

**ICANN  
Transcription ICANN Panama City  
GNSO ePDP Temporary Specification for gTLD Registration Data  
Initiation Request and Charter DT Meeting Session 1  
Tuesday, 26 June 2018 at 09:00 EST**

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Man: It is Tuesday, June 26, 2018 at ICANN62. This is the GNSO EPDP on Temporary Specifications for gTLD Registration Data Initiation Request and Charter DT Meeting at 9:00 a.m. in Salon 7.

Heather Forrest: Good morning everyone. This is our session to meet as the EPDP drafting team. If everyone could take their seats we'll get going in about a minute.

Okay, so before we get started without EPDP charter initiation request drafting team session, may I ask for the thumbs up from our tech team?  
Awesome. Thanks guy much.

So good morning everyone. This is our continuation of, if you like, yesterday's discussion from the high interest topic. You'll see that - here we see in full evidence the idea of streaming a topic into a day, which is something that we've tried to do at this policy forum to focus our minds.

We have in essence nine to three together today to work as a drafting team on the EPDP charter and initiation request. I have the first few minutes just to give us an introduction, take us through the agenda.

What will then happen is I'll turn it over to Donna who will give a summary of the high - or I guess, I don't know if it was a HIT or a cross-community. Anyway, both perhaps.

Donna Austin: It was a HIT at a cross-community session.

Heather Forrest: Yes, a HIT at a cross-community session, understood. Clear as mud. Through the session yesterday afternoon, I have let's say for the record received very positive feedback about that opportunity for community interaction. Everyone I've spoken to has said that that was a fabulous thing. So great for us to start off in that manner.

So Donna will take us through a summary of where we are after that. You would have seen last night in your inboxes. So I circulated very rough notes to the council list and much more polished and professional looking are Marika and (Caitlynn)'s notes which were also circulated.

The intention there is that each one of the leads who presented a topic for input yesterday will then carry forward and lead those topics for discussion today. And we hope that they might be willing – this is the whole “voluntold” thing in ICANN – to help us hold the pen on drafting those particular sections.

So if we are able to coordinate at some point later this afternoon on any points that seem to be coalescing in our discussions today into drafting then we will try and do that.

So what we've done is we've allocated time for each one of those leads to present their input on the feedback received yesterday and carry forward the discussion, us together as a council. Now what we've opted to do in working with Marika and her team is to actually start to get down to brass tacks here.

And what we will put up on the screen for that discussion is the draft charter document itself so that we can start thinking in the actual terminology and

headings that this would need to find its way into that charter document. So we're moving from, if you like, meta high level discussion to a more refined discussion.

So what I would suggest here is while the order of topics is suggested here in the agenda to the extent that we reflect on the topics themselves and think that we want to change around the order that's entirely fine. I think we want to align today's discussion in whatever way makes our discussion most fruitful.

So if we think it would make more sense to start with a topic other than membership team and criteria then that's very much open for discussion. We have a coffee break scheduled at 10:15. We also have a break at 11:30 for the GNSO council meeting with the GAC.

Marika will confirm to us the room location for that. It is the GAC room. Thanks Marika very much. So we will probably need to break say at 11:25 just to give us the five minutes to get over to the GAC room. You may recall that we had to look at the GAC meeting agenda yesterday in our working session.

So that takes us an hour, 11:30 to 12:30. At 12:30 we return back to this room. The drafting team, which is members of the council, will pick up boxed lunches that will be available for each councilor. And we will return to the table and begin our discussions, again pick up where we left off.

And again like the morning, the afternoon, the order of topics is entirely flexible based on what we think is going to be most productive for our work.

At the end we have an opportunity to wrap up. And I think really on my mind for 2:30 to 3:00 is to start thinking about how do we take this forward to next Wednesday remembering that we have a motion on our agenda for tomorrow at 1:00 p.m. that will involve considering the things that we talk about today.

And of course what we do with that time tomorrow will depend entirely on what we do today. So with that, I'm bang on time. Any questions about the progress for today, what's foreshadowed, how we want to attack things? No? Brilliant. Thanks very much. So with that I'll turn it over to Donna. Thank you.

Donna Austin: Thanks. This is Donna Austin. Thanks to all of our council leads that were on the panel yesterday in the cross-community session. I think in addition to the input that we received I think what was also helpful is perhaps the community has a better understanding now of the task that we have in front of us. And I think that's helpful as well as we move forward.

I think we got some good input. As Heather said, (Caitlynn) and Marika were able to summarize that and that has been sent to the council list. We will take that input into consideration today when we go through the topics.

So I think it's important that as we start discussing the topics we refer back to the input that we received during the session and discuss it to the extent that we think it's valid – or not valid but to the extent that we can accept it in the tasks that we have in front of us today.

So I don't think we need to run through any of the substantive input. I think we'll go through that as we discuss the topics today. And hopefully on people's memory we can recall what was said and bring that to mind when we have the discussion.

So I think that's all we need to say at this point Heather and we can, you know, just keep this in the back of our mind as we're discussing the topics again today. Thanks.

Heather Forrest: Thanks Donna very much. As an addendum to what Donna has just said I'll just draw your attention - because I know our inboxes are very full at the moment.

I only maybe half an hour ago circulated to you the advice that I have received three minutes before from the SSAC which points out some specific recommendations that will feed into our discussions today, particularly in relation to scope and working methods and so on.

They're not, if you like, headed under those particular topics but they are relevant to those topics. So I'm seeing nods, which means that went through to the list, so that's great.

Any questions about yesterday, comments about yesterday before we get started? No. We have the notes on the screen. So what I would suggest that we do is think about - Marika could I trouble you, or (Caitlynn) could I trouble you just to go back to the agenda slide so we can see all of the topics? Great, thank you very much.

