

ICANN
Transcription ICANN Panama City
GNSO Council Public Meeting
Wednesday, 27 June 2018 at 13:00 EST

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List of attendees:

Nominating Committee Appointee (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): Marie Pattullo, Susan Kawaguchi, Philippe Fouquart, Tony Harris, Paul McGrady, Heather Forrest

Non-Commercial Stakeholder Group (NCSG): Martin Silva Valent, Stephanie Perrin, Tatiana Tropina, Rafik Dammak, Ayden Férdeline, Arsène Tungali (apology sent – temporary alternate, Elsa Saade)

Nominating Committee Appointee (NCA): Syed Ismail Shah

GNSO Council Liaisons/Observers:

Cheryl Langdon-Orr– ALAC Liaison

Julf (Johan) Helsingius– GNSO liaison to the GAC

Adebiyi Oladipo - ccNSO Liaison (absent)

ICANN Staff

David Olive -Senior Vice President, Policy Development Support and Managing Manager, ICANN Regional

Marika Konings – Vice President, Policy Development Support – GNSO

Mary Wong – Senior Director, Special Adviser for Strategic Policy Planning

Julie Hedlund – Policy Director

Steve Chan – Policy Director

Berry Cobb – Policy Consultant

Emily Barabas – Policy Support Senior Specialist (participating remotely)

Ariel Liang – Policy Analyst

Caitlin Tubergen – Policy Senior Manager

Nathalie Peregrine – Manager, Operations Support

Terri Agnew - Operations Support - GNSO Lead Administrator

Michelle DeSmyter - Operations coordinator (participating remotely)

[MP3 Recording](#)

[Transcript](#)

HEATHER FORREST: So good afternoon, Panama local time. Everyone, my name is Heather Forrest. This is the June meeting of the GNSO Council. To get us started, Nathalie, may I turn to you to take us through roll-call, please.

NATHALIE PEREGRINE: Thank you very much, Heather. Good morning, good afternoon, good evening, everybody. And welcome to the GNSO Council meeting on Wednesday, 27th of June 2018. Would you please acknowledge your name when I call it. Thank you.

Pam Little.

PAM LITTLE: Here.

NATHALIE PEREGRINE: Donna Austin.

DONNA AUSTIN: Here.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

NATHALIE PEREGRINE: Rubens Kuhl.
We'll come back to him.
Keith Drazek.

KEITH DRAZEK: Present.

NATHALIE PEREGRINE: Darcy Southwell.

DARCY SOUTHWELL: Here.

NATHALIE PEREGRINE: Michele Neylon.

MICHELE NEYLON: Here.

NATHALIE PEREGRINE: Carlos Gutierrez.

CARLOS GUTIERREZ: Here.

NATHALIE PEREGRINE: Marie Pattullo.

MARIE PATTULLO: Here.

NATHALIE PEREGRINE: Susan Kawaguchi.

SUSAN KAWAGUCHI: Here.

NATHALIE PEREGRINE: Paul McGrady.

PAUL McGRADY: Here.

NATHALIE PEREGRINE: Philippe.
Fouquart.

PHILIPPE FOUQUART: Here.

NATHALIE PEREGRINE: Rafik Dammak.

RAFIK DAMMAK: Here.

NATHALIE PEREGRINE: Stephanie Perrin.

STEPHANIE PERRIN: Present.

NATHALIE PEREGRINE: Arsene Tungali has sent his apology, and the temporary alternate is Elsa Saade.

ELSA SAADE: Here.

NATHALIE PEREGRINE: Thank you. Heather Forrest.

HEATHER FORREST: Here, Nathalie. Thank you.

NATHALIE PEREGRINE: Tony Harris.

TONY HARRIS: Here.

NATHALIE PEREGRINE: Tatiana Tropina.

TATIANA TROPINA: Present.

NATHALIE PEREGRINE: Martin Silva Valent.

MARTIN SILVA VALENT: Present.

NATHALIE PEREGRINE: Ayden Federline.

AYDEN FEDERLINE: Here. Thank you.

NATHALIE PEREGRINE: Syed Ismail Shah. We have Syed on the line?
Thank you. Okay. We'll circle back to him. Syed is in the Adobe Connect room. Thank you.

Cheryl Langdon-Orr.

CHERYL LANGDON-ORR: Present.

NATHALIE PEREGRINE: Thank you, Cheryl.
Adebiyi Oladipo. Do we have Adebiyi on the line?

Not yet.

Erika Mann?

ERIKA MANN: Here.

NATHALIE PEREGRINE: Julf Helsingius?

JULF HELSINGIUS: Here.

NATHALIE PEREGRINE: Thank you very much. We also have GNSO support staff in the room. May I please remind you all to remember to state your names before speaking for recording purposes. Thank you ever so much.

Heather, over to you.

HEATHER FORREST: Thank you very much, Nathalie. So to get us started, could I remind councillors, please, that there is a council-specific AC room.

You'll note that the email that was circulated by staff indicated that there was a public AC and then a council AC. Please make sure that you are logged into the council AC because that's the way that we will communicate through this meeting. And at the moment, I see only five or six councillors in that AC room. So to make sure that we're all on the same room, let's start with that.

Item 1.2, updates to statements of interest. Would anyone wish to declare an update to their statement of interest? Donna.

DONNA AUSTIN: Yeah, thanks, Heather. Donna Austin. I recently updated my SOI to reflect some changes in my representation on the Registry Stakeholder Group and also include my GNSO liaison role to the Subpro. Thanks. And I've put it in the chat, in our Adobe Connect.

HEATHER FORREST: Thank you very much, Donna.
Any further updates to SOIs? Yes, Martin, please.

MARTIN SILVA VALENT: I just updated mine this morning. I'm representing a new NGO that I'm founding called Datas. I'm still working with my (indiscernible) NGOs. This is a minor almost formal change but it's being set up.

HEATHER FORREST: Thank you, Martin.
Any further updates to SOIs? No. Nathalie, just to check, are we checking up on those two remote participants? Yes, thank you. Good.
So 1.3 is our review of the agenda before us. Does anyone have any changes, comments, questions in relation to the agenda which you see here on the screen? Nine items. I'll make a note

that any other business -- as this is a public face-to-face meeting, any other business includes time for open mic. And I'd like to particularly in light of the interactions that we've had with the community throughout the week here in Panama, I'd like to make sure that we have at least that 15 minutes to enable those who might like to join us either in a comment in the public AC room which will be read out at the microphone or to join the microphone here.

Any comments, changes to the agenda? Excellent.

Status of the May or June extraordinary council meetings you will see have been posted in due time, so we are well caught up in that regard.

And that takes us then to the review of our projects list and action items -- action items list.

And could we begin -- actually, I'm agnostic as to which one we begin with. Whichever one comes up, we'll work with. Project list, okay. Good stuff.

So there would have been to your attention very few changes to the projects list since our May meeting. You will remember that in our extraordinary meeting in June, we did not go through projects or action items in light of the fact we would do it here in the regular meeting.

Marika, could I turn to you, please, to give us a very quick summary of any critical changes to the projects list. Thank you.

MARIKA KONINGS:

Thanks, Heather. I believe the only real change that was made apart from the usual updates is to add the consideration of the expedited policy development process and the temporary specification under the initiation categories -- category to reflect that that is currently under consideration and may be initiated shortly. And once it happens, it would, of course, then move up to the next category. I believe that was the main change for this month's project list.

HEATHER FORREST:

Fantastic. Thank you, Marika.

And there are other -- other matters progressing through the GNSO pipeline. Two of those on our substantive agenda today, one is IGO, INGO curative rights PDP and the other is the reconvened Red Cross PDP. So we will come to those when we actually get to those subsequent agenda items. Any comments, questions on the projects list?

Seeing none, could we shift to the action items, please? Excellent. Thank you very much. And I am beginning to wonder if I'm in the wrong AC room.

So our action items, you'll notice we have quite a bit completed here. Despite the extraordinary council meeting, we have been working very hard behind the scenes as leadership and staff to progress as many of these items as possible.

A bit deceiving, all of these items marked as completed for next steps in relation to the temporary specification but these are the things that have been on our agenda over some months. All of them now cleared, and I am fairly confident we will put some more in our action items list in the course of the meeting today.

Short-term and long-term options to adjust the time line for specific reviews, of course, discussed with our colleagues in the ccNSO Council earlier today. This is alleviated to some degree by the slight extension of the deadline on long-term options. And this is on the list to come back to perhaps next week after everyone's home and our inboxes are cleared and made sense of. We'll work out a plan for developing a comment in particular in relation to the long-term options. And Donna had very kindly volunteered to champion that effort so we'll look to Donna to do that after we all get back from Panama.

Any questions on that one? All right.

The revised standing selection committee charter, so the outstanding agenda item here was for council leadership to confirm at its earliest convenience whether a member of council

leadership should serve as an ex officio member of the SSC. Donna, Rafik, and I discussed this. We were all of the view that this isn't necessary at this time. Rafik currently serves on the SSC, albeit in the capacity of representing the NCSG. And we don't feel it's necessary at this time, but we are happy to return to this to ensure that that direct link between the committee and leadership is available. So following this meeting, we can mark that one as completed.

Any comments on that one? No? Excellent.

So we have then a number of completed items. We have advised of the incoming PDP chair and the RPM PDP. We've also sent notes of thanks to the PDP chairs who have exited roles as you see indicated here. All of those marked as completed.

The next open item is PDP 3.0. And if we could advance the screens -- the big screens in the room, that would be helpful.

PDP 3.0, the council is to extend the deadline for the SG and C feedback. So this is something we discussed in our placeholder session this morning from 9:00 to 10:15. And I proposed that the deadline be extended until the 15th of August. And there were not any screaming outstanding objections.

I will note for the record that the BC has submitted its comments and will put those next week to the GNSO Council list

to share with everyone. Thank you very much to the BC. And we'll all follow suit and make sure that we think about that document in the context of what faces us in relation to the EPDP. But also in relation to our other ongoing work, I'm conscious of the fact that we have some very significant work going on in our standard PDPs, and it's important that we not lose sight of those and the benefits that might be gained from PDP 3.0 in relation to those. So if we -- if we can update that action item after this list to reflect the 15th of August, then we'll all work to that timing.

Subpro RPM consolidated time line, so this is an ongoing matter. Of course, it will continue, I suppose, as those two PDPs progress to important milestones. If there is anything in relation to any of these items, what we might do is follow up with Donna and Keith afterwards as -- Donna, Keith, and Paul actually as the relevant liaisons for those PDPs, and we can work through these action items and determine which of them can be marked as completed or if we need to tinker with them, we can do that. I see Keith and Donna both nodding, so that's great. Thank you. And Paul. Thank you.

