

**Transcription ICANN61 San Juan
GNSO Council Wrap Up
Thursday, 15 March 2018 at 10:30 AST**

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Heather Forrest: Good morning, everyone. So this is our GNSO Council wrap up. Could I get confirmation from the tech folks in the back that we have a recording? All right. Hello, everyone. Welcome back. So thanks very much, you know, as always to staff. We have lots of items on our wrap up agenda, and we've only just sat here and recorded them to make sure that we have a bit of a logic and structure to it. So Emily is just putting that together for us now. And in the meantime what I'll say is I've suggested that we give a quick update on SSR2, as a starting point.

Rafik and I just came – just immediately came from a very quickly convened meeting of the Board OEC, Organizational Effectiveness Committee. And there's a small team, like a caucus group that's focusing on SSR2. Hopefully you would have seen in your inbox the email that I sent around from the SO/AC chairs that spoke to the appointment of the facilitator. And the Board responded very, very quickly on that one and was keen to get that facilitation under way. So I'm delighted to tell you that indeed that process is underway.

The aim is to get input from review team members as quickly as possible. Important that they have say in the appointment of the facilitator and what the SO/AC chairs are proposing. We floated the idea out there to everyone all at once in the interest of time, so we need to get some input from the review team members.

The aim is for that group to be, you know, so what the SO/AC chairs have said is that the formal, if you like, unpause, and we went through all the semantics with the Board just moments ago about what that means, but the aim is that the unpause happens when we've got our group and our facilitator appointed so that I have high hopes would be pretty darn quick.

And we're hoping the facilitator will even be done with his or her work before the start of ICANN 62. So that is the timeline that we are aiming for, and I think there's lots of good will on that group even though it's a pretty disparate set of interests there among the SO/AC chairs, but I think we're making progress. Any questions on that one? I will continue to keep you updated.
Keith.

Keith Drazek: Thanks, Heather. Thanks for the update and thanks for all of your work as on our behalf as a GNSO community on this issue, very important. So just to clarify does the – is the expectation that the SSR2 Review Team will be unpaused with the appointment of the facilitator or at the conclusion of the facilitator's work? I heard a couple of different things there I think.

Heather Forrest: Thanks, Keith. So what we've said in that letter to the Board of Tuesday I guess it was, Tuesday morning, was it's the appointment of the facilitator. We'd like that, you know, to happen pronto. That part of the reason for characterizing it that way was to get that group restarted as quickly as possible to give it the empowerment that it needs.

Keith Drazek: Excellent. Thank you very much.

Heather Forrest: Thanks, Keith. As always, so this is a funny situation, you know, I keep making it clear to that group that my intervention is not on behalf of the GNSO, I'm just trying to get things going, yes? Any input that you have for me please channel it, yes, Council list directly, whatever it is. It's a really funny situation where, you know, some of those SO/AC chairs don't want to talk

about things publicly, some of them don't want to join SSR2 in the discussion. I think we're at a point of coalescing around pretty, you know, clear or common goals. But by all means, you know, I can't read minds. If you think I'm stepping in the wrong place, have to tell me. It's not intentional, yes? Cool, all right, excellent.

Thanks very much to Emily for your very, very speedy work here. Next thing on our agenda is ICANN 62. So immediately following this meeting I think or 12:15 there is a planning meeting, SG and C leaders would have all been invited to that so it's not just the Council, all of the various stakeholder groups and constituencies of the GNSO will have leaders at that group. Very sadly, Donna is already on her way and she's normally our very best and most vocal advocate in that group so Rafik and I are going to have to fill that gap. Anything you want us to raise immediately about ICANN 62 that you haven't already put through your SG C chairs? Michele.

Michele Neylon: Thanks, Madame Chair, Michele for the record. The only thing I suppose that I would look at is – well there's two things. One, that we don't end up in a situation like we did here where there were meetings scheduled to start like 6:30 in the evening, as some of us had started at 7:30 or 8 o'clock in the morning so I personally don't particularly like doing 12-hour days. I think that's cruel and unusual punishment.

Also, as well, if the block schedule that's put out has let's say, X number of days that we actually have activities for those days and we don't end up in a situation that we go off and we book flights and make other arrangements and then discover that we're – we don't actually need to be in a particular place for long as – this causes a little bit of friction for people. So just those couple of things. Thanks.