So Keith I know you're ready to run. Is there any reason - would anyone like to propose that we not start with team member composition? Thank you.

Keith Drazek: Thanks very much Heather. Good morning everybody. Keith Drazek for the transcript. So I this morning am going to be teeing up the discussion around the composition of the EPDP Working Group. We had some conversations as has been described yesterday in the high interest topic session.

We had some conversations here internally yesterday during our working session. And we talked a little bit yesterday about certain principles, generally about how we're going to approach the scoping, chartering, membership, and all of that around the EPDP.

So I think one of the things - and this is me teeing up my thinking for further conversation so I really want people's feedback on this. But I think one of the principles is that we need to be inclusive of the broader ICANN community as we approach the membership structure or the participation structure for this EPDP.

I have heard and we have heard that the GAC is very interested in participating in this EPDP. I've heard directly that the ALAC is interested in participating in this EPDP. And as Heather noted, we've recently received SSAC advice. I think SSAC 101 refers directly to the issues that we're focusing on here today.

And I'd like to go a step further and to acknowledge that frankly ICANN org has some skin in this game. As one of the co-data controllers or data controller or however you want to look at their role, they have an interest as an organization and as the entity and the party that's been engaging directly with the DPAs, the EU and the DPAs.

So I think as we move forward and we look at the structure of this, it will be critical of course for our GNSO engagement to make sure that we have appropriate representation from the various stakeholder groups and constituencies of course. That's a given.

But I think we need to be thinking about the structure of this group in such a way that we make sure that the broader community that aren't necessarily represented directly every day in the GNSO have the opportunity to contribute.

So I'm just going to go through a couple of other high level points and then I'm going to open it up for discussion. I think again we need to consider the breakdown of participation, and that includes essentially two components. One is the community groups that I have just gone through.

And the second is a question of do we consider having a structure with members, observers, participants, advisers, and how we figure that into this model or into this engagement.

And then finally I think an overriding concern is the size and complexity of the group. One of the things that we heard yesterday I think quite clearly is that the membership and structure of the EPDP needs to be nimble. It needs to be manageable.

It needs to be cost effective to the extent that over the next four-plus months we're going to be having face-to-face meetings of the group that we need to make sure that we are doing - that we are able to do those in a cost-effective and efficient way.

And that ties back I think directly to the GNSO PDP 3.0 sort of discussions that we've been having since January is that we need to find a structure that is both effective and efficient and able to operate in a very short time frame. So I know one of the other things that was discussed yesterday was the question of time and resource dedication required for this effort.

And so we need to acknowledge that over the next four months the time commitment of people who participate in this group is going to be very significant. Don't want to put necessarily an hours per week against it because we simply don't know at this point.

And having said that again I'll wrap up now by saying, you know, that however we structure this EPDP from a participation, you know, representation perspective, it's the scope I think will have some impact on how we decide to sort of finalize this. So I don't think they're purely independent discussions. But I think they will certainly impact one another.

So let me pause there and Heather if you want to - okay, so let me just open it up. Any thoughts, questions, any reaction positive or negative to what I've described as my initial thinking? Michele, go ahead.

Michele Neylon: Yes thanks Keith. Michele for the record. I think some of the stuff you've outlined, I mean, the concerns about representation, participation and all those are points well made. But I think we need to be conscious of two things.

One, this is a GNSO issue. And two, as we've said repeatedly in our discussions around this entire thing that we need to keep that group as small, compact and functional as possible.

I think one of the things that we need to remind people is that there are multiple ways to participate in a policy process. Sorry, it's a little early in the morning for me. And that does not mean that every single man and his dog gets to sit in the room and gets to post to mailing lists, et cetera.

So I think it is incumbent on those who are going to be active participants within this process to act as liaisons to wider groups of stakeholders whose interests they are trying to represent. So I think we need to navigate this carefully. We need to be conscious of the fact that voices are heard and that there is that representation.

But we cannot end up in a situation where we have every single AC that exists within the ICANN structure having multiple members because then that just becomes completely unworkable. Thanks.

Keith Drazek: Thanks Michele, and I'll respond and then go to Stephanie and then to Erika. So I agree Michele. I think you're absolutely right. And you touch on a point that I've been thinking about and I know we've discussed previously is the - basically the approach of representative engagements where the members or

those who would be called on during a consensus call essentially are representing groups and structures within the ICANN space.

I think we need to make sure that everybody has a voice and an opportunity to contribute and provide input but that we need to make sure that the individuals who are ultimately going to be called on for consensus are representing their groups as opposed to their individual opinions. So thanks for raising that and that was just maybe a little bit extra there.

Okay, so Stephanie and then Erika and if anybody else would like to get in the queue, throw your hand up.

Stephanie Perrin: Stephanie Perrin for the record. The NCSG had a very interesting pilot project the other day on basically - it was about conflict resolution in many ways. And personally I don't think I did a successful job of explaining what I was talking about with conflict resolution.

And I think it is difficult because we have to kind of thread the needle here. There is a job for the ombudsman in dealing with complaints. There's a job for the leadership team in controlling the normal things in a PDP. And then there is a job I think for independent dispute resolution to try to help us move intransigent folks off their fixed positions.

And I include myself because as you know I have pretty firm views. So, you know, we will need to be coached towards a consensus position I suspect. But clearly people didn't understand those three rather separate elements of this piece.

And I do agree with Michele that we can't have people who have no skin in the game and have no stakeholder group that they are responsible and accountable to.

Now here's my link to my initial statement. The coordinator who was doing this workshop with us discussed the need for ground rules in a group. And we've all had these experiences where you set the ground rules.

Obviously we have the PDP ground rules already. But maybe we need to work on a set of ground rules for this particular exercise that would be part of the charter because, you know, I've been racking my brain about the many aspects of failure in the previous RDS and how could we have done better.