The Board request regarding emojis we're going to clean off of our agenda here very shortly. We have Patrik Faltstrom with us today as our first agenda item. I know Patrik has a conflict in his

schedule right now, so we will try to get him out the door as soon as possible.

If we can advance the page on the big screen, we have a number of items that are completed.

Hooray for having completed ICANN62 meeting planning, and just in time. CSC and IFR review on our -- CSC at least on our agenda today in the form of charter review, which is the next item.

And review of the IRTP, all of those items insofar as council had a responsibility are now done and we await next steps in relation to the report being prepared by staff.

Any question on those three completed items? No.

Updated charter for the cross-community engagement group on Internet governance, another topic that we raised with our colleagues from the ccNSO Council. And this is a work in progress. Again, we note thanks to Rafik and Tatiana for maintaining their involvement in that group. I understand that there are questions, let's say, raised by the ccNSO that are now being discussed with -- within the group. And when those answers are returned, Tatiana and Rafik, if you can let us know. And that will help us to inform our own discussions. So this has not left the radar.

Any questions on CCWG IG? No. Okay.

Tatiana.

TATIANA TROPINA: Thank you, Heather. Just a quick -- sorry, this is Tatiana Tropina for the record. Just a quick question. So once the group drafts the answers to the question and send them -- sends them to ccNSO, we're going to follow up and coordinate with them. So you will need some heads-up from us, for example. Thank you.

HEATHER FORREST: Thank you, Tatiana. That would be very helpful. And I think it might well help to coordinate the effort of yourselves, you and Rafik, and also Philippe in his role as ccNSO liaison. And, indeed, I think a dialogue would be helpful at that point. Excellent. No objections to that.

Next item is the drafting team on the charter relating to next steps for the ICANN procedure of handling WHOIS conflicts with privacy. This is on our list for any other business. You'll note here that this reflects a call for volunteers on -- actually we could deal with it here and simply note it in any other business.

It seeks a call for volunteers or proposes a call for volunteers on the 1st of June. That date, of course, has come and gone.
I

raised this on the council list and had on the one hand two messages of support and no objections for delaying this call for volunteers until after the -- the EPDP has been seated and scope is determined.

To the extent the two -- the two items are related, let's say, it doesn't seem timely to kick this off at this time. We want to give some indication of when we might return to it. So I would suggest that we could update this item to after the EPDP is underway. Any objections to that? No.

For the record, I see lots of no's for no objection. So brilliant. We'll update that action item accordingly and that will fall away from our any other business at the end of the meeting.

ATRT3, again, a topic of discussion with our colleagues from the ccNSO Council. And noted here a number of outstanding items, these will sit largely until the comments are in and finalized in relation to the short and long-term options papers. So we will return to these in due course.

Any comments on that one? No. All right.

Our work in relation to Work Stream 2, all completed. The public comment period has now ended. Again, something that was raised in our meeting with the ccNSO Council. Any comments, concerns in relation to Work Stream 2? No. All right.

IGO/INGO access to curative rights protection mechanism is on our substantive agenda for today. No need to discuss here. So we'll shift to that one and we'll turn the page on the big screens.

That leaves us with ICANN Board temporary policy proposal. There's an outstanding item here for RDS PDP leadership to prepare a post-mortem on what they think -- that took place in the PDP. I think that would be ideally timed once we get a bit further and are thinking about the EPDP.

And so with your agreement, we'll ask RDS leadership to follow up on that after we get a bit further in the process.

Donna.

DONNA AUSTIN:

Thanks, Heather. Donna Austin.

So associated with that post-mortem, is that a time when the decision whether council will consider whether to officially close down that PDP?

HEATHER FORREST:

Thanks, Donna. Heather Forrest.

So I'm nodding for the record in a context of that makes sense as opposed to definitively answering that that will be the time that council will consider that. It's, of course, a -- something that

we've noted a number of times along the way in our discussions here in relation to next steps that we do need to for all sorts of reasons, efficiency and rationality, come back to RDS PDP. And I think, Donna, that would be very timely.

Consensus policy, implementation framework, or CPIF, we have here outstanding items in relation to that. And the goal here you'll see is to ensure that feedback is returned and staff is able to progress to next steps and we have end of July as a -- as a prospective date for that. We did that knowing that June was likely going to be very much occupied this -- with the discussions that we're having here in Panama City in relation to next steps for the temporary specification. So let's not lose sight of that.

Again, in order to put that to the top of everyone's inbox after we've all gotten home from Panama, we'll make a reminder then on that.

One item that I'd like to point out on the strategic planning session action items, because it has a direct relationship to something that's on our substantive agenda today is the particular item I'm just having to look at distance. Marika is going to be able to highlight it for me, I think. There it is. It's the very first one.

The very first dot point, you will note it says, "Council leadership to consider adding references to relevant ICANN bylaws sections

for agenda items on the GNSO Council agenda following the example of the ICANN Board."

So this is something we discussed together in the strategic planning session in January. And it's not something we've had an opportunity to discuss at any length within the council.

However, in preparing -- or in finalizing the agenda for today, what I suggested to staff is that we insert relevant language in the agenda in relation to our motion on the EPDP. This seems to me to be an opportune time to reference our authority as the GNSO Council under the bylaws to undertake what we're doing in relation to that EPDP.

I'll flag that language that's been added when we get to it. But this explains the origin of it so that everyone knows what I'm talking about when we get to that point.

We have other council-related items. Those are not council responsibilities but, indeed, individual councillors or things that councillors might be involved in -- if we can scroll down in the big screen -- we'll just make a note of those. And the CSC and the IFR review, Donna will speak to that in the motion that will be presented today. But there are some ongoing efforts here that we will keep an eye on in relation to that.

That takes us through action items. Any questions? Splendid. Excellent. If we can return back to our substantive agenda.

Patrik, that takes us to you, an opportunity to have an update from you and your colleagues from the SSAC in relation to the use of emojis in domain names.

PATRIK FALTSTROM: Thank you very much, Heather.

Patrik Faltstrom, SSAC.

What I will go through with you is SSAC Document number 95 that was the base for some ICANN Board resolutions that targeted SSAC, ccNSO, and GNSO.

Next slide, please.

So if we look at emojis, because the document is about emojis in DNS, we, SSAC, have looked at how this can be implemented or what is actually prohibiting emojis, et cetera. So we conclude that the internationalized domain names is specified by the Internet Engineering Task Force in RFCs 5890 to 5893 and a few other documents following up there.

The policies for what subset of the characters that are in use, the ones that are actually permissible by the IETF, is set by the

registries. Each registry has a policy for what Unicode characters can be used.

And these policies that the registries have set together with the IETF standard, that together sets the actual sort of subset of code points that can be used. Sometimes the policy enabled certain combination of characters or prohibits certain combinations.

If you look at emojis specifically, they are in the Unicode standard of category symbol other, SO. And according to the Internet Engineering Task Force, the characters which are of this class and a few other classes are not to be used in the DNS, which means that the IETF has already concluded, no, you cannot use emojis.

But just because there are some noncontracted parties and others -- and a big discussion in the market in general and in the press -- that emojis can be used in domain names, what we did in SSAC was to investigate whether the decision that ICANN has made to follow the IDNA standard in the IETF is correct and sound or not.

Next slide, please.

So we looked at a couple of different things. The first was that we looked at similarities. And one thing that we concluded is

that many emojis are visually similar, and it's very difficult to distinguish them from each other. Specifically, as the actual how an emoji is displayed differs depending on the operating system, just like an and/or application, just like you have different fonts in a normal text document.

So, for example, there are over 20 emojis with different code points which are associated to smileys and people. And it's very hard to distinguish those from each other.

Next slide, please.

The next thing which is problematic with emojis is that you can do composition, which means that you can have multiple characters after each other that in reality is displayed as one. So here's an example where you have three characters which are with a specific character zero width joiner in between them. So you have five characters after each other that is displayed as only one which is the one to the right. And this means that the actual display rendering algorithm is merging the characters just because of the zero width joiner and that can be pretty difficult to know and understand that the character to the right is actually in reality five characters, not only one.

Next slide, please.

The next thing -- next is that you can have modifications with the help of this -- this zero width joiner, you can actually change, for example, the skin color of a smiley face. And there are five different Fitzpatrick skin tone modifiers that are defined. And this is kind of interesting. So it's hard to understand that these are actually not different characters; they are modifiers. Just like for those of you who use the Latin script, you use two accents over the characters, for example, this can be viewed as accents.

And the question there, of course, is: How do you know what you can change the skin color of? Can you change the skin color of a horse or a house? I don't know. Actually, I do know. I have tried. There are certain combinations which are kind of fun. But they don't work on all computers in all applications.

Next slide, please.

The next thing that we in SSAC take very seriously is accessibility. And this is just because emojis are just visual constructs. There's no well-defined name for a character, for an emoji, and not how you pronounce them. And this makes it hard, for example, disabled people and text-to-speech and otherwise -- not only text-to-speech but also speech-to-text to convert these. And so accessibility is pretty serious.

Next slide, please.

So -- and there are a couple of other things. We go through this in the document. Interested people can dive into this, if you want to.

So we have five different findings here. We say that, to start with, emojis are disallowed by the IDNA standard. So to be able to use them, we must decide that we are -- we are violating the IETF standard.

The next thing is that emojis are not required by design, standard, or convention to be visually uniform or distinguishable.

Three, that emoji modifiers and various "glue" arrangements with the zero width joiner and similar allow for potentially much larger set of composed multicode point symbols.

And then when the same -- when two domain names are identical in appearance, except for ordinary typographic style variations but have two different underlying code points, they identify two different domain names, which is sort of the source of phishing that we know already exists in the DNS. But we should not make it worse.

And the last finding is that we believe that it is -- well, we just conclude that it is unrealistic to think that just because a code point exists in Unicode that it should be used in the DNS.

Next slide, please.

So we concluded with two recommendations. We concluded the first is because of these risks. We conclude that as you will see, the policies within ICANN to follow IDNA 2008 and follow the standard developed by the IETF is correct. And because of that, we conclude that we recommend ICANN Board to continue to reject any suggestions for TLDs or otherwise policies that allow characters which are not following the IETF standard.

And then -- so that's the recommendation that is directly related to the root zone TLDs. And the second recommendation is that because of the risk, we strongly discourage registration of domain name that includes emojis in any of its labels. And this second recommendation, of course, is a little bit tricky to implement because we have many parties over there including people that run DNS themselves which, of course, technically can include emojis in domain names but we -- it's a stronger recommendation to the community to simply not use these kind of characters in domain names at all at any level.

