

**ICANN
Transcription
GNSO Review Working Group
Thursday, 24 May 2018 at 13:00 UTC**

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Attendance

Members:

Jennifer Wolfe (RySG Primary)
Sara Bockey (RrSG Primary)
Wolf-Ulrich Knoblen (ISPCP Primary)
Rafik Dammak (NCSG Primary)

Participants:

None

On Audio Only:

None

Apologies:

Lori Schulman (IPC Primary)

ICANN Staff:

Marika Konings
Julie Hedlund
Andrea Glandon

Andrea Glandon: Thank you. Good morning, good afternoon, and good evening. Welcome to the GNSO Review Working Group Call on the 24th of May 2018 at 13:00 UTC.

On today's call we have Jen Wolfe, Rafik Dammak, Sara Bockey, Wolf-Ulrich Knoblen. We have apologies from Lori Schulman. From staff we have Marika Konings, Julie Hedlund and myself, Andrea Glandon.

I would like to remind all participants to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise.

With this I will turn it over to Jen Wolfe. Please begin.

Jen Wolfe: Thanks everybody for taking the time to join today. I know we're in the home stretch of our work so we appreciate everyone's continued commitment to this effort. Just very briefly I know we have a small group on the phone today, I think there was some conflicts with some other meetings, but does anyone have any updates their statements of interest?

Okay, seeing none. Our agenda for today is to start with an update on the consensus call for the implementation charters for recommendations one, two, and three and also for 20 and 21, which is closing today. We'll get a status update - or status to the update to the GNSO Council, excuse me, and then we'll discuss - we'll start the discussion on the implementation charter for recommendations 6, 33, 35, and 36 on diversity and then also move on to 26, 27, 28, and 29, along with an update on GDPR.

We'll discuss the preparation for the update to the OEC and GNSO Council at ICANN 62 and then our next meeting is two weeks from today on the 7th of June. Julie, could you go ahead and give us an update on the status of those consensus calls?

Julie Hedlund: Yes. Thank you, Jen. This is Julie Hedlund from staff. So as noted, just one week ago we sent out the - I'm sorry, two weeks ago, correction, two weeks ago on the 10th of May we sent out the consensus call for the implementation charters for recommendations 1, 2, and 3 and 4, 20, and 21. And that closes today, the 24th of May.

Thus far no objections or comments have been received. If that is the case at the end of the day today, then these implementation charters will be approved by full consensus and staff will make that announcement accordingly tomorrow and will post the implemented charters on to the status page on the wiki. Thank you, Jen.

Jen Wolfe: Thanks, Julie. Any questions, comment from anyone? Okay. I don't think I see any. Could you go ahead and give us what is - what are we - what is our status on giving an update to the GNSO Council? Was that for their next meeting?

Julie Hedlund: No actually -- this is Julie Hedlund again from staff. So staff sent on behalf of the working group the status update to the GNSO Council on the 14th of May so that it could be if possible added to the agenda for the GNSO Council meeting that was today on the 24th of May. However, the council ended up having really quite a packed schedule, I should say agenda, for its meeting today. Much of it was actually addressing GDPR and the temporary specification issues.

So it did not actually fall on the agenda but the update was indeed presented to the council. We've not received any comments on that update. We were not asking for any specific comments from the council or any specific actions from the council. It was just an update so that they could know where we stood. There is actually a requirement for this group to give periodic updates to the council.

The last update was at ICANN 61 and, as we'll note later in the schedule, we also will provide an update at ICANN 62. So that update has been sent on to the council. There's no comments from the council. If there are any, staff will obviously bring them to the attention of this working group.

Jen Wolfe: Okay. Thanks, Julie. Any questions, comments from anyone? Okay. I'm not seeing anything. Let's go ahead and move on, Julie, if you could take us through the update to these charters.

Julie Hedlund: Great. Thanks, Jen. So as we noted on the last call, staff had actually walked through a brief comparison of the four recommendations in the GNSO review that are related to diversity, that's 6, 33, 35, and 36, and compared them to the CCWG Accountability Work Stream 2 Subgroup on diversity and the recommendations coming out of that subgroup. And staff had noted where there seemed to be linkages between those recommendations.