Heather Forrest: Super helpful input, Michele. Another point that Donna often makes at this things is the policy meeting is for policy. The one thing that we can all take home on that one is, you know, Theresa's team is keen to do that trends

exercise with the various SGs and Cs – this is spotting the trends affecting ICANN, we've spoken about it a few times this week, but that's okay. It's been sort of lost in the message. The SO/AC chairs were taken through that exercise on the Friday. I think the concern is while I've come out on the record and said a few times, it was more interesting an exercise than I thought it would be.

I have concerns now about the timing that if SGs and Cs are doing that during the policy meeting you're eating into policy time. And we tend to be the strongest advocates for policy meeting is about policy so when we come out and defy that we sort of contradict ourselves. So that is something to bear in mind. Anyone want to make comments on this before we move on?

((Crosstalk))

Heather Forrest: Farzi, go right ahead.

Farzaneh Badii: Farzaneh Badii speaking. Thanks so much for letting me talk. So the Meeting B was not only policy meeting, the working group that worked – the Meeting Strategy Working Group wanted outreach and policy to be discussed. Now I understand that some don't want to go to a four-day meeting and that one day of it is just outreach. But for us as NCSG, outreach is really – is a really important activity. And I think it should be added kind of to the meeting.

And I also wanted to suggest that maybe we can, as GNSO, do kind of like a outreach because whenever we arrange our outreach it always clashes with the Council meetings, and I know we are here to work but also we are here to engage others in our processes. So I just wanted the Council to take that into account when they plan things. Thanks.

Marika Konings: Yes, this is Marika. And maybe this is going already too far into planning, but for the last one we kind of tested out from the Policy team side having every morning – and it's of course not outreach per se, but a kind of what's

happening today in the GNSO more targeted as well for people that are relatively new to it and being able to ask questions. And again, you don't need to answer to that now but if that was helpful I think from our side we're definitely happy to continue that or maybe do it more as a kind of joint effort with other groups and focus more on, you know, issues that newcomers are interested in.

Heather Forrest: Fantastic. Thanks, Marika. This is Heather. I think what we'll want to do is put that one – so I personally think those things were great and actually have pushed the team to – the staff to do them at all meetings. Let's put that in the basket of ideas. What we'll do I propose for next steps is Rafik and I will go to this planning meeting and your SG and C chairs will go the planning meeting, we'll all report back mutually and then come up with a plan of how to take things forward, bearing in mind, as Marika tells me on the way into this room that Panama is tomorrow which makes me very nervous. Thanks, Marika.

Cool, any further comments on ICANN 62? And just to be very, very clear, this is an open meeting, this is a public meeting, please don't wait for an invitation, you're very welcome to join us at the microphone. Oh, excellent. All right.

Then next item, and now the slide is fancy too. CSC and IFR reviews. So we heard about this in particular in our meeting with the GNSO – or excuse me, with the ccNSO Council. You can gather from that discussion that the ccNSO is a bit further along than we are in its thinking on some things. We have the fabulous benefit of Donna being on the CSC charter review team. Donna has put her hand up to champion this effort and to specifically liaise with the ccNSO. We're thinking about, you know, maybe the best way to take this forward is a small team to look at the potential overlap between these reviews and how to address that.

So we have Donna as a volunteer to lead that effort. Can I suggest, and I'm sorry to do that, but Philippe, this one might be a good one for you since it's going to involve close coordination with the ccNSO.

Philippe Fouquart: Cool. Thank you.

Heather Forrest: Thanks, Philippe. Would anyone else like to join that effort immediately? We'll circulate of course on the list but I see no other hands at this point, but we'll leave that open, we'll circulate that around and make a note of that. Any questions, comments on that one? No? All right.

So this mysterious Board request regarding emojis. It seems that the Board in its meeting in Abu Dhabi instructed the GNSO and ccNSO councils to look into emojis. And then didn't tell us that they did so. What you all don't know is that in the ccNSO...

Paul McGrady: Smiley face, smiley face.

Heather Forrest: Yes. I'm thinking about a different face, Paul. What you all don't know is that in the meeting with the ccNSO Council, right, this is inside the leadership black box, the chair of the ccNSO passes over this note with an emoji, yes, and says, "Emojis?" And so what I think we need to do – we have given informal feedback to say, "Not cool." Passing – thumbs down to passing a resolution and not telling us about it, like I get it that we need to be responsive and looking at the Board you know, meetings page and this kind of thing, but just kind of throwing it over the wall and expecting us to then do something is probably not cool.

