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GNSO Working Session Part 4
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Keith Drazek: Welcome everybody. I'm Keith Drazek, GNSO chair. We are now entering our agenda - excuse me everybody. Could I ask you to please stop your conversations? Thank you.

We're now going to agenda item number nine, which is the meeting with GDD. So I'd like to welcome Christine and her team to this engagement with the GNSO Council here in Kobe, Japan at ICANN 64. And with that, Christine, let's go right into it. Thank you.

Christine Willett: Thanks, Keith. Christine Willett, ICANN Org here. Thanks for having GDD here to provide some updates on our activities. A number of us will be providing updates. I'm going to kick this off by handing it over to Dennis Chang, who is on my left. Thank you.

Dennis Chang: Thank you, Christine and the GNSO. Let me start - let's see, who's providing the slide roll?

Keith Drazek: Ariel.

Dennis Chang: Okay. Let's continue. Next. Yes, we'll start with the policy implementation. This is the timeline that we have on the ICANN.org, and please feel free to look it up. It's rather busy here. The point here is that we have several implementation projects in progress and also a couple that are coming down the line, and we'll talk about each one of them as we go.

Ariel? So first is the thick Who Is. Of course this policy we had implemented in two policies. So one was the consistent labeling and display policy that was completed back in 1 August 2017. The transition from thin to thick is currently on hold per the board direction and we're going to see how that will work out with everything that's going on here.

Next. The protection IGO and INGO policy implementation. That implementation language was published in January of 2018. The first part of that implementation was completed on 1 August 2018 and that was the protection by the reserved named. The other protection was through a claims notification and that is currently policy effective date, the way we had designed it, is 12 months from the release of the claims system specification, and that was to allow the contracted parties to implement after spec is released.

Now that spec is in development but what we're doing is we wanted to coordinate the specification development with other potential use of the claims notification requirement, so we are going to do that together and of course with the IRT in coordination. Next.

The protection for these certain Red Cross names in all gTLDs. This particular policy was released recently, adopted in January of 2019, and we issued a call for IRT in February and currently assembling an IRT now. We already have an IRT for the protection of IGO and INGO and that IRT is staying intact but we are adding new members to that IRT. And we're going to have our first IRT meeting at the end of this month and then we will present to the IRT our implementation plan.

Next. I'll turn it over to Brian here.

Brian Aitchison: Thanks, Dennis. This is Brian Aitchison and I've been leading the translation and transliteration of contact information implementation. This implementation is about facilitating the entry of contact information in non-English non-ASCII scripts into RDDS, or Registration Data Directory Services. It's essentially been on hold for some time now because we're waiting for the implementation of RDAP. Now that that's in the pipeline we can get back to work on this implementation, after this meeting in fact.

So why we were waiting for RDAP? As you may know, it supports internationalized scripts and allows for tagging of languages and scripts, which are important elements of the implementation. We in the IRT we have a pretty good policy draft going but it needs to be synced up with the RDAP profile and any GDPR requirements, so that will be our next phase of work.

And of course if you hear contact information, you're like me, you have sort of a Pavlovian response and think EPDP so that can affect the timeline as well. And this is explicitly mentioned in the GNSO recommendations that the implementation should be coordinated with other RDDS-related efforts. So look for more on that soon.

Next. Right. And privacy and proxy is being led by Amy Bivins, who couldn't be here. Sorry, I should say privacy and proxy services accreditation. This also has effectively been on hold due to the EPDP. There was a letter sent on March 4 informing the council and community of this. And the rationale is essentially that the EPDP can - will - may product new recommendations and related to privacy and proxy services so the simple idea is that we don't want to implement something and then have to re-implement it with new recommendations that are soon coming out.

We do have a standing request, this is in the letter to the GNSO, to let us know if we should be considering anything now before the completion of the EDP. There's also a pending issue related to the transfer policy, and the simple question that sort or remains is does the change of registrant lock apply when a privacy and proxy service is turned on or off. So this still remains to be considered. We were asked to consider it during the privacy and proxy public comment period but since it's on hold, that probably won't happen for some time. So again, watch this space. Thank you.

Dennis Chang: We'll talk about some of the upcoming policies. Next.

Christine Willett: So actually perfect. Thanks, Dennis. Christine Willett again. I don't see Trang. She got waylaid in another meeting. So on the topic of new gTLD subsequent procedures, the PDP is in progress, as you know, and in January the board asked ICANN Org for a status update on the community reviews resulting from the 2012 round and asked for the Org to provide suggestions on preparatory work.

Here in March of 2019 the board is going to be reviewing these suggestions and have a discussion on that preparatory work and implementation for subsequent procedures for new gTLDs. I see Trang Nguyen has just joined us. Do you have anything to add? Thank you.

Next slide.

Dennis Chang: This is Dennis Chang again. The - let's talk the EPDP on the temporary specification. I think as you know that the working group has published the final recommendations report, which was adopted by the GNSO Council, and now the board has opened a public comment on it. And that public comment will go to sometime in April.

Now in the meanwhile in the recommendation, that we were urged as the staff to start working on the implementation in terms of planning as much as

we can. So we are. And I had a very lively and productive discussion earlier this morning with the EPDP working group and we're going to have another session on Wednesday. We're calling it a brainstorming session, essentially a couple of hours long, where what I call project design, so that's when we will look for and think about how we may approach this implementation.

As you'll notice, this is a unique case so we cannot go about it in a traditional fashion of calling the IRT, going through the public comment and the lengthy implementation period. So keeping in mind that the - in May our temp spec expires, the 20th of May to be exact, and we must have a document, a requirements document that contracted parties will have to be obligated to published on that date, along with a legal notice that you will all be getting.

So how do we do that is we what we're trying to figure out. So far I've been chartered to lead that implementation project and we have assembled what we call IPT. Now this is a implementation project team that is a cross-functional team made up of ICANN staff. So we'll be doing the heavy lifting of writing out the policy language, figuring out the deliverables and timelines and engaging in with whoever we need to on a timely basis. So that's where we are right now and you're all welcome to join us on Wednesday when we talk about this more.

Next. We'll turn it over to Sarmad, who's the head of our IDN program.

Sarmad Hussain: Thank you. My name is Sarmad Hussain. Just a quick update on what is happening at the IDN front. So one of the - there has been some work going on on how to handle IDN within TLDs, top level domains, and based on that work there were actually some recommendations which were published on how to manage IDN really in TLDs.

Those recommendations went to a public comment cycle and, based on that feedback, they were finalized and published on 25 of January this year. Those recommendations are going to be presented to ICANN board during

this meeting for further consideration and if these are approved, they will be recommendations or a set of recommendations which will be shared with GNSO when ccNSO do consider while they develop a policy around IDN really in TLD implementation.

On the - in addition to that we also have been working on IDN guidelines. IDN guidelines are focused on addressing consumer confusion for domain name labels at the second level and they were last updated in 2011. So the current version is slightly old. Obviously there has been much more learning in the community since then.

So there was a group which started about three years ago and they worked over the last two to three years and come up with an updated version of IDN guidelines, which were published in May last year. Since then we've actually been working inside ICANN Org trying to develop and analyze these recommendations and develop an implementation plan.

That work's now completed and, based on that, we will be bringing them to the ICANN board in tentatively May of this year for their consideration and approval. And once these are approved by the board then they will take effect. So that's just an update on the work on IDNs and I'll pass it to Gustavo for RDAP.

Gustavo Lozano: Yes. Hi. Gustavo Lozano. On the RDAP front we published the RDAP profile on 26th of February. That was that really important milestone that we achieved. Thank you to all the participants in the pilot working group. The implementation deadline for (unintelligible) different registrars is that 26th of August. And something that is really important to mention is that we're planning to have some webinars on April 10 and April 11 and these webinars is - will go through all the requirements with the contracted parties. So if there are any questions, I think that's best opportunity to handle those.