Are there any clarification questions so far that you might have to me? Yes.

ARIEL LIANG: This is Ariel for the record. Actually, there is a comment from a remote participant, Bill Juris (phonetic). It will be interesting to see what definition of "variant" gets used for emojis.

PATRIK FALTSTROM: Thank you very much. Patrik Faltstrom here. Let me come back to that question. Can you try to remember that because I have a few more slides and we can come back to that.

Next slide, please.

Here we come to the interesting thing. The first thing was that after we released this document, the ICANN Board acted and had resolution that you also see that you have in your minutes. And it asked us in SSAC to work with you and ccNSO to try to ensure that these recommendations are implemented. You can read the exact wording yourself.

Next slide, please.

We in SSAC in some communication with you, we have investigated a little bit what kind of -- what the current situation is. And this is our understanding. We might be wrong here, but this is something that, of course, you should investigate and the question to the Board is that you should investigate and do these kind of things. It's not us. This is just informal help. We might be wrong here.

On the other hand, when you know what the understanding is, we don't mind knowing that so that we also are aware of the current situation.

But according to our understanding, for gTLDs that are delegated prior to 2012 round, there's no emoji at the top level. The contract according to our understanding disallowed new registrations with characters that the IETF standard do not allow. So the only thing that you can register at new domain names are things that are okay according to the IETF.

But we do see that, for example, emojis do exist in the second-level domain for domain names in the second level which are registered before the current contract.

For gTLDs that are delegated in the 2012 round, you can see a summary there on the policies that we believe are in the contract.

Next slide, please.

And then the third portion, of course, had to do with what to do with the future. And as you understand from SSAC's document, we believe that we in ICANN should continue to follow the IETF RFCs. And we hope that from an SSAC perspective that at least for a foreseeable -- at least for now, unless IETF is making big mistakes, we should continue to follow the IETF standards and

let the IETF deal with the various details regarding characters and their relationship with the Unicode consortium which ultimately decides what characters exist.

And this means that we here in ICANNland need to continue to ensure that we are compliant with the IDNA 2008 and future version of the IDNA standards or one day make a decision that we should deal with this outside and not relate to the IETF anymore. But that, of course, is a big discussion and decision to make.

Next slide, please.

One of the reasons why we decided to look at emojis explicitly and be so strict, even though -- and be so forceful and say we must work -- continue to ensure that we are following IDNA 2008 is that, for example, the Unicode consortium runs something they call Adopt-a-Character program, which literally is a sponsoring thing. You can -- for \$5,000, you can be the sponsor of a character which means that there's suddenly an economical interest that the character that you really like ends up being used as much as possible for some definition of "used."

The second thing is that Unicode 11 has been released. And this includes a bunch of new emojis, including a lobster. The interesting thing with the lobster is that seems to be -- not being from the U.S., seems to be a national character for one of the

states within the United States. And the mayor there was tweeting saying, "Hooray, we have a lobster here and now we will use this." So he was sort of indicating that the lobster should be used in whatever the domain name of the city or something.

I don't know. Maybe I am exaggerating a little bit. But people think emojis are cool. I do that myself. I use emojis all the time but in text, not in identifiers. In text, yes, not identifiers. Okay.

It's also the case that one -- there is a ccTLD, a noncontracted party, which do allow registration of emojis. They knew that Unicode 11 should be released, so they actually have a sunrise for emojis in second-level domains for those new emojis added to Unicode 11. The problem is they had a glitch in their registration system which means they actually sold 161 emojis single character to various investors and most of them to more than one.

So it was -- from my perspective, there's a double error there. They have had a mistake in their sunrise, so they sold the same domain name auctioning. So it's lots of money here. They auctioned the same domain name and sold it to multiple parties, which is a good thing because domain names should only -- each domain name should only have one domain name

holder. We know that. And, secondly, they did this with emojis. Interesting.

Anyways, the next thing is that W3C is having a discussion regarding CSS and various modifications. And they think -- they are looking into including in the CSS various modifications. So everything that you saw that could be modifications to characters like skin tone is something that they suggest should be able to be added to the CSS itself.

So for those of you that know Web pages, it could be that, for example, if it is the case that you are in a certain country, it is displayed emojis with a certain skin tone and another country with a different skin tone. It is kind of interesting.

The next thing which is the question that was just asked approximately is that we have here in ICANN, we have the label generation groups -- or label generation panels that are discussing what code points are to be treated as equal or similar as part of the variant program. That has not terminated that program yet. But, of course, it might be the case that they are looking into various -- looking into various similarity algorithms for various character sets. Sorry, various scripts.

Regarding emojis, the LGR panels are not looking into that just because emojis are not allowed. So that's very simple.

And that's it. That was the last slide. Hooray! More questions? Yes, please.

PAUL McGRADY:

Thank you. Paul McGrady for the record.

A couple of quick questions. And I wanted to disclose I'm coming from a free-speech bias. North America has a tendency to do that to you.

My first question was: Well, will -- and I apologize for being so dumb. I'm a lawyer, not a -- not anybody with a real job.

Will the emoji second level or top level break the entire system, or is the risk that they themselves will be broken? And then the follow-on question is: If it's that they themselves would be broken and everybody else won't be, is that a risk that a TLD applicant could take on knowingly?

PATRIK FALTSTROM:

That's a good question. And, first of all, if you don't ask questions, you don't get any answers so you don't learn anything. On the other hand, when I approach lawyers and ask things, I say exactly the same thing, "I'm stupid, I'm just an engineer. Can you please help me?"

To answer your question, first of all, let me tell you background on SSAC. We in SSAC do believe in innovation, and we do believe that we should also have evolution, and we think it's bad if it is we end up being conservative and don't allow new things.

When we are doing SSR investigations and -- security and stability investigations, we do differ explicitly between the things that you are talking about. Is it case that someone is just destroying things for themselves, or is there secondary effects where you also destroy for others?

The first one to be honest, we don't care much. If you want to sort of make a mistake that blows your own business out of the water, fine, help yourself. For others, not so much or the contrary.

Now, the problem with emojis is not that you cannot have any Unicode code point in the DNS protocol. You can have that. The problem is that you might have phishing, for example, that someone buys a domain name from you as a registry, they use it on a website for certain things. They display the domain name on the side of a bus. Someone else looks at the domain name and decides to click on it. But in reality, the second domain name might be registered by someone else because they look exactly the same. So that is the problem, so you have a similarity, confusability issue.

And we in SSAC, we declared that in the second category of problems. You don't only destroy for yourself, you actually destroy for customers because of phishing and confusability issues. Thank you.

But what's important to know about emojis is that we in SSAC we have not determined whether emojis themselves are good or bad. The decision we have made -- we went back and saw is it correct that ICANN is continuing to refer to the IETF standard and have them determine that emojis are confusingly similar, and they have said yes. And what we decided was that we should continue to refer to the IETF. So anyone that would like to -- and IETF, in turn, is actually referring to the Unicode consortium. Ultimately it's the Unicode consortium that decides that the characters are dangerous.

PAUL McGRADY:

Thank you. I certainly am sympathetic to confusingly similar domain names. In fact, I live on it. Not literally. I worry about it a lot.

Second question, I think this one is probably a little lighter-hearted. But can you just confirm that the complaint of the mayor about the lobster was not part of the analysis. That was just for color.

I just want to make sure we are not getting cultural sensitivities making their way into SSAC analysis on how things work. I know I'm overreacting but, make me feel better.

PATRIK FALTSTROM: This is Patrik Faltstrom. I do not think you are overreacting. I hope that the slides are very, very clear, that it's up to recommendation and nothing else which is part of the SSAC document.

And, no, his comment and anything else, for example, in the comments here is not anything that have been part of the evaluation.

The things and events like this lobster were events that triggered us to go back and look at the issue, yes. But it was not part of the determination.

PAUL McGRADY: Thank you. Paul McGrady one last time. I just want thank you for the presentation. I learned a lot.

HEATHER FORREST: Further questions for Patrik? Erika.

ERIKA MANN: Patrik, thank you, indeed. I was looking at the (indiscernible) offer, and I wasn't sure if it was the offer you were referring to concerning (indiscernible) which is from domain NOI.

It's a strange operator, and they are saying -- it's a .WS domain. It's the one you were talking about. Is this the one?

PATRIK FALTSTROM: Yes. You see that in the comments. If you look on the second bullet, Unicode, the fourth subbullet. It talks about .WS.

ERIKA MANN: That's the one. Okay, good. Because there's still -- I mean, they still seem to offer -- continue to offer these kind of domain names.

PATRIK FALTSTROM: Absolutely. And this is also some of the comments here that, first of all, we do have emojis that were registered before the current registry/registrar agreement. And the second thing is that we do have parties that still put domain names within their zone. It could be companies that register second-level domain names under COM OR it could be, like in this case, noncontracted parties. Yeah, it still happens, yes.

And notice that we in SSAC, we are not putting any value in this. We are just, like, telling you that this is going on.

ERIKA MANN: Thank you.

HEATHER FORREST: Thanks, Erika.
I have Philippe, followed by Michele.

PHILIPPE FOUQUART: Thanks. Philippe Fouquart for the ISPCP. Thanks for the very clear presentation.

You refer mostly to first and second level. I was wondering whether you considered the third level as well as -- I suspect since you refer to the IETF standards, that what you've just said will apply to the third level. I was just wondering whether that was the case. Thank you.

PATRIK FALTSTROM: Can you please go back a few slides to the slide that has a title "recommendation from SAC95". There.

So what we say here is the second thing, the recommendation is to strongly discourage the registration of any domain name that

includes emoji in any of its labels. So that's the second recommendation.

That said, you should notice that we separate the recommendation to ICANN number 1 which has to do with the TLD, which is what ICANN really decides which is recommendation to ICANN Board, which actually decides about content of the root zone. And then the second one is more recommendation to the community.

So that's -- so what you're asking is explicitly the reason why we have two recommendations and not only one.

HEATHER FORREST: Thank you.

Michele.

MICHELE NEYLON: Thanks. Michele for the record.

First off, Patrik, thanks for the presentation. It's helped Paul understand how the Internet works. So I'm thankful for that.

[Laughter]

[Applause]

Anyway, speaking as a registrar, I'm not overly concerned -- I wouldn't be obviously overly concerned about the TL -- whether a TLD has emojis or not because, you know, we either offer them or we don't.

But the second bit here, in other words, the registrant experience the confusion, the risks around phishing and a bunch of other things, this kind of thing goes to the crux of it. I think Patrik has done a pretty good job of explaining that.

