

**ICANN
Transcription
GNSO Temp Spec gTLD RD EPDP
Wednesday, 01 August 2018 at 14:00 UTC**

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: <https://audio.icann.org/gnso/gnso-epdp-gtld-registration-data-specs-01aug18-en.mp3>

Adobe Connect recording: <https://participate.icann.org/p66ynmxbc3/>

Attendance of the call is posted on agenda wiki page: <https://community.icann.org/x/ugBpBQ>

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page <http://gnso.icann.org/en/group-activities/calendar>

Coordinator: Recordings have started.

Nathalie Peregrine: Thank you. Good morning, good afternoon and good evening everybody. Welcome to the first GNSO EPDP Team meeting on August the 1st 2018 at 14 UTC. In the interest of time, there will be no roll call. Attendance will be taken via the Adobe Connect room only so if you are on the audio bridge and not in the Adobe Connect room, could you please let yourself be known now?

Not hearing anyone, we received apologies from Emily Taylor and Matt Serlin from the Registrars, Georgios Tselentis from the GAC, they formally assigned Theo Geurts, Jeff Yeh and Chris Lewis-Evans as their alternates for this call and for the remaining days (unintelligible). During this period the members will have read-only rights and access to conference calls, their alternates will have posting rights and access to conference calls until the members return.

Thomas Rickert from the ISPCP just sent his apology for the call with no time to assign an alternate. As a reminder, the alternate assignment must be formalized and the URL is in the agenda pod at the top right of the Adobe Connect room. All documentation and information can be found on the EPDP

Wiki space so please don't hesitate to refer over there. There's an audio cast for non-members to follow the call so please do remember to state your names before speaking. Recordings will be circulated on the mailing list and posted on the public wiki space shortly after the call.

Thank you ever so much and over to you, Kurt.

Kurt Pritz: Thank you so much, Nathalie. And welcome, everyone. I'm really pleased to – and honored to be leading this group. For me it's an opportunity to renew many old acquaintances with colleagues that I've worked with in the past so I'm happy for that and I also see that there's people with whom I haven't worked with before so that will be a rewarding thing for me too.

The ICANN staff has – and some others have worked really hard in preparing for this first meeting and to lay a good foundation for all the work that must be done. And so we'll display the results of that work now, take your comments and that will be – provide us direction for how to go forward. So I'm going to try the slides here. So we've all attended many ICANN meetings and it always starts with an agenda and the agenda always has exactly six items on it, which I found to be a remarkable coincidence and somewhat forced. And then when I did the agenda, I found out I had six areas to my – six sections to my agenda too so maybe it's a secret science.

But right after I get done speaking here we'll go into team introductions and then I want to have a very brief discussion about the EPDP team leadership and the position of vice chair. But then – there's not really six items on the agenda; most of our conversation will be taken up with our running rules, our operating mode and there we'll talk about the statement participation, all the documentation that's available and needs to be read, early input which is part of the PDP process, our meeting frequency and schedule and what we're going to do at the next ICANN meeting, the charter and its deliverables, the timeline, rules of engagement and the possibility of using mediation or facilitation techniques for our meetings, I want to get your input there.

And then I also don't want to make this meeting purely administrative; I do want to get into substantive stuff, so there will be reserved hopefully 45 minutes at the end for that, for substantive discussion. So that's essentially the agenda. I reserved now 30 minutes for team introductions. And first of all, thank you so much for sending in the bios. I think that was great. And, you know, what's interesting is I actually reach each one of the bios where – in other meetings such as this I'll be doing emails while we're going around the proverbial room. So thank you for that and I invite you all to read all the bios if you haven't. And staff has posted the bios on a wiki page, the team membership page, so you can find them there if you don't read them in your email.

And then for this portion, I had reserved time to – for each team to say a little bit about itself, you know, two to three minutes because we want to get through this in half an hour or so. Kavouss wrote me – Kavouss from the GAC representative from Iran, wrote to me and suggested, you know, this could be done through email too. So I'm going to leave it up to each team. I would like to hear from the teams so if you're ready to speak, I'd enjoy a two minute – two to three minute description of your goals and maybe your team, or whatever you wanted to say. But, you know, Kavouss's idea gives you the opportunity to pass and provide something in writing.

So with that, since I'm in charge I'll just start and pick the Business group. So, Margie, Mark or Steve, do one of you want to – or Margie or Mark, do one of you want to speak?

Mark Svancarek: This is Mark. So hi. We're here from the Business Constituency. And our goals are – sorry, a bunch of chat going on here. Our goals are to reinforce our belief that privacy is a human right and the GDPR is progress. And that there are legitimate purposes for the data set that make it imperative for them to be available under certain circumstances to certain entities for legitimate

purposes and we believe that these are compatible goals that can be resolved in this policy development.

Nathalie Peregrine: Kurt, this is Nathalie. You may be...

((Crosstalk))

Kurt Pritz: So in my brilliance I've – so there's this button on my phone called mute. So, James Bladel from the Registrar Stakeholder Group, I saw you had your hand raised; did you want to make a separate comment or did you want to speak on behalf of the Registrars?

James Bladel: Thanks, Kurt. Yes, this is James speaking for the record. And I'll just go ahead and speak on behalf of the Registrars. Unfortunately two of our three members could not make this initial call but we are joined by some of our alternates. So not surprisingly, registrars are, you know, eager to get started. We have a lot of skin in the game, so to speak. We as contracted parties we are on the front lines of some of the issues that will be addressed by this EPDP.

I think that we also – we all recognize that the temporary spec is not perfect; it's a band aid or it's a crutch and but I think most importantly it is as the name implies, it is temporary and the clock is running out. And so I think we are eager to get started to find something that can take its place on a permanent basis. That is technically and operationally feasible, that gives us some degree of certainty under the law and mitigates or legal risks and addresses the consensus views of this working group and the broader community

And I guess that's about it. But we are I think more than anything we are looking to lock down what we can agree on as much as possible, as quickly as possible and get us off the clock with some time to spare. I think at ICANN we are deadline-driven community and in this particular instance I think

getting us right up against the expiry of the temporary spec would be probably the only failure scenario in this – of this working group, really what we ought to be doing is racing towards completing as much work as possible as quickly as we can. And I look forward to working with everyone on that. Thanks.

Kurt Pritz: Thank you, James. Esteban, can you talk on behalf of the Internet Service Providers? Esteban Lescano.

Esteban Lescano: Yes, hi everybody. Yes, we don't have a statement at this stage but I can – I can introduce our team for me and also Thomas Rickert, he's from Germany, I think that everybody knows him. And in my case I'm also a lawyer with – a lawyer working for ISP (unintelligible) and we want to give our view on behalf of the ISPCP Constituency. But (unintelligible) we don't have a statement to make.

Kurt Pritz: Thanks Esteban, that was great. For intellectual property, Alex or Diane?

Alex Deacon: Yes, hi, Kurt. It's Alex Deacon. Can you hear me all right?

Kurt Pritz: Yes I can.

Alex Deacon: Thanks. So my name is Alex Deacon. And both myself and Diane will be representing the IPC in this EPDP. Diane is an experienced IP lawyer, an expert in matters relating to privacy and the GDPR. As for myself, my experience is in Internet technology policy and infrastructure including DNS and things like authentication, encryption, identity and the like.

I think Diane and I bring a set of skills that are not only wide and deep but also relevant to the task that we have at hand here. Our goals are simple, it's to participate actively, constructively and respectfully toward the definition of a policy for a global RDS system that meets the needs of the IP community in a GDPR-compliant manner.

I'll just close – I think Diane in her intro yesterday said it eloquently, that we look forward, both of us, to working collaboratively and listening, learning, contributing and to find solutions to achieve the important goals and missions of this group. Thank you.

Kurt Pritz: Great. Perfect, Alex. For the Registry Stakeholder Group, Alan, Kristina or Marc?

Marc Anderson: Hey, Kurt. This is Marc Anderson from the Registry Stakeholder Group. I'll provide the introduction. As you said, I'm joined by Alan Woods and Kristina Rosette. And from the Registries, the Registry Stakeholder Group's goal is to participate actively and in good faith towards a consensus policy that addresses the questions set forth in the EPDP charter.

The Registry Stakeholder Group believes that any consensus policy developed by the EPDP must provide a clear path for compliance with the GDPR, be commercially reasonable and implementable, take into account our differing business models and does not inhibit innovation. Thank you for this opportunity and we look forward to working with everybody on this EPDP.

Kurt Pritz: Thank you, Marc. From the Non-Commercial Users group, I don't know who's on this call, Stephanie, Ayden, Milton, Julf, Amr?

Ayden Férdeline: I'll take it. Can you hear me, Kurt? This is Ayden.

Kurt Pritz: Hi, Ayden. How are you? Yes I can.