Christine Willett: Thanks, Gustavo. Andee? If we go to the next slide.

Andee Hill: Andee Hill here. I've been working on helping plan the GDD Summit. It is going to be held in Bangkok, Thailand this year. We have been working with the summit planning committees through the registrar and registry stakeholder groups. It's a subgroup that has enabled us to get agenda posted. We're looking for final descriptions of the agenda items as of April 15 and we'll update the GDD website at that time.

You could also expect to receive an email poll to any of the registered attendees. We'll send that closer to the agenda - I'm sorry, closer to the event date so that we can attempt to determine who has what interest in different topics so that we can adjust the room settings correctly.

As usual, we'll have prescheduled meetings with the GDD team and they'll be Monday and Thursday afternoons. And we are also going to be holding the next year's summit in Europe and we will have the intention of again pairing with the additional events, the (Rowe) DNS Symposium and DNS (unintelligible).

Christine Willett: Thanks, Andee. That was the extent of our update to the GNSO and happy to turn it back to you, Keith.

Keith Drazek: Okay. Thanks very much, Christine, and thanks to all of you for all the work that you're doing and for the presentation to us today. I think we on the GNSO Council, because our role is to focus primarily on the management of the policy development process, sometimes don't understand or fully track the important work of the implementation review teams, which are obviously under the responsibility of ICANN and GDD for management.

But obviously these are two interrelated and very important components of the work that we do here in the GNSO community and the ICANN community. So these efforts, what you're doing and what you're helping to shepherd and what you're tracking are critically important to everything that

we do. If you can't implement what we produce as policy recommendations that are approved by the board then, you know, there's a breakdown in the system. So clearly what you're doing here is there's a tremendous amount of work.

Before I open the queue for questions I have a question that I'll pose and I'll preface that by saying at the council level we've been doing some sort of, you know, inward looking about how we can do a better job of managing the PDP processes and be better policy process managers.

Are there any areas of things that you're working on in the implementation arena where we could do a better job of helping you where you need more community engagement from the GNSO community? Are there things that we should we be aware of where we as the community could be doing more to help you advance these implementation efforts? And you don't have to answer that right now. Think about that and maybe before we depart you can, you know, come back, or even afterwards.

Would anybody like to get in the queue? Michele, I knew it. Go ahead.

Michele Neylon: Thanks, Keith. I'm not sure is that a good thing or a bad thing that you kind of expect me to chirp up at something? Andee, good morning or good afternoon or whatever. Good to see that you're planning to send out a survey so that you can make sure the rooms are set up correctly for Bangkok. I think that makes a lot of sense. Also good to see that you've already decided on a location for the event next year. When will you be sharing with us dates and actual location?

Andee Hill: That would be a question for my meetings team so I don't have that exact time period but we're really trying to do a better job of being proactive, of choosing a location much earlier. And thank you again for everybody from the teams and the planning the agenda. It's been very helpful. I don't have an

exact date but it'll be very soon. I expect before the actual summit this year we'll know where we're going next year.

Michele Neylon: Thanks. That's helpful.

Keith Drazek: I've got Marie and then Pam.

Marie Pattullo: Thanks, Keith. Marie from the BC. Thank you as always for your very clear and very useful presentation. It's always really very much appreciated. I have a small question. Where are we on cross-field validation, please?

Christine Willett: Is there someone here -- anyone who can speak to cross-field? I don't know that I've got anyone in the room to speak to that. Michele would like to speak.

Michele Neylon: It's Michele for the record. It's not a question for GDD. It's not. It's the contractual clauses around this it's not simply a question of this has to happen, there's conditionals within that language and to date there has been no way to actually meet the requirements. So there's nothing happening with cross-field, to my knowledge anyway.

Keith Drazek: Okay. Thanks, Marie. Thanks, Michele. So I've got Pam and then Amr.

Pam Little: Pam Little speaking. I have a comment and a question. The comment is regarding the letter from (Cyrus). So I guess the letter was addressed to the council leadership. I just want to make sure all our councilors are aware of the letter and indeed to let the GDD staff know it's on the council's agenda for our meeting on Wednesday. We will be discussing the letter and hopefully have a response back from the council, depending on the - how our discussion goes, obviously.

The question is about - my question is about the translation and transliteration implementation for Brian. You mentioned a considerative (sic) implementation document will be available. Do you have in mind some sort of

timeline? I'm just sensitive to that topic because it would impact registrars like myself and other registrars in our group and that also ties in with the RDAP implementation. It will be good if we can have the two kind of more aligned and synced up so we will then implement the two together rather than having to do separate development work or other types of work. Thanks.

Brian Aitchison: Well there is a working policy document that's up on the community wiki. It's a bit old right now because we've been deliberately waiting for the RDAP profile. That - as I mentioned, it needs to be synced up with the provisions that we have in the T&T policy document, and I encourage you to look at it on the wiki and kind of see where we are.

I should also note that the T in - or the translation and transliteration policy is I don't want to say optional but if you're a registrar or registry that is entering translated or transliterated contact information into an RDDS, then the policy will apply to you. If you don't do those things, then there's really nothing to do. So it's a bit of, I want to say a light policy I guess. It's not, you know, a sweeping change to the DNS or anything like that so I think you can breathe a little easier.

But to answer your question more directly, we will be working to coordinate the T&T policy implementation with RDAP. But probably, well, most definitely not until after the, what is it, the August 29 deadline. So there would be - RDAP would be implemented, then we would come out with a policy - the policy document, which is hopefully finalized by then, and say, "Now we have this to implement" so we're not throwing everything at you at once. So we understand that concern. So thanks for the question.

Keith Drazek: Okay. Thanks, Brian. Thanks, Pam. Amr, over to you.

Amr Elsadr: Thanks, Keith. This is Amr. And thanks. Pam actually asked one of the questions I was going to ask but Brian - sorry? Yes.

Brian Aitchison: Sorry, Amr.

Amr Elsadr: That's all right. Just a clarification on the answer you just gave Pam. The August 28 date where you said you're going to try to sync up the translation and transliteration of contact information consensus policy language with the RDAP profile, that date is when the draft consensus policy will be open for public comment, correct?

Brian Aitchison: We're not quite there yet but more or less, I would say. Hopefully earlier.

Amr Elsadr: Okay. All right. Good.

Brian Aitchison: Yes. So hopefully earlier than that.

Amr Elsadr: All right. Thanks. Well my - I have another question. Sorry, I had two. Now I have one. Thanks, Pam. And a comment that I would also like to make, which is not specific to GDD but I'd just like to take this opportunity to flag this. I did mention it at the council meeting in Barcelona but I'll take advantage of the fact that we've had a change in leadership so I'll bring it up again.

The T&T policy was - the PDP itself I believe was a board-initiated PDP and it was the result of recommendations coming out of the internationalize registration data working group. There were a few other recommendations coming out of that working group and the board had sent a letter to the GNSO Council back in I believe May of 2016 and GNSO Council responded to that letter in December of the same year, saying that the recommendations concerning translation and transliteration were being dealt with by the PDP working group and subsequent IRT.

A few other recommendations were meant to be dealt with the GNSO's next generation registration directory services PDP but that, as we all know, has been terminated, so I just wanted to flag that there are some of those recommendations still pending and at some point, not now obviously because

we pretty much got out hands full, at some point the GNSO will need to deal with some of those IRD working group recommendations.

But my other question to Brian, if I may, I recall there were some recommendations coming out of the T&T PDP working group which presented some technical challenges, specifically those requiring that contracted parties that voluntarily adopt accepting, you know, internationalized registration data and then subsequently being required to implement a number of other requirements.

Now one of them was making sure that scripts and languages are identifiable. The scripts part technically, if I recall correctly, was not a problem. The language was a little trickier. I was wondering if this was resolved and if not, how was it dealt with? Thanks.