Just speaking on my own behalf, I mean, emojis in domain names as far as I'm concerned are a terrible, terrible, terrible idea. If emojis were standard so that there was only one smiley face, only one wink, I mean -- I was trying to find an emoji -- somebody was saying, there's a hug. You can do a hug emoji. I was looking at the thing, I was going, "That's a hug"? That's the oddest hug I have ever seen. It's like what?

And I would like to know whether that's a cultural difference or limitation of the characters. To be perfectly frank, I don't care.

The fact that .WS offers emojis I think is unfortunate. And the fact that there are companies out there promoting emojis without giving that health warning I think is more than unfortunate. I think that's very irresponsible of them. Thank you.

PATRIK FALTSTROM: Thank you. Let me come with the comments there, commenting on this.

I think this -- I think Michele here comes very close to what I believe ICANN Board is asking the ccNSO, GNSO, and us in SSAC to do. That is, yes, that our contracts, our agreements, between ICANN and the contracted parties is crystal clear. No problem whatsoever.

What we have to remember, though, is that we have noncontracted parties, for example, WS, that are allowing emojis to be registered.

And there are contracted registrars that because of that, they sort of sell domain names. You need to sort of discuss how that is to be handled. And, likewise, you have contracted registries that do not accept new domain names with emojis but you do have existing domain names with emojis.

And the question is: How do you as a registrar continue to support the registrant to be able to manage that domain name which is -- which would not be allowed to be registered today but was at the time when the domain name was registered.

So there are various details there that I think at least us three groups should recognize and then decide ourselves that that is

something that needs to be said about. And I don't know and specifically I don't want to even get close to talk about what you should talk about there.

MICHELE NEYLON:

Thanks, Patrik. Michele again for the record.

I think one of the key things here is that the ccTLD community are very happy to talk to each other. They're very happy to share experiences. They're very, very uncomfortable with the idea of providing binding rules on each other. It's not something that they -- go so far, it's not something that they will do. Essentially they just won't do it. So getting them to understand that the end user registrant health warning-type thing would not be a bad idea is something you might be able to achieve. Getting them to go, hey, this is a terrible idea, do not do this, you can't. There's no way to bind them to it. It's absolutely impossible.

PATRIK FALTSTROM:

Patrik Faltstrom here.

And if that is the case, which I personally agree with, then that is something that you here in this room might have to take into account when you are thinking about it. I don't know. I just don't know.

The last thing I will say before I am going to run away, just because the IETF is at the moment looking into updating IDNA 2008 to go all the way to Unicode 11, that will have implications on the label generation rules and those panels and variants and other kind of stuff because that work has been done on the Unicode version basis, code point by code point. And now we're trying to jump from Unicode 6.3.211. So there is some new work there that might up that might need some resources for you. I just wanted to give a heads-up for that, not really related to emojis by itself but more to the IDNA update. Thank you.

HEATHER FORREST: Patrik. Thank you very much for joining us today. You can tell from the responses you've gotten, everyone found your presentation extremely valuable. So thank you.

PATRIK FALTSTROM: Thank you.
[Applause].

HEATHER FORREST: Can I suggest before we shift off of that action item, I think we have at least one action item to come out of that. The first one is so I'm confident they would have had access to it but for good

housekeeping, could we please provide Patrik's slides to the chairs of the subsequent procedures PDP insofar as these recommendations have an impact on future gTLDs. It would be helpful for them just to have a note of it.

And can I also suggest to our small team of councillors that was working on this issue, was Michele, Martin, Tatiana, and Philippe, would you guys be willing to help us with a draft of a response to the Board? So that would be our next step, and I see hands. Michele.

MICHELE NEYLON:

Thanks, Heather. Michele for the record again.

Yeah, I think this would be great. It's something we need to move forward. And I think it kind of slipped through the cracks a little bit. It kind of got moved down -- moved down the list. And it's not because we weren't willing to do it. It just simply fell off the radar.

So let me just see if I fully understood what we're being asked to do, just so that I get it right in my head. The Board wants us to respond but -- no. Thanks.

HEATHER FORREST: Thanks, Michele. What we'll do to help you is we will provide the original communication from the Board. The instructions said that the GNSO Council should consult with the ccNSO and with the SSAC to come to a view on this. So what we need to do is write back and say, "Thank you very much, we've done what you've asked us to do."

MICHELE NEYLON: But we haven't, though. We consulted with SSAC. That's our SSAC consultation. Patrik came along and Patrik and I agreed. Yay. And none of you opposed that.

In terms of consulting with the ccNSO, what have we done there? Did I sleep through that?

TATIANA TROPINA: Tatiana Tropina for the record. I actually have the same question because emoji issue came up during GNSO/ccNSO meeting. But how we going to -- is there any outcome?

HEATHER FORREST: Philippe, please.

PHILIPPE FOUQUART: Thanks. Philippe Fouquart.

I think the idea that the response was given as to whether we would cooperate, we just have to do it. There were two things. There's the answer to the Board and then the action of cooperation. I think there were two separate things. And the latter we haven't done yet.

MICHELE NEYLON: So I'm not losing my mind.

HEATHER FORREST: Michele, it's all right. Heather Forrest.

So can I suggest in light of the fact we are already now half an hour over time, but that was obviously a good use of time, let's go back -- we'll make an action item to go back to that letter, the original ask from the Board. We'll see what the original ask was and we'll make steps within the small team to responding to that original ask. Is that acceptable? I see the small team nodding. Michele refuses to make eye contact with me.

MICHELE NEYLON: I'm sorry, Heather. What did you ask me? Madam Chair, I'm terribly sorry I wasn't paying attention for that two seconds that you said something. Sorry.

HEATHER FORREST: Michele, thank you. We'll go back to the original ask from the Board and see what the exact ask was and determine next steps from there.

MICHELE NEYLON: Okay, thanks. I think we just need to move this forward and try and get it done because, otherwise, it will be back on the agenda again in a month's time and we will be going "What did we do."

HEATHER FORREST: Understood. Thanks very much.

Let's move on to the first vote on our agenda. So we had put Patrik first ahead of the votes, which is not a typical thing but given his time constraints.

This vote takes us in relation to a motion in relation to IGO, INGO access to curative rights protection mechanism PDP. We have the Resolved clauses in front of us.

I have made the motion. We've had an opportunity to discuss the motion at length in the GNSO working session and, again, last night in prep for council.

Would anyone object to my simply beginning by reading the Resolved clauses and we can go from there? Everyone looks happy with that.

Resolved 1, the GNSO Council acknowledges the effort of the curative rights PDP working group since ICANN60 to reach consensus on its final recommendations and requests that the final report be submitted in time to meet the July 2018 GNSO Council meeting document deadline. The GNSO Council directs ICANN's staff to inform the working group that in line with the council's priority to ensure responsible allocation of resources and timely management of the PDP, the GNSO Council expects to consider this matter at its July 2018 meeting.

Resolved 2, the GNSO Council acknowledges and appreciates the effort of Susan Kawaguchi in the role of GNSO Council liaison to assist in resolving the Section 3.7 appeals and to facilitate the group's efforts to achieve the milestone of a final report in a timely manner.

I'll open up the motion for discussion. Any questions, comments in relation to the motion?

The record can reflect there are no hands. Excellent.

Nathalie, would you like to take us through a vote, please.

NATHALIE PEREGRINE: Thank you very much. Would anyone like to abstain from this motion, please raise your hand or say aye if you are participating remotely.

Erika? We're abstaining.

Okay. For the record, no one is abstaining.

Would anyone like to object to this motion, please raise your hand or say aye if you are participating remotely.

Hearing and seeing no one, would all those in favor of the motion please raise your hand or say aye if you are participating remotely.

UNKNOWN SPEAKER: Aye.

NATHALIE PEREGRINE: Thank you very much, everybody. With no objections and no abstentions, the motion passes.

HEATHER FORREST: Thank you very much, Nathalie.

Could we please record an action item for staff to communicate the outcome of the motion to the chair of the PDP.

That takes us to item 6, which is a motion in relation to approval of changes made to the customer standing committee charter.

This motion is brought by -- oh, forgive me. I have made a procedural error.

Did we note -- I think we did as of last night -- Michele had seconded that motion. Thank you. Thank you.

Donna, with apologies, over to you.

DONNA AUSTIN:

Before I move forward, I need a seconder for this motion.

Thanks, Heather.

We've had a lot of -- Donna Austin for the record. We've had a fair amount of discussion about this motion in our previous sessions, not only with council but with the ccNSO. So if it's okay I'll just read through the Resolved clauses.

The GNSO Council approves the changes made to the CSC charter as a result of the charter review process and will inform the ccNSO Council accordingly.

Two, the GNSO Council will work on a joint communication with the ccNSO Council to inform the CSC that the amended charter has been ratified and should now be put into place.

Three, the GNSO Council also notes the recommendation in the final report that the ccNSO and GNSO Councils conduct an analysis of the requirements of the IANA naming function review

and the CSC effectiveness review with a view to creating synergies and avoiding overlap and has appointed two councillors to conduct the recommended analysis in cooperation with two representatives from the ccNSO.

Four, the GNSO Council thanks the CSC review team for their efforts in undertaking the review.

Thanks, Heather.

HEATHER FORREST: Thank you, Donna. Any questions in relation to this motion?

Donna, just to clarify in number 3, those two councillors have been appointed so that's not an action item for us?

DONNA AUSTIN: Correct. That's Philippe and myself.

HEATHER FORREST: Excellent. Thank you very much.

I see no hands. Ah, Susan, please.

SUSAN KAWAGUCHI: I just wanted to thank Donna and Philippe for the work on this because although I have reviewed it just really quickly, haven't focused on it and I appreciate the fact that you both have. So...

HEATHER FORREST: Thanks, Susan.
Further comments? Nathalie, will you take us through a vote, please.

NATHALIE PEREGRINE: Thank you. Would anyone like to abstain from this motion, please raise your hand or say aye if you are taking part remotely. Hearing and seeing no one, would anyone like to object to this motion by raising your hand or saying aye over the phone? Hearing and seeing no one, with all those in favor of the motion please raise your hand or say aye if you are taking part remotely.

UNKNOWN SPEAKER: Aye.

NATHALIE PEREGRINE: Thank you very much. With no objection, no abstention, the motion passes.

HEATHER FORREST: Thank you, Nathalie. And thank you, Donna and Philippe, very much. We have two action items to note here coming out of item 1 and 2 in the Resolved clause so we will follow that up.

Excellent. That takes us to item 7 in the agenda, which is an update in relation to the reconvened protection for Red Cross names in all gTLDs policy amendment process. We have Thomas Rickert, the chair of that reconvened PDP to join us.