And then the action for staff was to draw up a draft implementation charter for these four recommendations and that's what we have here. And staff notes that this is actually a fairly lengthy charter because there are four recommendations and then there are also the recommendations from the CCWG that have some overlap.

And so staff suggest that we'll go through this charter here but it will most certainly need a longer time for review. So staff is going to suggest, unless there's any objections from the working group, that after staff notes any changes from the discussion on revisions from the discussion on this call, staff will incorporate those revisions and then send the revised charter out specifically for review to the working group, and so that perhaps we might be able to finalize it on our meeting on the 7th.

And I'm not seeing any objections to that. So again, this is Julie from staff. Just to start out with the title of course is Diversity of GNSO Council and PDP Working Group Membership. With respect to the strategic alignment, this is aligned to the further globalized and regionalized ICANN functions linked to the strategic plan.

It also aligns with core value two of the ICANN bylaws that states, "Seeking and supporting broad informed participation reflecting the functional

geographic and cultural diversity of the Internet at all levels of policy development and decision making to ensure that the bottom-up multi-stakeholder policy development process is used to ascertain the global public interest and that those processes are accountable and transparent. And then there's a link to the bylaws.

And those goals within the strategic objectives are to globalize ICANN's operational functions to support ICANN and be more relevant, inclusive, connected and collaborative worldwide. ICANN's communications allow for connection and engagement by the community in major languages and scripts, recognize how the engagement mechanisms are supporting the regional engagement strategies and local community participation at ICANN and diversification of ICANN functions across all engagement mechanisms.

So those are the alignments of the strategic objectives. And then there are four recommendations. Essentially what staff did was early on identified that these are all recommendations that relate to diversity and so that's why they're grouped together. And to a certain extent, there's overlap among them as well.

So Recommendation 6, that the GNSO record and regularly publish statistics on working group participation, parents, including diversity statistics, close parents.

Recommendation 33, that stakeholder groups, constituencies and the Nominating Committee reflect in their candidates for appointment to the GNSO Council should aim to increase the geographic, gender, and cultural diversity of its participants, as defined in ICANN Core Value 4. That is - that, as noted above, that core value is now Core Value 2, as reflected in the new GNSO bylaws. That's since changed from when this recommendation was written.

Recommendation 35, that the GNSO Council establish a working group whose membership specifically reflects the demographic, cultural, gender and age diversity of the Internet as a whole, to recommend to council a way to reduce barriers to participation in the GNSO by non-English speakers and those with limited command of English.

And Recommendation 36, that when approving the formation of a PDP working group the GNSO Council requires that its membership represent, as far as reasonably practical, the geographic, cultural, and gender diversity of the Internet as a whole. Additionally that when approving GNSO policy, the ICANN board explicitly satisfy itself that the GNSO Council undertook these actions when approving the formation of a PDP working group.

So before I move off of this page, since you all cannot move this document yourself, are there any questions with what I've gone through so far? And I'm not - oh there was a hand up. Please go ahead. Wolf-Ulrich? And, Wolf-Ulrich, if you're speaking we can't hear you.

Wolf-Ulrich Knoben: Hello, can you hear me?

Julie Hedlund: Now we can, yes. Thank you. Please go ahead. Wolf-Ulrich?

Wolf-Ulrich Knoben: Hi. Can you hear me right now?

Julie Hedlund: Now we can hear you, yes.

Wolf-Ulrich Knoben: Okay thanks. Just a quick question with regards to Recommendation 33 because it's referring also to the NomCom in this context. So I understand that this part is - is that also done by the review of the NomCom? Because I don't understand why we refer here to the NomCom as well because we don't have any mandate with regards to the NomCom here.

Julie Hedlund: Thank you, Wolf-Ulrich. That's a really good point and there's a similar issue in the recommendations as well. So staff didn't speak to this but I think it might behoove us as a working group to speak to this and to specifically indicate that the GNSO review that I would, you know - I'm sorry, staff would suggest that the actions of the NomCom would be out of scope of the GNSO review.