Brian Aitchison: It hasn't been resolved and I think - I can't figure out - we can't figure out as an IRT, as GDD, as a way to overcome the fact that languages are very hard to identify, you know? What language is San Francisco, right? People have names that have - surnames that are in one language and first names in the other. So what we're kind of envisioning is that the language would be self-selected through some kind of dropdown menu that the registrant is comfortable with.

That could lead to some issues if a registrant, say, says their name is Spanish when it's English or vice-versa or some situations like that that are sort of edge cases. But back to your point about the easily identifiable languages, that is what the language tags are for. That's our sort of implementation solution to that sort of general recommendation. And, as you said, scripts are easy to identify.

You can do it by automated means. Languages are trickier so that is going to be something we're going to talk about a bit more and see if language tags can sort of tick that box of making languages easily identifiable but I think we

have to - if a registrant is self-selecting what language they're entering their contact information in, we have to sort of assume there will be some level of error sort of globally in the system, but yes. I hope that answers your question. Does that...?

Amr Elsadr: Yes. Thanks. It's Amr again. It does, Brian. Thank you very much.

Brian Aitchison: Okay. Thanks.

Keith Drazek: Thanks, Amr. Thanks, Brian. Maxim you have the last word here and then we need to wrap things up in this session. Thank you.

Maxim Alzoba: Maxim Alzoba for the transcript. I have a question for the operational side from registrar side of things. Is it possible to make some implementation procedure which doesn't require registries to file RSEP for this thing? Because, for example, you came up with something saying, "Okay, now you can use formally in your RDAP transcripts other than English" and suddenly we see that we have to file RSEP requests. Is it possible to avoid that?

Brian Aitchison: I'm not as familiar with the RSEP so I think, Russ?

Russ Weinstein: Hi. This is Russ Weinstein from the GDD team. Maxim, sorry, I'm not super familiar with the particular use case. I'm familiar with RSEP but I don't know what the registry service - maybe it's something we can talk about in another venue. I don't know that we're going to solve it here, but I'm curious because obviously we want to make it as seamless of an implementation as possible so if it requires each registry to do RSEP that may not be the ideal path.

Keith Drazek: Great. Thank you, Maxim. Thanks, Russ. So we are over time. I want to hand this back to Christine for any last words and then we'll wrap up this session. Thank you very much for all the work that you're doing and for bringing your reports to us today.

Christine Willett: Thank you so much, Keith. Thanks to the GNSO Council for giving us this opportunity to give you an update. Have a great week.

Keith Drazek: Thanks, Christine. Okay with that we'll stop the recording on that session. Thank you all very much and we will next welcome our Subsequent Procedures PDP Working Group leadership, so Jeff, please come on up, and Cheryl is with us. Thank you, Cheryl. All right. I don't know if we actually stopped the recording or needed to the stop the recording but let's make sure it is restarted. Good. Thank you very much.

Okay. Welcome everybody. Thanks to Jeff and to Cheryl for being here from the Subsequent Procedures PDP working group for an update to the GNSO Council here in Kobe, Japan. So, Jeff, over to you.

Jeff Neuman: Thanks. And I'm going to look over at Cheryl. I can see her. Well, look, I'm going to start this off a little bit unusually here because we just gave an update to the council two weeks ago, pretty much the same slides. Not much has changed in two weeks so I thought I would start with just saying, you know, now that you've heard our presentation and you've heard what we've had to say, why don't we just start off asking if you guys have any questions?

I know it was after a very long session of EPDP back and forth so I know it kind of took the wind out of the room, but. So let me just start and ask you all if there's any questions that came out of it and then I mean I can go over other stuff , but.

Keith Drazek: Okay. Thanks, Jeff. This is Keith. So I guess maybe what I would like to hear if there have been any changes or significant developments in the last few weeks. Particularly as you're heading into Kobe, are there any sort of hot button issues or hot topics or key developments that we the council should be aware of this week here in Kobe?

And the answer can be no but I just want to make sure that if there's, you know, anything that we ought to be aware of as far as your developments and sort of what you're seeing, you know, on the schedule for this week that we ought to be aware of, you know, any key developments that you're looking for coming out of the week, and then we'll open up it for questions about anything that people have to talk about.

Jeff Neuman: Sure. Well I think there are couple things that it would be great for the council to be paying attention to and to just - and I know we're paying attention to it because they may have an impact ultimately not necessarily on our policy development process itself, like our final report, but ultimately with the launch of the actual subsequent procedures and potentially, you know, implementation team.

So there's - the board had done a scorecard and had passed a resolution adopting the scorecard on the CCT review. To be honest, I haven't fully digested it all yet and I'm not in a position to really discuss it, but that's something that I know we need to go over with the fine tooth comb to make sure what precisely was adopted and their thoughts on the way forward, some of which I think has been referred back to the council and/or the Sub Pro PDP working group. So that's something that's happened I guess in the last couple weeks.

The other development I think we need to give some thought about is sort of a revival or revived discussions on this. The NCAP study, which is the Name Collision Analysis Project I think is the acronym, and that is - I don't have any firsthand information on that, where that is, but my understanding is that there'll be something this week about, you know, what that work's going to consist of going forward.

And I believe that the council may need to, or may want to, ask the board what the impact of that study - what their anticipation of the impact of that study is on the launch of subsequent procedures and potentially seeking

clarification on the motion that they passed in, what, November, December of 2017, which said that there were certain required work prior to the launch of subsequent procedures.

So, again, I don't think those impact - I'm sorry CCT review team does impact some of our work on the - or could impact some of our work on the final report but I don't - the NCAP I don't believe will impact that work at all. So I think that there's that clarification. And also I think before we as a working group actually do anything from the CCT review team report I think probably there needs to be some referral from the council itself to us to do it, I just think from a logistics, administrative standpoint.

Keith Drazek: Thanks, Jeff. This is Keith. That's a really good point about the CCT referrals or recommendations so thanks for flagging that. And just to clarify one thing you said about the NCAP, I think you said there may be things about the NCAP that would be required before subsequent procedures. What you meant was before the launch of new gTLDs, right, not, in other words, the subsequent procedures work will be ongoing.

Jeff Neuman: Yes, sorry. I mean the launch of the actual subsequent procedures. I should say round because we're kind of - I think it's pretty much going in that direction but I've avoided saying the word round.

Keith Drazek: Right. Thanks, Jeff. So I think we'll take a note that at some point council, depending on what happens this week, and, to Jeff's point, I've heard similar that there could be some board action or some clarification around the NCAP work, the Name Collision Analysis Project, this week which could trigger requirements in other places.

And again, the clarification that Jeff referred to is that it will be probably up to the council and maybe not the subsequent procedures group to ask for a better understanding of, you know, where those things intersect and interrelate and, you know, where the NCAP may have some impacts on the

launch of the next - on the subsequent procedures effort. So. Yes, Jeff, go ahead.

Jeff Neuman: Yes. Thanks. And it's not just getting a clarification. I suppose the GNSO Council could give its view, right? I mean just the board can ask for things and the GNSO Council can in theory disagree if it, you know, or agree or disagree, whatever it is. I don't know. It's hard to say because we don't know where the board's going to come out. But the GNSO Council can have a view other than just seeking clarification.

And then the last thing, I know that the update after this one is going to be on RPMs and I brought this up the last time and probably the time before that and probably the time before that. But it does look like there could actually be a difference in the schedule of when you receive the different reports and the council's going to have to face the decision of whether to go forward without the RPMs being fully decided or go forward with a declaration that the default should be the RPMs the way they are now, something. I'm not saying what it should be but I think the council needs to start giving some more serious thought to that and probably ask the RPM group as well, the chairs, what their thoughts are on that.

Keith Drazek: Thank, Jeff. Thanks for flagging that for us again and certainly the council will be prepared to consider that. Can you remind us what the current target date for the final report for your group is? We'll ask the same question of the RPM folks, to your point. But what's your current target date where the council can expect the delivery of the final report and when it will be up for us for a vote?

