

ICANN Transcription – Abu Dhabi
**GNSO Working Session Part 3 – Red Cross reconvened update / Overview of
revised GNSO Operating Procedures and Bylaws / Interview with
GNSO Chair Candidates**
Sunday, 29 October 2017 13:30 – 15:00 GST

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On page: <https://gns0.icann.org/en/group-activities/calendar>

James Bladel: We do have folks still trickling in, so we'll just kind of get started and allow them to take their seats. But, for those - just refresher, in Copenhagen we had a discussion regarding the impasse between GNSO policy recommendations and pending GAK advice. And we're trying to reconcile some of the gaps between that. We had some facilitated discussion in Copenhagen lead by (Bruce Tonkin), which were very effective, and we decided for the first time in the history of the GNSO to engage one of our processes to reactivate a PDP to reexamine some of its recommendations.

Thomas was the char of that PDP many, many years ago, and very graciously volunteered his time again to take the leadership on the reconvened group. And that was back in Copenhagen and you've been working very diligently in the interim time and now, Thomas is providing and

update. So, with that, I will turn it over to Thomas and then we'll try to leave as much time as possible for Q&A. Thomas go ahead.

Thomas: Thanks so much, James Bladel and when you said that I volunteered to take up the work of - with the reconvened working group I think it was something in the middle of volunteering and being volun-told. But, I certainly, gladly took up the challenge and I want to update council briefly on where we are in the process. And, as you can see, the little balloons specifying the timeline of this whole exercise, starting with the expedited PDP that started in 2012.

The council took action in May 2017 and tasked the original PDP working group to reconvene. And actually, there's a good turnout of original individuals that were on the PDP that now came back together to work on this. And I'm particularly thankful to those who have joined the reconvened PDP because actually, there's a lot of information and knowledge that we can build on and we don't really need to start from scratch. And I didn't take that for granted that they would volunteer to be present in this phase of the reconvened PDP and share their thoughts on this project. So, let me go on record thanking the participants of this reconvened group.

Now we're in this July to November 2017 phase and what I can say is that after having carefully analyzed potential legal grounds for the protection of the designations in question, the working group concluded, yes there is a legal basis for granting protection. Now, you might ask why this was not established in the original PDP working group, and, as you will recall, and we've gone through that, I think at least once with council before, the GAK advice specifying those designations that we're discussing today, only was issued after the working group had already finalized its recommendation. So, the original PDP working group didn't consider the protection of those names diligently at the time.

So, what you can expect -- and I will get back to that in a little bit more detail on one of the subsequent slides -- is that we're going to need a public

comment period, which ideally would not start in Q1 2018. But we actually do hope to put our recommendations out for public comment in December this year. Next slide please.

Okay so, you will remember that we have different organizations that belong to the Red Cross Red Crescent movement. And this organization is not static. So, there are new additions and, actually, between the last time we've discussed this and today there have been new societies added to the group of Red Cross Red Crescent organizations. And what we want to avoid with this exercise is that whenever there are new additions that the GNSO needs to come back together, reconvene this working group and amend its original policy recommendations because we had a finite list of strings that have been operationalized in our original recommendation.

So, what we are planning to do is create a list - a finite list of strings reflecting the status quo of what needs to be protected and those will be withheld from registration. And then we are working on a formula on how to establish a set of strings that can be added to this list of reserve names going to specification five of the registry agreement. Once the Red Cross Red Crescent movement has notified ICANN that there is a new organization in their group and that would make things an operational and implementation matter, rather a policy matter.

And, I think the question that we have and where I would like to solicit feedback from the council is, you know, in the council resolution that has asked the PDP working group to reconvene, council requested that a finite list of strings should be presented. And, this is not a very easy task to be quite honest and I will get back to that in a moment to show you the complexity. So, when we get to Q&A, I would really like feedback from the council whether you really want to go to get this finite list and walk through that, or whether you can potentially live with a formula of how we establish what strings should be added to the list.

So, this is what we're discussing at the moment. What we have at the moment is that the full names of all current -- and that is 191 Red Cross-national societies -- in English and the official language applicable to the respective chapter protected. That the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies, in English and six official UN languages are protected. And we will likely include International Red Cross and Red Crescent movement, international movement of the Red Cross and Red Crescent. Next slide please.

What we haven't yet resolved is the question of how far we should go in putting variations of the society names on the list of protected names. And the representatives of RED CROSS RED CRESCENT have requested that we would not only use the names by which the organizations are incorporated, but we should also include the names by which the organizations are commonly known. So, the issue to illustrate this would be the American Red Cross Society, because, you know, usually people would refer to that organization as the American Red Cross. And if you only protect the American Red Cross Society, you might open the flood gates for abuse if somebody uses the name that the organization is commonly known by.

And then we have the question of whether hyphens should be included or not, and I think that the tendency is that we would strip out the blanks between words and we will have the condensed version of the string without blanks and then we will also have the hyphenated version where all individual words are separated with hyphens. And then another question is whether we should include "the," the article, at the beginning or not. You know, so those are implementation details, but we want to be crystal clear on a formula so that I can staff - whenever a new addition comes in, know that they need to off the list in terms of strings and in terms of scripts, in terms of languages, and in terms of variations relating to the parameters that I just described.

So, what's not in scope for this effort -- and I think it's worthwhile pointing this out again, although I think that most councilors do know this -- is we are not talking about acronyms because this is coming back even in the working groups deliberations that people are under the assumption that acronym protections can be sneaked in via this process. This is far from the truth. We're not discussing acronyms. And also, certain names that have been on the list that has been used by the board as a basis for the preliminary or temporary protections will not any further be protected. So, some will fall off the truck, and there will others be added to it based on our deliberations.

Okay so, forget about the existing list once the new PDP recommendation is enacted. At the moment we - the registries have implemented what the outcome of our original PDP was, plus what the board has temporarily protected. That's all going to be gone if this exercise is conducted successfully, and that will be replaced by the list that we're in the process of producing plus new additions based on the formula that we're working on. Next slide please.

Okay, so what are the next steps? We have a mandatory 30-day public comment period. So, there's no way for us to get out of that. We hope to launch that in December this year once we're all back from Abu Dhabi, we will even have an informal meeting of the working group here, with those who are present here, to further specify the formula to be discussed with the wider PDP working group. And then we will analyze those comments as we do in our PDPs and prepare our final recommendations to the council.

So, I can't really predict the exact time frame for that because the complexity of analysis and the impact on our recommendations, which usually depend on the number and the quality of the public comment received. Then we will throw this over the fence and put the burden on you to adapt the modifications if you wish. And we're certainly more than happy to present this to council and answer all the questions that you might have. And if you do, then you need to do this based on a super majority vote of both houses. So,

the - both the contracted as well as the non-contracted parties house need to come up with a super majority to make this successful.

So, I think this is important for you that during your deliberations - I know that some groups are instructing their councilors to vote this or the other way, your vote might be decisive to make this work or fail it. And after the councilors potentially voted in favor of the modification of the policy recommendations, this will go to the board for vote. And, yes, I think then we're in the comfortable situation that if the board likes this, then this process is over. And let's move to the next slide.

I should add that, you know, we didn't cover IGO acronyms, so there's the remaining questions such as the RPM opening for IGO names as well as IGO protection as such. But that was not on our turf.

So, as I mentioned we're going to have an informal discussion, you'll find some links here for background papers and I think that's the next - that's the last slide. Can you just try to - there's none further? So, my memory didn't fail me, there's the last slide. So, let's open it up for questions and particularly the one with respect to the list. Because the creation of the list is not easy. Even for the RED CROSS RED CRESCENT movement.