Ayden Férdeline: Perfect. Thanks. Hi, everyone. My name is Ayden Férdeline and I'm pleased to be speaking before you today on behalf of the Non-Commercial Stakeholder Group, the NCSG. As you might be aware, we are the only place within the ICANN ecosystem that is specifically reserved for the advancement of non-state and non-market interests. We represent more than 700 nonprofit

organizations and individuals who wish to advance noncommercial policy objectives at ICANN including respect for human rights, freedom of expression and access to knowledge. And our members include academics, civil liberty groups, religious organizations, free software groups and ICT for development organizations.

So our mission overall is to protect and support noncommercial communication and activity online as it is enabled by the domain name system and consistent with that mission, the NCSG is participating in this EPDP to ensure that the fundamental rights of natural persons during the collection, processing and/or disclosure of their personal data as a result of gTLD domain name registration, is protected by the policies that the EPDP team develops and that this right is not overridden by third party interests to the extent that these rights are protected by the GDPR.

Time is against me now so I'll leave my brief opening remarks there but just to reiterate on behalf of the NCSG, we are delighted to be here and we look forward to collaborating with everyone on this call over the coming months. Thanks.

Kurt Pritz: Well done, Ayden. From – so those were the GNSO stakeholder groups and constituencies. I'd like to turn now to the – to advisory committees. So Ashley, I understand from the chat, are you going to introduce the GAC members and the GAC role?

Ashley Heineman: Thanks, Kurt. Yes, this is Ashley Heineman. I'm with the – I'm the US GAC representative joined today by my colleagues, Kavouss from Iran and Chris from the UK. Chris is actually standing in today for Georgios from the European Commission who is our regular member but he's unable to join us today.

So I'm going to read a written statement so bear with me. "The GAC welcomes this EPDP and the invitation to participate in it. The GAC believes

that this group has an important role to play in developing as part of all relevant efforts of ICANN and the community what the GAC believes should be a comprehensive model. This comprehensive model should allow access to nonpublic Whois data for authenticated users with a legitimate and proportionate purpose in a manner that is consistent with the EU's general data protection regulation and other data protection legislations elsewhere.”

“The GAC recognizes the challenge ahead for this group and welcomes discussion on the chair's proposal to maximize the efficiency and effectiveness of this team. The GAC is setting up for itself special procedures related to this EPDP to allow for timely and effective input from all concerned governmental stakeholders. The GAC nominated six representatives to this PDP, all of whom are expected to be equally engaged in the work of this group be they members of the EPDP team, or alternates. They will be supported in the work by additional government representatives, experts and advisors.”

“Regarding the substance of which this group will be called on to deliberate, among other manners, the GAC has stressed on several occasions in its 2007 Whois principles and GAC Advice or on community consultations that Whois or registration directory services help achieve many public policy interests. Whois should be maintained to the greatest extent possible while ensuring full and timely compliance with GDPR.”

“Finally, it should be noted that GAC comments on the interim compliance model and GAC Advice and the ICANN 60, ICANN 61 and ICANN 62 communiqués should be added to the resource list that was shared by Kurt earlier.” Thanks.

Kurt Pritz: Thank you so much. From SSAC, Theo or Benedict? Oh, it's Ben, I'm sorry.

Ben Butler: Yes, it's Ben. Good morning. On behalf of SSAC, you know, myself and Benedict were very happy to be able to participate in this work. In SSAC

we're always extremely focused on issues that we think might negatively impact security, stability and resiliency and this is no different. Our main goals in participating in this EPDP are to make sure that security and stability issues are thought of from both perspectives, both the registration data providers and those who would consume it or access it.

We believe very strongly that a properly implemented registration data system will enhance and continue to enable (unintelligible) law enforcement, security practitioners and other legitimate parties with legitimate interests under the GDPR to be able to continue to protect the Internet while at the same time we recognize that if too much personal information is made too widely available, you know, which is kind of how we got here in the first place, then there are different kind of security issue in that it fosters spam and malware and all sorts of abuses and we don't want the Whois or registration data system to be misused in that way.

So we will be sticking to our guns on the security and stability issues but we want to make sure that it's done in such a way that it can be useful for everybody. Thank you.

Kurt Pritz: Great. Thank you Ben, that was good. Alan and Hadia, I've saved the best of the multistakeholder model for last, so and one of you introduce ALAC and your objectives here?

Alan Greenberg: Yes, thank you. It's Alan. I'll speak on our behalf. The ALAC believes that the EPDP must succeed and we'll be working to that end and as James said, the – if we can do it earlier rather than just to the deadline, so much the better. And we believe it will be possible to reach closure in the timeframe we have. We have a support structure that we're organizing to ensure that what we present here is understood by our community and has their support and input.

The ALAC believes that individual registrants are users and we have regularly worked on their behalf. An example is the PDP we initiated to protect the rights – registration rights at expiration time. But if the registrant needs differ from those of the 4 billion Internet users who are not registrants, those latter needs do take precedents and we believe the GDPR and this EPDP are such a situation.

Although some Internet users do consult Whois and will not be able to do so going forward, our main concern is access for those third parties who work to ensure the Internet is safe and secure for users and that means law enforcement, cyber security, researcher, those combating fraud in domain names and others who help protect the Internet from phishing, malware, spam, fraud, DDoS attacks and such, all with minimal access in their reduction to Whois. And of course it's going to be subject to whatever the constraints are within GDPR. Thank you.

Kurt Pritz: Great, Alan. We're also pleased to have two ICANN Board members that are liaisons to this group, Chris and – Chris and Leon. Do either one of you want to speak on behalf of the Board or introduce your role here?

Chris Disspain: Hey, Kurt. It's Chris. I'm getting a huge echo now but it doesn't matter. Just to say hi, we're here to liaise, give a Board perspective when we're asked for it and take part as best we can and wish you all luck.

Kurt Pritz: Thank you, Chris. Well so just to follow on what Chris said, you know, I think luck is not all we need but it's good preparation and, you know, I'm appreciative of the thought that went into all those opening statements. I thought, you know, I think that they were well put. And so we should publish them and so to the extent you have a written statement that you could send that into the group and Nathalie or someone will put the email – reiterate the email address to send them; if you don't, what we'll do is make a written version of it from the transcript and send that to you for your edits.

So a little bit of – a little bit of a task that'll take a couple days but since quite a bit of effort went into that I think we should memorialize it because it does frame up the issue pretty well, so thank you.

So through that bit ahead of schedule and started the meeting on time, so I'm pretty (unintelligible) and I just wanted to note that the slides are kind of hard to read because I chose the wrong slide formatting and so if you want to see the slides you can go to the wiki page, you know, the observers can see – have access to the slides there too. So if you want to see a better version of the slides they're there.

Marika, did you have something to say?

Marika Konings: Yes thanks, Kurt. This is Marika. Just on the previous item as I noted in the chat as well, staff is keeping high level notes of the call that we'll circulate immediately after the meeting that you'll hopefully find helpful. But of course, you know, you're more than free to follow up with a written statement which we'll then post on the wiki. And I posted the address to send them to in the chat as well so hopefully between those two we'll be able to capture everything that people have shared.

Kurt Pritz: Okay. All right with that we'll get into the next agenda item so thanks very much. I want to – those statements were so good I just want to declare victory and go home. So our first order of business is the selection of a vice chair who will help me manage the different conversations that go on in a meeting, help with administrative and substantive tasks and, you know, stand in as the chair if I cannot be here.

And the chair is to come from this group so, I've been thinking about this and as you saw in my notes here, you know, I'd like to select Rafik Dammak as the vice chair. He's the GNSO liaison to this group, so he's a natural choice I think because he's independent in that way and he's motivated, his major

motivation is the overall success in this group in reaching consensus rather than have another sort of interest in the outcome.

And, you know, knowing Rafik personally for many years, you know, he's thoughtful, well spoken, hardworking individual and that will serve this group very well. So I was hoping to – so I hope to have a brief conversation about this and move on but I really want to run this sort of by objections rather than vote. So Kavouss, do you have a comment?

Kavouss Arasteh: Yes, no objection, no vote. We agree with Rafik, with your selection, that is good. I think you could take it – ask the people if there is no problem, we will take it as it is, and then go to the next item. Thank you.

Kurt Pritz: Well thanks for that, Kavouss. Does anybody else wish to speak or should we confirm – go ahead, James.

James Bladel: Thanks, Kurt. I think Registrars have – thanks, Kurt. Sorry about that. Registrars have had some time to discuss and I think that we also agree that no objections to supporting Rafik as vice chair and we should proceed based on acclimation or voice vote. Thanks.

Kurt Pritz: Marc.