Jeff Neuman: Okay. Thanks. And there is a slide. There's two slides. There's one we are currently operating under and then there's an alternate, and I'll explain. So this slide when we presented it I think at the last call, so in theory we could deliver a final report by Q3; however, if you jump to the next one, if we have to do another public comment period, it probably looks like Q4.

And I know that you're saying well that's only, like, three months different. It's actually more because, you know, we would - the expectation is that if we did another public comment period, it would be very narrow and only on those items for which we - there could not have been public comment on previously. There's nothing in the operating guidelines, operating procedures, sorry, that specifies we need to do another public comment period, much like the EPDP. It's actually the same exact same rules that all you have to do is an initial comment period, initial report.

We've done actually three comment -- well, four now with work track five -- we've done four comment periods already so it still is to be seen whether we'll do a public comment period but if we did then this is our timeline and we are committed to meeting that and finishing this work by no later than the end of this year, period. Full stop.

Keith Drazek: Okay. Thanks, Jeff. Cheryl, over to you.

Cheryl Langdon-Orr: Thanks, Keith. Cheryl Langdon-Orr for the record. Just to take us back briefly to the NCAP issue, because it is important within subsequent procedures at the stage we are at now as well, and this is why. We're doing our very best to do really clear and transparent due diligence on all of the public comments received. It has been heroic efforts by groups A, B and C, and more power to them and their team leads. It's been really impressive.

Many, many human hours of work have gone into really going through all those public comments. But as a function of timing and people thinking about NCAP coming along, a number of commenters, and particularly a number of influential commenters like advisory committees or constituencies within the GNSO, have said in this wait and see what the NCAP report says.

And we still have to deal with that as public comment input, and that's a discussion that we are going to have. Not necessarily looking forward to it. I'd like to see some movement from - a little bit of predictability but we - whether

or not that stops anything happen is yet to be determined but a number of commenters simply referred to that program - project being completed.

Thanks.

Keith Drazek: Thanks, Cheryl. That's really helpful clarification and I'll note that I think at this stage because the board hasn't approved the project plan itself, we don't know what the project really is or how it will be conducted. I mean I think conceptually we understand. So it could be sort of a two-phase approach. There could be the understanding of what the project plan is as approved by the board will inform sort of its recommendations around this issue, and that could make things more clear, or there are the recommendations that you've noted about waiting to see what the results of that project are, right? And that's a whole other set of dependencies potentially. So thanks for clarifying that and I think, as I've heard, we'll hopefully see some more out of the board this week. Jeff, go ahead.

Jeff Neuman: So I think - sorry, Jeff Neuman. And I'm not, you know, the point I was trying to make and I guess I didn't a great - was that I don't think it's going to slow up our work. So in theory if we knew that there was NCAP study and the working group did want ultimately to wait for that to be done we could still finish our final report with that recommendation of waiting for it to be done. So I don't think. It's not going to impact our timeline.

And then the other thing is, again, I kind of want to get us into the position of the GNSO Council if it feels like there should be new gTLDs quicker or slower, whatever it feels, it can put itself in an advocate position. It doesn't necessarily have to sit passively and say, well, the board, you know, now they're facing the issue of maybe wanting to wait for this NCAP study to be done. You guys do have a voice if you want it and use it. You are basically the policy body for the generic names gTLD.

So, you know, I know a lot has been, well, we're going to kind of wait for the board or we'll wait for the SSAC or we'll wait for this, yes, you can do that.

That is certainly an option but you also can advocate. You know, you can have a position that may not be - and I'm sure the board does want to hear that too. So that's one thing.

And just to remind everyone, and we were kind of doing a timeline, I don't know if we could put that timeline up but we're going to present it to the GAC. Steve, sorry to put you under pressure, but is there any way to put that slide up, like a possible theoretical way forward after? There is a balloon slide.

And the reason I want to put this up is because there's a lot of work for the GNSO - well, for the entire community, sorry, not just GNSO, to do after we deliver the report to the council and the council delivers it to the board. Again, that's assuming that it goes straight up and that there's no -nothing in between, which there can be.

But if you look at this slide, I want this to sort of sink in because, again, I want it to sink in with the GAC and some others that say we're moving too quickly but it will have been in our estimate of timeline, I'm waiting for that to come up, but how's it going, Steve? What's that?

Steve: Upload in process.

Jeff Neuman: Uploading. God, it's not that -it's not like it's a multimedia slide here. Anyway.

Keith Drazek: This is Keith. While we're - okay now it's up. Let me just note that we're starting to run out of time here so we need to wrap things up.

Jeff Neuman: Sure. So if you go to that balloon slide towards the end, if everything has to happen and it happens on pretty much the fastest possible schedule, you're looking at Q1 2022 for a launch of an application window. Now I want that to sink in for a couple of reasons. Number one is that's a decade after the launch of the last round. That's a lot of time -- ten years. Think about where we were ten years ago and the technology that existed and to basically say

that, yes, we can have the most amazing technology that's come about in ten years but we can't launch a new round of gTLDs.

So this is what's - this slide is one of them that's being presented to the GAC because they asked us to use our kind of best possible guess and this is one of the slides in there. Again, there are so many things that are outside the Sub Pro working group's control and even the GNSO's control in there and that's - but this is what it would look like.

Keith Drazek: Thanks, Jeff. This is Keith. So, you know, we as the council, you noted that we as council could take a position, you know, and not just sit back and wait and advocate for things. I think that's probably right but at this stage we as the council as the process manager are waiting for your delivery of the final report to us so we can take action, right?

I think on the question of the NCAP and the correlation with that in sub pro, I mean I think there's an open question as to whether whatever the project plan says, is that an impact on the policy work or is more really an impact on the implementation phase? And I don't think we'll know the answer to that until we see their work plan or project plan hopefully this week.

But I understand that you're moving forward on the work plan that you have with this timeline and we as a council look forward to receiving that final report as soon as you get it to us. So, Kathy, and then we need to move on.

Kathy Kleiman: Terrific. Thank you. Kathy Kleiman. And I appreciate the opportunity to comment from the floor. So I am a member of the Sub Pro working group and also of course a long time member of this community and I'm really deeply concerned about what's going on in the Sub Pro working group and I wanted to tell you as the managers of the process.

It's not that I don't respect the leaders because of course I respect them greatly, but I'm really concerned that I keep hearing that it's ten years since

the last round so we can do almost anything, specifically we can publish a huge 300-page report, call it the initial report, when it's really more a brainstorming exercise than a set of proposals and recommendations, and tell the community that it's their last chance to comment on really important issues even if there are significant changes that happen in the discussion, not new ideas but significant changes.

Second, I'm hearing about the desire to bypass consensus call. I don't know if that's what's happening but I'm hearing about a desire to do that. And third, I'm hearing about a desire to start implementation before the rules are even finalized, adopted, adopted by you and adopted by the board, so things that concern me.

I need to tell you it's a smaller and smaller group in Sub Pro that's really making the decisions. It's really a few hardcore people that have managed to say and through the difficult history, through the acronyms, through the terms, through many, many meetings a week. So what that means is that it's really important that things go out to the public for review, to the ICANN community and to the Internet community because the rules that we create now will affect many in the future.

Really the legitimacy of our process depends on our multi-stakeholder model and on this review process and there aren't very many people reviewing it now. There were commenters but the community needs to be involved in the review at the end. We really - you really may want to think about having another round of comments on all the recommendations because there's a whole world out there that wants to comment and couldn't. This was a very difficult initial report. Thank you.

Keith Drazek: Okay. Thanks, Kathy. Yes, Jeff, let me just make a comment quickly. So the council, as I've mentioned in previous sessions but just for your benefit, over the last 18 months has been working on what we call internally PDP 3.0

which is a review of the council's engagement and management of PDPs and how can we be better, effective and more efficient and et cetera, et cetera.