And I don't think the existing PDP rules are prescriptive enough. So your thoughts on that. Maybe we get a facilitator to help us come up with those ground rules.

Keith Drazek: Thanks Stephanie. Keith Drazek. I agree with you completely. And I guess my follow-up would be is there some - what you've described, how does that play into the question of membership and representation and, you know, sort of the numbers that we're talking about.

And it may or may not. And that may be a conversation for a little bit later in, you know, our agenda. But I am curious do you think that what you've just described has a connection to specifically how we structure and build the membership of this group to make sure that it's efficient, effective and ideally in a position to avoid what you've described.

Stephanie Perrin: Stephanie Perrin again. Well I do think we need those ground rules before we ask for membership applications because people need to understand what they're getting into that we are - I don't want to have to argue with someone who says, "Well you can't tell me that." No, we can.

We want to set ourselves up for success. This is almost a charter requirement before we get the membership. See what I mean? That's why I think there's a link. Obviously we'll talk about this other, you know, how we're going to do this later, but we need this before we go out for

membership so people understand they can't come in here and behave badly.

Keith Drazek: Got it. Thank you Stephanie. That's helpful. Let me go to Erika next. And (Carlos) did you have your flag up? Yes. So Erika and (Carlos).

Erika Mann: Erika Mann. I like to add maybe two points to what Michele and Stephanie and Keith you already mentioned. So I think it is really important to get a time commitment. So for the person, it's automatically given that we understand this from the GNSO but I think from those who are joining from the SO and ACs I think you need to have a clear time commitment as well. Otherwise there can't be any success.

The second I believe what we should do to be able to limit the participation from other groups to one single member who is then accountable, this is what I understood from you and what I would support. I believe you have to slot into at least once a month.

Maybe that's not once a month, at least an open call so that everybody who wants to participate and gets information, not participate in the decision-making but in getting a briefing about what happened so far and where we are because otherwise I would be worried that people, you know, start drifting apart from the consensus line and then you have a clash at the very end which is not going to be very helpful.

Keith Drazek: Yes thanks very much Erika. I think that's really helpful. And my feeling or my sense is that all of the – you know, others disagree let me know – but all of the calls and engagement would be open and transparent but that - I take your point that if you have one person representing a group, you know, in terms of the consensus call, there needs to be, you know, regular communication and engagement of what the conversations are. So I take your point there. Any follow-up Erika? Okay, thanks. (Carlos)?

(Carlos): Yes you made the list of all things we have to consider so my question is just about clarification and how are you going to deal with this? It's in a matrix form or not? Is this GNSO PDP or is this CCWG? And what combinations are possible in terms of the members and observers of these two possibilities? Thank you.

Keith Drazek: Yes, thank you (Carlos). I think the answer is definitively a GNSO PDP, EPDP which is essentially a PDP without the issues report. And so it is definitively a GNSO policy development process.

But as we have seen in the Subsequent Procedures Work Track 5, we have engagement of members of the Governmental Advisory Committee. And so I think we have flexibility. And we as a GNSO for years have been inviting other groups including GAC, including ALAC, to participate with us in our GNSO processes.

And so I think we have an opportunity to continue that. And this is an instance where I think we will be taken up on our offer that there is an interest in these groups. And as I mentioned earlier, SSAC has now given advice. I think we still have a question as to how they participate.

Are they, you know, called on for a consensus at the end or are they there to advise us or are they, you know, observers? You know, I think that's what we need to discuss today. And at the end of the day I think again one of my principles at the beginning that I described is the need for inclusivity across the community.

But we also have certain, you know, procedures for a PDP at the GNSO that we have to respect. So we as a group need to I think have that conversation and figure out where we can end up being inclusive but also respecting, you know, the requirements that we have to essentially protect the integrity of what a PDP is and how we're supposed to run them. Then so I welcome others' views on that. Paul you're next in the queue? Anybody else? Okay.

Paul McGrady: Thanks. Paul McGrady here. So I'm sort of slow, and I apologize. But for this section, are we only talking about qualifications? Or are we going to get down to the nitty-gritty on numbers? I don't want to jump topics but...

Keith Drazek: No it's a good question and thank you, and I think it's both. And I think at the end of the day we need to figure out both qualifications and, you know, how the group is going to be constructed. So if you want to follow up, feel free.

Paul McGrady: Thank you Keith. So I think it would be good - and I don't want to cut off discussion on the qualitative factors before we move on to the quantitative. But I do think it would be good for us to leave here with a sense of who will be invited to the table.

And I know that there's a desire to have broad representation from the entire community. I think that the principle - the guiding principle of everybody should have a voice is an important one. I think the guiding principle of it should not be any bigger than it needs to be is an important one.

But I would love for us to - once we're done with the qualitative things, who we're looking - you know, what kinds of people we're looking for. Then I do think it's important to - you know, let's just talk about how many seats there are and who's going to fill them. Thanks.

Keith Drazek: Yes, yes. Thanks Paul. Agree completely and I think we do need to leave this conversation with, you know, at least some general movement in that direction in terms of agreeing on a structure and some numbers.

Okay, Michele you're in the queue. Anybody else want to get in the queue?  
Okay Rubens, thank you.

Michele Neylon: Sorry, you were looking at me but you didn't look at me properly, okay. I think just a couple of things. I think we can end up spending far too much

time nasal gazing if we're not careful and spend, you know, the next several hours going round and round and round and walk away from here feeling super happy that we've managed to fill up a transcript with lots of words but no actual end product. So I think we need to move past that.

In terms of this entire thing about representation and cross-community this and cross-community that, we have to be realistic. If we end up with every man and his dog trying to get in here, you'll have the cross-community input but you won't have an end product, which in other words is failure.

In terms of the other ACs who are outside the GNSO, let them have liaisons or something that looks like that. Let them be non-voting liaisons and move on. That's it. Just move on.