Thomas, welcome.

THOMAS RICKERT: Hello, everyone. This is a good distraction from my sorrows surrounding soccer.

So I have ten minutes and I probably I won't even exhaust those. This is just to give you a quick update on where we are. You may recall that the Council resolved to reconvene the IGO-INGO PDP working group. We had a very limited mandate to look at protection of specific names and we started in June '17. And you might say, it took these guys a year to get this little amendment done. But, in fact, we were quite thorough in looking at the scope as well as the legal basis for additional protections. And we are now very confident that we concluded this process in a satisfactory action. We followed the council's instructions. And we looked at the protections for International

Committee of Red Cross names, International Federation of Red Cross/Red Crescent society names and Red Cross and national societies' names.

Again, let me stress this, because there is confusion on this -- on so many occasions. We were not discussing acronyms. So this was just full names, right? So that's the only thing that we -- that we considered. We followed the councillors' guidance to develop a finite list. At one of the earlier updates that I gave to council, I suggested that we could come up with a formula on what -- on how you arrive at the names that should go into Specification 5 of the Registry Agreement. And Council said we want to see a finite list, and that's something we produced.

That is also part of the reason why it took us so long. And I'm looking at Stephan who is with us in the room today from the Red Cross. He did a Herculean task in reaching out to other national societies and chapters to get the names in all the languages and all the scripts. And I'm also very thankful to Barry, Mary, and the staff team that helped us in order to get that task done.

Because there are strings on this list that I can't even read. Well, there are many, many languages that I can't read. But there are many scripts used that I can't read.

So this is -- this is what we did. We did -- a couple days before we departed for Panama, we launched our report for public comment. So please go and see that report. We have a regular 40-day public comment period. So ICANN62 should not prevent you from reviewing our report. Please do take a look at that and our plan is to deliver the final report to council in August 2018.

Can we move to the next slide, please.

So with this PDP, what you can expect to vote on in the next couple of weeks are -- at one of your subsequent GNSO Council meetings is that we amend the original PDP recommendations and reserve a finite list of names for the organizations that are mentioned earlier. It's 191 organizations in total, if I'm not mistaken.

We also included a recommendation on an exception procedure. And basically we didn't reinvent the wheel here, but we just are accepting the original IGO-INGO exception procedure that Council adopted in 2014, if I'm not mistaken, for this type of name. So nothing new here.

Just for your to note that there is an exception procedure in place in case a national society or chapter wishes to use one of the names that are listed because they couldn't go to a registrar now and register the names because they are on Specification 5, i.e., the blacklist.

Then we put some thought into ensuring that we have a process in place that doesn't require further policy development, if there are more chapters created. And if I'm not mistaken -- and I'm looking at Stephan here, I think there's only the chance to get additional three or four national societies. So it's a very limited number of organizations that might be created in the future at the global level, right? And we have foreseen a process according to which the names to protect those societies can be added to the list. And we've defined the process both syntactically, you know, how do these names -- how are these names established and also process on how this is done procedurally so that these arrive in Specification 5.

Now, we've also put a lot of thought in ensuring that the protections that we're granting don't miss the reality of how domain names are used and how these organizations are actually found and named. Therefore, we came up with the notion for what we call the common names, i.e., that would be the designations by which the organizations are actually named.

And since we are in Panama, let me use the example of Panama. So that's Panamanian Red Cross, the Panamanian Red Cross. So we have the article as well, Panamanian Red Cross Society and so on and so forth. So there are a couple of variations of the full names of these organizations that go onto this list.

And just before you ask, this list consists of two ICRC names and then the international Federation of Red Cross full names across all U.N. six languages. Amounts to 3,953 names of the national societies. So that looks like a high count, but actually it's just a variation in terms of, you know, the composition of the names as well as the scripts or languages.

So I mentioned earlier that this list -- this long list consists of scripts that many of us can't read. So there is a good chance that there might be an error in that, for example. So how do we deal with error corrections? So we also came up with a process to correct errors. And I think that's pretty much it. We have a total of six recommendations which I just summarized for you.

And at the moment, the consensus level in our reconvened PDP working group is full consensus. That's good. And I hope that we will be able to conclude this exercise with full consensus as well.

So this ends my presentation. Are there any questions?

HEATHER FORREST: Thomas, thank you very much for your update. We will look forward to having that on the agenda for our August meeting, and through staff we'll make sure that we communicate to you the document deadline for August.

I think we have an open microphone at the end of the meeting. It might be the best time for that -- for that intervention. But, Thomas, we'll make sure you have document deadline in mind for August.

THOMAS RICKERT: Thank you.

HEATHER FORREST: Thank you very much.

All right. This gets us to agenda item number 8, which is the initiation of the expedited policy development process on the ICANN Board temporary specification. We've made extraordinary efforts in our discussions here in Panama and, indeed, extraordinary progress including as recently as this morning and up to midday today. We are working towards the development of a charter and have over the last 24 hours or so put language -- proposed language into -- into that charter.

Now, this is on the agenda as you can see here as a council vote as we've discussed -- as we've discussed throughout the day today and, indeed, in our discussions throughout the week. We are not able to vote on the motion without a charter to vote on. And while we have made extraordinary progress in developing a draft charter, the document itself is not entirely complete. So as

a procedural matter, we need to decide -- we can read the Resolved clauses, which is the traditional means of starting a motion. If we are not in a position to vote on this motion today, then we can take steps to, let's say, to transition the motion to a discussion at this point. We can also defer the motion to another time. There is the prerogative to do that deferral.

Michele.

MICHELE NEYLON:

Thanks, Heather. Michele for the record.

So we had some discussion about this earlier today in our stakeholder group meeting. I'm sure Darcy or Pam will beat me over the head if I get this completely wrong. But the general feeling in the room was that we need to start this PDP -- EPDP as quickly as possible. However, having said that, we also want to make sure that whatever charter is used, it is correct notwithstanding that you can do updates.

The question I have is if you or staff could provide clarity on a couple of items. One, is it possible to send a clear signal that we are initiating this PDP today while waiting for the finalization of a charter that we're going to vote on or something, I don't know. I don't know what the hell that looks like.

And if we are moving to another vote and to do that in an expedited fashion and not have them delay progress on this matter by another month, from the perspective of the registrars, a delay of a month is just plainly unacceptable because we will run out of time. Thanks.

HEATHER FORREST: Thank you, Michele.

What I might do is there are some flags that came up immediately. We'll come back to the procedural question and carry with the queue.

I have Paul and Tatiana.

PAUL McGRADY: Thanks. Paul McGrady here for the record.

Well, without a charter, it's hard to vote, right? And so I don't think that -- I don't think reading through the WHOIS -- the WHOIS, the Whereases --

[Laughter]

Sorry about that Freudian slip -- is going to -- you know, I don't think we're going to get anywhere with that today. I do think that we need to find an alternative way to vote this in as quickly

as we can, whether it's through an email vote or an extraordinary call in the next little bit.

I definitely think we have had a lot of great momentum. We've made a lot of progress. We need to keep the momentum going. But I don't think passing some sort of vote that we then have to negotiate over the charter and then agree to the charter is really practically any different than just having any unitary way in front of us when we're done with the work.

I agree entirely with Michele that we have to move quickly.

I think that those of us who do not have adequate access to WHOIS feel as much urgency as the contracted parties do. So I think there's a lot of -- everybody's, you know, on the same page as that.

So I would like to see us maybe talk about the procedure of how we have a vote out five days, ten days something like that from now so we keep the pressure on us to finish up the charter work. Thanks.

HEATHER FORREST: Thanks, Paul.

And I have the procedure in front of me that I will read into the record.

Tatiana.

TATIANA TROPINA: Thank you, Heather. Tatiana Tropina for the record. Actually I feel like an idiot with my flag because I was going to say that maybe we can schedule a -- like extraordinary GNSO call and just vote there.

But answering to Michele's first intervention, I don't believe that we can start EPDP without the charter today. I would love to, but...

HEATHER FORREST: So we'll come back to the precise procedure. And I'll pick that up after Susan.

SUSAN KAWAGUCHI: Just real quick. Susan Kawaguchi for the record.

You know, we haven't been able to meet as a constituency either. We do have a meeting right after this. And so we can discuss a lot. So, you know, our aim is to get this -- all the language figured out and into the draft as soon as possible. So you have a commitment from the BC to work hard on this, but we can't vote right now on -- we haven't really had time to discuss it, so -- unfortunately.

HEATHER FORREST: Thanks, Susan.

So in terms of what is possible, before we talk about what we will do, we can talk about what we can do.

So the GNSO operating procedures provide at Section 4.10 on voting outside a meeting. 4.10.1 says there may be cases when the GNSO Council voting outside a meeting might be necessary or desirable. The following is an illustrative nonexhaustive list of examples. It includes channeling the comment that was just made by Susan. Substantial discussion has occurred during a council meeting but one or more councillors stated a need to refer the issue it back to their stakeholder group or constituency for further direction prior to a vote being taken.

It also includes in C the next regularly scheduled council meeting will take place after the deadline for relevant council action. And while we don't have a deadline for council action, we are working to a time line.

It's very clear to me that we fit into the applicability of voting outside of a meeting.

4.10.2 then requires a certain degree of notice, and it's quite precise in its prescriptions. "Voting outside of a meeting may only occur when all of the following conditions are met. The

GNSO chair determines after discussion with council members that the issue will have been adequately discussed and sufficient time given to each stakeholder group and constituency to consider the issue by the time the vote is called."

So we all need to be clear in this date that we choose that by that point, we will be ready. And I'm led by you. So if you folks think we're ready, then that's great.

"The GNSO chair determines after discussion with council members that the Council's regular meeting schedule would make it difficult to resolve the issue without scheduling an extra meeting and this would be impractical in light of the circumstances at that time."

So that enlivens the question of do we need an meeting or do we need a vote outside of the meeting? Either way both options are possible.

Michele, it picks up on your point of not waiting until the 19th of July.

"No councillor objects to the vote being taken outside a regularly scheduled council meeting."

And four -- or D, in this case, "The GNSO chair provides at least seven calendar days' notice of the vote along with notice of the beginning and ending day of the hour of the voting period in UTC

which period shall not be less than four calendar days." So there's a notice requirement. There are agreement requirements.

In other words, Michele, to answer your question, everything is possible. It seems to me that we are well within the bounds of eligibility for a vote outside of a meeting. We certainly also have the option of calling an extraordinary meeting as we've already done in relation to this topic. So that shows us the options that are procedurally on the table.

I hear from more than one councillor -- there have been three councillors who say we are not ready for a vote at this time. In terms of deferring a motion, the responsibility is mine to make that call. And I see lots of heads nodding.