And one of the things that we've addressed is the role of council liaisons to the PDP working groups. And so we have council liaisons appointed to all of the PDP working groups. They're responsible for engaging and being available if there are concerns with process within the working groups.

So Elsa and Flip I know you're here. You're the council liaisons to this particular PDP working group so there are processes in place, and the council is aware that we need to do a better job than we have in the past of making sure that the policy processes are working effectively and efficiently. Okay? So just to put that out there. Jeff, over to you.

Jeff Neuman: Thanks. So, yes, Kathy that would - I mean some of your concerns you've expressed before in meetings but some you have not. So it probably is best that we can talk about those and work with the liaisons if you think there are issues. But I don't want to leave the impression because you said there's some talk about skipping consensus or bypassing consensus calls.

That is absolutely 100% not true ever and so I just don't want that being said or thought of. If there has been talk it hasn't been from either Cheryl or I or anyone in the leadership or the council liaisons. I would look around the table and if anyone else has heard that talk, please prove me wrong I guess.

The - we have had four public comment - or, sorry, three -- is it four? Hold on. At least three. Four, right, with work track five, of course. We have had four public comment periods on the sub pro work to date and like - as I just said, we will have another or we may have another public comment period, and that decision is not going to be made by Cheryl and I alone. We are absolutely having meetings for the sole purpose with our working group to talk about whether we should do a public comment period. So that's two.

Three is we have been extremely transparent with everything we've done. We have recorded every one of our leadership calls. We have posted every single thing. We have updated the council at every single meeting and in between meetings and have calls with the council leadership and everyone else and we fully have made everyone aware of everything that is going on and we are following the GNSO operating procedures to the T.

Now the GNSO procedures have different options in there, and I'll make the same point I made to Kathy yesterday, which is that just because there is a quote traditional way of doing things that does not mean that we have to do everything the traditional way. We have actually done a lot of things that are the nontraditional way and some of which have worked, some of which may not.

But I think everyone would agree that setting up work track five which is not in the GNSO operating procedures and involving for co-chairs from different parts of the community was probably a good thing. In addition, I am of the strong view, and Cheryl as well and Avri before that, that an initial report should not have concrete recommendations with consensus calls because it puts - it can put the working group in a position that predetermines an outcome where people get stuck to a certain viewpoint without listening to public comments. And I actually think that's an improvement and it is allowed in the operating procedures.

And you know what? Maybe you guys might want to do that for others too. And I'll notice that the RPM PDP group is doing the same thing and putting out an initial report with a hodgepodge or talking about putting out an initial report with a hodgepodge of different things. And it would be great to hear if they envision multiple comment periods like the one Kathy is asking for because again that would delay the RPM group phase one even much longer than what I actually thought and then really be in a position of having a long gap between our report and theirs. Thanks.

Keith Drazek: Thanks, Jeff. Thanks very much everybody. We do need to wrap up this session. So, Kathy, your points are noted. Jeff, your response certainly noted. And thanks to Jeff and Cheryl for joining as the Sub Pro PDP leadership. So thanks very much everybody and we'll now move to invite the co-chairs of - I'm sorry. Elsa, go ahead.

Elsa Saade: Sorry. I just wanted to ask for later on if Jeff and Cheryl could share their co-chairing experiences with us so that we can take them into our PDP 3.0 conversations going forward. That's it. Thank you.

Keith Drazek: Thanks, Elsa. Of course. Great suggestion. Okay so if we could invite now the co-chairs of the RPM PDP Working Group to join us. That's Brian, Kathy, and Phil, and we'll give them a moment to get to the front of the table here and we'll get into it. Thanks. And, Jeff and Cheryl, thank you very much.

Okay. Thank you everybody. Welcome, Brian, Kathy and Phil. So this is the GNSO Council engagement with the RPM PDP Working Group leadership here in Kobe, Japan. And we're looking forward to an update on the progress of the RPM PDP Working Group.

I'm going to note right now that in light of some recent exchange of letters between ICANN and the legal counsel for Mr. Kirikos, we are not going to address question number two. We're going to avoid discussion of that question because of the exchange of letters that's just happened over the last 24 hours, and I think it behooves us at this stage as the council to not engage in that discussion. But. So let's focus on the current discussions and engagement in the actual PDP working group on questions number one and three.

So first question is can you commit to a February 2020 deadline to complete phase one of the RPM PDP working group? And that's probably a broader discussion of can you give us an update on your timelines and does it look like February 2020 is a reasonable target still? Brian, thank you.

Brian Beckham: I'm sorry, Keith. I just wanted I suppose as a matter of housekeeping to propose, and obviously feel free to overrule me here, but since we have limited time, I know you guys have been running against the clock, that maybe each of the three co-chairs are allotted a minute or two to respond to these questions and then we leave time for further discussions with the council. So.

Keith Drazek: Thanks, Brian. That's fine. And I'm actually going to ask Paul McGrady as the council liaison to help us manage this session. So, Paul, I'll leave this up to you at this stage but I think Brian's comments are certainly reasonable. Paul.

Paul McGrady Jr.: Paul McGrady. Thanks, Keith. I was just looking for the private chat button to send you a note. So, yes, I think that's the way to do it, right? We have two questions to answer. We have three co-chairs. We have about ten minutes' worth of time so we have enough time to, you know, have the council come back and ask other questions.

Obviously on our mind right now are the issue of the completion of phase one, right? We just saw, you know, the chart about how the PDP for the subsequent procedures is moving forward and the timeframes there and concerns about there being dependencies perhaps between the two and having it hung up.

So the current timeline for this PDP looks to have us wrapping in February of 2020. And so I'd like to hear from each of the co-chairs in terms of whether or not we think we will be able to meet that deadline, if it's going to slip, how much, if it's not going to slip, hooray. And so we will just give everybody a minute or so to answer that one and if you don't mind, Brian, we'll start with you and then go to Phil and then Kathy, and then for the second question we'll start with Kathy and then go to Phil and to Brian. Phil, you're always the middle child. Sorry.

Brian Beckham: Thank you, Paul. Brian Beckham for the record. So the question is can we commit to a timeline to finish phase one by 2020?

Paul McGrady Jr.: February 2020.

Brian Beckham: Sorry, February 2020. The - I think the short answer is no, with a caveat that potentially yes. And I was a little surprised to see the second question removed from the questions that were being put to us and I think we'd all be kidding ourselves if we didn't address something that's obviously been having an impact on this, which is participation by working group members and in particular the behavior of one working group member.

And so with apologies to Keith and you all here, I know the question has been removed but I'm going to read to you, and I want to be clear here that this is - this was a working draft and the idea to present this at the public forum has been now removed because we do have a letter from ICANN's legal counsel.

But this is one sentence from a draft comment that was proposed to be made by the three of us tomorrow had we now heard from John Jeffrey. "We share the impression from working group members that these obstructive actions have a chilling effect on PDP participation in a way that negatively impacts substantive progress and timelines and we believe that this should concern ICANN and its stakeholders."

So back to the question. My estimation is no, it's not possible but sorry that it's not likely. We can't commit to that. But it could be possible if things were to change. Thank you.

Paul McGrady Jr.: Thanks, Brian. Phil, you're up.

Phil Corwin: Thank you, Paul. Phil Corwin for the record. The RPM working group started its work in March of 2016. We've been at this three years. We've tried within the existing PDP framework to go as quickly and efficiently as possible. The

fact that we still have this three years late just shows why we need PDP 3.0 and a more efficient process.