Now there are non - and here, actually I will pause there because I see Rafik has his hand up. Please go ahead, Rafik.

Rafik Dammak: Thank you, Julie. Yes, I think the GNSO issue in terms of the NomCom was to do but I think like any other group we can give them kind of guidance or to explain what our expectation for those who are appointed as - from the NomCom to the council. And I think that can be done in the early basis and like to avoid the situation that happened for example for the ccNSO where they were kind of unhappy with the appointment last year by the NomCom.

So we cannot - I mean by the charter or something to utilize the NomCom and how to do it works, but we can at least maybe in the charter say that we can give input for guidance, and this is something they do even like for the - I mean for an appointment to the board and so on. So we can rephrase it as just giving guidance or input to the NomCom regarding the expectation for a NomCom appointee to the council with expectation for diversity and so on. We can say that there are different elements of diversity like the skill set and so on. So that may be something we - in this fashion that can be helpful.

Julie Hedlund: Thank you very much, Rafik. And that is something that definitely staff can include here when we get to the part of the document that deals with implementation. But I think that's really helpful guidance to suggest that this could be guidance or input or perhaps suggestions to the NomCom. So thank you for that. Yes. And Rafik says, "Marika, that is a nice way to say it." Yes, exactly.

All right so we've taken note of that as staff and we'll incorporate that into the charter. And, Rafik, I see your hand is still up. Is that a new hand or an old hand?

Rafik Dammak: Okay, sorry. So maybe just taking the opportunity here. I asked the question because we have this mention of the council of diversity with something I don't think we have a clear definition. And I recall there was some (unintelligible) that period when we have the report.

So I think we should maybe use more like what is coming from the diversity subgroup as there was some work on having all this element of diversity instead of trying to have something - I'm not sure, I heard that maybe in the bylaw but I'm not sure how much it's clear or how can be addressed here, so.

Julie Hedlund: Thank you. I'm just taking note of that. Staff will look at the - so you had mentioned there - so there is a definition in the report from the subgroup on diversity, is that correct, that we could look to? So, Rafik, were you suggesting we could look at what a definition for diversity perhaps looking to the subgroup on diversity for guidance?

Rafik Dammak: Thanks, Julie. I said, I tried to explain I don't think we have one. I'm not sure where this cultural diversity thing is coming from. I think it's mentioned several times in the report. And so as it's not clear or defined, I suggested that it's better to a small element of diversity that they were outlined in the diversity subgroup, the accountability work stream 2. It's better to do something that's more clear that is has I think having support and trying to figure out something like this cultural diversity. So this is my kind of thinking.

Julie Hedlund: Okay, so culture diversity is what you're talking about. Right, okay. And that's an element that was outlined in the subgroup on diversity so staff can look to that as - for guidance on some terminology. We can do that. Thank you, Rafik. And I'm just noting some things in the chat. Wolf-Ulrich was asking

whether or not the diversity, you know, was part of the NomCom review and so staff is taking note to check that.

And Rafik has said the board itself gives input to NomCom every year about the expectation for those that went into the board. And, Rafik, I will note also that the SSAC has done that as well as far as the NomCom appointees to the board with respect to technical experience and skills. So I think we've got a couple of good examples of how this input is already being provided.

And then staff also will take the action look at the language on cultural diversity in the subgroup on diversity for incorporation into this charter as well. So I'll go ahead and move to the next page. So for the scope for this - for the charter staff suggested that the working group will review the GNSO review recommendations against the recommendations from the Cross-Community Working Group Accountability Work Stream 2 Sub Team on Diversity Recommendations.

And to determine whether the CCWG recommendations may address the GNSO review recommendations, the GNSO Review Working Group will review current provisions relating to diversity in the ICANN bylaws and stakeholder group and constituency charters and in GNSO procedures. And the GNSO Review Working Group will determine whether the GNSO review recommendations are addressed by the CCWG recommendations and implemented under current GNSO procedures and processes.