We can't keep going round and round and round and round trying to pacify various groups that we know from past experience don't have the bandwidth to engage on a consistent basis, especially when you're looking at an activity that is going to have a tempo that is going to be very, very intense.

If you look at some of the ACs, I know that they only take on one or two projects per year and they only commit a certain amount of resources. Expect them to do more than that just in the name of participation just won't work.

Keith Drazek: Thanks Michele. Rubens?

Rubens Kuhl: Rubens Kuhl. There is one criteria stated there that's understanding the Internet community that ICANN serves, standard domains and numbers. I don't think that standards and numbers part of either (PTI) or ASO is relevant to establishing a gTLD directory policy.

There is somewhat overall knowledge that is required but that's established in the model I think that's understanding the broader ecosystem so it's already

covered. But knowing how ICANN actually (would proper code) numbers or allocates IP addresses doesn't look like that's relevant to this PDP at least.

Keith Drazek: Thanks Rubens. Makes sense. Michele.

Michele Neylon: Thanks. Michele here for the record. Just very briefly, several of us are numbers people as well. I mean, a lot of the registrars and registries are members of (unintelligible) RIPE et cetera, et cetera, et cetera. We manage number resources.

So the assumption that by having a registrar participating in this that you don't bring somebody who has the numbers knowledge is actually incorrect.

Keith Drazek: Thanks Michele. I don't think the suggestion is that they would be excluded or not welcome. I think the point here is that we're focusing on a PDP related to generic names, all right, and that the expertise from numbers is fine but I don't think it's a question of, you know, making sure that the RIRs have a seat at the table, right?

Michele Neylon: No, I mean, what I was trying to say, Keith, is more about that because registrars and registries often are holders of number resources they have that connection. So you do get in some respects - you get more than one community's views and everything else coming in through a single person or entity or whatever.

Keith Drazek: Yes, got it. Okay so anybody else want to get in the queue? Donna, please.

Donna Austin: Yes, thanks Keith. Donna Austin. So I think if we work on the principles that we want inclusiveness but we want to try to keep this small, that should be our starting point and try to, you know, coalesce around how do we meet those two principles.

You know, we're throwing numbers around and that's probably not a good place to start but I think if we're looking - and I want to add a third one in here too, and that is budget and resources.

You know, I think we all understand that there will be - this group will need to meet face to face if not once, maybe twice. So that puts a lot of pressure on ICANN's budget.

So if we look at this from a perspective of let's make the principles, how do we do that? What's the number we're looking for? And then perhaps we need to work back from that as to how we get there. You know, in my mind I've kind of thought this group was maybe 30 and not more than that.

I think we've had discussions within this group about whether it should be three per SG or six per SG. But I think if we can agree on the principles that we want inclusiveness, and that means across the community, not just the GNSO, and, you know, we want to keep this small because this is hopefully our scoping exercise means that this is a really narrowly scoped effort.

So, you know, we're not - this isn't like the RDS PDP where it's going to be open slather on a number of issues. What we're trying to do here with the scoping is keep it pretty narrow. So that should keep the numbers down too. So maybe if we can work from those principles we might get somewhere.  
Thanks.

Keith Drazek: Thanks Donna. That's really helpful. Paul you're next. So - yeah, actually, Paul go ahead. Thanks.

Paul McGrady: So would a straw man be helpful at this point in terms of the numbers? Because we're all kind of dancing around it. Or is there more talking to do? Because if we need a straw man to be put out there, I'm happy to do it. But I don't want to jump the gun.

Keith Drazek: Thanks Paul. I was actually going to say when we're finished having this conversation and we agree on the principles essentially I was going to suggest that I take the opportunity to work with whoever wants to come and work with me to come up with that straw man, and, you know, based on the numbers of approximately 30 that Donna has just described which seems manageable.

I was a member of the IANA transition ICG that was about that same size. I'm actually thinking that that might actually be, you know, a structure that we might look to because it was truly cross-community but there were elements, you know, community participants in that group that wouldn't necessarily apply to this. So it's not, you know, a direct facsimile. We'd have to take a look at it.

So I'm willing to take that on, maybe take that offline, come back later in the afternoon with a further conversation. And we don't need to, you know, belabor this topic. I don't know how much time we've got left on it, but - so anyway, let me just pause there. Any further thoughts, feedback? Heather I see your flag is up.

Heather Forrest: Thanks very much Keith. As you're crafting that straw man, can we think as well about the involvement of let's say expertise as needed, so have subject matter experts factor into that, whether they will form part of the 30 or whether they will sit outside of the 30 as occasional participants. So if that can be captured up front I think that would be very helpful. Thanks Keith.

Keith Drazek: Thanks very much Heather and I think, you know, to the extent we can we should try to enumerate or identify the potential types of expertise we might need, whether it's legal expertise or something else. But I agree and I will take that on. Go ahead. Yes, Heather.

Heather Forrest: Sorry, Keith. Just a follow-up there. Just to put it on the record, I wouldn't like to think that we're letting the quantitative analysis drive this process. I

mean at the end of the day I have no problem with saying we need to come up with a format and a size that is effective.

I'd rather not get wedded to a particular number and then reverse engineer to the extent that we can do. I understand that the number is important but I think the number is important - frankly, 30 is random. The number is really a proxy for efficiency and effectiveness. So as long as we can keep that in mind I think it would be very important. Thanks Keith.

Keith Drazek: Thanks Heather. I agree 100% and, as I said, sort of 30 or approximately or approximately 30 as sort of a starting point. But I agree completely that, you know, we need to make sure that the principles are driving this. And one of those principles is efficiency and effectiveness. So I agree. So Michele and, yes, Iranga. So Michele go first.