I was extremely disappointed personally when staff showed us recently that we weren't going to get the final report done by the end of this year, which - but there's no one - I can't give you an ironclad commitment that we're going to deliver a final report in February in 2020. I can give you a personal commitment that as a co-chair I'm going to push in every way possible to get this phase one wrapped up as soon as possible, but we have a process we have to follow. We had to collect data because that's GNSO policy. We can't predict what - how many individual proposals are going to be put out for consideration. We can't just say we're not going to discuss more than X number.

So we're kind of captured by the process but we have tried in every way to make things go as quickly as possible with extra sessions some weeks and points in our work, with dividing up into two separate teams on sunrise registrations and trademark claims notices, which is what we're wrapping up now, getting near the end at this session, to make it go as quickly as possible.

So far as the dependency, I hadn't seen Jeff's slide before. If it's true that the opening of the next round window, the earliest it can happen is 2022, which means I guess no new TLDs will open till late 2022 or 2023, certainly our work will be done in the first half of next year.

When you think about what needs to be done, clearinghouse has to - if we're going to make changes and what can be registered, recorded there, that has to be done first because that determines who can make sunrise registrations and what potential registrations generate claims.

URS doesn't have to be implemented if there's any changes until after domains are registered and general availability for the next round. So I don't

think anything we're doing or any conceivable delay is going to have any negative effect on the opening of the next application window. I'll stop there because I have a brief time, but I'm personally committed to wrapping this phase one up as quickly as can be done within the existing rules. Thank you.

Paul McGrady Jr.: Thank you, Phil. Kathy?

Kathy Kleiman: Sure. Kathy Kleiman. We are on the final lap of phase one. I am happy to say that after three years. So I will agree with my co-chairs that I think we're well en route toward finishing and issuing our materials by February 2020. We are data driven. We have collected a lot of data. We are reviewing a lot of data. Our recommendations that will be issued are data driven. And so that took time.

We also work with a diversity of community members. We'll talk about that in the next question as well. But even given all of that, I think we're well en route towards being on time and I don't foresee any bumps in the road going forward.

Paul McGrady Jr.: Thank you, Kathy. We appreciate that. The reason why we ask the question is not to make anybody feel scolded. It's because we've sometimes in the past perhaps let PDPs go on so long that they atrophied, right? And so we're simply trying to not have that happen again. So I really appreciate the feedback there.

So let's just go to the second question which is we're thinking ahead to phase two. Phase two may have a little different approach if PDP 3.0 principles are applied to it. Again, there's no decision that's been made. We're just as a council kicking that issue around, what will phase two of this PDP look like.

And so we wanted your feedback on whether or not the three co-chair model has worked. Is it efficient, is it working, is - in your experience is it better than

one or two co-chairs, whatever? We only have a couple of minutes left so, Kathy, if you can go first and we'll work our way back.

Kathy Kleiman: Sure. Does the three co-chair model work? I think it does. I think it's worked well for our working group. We've had - we started with J. Scott Evans, as you remember, and Phil and myself representing three different stakeholder groups and coming in with three different backgrounds but very significantly involved in these issues, you know, going back historically. When J. Scott left in - it was clear he was very busy in his new job, Brian joined us and I think it's worked well.

It's given everyone in the working group someone to talk to, someone kind of close to them that they can talk to if they have issues, questions. I think our energy first has given us people, you know, if I'm tired, Phil can substitute, Brian can substitute, but also our collective energy seems to have helped energize our community as well.

I did want to just comment very briefly. I'm a little concerned about PDP 3.0. I just wanted to note there are very active members of our working group both from the stakeholders and from support organizations, advisory committees but also from the community and I'd hate to lose anyone that's involved in our working group right now. So to the extent that it would involve people having to quit, and I don't know PDP 3.0 well, I just raise that concern that we might lose very active members of the working group in phase two.

Paul McGrady Jr.: Thank you, Kathy. There'll be - yes, there'll be an opportunity to discuss that. it won't be at this meeting but, you know, in the future to talk about what we're going to do with phase two, but we're just now just beginning the thinking through, the planning phase and that's why we've asked the question. Keith, yes?

Keith Drazek: Yes. Thanks, Paul. Just to help you manage the queue. We've got a few folks putting their hands up. We got very limited time so just so you know we've got

Rubens and Jeff and the microphone and Maxim, but now back to Phil and then to Brian and Michele. Sorry. Yours was up first.

Phil Corwin: Yes. Hi. Phil again. I'll be brief. I think it's been good to have more than one chair for a working group that has this many members and dozens of charter questions and complex issues. It - there have been times when one of us couldn't be available to chair a meeting. It's been good to have other perspectives to kind of help frame the way we should go forward.

So it's been very helpful. Whether it should be three co-chair or a chair and a vice chair or a chair and two vice chairs for phase two, I think each one has positives and negatives. That's up to council how they want to structure, if they want to change the charter in any way and make it more PDP 3.0. I think we all should recognize as important as the issue we've been dealing with in phase one, I think phase two is going to be more important.

The UDRP is an incredibly important rights protection mechanism. It's been used tens of thousands of times since it's been created. It's very important to IP interest. It's very important to domain registrants. It's a consensus policy, not just an implementation detail like the new TLD RPM. So I think for that very important phase two, the burden shouldn't fall on just person to chair a working group this important that's this diverse. Thank you.

Paul McGrady Jr.: Thanks, Phil. Brian, if you could wrap us up.

Brian Beckham: Brian Beckham for the record. First let me say I have great respect for Phil and Kathy and I think we've done our best to shepherd this working group. My answer is no. It hasn't worked well and there are a number of reasons I say that. One is we've - on a simple logistics matter getting ourselves together for a phone call has proven difficult but more to the meat, we've tried to make decisions by -- and I take what they say about having diverse viewpoints but I want to come to that later -- we've tried to kind of take

decisions by unanimity and not consensus and that's caused some problems over the past year or so.

And I think there's also rightly or wrongly a perception that we are here somehow to sort of balance each other out. You know, we come from different parts of the community. I also want to remind everyone here that we - I work for the World Intellectual Property Organization. We are not part of ICANN stakeholder groups. We are an observer to the GAC. We are an institution that is comprised of almost 200 member states who develop international law regarding IP.

And so - and we are on record as having taken positions against IPC positions and pushing back against IPC positions so I want there to be no misunderstandings that WIPO is somehow a proxy for the IPC and that this somehow balances out the three co-chairs.

Moving to phase two, I think it would be a mistake to use this same model. You have an institution like WIPO, who created the UDRP in the first place, you have ideas like PDP 3.0 moving to a model where you have representatives from the community, like what was done in EPDP. If you want to get things done quickly and rightly I suggest you think strongly about a different model for phase two. Thank you.

Paul McGrady Jr.: Thanks, Brian. Keith, can I pass the queue back to you for two reasons? One, I can't see everybody. And, two, I woke up at 1:30 this morning so it's like four million o'clock for me right now.

Keith Drazek: Yes. Thanks, Paul. And thanks very much for running that. So we have very limited time. So Michele, then Rubens, then Jeff that Maxim, like 30 seconds each, please.

Michele Neylon: Thanks. Michele for the record. Revenge is sweet. Mr. McGrady, I have to - I got up early last week when I was on holiday so now you're suffering too. I

know we don't want to talk about this - all this legal stuff but I think as council this is something we definitely need to talk about. It's not something we can ignore. I had a look at the two - well, the missive let's just call it, that came from ICANN Legal that was addressed to you, Keith, and I didn't find it particularly helpful.

I didn't find that it really would make me feel comfortable stepping up or asking anybody to step up. And I think that's something that we have a fundamental issue with is that there is now this chilling effect, and I think that's something that as a council we do need to address and I'm not sure how but I don't think we can ignore it. Thanks.

Keith Drazek: Thanks, Michele. This is Keith. I agree 100%. It is absolutely a responsibility of this council and GNSO Council generally to tackle this issue and these issues but we made a decision - I made a decision based on the exchange of letters that have happened in the last 24 hours that this was not the appropriate time to discuss that.