You know, they need to reach out to their regional chapters and I think that, specifically when we're not doing (ASKY) it will be very difficult for councilors to even validate whether the strings are legit or not. So, I'm not sure whether it is possible for the council to modify its original resolution, but at least that's food for thought. You know, if you would waive getting the finite list, but rather get a formula for us on the existing number and the way we compose strings that might facilitate and expedite the process of us getting our work done.

James Bladel: Thank you Thomas for a comprehensive update and as well as just being super dedicated to this work that you probably thought was several years in your past, it's just an item on your resume that keeps coming back to haunt

you. So, I think we all owe you some thanks for that one. I have some questions and thoughts, but first up is Michele Neylon.

Michele Neylon: Thanks James Bladel, Michele Neylon (unintelligible) and reiterating and echoing everything that James Bladel just said. You've been working really hard on this for what seems to be half a lifetime. Couple of things - I suppose, first off with regard to the building, production, development, of this list - I assume that - taking in to consideration that it's not something that can happen overnight, that you've had some thoughts about timelines around that, but I mean, you can't leave it open ended either, I assume. I mean, that would be problematic. Another thing is, in relation to the national language local names - I mean, is that also covering IDN? And in the instance where - and if so, will you then be collecting it both in the license script the IDN and any derivatives on the clear making of script that's chosen?

And third one -- sorry, I'm just bundling it all together quickly for you -- and the third one is, in terms of the distribution, I would see this potentially as being akin to how the registries have been handling both reserves and premium names, which in - for those who aren't familiar would be badly and inconsistently. So, how that's handled is something that definitely would need to be looked at closely. I mean, there has been work with the IATF around, you know, handling some of these things. But unfortunately, when it comes to consistency, that just hasn't been there. And it's been a major problem for a lot of us trying to put these things in to place and I'd view this as just being another addition to that list. Thanks.

Thomas: Thanks for your questions and for your kind works Michele Neylon. With respect to the composition of the list, we received a draft from the RED CROSS RED CRESCENT movement but that still needs to be validated because there have been some strings on it which belong to the original temporary set of strings that was used by the board. So, we're not starting from scratch, but we want to do this very diligently. So, the list needs to be completely correct, because otherwise, you know, we would be open to

criticism. So, I hope that this exercise can be completed in the next couple of weeks and not couple of months.

Second question - with respect to the distribution, I would need to defer to ICANN staff on what the plans for dissemination are, because, as in the original PDP work that I chaired, we did not specify how - or we did not give any directions on how ICANN should push out those lists to the contracted parties. I think if there's a desire by council to do so, and if you have ideas on how this system can be improved, we can certainly take that in to consideration. Potentially work with (Perry), and we're working with other parts of ICANN, too. Keep in mind, the implement-ability - is that an English word? Whatever, you know what I mean. So, we are trying to keep an eye on how this can be implemented. And if that could have an aspect of distribution of the list in it, we're glad to consider.

Then - I forgot one aspect of your question and that is relating to are the strings variance and stuff like that.

Michele Neylon: The string variance and IDNs and, you know, (unintelligible).

Thomas: The discussions are ongoing, but the plan is to discuss all those. And I think that chances are good both for the IDN as well as variance and the ASKY versions to be included.

James Bladel: Thank you. We have a few folks left to speak, in a few minutes. So, Donna Austin and then I put myself in the queue, and then we'll go to (Owen). And (Owen), you will get the last word on this one. Donna Austin?

Donna Austin: Thank James Bladel, and thanks Thomas. The original - well the part of this PDP that's already been done and is actually part of an IRT at the moment that (Dennis Chang) - (Chan), (Chang), (Dennis) - anyway. So, that was my question - are you actually working (Dennis) in the development of these

names because he's doing that process with other part. Okay, that's good to know.

James Bladel: Yes, go ahead.

Man 2: So, this is really to follow-up to both of you. Whenever this list gets developed out of this group, approved by the council, approved by the board, that is what will be passed over to the IRT that is currently working on this. Because this - these are really outstanding and haven't been approved by the board, any implementation that's going on during that IRT will leave what we have listed on spec five as they are today until this new policy comes in, which is that new list. And then, specifically to your question Michele Neylon is, once we do have that list and once it hits the policy effective date, the specification five list will be updated with this fresh list of the 191 names, the advisories go out to the registries, and they implement during their protocol to block any PP and those kinds of things.

And just one other follow-up on the English versus a potential IDN, so - granted the elements of exactly what this formula will look like, like what's going to be allowed, whether there's variance or whatever, let's hypothetically assume that it's somewhat close to the current recommendation which is English plus one national language. It'll be up to the Red Cross representatives to give us English version and if they want to do it - let's say it's the Red Cross Society in Spain, they will provide us with that non-Latin script label. Once that list is completely defined, then ICANN staff as part of implementing that will take all of these formal labels and then convert them into DNS labels via the algorithm that give us the XN dash dash and those kinds of things.

James Bladel: So, my question is - and I'm just speaking not only in a personal capacity, or a registrar capacity, but also as someone who won't be around to sign off on all of this, Thomas, is that I have some concerns about the construction of this list. Particularly if we're talking about an expansion via formula.

And I will say that two things that were - two things. One, is one of the critical elements that - or presumptions or preconditions that we took in relaunching this PDP to examine its recommendations is that the list would be finite. And I think that finite, it can be sort of large, but it is - it needs to be very tightly controlled. And the reason for that is, if you start to think of all the universe, of all the possible strings, and all the possible languages, when we talk about going in to spec five, we're talking about taking a machete to that universe. So, it needs to have a very minimalist approach.

And the second thing is - and I'm sure the folks who represent IPC or BC, and I'm speaking as a registrar that also has a portfolio of names that it protects -- brands, product names, et cetera -- protects in the DNS. Don't - you should be resistant to going down the path of building a portfolio management strategy for the Red Cross and their organizations in to spec five. That should be a baseline, that should be a safety net to protect them against the most obvious and blatant types of infringement, but going much more beyond that I think is not a substitute for them managing a portfolio of the names that they want to protect and also making use of the RPMs that are available if they do, in fact, discover that someone is abusing a name. I just - I - I'm very nervous about doing all of that in advance for any organization, for any, you know, any movement, any organization, and IGO, any company, and brand name. I think it's - because it is a fluid prospect and I think it will continue to change. So, I think that keeping the list to a minimum is something I would strongly encourage you to do. Knowing that the Red Cross will responsibly build a brand and domain portfolio strategy on top of that list, not build in to the list. If that made any sense.

Thomas: If I may briefly respond before we move on in the queue. I fully understand the concerns. I think this is very much for the council to give us guidance on. Because you can construe the term finite in different ways. And finite can also mean that, you know, the list doesn't go beyond what's protection for RED CROSS RED CRESCENT. And these new additions would be protections for

RED CROSS RED CRESCENT and I think we can expect that whenever the new addition - they're not too many. I think we've seen one in the last five years or so. Whenever there are additions that RED CROSS RED CRESCENT movement will knock at ICANN's doors and thereby - at the GNSOs doors, to revisit this. And the question is, I think, a very pragmatic one.

We can certainly take this feedback from council and not come up with a recommendation based on a formula to allow for additions that are merely implementation and not policy, but then you need to cope with the workload. And you it's not you because you won't - will likely not be council chair at that point in time. We can, you know, if there are concerns by councilors, we can also think about things that make it semi-automatic whereby, you know, those lists are being - additions are being proposed and then it would need to go through some other sort of process in council. So, we would need to be innovative on that. But I think if there are concerns that are shared by many and that would make it likely for the recommendations to be voted down, then I should - I think we should better discuss this and try to find other ways of dealing with this.