Michele Neylon: Thanks Keith. Michele again. One of those rare times when Paul McGrady and I actually agree. I do like the idea of a straw man. It gives you something to coalesce around, to beat to death, et cetera, et cetera. So I think that makes sense.

In terms of the expertise question, it's good to have that conversation up front. Experts by the very nature probably don't have the bandwidth for continued participation in other areas. You invite somebody to come along and ask them could they speak to a specific topic and to say, you know, how does this work? What do you need? Why do you need it?

They come in. They do that and they're gone. And you can call them back again if you've got a question or whatever. That to me makes sense. It's kind of like the concept of a guest speaker, a visiting lecturer, whatever way you want to phrase that, but they're not a member of the actual group. They're just providing that input on request as it were. Thanks.

Keith Drazek: Thanks Michele. Iranga?

Iranga Kahangama:Thanks. Iranga Kahangama for the record. I just wanted to kind of give what the support for the inclusivity principle on behalf of the GAC. I know that they've been looking at this issue and kind of wanting to be involved. I think I also wanted to mention that as you kind of go through the straw man or whatever makeup, I think scope is important in determining what kinds of rules that you want.

I'd be interested to go through some of the lessons learned you've had involving other groups and see how and if that can be improved. I think one thing that's important is for the argument of, you know, having skin in the game I think it's needed to - the process needs to be constructed so that you get that kind of meaningful feedback and participation from outside groups so that you're kind of building it in a way that allows them to fully participate.

But I know that the GAC kind of stands by and is ready to kind of participate and get involved as needed.

Keith Drazek: Thanks Iranga. Okay so Stephanie and then Marie.

Stephanie Perrin: Thanks. Stephanie Perrin. I know there has been discussion about the requirement to bring in independent experts and legal advice and training and, you know, various aspects. We do have the Council of Europe as an observer on the GAC. I note that the GAC did not propose bringing the Council of Europe, the Convention 108 folks to this.

But the Convention 108 folks know data protection law. They know that there are 53 signatories now. We had Peter Kimpian on our RDS group. I felt it was useful. I'm sure some of the other stakeholder groups did not appreciate it as much as I did. But we need facts on the law as we move along and that is one way of getting it.

Now they don't have funding to participate. That is a problem. But I think that's the most neutral way to do it in my opinion. Would love to hear your reaction.

Keith Drazek: Thanks Stephanie. My reaction I think is let's definitely consider that. I take Iranga's point that the GAC is interested. I'm sure members of the Public Safety Working Group are interested. Certainly law enforcement is interested. There are a lot of interested parties as it relates to this as I said at the outset.

And so let's consider that as a possible, you know, slot. But I think we need to make sure that to the extent that governments are participating that the governments are able to identify a small group who will be able to engage.

I know that's a challenge for the GAC or members of the GAC sometimes because they can't speak on behalf of the GAC without going to a consensus call. So, you know, we have the traditional challenges but I think let's look at it.

And Iranga I did note at the outset of my remarks that the membership and the structure and the scope are certainly sort of interdependent and will influence one another. So I take your point wholeheartedly that the scope is going to somehow influence how this plays out in terms of the structure. And that's for one of our following conversations.

So I see Michele. Is there anybody else that wants - oh, I'm sorry. Michele, hold on. Marie and then Michele.

Marie Pattullo: Whoa, Michele deferred to me.

Michele Neylon: I always defer to you.

Marie Pattullo: Can we have that in writing? Marie from the BC. We're going into this process with good faith. We have to get results. There's no six ways about this.

When you read through the criteria that we're asking, clearly what we need each group to do is go and speak to their constituents, find their experts and have them commit to pony up to a huge amount of work, a ridiculous amount of work.

Now on the one hand I would assume that all of us will have subgroups or something similar within our own constituencies.

But going back to Heather's point about let's not let the numbers complain the quality, our concern about only having one per group is – that one physical person is being asked to do so much as well as their day job as well as their family life as well as – so I don't know how the numbers would pan out.

But would it be possible to mirror the membership in the Council because that's a tried and tested structure? We don't really have time to start wheel reinvention.

When it comes to Donna's very valid point about financing/about resources, if you talk about one or two meetings at that point you could have only one actually physically attend and one per phone.

I realize that sounds a bit complex but my concern here is completely what Michele said: to keep it small enough to be manageable and realistic, but there's also a too small for it not to be manageable and realistic. Thanks.

Keith Drasek: So thanks Marie. I agree and I think the, you know, there's a question of do we have more than one per group or a primary and an alternate? And clearly we need to have the ability regardless of how many sort of members we have as it relates to consensus calls and direct engagement.

We need to have the ability to bring in expertise on certain issues that others in our groups may have that the, you know, sort of the direct representative doesn't.

So I think there needs to be a mechanism to bring in others on a case-by-case or topic-by-topic basis as somebody who can contribute. So I think these are all – I think your points are well made. Paul and then – oh sorry, Michele then Paul who's in control of my queue.

Michele Neylon: Thanks Keith. Okay so I think one of the things that, you know, the GAC wanting to participate. That's great. However, the GAC participation cannot just be PSWG because that would be completely unbalanced.

Governments have people who are experts in privacy and if they – if you could put - possibly encourage either – and some of the – a DPA from an EU member state or somebody with that kind of expertise/that kind of background that would make a lot of sense to me.

I think it's valuable and important to have the input of the PSWG. Don't get me wrong. But we cannot have a situation – we're – where we are only getting that one view.

And as for family life I thought that when you kind of started coming to ICANN you had to sign a waiver to give that up.

Keith Drasek: Thanks Michele. Paul I'm going to come to you and then – oh and then Iranga. And then I'm going to draw a line under it and hand it back to Heather, and then we'll take an action item to come up with that straw man for this afternoon.

Paul McGrady: Thanks Keith. Paul McGrady here again. So I am – agree with Marie that we probably should dispense with a lot of haranguing and quarreling over representation on this.