We do need to figure out what this is. And the challenge that we have is the Board resolution isn't very clear. What I propose we do, and lets use this is as an opportunity to don't, you know, immediately jump and think of this the right way, is if we could maybe use – so my understanding having spoken to staff is that this seems to have come from the SSAC. So we maybe want to liaise

with the SSAC a little bit and see what it is that's on their mind and we probably want to liaise with the Board as well. Now we have lots of things to do on this list. I wonder if this is one that at least as a starting point we can usefully refer to staff and just ask staff to clarify the ask for us, figure out what it is that we're supposed to be doing.

So I have a queue, I have Julf and then I have Rubens.

Johan Helsingius: Johan Helsingius for the recording. My understanding was that SSAC actually said emojis would be a really bad idea.

Heather Forrest: Thanks, Julf. That doesn't necessarily clarify for me what the GNSO Council is supposed to do with that, right? That's what I think we need, before we go trying to do something we don't even know what it is that we're doing.
Rubens.

Rubens Kuhl: My suggestion is that we answer only in emojis to the Board.

((Crosstalk))

Rubens Kuhl: Actually going to the (unintelligible) we have actually two different angles to this. One is emojis in TLDs, which is something that Subsequent Procedures is looking at and give it a – gave it a thumbs down, so. And emojis in second level registration was part of the IDN guidelines revision, so we should probably answer pointing to those two efforts separately because they are actually separate questions.

Heather Forrest: Thanks, Rubens. That's helpful. Can I suggest that what we probably need to do – you know, still with that additional information, is the question, are we doing something? Is the question, will we do something? And if so, what?
Thanks. Michele.

Michele Neylon: Thanks, Madame Chair. Just as – Michele for the record. I was just actually looking at the resolution to try and work out what it actually said because this wouldn't be a bad idea to read the text. So because I see most of you haven't read this, I know I definitely hadn't. So it says, "The Board requests that the Country Code Name Supporting Organization and the Generic Name Supporting Organization engage with SSAC," so I think that's what we just kind of touched on, "to more fully understand the risks and consequences of using a domain name that includes emoji in any of its labels," so that's both sides of the dot. "And inform their respective communities about these risks."

"Resolve further, the Board requests that the ccNSO and GNSO integrate conformance with IDN A 2008 and its successor into their relevant policies," so that's another action item for us, "so as to safeguard security, stability, resiliency, and interoperability of domain names."

Now, the issue here is that there is a commercial pressure from some segments of the broader Internet community who would love to use emojis in domain names and URIs. The technical problem – and there are many – is that, well I think you even touched on it yourself, you know, you can – the smiley, there is more than one so you end up with the issue that you could have – I registered smiley.whatever but actually I didn't, anyway, it's a quite technical issue. It's something that I think we need to look at but it's not something that we're going to fix magically overnight and it might be helpful to do two things.

One, to actually engage formally with the SSAC, but in the first instance maybe to send something to the Board to acknowledge that we are aware of this and that we are going to take action even if that action is just to talk to SSAC. And as I love to volunteer for stupid stuff I'm more than happy to be added to the list that you're going to ask to generate of people to liaise with SSAC as Council, SSAC has a new chair, Rod Rasmussen, who I'm sure many of you know, and maybe we can at least start some kind of informal conversations with them to understand what they would like us to do. Thanks.

Heather Forrest: Thanks, Michele. Super helpful. Martin.

Martin Silva Valent: If Michele needs help I would happy to join him, if he needs help.

Heather Forrest: Fabulous. Thanks, Martin.

Michele Neylon: I always need help.

Heather Forrest: Let's just confirm the action items real quick. And Tatiana.

((Crosstalk))

Heather Forrest: Of course, I would never say no. Let's confirm the action items. So if I take it on board, leadership will send a response in the usual fashion to say we acknowledge the resolution of X day, blah, blah, blah. And let's as a starting point get a small team to liaise with the SSAC. We have so far for volunteers Michele, Martin, Philippe and Tatiana. Yes, brilliant. Again, we're not cutting the queue there but, you know, we'll put that out but that gives us a tangible means of moving forward and I think the input here has been super helpful so thank you very much to everyone who contributed.

Any further on this one? I think we have marching orders. Michele, yes.

Michele Neylon: Yes, this is Michele again for the record. I mean, I think this one is something that it could be interesting, some of the input we get if this kind of goes broader than just ourselves because some people do get terribly passionate about how they love emojis. But there doesn't seem to be any kind of timeline on that so I think the sooner we do it the better and just kind of get it off our docket as it were.

Heather Forrest: Marika.

