanted to issue my -- or just extend my congratulations to the new leadership team, Donna and Rafik. Donna, welcome back. Rafik. And, Heather, congratulations. Heather being elected today, Manal yesterday, Katrina re-elected, Tripti still in office. That's four out of seven.

Contrary to popular belief, I'm not a lawyer. My background is mathematics. That is a majority of SO/AC decisional entities now chaired by women. So congratulations to you personally and to the community generally. Thank you.

[ Applause ]

>>DONNA AUSTIN: And now we'll really get to see some work get done.

>>HEATHER FORREST: Jeff, please.

>>JEFF NEUMAN: Yes -- is this on -- I have to lower this because it's made for taller people.

Yeah, this is Jeff Neuman. I also want to congratulate Heather and point out that this is the first GNSO Council chair -- the GNSO was formed in 2000 out of an organization called the DNSO. But Heather Forrest is the first GNSO Council chair-elected from the Noncommercial -- sorry, the Noncontracted Party House. It's been a long time coming. This is a historical moment. So in addition to all of the comments that James made, I think being the first GNSO Council chair from the Noncontracted Parties House is a good feat, and you are in very good company. So I wanted to give you a round of applause for that.

[ Applause ]

>>HEATHER FORREST: Thank you very much, Jeff.

Would anyone like to add anything further to our agenda today? Noting that we are one minute over, and I have to beat James who was 19 minutes over on the last meeting. That is not an invitation, Michele, to speak for 18 minutes. Oh, sorry, was my mic on?

[ Laughter ]

I'm very happy to call our first meeting of the council for 2018-2019 adjourned and look forward to seeing you tomorrow for the wrap-up session at 12:15 in this room.

May I also announce, please, that we are proposing, James and I, drinks at 1830, at 6:30 p.m., in the Aloft Bar. This is our attempt to make up for the fact that we didn't have the informal council session on Tuesday. And we will -- so you'll forgive Donna and Rafik and myself. We're going to sit in a corner with

the staff and just get our feet together as a working team while you all start drinking before us. Please join us at the Aloft Bar at 1830. Thank you very much.

[ Applause ]