James Bladel: Thanks Thomas. And I just think my note to the councilors that will still be here after Wednesday is to remember why we, kind of, started this process. It was not to design in to a policy a brand management strategy for this - you know, admittedly important organization. Because, you know, folks can add misspellings, or different languages, or numbers, or hyphens in strategic areas, and now, suddenly it becomes a game of Whack-A-Mole. So, be very cautious in terms of expanding that list. You know, finite is a good word, but a billion is finite, a trillion is finite, that - I mean this - if finite is small and manageable is the answer, so.

Thomas: Just a very brief follow-up.

James Bladel: Yes.

Thomas: So, the formula would specify clearly, that not new variations or additional terms could be introduced. And also, let me remind council that the projections that we're talking about are based in law. So, even the common names are explicitly mentioned in the law. So, we wouldn't go beyond what's in there.

James Bladel: Yes, so - just be conservative, I guess, is my only point. So, okay - sorry, thank you for your patience. (Owen) you're up next. And you have the last word.

(Owen): Okay, (Owen DeLong), for the record. I prefer the finite approach - the deterministic list approach. I realize that that may lead to the Red Cross knocking on ICANN's door again, so be it. But if we are going to do this, I think we should, as James Bladel has stated, I think we should communicate back to Red Cross that really, their brand management, kind of, brand protection is their responsibility. And while their names are protected by treaty and whatnot, it's really up to them to defend that on a case by case basis. And it's not really ICANN's role to treat them different from any other internationally protected trademark or anything else.

James Bladel: Thanks. (Barry)?

Berry Cobb: Hi, I'll just respond to that (Mary) had just mentioned something as well. And this finite list is not including typos or anything like that. However, there are, based on the algorithm that converts these formal names into DNS labels, there are different, you know, there are additions so to speak. But again, the principle is that these are based on the legal basis that they group discover. And, to your point sir, within the current IRT for the IGO and INGO and partial Red Cross implementations, there is a process that's defined and that draft policy language for how these lists can be managed.

And specifically, within the scope of what, how these came was the International Olympic Committee, which had a very small list and then of course the Red Cross. In short that process is, is (sic) that if there's a 192 national society name that's created that does come formally from the GAK in to ICANN org, for the implementation of that based on this very definitive formula where ICANN org doesn't need to make a decision about whether they should include D or society, or some of these different variance. It's very precise, and as Thomas noted earlier, the addition of these societies, is not a - at least what we've been understood (sic) is it doesn't happen every day, or you know, once a year at best - maybe once every three or four years, but very small.

James Bladel: Thanks (Barry). And I think we made our concerns known and clear and it'll be up to you guys and councils of the future to keep that list as small as possible.

So, the queue is clear. I want to thank you again, for all of your work on this Thomas. And I think we look forward to your final recommendations coming soon. And excellent, excellent work, thank you. Thank you for your update.

With that we'll pause...

Thomas: Thanks everyone. Oops, sorry.

James Bladel: With that, we'll pause the recording. And I'll wait until we get a green light for the next session.

And there we go. The next session on our agenda - and we're only now seven minutes behind, so we have caught up a little bit. I'm going to thank or blame the GAK dot Amazon discussion that's happening in another room. It's keeping this more of a lightweight discussion than we've had earlier.

But the next item on our agenda is a discussion on a presentation by Marika Konings, an overview of the GNSO operation procedures and bylaws. So, let's just set the stage a little bit is that we have these new ICANN bylaws that lay out the empowered community and - as rights and roles and responsibilities and obligations of decisional participants of which the GNSO is one. Which requires us to - which required us to take a fresh look at our bylaws and our operating procedures. We put together a group that did exactly that and fulfilled that assignment. We are simply waiting to give that a comprehensive overview from this group so that we can decide how, and if, and when to adopt them and to move forward. I think that, as I said before, this - we're tinkering under the hood with some very important and foundational elements of how the GNSO and the GNSO council conducts its business. And so, it's very important that we give this the appropriate attention.

So, I think Marika Konings wants to introduce this topic now. I think it's also on our agenda on Wednesday - no it's not. But it is part and parcel of the agenda that's taking shape for the workshop that will be conducted - the intersessional workshop that we're targeting for January. So, this will also be fodder for that discussion. So, with that, I'll turn it over to Marika Konings and she can walk us through the highlights of the changes and the proposed amendments to the bylaws.

Marika Konings: Thank you very much, James Bladel. This is Marika Konings and I think you already provided most of the intro that I had written here as well. But I just need to highlight again, the proposed modifications to the GNSO operating procedures and the bylaws are basically the translation or the implementation of the recommendations of the written obligations bylaws drafting team.

There is a very detailed staff report that was attached to the public comment period. In which we've basically gone through each of the recommendations and in each of the new sections of the ICANN bylaws as a result of the transition and basically indicated how those were addressed. That is a very

lengthy report, but if you actually look at the actual changes, those are much more limited. As for many of the new requirements and obligations, similar solutions have been applied. And as such, it didn't require a lot of rewriting, as such.

So, in that approach of translating the recommendations in to actual language for the GNSO operating procedures and ICANN bylaws, we really tried to take a minimalist approach. So, really do the minimum necessary to achieve what the drafting team put forward in their recommendations.

We did highlight, as well, in our report that there will be additional work needed from our perspective to facilitate the GNSO participation in the empowered community. But that's not something that needs to be written out or spelled out in the operating procedures or bylaws, but those are more in the form of providing templates for when you want to submit motions on certain topics as the bylaws outline certain requirements that need to be met or certain information that needs to be provided. Similarly, it may be helpful to have a fact sheet on some of the steps that needs to be taken, or the timing that's involved in relation to certain decisions. But again, we see that as a next step.

Similarly, there are some processes that will need to be developed both by the GNSO council as well as GNSO stakeholder groups and constituencies. And that especially relates to the ability of individuals to submit a petition. The bylaws specifically foresee that a number of instances and individuals should be able to put forward a petition. But it doesn't prescribe, you know, how that should happen.

And currently, for example, we don't have anything in place, at least that I'm aware, in either the council level neither at a stakeholder group or constituency level for individuals to come up and say, "Here is a petition, I would like you to take forward." So again, that's an area we had identified for

further work, but necessarily something that needs to be part of the GNSO operating procedures or the ICANN bylaws.

We did take advantage of this update to fold in a number of outstanding changes to the GNSO operating procedures that either were cosmetic or resulted from previous recommendations. So, those, you know, did not come out of the work of the bylaws drafting team, but they are nevertheless reflected in the red line that was posted for public comment.

So, there a quite a few changes that just relate to the fact that references were outdated, the numbering of the post-transition bylaws changed compared to the previous version. So, we had to update all those references. We made some updates to the generalized schedule for board election to align with the new timing and notification requirements. And again, this is a generalized schedule, it doesn't bind you as such.

And there were some inclusions as a result of the recommendation of the GAK GNSO consultation group recommendations that specifically concerns a reference to the GAK quick look mechanism. So, a paragraph in that regard was added. And then there's also one recommendation that stems from the GNSO PDP improvement effort where we now have a standing practice of including a draft PDP working group charter as part of the preliminary issue report. So, it was also already previously agreed that that should also become part of the PDP manual. And again, those are changes that were previously agree or are, you know, from our perspective cosmetic in nature. So, we don't cover them further here in this presentation.

So, what are the main changes that you see as a result of the drafting team recommendations? There are actually a host of new sections in the bylaws where we actually determined that no changes would be needed because there either was already sufficient guidance provided in the ICANN bylaws on how that would need to happen, or you know, existing procedures would provide sufficient guidance on, you know, simple majority vote as a default

voting threshold, as well as timing for providing motions and discussions. Or they had been addressed otherwise and one specific example of that is the creation of the standing selection committee. So, all the elements of the new bylaws that deal with the need to appoint members either to review teams or new structures that were created, like the CSC - those have all basically been addressed by the creation of the SSE and from our perspective, nothing further was needed as a result.