I'll just move along but I'll look for hands in case anybody has any questions. You can stop me at any time. So the GNSO review recommendations as compared to the CCWG Accountability Work Stream 2 recommendations, GNSO current revisions and suggested implementation. And so staff conducted a comparison of the GNSO review recommendations to the CCWG recommendations of the current - and of the current GNSO provisions relating to diversity and suggested possible implementation approaches.

Staff notes that the ICANN board of directors will consider the CCWG's recommendations and must approve them before they take effect. As it's not clear when this approval might occur and whether the CCWG's recommendations are approved in their current state, the GNSO Review Working Group may consider how the GNSO review recommendations might be implemented in a way that would be consistent with the CCWG recommendations if they are approved by the board.

And I just want to pause there for a second and just, Rafik, since you've been so involved in the subgroup on diversity, do you have any sense of the timing of when the board might take these up? I think that the public comment period has ended.

I'm sorry to say I didn't check just now to see if there report of public comments has been posted, but I'm wondering, Rafik, if you might just be able to give us a brief update on where those recommendations stand and any timing. And I know that might not even possible given the board's occupation with other things, including GDPR. And I'm sorry to put you on the spot, Rafik.

Rafik Dammak: (Unintelligible) No problem. I don't think there is a date by when the board will make a decision but what happened is that the board sent a letter to the CCWG for outlining some concern about some recommendation, but they're not related to the diversity. I'm understanding that they are supporting what we have as a recommendation from the diversity. While they have some concern like a few recommendations from the transparency subgroup and one from the (unintelligible), so by that letter we may expect that will approve the recommendation for diversity.

And what's happening is that the co-chairs of the CCWG are trying to work on some solution regarding that and also they are working on the implementation I would say proposal for implementation. But there is no - I don't think there is any date by when we will know that the board will approve.

And yes, I don't think there is a report, a full summary report of the comments and the CCWG itself I think cancelled the last calls and they postponed them. So it's still kind of up and they didn't finalize yet on that matter.

Julie Hedlund: Oh thank you very much, Rafik. This is Julie Hedlund again from staff. That's extremely helpful. I did just while you were speaking check the public comments. I did see that the public comment period closed on the 11th of May and that the report, as you know, has not yet been posted. But it's good to hear that based on the letter that the board sent to the CCWG that there weren't objections to the diversity recommendations.

And so, you know, what staff has tried to do here, as you'll see as I go through this, is has tried to suggest a way that this working group might be able to close out its work on these recommendations even if the board has not approved the CCWG recommendations. Given the fact that this working group is due to complete its work no later than September of this year, and hopefully sooner, then, you know, it might be possible that we might be able to move ahead in absence of a board action. But I see Wolf-Ulrich has his hand up. Please ahead, Wolf-Ulrich.

Wolf-Ulrich Knoben: Yes thanks, Julie. This is Wolf-Ulrich speaking. Just to understand what Rafik was explaining of the process about the CCWG. So I understand okay there's a whole bunch of all the recommendations from the CCWG. They were out for public comment. They are just on the investigation and so on and then it's going to the board. And the board is going well to approve that, to discuss that and approve this in the whole bunch.

So my question here is I suppose, you know, that the recommendation for - with regards to here to what we are talking about here is for diversity and so on, would not be the one of them who are really an issue maybe. So there maybe some comments from the public comment and so that has to be covered as well, but to fully understand, you know, if that would be the case, you know, if, you know, in the progress of the discussion between the CCWG

and the board with regards to all recommendations, that this recommendation with regards to diversity is not the one contentious one.

So I think that would be a point that we could step in and say okay that is 99% what we can expect, you know, as the outcome of an approval of the board, and I think we could rely on this. So that would be my suggestion if that is a way, you know, if I understand that correctly, Rafik. Thanks very much.

Julie Hedlund: Thank you very much, Wolf-Ulrich. That's very helpful. And staff is taking note of that as well. And I don't see any other hands up at the moment. I'm just trying to get a sense of what - making sure I haven't missed anything in the chat too. Okay.