Marc Anderson: Thank you, Kurt. This is Marc Anderson. I have a question, I guess and this might be for Rafik. But I want to, you know, one, I want to ask, you know, Rafik if he's, you know, comfortable with the time commitment. I think the GNSO liaison plays an important role and being that he's on the GNSO Council he already has a lot on his plate. And then taking up this role as a member of the EPDP leadership team would be an even bigger drain on this time. So I think my first question would be to Rafik, you know, is he comfortable with that time commitment and will he be able to devote the time necessary to this role?

And another question I want to add to that, you touched on it a little bit but I want to understand what Rafik's sort of – what hat Rafik will be wearing, if you will. You know, Kurt, you know, you've taken on the role of chair of this PDP with the expectation that you'll do so in an independent basis, not representing any particular constituency. And so I want to ask will Rafik be asked to play the same role? Will he be independent? Will he be representing the GNSO Council or will he be performing the role in his own individual capacity? So I don't know if Rafik is willing or able to answer those but I do have those questions.

Rafik Dammak: Okay. This is Rafik speaking. Thanks, Marc, for those questions. So with regard to the time commitment, I'm not worried about that and since I accepted to be Council liaison and kind of (unintelligible) that the level of workload that needed to be done and I have to follow what's going on anyway, in the EPDP team. Regarding, I mean, try to understand if I'm participating in my personal capacity is not the case because not being a member of the EPDP team but the Council liaison I have to be independent and neutral and not participate in substantive discussion but to monitor the activities, to report, to support and help in this case to help the chair.

So it's kind of the – I understand the expectation from this role and to be the Council liaison and not going to participate (unintelligible) discussion, I think that's maybe the concern you have, Marc, I will be happy to elaborate. Sorry.

Kurt Pritz: So, Marc, do you think you got an answer to your question?

Marc Anderson: Thanks, Kurt. This is Marc. No follow up questions. Thank you.

Kurt Pritz: So Kavouss has raised an interesting point in the chat and that is that traditionally the GNSO liaison is not the – affirmatively not the vice chair. And in preparation for you know, in having this thought, you know, we discussed the idea, several of us discussed the idea with the GNSO leadership who thought this was – would be a good nomination also. And so with our

approval of this we'll go to the GNSO and ask their permission but I see that as a formality.

So if – so I guess we should try this out if anybody wants to vote you know, in the hand raising section you can vote, you can agree or disagree. So I'll just – you're free to agree and I'll look for areas of people who disagree and will address those of there are any. And so just to be really clear in the hand raise – where you raise your hand in the upper left hand-ish corner, there's the ability to – in that pull down menu there's the ability to agree or disagree. So I think there's enough yeses, I'll just look for no's at this point.

Okay great, so what we're going to do is write a note to the Council leadership and ask them to confirm Rafik as the vice chair so that's terrific, thank you very much, everyone. And my note to you – yes, Mark.

Mark Svancarek: You have to pardon me for being confused, just a point of order, so was there actually a vote on Rafik? Was he – I kind of missed, you know, there was like five minutes of discussion and now he's the vice chair? Is that how it works? I'm a little confused. Sorry.

Kurt Pritz: So yes, and if you – so if your thought is that we need to inject some more formality into this, I'm trying to think how. So would you prefer that we look for a vote and have a vote count for I think for me I think that we would not confirm Rafik as vice chair if there were objections. And so in the voting column, you know, the so called voting column I saw, you know, about half of the people vote yes and nobody vote no.

So Mark, if you'd prefer us to be more formal about it, let me know your idea.

Mark Svancarek: No, yes, sorry, Mark for the record. I don't have a strong opinion on it, either way, I don't know Rafik and I don't have anyone in mind to put up, you know, in his place. On the other hand, I'm just, you know, as a new person playing

my new guy card, I'm just wondering what is the typical process for something like this in a panel like this.

Kurt Pritz: So for me hopefully at the end – what we're going to do precious little voting on – in this group that we want to drive to – and the bigger question is we want to drive to solutions that are agreed to by the whole or nearly the whole. And so for this, you know, and admittedly I've been thinking about this for, you know, I've been in this job for two weeks so I've been thinking about this for two weeks and you've only been thinking about it for two days and you're not familiar with Rafik, so I was – I thought I'd be ready to go ahead with this unless somebody objected. But I'm happy to reconsider the process.

So why don't we hear from Kavouss and Alan and then circle back to you?
Kavouss.

Kavouss Arasteh: Yes, can I speak please?

Kurt Pritz: Yes.

Kavouss Arasteh: Yes, good. I'm very sorry at this very early stage we are thinking of voting and so on so forth. Chair has been selected by GNSO, chair should have someone to collaborate with him. And chair should have some confidence, although you have confidence to everybody, but a close confidence to the vice chair. You have suggested Rafik, just suggested. I don't think that we need to vote on that. And I think we should appreciate the efforts that Rafik is going to do taking this very difficult task. I neither agree that you refer the matter to the GNSO, GNSO has done its job and the chair has been selected, elected, designated. And now it is up to this meeting. And I don't think that one objection will break everything.

So I think you should do that whether there is any major objection to that, if there is no, we should confirm Rafik as the vice chair unless GNSO sending

letter saying that they do not agree with that. That is (unintelligible). And the second option...

((Crosstalk))

Kavouss Arasteh: Yes, thank you.

Kurt Pritz: Go ahead. Okay. Thank you very much, Kavouss. Alan.

Alan Greenberg: Thank you very much. Two points. Number one I'd like an opportunity to consult with my community so I would suggest at the very least you have a couple of days where anyone can raise objections or concerns via email. Number two, if I remember correctly, the rules of a PDP, and I presume we're following similar ones here, is that the Council liaison is the first recourse for someone to raise an issue of concern with the leadership of the review team.

We are dealing with contentious things and there may well be people who raise – who want to do that to have the same person as the liaison and be part of the leadership team means you're appealing to essentially to the same person who made the decision. So I think at the very least we'd need some separation or replacement of that function if we go forward with this path. Thank you.

Kurt Pritz: Thanks, Alan. And that's the balancing we did, you know, looking through the – and this sort of answers Kavouss's question too that we looked through the cast of our team and found Rafik to satisfy the most important criteria of independence and knowledge of GNSO processes and the like. And so we – we thought that tipped the scale in that balancing between that and going back to the Council in case of a conflict .but I think your suggestion of replacing that role is a really good one so I'm going to take that on board. Thanks very much. James.

James Bladel: Thanks, Kurt. James speaking for the record. And I want to just agree mostly with Kavouss, you know, the E in EPDP, let's remember reminding ourselves that it's – stands for expedited. We should try all of our informal proceedings as much as possible and rely on the expedited path to making decisions and only if those lightweight processes fail should we move to something like voting. I do disagree with Kavouss, however, that the GNSO Council should notify and given the opportunity to formally ratify this decision, that's usually how PDPs are conducted. And that's usually – that ratification is more of a formality than anything else. But if there are no objections to Rafik then I suggest we go. And Alan makes a good point and I think we could also position it to the Council, we have selected the Council liaison as a vice chair and if they ratify that decision then they should offer us another liaison.

Kurt Pritz: Great.

James Bladel: Or...

((Crosstalk))

James Bladel: ...one from the members.

Kurt Pritz: Right, so I am – so I'm going to give Mark an opportunity to come back but, you know, I'm of a mind then to go ahead with this and with Alan and yours recommendation. Go ahead, Mark.

Mark Svancarek: Yes, thank you, everyone for explaining the various processes. I do not have an objection. It was merely a point of clarification so please proceed.

Kurt Pritz: Great. All right, thanks very much. So we're going to report this conversation to the GNSO. Kavouss, we have to do that as part of the process, so we're going to report that and we're going to bring up the issue that Alan, James and others and Ashley in the chat and others have raised about the ability to

report on problems and address that. And then we will write an email back on this matter to everybody. So great.

So I'm going to get into – so having had a couple weeks to think about this I've had several thoughts about the operation of this group. It departs somewhat from how groups have operated in the past so again, these are kind of old ideas to me because I've been running through them in my mind all day and all night for a couple weeks, but want to get your feedback on them. So the first in the agenda was – the first thing is a statement of participation and again, I had beautiful gold boxes here with, you know, large font that you could read. But the GNSO Council went to considerable effort to craft a statement of participation about how one – how parties conduct themselves while operating and participating in this process.

And so I just created this slide to – not to a point, you know, if they didn't think it was important they wouldn't have gone to such a great effort so, you know, there's words in the statement of participation you know, genuinely cooperate, respect, ethical and responsible, reasonable objective and informed. Please take some time when you go through these slides or read through that statement of participation and, you know, reflect on these 13 or so different word groups and test everything you say against these. So thanks very much for that. I don't – I don't really see a need for discussion on this point.