The main changes to the ICANN bylaws relate to the section that deals with GNSO voting thresholds. So, there - and I'll show you those on the next slide. But basically, there are quite a few new decisions that the GNSO as a participant in the empowered community is able or has to take in certain occasions. And the bylaws drafting team, basically, went through all those decisions and decided, you know, what the appropriate threshold for those should be. I don't need those that do not fall under the standard or the default voting threshold of a simple majority of each house have now been included here. So, some of those are super majority votes, some of those have a lower threshold. So again, we'll go to those next.

There are also some changes in operating procedures to reflect that certain decisions are accepted automatically. And again, that's to ensure that in certain instances it - and again, that follows the recommendations of the bylaws drafting team, it shouldn't be a council decision or determination. But basically, for stakeholder groups or constituencies to be able to make a certain decision -- and I think this specifically relates to petitions. And there shouldn't be any kind of interference from the council in that regard. But at the same time, the bylaws were very clear that some kind of decision is needed.

So, again, the solution that was discussed and agreed to with the bylaws drafting team was to create a kind of mechanisms (sic) whereby those kinds of requests would be automatically added to the consent agenda, without the ability to remove those. So, basically, it would result in a decision by the

council, but basically, it would be in the form of a rubber stamping, as there wouldn't be an ability for any other council member to either take it off or basically vote it down.

Another element that was added, and again it's a result of the timing requirements that are in the new bylaws, there are some timelines that are very short and basically, did not align with the timing requirements that are currently in the GNSO operating procedures. I think you're all familiar with the 10-day document and motion deadline. You know, calling up special meetings. So, in order to deal with that, and instead of creating exceptions for every single decision that might be the result of a different timeline, there's a proposal to include a waiver so that the council leadership is able to determine or decide when such a waiver would be appropriate in order to meet the - its obligations as a decisional participant.

Clarification was added that certain petitions submitted by an individual need to go via a stakeholder group and constituency -- and I just spoke about that before as well. It is stated in the bylaws that that is a requirement for individuals to have that ability. Again, the drafting team discussed, you know, what form that should take and there was agreement that those would need to go through stakeholder groups and constituencies. So, again, that is something where, further down the line stakeholder groups and constituencies would need to put procedures in place for individuals to have that ability and then decide as well, you know, how that then is moved further up the line.

And then another point is in the relation to the petitions, or petition to remove a board director. There was agreement on the drafting team that that actually should come through the GNSO council. So again, there's a clarification in there that that is the path for petitions by an individual. And again, that's something where at some point the GNSO council will need to devise a process or an approach to allow individuals to put forward such a petition to the GNSO council.

So then looking at those more closely, what I've basically done is just cut out the red line sections of the GNSO operating procedures and bylaws. So, you'll hopefully get a better sense of, you know, the limited extent of these changes. And I said, you know, we've really tried to keep the changes as minimal as possible to - but still at the same time, of course, to implement and make sure that the drafting team recommendations are implemented.

So, I said, the main - or the only changes to the bylaws is the addition of a number of voting thresholds. And I won't go through all of them, but you can see basically, in bold those are the different decisions that the GNSO either has the ability or the obligation to make as a member of the empowered community and as a decisional participant.

So, that basically covers two full pages. And again, the proposed voting threshold here, that is all derived from the recommendations of the bylaws drafting team.

On the next slide, you see the addition that has been made to allow for this automatic - decisions to be automatically accepted. And again, that specifically relates for an inspection request, or an inspection remedy. So, those are automatically added to the consent agenda, and it can only be removed at the request of the GNSO council member that originally made that request, or the person serving as an alternate for such council member. So again, that's to ensure that those decisions are automatically passed through while at the same time, still having a formal decision from the GNSO.

There was a new chapter created that has a number of sections that specifically relate to the GNSO as a decisional participant in the empowered community. So that first section just describes the GNSO's role in that regard and how decisions are expected to be taken. It also calls out again that the GNSO representative to the empowered community administration, only acts as directed by the GNSO as a decisional participant. Again, to clarify a (sic)

earlier agreement in that regard and also as that - how that's explained in the ICANN bylaws that is just a - basically, that person passes through information that is made by the decisional participants and doesn't have any decision-making power themselves.

Then also it details, as I've referenced before, the - how the submission of petitions should take place. Again, the director removal process, all those are expected to go through the GNSO council. Where the GNSO council - and again, it states it here as well -- has then an obligation to develop a clear process and rules for the submission of such petitions. And, you know, once those are developed, those could be added as an annex. And similarly, for other petitions, those are expected to be submitted through a GNSO stakeholder group or constituency. And again, those groups are then also expected to develop and publish those rules and as well any requirements for the criteria to be included in a petition. Because again, certain information is expected to be provided. And those then would be also be annexed to the GNSO operating procedures once made available.

Then as noted, the waiver for timing requirements and - this allows me then as well at the same time to mention that, you know, we did get a public comment I believe from all stakeholder groups and constituencies, most specifically indicating that they supported the purposed changes, or at least deemed them all consistent with the bylaws drafting team recommendations.

And there was one specific change proposed in relation to this item to really make clear that the council leadership would act unanimously in this regard. It currently says, you know, as recommended by the GNSO chair and council vice chairs, but it was a suggestion to make it even more explicit and as recommended unanimously by the GNSO chair and council vice chairs. From a staff perspective, we don't have any concerns or objections to that. So, that would be a change we would suggest making based - in response to public comment.

There was also one clarification suggested to the voting thresholds table. But again, we haven't included it here because that seemed just a minor change, just for clarification, it didn't change the actual content or approach that was put forward.

So, I said - so those are basically all the changes that are being proposed. So, they're fairly limited, although, of course, they do have a specific impact on how the GNSO is expected to operate as a decision participant in the empowered community. As I noted, we did get submissions from almost all the stakeholder groups and constituencies. We did get explicit support for the proposed changes and their consistency from a number of groups. Others didn't object - that didn't state explicit support didn't have specific objections. But a number of groups, the CSG in particular, they restated the position that they also outlined in the minority report to the bylaws drafting team that the GNSO council is not the appropriate vehicle for the GNSO to exercise empowered community rights and responsibilities.

There were, as well, some other comments that were made. But in the report and public comments we tried to respond to all of those. I think some of the comments were valid comments but weren't really in the remit of what was done here. I think some of the comments related to what's actually in the bylaws, so we directed those commenters to, you know, take that up in the broader conversation at some point, you know, should there be further changes. And I think one question related as well to, I think, the process that the contracted party house has for the appointment of their board member. And again, we suggested that those who made that comment directly reach out to those responsible for developing that process. That is not something that, you know, came out of this or any changes were proposed in that regard.

So basically, I think we're here now to discuss, you know, what could, or should next steps be. One path forward is the adoption of the revised GNSO operating procedures and the ICANN bylaws. As noted, there were some

minor updates that we suggested based on the public comments. You may want to further consider the comments that were submitted.

If there's a need to consult with the bylaws drafting team, I'm sure, you know, they may still also be willing and available to do so. But as I've pointed out before, until such time the revised GNSO operating procedures and bylaws are in place, any and all decision related to the GNSO as a decisional participant in the empowered community fall under the existing rules and voting thresholds. So, that basically means unless it's specifically called out, it's, you know, simple majority of each house to take any kind of decisions.

Also, worth noting that, you know, in addition to approval by the GNSO council, any changes to the ICANN bylaws will also require board approval. So, that means that following your consideration and approval, those would need to be put out for public comment, depending on what comes back, those comments would need to be analyzed. Again, unless - if there's no concern or comments on those proposed changes, it would then go to the board for their approval before those changes would take effect.