Then let me move along here. So with respect to GNSO Review Recommendation 6, that the GNSO record and regularly publish statistics on working group participation, including diversity statistics.

So staff was suggesting that perhaps CCWG Recommendation 8 broadly may address this recommendation, and that is - that recommendation states that ICANN staff should support the capture, analysis and communication of diversity information, seeking external expertise if needed in the following ways: create a diversity section on the ICANN website, gather and maintain all relevant diversity information in one place, produce an annual diversity report for ICANN based on annual information, provide a global analysis of trends and summarize SO/AC groups recommendations for improvement where appropriate. This also includes some form of reporting on diversity complaints, include diversity information derived from the Annual Diversity Report in ICANN's annual report.

And moving to next page, I think that was all on that page. Hang on. Is this, no there's, sorry, this is a little bit funky to work with. Yes, that is the end of that page, okay. So discussion staff suggests that recommendations that

could be addressed by CCWG Recommendation 8. In particular the diversity statistics from working group participation could be linked to a diversity section on the ICANN Web site. A form could be developed with diversity identifiers that could be completed based on the working group composition.

So a suggestion implementation is that GNSO support staff already gather and publish on the working group wikis the membership data. So and I should perhaps note here that these data are broken out by, you know, member and observer and also stakeholder groups and constituencies as affiliations are identified. They are not at as now identified by diversity and kind of diversity criteria. These could be expanded to include statistics on diversity for each working group.

If the CCWG recommendations are approved these data could be linked to a diversity section of the ICANN Web site. So that is a suggested implementation and I will pause there. And I note a couple of things in the chat. Let's see I, Marika's noting with respecting to the NomCom I believe the GNSO's always asked as well to confirm whether the previous requirements are still applicable.

Rafik notes that the public comments relating to the CCWG recommendations concerned with finding any inconsistencies on recommendations not for substantive changes. And Rafik says that Marika I don't think we responded formally in the last years. Marika says, yeah, I don't recall either updates being made that the course of GNSO can be proactive about this. Rafik's saying yes, we have to be proactive getting the tasks would be helpful.

Marika says are there any privacy implementations starting to collect and publishing that kind of information? And I think that goes to this last question. I'm just going to capture some of this chat for the notes. And so and Rafik is saying I guess it has to comply with the new privacy policies, precisely.

So that's actually a very good point and I think one that perhaps staff can seek some guidance on. You know, as with you'll see with the SOIs when we look at those recommendations there are now pop up privacy policy statement that, you know, comes up when you're looking at any of these type of data that might be, you know, covered by the GDPR regulations.

And yes so and I see Rafik's point, maybe check with the data protection officer, exactly because, you know, obviously there are identifying information that we already collect with respect to membership in working groups. And I know that this is something that staff is looking at as far as making sure it's clear, you know, the purpose for collecting these data, I think that would need to be true for any diversity data as well that's identifying.

So staff's going to make a note here to check on this and also that it looks like we probably need to have some kind of statement in here in the charter itself to indicate that there may be privacy issues as well. And so I'm going to go ahead and include this in the notes. Thank you for that. Any questions with the suggested implementation of Recommendation 6 keeping in mind that staff will make some changes in this section in general I think relating to possible privacy issue? Otherwise I'll just go ahead and move along if I don't see any hands up.

Moving along, so Recommendation 33 and 36 have some linkage of or at least our, some similarities. Thirty-three is that stakeholder groups constituencies and the nominating committee in selecting their candidates for appointments to the GNSO Council should aim to increase the geographic gender and cultural diversity of the participants as we defined in ICANN Core Value 4 which is now Core Value 2. And staff will add in the text here some of the discussion we've had about the Nominating Committee and the GNSO providing guidance to the NomCom with respect to its selection of candidates for the GNSO Council.