Marika Konings: Yes, this is Marika. Just to note that, you know, the ccNSO got the same question and as I understand they have are in the process of forming a working party so it may also be worth for this group to connect with the ccNSO to actually understand what they're doing and see if, you know, what overlap if any there is or if there's any kind of desire to look at this jointly.

Heather Forrest: That's super helpful as well. Excellent. All right, thank you, everyone. That's good, that's progress on that one. Next one on our list, easy one, Council liaison to the New gTLD Subsequent Procedures PDP. So we have actually – we have Jeff and Cheryl in the room and Jeff and Cheryl, I think so you're our chairs of SubPro.

I think one the questions that's still kicking around after our January and February Council meetings is the feasibility of a liaison following as in attending all of the meetings of all of the work tracks plus the plenary plus the leadership meeting, and I'm not speaking for Council here, I'll say personally I think that's too big an ask, okay? I think that's why there's no clamoring to the get in the queue to volunteer for this. Just saying.

Can you clarify for us, you know, how do you think – so we have a set of expectations that we've now published in relation to what the liaison role looks like and there is no set, you know, doctrine in that in terms of attendance all – it doesn't foresee something as big as SubPro. So two questions that have come out of Sunday's discussion, and we can get your input on that. One, in terms of attendance, can the liaison effectively function for example by attending the plenary and the leadership meetings and other meetings as and when they're able? Two, is this an environment where we think two liaisons would be helpful or a team would be helpful? So Cheryl and then Jeff.

Cheryl Langdon-Orr: Thank you. I've got to jump in before Jeff because Jeff and I actually don't see eye to eye on this but that's okay. Cheryl Langdon-Orr for the record. In answer to your question, I would say yes and yes, even though I'm a more

hard line on how close a finger on the pulse the liaison should have than Jeff is, so I think that's where we have a slight difference. But I think the attendance at the leadership meetings as well as the plenary would be a good way of doing it but I also think – with the appropriate occasional other meetings as well, but I do think this is one where splitting could be quite wise, particularly because of the necessary focus someone is going to have just on the geo work track, so I think this is one of the situations where the answer to those questions from my point of view is yes and yes.

Jeff Neuman: Thanks. Sorry, this is Jeff Neuman. I don't know if this is on, I guess it is. I think we agree on the first part, so yes. I think that's right. I think as Cheryl said, nobody is expected to go to all the five work tracks and the plenary call and the leadership call so, yes, so I would say that a Council liaison should only have to go to the plenary and the leadership calls, which are every week, or sorry, the leadership calls are every week, the plenary is every two weeks.

And then as far as the second question, as far as two liaisons, I'm actually ambivalent on that. I think that if the liaison gets a report that something is going on that shouldn't necessarily be going on in one of the work tracks then, you know, I would say that that liaison should probably attend the work track every so often just to verify that that thing that they think or that there was a complaint about is actually going on.

I'm not sure whether you need two liaisons. I think there's enough – there's too many people in this community that have positions and that want to be able to take positions and if we make the liaison role be neutral, which it should be, then having two might be, in my opinion, excessive. But I don't really have an opinion on that. There you go.

Heather Forrest: Thanks very much for that specific leadership – input from leadership. Keith, please.

Keith Drazek: Okay, thanks Heather. And thanks, Cheryl and Jeff. Keith Drazek. So despite my own personal confusion yesterday about what I was volunteering for, I actually did intend to sort of put up my hand to help with his one, the Subsequent Procedures. And I understand also from talking with Heather and Donna that Donna is also interested or willing to put her hand up as well for this effort. So, you know, I think the question of, you know, with such a large PDP, with so many different tracks, and also, you know, if you recognize that the different work tracks will rotate their meetings at different times of the day for geographic diversity and all of that, I think this could be one example where a team approach might work, especially if we're expected to keep an eye on what's going on.

And Jeff, I take your point that, you know, the Council liaison should be neutral and simply should be observing to make sure that process and procedure you know, and that things are moving well and that we as a Council have our, you know, finger on the pulse of the group to make sure that we can identify any challenges or problems you know, before they get bad. But definitely looking at this from a, you know, procedural question and not an engagement in the actual policy discussions.

So anyway so I would, you know, again reaffirm or clarify my intent to volunteer for this one and Donna also is interested. I sent her an email this morning to see if she would be willing to, you know, consider sort of a co-liaison role and she responded "yes," and suggested that I raise it with the group here today. You know, if this was any normal PDP we probably wouldn't need to consider that but because it's so big, there's five tracks, all working on different schedules, I think it would behoove us if nothing else where Donna and I could back each other up.