And I think that's all I had. So, I think I'll turn it back to you. I don't know if there are any questions or clarifications or you want to continue discussion on what should happen next.

James Bladel: Thanks Marika Konings, and I know that this is just the beginning of a longer examination of these potential changes. I just had one question and I apologize I stepped out for a couple of minutes and then came back. But, there was a mention of the GAK quick look and the SSE -- the standing selection committee -- and, you know, my only thought here is that those are relatively new mechanisms and the bylaws are, like, you know, etching into stone. And I'm just wondering if either of those change, you know, we could be, if - reexamining I think we're scheduled to look at the SSE charter after it makes this next selection. The quick look might, you know, go away. I don't -

you know - so, I just want to make sure that we're not making things permanent that aren't - are potentially a little bit more fluid.

Marika Konings: Yes, this is Marika Konings, and I can answer that. So, on the SSE - there's actually nothing in relation to the SSE that goes into either the bylaws or the operating procedures. It's just considered as part of the staff report going through those specific elements in the bylaws that relate to appointments where we note, you know, this has been dealt with. So, there's, from that perspective, nothing set in stone. It didn't feel either that it needed to be called out.

It's just indeed that, you know, it's up to the council to determine how you make those appointments and you've done that through the creations of an SSE. But, that doesn't prevent you from, you know, either reviewing the charter at some point, or at some point deciding, you know, this doesn't work for us, we need to do something else and we're going to do it another way. So, nothing in that regard is added or deleted that would prevent you from making any changes.

In relation to the quick look mechanism, that is actually a proposed addition in the GNSO operating procedures. So, there's an easier way in that regard, should at any point that come out. But that was actually, you know, it was kind of - because we did a trial, and only after the trial was done, the consultation group reviewed it, proposed some tweaks and then they recommended that it should be a standard feature of the process.

But again, the way it is currently written and inserted there, it doesn't mean that it would hold up anything. It's not that if the GAK doesn't respond to the quick look mechanism the PDP comes to a halt or anything like that. It just makes clear that there's an additional mechanism or step in place that a working group is expected to undertake. And again, it's actually through the liaison that that responsibility is carried out by just informing the GAK when

an issue report has been requested so that they have been put on notice that a public comment period on that topic is coming up.

So, by the time the public comment period is open, they have the ability to, kind of, you know, put up a red flag or a green flag to say, "We think this has public policy concerns." So, it also gives them an indication to the GNSO, you know, what kind of interest from the GAK there may be in that topic. And again, at least from my perspective, I think the main objective it serves is that the, you know, the GAK is aware of what is going on and is able as well internally then to start thinking how they want to engage or interact with the GNSO and have the ability to submit any relevant information to the GNSO.

But again, you know, have a look at the language if you think that's putting anything in stone that could be problematic but at least from a staff perspective we don't think that there is anything that could or should be of particular concern.

James Bladel: Any other questions for Marika Konings? Noting that this is not the end of this conversation, but...

Woman 2: (Unintelligible).

Heather Forrest: Thanks, James Bladel, Heather Forrest. Just to follow up on what James Bladel said, I do think that it would be helpful to have this as a, you know, a much fuller discussion in our strategic session in January and take the opportunity. I know it's not maybe the most scintillating thing, but I think, you know, in this - in the empowered community, we need to understand that we have new express, explicit legal responsibility. And we want to make sure that we as a council are operating within that.

We're in a different environment now and what we do has more contribution, let's say, to the legal compliance of the organization. So, I think it's important we take the time to discuss that not just, you know, shove this in to a 20-

minute agenda item here. So, hence I propose that we, you know, that we have a much fuller discussion on this to make sure that we're all on the same page. And that should include the new incoming councilors as well. So, thank you.

Man 3: Just a brief follow-up to what you just said Heather Forrest and what (Stephanie) said much - at the previous discussion with the CO where she raised the question whether this GNSO and other responsible part of the SONAC carry certain legal liabilities. It would be good when we have this debate in January to look in to this item as well. Because it's true. I thought a little bit about it - it even - when you look in to the bylaws and the new responsibilities, automatically there must be some legal liabilities. This - these part (sic) of the organizations and will carry as well, probably nobody looked in to it. So, we should do it.

James Bladel: Thank you. Any other - Marika Konings?

Marika Konings: Yes, this is Marika Konings. To have this point, and as well to all the council members it would be helpful to understand or get some feedback on what else we need or expect in preparation for that discussion. Or if there's anything you expect from our side or whether you expect someone else to provide you with further information. Because I said, from our perspective, all the information is in this slide deck and specific as well and the red line and the staff report that we put forward. So, if there's anything else we can provide you to facilitate that conversation, you know, please do let us know so we can assist in that regard.

James Bladel: Okay, well with that, we can probably wrap up this particular agenda item. As we said before, this will come up again fairly shortly. So, keep it front of mind.

So, with that we'll pause the recording and get ready for our next session which is actually all about Heather Forrest. But I would hope that more councilors would come in. I think they're still talking about Amazon, so I think

you're going to suffer from a - suffer or benefit from a reduced volume of questions. So, this is the time of the meeting and the time of the, you know, of the term cycle where we have Q&A with the candidates for the chair- the GNSO chair. In this particular case it's singular candidate. Hopefully, you've had a chance to read (Heather's) candidate statement, which was published I think about 3 weeks ago?

Heather Forrest: No, it's not - it would have been the 29th, no it would have been the 10th of October.

James Bladel: Okay, yes. Earlier this month. So, hopefully you had a chance to read that and to, you know, if it prompted some questions, I guess at this point I would turn it over to the floor. And Heather Forrest, I don't know if you have an opening statement that you'd like to make first before we throw open the flood gates? Go ahead.

Heather Forrest: Thanks James Bladel. It's Heather Forrest. So, the question was asked of me this morning as I got in to the room, had I received any questions in advance? And I said, "No." But, that's absolutely fine. I'm more than happy to take questions as it is. And I think in light of the fact that - and I confess, Marika Konings I think very highly of you, but I was listening with half an ear to the previous discussion because I too was following the GAK session.

I think in light of that, you know, this ought to be an opportunity to say that, yes this is transcribed and recorded, but I'm happy to answer questions throughout the week. You know, that ought to be how things happen here. So, we're missing people in the room but, to the extent that anyone has questions that they haven't had an opportunity to ask, then by all means, we can do that. And I'm sure James Bladel would understand if we needed that on record if we had to take five minutes of Wednesday to do that as well, we could do that. Thanks. Over to you.

James Bladel: So, an empty queue.

Man 4: (Unintelligible).

James Bladel: Oh, yes, okay. There you go. We have our first customer.

Michele Neylon: All right, it's Michele Neylon. I'm going to be really gentle. I'm just going to ask, kind of, philosophical questions, things like, you know, which came first, the chicken or the egg? Coffee or tea?

Woman 3: (Unintelligible).

Michele Neylon: Tea, okay.

Woman 3: (Unintelligible).

Michele Neylon: All right, okay. Well, I think, I mean joking aside, which I know for me can be a little bit of a challenge at times. I think that the fact that there isn't a massive line of people queuing up either in person, online, or using any other means to grill you with questions is a testament to the level of trust that you've built on the council over the last couple of years. So, I think, you know, the fact that we're silent is probably a good thing. It doesn't mean silent dissent - now, of course, (Tatiana), of course, that would completely throw that out the window. I was doing so well. But, no, I think that is actually in many respects a reflection of the consideration and the regard in which you are held. Thank you.

Heather Forrest: (Tatiana), I'm sorry I'm going to jump you very quickly only to respond to (Mckaley's) point. I wonder as I - so, Michele Neylon thank you. That's a very kind thing to say. And (Paul), thank you very much in the chat. Can I say this? Maybe this isn't an opening statement, but maybe it's helpful for you, in light of what Michele Neylon said for me to tell you what makes me a little bit nervous. Because this is what I've told James Bladel and Donna Austin - I'm super, super conscious of the importance of trust in this particular instance.