We need some time to digest the exchange, to better understand the situation and to give all of us the opportunity to review the documentation before we start weighing into opinions and exchanges where not everybody is up to speed on this, on the actual substance of the exchange. So thanks to everybody for that. So Rubens and then Jeff and then Maxim.

Rubens Kuhl: Rubens Kuhl. I'd just like go back to the data driven decision-making. It seems that we are possibly having some data-hungry effect. We are trying to collect data that wouldn't affect this outcome, so as part of our PDP 3.0 we might want to establish some kind of commitment, a position commitment, beforehand from different interests that if the data says something, the position is that, the data says otherwise, the position is that one so we don't have to go into costly in both time and money efforts of data collection that doesn't end up changing the policy outcome. Thanks.

Phil Corwin: Yes, a very brief response and I'll just say something I've said on some of our working group calls. We've done our best to collect data but the fact is that the program, the new TLD program wasn't designed with data collection built into it and despite the best efforts of all of us to analyze what's out there and the analysis group to collect data, there's very few places where there's sufficient data to really dictate a decision and in the end we say, well, we know this, we know that but it's inconclusive and we're back to policy debates.

Jeff Neuman: Yes. Thanks. This is Jeff Neuman. Four real quick points. Phil - as Phil said, in Phil's mind, and I think this is right, that the rights protection mechanisms do not need to be finalized before we go on to other stages to launch the new gTLD program but Council needs to be of that mind as well.

So when Council gets the report, I'd ask you as a council for a commitment, are you committed to forwarding on reports to the board, assuming you approve it, without having the RPM one, if you have the subsequent procedures one? So I think that's something you all should discuss and it would be good for you all to commit to that to the community.

If you go to the timeline slide that they have on there with February, I think it said they were going to release their initial report, which is going to have all of these proposals, not concrete recommendations and only one public comment period, which I guess kind of weird from what we were discussing before, but if there's only one public comment period and a bunch of proposals and there's three months allowed between having the report released and finalizing the recommendations, I think we need to take a look at that and say there's, like I said the last time, there's no way in -- well I'm not going to say a bad word -- no way that that's going to happen.

I think we need to be realistic. Even if an initial report comes out in Q3 I think it said or Q4 -- Q3? -- Q4, there's no way it will only be one quarter before you release a final report. And remember that's analyze - getting comments

in, analyzing the comments, then coming up with final recommendations and then taking consensus calls. It's not going to happen. So I'd ask for something a little bit more concrete to be put out that's realistic.

And the other thing on having two or three chairs, I think Cheryl and I work well not because we balance each other out because of being from different communities, we just work well together. It has nothing to do with the communities that we represent. So I agree with Brian in the sense that, you know, whether it's two - I think three is hard but it's not because we come from different communities, it's because we work well together I think, and I'm looking at Cheryl and she's kind of...

Keith Drazek: Jeff, thanks a lot.

Jeff Neuman: Sorry. Last point.

Keith Drazek: Sorry, we're running out of time, man, come on.

Jeff Neuman: Last point. The whole matter is not - the one participant in the working group is not a legal issue. It is a leadership, strong leadership, not just from the co-leads of that group but also from the council. This whole thing could have been avoided and as far as the, Michele, the indemnification, I am a co-chair, I am not chilled by the fact that ICANN sent that letter because I am convinced that as long as I'm acting within the scope as I should be acting, that everything will be fine and bring on any lawsuits you want. I'll fight it. Cheryl is the same way. So let's get some courage here and lead.

Keith Drazek: So, Maxim, last word and literally 30 seconds. We have other guests here and we have to be with the GAC at 3:15. That's why I'm pressing us to finish this.

Maxim Alzoba: Maxim Alzoba. I will be short. Short question, response if possible with polite words to the chairs. What do you think about migration of IGO, yes, the item five in the second phase of RPM?

Brian Beckham: No.

Phil Corwin: Two things. One, everything I had to say about the report from the IGO working group where both co-chairs dissented from the final recommendations is in my minority statement. Two, if you're going to send anything to the RPM working group about that, it can't just be about IGOs, it has to be about all sovereign immunity claims, which is government and IGOs and really more broadly it should be about what happened if a subsequent court appeal is dismissed for any reason because one of the reasons I dissented from the recommendation is because it singled out IGOs for a different policy than every other complainant who might succeed in getting a subsequent court case dismissed on any ground. So it's got to be a broader mandate if it goes to us. It can't be IGO specific.

Kathy Kleiman: Kathy. The charter is already very broad. Please don't.

Keith Drazek: All right. Thanks very much to you all. I apologize for pressuring us to finish this session. Thank you, Brian, Kathy and Phil. We need to now move on to the next session to invite Wolfgang and colleagues up for the GCSC update. Thank you.

And as you're approaching up here, please join us up here at the front. We've got plenty of seats. I will note that we have run out - a bit short on time so I'll have to ask you to be brief. There is a coffee break coming up that we can cut into a bit but we have to be with the GAC in their room at 3:15, so thank you.

Wolfgang Kleinwächter: Thank you very much.

Keith Drazek: Welcome.

Abdul-Hakeem Ajjola: Ladies and gentlemen, Professor Wolfgang you know. You probably don't know me. My name is Abdul-Hakeem Ajjola. So with the permission of the chair, let's get on with it. First of all may I humbly remind the audience that the mission of ICANN is to coordinate stable operation of the Internet's unique identifiers. It's also that you coordinate the evolution of the of course safety of the DNS root server system.

Now having said that, the global commission for the stability of cyber space, should, in our opinion, be part of your extensive toolbox to maintain and achieve your mission. The GCSC provides a buffer for you as you traverse the diverse political environment in which you must operate. Despite the fact that you are a technically focused organization, you do operate in a political environment.

This is particularly important given that the UNGG process in its last phase in 2017 failed to achieve a consensus. And while it did extremely good work, the point is that it did fail to reach the consensus and therefore has stalled. The GCSC is an independent entity made up of a unique pool of knowledgeable and experienced players, many of whom, like the professor beside me, are your clients or are your colleagues. Indeed, I'm one of your colleagues also.

We try to meet back to back with, you know, big Internet community events such as this even in Kobe, Japan. It is supported by the Hague Centre for Strategic Studies and the EastWest Institute. We have our co-chairs, Michael Chertoff, the former secretary, US Secretary of Homeland Security, and Latha Reddy, the former Deputy National Security Advisor of India.

Other commissioners include Ambassador Marina Kaljurand, who has just stepped down as our chairman to pursue some other political endeavors, of course Professor Wolfgang beside me. Some of you have heard of Jeff Moss, Ilya Sachkov, Professor Virgilio Almeida, General Isaac Ben-Israel, Professor

Motohiro Tsuchiya, he's in Japan, Elina Noor of Malaysia, Xiaodong Lee of China, Marietje Schaake, she actually is in the European Parliament, of course myself, among several others.

Our mission statement of the GCSC is to engage in a full range - to engage a full range of stakeholders to develop proposals for norms and policies that enhance international security and stability and guide responsible state and non-state behaviors in cyberspace. As commissioners we collaborate not just with ourselves but with people like your good selves and we are indeed here to support you as you provide secure operations of the unique - the Internet's unique identifier system, including DNS, IP addressing and other protocol specifications, as well as the entrenchment of multi-stakeholder governance models and to guide again responsible state and non-state behavior in cyberspace.

Since our launch at the Munich Cyber - or Munich Security conference in 2017, we have kept an aggressive set of timelines and we expect to remain on schedule and complete our primary mission by the end of the first quarter of 2020.

So in terms of our methodology, the norms are really the primary thing we look at, as well as some guiding principles. Norms are basically voluntary and nonbinding commitments. However, over time they can crystallize into international law, and this is what we look forward to at some future point.