And then Recommendation 36 that when approving the formation of a PDP Working Group, the GNSO Council requires that its membership represent as far as reasonably practicable the geographic culture and gender diversity of the Internet as a whole. Additionally that when approving GNSO policy the ICANN board explicitly satisfy itself that the GNSO Council undertook these actions when approving information of a PDP Working Group. So staff is suggesting that there may be overlap between these two recommendations and CCWG Recommendations 2 through 5. I'm not going to read these out completely. You can see them on the screen there but we have Recommendation 2 relating to SOs and ACs in groups identifying elements of diversity and other elements that are relevant and applicable. These would be the diversity criteria and then publish those results on their official Web sites.

Recommendation 3, undertaking an initial assessment of the diversity for all their structure and SO AC groups including leadership based on these diversity criteria. I'll explain in Recommendation 2 again published in the official Web site. Recommendation 4, using the information in their initial assessment to define and publish on their official Web site their diversity criteria objectives and strategies for achieving these and the timeline for doing so, and Recommendation 5, undertaking a regular update of the diversity assessment against the diversity criteria and objectives at all levels including leadership.

Ideally this update should be carried out annually but no less than every three years to publish the results in the official Web site and use this information to review and update their objective strategies and timelines. So staff notes some items relating to current processes and procedures relating to diversity. With respect to GNSO Council membership the bylaws state stakeholder groups should, and actually I should include a link here -- we'll do that -- link to the bylaws. This is actually in Section 11.3 of the bylaws.

Stakeholder groups should in their charters ensure their representation on the GNSO Council is as diverse as possible and practicable including

considerations of geography, GNSO constituency sector, ability and gender. So there's already that provision that applies to GNSO Council membership. And that applies to the membership also then to the stakeholder groups and their charters. So staff went and looked at the applicable provisions in the stakeholder group charters, Commercial Stakeholder Group ensuring that the recognized constituencies often internal procedures are effecting the six GNSO Council Representatives such that no more than three of the six are domiciled in the same geographic region it says as defined in the ICANN bylaws. Sorry for the background noise.

I'm not going to read through all these. You can see them here. So staff tried to pull out relevant provisions in the various charters knowing and laid them out here for ease of reference. And then also staff went through the constituency charters and pulled out any language that related to diversity there. And again I'm not going to read through all of this in the interest of time, and we'll all have more time to review these charters in any case.

So moving down to the bottom of the page and the discussion, staff suggests that GNSO review Recommendations 33 and 36 could be broadly addressed by CCWG Recommendations 2 through 5 particularly in particular the application of the diversity criteria that which is identified in Recommendation 2 and then is also referenced in 3 through 5.

Furthermore staff notes that Recommendation 33 of the GNSO review recommendations allows for some flexibility in implementation as it states that stakeholder groups, constituencies and the nominating committee could aim to, emphasis added, increase the geographic gender and cultural diversity with participants as defined in ICANN Core Value 4, now Core Value 2. So as noted above once the GNSO developed its diversity criteria objectives as in CCWG Recommendation 4 it could apply those objectives in the selection of candidates for appointment to the GNSO Council. However the GNSO review recommendation does not mandate that the candidate should fulfill those objectives but to aim to do so.

Until the CCWG recommendations are approved by the ICANN board, staff notes that the ICANN bylaws already require that stakeholder groups via their charters ensure their representation on the GNSO Council as diverse as possible and practicable including considerations of geography, GNSO constituency sector ability and gender. As noted above, stakeholder group and constituency charters have some provisions with respect to diversity. These provisions could be expanded if the ICANN board approves the CCWG recommendations but until then they could be considered to apply as the groups aim to increase diversity. Similarly if the CCWG recommendations are approved the GNSO Council could apply its diversity criteria objectives to the selection of the membership of PDP working groups and that is then in relation to Recommendation 36 which also allows some flexibility as the recommendation notes that working group members should represent quote, "Represent as far as reasonably practicable the geographic, cultural and gender diversity of the Internet as a whole."

Until the CCWG recommendations are approved the GNSO Council could seek diversity and working group membership as reasonably practicable. In addition, staff notes that the GNSO Working Group guidelines have provisions for ensuring broad membership and PDP working groups. Section 211, announcement of a working group states after our decision has been taken to form a working group it is important to circulate a call for volunteers as widely as possible in order to ensure broad representation and participation in the working group.