I'm, as I said to members of the contracted party - contractor's party's house earlier this morning, I'm conscious of the fact that I'm - that puts them in an interesting position - having a non-contracted chair. And I am aware of that with everything that I do. Which is why I found it particularly interesting, you know, the go around with (Chris Justain) a few hours ago, which fundamentally comes down to the role of chairs of SOs and ACs.

I will tell you that the thing that makes me most nervous is communicating to you the fact that I - you know, how do I make sure that you understand just how, not anxious, but how aware I am of the need for transparency, and the need to ensure that the community understand that the role of chair is not one of authority. I understand this painfully. And whether the community understands this I'm not sure, including you folks.

So, I need you to appreciate that this is the thing that keeps me up at night. I have no special authority. And when I was pulled in to a meeting on Friday, the very first thing that I said was, "I cannot make decisions here. Not because I'm (James's) proxy, but I have no way of representing my SO." And therefore - I'm trying to figure our personally -- and I want to take your advice for this -- what I do in situations like Friday.

When something happens where, you know, there's an assumption that you can act on behalf of an SO or AC, all I tend to say is, "I'm sorry, I can't act on the SO or AC." And you're often, let's say, at risk of being characterized as not a team player or wink, wink, "You know, look we just need to get something done here. Like, don't slow down the process." And we as the GNSO are almost always in the firing line for, "My god, it takes you forever to do things," you know, "my god, please don't take it back to the GNSO."

I need you - I operate on instructions and I turn you to the IPC, you know, if you have any question or concern about how what means to me (sic). It means, I operate on instruction, and if that means slowing everything down, it means slowing everything down. So hence, I will tell you that that's the thing

that makes me most nervous is, how do I on the fly - how do we react to things when it happens.

So, Michele Neylon please.

Michele Neylon: Thanks, Heather Forrest. Just a very brief reaction. I was chair of the registrars for three years, which was interesting. And that kind of scenario and situation arose more than once. And it is a pain in the neck because you are - you do come under pressure at various time from various parties who want the ball to move forward and even when you agree with them wholeheartedly yourself, you have to be really, really careful how you respond. So, I spent a lot of my time giving very vague non-committal responses. So, I - yes, it's an awkward one, it's not easy. And the thing I suppose is that, you know, it's just having - being able to have the confidence to say, "I'm going to have to get back to you. I will need to check back with the others. At this point in time, we don't have a particular view on this."

James Bladel: (Tatiana)?

(Tatiana): Well, actually it's not like I had a question, but now I don't have any because Heather Forrest and (Michelle) - Michele Neylon just answered it. What I wanted to ask, like this follow-up on Friday. But I also want to say it on the record why I think I personally - in my personal capacity have so less questions is that we had a call with Heather Forrest and CSG. And that was very accommodating and, you know, on the very last minute agreed and I think that we really asked lot of questions there. Thank you for answering them.

James Bladel: Susan, and then Rafik Dammak.

Susan: So, (Susan Cosby), just for the record. Thank you for running and stepping up because in some ways it's a thankless job. But we need good strong leadership and we have appreciated (James's) leadership over the last few

years. I think, even though today we've had some hard discussions, you manage to thread the needle really well, today.

Which, you know, I mean, there were times - you know, and seeing (Chris's) comment I was like, "Okay, we've got to..." You know, there's something just not adding up here. And so, and perceptions - if people perceive conversations in different ways. And so, it's just, sort of, miscommunication sometimes. So, don't always be too nice, you know. You can always be nice but strong. And so, I would urge you to be that. But I think, one of your strong suits is the fact that you communicate well with a lot of people. So, just keep that up.

Heather Forrest: Thanks, Susan. I think if I don't, you have to tell me. Don't do this, kind of, mind game saying, "Don't tell me that I can read minds." And I would say my reaction to the comment from (Chris) was two-fold and that's generally the way that I operate. And if that's not happy for folks, you have to tell me. One was the transparency of pitching that e-mail exchange to the list. And two - I kind of feel like there's times to pick your battles with the board -- or individual board members -- and times not to.

And I'm very conscious of the fact that I am not, you know, I'm not currently the GNSO chair. I was there as a proxy, I very much appreciate (James's) attempt to explain what was exactly in my mind, and infuriatingly so, as (Chris) made his intervention. But I think, you know, we as a community need to think about when you pick your battles and that was what was in my head. Not stepping back from it, but just - I don't think this is the one to go to the mat on.

James Bladel: So, I'm not answerable to anybody anymore and I'll say that I thought (Chris's) intervention was completely unfair.

Okay, Rafik Dammak and then (Keith).

Rafik Dammak: Thanks, Rafik Dammak speaking. Thank you, Heather Forrest for running for this election. I think, as you heard, it's a thankless job. But, what I want to ask here, I think you are commenting for many things and you are looking through a lot as the chair of the GNSO. But, I want to hear from you, what are your expectations from your colleagues on the council? How we can you help you in your job. And also, even from the (unintelligible) group, I think we should not just because - even if we have now GNSO leadership, that I'm not sure what to call it, (unintelligible). But what are your expectation from on how we can help you (sic)? What you want the council to do more of that we can be more effective in regard to the board or the SO and ACs and all to do our work as the policy manager, so.

Heather Forrest: Wow, great question. Rafik Dammak, I think I will say one of the things that we've been kicking around the three of us, in terms of planning January, and indeed it's the very same question that came up when we met with you on Friday, the SO and AC chairs, and my - it - Donna Austin and I were there are (James's) proxy.

I'm - there's a time when being able to speak very, very honestly gets things done. I think we have lots of elephants in rooms at - in the GNSO. And I think there are times when, if we could just call the elephant in the room and do so in a safe space -- whether you call that Chatham House Rules or what, I don't know. I don't know how that exists within the transparency and accountability of ICANN. And I'm thinking specifically here, around the session that we have the opportunity to have in January. I think that's one that we can either do really, really well with, or we can waste as an opportunity. And I don't mean that in a negative way, but I mean, you know, we know that we've had meetings where we sit in a room and we smile at each other and that's the end of it.

I have a feeling that when we have tensions, it would be easier - rather than dance around them and drag around them, I think it would just be easier if we could call it out and say what it is. Now, how we do that, how we're able to

speaking frankly - whether we're all on record, or whether we cannot speak on record, I don't know. And that was response too. So, (Youran's) first question to us on Friday afternoon was -- and Donna Austin and I were both there for this -- was, "Should we record the session."

You know, what do we do? I mean, we're in the room, eight people and the CEO, and do we record. And - A, and then B, what are we going to talk about, should we have this group? And I think the concern that was raised, not just by us, but by others was, well if we have this group, how does that factor into our own accountability, and how do we - yes, we want to be able to get things done, but, you know, if we could all just say, "Well, can we all just admit that X is a problem," and even just doing that puts you in a difficult spot. So, I mean, we're back to the point that Michele Neylon made, really.

I think we need to figure out a way to work together that's - how do we do that, that it's a bit more - honest is not the right word - it's a bit more, open without taking things personally. And without letting that come to grief. I don't know, you're shaking your head which means I've either gotten it way wrong and we're now in a really bad place for Wednesday. That's my impressions, Rafik Dammak. It's a brilliant question.

James Bladel: (Keith)?

Keith Drazek Thanks, James Bladel. And thanks, Heather Forrest. I think I can say that, you know, from Day 1 as we, sort of, considered the next phase for the council that you've had very, very strong support within the contracted party house. The registry stakeholder group, certainly I can speak to, and in our CPH ex-con discussions, just very, very strong support for your candidacy and we're just very, very appreciative that you're stepping up to this. So, thank you.