So I'm going to go onto the next thing. There's a lot of documentation associated with this. I haven't read it all myself, but, you know, I hold us all responsible, me included, for being, you know, very, very familiar with some documents and aware of the existence of other documents so I can refer to them if need be. And so the ICANN staff members have created a documentation library at this link. You know, some of the must-reads of course are the temporary specification itself. You know, the first several times I read it I came away with some different thought each time so, you know, you try to read behind the words and so please read that over again.

The team charter, issued by the GNSO, is also very important. We're going to talk about that in more detail later. Lately there's been ICANN correspondence with the EU privacy authorities that sheds additional light on our endeavor so please read that and there's for both access models out there and I'm not sure all of them are included in this documentation library so I will get that updated.

I don't plan to have a session to review the temporary specification or the team charter but if there – I know the ICANN staff has made presentations on both and so they're sort of in the can, so to speak. And so – I get distracted by all the different chats going on. So if you want to have a session that's sort of devoted to the overview of these documents, that can be scheduled. So if many people want it we can schedule it as part of this regular meeting or we can schedule a separate session which is kind of what I prefer, for those of you who want to attend.

So there's no need to memorialize your request about that now but if you would – if somehow you'd let ICANN staff know about that, those review sessions would be arranged. Kavouss.

Kavouss Arasteh: Yes, just for your information and others, in GAC we have established a small group of three members and three alternative plus the others. We will have – we had our first meeting and we have our second meeting on Friday. By that meeting we discuss whether we need to focus in a particular part of the temporary specification, at this stage we could not decide on that because we have not discussed that, but please leave it open. We may come and ask clarification or further amendment or some other thing on particular parts of that, but we do it (unintelligible) can't do this stage. So please leave the door open for further requests for review and amendment or clarification. Thank you.

Kurt Pritz: Thank you, Kavouss, we certainly will. Milton. Hey, Milton, you're on mute I think. So, Milton, even though we did the sound check earlier, something's happened. So would you – we'll find some alternate means. Maybe we can do a call out? We can have a call out to Milton? All right so there's – without any additional comments on the documentation library, but the commitment to come back to – we'll come back to Milton when we establish communication with him. And Milton, if you could just type into the chat if you'd like a call out for that or call out to your number of however we can reach you.

All right, early input, so early input is a requirement of the PDP process whether it's an expedited PDP but – or this one. And so early input is generally a requirement of this process intended to elicit written input from every ICANN supporting organization and advisory committee. And you know, it's done as an initial part of the process. You know, and it's especially targeted at those who aren't actively participating in the process.

But in this case, this exercise kind of moved because – because of the fact that almost every ICANN with the exception of the ccNSO, and RSAC, you know, we have every ICANN representative group here. And so this is – the early input is slightly redundant. Also since this is an EPDP, this early input time span can be limited to 21 days and we want to take that option and limit the timing to 21 days because we hope to be, you know, in 21 days we hope to be fairly well down the road in substantive discussion. So the earlier input we get the better.

And also we're, as you're going to find out, we're going to ask you to fill out a survey as part of our early deliverable on the temporary specification. So again it's somewhat redundant. So this request for early input is in the form of a letter from me and it asks specific, you know, it asks, you know, specific questions about the early specific questions about the temporary specification, will be sent out to every SO and AC leader right after this call.

And it will be – unless we want to change that here, the timing of input will be limited to 21 days.

I want to make one more point about this – the early input and that is that because it's so time limited, I'm suggesting that people comment on the first deliverables of our work, which really focus on the temporary specification itself. We'll do – we'll provide another opportunity for written input from stakeholder groups on access models which will require more thought and maybe longer than 21 days, at a later time. So this doesn't preclude any other written input from any other group but in fact, you know, we need to tick this box because it's part of the process and we want to get it as fast as we can because we're going to start moving as fast as we can.

So that's sort of a notice to you all that it's going out, if anybody doesn't have any questions for that I'll go onto the next topic. Milton's back. All right so Milton's not back, but I'm anxious to hear your comments.

All right the next topic? Charter deliverables, so the charter is a long-ish document. First the terms of engagement so there's many questions in there that require answering. And so – and the order in which we answer those questions is important in order to get our work done in a timely manner but also satisfy all the requirements for the charter itself. So I want to talk first about the deliverables and then a bit about all the questions that are included in the charter. So the charter has three deliverables.

One is a triage document, which you know, I puzzled a bit at first but then I thought it's a pretty good idea so let's take stock of where we are. There's, you know, the temporary specification is made of many sections and, you know, some sections we'll agree to without much discussion or thought, so if that discussion or thought is then required let's dispense with it. So we're going to create this triage document to let the GNSO know where collectively we are as a group. Where do we agree uniformly that – and uniform ally is a

big word – that the certain sections of the temporary specification are fine as is and, you know, what are the sections where that's not occurring?

So we're – we've developed some tools and a plan for how to do that triage that we want to address as soon as possible. And we're going to talk about that later in the call. The second deliverable is the first initial report so it's hard to – I don't know how there can be two initial reports but there you go. So the initial report really focuses on the temporary specification itself and our agreement on the final form – final suggested form of the temporary specification.

So that will require the consensus of this group and how we arrive at that is still to be discussed amongst us, so I won't say too much more than that and that. And then the third deliverable is an initial report on system providing access to nonpublic Whois or registration data. So those are the three deliverables. And I want us to focus on those deliverables. As I alluded to earlier, there's a set of questions associated with these deliverables that need to be answered. And the staff and I were, you know, puzzling about how to build a detailed schedule for getting this work done. You know, how many meetings do we need? What has to be done at each meeting, and so on.

And we went through a couple iterations of the schedule and, you know, our thinking was, you know, wildly speculative because there's so much unknown about how this group's going to operate and what questions have to be answered. And, you know, we finally hit on the fact that once we've done the triage we will have a lot more certainty about how we operate, how our conversations go, what the remaining number of issues is, remaining number of issues are

You know, and that will also inform us as to which of those questions still require answering and the order in which they should be answered. So we're going to put up – you can put up the schedule we have now, you guys, if you want. But I don't think it's here. Yes, it's not there. So Nathalie or Caitlin, if

you could up the timeline? So what we've done is just create an overall timeline for the first two deliverables that gets us to the meeting in Barcelona and the idea is that we finish the triage document and furnish the initial report on the temporary specification, in time for the Barcelona meeting.

And then we're going to talk more about our timing in the Barcelona meeting but then fall into our first discussions on the access model right then. So in this timeline that orange – that orange stripe is our work leading up to the initial report. And that – the length of that orange line has been shrinking ever since – ever since the ICANN Board passed the temporary specification. So what this timeline indicates is that we will do what I just said, furnish an initial report at the time of the ICANN meeting in Barcelona and then go out for public comment and then while that's out for public comment we can start work on the access questions.

And then I want to say I guess I want to say something else about this schedule. So I don't know whether – I've – well so I think this is available in the wiki and it's not very complicated. So if you can take this down and go back to the slides I just want to say one more thing about schedule and open it up for any questions. Oh, Kavouss, while they're changing the slide why don't you go ahead? Kavouss?

Milton Mueller: Excuse me, Kurt? Can you hear me now?

((Crosstalk))

Kurt Pritz: Milton, yes.

Milton Mueller: I'm so happy. I got my hand up. I didn't put it up again until I knew I could actually talk so here I am, yes.

Kurt Pritz: Good job.

Milton Mueller: So should I go ahead?

Kurt Pritz: Yes, please.

Milton Mueller: So thing I initially raised my hand about and then I lost connectivity so I don't know whether you covered it, but you were talking about going through the temp spec you know, section by section, and I think that would be unnecessary and kind of a waste of time. What we should do first is get those early inputs in front of us because I suspect that, for example, the contracted parties have very specific problems with very specific sections and we have very specific problems with specific sections.

So once we can see what other constituencies or stakeholder groups are concerned about then we can go through the temp spec on our own and see whether we agree with them or disagree with them. But I think at this stage of the game if somebody is not sort of reasonably familiar with what's in the temp spec, it would be kind of a waste of the time of the group as a whole to go over it bit by bit.

I also have a comment about the charter deliverables. I think I have a problem with the third one. It seems to me that the third deliverable is not a report outlined in a proposed model of access but it is an answer to the gating questions, a complete set of answers to all of the gating questions. And there's quite a few of them. So maybe there are four actual deliverables but Number 3 has to be, you know, do we have a complete answer to all of the gating questions that allows us to proceed to developing an access model? Thank you.

Kurt Pritz: Thanks, Milton. That's thoughtful. So to answer your second question first, I essentially cut and pasted the language out of the charter under the deliverables section for this slide. And admittedly it's somewhat truncated because I didn't want the slide to be too wordy. And, you know, everybody's reading the charter for themselves. But you're exactly right that those gating

questions are prerequisites to creating this deliverable about an access model. So the charter is pretty clear that a deliverable is what's written here, but the charter is also very clear that just as you said, the gating questions need to be answered as a prerequisite, I think I said that word too many times. So I hope that – I think we're agreeing but I want to make sure.