Although diversity is not specifically mandated, until the CCG recommendations are approved working groups could follow the current guidelines while emphasizing that the membership should represent the geographic, cultural and gender diversity of the Internet as whole as far as reasonably practicable. So a staff suggest implementation is that 36, 33 and 36 could be considered implemented as both allow flexibility for implementation. That is that stakeholder groups, constituencies and the

Nominating Committee in selecting their candidates for appointment to GNSO Council could aim to increase the geographic, gender and cultural diversity of participants. And in the formation of new PDP working groups, the GNSO Council can already require that its membership represent as far as reasonably practicable the geographic, culture and gender diversity of the Internet as a whole.

However staff notes that the following statement in Recommendation 36 may be out of scope in the GNSO review. Additionally that when approving GNSO policy, the ICANN board explicitly satisfy itself that the GNSO Council undertook these actions when approving the formation of a PDP working group. It is unclear at least the staff that the GNSO can mandate what steps the board should take. Instead perhaps it is sufficient for the GNSO Council to assert that it has undertaken these actions when forming a PDP Working Group.

So I'm going to pause there. That was a lot of information. I just want to call out that last point in particular that at least from a staff point of view it's not clear that a GNSO review recommendation can mandate an action by the board. And I'm wondering if anybody has any other thoughts on that, just pausing. I'm looking for hands.

Not seeing any hands, in the interest of time I'd like to just keep going Jen, recognizing that we will all, you will all have another opportunity, another two weeks to review and discuss this draft charter as reviewed when we send it later today on the list and for an additional discussion on the next call. So just moving ahead, GNSO Review Recommendation 35 is that the GNSO Council establish a working group whose membership specifically reflects the demographic cultural gender and age diversity of the Internet as a whole, (unintelligible) recommended council ways to reduce barriers, excuse me, to participation in the GNSO by non-English speakers and with those with limited command of English. So that suggestion in looking at this is, and we mentioned this also on the last call two weeks ago, you know, with those

CCWG accountability Workstream 2 establishing the subgroup on diversity and staff notes the membership of which itself is broad and diverse with 50 who are active participants and 45 who are observers see.

And then in its report the subgroup stated this report represents a discussion of diversity of ICANN and identifies a number of diversity elements by which diversity may be characterized, measured and reported. It provides a summary of diversity provisions in the new ICANN bylaws and is informed by feedback from ICANN SO AC groups through a diversity questionnaire. Finally it proposes a number of recommendations by which ICANN may define, measure, report, support and promote diversity.

So staff suggests that the thorough and diligent work of this work, this subgroup on diversity could fulfill the requirement for establish of a working group that's recommended in Recommendation 35. Actually that should be called out as a staff suggestion and we'll make that change. Otherwise staff notes that we've seen somewhat redundant for the GNSO Council to develop a working group looking at diversity when a very thorough process has already been conducted by the subgroup of the CCWG on diversity.

So then to the working group determination, so staff has put in some suggested text for the working group determination that with respect to Recommendation 6 that if CCWG Recommendation 8 is approved by the ICANN board of directors, the diversity specifics from the working group participation could be linked to diversity section on the ICANN Web site. But until recommendation is approved, GNSO support staff already gathered and published on the working group wiki is the membership data. These data could be expanded to include statistics on diversity for each working group.

If the CCWG recommendations are approved, these data could be linked to a diversity section on the ICANN Web site. And staff will amend this to add a note about privacy considerations as well. And then moving along to Recommendation 33 and 36 the GNSO Working Group notes that

Recommendations 2 through 5 of the CCWG broadly address
Recommendations 33 and 36. Those are noted here.