I think - I sort of see the role has two facets, right. There's the engagement within the council and within the GNSO, you know, sort of keeping the trains

running on time and managing these processes and, you know, keeping all of us focused on the tasks at hand and engaging with staff. But then there's also the engagement with the other SO AC leaders, ICANN staff, you know, senior staff, the board.

And that's really something that started under (Foddy), where he identified the need for, sort of, this - the group of leaders to come together, the community leaders to come together and have that engagement with board and staff. I think there were some concerns about that initially. Of, sort of, elevating these individuals as leaders as opposed to, you know, sort of working within the construct of, you know, our community structures. But I do think there's a tremendous opportunity there, in those sessions. Whether it's an impromptu meeting, like the one that happened on Friday - the SO AC leaders' dinner with senior management and board members.

So, I think there's an opportunity there for any council chair to really engage with the other folks in the community, including staff and board. And to represent what we are, and what we do, and what we stand for. Both in terms of respecting process and in - just in terms of, you know, communicating the interests of this group as an SO.

So, it's just an observation. But there are really two components to this, and I think you're going to do a great job on both of them. So, thanks.

Heather Forrest: Thanks, (Keith). Quick response to you. First of all, to say that, you know, let's wait for Wednesday, but beyond that, I will never ever, ever take for granted what you've just said at the start of your intervention. I - yes, it's incredibly humbling and flattering to hear what you've said, so thank you. And I can only hope to leave on as positive a note as James Bladel is leaving. I will do my utmost.

I think, (Keith) the way that I see that, you're right. That outward interaction - there are things that we don't like admit it, and there's not a lot of people in

the room now. But there are things that we agree on. One of them is that certain things -- i.e. things having to do with GTLDs -- are very much within our remit.

And I say that at every opportunity. I would not like to see our remit -- that would be a failure on my part -- see our remit get somehow shaved off, or cut off, or hampered in the time that I sit in the chair, if that's what's happened. So, we can certainly agree on that, we can certainly agree on the fact that we're a very diverse community, we can agree on the fact that we have to go back and talk to that community, that we can't actually take actions. On those basic fundamentals I always have a talking point, let's say, and I'm happy to proselytize that to any and all that I speak to.

James Bladel: (Darcy)?

Darcy Southwell Thanks James Bladel. Just to echo what everyone else said, I think that Heather Forrest, you've demonstrated over the time I've been on the council and in your role as Vice Chair, an incredible ability and so, we have a lot of faith in you in the contractor party house.

Sort of to (Keith's) point a little bit, and also to what you just said, we obviously have the work to do within the council and within the GNSO and we have an enormous workload as it is. But, how do you think we should engage with these other SOs and ACs and just generally the community to help advance that concept that GTLD policy is within in our mandate, that is where it's supposed to be?

Heather Forrest: (Darcy), if only I had the answer to your question. Look, I think what we can do, at the end of the day, we are here - the bylaws tell us that we're here for the purposed of policy development and that's really our section in the bylaws. Policy development as it relates to GTLDs. As to how that actually manifests, there aren't that many opportunities -- and when they do arise, folks don't really pay attention to them -- but, to have that kind of existential

discussion at random. You know, let's talk about the PDP, let's talk about the GNSO (unintelligible).

Where I think specifically we can do this, for example, one of the ideas that I have kicking around in the back of my head is in relation to work track five, which we were talking about this morning. I personally see that there's a clear potential issue with having very outspoken co-leaders from other SOs and ACs who believe it's their job to shift the needle in a particular direction and not act as neutral facilitators of discussion. And I think we need to support (Jeff) and (Auvry) in a very serious way in educating those co-chairs - co-leaders of that work track.

As to what the PDP manual is, I mean, I actually would suggest that we all go back and have a quick read of -- or not so quick -- read ourselves of the PDP manual. So that we can say with authority when someone puts our feet to the fire, not but what are the GNSO procedures. I'm a big combatant of this idea of ICANN policy by assumption. And it's very easy because we're all information overloaded to make assumptions. But I think to the extent that we are better informed ourselves as to what is within our - not our remit as such, but how we do business.

Matters like these questions are on consensus and how we reach it and doing business within the working group and what the role of the leadership is and this kind of thing. I think that's a very specific area where we can do something here. And it's really an education campaign, I think. We all need to be consistent and I would not like to think that we're making guesses. A lot of times we - you know, part of the problem I think we have, is that we have really amazing policy support staff and when we have a question up here that we're not sure about the answer on, we ping it that way. You know, what does that say? What do the bylaws say? What is - I think to the extent that we all were able to answer on the spot some of those questions we'd be in a better position because we would in our own way help to dispel that kind of policy making by assumption.

James Bladel: Wolf Ulrich Knoblen.

Wolf Ulrich Knoblen: Yes, (unintelligible) speaking. Another statement, Heather Forrest. I have to leave, I'm going to leave the council right now, end of this meeting. I'm - I invite (Phillip unintelligible), my colleague who is going to follow me here that he is - he'll be able to work here under your chairmanship. So, I'm convinced you will do the best job. I'm really convinced about that. And I would like just to say, keep your target orientation as you have shown over the last years. And I'm sure you - all the colleagues, they will have lot of workload to be done as well (sic). But you will have also enough fun with you. So, that's what I would expect really. And, yes, keep your humor and all the best to you. Thanks.

James Bladel: Cheryl Langdon-Orr.

Cheryl Langdon-Orr: Thank you, James Bladel. And I'm now going to speak two-fold. First of all, as one of those chairs a million, million years ago, when it was, you know, Cheryl Langdon-Orr and (Chuck) together who were finding it really useful to actually talk to each other. So, I just wanted to come to that. But I also wanted to mention what you said about work track five and the PDP guidelines.

First of all, back to the dim, dark, distant past, it was so important for the informal network that (Chuck), myself, and others including (Steve Crocker) at the time as chairs of the silos who were really never to speak to each other. And if - when you look at the legacy you've got with the formal and informal networks you've not got to work with, remember this little story. That when we dared to gather together in a room in Sydney at an ICANN meeting, the horror that occurred, and the senior staff that had to be sent in to find out what on Earth we were doing together in a room speaking with each other. I mean, we've come so far that you've actually got to - a great advantage to leverage on. So, you know, we tried to - obviously to keep it fairly informal, it's

become something very different than what we had, sort of, envisaged. But, it really is a - I think a great legacy to build on.

But you've got the skills because of the communication ability you've got that others have spoken to. And saying, you've got to come back to the council, there's nothing wrong with that, because it's very awkward for others who maybe make a decision and then have the lack of support when they go back to their AC or SO. So, I think you've always got the high ground if you follow that.

But, just on your work track five issue, (Jeff) and I will be diligent, I can assure you, on this. Anyone who's worked with me knows I have particular ideas on this. But, you've got the benefit that we meet with those work track leaders every week. So, there's no long space where we're going to let things molder away. And there's the peer pressure of how the other work track leaders are already conducting their work pieces influencing how work track five leaders will be expected to do (unintelligible). I think you're - you needn't be quite so concerned. But, very pleased to have council backup if things go wrong. Thanks.

Heather Forrest: (Unintelligible).

James Bladel: Well I had - I put myself in the queue...

Heather Forrest: I see that (unintelligible).

James Bladel: ...if you don't mind. As a non-voter.

Heather Forrest: You do too vote.