And then on the – gee so on the topic of schedule, you know, in the – in a better situation I think you're right. But three weeks – waiting three weeks, you know, even for the shortened timeframe for this early input is 30% of our available time to do this whole job. And so actually – in this request we're going to go where we ask people's opinions on the specification, it really is sort of the same, you know, it's sort of a parallel path as the early input. And so, you know, which I tried to explain, makes the early input kind of moot and actually where we're going out to ask people their opinion on the temporary specification could actually serve as their early input.

So yes, I think it'd be better if we did it in a measured fashion that way but for this triage document getting this underway in a reasonable period of time we are not – maybe it's not reasonable but it's necessary. We're going to go out with a request to the stakeholder groups for, you know, essentially very similar information.

And, you know, from the ALAC point of view you're free to fill out that request in any way you want. But – and I guess the final point I want to make is that from my – sitting here, you can tell me if I'm wrong, but sitting here when we're making a request for early input and then also – which is a requirement, making this request to help with the triage document, you know, I have this sense that we're talking to the same group of people. And, you know, it's up for you as the representatives of your groups to understand when you need to go back to the group and talk about it, which – and when as their appointed representative you're empowered to go ahead with the – go ahead with input.

So yes, I think I'd rather with for the early input and then mash them all together and see where we are but I don't think we have that luxury. And then I just have one more thought and that is you know, to the extent you want to be educated about the temporary specification or the charter that, you know, we can have some sort – besides staff conducted training session, we can have, you know, a mash up of different stakeholder groups here and talk about it. So I hope that answers your question. Kavouss.

Kavouss Arasteh: Yes, you have answered my question, but I have some other comments but I leave you continue this one because I have some other comment on the timing and on the review of the temporary specification. I don't think that the objective of this meeting to be any tutorial on the technical – on the temporary specification, I think the idea was (unintelligible) and also I suggested that (unintelligible) to provide input on area that they have question and they have some comment but not going to the temporary specification section by section. Thank you.

Kurt Pritz: Thank you, Kavouss. Amr?

Amr Elsadr: Thanks, Kurt. Amr here. I just wanted to confirm my understanding of the (unintelligible) and our deliverables in them and also just to make sure that the entire team here is sort of on the same page and have a common understanding of where we're headed. My understanding of the timeline is that the first two deliverables are what is going to be – what are going to be covered in the first initial report by ICANN 63 and then subsequent to that there would be the review of comments and whatever work we continue on afterwards.

But am I correct in assuming that the third deliverable and the access model would not be done – I mean, I wouldn't be required to be completed by April and that we can sort of take a little bit more time to make sure we get this done properly?

I ask this also because my understanding of the temporary specification is that we do need to deliver those first two deliverables before the deadline when the temp spec is can continue to carry weight in the Registry Agreements and the RAA but my understanding of the temporary specification as it is now is that we do have a little bit of latitude to take a little bit more time in getting the access model done. Am I correct in this? Thanks, Kurt.

Kurt Pritz: Yes, so yes you're correct. There is no deadline for an access model but there's a great sense of urgency to finish that. So with that tiny clarification that's exactly right. I just want to make one more point about the schedule and that is I've already made these but – and we're kind of short on time so I just want to mention that, you know, I am thinking of a plan B because this is not a lot of time between Barcelona and the Barcelona meeting and us. And if there's – if we don't finish on time we don't want to be scrambling and – it's always bad to be searching for plan B then.

So I looked in the schedule and I don't want to have a discussion about this at this meeting, and we're not – because we're not making any decisions here, but you know, personally, and as I wrote in my note, I don't see the need for the second comment period that's just before the Board consideration of this that, you know, every constituency group and stakeholder group and advisory committee has participated in this process, taken public comment with a rather large participatory group, the – this group will pass on the temporary specification and the GNSO will consider it and their members will consult with their stakeholder groups and constituencies.

And, you know, at the end of all of that, you know, another comment period by the Board, seems somewhat redundant, you know, an opportunity to re-litigate or otherwise. So for a later time and maybe through email I might bring up this but it seems kind of low on the – low on the – on the totem pole here.

I want to talk about our operating mode. So here's my big idea here. And, you know, Kavouss wrote me an email and said our meeting shouldn't be two hours. And, you know, I think he might be right because my voice is already giving out, you know, 70 minutes in. But I've been thinking about how to conduct a conversation among us that sort of identify issues quickly and then helps us drive to consensus a little faster. And so with that I think we need a few things.

One is you know, the preliminary work done that lays out the topics for each meeting so our discussions are narrow and tailored so we have a very specific issue to discuss. And then rather than just throwing the issue open I'd like to go around the virtual table and call on each of the groups that are represented here to have an opinion on this issue. And then having gone around the table, we can then identify the fact that there's consensus or we're on the way to consensus or at least identify with great clarity what the issue is. And it's – this is sort of difficult to picture without actually talking about something on creed.

But then at the end of this, you know, then we can nail down what the differences are and then have a constructive discussion about these issues. And what that looks like is – and, you know, if you have the real slide deck, I'm looking at that so I can actually see it. What this would look like is that we would start an issue when not in this order necessarily but we call on each of the constituencies or stakeholder groups in the GNSO, go around that room, summarize the GNSO position and ID the issues, and then get input from the advisory committees on those issues or on anything that was said and their specific opinion and then so we'd look to them for help on resolving the issue or bringing up something new.

And then – and then drive discussion. So I'd like to try, and I don't know if it'll work, but I'd like to try the sort of ordered discussion on each issue when – test whether it gets us to a consensus position faster or not. Sort of gets away from the environment of, you know, a plus one in the chat room and, you

know, having a simultaneous meeting in the chat room while people are speaking.

And I think it'll focus our attention on the subtle and complex plates being raised by each one of these groups because it's going to require listening and understanding on our part. So that's my big idea for that. James.

James Bladel: Thanks, Kurt. James speaking for the record. So I like this approach just offhand. My question is more of just kind of – an operational question is it how much forewarning would we have or awareness of the issue would we have before we were asked to weigh in to respond? Because if we are speaking for example on behalf of a stakeholder group, the Registrar Stakeholder Group, we might have different positions within our stakeholder group or even amongst and across the members that are participating in the EPDP.

And so the question would be, you know, in order to be able to comfortably say, you know, thumbs up, thumbs down, plus one, whatever, we need some – there needs to be some lag time between the introduction of the issue and before we're put on the spot to weigh in. But I do think that if we had like, you know, even a 24-hour, 48 hours, you know, from one call to the next some window where we could consult with our membership, consult with our stakeholders and then we can come back, that this could speed things up. I think we just need that window in between.

Kurt Pritz: And yes, I think that's exactly right. And you know, my fond hope is to lay out – not just the meeting by meeting issue but a road map of the issues that will be discussed so that, you know, I think 24 or 48 hours is really tough. So I would aspire to more than that. And certainly appreciate the need to be able to prepare an answer. So I'm for that and I hope we can provide more notice.

Additionally, I kind of see where the issues might overlap so we might talk about issue A at a meeting and then wrap up issue A at the next meeting and

bring up issue B because where there's differences, you know, driving towards consensus is not immediate or simple. So I also see another opportunity to consult with your group between meetings as we discuss these issues and they'll probably overlap so, you know, the second meeting might be the end of issue A and the start of issue B and then the third meeting by the end of issue B and the start of issue C, so I see a couple opportunities there to go back you know, do some homework.

And actually that intra-stakeholder group discussion would be the area for, you know, making, you know, agreeing amongst yourself so you can make certain concessions or, you know, compromises or something like that. So I would look forward to that. Thank you very much. Alex.

Alex Deacon: Thanks, Kurt. It's Alex. So I think this will work. I like the thinking here. I had the same question as James though, it seems to me that it would be super useful for all of us if we kind of had an indication of kind of what's coming up and what questions will be asked. And before James chimed in I was going to ask if the list of issues would be actually outlined in this triage doc that's envisioned. I think that would be helpful. If not that doc then perhaps the creation of a separate doc to kind of give us all an opportunity to prep as issues come down the pipe beforehand. I think that would help and would speed things up also. Thank you.

Kurt Pritz: Thanks, Alex. And I think my answer to – I think my answer James's question applies equally to yours so unless –I agree with everything you said so unless you see a gap there then I'll go onto Kavouss.

Kavouss Arasteh: Yes, as far as GAC is concerned on just experience, it may be difficult for us if you raise a question and expect to have an answer next meeting. So I agree with you that you raised the question A in meeting 1, you expect the answer in meeting 3, allowing the time for reflections. If people have ready the question at meeting 2, so far so good. But those who are not able to do that at least at meeting 3, that means one after the second one, they have the

opportunity. So for us we have to coordinate to various ways and mean so I agree with you with that.