I support the notion of representation being proportional to the number of seats on the Council. That way we end up with everybody having a seat at the table or two seats at the table or how many seats at the table mathematically we end up with.

I don't think that, you know, reverting to the old, you know, each SG gets, you know, this many so that somebody's automatically left out is going to advance the ball fast enough to get us to a charter vote tomorrow.

And so I know we were going to put up talking about the straw man but I didn't want Marie to go unsupported. I think that, you know, sort of not bringing up that old argument and moving forward with proportional representation makes a lot of sense. Thanks.

Keith Drasek: Okay thanks Paul. Iranga?

Iranga Kahangama: Again – which I just wanted to say the PSWG is a subset of the GAC so we would always keep that in mind as well.

Keith Drasek: Very good. Thanks. Okay Heather back to you.

Heather Forrest: Thanks Keith very much. Just by way of housekeeping I would like to know - and I put a comment into the chat and don't mean for this to discourage any outside participation at all.

But it – this session is intended to be a discussion for the drafting team so we are very, very happy to have observers in the room, but if those folks could put their comments into the chat to be recorded by staff that would be very

helpful please and that way we make sure that they form part of the record, so thank you very much.

So it's – I think Keith following your discussion yesterday was Paul and Paul you had topics in relation to leadership I believe. Yes probably a natural flow on from the said Marika. Hand is up.

Marika Konings: Yes thank you very much Heather and I appreciate the conversation we've been having here, but I still haven't heard any kind of concrete proposal. So I know that may be hard but I think if we are able to get to either - if there's some options that we can put forward that people can start looking at, but just as a way of where are we going next by mapping this out.

I said their staff is happy to work on that this afternoon based on what has been discussed, but would be really helpful to get some more concrete ideas that we may be able to work with and at least I've already get – gotten some traction in as part of the conversation.

Keith Drasek: Thanks Marika. This is Keith. So yes Paul and I basically agreed that the next step is to come up with a straw man. We're going to work on that today and for further actual discussion this afternoon.

So hopefully coming out of the afternoon recap or, you know, revisiting we'll have something to hand to staff to help us flesh out a little bit more. But – so there's some work that needs to be done in the next couple of hours.

Thanks.

Heather Forrest: Thanks very much Keith and thank you to Keith and Paul for your willingness to do that. So the – to put some context on Marika's comment, of course staff are very mindful that if we are going to have something on the table for tomorrow that we need to have actual language.

And that's why we have the charter document in front of us so very much appreciate Paul and Keith being willing to put forward some straw man language for us.

What we might want to do from a procedural point of view is think about Paul and Keith perhaps rather than look at a bunch of the emails on each one of these topics, perhaps we try and feed that into a document that staff can coordinate so that we look at one document.

It might be that there's multiple versions of that along the way as timing of drafting sessions sections comes in. Perhaps what we might do to facilitate that process Marika is run a Google Doc that will enable rapid let's say upload of things rather than recirculating drafts over and over again.

Does that satisfy everyone to run a Google Doc? Yes I see lots of nodding. Perfect. That I think is the most efficient approach. Excellent. Thank you very much.

So Paul I believe you were next up in our queue from yesterday. Leadership is a natural flow on to today's – to the discussion we've just had. Over to you.

Paul McGrady: Thank you. Paul McGrady again. So I didn't have – I don't have lovely bullet points and for which I apologize, but the bottom line was that out of the session there were a few things that came out and a few suggestions that I think we should consider.

The first one was that it seemed to be at least from the crowd more support for the notion of the Council appointing leadership rather than having the working group appoint leadership.

The advantage of that or – that I see are twofold. One is that we save some time in the working group because it has lots to do quickly, and the other

thing is that we will be confident that the leadership that are appointed are qualified to do this.

And so that was the main takeaway from the hit on this topic that I saw. The second thing is there was a lot of good conversation about the kind of leader or leaders that this EPDP will need.

Perhaps it's more than just having been a chair of a prior PDP. It may be having that experience is a great thing but also having experience in something more – a little more complex or gnarly like a CCWG that has been successful or some other task force, those kinds of things, somebody who – somebody or some bodies who the community has a lot of confidence in, someone who can commit to lots of time.

You know, some – yesterday somebody threw around the hours of – the idea of 30 hours a week for the membership. That must be even more for the leadership.

And then the other suggestion that jumped out at me -- and I apologize if I left anything out. Everybody should feel free to supplement -- was that perhaps we should consider prior board members as potential leaders just because they have the full view of how all this will work with the various members of our community needing to have various things accomplished.

So those are the primary takeaways. I don't know Heather what the next step on that would be, if we should just – I guess we discuss it and decide whether or not what came out of it hits what we want to do or if we have other views. So I will open a queue and this is Maxim – Michele's...no? Okay.

Michele Neylon: But thank you. I will anyway.

Paul McGrady: I'm in a bad position actually to – Heather's pointing – oh Donna is first and then I can't see whose that is but okay for...

Heather Forrest: So Donna followed by Rubens.

Donna Austin: Thanks Paul. I think you've – sorry, Donna Austin. I think you've captured the essence of what we heard yesterday pretty well. I think one of the questions for us is if the Council is going to, you know, decide who the leader is what's the mechanism for us to do that?

So do we look at expressions of interest with a, you know, some kind of basic criteria of what the skills and expertise we're looking for? Is it the Council as the whole that decides who the leadership – who the chair would be or is it something that we could hive off to maybe the Standing Selection Committee and then it comes back to the Council?

One of the other things that strikes me is that I think what we heard is it makes sense for the Council to select the chair, but what kind of structure do we want with the leadership team?

Do we have a chair that's supported by two vice chairs and perhaps both vice chairs are selected by the working group? Maybe that's a path forward so it's just some initial thoughts. Thanks Paul.