James Bladel: I don't vote. I just wanted to say I'm also very grateful that (Heather's) stepped forward. This is not an easy thing. I questioned sometimes what - you know, just in terms of the time commitment, what I'd taken on. And I

know that you've seen this now first hand. At least I had the excuse of I was completely ignorant of the commitment, but Heather Forrest is going in to it eyes wide open. And, I hope it's been apparent just how well the three of us work together as a team. That we don't take those responsibilities towards transparency and commitment to this group lightly. We don't - we do see this as a position of service and while I'm certain and confident that Heather Forrest will put her own mark on the term ahead, I am also grateful that there's going to be some continuity to this really great team, and that that will carry forward. You know, I think that - obviously, she's going to be great.

As far as the challenge of, you know, working within the council and also, kind of, speaking for the GNSO out in the broader world, I think there is an art to being somewhat duplicitous - is maybe not the right word. But at least giving folks the impression that you're listening to them on behalf of the GNSO, but maybe not speaking on behalf of the GNSO. Because otherwise, they just stop coming to you, inviting you into those conversations that Cheryl Langdon-Orr was referencing. So, it is a delicate balance which I'm sure that you'll handle that fine as well.

So, I think it's all very encouraging. I think that the fact that this was - traditionally this part of the agenda was meant to ask the really tough questions and it's turned in to kind of (Heather Forest), this is how much we love you session, I think is a good indication of the level of support that you have. So...

Heather Forrest: He's going to say that he doesn't love me, don't let him talk.

James Bladel: No, we're just - but I know that you wanted to make...

Heather Forrest: Yes, (unintelligible).

James Bladel: ...and then I have some housekeeping items coming up. So...

Heather Forrest: (Unintelligible)...

James Bladel: ... go ahead and...

Heather Forrest: ...(unintelligible) but if Michele Neylon wants to speak, I'm not going to cut him off.

Michele Neylon: Well, it's just, you know, we are building you up. So, when we cut you down...

Heather Forrest: Thanks for the shine off the love moment there, Michele Neylon. No, you know what, I was just going to end by thanking James Bladel and Donna Austin and saying the reason that you've had the opportunity to see me at work is because of the team effort that we've had here. Otherwise it could have been the (James Bladel) show for two years. And it hasn't been. And we have truly shared everything equally, and that gives us a council the opportunity to see your Vice Chairs in action, and not just the person who's going to leave council at the end of their term, when they are done with chair.

So, I think this is something that we could all very usefully take on board and Donna Austin and I have given a lot of thought to in terms of perpetuating that collaborative team mentality. And that's why that was really the focus of my statement. I think that's the best way forward for the council. And I also think that we as a community - it's not always easy, and it's not always possible, but need to think about the continuity as we go forward.

You know, at the end of - unfortunately, at the end of the -- well maybe you'll be glad to see the back of us -- at the end of next year, Donna Austin and I walk off council at the same time. So, you'll lose two leaders next year this time and some degree of continuity, this time around would be helpful then going forward. I know it's not always possible, but where it is, I think we should bear that in mind.

And I'll make the offer that I made to the NCSG, I will make it to everyone, and I'm confident I can say here, that I speak for James Bladel and Donna Austin as well - being someone that's survived a role, I think you inherently have to give back and offer your time to anyone who would consider that role in the future. James Bladel has been very generous with his time and his perspective, and I know Donna Austin you would speak to anyone who was thinking about the Vice Chair role and tell them, you know, the real role of Vice Chair and what that entails and the time commitment and so on and so forth. So, on behalf of all of us, I'm going to offer us all up to say anyone in the future who would be considering running, we'd be very happy to tell you what that role is.

So, I will close by thanking you very kindly for all of your decidedly lovely statements.

James Bladel: Okay, thank you. We'll close this session there. And certainly, we can add some time to Wednesday's meeting which is immediately before the election, if anyone has any other (unintelligible). But two quick notes, I mean, we're due to be with the GAK here very shortly. But two quick notes or questions. The first one is - when it comes to the vote in the administrative section, you know, there - the options are to have a voice vote or a paper ballot, a secret ballot. Not everyone - well, most of the folks at this table and on council will be participating in that, but some of us won't - but can I ask, if there is a motion to go with a voice vote, does anyone intend to object and ask for a paper ballot? And I would ask that you make that either known now or on the list as soon as possible. Because it requires staff to do some homework and do some prep work, and so we don't want to blindsides them with that request.

Heather Forrest: They have to print the ballots.

James Bladel: They have to print the ballots, and somebody has to run to Kinkos, and you know. So, it's much - you know, in a situation where we have a single

candidate, certainly a voice vote doesn't look all that improper or inappropriate. So, that's the first thing.

The second thing I have forgotten.

Heather Forrest: (Unintelligible).

James Bladel: Oh, yes...

Michele Neylon: Sorry James Bladel, just to interrupt you very, very briefly. Michele Neylon, very briefly. Okay, so voice vote for the Chair, fine. Do we have to - what - does that have any - a rule on impact on the Vice Chair, or what's the - sorry, I'm just- honestly, I just don't know.

James Bladel: No, I mean, once the Chair is elected, then depending on which house and which side of that house, then the Vice Chair appointments or nominations come in. And so, yes, that happens secondary to that, so.

Second item - I actually have two more items, I'm sorry. The second item is that Tuesday we have a prep session. We usually have a prep session; however, our agenda is fairly light, and the only voting item is consent agenda - no it's not a consent agenda, it's SSE appointments for next term for GAK liaison. So, we can cancel the prep meeting which we normally have to go over motions. We don't really have any. However, we do have refreshments and things, so if you just need a break and want to chat about those things, that's one option. But I think if there are strong opinions about cancelling that particular session, let's let us know. And Marika Konings, maybe can we put a note out to the list for the councilors that aren't here? Of whether we need to - by the end of the day let us know if you want to cancel that session and we'll get that, you know, we'll get that discussion had. Yes, go ahead.

Woman 4: So, the contracted parties house is actually meeting with the board at that time. So, I think if we can cancel that, that might be handy.

James Bladel: Yes, and it's also left us very, very little time to get to the cocktail and send off farewell for (Steve Crocker). So, it was always a problematic time slot. So, given the fact that we have a very light agenda it might make sense to cancel that session. So, give that a thought and we can put that out onto the list.

And the third thing is that I was invited to chat with (Steve) and (Shereen), I believe talking about the board chairmanship transition for breakfast tomorrow. And then, when I think - when it dawned on them that I only have a little bit of time as well, they've invited Heather Forrest as well. And even though that - the election doesn't take place until Wednesday, they've asked us to come and visit with them on Tuesday. And I wanted to make that full disclosure. Does anyone have any particular strong objections to Heather Forrest participating in that meeting even though it is happening the day before the election? If anyone has any - if that's too presumptuous, or if it's going to cause something - I - to be fair, it's I that extended the invitation. I mean, I could have gone and not even told anybody and...

Michele Neylon: James Bladel, there is flogging the dead horse and then there is flaying the poor thing alive.

Heather Forrest: No, no. To (James's) defense, I asked him to bring this up because I want to, I think, start as you need to continue. So, full transparency, I didn't want to go to something that folks didn't know about. So, if you're at all uncomfortable with it, then I take absolutely no offense.

Donna Austin: Will there be a recording of the meeting?

James Bladel: Absolutely no recording.

Heather Forrest: Donna Austin, I will be wearing my secret recording device. I shall be uploading it to the special new GNSO page.

James Bladel: Heather Forrest and I will be wearing wires.

Heather Forrest: Speak louder.

James Bladel: Yes, Rafik Dammak.

Rafik Dammak: Yes, I mean, no objection. Just enjoy the breakfast, I think, so.

James Bladel: I think so. I'd rather sleep in, to be honest. But, okay, so with that we are - you know, let's make the GAK wait for once. We always used to go there and stand in the back of the room for 20 minutes. We're finishing on time. So, thank you everyone for today, for your work. Thank you for your contributions to the week. We will see you, then, on - yes?

END