And I don't know whether you're talking of the number of the meeting because I have a comment on that, send it to you. The number of the meetings is not the only time period; the efficiency of the meeting is (unintelligible). The more number does not mean we have the most success. The most success is the efficiency and of the chair and efficiency of the speakers, all of us to have a collective responsibility, not to turning around and talking and talking and talking. So I hope that you kindly understand that.

And having two meetings in a week is very difficult for us because we have to consult internally among ourselves, the alternates and the members and then we have to consult really inside the GAC in one way or other. So two meetings per week seems to be very difficult. I'm not saying I'm against going to the consensus with the majority, but would be very difficult, really. Thank you.

Kurt Pritz: Thanks, Kavouss. And to your first point I think you're right, so, you know, building consensus takes time to reflect so that'll be necessary. I think, you know, Ashley's statement that a good job of defining how the GAC was going to participate and the GAC role and, you know, we'll have the painful discussion about meeting frequency in just a minute. Milton.

Milton Mueller: Yes, I understand what you're trying to do by structuring the roundabout conversation by stakeholder group or constituency. I don't think things will be that simple; I think there'll be a lot of give and take and you'll need to give people time to respond to arguments that are made and you as chair and any other sort of centrist will be needing to take a very active roles in trying to bridge differences. So it won't be this very simple linear process where everybody states their piece and – but I think the main thing that concerns me about your process is the end game and that is this declaration of consensus.

I think there's a real danger that – and it's endemic to ICANN processes and it's particularly has happened in many Whois-related things is that you're going to say we need consensus but we don't really have consensus, so somebody is going to declare that there is a consensus when there's not. And I think that will be a real mistake but it's a mistake that ICANN repeatedly makes. So I would just try to sort of sensitize you to that issue.

If there is in fact no consensus you'd have to admit that and try to find it rather than just riding roughshod over dissenters. And in that regard, you know, I'm used to the determination of consensus within the GNSO where we have the defined process among stakeholder groups. And it's impossible to declare consensus for example if an entire stakeholder group plus one from another stakeholder group doesn't agree. What are we doing in this case? What is your criteria for consensus? How many people have to be out there before you say it's not a rough consensus, it's some kind of a division?

Kurt Pritz: Yes, so I think the answer is 63, right? 63 people have to agree. So I agree with everything you said and, you know, this – in this chart this cloud down at the bottom, that's that very complex part that you talked about. And so what I'm – and I don't mean to diminish that in any way because that is – that's the rub, right? And so what this is intended to do is sort of bring a sharp – an attempt to bring sharp clarity to where the differences are, so actually, you know, after this go around is done, you know, take, you know, stay with as much specificity as we can where the differences are so that becomes a tool, one of the tools in the toolbox for driving to some sort of compromise and agreement.

And you know, I do not have a good answer for you on, you know, my vision right now for what consensus will look like or what the requirement for that is. And I wouldn't be so glib to say we'll know it when we see it. So that's, you know, and that's how that's been defined, varies somewhat even though we've, many times, words have been put to what consensus is. We'll have to explore that. So, you know, I don't want to cop out by not answering your

question but that's the best one I have. Alan. Alan? Are you there, buddy?
Okay, Kavouss.

Kavouss Arasteh: Yes, Kurt, you are dealing with a very delicate issue of a consensus. I think it's very, very difficult issue too much; it depends mainly on the – not competence, on the skill of the chair and also collaboration of the team. In ICG we had in our charter, I hope that appear in the charter of this group, the way the manner how the consensus to be built. And we had full consensus and we had consensus and we had others and we tried to give some authority and some responsibility to the chair so whether the vice chair, to discuss the (unintelligible) people who may not agree to the situation trying to explain the matter for them and trying to get their agreement or cover their points. I think that is very important issue.

I don't want that we copy the ICG but I invite you look at the charter of ICG, there is a good element on that how to make consensus. And we were successful finishing the ICG without any problems of voting. Thank you.

Kurt Pritz: Can you send us the link to that, Kavouss?

Kavouss Arasteh: Do you hear me?

Kurt Pritz: Yes.

Kavouss Arasteh: Do I want – do you want to repeat what I said?

Kurt Pritz: No, I want – if you had a link to that specific document you could send it to this group.

Kavouss Arasteh: Okay. Thank you.

((Crosstalk))

Kurt Pritz: That'd be very interesting to read. Alan, are you back?

Alan Greenberg: I am back. The gremlins decided to drop my line just as you were calling upon me. In terms of decision making, this is not the GNSO; it's a superset of the GNSO. But I think it's useful to look at the GNSO rules on decision making. And within the GNSO proper, a decision cannot be vetoed by a single stakeholder group, it takes more than a stakeholder group to do that. So a single stakeholder group completely disagreeing with something just cannot break a consensus and a decision of the GNSO including a super majority decision. So if we use something comparable to that but with the wider audience, I think we may be safe. Thank you.

Kurt Pritz: Okay, thanks for that. Yes, I could get philosophical but I won't because we're running out of time. So I'm going to leave that behind. I'm going to touch on a couple issues that we can discuss later. One is that, you know, I realize what my own skills and talents are and I see the opportunity for us to use either medication techniques or professional facilitation from time to time. So I'm sorry, so I think this group – at least this set of issues could – it wouldn't be a call without a dog in the background would it? So I apologize for the interruption.

Anyway so I think you know, these deliberations could benefit from using medication techniques, you know, the GNSO Council has urged us all if we're going to join this group to be collaborative and engaging discussion and compromise and mediation can really help that. And generally mediation is, you know, I've been a mediator and a mediatee, but, you know, it's generally between two parties but I've actually found in some discussions mediation firms that ICANN has spoken with before that specialize in multistakeholder mediation. So that's helpful.

I just want to flag for you for a later discussion, that we're, you know, I am but others are helping me explore the use of mediation in our discussion as a way to see if there's the opportunity for consensus on certain specific issues.

And, you know, just from a personal standpoint that would take, you know, that would put – I don't want to say less of a load on me but find somebody with the appropriate talent and skills that can help us in a way better than I could or better than others in this group might be. So we're going to explore that.

All right, Kavouss, here's the news on the meetings. So, you know, if we have a weekly meeting there'll be about 10 meetings between now and the meeting in Barcelona and that's just not enough. So you know, talking to the ICANN staff support here, we developed this schedule for meetings, which is six o'clock in the morning for me. But I think the best – the best time globally – we looked at several charts that had everybody's time zone in it and figured this was this was the best time.

So I want to come back to the meeting frequency because that's what we need to talk about. We're tentatively planning a face to face meeting, it's likely to be in Los Angeles but such a short time frame, and either the third or fourth week in September. And I think that I'd prefer to have a meeting right away to build up some sort of sense of team among us but, you know, I think that timing might be good because we'll have on our plate, you know, the set of most complex issues that resolve consensus building. And I think that necessarily has to take place in a face to face forum.

And then for Barcelona, we really don't want to ask people to come early or stay late so Saturday is kind of early but we've planned a full day of meetings for the Saturday of the meeting. And this could take the form of our first serious discussions about an access model or it could take the form of wrapping up consensus on the temp spec depending on how far we get.

And there will also be a high interest topic session on Monday that, you know, I see as marginal use and we're also reserving two 90-minute sessions later in the work during the meeting. So with that, Kavouss, is that and old hand? I've heard your opinion on...

Kavouss Arasteh: Yes, yes, is a new hand. Yes.

((Crosstalk))

Kurt Pritz: Okay.

Kavouss Arasteh: It's new hand. May I talk?

Kurt Pritz: Yes, I've heard your comment about the frequency of meetings and have taken that on board and...

((Crosstalk))

Kavouss Arasteh: No, no before that – yes, before that I wish to support what you said about mediator. But one prerequisite condition, mediator should be to the extent practicable, neutral and impartial. So may be difficult that among these people they are member or alternate, you select or elect or designate someone as a mediator because no matter human being is human. You should look and explore possibility to have mediator outside this group. That is point 1, you explore, I'm not suggesting any person or any group.

Second one, with respect to the venue of the meeting, I will communicate with you personally because there are some difficulty about that unless the difficulty is removed. And the third question that for the face to face meeting, would there be any support for the meeting, travel support for the meeting or not? Thank you.

Kurt Pritz: Yes, so there'll be travel support for the meeting for members. And thanks for your comments about mediation. And I picture that being an independent professional specializing in multistakeholder relations type of mediator. I'd like to hear about the frequency of the meetings because we're about to send out invitations for a meeting on Tuesday at 1300 UTC.

Kavouss Arasteh: Every Tuesday?