Paul had his flag up. And then I think we will make a point on this, and then let's, say, shift the discussion.

PAUL McGRADY:

Paul McGrady for the record. Quick procedural question.

So it's seven days plus four? At the seven-day point, day one of seven, does the charter need to be completed? Because obviously the notice period at seven days, right, we're not going to put forward a placeholder motion and then work on the charter some more, right? Thank you.

HEATHER FORREST: Thanks, Paul. This is Heather. It's a good question.

Technically it could be done but it's very risky in a sense of we're actually required for eligibility that it has to be the case that everyone will be in a position to vote at the time that the vote is called. So it's risky. Thank you.

Tatiana.

TATIANA TROPINA: As far as I understand, we have only, like, three weeks to the next GNSO call from now. And if we need to wait for charter to be finished, then to schedule and follow all the procedural notices, it brings us to the 19th of July, no? Because we will need a few days to finish it anyway if some of us have to go back to their constituencies and ask for feedback. So how do we deal with this?

HEATHER FORREST: Thanks, Tatiana. Just a quick answer to your question and then I will turn to Donna.

There is some time savings, when we think about -- you are absolutely right to say the next council meeting is the 19th,

which is relatively early in our schedule. Document deadline is the 9th.

The difference here is document deadline is ten days before meetings. So it actually could be that we advance ourselves almost to the point of document deadline, and it's a savings of roughly a week and a half. So there is a savings there.

Donna.

DONNA AUSTIN:

Thanks, Heather. Donna Austin.

Did you also say there's a requirement there that we would have to have had adequate discussion as well before we can do this? So do we understand what that threshold is and what that means? Because I think that's probably important, too.

HEATHER FORREST:

Donna, thanks very much. So that is not defined in the operating procedures. What it does say -- and I've come off of the language here, it says applicability -- actually, so this is under the "all four must be met" category. Specifically says, "The GNSO chair determines after discussion with council members that the issue will have been adequately discussed and sufficient time given to each stakeholder group and

constituency to consider the issue by the time the vote is called."

DONNA AUSTIN:

Okay, thanks. I think -- I think we're probably okay because we have time after the document deadline to -- for us to take it back to our respective whatever we are and come back and discuss and have the vote.

In my mind, it was just a question of, you know, whether that was going to -- anyway, I think I've answered my question. Sorry.

HEATHER FORREST:

Thanks. Donna.

For the purposes of clarity, we'll just say -- let's call it time after notice rather than document deadline because document deadline would really signal a traditional council meeting. And there's a seven-day notice period, and there's nothing here in the operating procedures. They're silent on, for example, stopping discussions during that seven-day period. I think that would be completely unreasonable. It would certainly be the case that you would have those seven additional days to discuss.

Stephanie.

STEPHANIE PERRIN: Thank you. Stephanie Perrin for the record.

I'll try to make this a nice flat, toneless question. But we did hear from Julf Helsingius that Theresa Swinehart was talking to the GAC. And I went to the GAC-Board meeting. It looks as though ICANN, the organization, is going to start consulting on the access model. And the GAC is certainly -- they're going to be with the GAC and the GAC is certainly pushing for another expedited PDP on that.

So what happens if we have finished our charter and reached an agreement about what we're going to do and then all of a sudden we get another announcement of another expedited PDP?

HEATHER FORREST: So, Stephanie -- this is Heather. We are the only body within ICANN that has the power or the authority to commence an EPDP. If you mean another temporary specification, that's a different story.

STEPHANIE PERRIN: Yes, because -- I'm sorry for conflating them. It almost triggers another one, right. If there's a temporary spec for that, then we need another expedited PDP.

HEATHER FORREST: Stephanie, I'm not sure how to answer your question. And that's great because I'm saved by Susan.

SUSAN KAWAGUCHI: Maybe not. I may just muddy the waters a little bit more.

I just can't imagine that the GAC or even whomever else, ICANN Org, is consulting with whatever -- the European Board to have anything to do with the technical part of access. I mean, that's definitely a GNSO policy. They might have something to do with the accreditation because accreditation bodies will sit outside of ICANN and would be presumably vetted by European law for accreditation.

So, I mean, if, for example, law enforcement -- INTERPOL -- I mean, is ICANN going to tell INTERPOL this is how you accredit your people.

And I think our responsibility is to make sure that the registrars are able through RDAP to accept those tokens that are sent out by the accreditation bodies. I think there's definitely a division

there. So -- but I'm also guessing a little bit. I have no idea what the GAC is really doing or ICANN Org for that matter.

HEATHER FORREST: So I have Donna followed by Matthew.

DONNA AUSTIN: Thanks. Donna Austin.

So I guess the question for us is, you know, we understand this is going on. But really what impact does it have on what we're doing? Does it change our course? Does it change our thinking? Or do we still continue down the path we're on? So I guess that's kind of the question I have in my mind. Do we just accept that it's happening but we move on because we need to -- I guess it could taint our discussion around that piece of the scoping because we haven't really got there yet or had a substantive discussion. But in my mind, is it something that -- it's hard to ignore it, but maybe that's -- we try to and get on with our work.

HEATHER FORREST: I'm inclined to agree, Donna. And we have two more flags.

Rafik and Rubens, and then I'll suggest where we go from here.

Keith, sorry, Keith. I'm so sorry, Keith.

Keith, I apologize. Matthew, Keith, Rubens.

MATTHEW SHEARS: Thanks. Matthew Shears for the record. My understanding when I went back to Theresa is that the activity related that you're referring to, Stephanie, has to do with some set of safeguards for the accrediting bodies. I think that's specifically what it relates to. But it's probably worthwhile double checking again with Theresa, but that's my understanding. Thanks.

So in terms of proceeding, I think, yes, should continue the work.

HEATHER FORREST: Thank you, Matthew.

Keith.

KEITH DRAZEK: Thank you, Heather. Keith Drazek.

So just a couple of observations in and throughout the course of our conversations, both in our recent calls on the email list and here this week in Panama. I sense we have consensus around the concept of an EPDP to deal with this temporary specification.

I haven't heard any objections to the concept of an EPDP. So it raises the question again: Is there anything we can do to either trigger or to put a marker down or to communicate to the broader community that this is at least a decision in principle that we've made or reached. We have general consensus on that an EPDP will be triggered subject to the finalization of the charter documentation.

I agree we are not prepared to vote on the charter. It is incomplete. Heather, as you noted and I agree wholeheartedly, we have made significant and tremendous progress and really good work in a collegial fashion this week. So we should all be, you know, proud of what we've accomplished so far but there is more work to be done.

I think that within the next week, we could probably have that work wrapped up and be prepared to have a document out for -- basically that's solid and out for stakeholder group and constituency review in time for a potential extraordinary meeting or a call.

So I just think it's very, very important for us as a council and a community to send a signal and a message to those that are anxious about this, as anxious as we all are, to get this thing moving because of the deadline that's been imposed upon us by the temporary specification.

So I just throw that out there for conversation. And, Heather, I'm happy to hand it back to you for any possible next steps based on that. Thanks.

HEATHER FORREST: Thanks, Keith.

I would like to get to next steps. And you have really made a very important point about the need to communicate something quite clearly to the community here, and I'd like to do that. And now Marika is standing at the microphone.

Marika, I have a queue of two people.

MARIKA KONINGS: I can wait.

HEATHER FORREST: Rubens is deferring to Marika.

MARIKA KONINGS: This is Marika. I just wanted to suggest you also have an alternative approach because to meet as a drafting team, there's no notice period required. You're meeting still as the whole council, so you could have that conversation whenever you believe you're ready and have consulted with your groups.

And immediately following that, initiate an email vote. That would be a possible alternative path to gaining some time while still having time to consult, have conversations, and vote.

HEATHER FORREST: Thanks, Marika. That's helpful.

Rubens.

RUBENS KUHL: Rubens Kuhl. I don't think we need to play that much into the possibility of a second temporary spec because if such thing actually happens, it will be locked into litigation for contracted parties for so long that we would probably need -- only need to appreciate that in the next decade. So ICANN will soon realize, how risky it is to issue such a second temp spec. So we should probably devote too much time into thinking that. It really hasn't a highly chance of happening.

HEATHER FORREST: Thanks, Rubens.

Paul, would you... I didn't mean to glare at you.

PAUL McGRADY:

Paul McGrady. I just wanted to agree with Keith. We can't send a formal signal because there's nothing to vote on. But I definitely would like to convey to the community that this is -- you know, we made a lot of progress. We've got some issues to work through still. But this is moving forward. It's not stalled. In fact, it's moving really fast, and we're all working really hard. Thank you.

HEATHER FORREST:

Thanks very much to everyone.

Let's -- let's show the community what we've done. In order for that to happen procedurally, what I need to do is make a decision based on having heard from all of you that this motion should be deferred.

And I on the basis of all of the comments that have been made -- and I see nods from Donna over my shoulder.

Rafik, are you comfortable with that? We do things as a team. Excellent. Excellent.

The decision has been taken to defer the motion. Exactly where the motion gets deferred to we'll come back to in a moment.

To the point made by Keith, we have worked extraordinarily hard this week and make no mistake gone from a blank

document to the document that you see on the screen in front of you today which is -- let's say not complete but is well underway in all but 1 critical topic.

We went to the community with six baskets of topics on Monday. Took a great deal of input from the wider community, not just the GNSO community. Have fed that into this document.

What you see here is a draft in progress charter of the EPDP. There are obviously sections still to be filled in, and this explains why we are not able to vote on this document at this time.

We had a meeting earlier this morning and refined some further language in here. What I would suggest that we do is spend our time now. We have 15 minutes or so -- I want to make sure we leave time for open microphone -- to talk about scope.

Scope is our remaining bucket that needs to be discussed. And I understand we've had text fairly recently slotted into this document.

Who would like to speak to the text that's been slotted in? So what we see here is the highlighted text in yellow has been put in as a strawman in relation to scope. Much of this originates from the documents that were developed by Keith, by the matrix

that was developed by Keith. And perhaps in view of that -- although Paul you preceded Keith. Keith is happy. Paul.

PAUL McGRADY:

Sure. So this is Paul McGrady for the record.

This is -- we have some details to work out on the other sections, but this is a section that I think is the one that still needs the most work.

I appreciate Keith's work. And his -- one of the tabs of his spreadsheet made its way into the scope section. The other tab didn't. The other tab that didn't seem to make its way into the scope section as far as I can tell from my read is the -- all the content which relates to section 4 of the temporary specification, pretty specifically to other areas in the temp spec. And that all relates to access to data.