Paul McGrady: Thank you Donna. Rubens?

Rubens Kuhl: Rubens Kuhl as you see. I just want us to focus on two options. One is appointing a – chairs and the other is letting the work group select this chair. But whoever we appoint to the group shouldn't be a member of the group, so a member of the group should only be appointed by stakeholder groups or advisor constituencies so I'm neutral on both options.

I know most people prefer appointing a chair but just want to say whoever he appoints is not declared a member of the work group.

Paul McGrady: So Rubens thank you. To clarify – so then for a consensus call the chair wouldn't have a vote or not a vote but, you know, when a...

Rubens Kuhl: Exactly.

Paul McGrady: Okay thank you. Okay Darcy.

Darcy Southwell: Thanks. I wanted to actually echo – Darcy Southwell, sorry – echo Rubens that I agree that if the chair – if we appoint a chair they shouldn't be a voting consensus member.

To Donna's point though I'm concerned how quickly we can do an expression of interest and the CSC process and how, I mean, that would happen – have to happen very, very quickly.

Paul McGrady: Thank you Darcy. I have the same concern and I wonder whether or not we're missing an opportunity because we're here. This may be an opportunity for corridor conversations with people who we respect to see if they have an interest, people who we think would fit the bill and then maybe we come back with a short list and discuss that.

I don't know if that's too fast and too crass/not enough process, but that's sort of something to think about. Yes. I'm sorry. I have a really horrible vantage point. I'm wondering if I could nominate Heather to run the queue for me.

Heather Forrest: I'm happy to do that Paul and sadly it looks a little bit shifty but I am next in the queue followed by Stephanie. Apologies for that and, you know, helpful for me to clarify let's say.

So Paul and I had a discussion before coming in here today. All of my interventions are in the role of Council Chair, not on behalf of any particular stakeholder group or constituency.

So what I'm about to say is very evidently a comment from the role of Chair, which is to say that the job of assisting the GNSO Council/Council leadership would really at this point in time be impossible without the full complement of the leadership team.

So I would very strongly endorse this idea of a chair and vice chairs to facilitate the work that is ahead of these folks. We know -- Rafik, Donna and I -- very well what the workload is likely to be from our own experience in the roles we have now, and so I will put a plus 1 on that idea.

I think it'll be invaluable. Thank you very much. So with that we have Stephanie please.

Stephanie Perrin: Stephanie Perrin. Just a response to Paul's suggestion that we talk to people in the corridor. Just exactly who do we respect here? Do we have consensus on that amongst us?

Paul McGrady: Thanks Stephanie. So the short answer is no, right. So what we would do -- what we would be doing is developing a short list of people who individual members respect and think would do a good job and would fit the criteria, and then those would go onto some sort of short list that we could figure out - and by the way if anybody had dinner plans tonight you should just cancel - but figure out how to work through that and see if a candidate jumps out in the Council as a whole.

I don't think we need to pre-clear people before we talk to them, and we could just make it clear that the conversation's just a conversation and that we're trying to build a short list.

I expect we'll have a whole lot more heck nos than we'll have yeses because this is a big job, but certainly having a conversation with somebody to see if they have an interest is not a guarantee of a spot.

If this is, you know, if it's too messy then, you know, feel free to strike it as a suggestion but I'm just trying to find a way forward. But let's just leave here with the leadership team intact because if we could do that – or at least a chair. If we would do that then we've just saved ourselves a whole lot of time.

Stephanie Perrin: Can I respond to that? Again I've been agonizing over what went wrong on the RDS because we did have the three co-chairs concept that basically provided a sort of balance with the different viewpoints in the co-chairs.

And I think Chuck was a very highly respected and seasoned chair. I certainly thought he did a great job and yet we failed. So I am wondering, you know, I think we need to look at the pros and cons of each kind of a model, whether we have like parity in representation with another three co-chairs or whether we try for total neutrality.

As Michele keeps saying finding somebody with no skin in this game is going to be difficult, you know.

Heather Forrest: Thanks. Thanks Stephanie. So let's just be mindful of the queue. I'm conscious Donna's had her flag up for some time and Erika now, and Paul you're happy for me to run your queue so that we see things. Okay so I have it as Donna followed by Erika.

Donna Austin: Thanks Heather. Donna Austin. It – so I think - to Stephanie's point I think what's really important here is that we agree on the skill set that we're looking for or the expertise that we're looking for.

If people want to have conversations with people here this week to see if they're interested or not I think that's particularly helpful. But rather than tap somebody on the shoulder I would prefer to see an expression of interest process that we do.

I think that's more – I think that's fairer. How we do the selection is going to be a bit of a challenge I think. If we – I accept Darcy's point that if we put it to the Standing Selection Committee that's going to take time.

And we all understand that we need to be mindful of time in this process, but I really do think for the chair we need some kind of selection criteria that we can all agree on, have a really small window for expressions of interest and then find a mechanism for the Council to consider and agree. Thanks.

Heather Forrest: Thanks Donna. Erika followed by Rafik.

Erika Mann: Erika Mann. And in an ideal case scenario I believe we shouldn't make it too complicated. We have the tendency at ICANN to complicate everything so I think it's the skill set which we have to define, and from then it becomes much more transparent and obvious who would be, you know, the ideal candidate.

And the selection process is a different issue so I don't want to talk about this here. And then I think the second one is the scope, so as long as we keep the skill set in coordination with the scope of what needs to be achieved and the time pressure involved in it I believe the – even if there are many candidates both the scoping and – the scope and in particular the time pressure might automatically make it more difficult for some candidates to remain, you know, in the race.

And I wouldn't worry so much about the point that people have an interest and a potential conflict because they're – that's some – exactly a topic where you need the interest being – and being part of the scope because otherwise without being, you know, clear about and, you know, being clear about why certain groups have a particular interest in it, it will be difficult actually to achieve the scope and to receive a good result.