Kurt Pritz: Tuesday upcoming.

Kavouss Arasteh: Upcoming, yes.

Kurt Pritz: Kristina.

Kristina Rosette: Yes, Kristina Rosette. And I should note at the outset that this is not necessarily a Registry Stakeholder view because just because of time limitations. I – while I certainly understand that the concerns articulated by Kavouss, I think we should start with meeting twice per week because if we are making good progress and we find that as we move forward that we don't need the extra meetings or we can shorten them, then we can do that. But if we start with only one meeting a week and we get too far behind, we're not going to be able to catch up. That's my view on that.

Kurt Pritz: Thank you, Kristina. Alan.

Alan Greenberg: Thank you. I strongly support two meetings a week although my preference would be even if we scheduled a meeting for two hours to do our best to limit them to 90 minutes. I think two hours twice a week especially when they're relatively close to each other is rather problematic. But if we're going to stay with Tuesday and Thursday then we have to recognize that raising an issue on Tuesday is not enough time to consult to get back for Thursday. But I agree with Kristina, starting with one meeting a week I think would be deadly. Thank you.

Kurt Pritz: So do you think Monday and Thursday would be better? That sort of just poses the same question on the other end, right? I mean...

Alan Greenberg: I think Tuesday and Thursday, they tend to days which not already booked and certainly I have a potential conflict on Monday. But Tuesday and Thursday I think are good days based on past history. But we just need to be careful what we do with them. Thank you.

Milton Mueller: Tuesday and Thursdays are days of my classes. So I don't like Tuesdays and Thursday.

Kurt Pritz: What time are your classes? Are they all day? Milton?

Milton Mueller: They're in the evening.

Kurt Pritz: Okay. James.

James Bladel: So strongly agreeing with Kristina that we should go as fast as we can as soon as we can right out of the gate and see how we're doing later. But so I favor twice a week cadence, I know Tuesdays and Thursdays seem to be working. I would say that, you know, for personal (unintelligible) that may create conflicts even standing or occasional conflicts and I think this also goes for any face to face proposals, but I would just remind folks that this is why we have delegations from groups, this is why we have alternates, make sure you're using your support network and leaning on this and taking a team-based approach because there's just no way we're going to be able to do this and fit everyone's schedule and not create conflicts. Thanks.

Kurt Pritz: So Kavouss, did you back on the queue?

Kavouss Arasteh: Yes, I got back on the queue. I think there was no objections for 90 minutes instead of 120 minutes. Still I believe that 120 minutes is too long and I think I suggested if there is no objection you at least work on 90 minutes and then start with two meetings per week but please kindly consider there are other meetings as well so we should not have any parallel operations with those other meetings because some of us are a member of them and I don't think

we should say that okay you have alternative, (unintelligible) decide to have meeting at the same time as they have, so that make effort, at least try, try to do that.

So you explore on the situation, 90 minutes, two meetings per week, Tuesday or whatever day and the timing should be, I don't know, fixed timing or rotation, I don't know, I leave it to you to suggest. Thank you.

Kurt Pritz: Alan, what's your – so I really want to get to one more thing before we go that's important. But could you – oh, Rafik, go ahead.

Rafik Dammak: This is Rafik speaking. Just I think to make a point that we are still need to confirm all the support in terms of September meeting, so just maybe this is for clarification.

Kurt Pritz: All right. Thank you, Rafik. Alan, can you just take five – well short as possible, what's your – your philosophy on 90 or 120 minutes and 120 minutes being too long? What's the – what's the tipping point there so I can understand it.

Alan Greenberg: I think – it's Alan, I think you were asking me. I just find that 120 minutes people start to fade. And the quality sometimes goes down towards the end so that's my only reason.

Kurt Pritz: Yes. I guess I'm a case in point aren't I? So I'm trying to keep going. Marc.

Marc Anderson: Thanks, Kurt. This is Marc Anderson. One of the things I want to point out is whether you know, whether the calls are, you know, two a week or one a week or five a week, or 90 minutes or 120 minutes, whether that's enough or not depends a lot on our ability to get work done offline. And I think that'll really depend on us, you know, if we're willing to, you know, communicate, collaborate and move things forward via email and use the discussion group, then we may find we don't need as much time on these calls.

But if we're unable or unwilling to do that offline, then we may actually find that that more meetings are necessary. So I think that'll – that depends a lot on us. We have to be willing to put in the time and move things forward and make progress offline in order to be successful given the tight timeframes and turnaround of this EPDP.

Kurt Pritz: Thank you, Marc. So now I don't have to give that part of my closing speech, that's – I think that's right on the mark. Alan.

Alan Greenberg: Thank you. I agree that we need to make progress on the list but experience on a few other groups recently says there are some people who have nothing else in their life other than responding to every email with long responses. And if we start doing that it becomes deadly because it really becomes impossible to make progress on the mailing list due to what are, you know, essentially people taking over the list. Thank you.

Kurt Pritz: Thank you for that. I agree. So just to reiterate what Rafik said, the two possible dates of face to face meetings, might be, you know what the preference of this group is, and might be what the availability of certain facilities for ICANN is. So we'll see. I want to – I had saved – I had hoped for more time for substantive discussion and kind of failed there so I apologize but I want to talk kicking off this triage and our plan for this.

So this is a couple slides long and then two or three slides long and then we'll open it up for discussion. So our first deliverable is this triage document. And – bigger font. And, you know, just to understand where we have agreement on the temporary specification and so for the GNSO Council writers of the charter this is an obvious first step. And I think it's a good one.

So this is – this first bullet and the sub bullets are cut and pasted out of the charter so defining what the triage document will say but essentially it's going to say, you know, we agree with this part of the specification or we agree with

this part of the specification if it had this in it or sort of you know, you remember the quick look process from the new gTLD program. So that's the – that's the purpose of the triage and that's what we want to work on first.

The methodology we propose, and that we've developed, will be to provide, you know, a place to capture writing on each one of the – on each one of the sections in the preliminary specification. I understand and I remember and took on board Milton's comment that to a certain extent this is putting the cart in front of the horse but still given the timeframe I think a necessary way of going about these.

So, you know, we – I didn't create it, staff worked hard to create it, create a written input that where you can say, you know, you agree with a clause as written or you don't have an opinion or you know, even gives you the opportunity to edit or make a comment. You will also be able to make an overall comment on the – on the document or on certain parts of the document so we tried to make it not so constraining. And like I said before, it's remarkably similar to the early input request but the early input request is requirement of the PDP process and we're trying to get things going smoothly.

So then, we're sitting around, okay how do we avoid giving all of you at least two or more times to fill out this form, because it's sort of the same, and that's a problem in that. And so our idea is to divide the temporary specification into four sections, three of four sections, and we can start doing them serially. So we can all provide input on certain sections of the temporary specification and then consider them at the next meeting while, you know, and have that passing through the snake while we feed in another couple sections of the temporary specification into the beginning and so not a snake but I've called it a pipeline in the slide.

So that we can do this, so we will offer you this phased sort of input and so I'm going to go back to the bigger slide so I can see this one, so the

methodology for each one of these sections would be, you know, prior to the meeting and maybe, you know, it's meeting day minus three or four, but we'd provide written inputs submitted on specific sessions and those are the survey responses themselves and then the day before the meeting the staff and I would synthesize these into a report identifying areas of consensus and difference. And then on the meeting day we'd have a discussion on those issues.

This triage report is not the primary driver of consensus, it's just to identify where there is consensus but think there should be spirit of team discussion to make sure we're not talking past one another or that our writings are clear. And then after that discussion we can write the – the staff and I can write the triage report section for your review which would happen via email – email – for email review by the team.

So this is how I kind of see this – each one of these sections passing through the snake and then so this is sort of the – oh I got to move the slide don't I? So this is the timing of it that I see and we've posted, you know, as late as this morning we were making adjustments to this but as you can imagine it's quite a bit of work in the last week. But, you know, we've taken a shot at dividing the temporary specification into really three you know, four sections with a smaller one and then the access issue at the end which we're not going to address right away.

And then, you know, sort of this time table when it's a really rapid time table and you know, I struggled over this and talked it over with Berry Cobb and others on the staff about this being too aggressive but I thought I'd go out with an aggressive schedule first. And so that link that's there and maybe put into the chat so you can get at it, is the first – is the first section – the first part of the temporary specification, the other parts will be filled in later today. So I think that's the end of the slides. And I hope that presentation was – about how we want to proceed with the temporary specification was sufficiently

coherent to understand and welcome comments because our plan is to request your input on Part 1 starting essentially now.

Farzi?

Farzaneh Badii: Thank you, Kurt. Can I comment on Part 4?

Kurt Pritz: Certainly.