So right now we've essentially got 2/3 of a scope up here. We've got -- you know, we've got collection. We've got processing. But we don't seem to have access. We've spent as a council a lot of time talking about that issue, whether or not we will essentially carve out of the temp spec the parts that we don't want to deal with. There are some folks around the table don't want to deal with in this EPDP.

The problem with that is that anything that is not included in the EPDP that is in the temporary specification will expire along with the temporary specification. So we basically -- those of us that are concerned about access have the same deadline as those that are concerned about collection and processing.

So in some respects, I thought yesterday at the end of our time together we had kind of gotten on board with the idea that access should be included. In essence, that the entire temporary specification should be included and not -- not to exclude section 4. That's not reflected here. And, of course, maybe I walked away with a misimpression of what we had all agreed to.

So that's kind of where we are. It's from my point of view the core issue for my constituency. And so I look forward to working on this particular section over the coming days which hopefully will be a fulsome effort where this council initiates a PDP that deals with the WHOIS issue completely and once and for all.

HEATHER FORREST: Thank you, Paul.
Keith.

KEITH DRAZEK: Thanks, Heather. And thanks, Paul.

So I think over the conversations that we've had over the last couple of days, including yesterday, I thought we had also reached agreement. And I think we may be continuing to talk past each other here based on a misunderstanding.

So let me be clear. As we agreed to yesterday, everything in the temporary specification, including section 4, is in scope for this EPDP. There is no intent or desire or ability for us to carve out anything from the temporary specification. So let me -- I'll put a line under that and then I will explain why I think we may have just a little bit of confusion here.

The spreadsheet -- the Excel spreadsheet that was sent out this morning was a document dated back, I think it was, on the 19th of June or something like that. It was an early working document. There were a couple of tabs. And, yes, you noted this morning one of those tabs was titled "EPDP 2".

But we need to be very, very clear that everything on tab 1 is representative of the temporary specification. I think it's line 11 on tab 1 is exactly what we're talking about related to section 4 that you have referred to.

So I think -- I just want to make clear that I think we have got a misunderstanding here about some of the documents. We have been working under extremely tight circumstances with a lot going back and forth.

I will assure you, Paul, that what is in this document right here does not in any way carve out section 4 or anything from the temporary specification. And if there's further adjustment that we need to make around some of the language, I think that's the work that needs to take place over the coming week. But we had an understanding yesterday and that understanding hasn't changed overnight. It's exactly the same understanding.

The entire temporary specification is the subject and in scope for this EPDP. Thank you.

HEATHER FORREST: Thanks, Keith, very much.

Can I suggest that we use this time together today -- we have another, say, five minutes, are there any other possible misunderstandings? Is there anything else that we would value from face-to-face discussion?

We've said a number of times over the course of the last three days that wordsmithing as a group in a large setting like this isn't necessarily helpful.

Michele.

MICHELE NEYLON: Heather, I just think people -- we need to try to bring this into land -- get it done, get it across the line. Filibustering on this is not going to help because if this is not done, then there will be no temporary specification and you will have complete fragmentation of the DNS. Because if there is no contractual obligation or policy for the collection of the data, then some people will just simply stop collecting it. That's the reality. So just keep reminding people of that.

So in certain other policy discussions we've had at the GNSO and in parts of the GNSO, the tactic of delaying something has been used by some people for many, many years. And by delaying things, they manage to maintain the status quo.

In this instance, if you delay, you will end up with something completely different which won't even be that.

HEATHER FORREST: Donna and then Susan and then I'm going to suggest a procedural path forward.

DONNA AUSTIN: Thanks, Heather. Donna Austin.

There's a section carved out here for what's not expected to be considered as part of this effort. And I think we had some

conversation yesterday around that we still have outstanding questions with the Board about the picket fence issue and there's some SLAs in the temp spec that we think are -- from a contracted party, we think is out of scope. So I think we still need to define that and reach agreement on that.

There's another thing that I'm not sure where this fits but I think it will be helpful if we can have a discussion about what our expectations are in the event that -- when the Board reconfirms the temp spec every 90 days, if that is more than confirmation, what guidance, if any, can we give to the EPDP working group about how to deal with that? Because I think it will be important if we can think about that, too, and provide some guidance so they're not, you know, floundering about, well, what do we do now.

HEATHER FORREST:

Thanks, Donna.

To that point, I think it also comes down to our relationship with the Board liaison in anticipating those milestones.

Thank you.

Susan, your flag was up.

SUSAN KAWAGUCHI: I'll defer, if you can take us forward.

HEATHER FORREST: No pressure there. Thanks.

I'll give it a shot. Here's what I suggest. Having a look at the calendar, what I would suggest is we want to have some time to do more refinement of the document. We probably want to come together as a drafting team one more time once the document has had a bit of work on it.

If we were to -- bearing in mind travel and so on -- and I know folks are going to say that next week is a public holiday in the United States, but every day is a public holiday somewhere. We need to be a little bit careful with that.

If I can suggest that we run a doodle for the drafting team to get together sort of the mid to the end of next week. And then that would envisage some time -- that works out to be roughly nine or ten days -- to do some wordsmithing in the background that by the time we had that meeting of the drafting team, we would have, let's say, the next version of the document to look at followed by a decision around an email vote for late the following week.

So we will be able to decide when the drafting team meets to call that email vote. That email vote would likely be somewhere

-- wait for it -- would be in the week of the 9th of July. I'll have it noted for the record that Friday is the 13th.

[Laughter]

Whether it's Friday the 13th in your time zone or not depends on where you live.

That's my proposal for how we move forward. It's very much a proposal made on the fly. But to me, let's say, it seems a fairly sensible one. It gives us enough time. We have to be very conscious of that -- of those requirements that we have to have adequate time, as Donna has rightfully pointed out. We have to have adequate time to fall in the eligibility category. We have got to make sure that not only we as a group had time to socialize this but we have taken this back home and talked about it there too.

So that gives us that adequate time. It gives us some time then to reflect after we meet as a drafting team before we come together for -- virtually for the email vote. And over the time leading up to that vote, we would have plenty of time to discuss as well, yeah?

Also, what it does mean is -- bear in mind, the document deadline for the regular council meeting will pass us on the 9th of July. So if we were holding an email vote on something like

the 13th, the end of that week, we would be past document deadline.

So leadership will keep a careful eye on this. If there is some kind of motion that needs to go into our July meeting agenda, we will need to decide that a bit before we would do that email vote. I would like to think we would be in a position by the time we do the drafting team call to do that.

Now, what that would mean as an action item, if we are agreed on this -- I'll ask staff to note it as a tentative thing -- is that we'll need to do a doodle right away for a drafting team call for sometime, let's say, mid to late next week.

With that, I have Stephanie. Thanks.

STEPHANIE PERRIN: Thanks, Heather. I guess I'd like to make three points. I have had my flag up and down so many times, I've lost mine. I will probably lose Ayden's now.

First of all, I like your idea.

Second of all, can we make a very strong statement that the council not only is taking this very seriously, has done a lot of work but that we are going to put a priority on, brackets, keeping control of our ownership of this policy process.

I mean, I think we need to make a strong statement under the circumstances. With all of the -- shall I politely say -- parallel processing that's going on at the same time, that we're going to do this.

And then my third point would be, given that, are there any sort of extraordinary measures that we can put in place such as exactly that, moving the deadlines for votes and things like that around, having extraordinary powers so we can week actually keep up because this is a pretty good example of how crazy this process will be for the EPDP.

And I'd like to be sure that we're equipped to manage it well.

HEATHER FORREST:

Thanks, Stephanie. I think both valid points.

So to the second point that you make about how do we communicate, I think one option will come immediately after this meeting.

The leadership team will be asked to go off and speak to comms to do a bit of a video on what's happened here in Panama. And not very surprisingly, they have asked us to say something about the EPDP. I think that's a very clear public opportunity to make a message about where we are at this particular point in time in the process.

I think we could also explore options such as communicating with the comms team about a press release to get some wider -- some wider distribution of that message. I think that's entirely within the possibilities. And we can as a leadership team take that on board as to how to do that.

Stephanie, to the -- to the point about, you know, flexibility on timing and so on, I'm -- I think -- I am sensitive to what you are saying. I'm also sensitive to this idea that those deadlines are in place to ensure that the public knows what we're doing and ensure that we have a chance to socialize things within SGs and Cs.

So I think what we will do, I will say leadership will take it on board to get itself very familiar with the timings and how that works and these procedures and so on. We'll become experts in this sort of deadline procedure.

And when we meet as a drafting team, we'll come back and give a very quick -- don't want to take time away from that meeting. But we'll have a very quick discussion on that. We'll do our homework.

I see Keith and we have got Wolf at the microphone, and we might find it's opportune to turn things over to open microphone soon

KEITH DRAZEK:

Thanks, Heather. Keith Drazek again. I would like to support what you describe as a path forward. That makes a lot of sense. I do just want to note that I think as we move forward on finalizing this process and this procedure for the EPDP on the temporary specification, there's also something that we need to do around all of the things that are in the annex.

To the extent that the temporary specification is the temporary specification, we have to set up some review and assessment of how we're going to handle the things that are in the annex which the Board in its original resolution around the temporary specification said were important, urgent, needing to be addressed by the community but not part of the temporary specification itself.

I know there's been concern raised by members of the GAC and others in the community broadly about the need for focus on the uniform access model.

The thing that ICANN has been socializing with the DPAs that was posted just the week before we got here, all of the good work that's been going on in the community, I think there needs to be some acknowledgment or recognition that there needs to be some, you know, attention paid to that, even if it's not part of the EPDP that we're discussing today. Thanks.

HEATHER FORREST: Thanks, Keith.

So we have time in our agenda for open microphone. But Wolf-Ulrich, I suspect your comment is in direct relation to this. We might let you sneak in here, Wolf-Ulrich.

WOLF-ULRICH KNOBEN: Wolf-Ulrich, chair of the ISPCP constituency. I'm all with you with this process. Understand that.

My question is a practical one. And on the impact on the constituencies and stakeholder groups, we have to fill up the team by September. So what is the impact on your time line? That means, when do you need us, well, to put the members forward?

And the other thing is: Is the entire draft here still fluid? Or does it mean it's just the part of the scope?

And so to the parts that are yellow, are they still under discussion? I refer to the membership list, which is down under, I would say.

And is that fixed right now, or is there still discussion about that?
Thanks.

HEATHER FORREST: Thanks, Wolf-Ulrich, for your question. It offers a good opportunity for clarification.

So it's certainly not the case that any part of this document has been signed off. There hasn't been time, let's say, to do the proper wordsmithing.