And then I'm not going to read through this whole paragraph but this is where the workgroup would agree that Recommendation 33 and 36 are considered implemented and giving the reasons that there are procedure that address diversity, the section of the bylaws, the charters are stakeholder groups and constituencies and their requirements and in the working group guidelines and then also the flexibility that the two recommendations allow in implementation and then that the working group agrees that the statement with respect to the board action is out of scope and then the working group stating that based on its evaluation then, it is determined that the recommendations have been implemented based on current processes and programs and that no further action is required.

So that completes the substantive part of this draft charter. And what staff will do is incorporate the comments from today and send the revised charter out specifically for our two week review for continued discussion on the next call. But are there any further points to raise before I move to the next charter? I'm looking for hands here. Not seeing any hands, so staff will go ahead and move on to the Recommendations 26 through 29. This has to do with Stakeholder Group and constituency membership and statements of interest. And these as you may recall these charters were finalized in November of last year whereby the implementation aspects of the charter were agreed to by the working group but the charter was placed on hold because it wasn't clear how compliance with the GDPR would be addressed. So now GDPR takes effect tomorrow.

And so staff has incorporated into these charters the procedures that now exist with respect to compliance with GDPR. And these specifically are with respect to SOIs a popup notice about privacy policies which is I'm not going to reach through all of it which the text of which is here and then the Statement of Interest page on the wiki actually has a specific notice indicating

the mandate for the statements of interest. So that is the purpose for why these are being collected, the definition of that and how this is done as specified in ICANN's bylaws and to operate to the maximum extent feasible in an open and transparent manner and consistent with procedures designed to ensure fairness. And so that statement is there.

Then with respect to individual SOIs, the popup notice on privacy also comes up. So if you click for instance on a GNSO councilmembers SOI you see that SOI. You also see a privacy statement. And then if you look to a membership list on any of the constituencies or stakeholder groups you will also see the popup notice of the privacy statement.

So the only changes that staff has made to these charters is to indicate what is now the procedure for indicating compliance with GDPR. And this is also, this information has also been included in the working group determination. So what staff would like to suggest is that staff would send this redline document out for a consensus call and for a two week consensus call to end on the 7th and for discussion, any discussion on the 7th on the next call as well staff could call out the working group determination in particular because in each case its determined that these recommendations are implemented. So we'll call that out as well unless there's any objections, staff could go ahead and do that so we could conceivably finalize this in a couple of weeks.

Not seeing any hand up, so moving back to the agenda, Jen I'll go ahead and then just cover Item 6 here. So as you may recall there's a requirement for every six months that there is a update from the GNSO working group to the Organizational Effectiveness Committee of the ICANN board. The last update was provided at ICANN 60. There is now an update due for ICANN 62. The document deadline for ICANN 62 is the 10th of June. OEC is asking for the report by the 8th of June.

So what staff would like to do is go ahead and update the report we provided at ICANN 60 to reflect the progress that's been made. There are a number of

recommendations that have now been deemed to be implemented that were not at ICANN 60 so there's considerable progress. And we can also note those items the diversity recommendations and the GDPR recommendations that will be under a consensus call or under a view but note how we might anticipate that they would be implemented since this does need to be provided while there's still maybe a few changes.

I think we also are able to provide updates closer to the meeting, but we need the bulk of the report provided by the 8th. So staff will produce a report today and send it to this working group to review for the next two weeks for a discussion on the 7th of June and hopefully to finalize then that day so that staff can send on the working group's behalf the report to both the OEC as well as to the GNSO Council. Any questions or issues about that approach?

Not seeing anything then I guess it's just a matter of the next meeting being on June 7th. And so we'll have as we said prepared for that meeting then a discussion on the revised charter for the diversity recommendations. Any discussion if any on the SOI Recommendation 26 through 29 and the discussion on the draft report to the OEC and the GNSO council. Jen that's all staff had today but happy ...

Jen Wolfe: Yes.

Julie Hedlund: ...to answer any questions. Thanks.

Jen Wolfe: Thanks Julie. Thank you as always for taking us through all this. Any, I know we're right close to the top of the hour. Any other questions or comments? Okay seeing none, so that will bring our call today to a close, and we'll look forward to picking back up on these issues in two weeks.

END