Farzaneh Badii: So Farzaneh Badii speaking. Basically it says Part 4 that we are going to start discussing important issues which under the (unintelligible) access. And what does that mean? Because also it says Appendix C and annex. And it was in the temporary specification if I am not mistaken, remembering correctly, we are not supposed to, according to the charter, of the group we are not supposed to discuss things that are in the annex if I'm not mistaken. So and also I don't know why we are going to start discussing access on 19 August if this access means access to registrant data because I thought we have to talk about the – first answer all the gating questions. Thank you.

Kurt Pritz: So I agree. So we debated about this, you know, we really divided the temp spec into three sections but then, you know, created a fourth smaller section and this annex was included just to capture comments that could be made on that. But if the sense of this group is, you know, that it shouldn't be included and reserved for the time, reserved for – I don't disagree with that. So that's a good comment. Milton.

Milton Mueller: Yes, same thing only with more energy. That's a mistake. You've got to eliminate Number 4; that is a complete violation of the charter and it's a complete disruption of the entire logic of this process. We have to get the temp spec done, we have a deadline on the temp spec, we don't have one on access, keep remembering that. Temp spec is a crisis situation; we need to make it a consensus policy or modify it within a very short defined timeframe. If you start mixing up access discussions with the temp spec discussions you

are delaying the former and as the charter itself says, you can't really approach access until you've resolved questions in regarding the temp spec. So I hope we can agree immediately to just lose Number 4 there.

Kurt Pritz: I wonder if we – Berry, maybe after this meeting we think about – let's look at the schedule and see if we want to keep four sections without access or anyway we'll talk about that. So thank you, Milton, good comment. Amr.

Amr Elsadr: Thanks, Kurt. Amr here. Just to add to what Farzi and Milton said, I do agree with them but I'll just add to what they said. I think if we do a very early survey on access then the responses that the EPDP team will be seeing will be based on assumptions on what we reach in terms of recommendations on gating and other issues, so I don't think it would be a worthwhile way to spend the limited time we have. I think if the survey was conducted after the EPDP team does reach consensus on issues of gating and others, then that would make more sense to me. And just being cognizant of the time we have at our disposal and how best to use it. Thanks.

Kurt Pritz: Margie.

Margie Milam: Hi, this is Margie. I strongly disagree with that approach. From our perspective in the BC, access is critical. We're not talking here about accreditation, the temporary specification talks about access, reasonable access and that includes things like RDAP and other elements of access that aren't specific to accreditation. So I feel that that's an important part of this, it's part of the charter and the work that needs to be done. And yes, it's probably going to be a difficult conversation but it doesn't mean that it's not necessary and needs to be part of our schedule.

Kurt Pritz: So thank you, Margie. How are you? I hope you're well. So here's what we're going to do, one is I want to spend the last nine minutes of this meeting on this ambitious schedule. I really wanted us to focus on that because I want to meet it if we agree to it so I really want to hear comments about that. So this

is what we can do, we can leave the form there for adding information about access and so it's there. And but with – so this is to Margie I guess, but with a clear understanding that you know, the purpose for including this was just to capture information for the later discussion.

So it – you know, we'll capture this information and people's thoughts. We're still going to march through the discussion in a way that we discuss. You know, the temporary specification fully and complete the initial report on that before we get to the access discussion. Alan.

Alan Greenberg: Thank you very much. I support what Margie said. The details of the access are not something that we can do now nor should we because we do need to replace the parts of the temp spec that are there. But the existence of an access methodology and understanding what the overall ground rules will be is really important because what we're doing in the first part is either going to be contingent on that being available or not. And if it's not available as some of us imagine it maybe, then we're going to take different positions on the earlier parts. So although we can't settle on the details it's – we certainly have to understand how it's going to fit into the overall mechanism to do the first part. Thank you.

Kurt Pritz: Thanks. Milton.

Milton Mueller: Yes, I'm getting disappointed with this conversation because it shows a certain lack of adherence to the charter and a lack of understanding of the charter. So let's not have a debate about whether access is important; of course it's important and of course it's in the temp spec, it says that registrars shall provide access to legitimate parties, so what's happening now, under the temp spec is that registrars and registries have to respond to these request in some way, there's just no unified model. Okay, so access exists.

And there's no need to accelerate its discussion. What the charter says very clearly is that before you discuss access an accreditation and come up with a

unified model, that is ICANN policy, you have to answer the gating questions. The language is black and white; it's unambiguous. You have to answer the gating questions and you have to have consensus on the gating questions. Now there's just really no basis for a good faith argument about this, we have to do one thing first and then move to the next thing.

And I'm not understanding what the tactics or rationale is for trying to throw those questions that are supposed to come after the gating questions into the initial thing. I just – it's obviously a very disruptive thing that's going to prevent us from coming to agreement on those elements of the temp spec that are less controversial. So let's just do this right and, you know, if we can come to agreement on the temp spec, which I think we can, then we'll have time to turn to access as the charter calls for.

Kurt Pritz: Thank you, Milton. Well played. Stephanie. Hi, Stephanie. How are you?

Stephanie Perrin: Stephanie Perrin – very well, thank you. I hope you can hear me.

Kurt Pritz: Yes.

Stephanie Perrin: Milton has said most of what I wanted to say. I will merely add that the primary goal of the temp spec is to comply with the GDPR and it is important that we look in a manner that is compliant with the GDPR. And we've recently heard from the DPAs that any kind of an access model is a voluntary implementation process, they didn't use the word "implementation" but that is not really what we're focused on. Yes, provide access, but as Milton said it's going on now.

I raised my hand also to raise an other related business issue and that is that we've had a volunteer from the Council of Europe, Peter Kimpian, who you will recall, brought the data commissioners, with his organization, to Copenhagen and he would be willing to join us as an independent expert. I'm putting it out there as a concept. I think we will need advice from independent

data protection commissioners and I think that's the easiest way to get it. So we in the NCSG are certainly very enthusiastic about him joining as some kind of an expert, not a voting member obviously, but someone we should turn to. So just putting it out there as something to ruminate on before our next meeting. Thank you.

Kurt Pritz: Thank you, Stephanie. Kavouss.

Kavouss Arasteh: Yes, I think we should not be disappointed of anything, no one said that access has more importance than others, but the issue is that people said deleting that, taking – maybe deleting from this part of discussion, so the sequence of actions provide that first before talking on access you have to clear the rest. There is no disagreement on that, maybe some misunderstanding, so I think we take it as such. So before going to the access but in fact is not access model, is Uniform Access Model, something exists but you have to do it (unintelligible), that we do that after we finish the remaining part and then you go back to that, so we don't categorize that important or not important, and we should not be disappointed or encouraged, thank you.

Kurt Pritz: Good comment, Kavouss. Thank you. Mark.

Mark Svancarek: This is Mark for the record. Actually that was the exact comment that I was going to make is that the alarm came when it proposed to eliminate all of Number 4, which includes the access. There's no need to debate about the annex, but simply eliminating Number 4 seems, you know, ill considered.

Kurt Pritz: Right. So Milton, I assume that's an old hand. So I'm trying to figure out the best way to put this but my takeaway of it is that – is that our, you know, our – there's this request for input here, it has a blank for access. But the input what we were just – when we created this we were just taking advantage of a skinny Part 4 to solicit input on access at this stage for use later. So I don't see a harm in leaving it so long as we all recognize we follow Milton's advice

that we march down the path here in the right way. And in any event people are, you know, there's a blank at the end of the form where people are free to input whatever information they want on any part of the temporary specification plus the annex and so can do that.

So, you know, so I'm for not foreclosing the possibility for people to offer comments but clearly we're not going to discuss the access issue until we get to the temporary specification. I'd say I think the second part of what I want to say is that well the triage talks about the temporary specification so I'm unclear – so it necessarily does not include the access portion. So I'm for leaving the opportunity to comment on access in but essentially it's going to be stored in a box and I think that's where we are.

You know, so we're at the end of our call, so we're going to follow this schedule for soliciting feedback so you'll receive information in your email boxes about how to go about this. But there's the link, there's the survey, we'll put out some more information about that in the very near future. And that's it. So let me just close by saying, I'm closing because it's time to close and I'm really gratified by the amount of participation and I hope everybody on the call participates verbally in the discussion mostly because I can't follow three chat rooms and the conversation and my puny slides at the same time.

We'll follow up with Milton actions after the meeting and make them succinct as possible. This is a lot of work and for everyone and I appreciate the fact that you're here and I see my duty is the need to make that work as straightforward and simple as possible so you spend your time on substantive issues that gets us down this path. And I would appreciate any advice that anybody has regarding that and how we work together in the future. So with that I'm going to let everybody go and thank you very much for your time and all your effort today.

Coordinator: Thank you, everyone. Once again, the meeting has been adjourned. Please remember to disconnect all remaining lines and have a wonderful rest of your day.

END