And the reason for bringing the drafting team back together, when the drafting team meets, the idea would be to review the text as a whole and continue to make comments on it as we go. So everything is under discussion, Wolf-Ulrich.

There are some points that are at least in principle, the concepts are somewhat understood by the group. The exact words to use to express those concepts are still under -- under review.

In other cases, the concepts aren't 100% agreed yet. And so all of that is within scope.

In terms of the resources for the SGs and Cs, what I would like to think that we could do as a group in principle, we understand this is the path we are on.

I would suggest that the SGs and Cs begin to ready themselves, let's say -- whether the exact number or the characterization of observer or whatever it is isn't refined, the SGs and Cs should

have the clear message from this point that they should begin readiness to think about how to appoint members to this group.

WOLF-ULRICH KNOBEN: Okay, thanks.

HEATHER FORREST: Thanks.

Excellent.

In closing out that item, let's congratulate ourselves on a tremendous effort and brilliant work, all done in an incredibly collegial spirit. And much work to be done. But if this is the path we're on, I think we should all feel very good about where we are headed. So thanks very much, everyone.

We have two items of any other business before we open up the microphone. The first one is in relation to the GNSO chair election time line. We have a document that shows the timetable for that and we can pull that up. What happens is with this meeting, that officially commences the time line for the elections. And you'll notice here there's a day zero and we go on from here.

So today is the day that we announce the proposed procedure and time line. What happens is we are to a certain degree

dependent upon the NomCom selectees being announced and new council members being announced. So at the same time as we kick off the GNSO Council election season, we kick off elections within SGs and Cs.

The houses will submit their nominees by the 24th of September. The candidates will submit statements by the 6th of October. There will be candidate meetings, and the election will be held at the AGM followed by which the council will inform the community of the election results.

So with that, that commences the election process. And we will pass this message on as an action item to the SGs and Cs.

Excellent. Item 9.2. We have already dealt with that. That is our call for volunteers in relation to WHOIS conflicts with local law. And we dealt with that in action items, and we will follow up with that accordingly by revising the action items.

That brings us to 9.3 which is the open microphone. Thomas.

THOMAS RICKERT:

Thanks very much, Heather. This is just to give the council and all those in the room a quick update on where we are with the CCWG-Accountability.

I'm the co-chair, or one of the co-chairs, of the CCWG accountability that has officially dissolved on Sunday. So you might ask us: How can you be a co-chair if the group didn't exist anymore? Here's what we're doing.

Our group had funding until the end of June, staff support until the end of June. What we did in Panama last Sunday was develop some implementation guideline for four out of the almost 100 recommendations that we had. Because the Board had raised some global public interest concerns and we were looking whether we could find language that would remove concerns of the Board without altering the recommendations.

So the recommendations remain unaltered. Staff is now applying finishing touches to our report. The report with the implementation guideline will be sent to the chartering organizations next week. And we do hope that the chartering organizations will approve -- will grant their approval to the overall package by Barcelona and then it will go to the Board for the Board's approval.

And I'm still one of the three co-chairs because if there are questions surrounding the approval process, the co-chairs are still available to deal with those issues, should there be any. And, also, we will be part of an implementation oversight team that will help during the implementation phase of our

recommendations because implementation was not part of our remit in Work Stream 2.

For those who want more information, we have a high-interest session -- or cross-community session, whether it's going to be high interest is yet to be seen -- in room number 5 at 1700 hours. So thank you so much.

HEATHER FORREST: Colleagues, let's congratulate Thomas and his colleagues on the conclusion of Work Stream 2.

[Applause]

Vicky.

VICKY SHECKLER: Thank you. I want to go back to the EPDP for a second. And, Keith, what you mentioned I found confusing. I apologize. I didn't listen to all of your deliberations yesterday and I have not read the temp spec in a while. So forgive me in advance if I mess up anything there.

But when you say yes, the temporary spec is going to be included for deliberation in the EPDP but, no, the annexes aren't put of the temporary spec, that causes confusion at least for me as to what is meant by that and what is not meant by that.

And to cut to the bottom line, my interest is ensuring that we have some form of access in addition with collection and data processing.

You know, the scope of that access is up to the PDP. I understand that and that's something that we need to continue to discuss, what are the limits, when does it happen. I get all of that.

But my concern when I hear what you just said is that you're not going to consider the needs of the WHOIS user community, and that is a concern. So if you could comment on that, I would appreciate it.

KEITH DRAZEK:

Thanks, Vicky. It's Keith Drazek.

I think the response is that the temporary specification currently requires registries and registrars to collect WHOIS data as we always have to transfer it from registrar to registry in the instances where registries are thick, to escrow it, and also to provide access to that data to users who requested the data with legitimate purpose where it's not otherwise outweighed by the law.

So that is in the temporary specification. That is not going to change during the next 11 months. And there is an opportunity

for this EPDP to essentially extend that obligation for as long as necessary until such time a full-blown uniform access and accreditation model is finalized.

So there is access today. It's not the access that we were all accustomed to in terms of the free and open WHOIS system. But essentially there is access today.

What we've discussed here in the council level for many -- several days this week, many long days, is to focus on the temporary specification which is the subject of the EPDP. It is the thing that we have to complete within the next 11 months. There needs to be concurrent work going on focusing on the questions of a uniform access model and all of the other things that are in the annex that the Board identified as being important and urgent and all of that.

So that's what I said earlier, is that we as a council need to make sure that we are taking steps urgently to create a process for doing that. Whether that's another EPDP or whatever it turns out to be, I think that's a really important thing for the council to focus on.

But the EPDP that we're talking about today is focused on the temporary specification itself. And our obligation as a community to either confirm that temporary specification as a consensus policy, to reject it as a consensus policy or to make

amendments to make sure that we can come out of this in 11 months something that's predictable and stable for everybody.

So, I guess the answer is that we do care about access. We do care about timely access. And our job here right now is to focus on the temporary specification itself as it relates to this EPDP.

VICKY SHECKLER: Right. As you said, my understanding is section 4 of this temporary spec does contemplate access. So the part of editing or fleshing out access could be part of this EPDP.

I believe, although I'm not sure, the annexes provide further guidance or discussion points, or however you want to describe it, that feed into that and other aspects of data processing and collection. So it seems like if I understand it properly that some of that work that's been put into there is useful input to the PDP.

I would be concerned if it's not considered, if it's out of scope and you can't even talk about it.

Again, perhaps I'm misunderstanding what the group is talking about. I see Paul has got his flag up.

KEITH DRAZEK: Let me just respond to that, and I'm happy to hand it over to Paul. As I said earlier -- I'm not sure if you were in the room or

not -- everything in the temporary specification including section 4 related to access and legal purpose and all of that is definitely in scope for this EPDP. There is no intent or really possibility for us to carve that out. It is part of the temporary specification. It is our obligation to address that.

I think when we start talking about something called a uniform access model, which, of course, is something that ICANN just recently published or something more specific like that, that potentially is a broader, much more complex conversation than what is in specifically the temporary specification.

But let me be clear, everything in that temp spec including section 4 related to access and the establishment of legal justification and legal bases for access to the data definitely in scope.

HEATHER FORREST: Thanks. Paul, last word on this one and then we'll end the meeting with Stephan.

PAUL McGRADY: Thank you. Paul McGrady.

Yeah, on that subject, I think some of this we obviously are going to have to deal with in the coming weeks. Things that

jump out right away are -- in the draft charter now, if we look at J, disclosure of nonpublic data to outside parties; J1, should existing requirements in temporary specification remain in place until a uniform access model is finalized. That's a binary, and it's a binary that relates to uniform access model that doesn't come into existence on its own. And there's no process yet as far as I can tell for such a thing to come into existence.

It's not being treated in the same way as all the other issues. As Keith noted, do we affirm it, do we reject it, or do we amend it? Right? This is a binary. It's affirmation or rejection. There's no do we affirm it, do we reject it, or do we work on it and make it better. So, you know, until we get to the point where we all are on board with making sure that access remains and is even enhanced because it's not terrific right now, I think we have a significant departure of the minds.

But don't lose heart. We've got a lot of work to do. We made an enormous amount of progress before. We're going to keep making progress on this. We will talk about the annexes because we do think they're important. There's good information in there. But I definitely think we need to get to a point of parity where access is being given the same treatment in the charter as, you know, selection and processing.

But, again, we'll get there folks. Don't lose heart. Thank you.

HEATHER FORREST: Thanks, Paul.

Stephane.

STEPHANE HANKINS: Good afternoon. Stephane Hankins, International Community of the Red Cross on behalf of the International Red Cross/Red Crescent Movement. Thank you for this opportunity. And I see a lot of familiar faces in the room, and I hear a lot of familiar voices as well from our many conference calls.

Firstly, I'd like to, for the record, express our gratitude to all members of the reconvened working group and particularly to Thomas as well as to Barry and to Mary for their tireless efforts to bring about a suitable resolution to the issue of the protection of the Red Cross/Red Crescent names and designations.

With the working group report now out and the recommendations, we hope now for a swift resolution. I need not remind, I think, of the public policy grounds on which these designations and these names are protected. This, of course, results from public international law treaties as well as from the public policy interests of protecting the names of the respective components of the Red Cross/Red Crescent Movement including

the 191 International Red Cross/Red Crescent societies from all forms of misuse, particularly in times of crisis.

We will shortly be providing our remaining comments on the list. There's still a few issues which we feel need to be addressed.

For the record, we wanted here simply to maybe make a point relating to those Red Cross/Red Crescent identifiers which are today temporarily protected by decision of the Board but which fall outside of the scope in relative to the reconvened working group. And I mean here the acronyms of the International committee Of the Red Cross and of the International Federation of Red Cross/Red Crescent societies. It is, indeed, our understanding but also our strong expectation that these temporary reservations will remain in place until such time an appropriate solution and resolution and decision by the Board is taken in this matter.

To conclude, once again, to thank all of you and to express our commitment to continue to work very closely with the working group, with the GNSO Council, and with the GAC which has been following this also very closely in bringing a successful resolution to this issue. Thank you very much.

HEATHER FORREST: Thank you, Stephane.

And that concludes our time. It's five minutes past and this room will be occupied by another group next.

May I remind GNSO Councillors that we are back together because we love each other so very much this evening with our trend session with MSSl. As I understand it, it's in this room and I believe it's at 6:30. Yes, I'm getting the nods, so great.

And we'll come together for that activity. We have the GNSO Council wrap-up session tomorrow. Other than that, I wish everyone an excellent rest of the week. Safe travels home. Brilliant work. And to be continued. This concludes our June council meeting. Thank you very much.

[Applause]

[END OF TRANSCRIPTION]