Norms prescribe a positive or negative obligation. Furthermore, the overall stability of cyberspace is also served through capacity-building and confidence-building efforts. We also try to consider and clarify associated definitions, articulate related principles, review the desired security architecture and make room, or recommendations rather, accordingly.

In terms of the methodology over the norms, we cover quite a broad spectrum of ranging from protection of the public core, which I think is

something of great interest to all of us because without the public core, cyberspace as we know it would not exist. But also at the other end of the spectrum, if we could move to the next slide, whoever is controlling the slides, we have protection of -- and the next one as well -- protection of electoral infrastructure.

This is critical to the evolution and function of a just, digitally underpinned society that many of us aspire to. We need to move at least two more slides, please. Thank you. So the first norm that we actually released was in New Delhi and it was a call to protect the public core of the Internet. It's up on the screen so I don't need to read it to you, but basically the elements of the Internet or of the public core of the Internet include the Internet routing, the domain name systems, certificates and trust and the communication cables.

And so they fall into about three general categories: the logical infrastructure, transmission control protocol, the Internet protocol, domain name servers, and routing protocols. Again, these are things you are very familiar with. But also within this physical infrastructure, the DNS and their servers and yes those undersea cables. Then we also have the organizational infrastructure, such as the Internet exchange points and, yes, the computer emergency response teams, which we have really perceived as the hospitals.

We also in - later on in May 2018 issued a call to protect electoral infrastructure, and this is in Bratislava. Again, it's up on the screen. But basically ensuring free and fair elections that are representative of the people's will are critical to ensuring that our societies have a significant chance to evolve in a manner optimal to all. But really, ladies and gentlemen, as again you well know, despite its technicality, the Internet is by people, for people and about people.

We have a few other norms, if we could move to the next slide, please, that were released in Singapore. Norms to avoid tampering against commandeering of ICT devices into botnets and for states to basically put in

place some kind of vulnerabilities equities process so that when vulnerabilities are detected for example, at what point should those vulnerabilities be made public.

Could you go to the next slide, please? Yes. So other norms include to reduce and mitigate significant vulnerabilities and then a norm on basic cyber hygiene. And let me just dwell on this for a moment. States should enact appropriate measures, including laws and regulations to ensure basic cyber hygiene. Again, we feel that this is something that will be of particular interest to GNSO members, like the ISP-related registries and registrars.

And then we have a norm against offensive cyber operations by non-state actors. Could we move on to the next slide, please? We also tried to articulate for ourselves a working definition of cyber stability. Again, it's up on the screen for you to look at.

Ladies and gentlemen, our collective success will be a function of public confidence in cyberspace and its critical underlying components, the Internet, which you coordinate. No one person, nation or, indeed, group can achieve success in achieving international security and stability in our evolving digital world by working alone. We must all swim together.

Distinguished ladies and gentlemen, at the GCSC we see our role as that of complementing the work of ICANN and particularly that of the GNSO. We are your partners in progress towards the enhancement of a stable, open and functioning Internet as a historically unique vehicle that can bring the desired and just modern society that we seek. I wish to emphasize that your success is our success. Thank you very much.

Keith Drazek: Thank you very much. That's obviously important work that you've got going on that you've been undertaking for a bit of time now and have a roadmap for the future. So that was a really helpful summary and overview of the work.

We probably have five minutes for questions and any follow up, any engagement. Elsa, thank you.

Elsa Saade: Hi. Thanks. I just - I was interested in the non-state actor part of this presentation. I wish there was a bit more definition as to all those concepts that are put up on the presentation. Two things. First of all, we see the aspect of cyber security from a very governmental perspective. What about human rights offenders and bloggers who are being targeted every single day and being put in jails when they are defending human rights under the pretext of terrorism? That's one.

And two, I just - that's just pointing it out. And number two is how does this tie into the GNSO work directly? Yes, I was just wondering how this presentation should be taken into consideration in our work and our day-to-day work as the PDP managers at the GNSO. Thanks.

Wolfgang Kleinwächter: Yes. Thank you very much. First of all I'm happy to be back here in the environment of the GNSO Council where I served a couple of years ago for a couple of years. First question, human rights -- in our discussion we had yesterday and today we tried to identify elements which destabilized cyberspace, and violation of human rights we see an element it would destabilize cyberspace, so that means the protection of human rights is an element of stability in cyberspace.

I think this is important. The role of non-state actors, you know, my own experience in ICANN is that so many things are going on and many things are going on in silos. So the ICANN itself is a silo. So you have different places and they work outside of ICANN which are dealing with issues which are very relevant for ICANN and in particular for the GNSO and the domain name system (unintelligible).

And for instance, the negotiations of the UN member states in the first committee of the general assembly in the United Nations dealing with cyber

security issues are rather ignorant what's going on in ICANN. And the mission of our global commission is to be preachers, to explain to governments, not only to governments but here in ICANN, they understand a lot of these issues, but to government representative outside the ICANN community that, you know, how the Internet works.

And on the other hand, we want to create awareness among the various constituencies in ICANN to reach out to these groups which have a decision-making capacity and to create an environment which could be rather harmful for the future of the development of the DNS. And we have seen a number of new threats coming now with DNS hijacking for instance. So where we have to work together to create mechanisms, including legal or political norms, to protect the DNS and so far this relationship between state and non-state actors to pull them out of their silos and to promote communication is part of our mission.

And this is also the answer to your second question, how this is related to the GNSO Council. I think ICANN has a limited technical mandate but ICANN operates in a broader political environment and insofar you know things which are happening in the broader political environment related to the Internet, including legislation of the individual member states.

Look at the recent efforts by the Russian government to introduce legislation which it's not 100% clear how this will affect the root - management of the root server system or, you know, the whole DNS. So I think these are important issues and you cannot ignore this as GNSO Council what's going on outside your work.

Elsa Saade: Thanks. And thanks, Keith, for giving me the chance. I definitely agree that legislation is super important and we had the board in here. Around two hours ago we were discussing the importance of legislation to our work. However, I just wanted to point out two things.

I think, one, we are beyond creating silos between non-state and state actors when it comes to specifically the Middle East where I'm from, and I don't see, speaking of the Middle East, I don't see much - many countries in the map from the Middle East where you're working right now. I'm not sure how the map is relevant in terms of who's in the commission or in terms of the countries you're working on. Maybe that could be a good clarification for us.

And thank you for clarifying about the work to the GNSO and as I said, it's really important for us in terms of the overarching topics of legislation and how it affects ICANN. But generally just - I was just - I wanted a specific, more specific, maybe answer as to how this ties into our right now. Maybe it'll come later on or we can talk about it offline, but thank you. Yes, that's it. Thanks.

Keith Drazek: Thank you, Elsa. Jimson, you have the last word. We need to be in the GAC room in ten minutes so keep it short.

Jimson Olufuye: Yes. Very quickly. I just want to know if the global commission on the political cyberspaces, a nexus with the ongoing work with GDPR in ICANN and if so, how do they plan to be active in it? Thank you.

Wolfgang Kleinwächter: Yes. I know that GDPR is everywhere and so we are dealing also with the commission. You know, our main mission is really to create norms for state and non-state actors for their behavior in cyberspace. And part of this norm is to respect privacy and so far we, you know, support the implementation of the GDPR, although within the ICANN community, and we think it's a good thing.

We have a member of the European Parliament in our commission and I do not see any specific problems for our commission. I know there's a lot of problems how to implement GDPR in the ICANN context and the ICANN congratulated EPDP that they achieved just ten days ago or a couple of days ago such a good step forward. It's not the end of the story but it's an

important step in the right direction, which would certainly be supported by us.

Keith Drazek: Thank you very much, Wolfgang and Abdul-Hakeem. Thank you very much for joining us. Very much appreciate the work that you're doing and look forward to further conversations on this. And with that we need to wrap up this session. We can stop the recording and please let's all move expeditiously to the GAC room where we work in ten minutes. Thank you.

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