So in this case as long as it is transparent I wouldn't worry so much about it but that's just me.

Heather Forrest: Thanks Erika. And Paul I'm just managing your queue so at any point that you want to cut in...

Paul McGrady: Yes thank you. So I think the takeaway is that we're not prepared to short circuit the process, right, by short listing and doing, you know, doing a selection here.

We do want to get the criteria finished up/worked out and an expression of interest process out with a short timeframe I'm assuming. I think it would be nice for us to decide if it's going to go to the Standing Selection Committee or if this is something we're going to do on a call in the next week or two just so that we have, you know, urgent timeframes built in.

If it's Standing Selection Committee then we have a process for that already in place. We don't need to talk about next steps. I hear two different things on the neutrality of the chair.

We have some that are saying that it – they need to have no skin in the game and could be completely neutral. We have others that are saying that the, you know, the neutrality, you know, will take care of itself if we select the right kind of leader.

James is in the room back in the corner over there – classic example of somebody that had a, you know, a point of view as an employer but when he was chair of this Council he was neutral, right.

So the right kind of leader can do that and that's the right kind of leader we're looking for, so I tend to be with Erika on this one but again we've heard both views around the table.

I think that if we could decide now on the Standing Selection Committee then we could feel accomplished. I don't know if we want to go that far right now.

If it's not going to be Standing Selection Committee then I think we need to talk about what our process will be. I'm a little concerned that it will take us as long to build our process as it will be for the Standing Selection Committee to just do this.

And so I am defaulting towards norms but again I – if people want to, you know, throw out a process – a proposed process of how we do this short of my original crazy idea of doing it here, I'm happy to hear more on that if we have time.

Heather Forrest: So Paul we have Rafik and Darcy in the queue. That's likely to take us to tea break. Erika your flag is up. Is that old flag? There we go. So Rafik.

Rafik Dammak: Okay thanks. So Rafik speaking. Just maybe to be clear here I guess we have some concerns that it should be an appointment by the Council, I mean, for the chair.

And I think there is no problem in term of timing because we can start that process soon after we agree on the skill set and so on. So that – agreed for the chair but we didn't finalize yet about if we need the vice chair or – so I guess we can leave the vice chair to the team because that won't impact I think the timeline we have if we start working on the chair at least so – okay.

Heather Forrest: Darcy.

Darcy Southwell: Thanks. Darcy Southwell. So if we are selecting the chair but not the vice chairs then from a procedural perspective we could go out with an expedited expression of interest for the chair position.

We could also then do an expedited call for volunteers for the PDP. Is that what we're thinking? Kind of do them simultaneously or am I jumping the gun here?

Heather Forrest: Paul back to you. Any wrap up comments?

Paul McGrady: No wrap up comments. I'll do my best to put all this pen to paper so that we can again the, you know, straw man content so that we can, you know, chew it up and set the knob the right way.

I'll need especially good help on the Qualifications section because I – I'll – like everybody does well I'll put down on paper my bias of what I'd like to see in a chair.

And I hope that I touch some touch points on other people's stuff as well, but anything that's missing from that is inadvertent so please jump in and help me with that. Thank you.

Heather Forrest: It's – so I see Marika's hand up but I'll just make a note here. From a starting point point of view we have quite a bit of material in the GNSO Working Group Guidelines.

Sections - I think it's 3.4/3.5 speak to this. There's quite a bit in there on, you know, how a chair is selected and what a chair – what qualities a chair could have.

So I think if you start with that as a baseline Paul that might be helpful to you.

Paul McGrady: Thank you Heather. If – yes and that's the plan but there's also some other things like, you know, a fulsome understanding of the GDPR law and the other issues that are going to be, you know, dealt with at – around this, you know, those kinds of things. So to the extent that anything's missing guys it's not intentional.

Heather Forrest: Absolutely Paul but that'll, you know, starting with the Working Group Guidelines will give you – save you from reinventing the wheel on the basics. Marika.

Marika Konings: Yes thanks Heather. This is Marika. So actually for recent PDP working groups we've kind of extracted some of those criteria I think in combination with, you know, expectations of PDP working groups for their chairs and use that as well in the call for volunteers for chairs.

So Paul I'm happy to send that to you because that may help you as a starting point.

Heather Forrest: Thanks very much Marika. That's helpful. So Paul can I suggest procedurally that we have a think about what we want to do here? Do you need anyone – let's say do you need assistance? Are you happy to champion that one on your own?

Paul McGrady: I always welcome assistance and input and so if somebody – terrific. Donna thank you and anybody else?

Heather Forrest: Fantastic. So we'll record if we work in pairs it's likely to be helpful let's say, you know, have an extra person there to bounce ideas off of but it doesn't get too big that we end up with a sort of mini team.

So let's record please then that Paul and Donna will work together on the leadership question. And so coming back to the logistics that I proposed at the end of Keith's session, what we will do is staff are creating a Google Doc that we will all be able to see.

The leads will submit their straw man text to staff, so to Marika, and Marika will see that that text gets loaded up into the Google Doc. We're not going to open up the Google Doc with editing rights for everyone because that could

create a mess, so let's keep a central viewing place that can be quickly updated.

But Paul if you can get your text to Marika and I would suggest that to Paul's point about dinner plans, whatever we can get done today means we have something to look at tomorrow so let's try and get that in by this evening if that's at all possible yes.

Great. Thank you very much Paul and thanks to Donna for volunteering on that one. So we actually have ended this one four minutes early but I think it's a useful time to take a break.

Let's rest our brains. Tea break starts at 10:15 and we come back here at 10:30 so if you'd like to come back five minutes early that's fine. We can do that.

We can end this session, transfer to tea break and come back again at the end of tea, so thank you very much everyone for a productive first session.

END