And also to note that Donna is termed out at the end of this term and so for continuity purposes moving forward it might make sense, you know, to have a little bit of a backup there. Thanks.

Heather Forrest: Keith, that's fabulous. Thank you very much. So I have Rafik and then Paul.

Rafik Dammak: Okay thanks. Rafik speaking. Yes, it's just small comment. I think we just can experiment for now to see how it works and we can adjust so having like a team of liaison I think it's something we should experience and see – I mean, because all the issues like the time difference for the calls and so on. So let's see how it works and we can adjust maybe in future.

Paul McGrady: Two things, Paul McGrady for – is there a record? There's no record. Oh is there a record? Hello, record, Paul McGrady here.

Michele Neylon: Are you putting something on the record, Paul?

Paul McGrady: Frowny face. So two things. One, I'm not quite as sanguine as Jeff Neuman about not needing liaisons on the work track calls. I found over the recent years that much of the mischief happens on the smaller calls; it doesn't happen on the plenary. And so I think that it actually is important to attend as many of those as you can.

Secondly, Work Track 5 is the great experiment, right? And we've run into this problem of GNSO Council developing policy this way, the GAC frankly, doing what they do with advice that way, and putting the Board in the middle, right? And we're not bicameral, we're not the senate and the house or some other thing where we have conferences and can you know, Work Track 5 is as close to that as we have here at ICANN.

And if Work Track 5 succeeds, then hooray, we have organically found a way forward. If Work Track 5 fails, then boo, we're stuck with sticking the Board in the middle which doesn't work and usually doesn't work out for us, frankly. So I don't see how we could overstaff this, and if we have two willing volunteers I see no reason not to do it. Thank you.

Heather Forrest: Thanks, Paul. That's helpful input particularly considering your previous role as liaison to this PDP. Paul, what I hear, you know, coming out of your comments as well is it seems to me that there is a role, Keith and Donna, to the extent that you can do that, I think we need to loop Julf in here in a very direct way, not an indirect way.

Julf, I don't know if you're a member of SubPro and its many parts, but I think that is certainly one of the primary concerns that we're hearing from them and specifically we were asked when we had our lightning fast meeting with the GAC this week, to make a comment on particular aspects of PDPs that might of interest to them. We know for a fact that this one is of interest to them so let's be a little bit proactive here and, Keith if you can help with that I think that would be great, yes. Good. All right, excellent, so fantastic. Cheryl is nodding. Jeff, nodding? Good, great. Great job, guys. Thanks to everyone. Any further comments on this one? No?

Next one is related and this might be your first task, guys, the SubPro and RPM leadership teams very kindly responded to our action item on over the weekend to provide a consolidated timeline. We have some substantial notes out of that session and some questions that were raised in relation to that consolidated timeline.

So this is a question of do we form a small team to do this or do we put this to the liaisons to just go back over the notes from the session on Sunday and see if there's any direct questions that need to be asked of those teams? What do we think? I think there's a natural role for the liaison here now that we have them. Keith, does that sound – we can bring Donna into this as well. I don't want to volunteer her for something that she's not necessarily here for but I think if we can at least talk about what we want to do with the information that we were – the we received on Sunday.

Keith Drazek: Yes, absolutely. Thanks.

Heather Forrest: Everybody comfortable with that as an approach? Yes, okay. I think that was a great discussion, fantastic that the leadership teams came together and gave us that timeline, but I think we probably want to follow up on what was raised in that session. And could we also then, Paul, bring you into that discussion because you're our liaison for RPM PDP so perhaps if you guys could work together there's our team effectively. Paul.

Paul McGrady: Thank you. Paul McGrady for the record. I'd be happy to help with that. And in fact as we heard from the cochairs of the RPM PDP they have a very rosy point of view on their timeline but I didn't see any implementation time. And the only way for that to work is if nothing changes, which sort of defeats the purpose of the PDP if we assume nothing will change. Or that the work of that PDP then gets folded into the Subsequent Procedures implementation and the next Guidebook, which again, that presupposes that the – all the RPMs remain creatures of new gTLDs and don't become consensus policy other places which they may not but then again they may.

So I think part of that work we need to clean up the timeline of the RPM PDP to make it fit for purpose because right now it's not; there's not enough runway. Thanks.

Heather Forrest: Thanks, Paul. I think a particular comment as well to focus on is what came out of that Sunday session was a disagreement as to how the PDP is tracking and – or multiple perceptions. And I think to the extent that we can refine that it would be very helpful. I think, you know, if I put a goal around this there's a bigger picture here which is I think the impetus that we had in January it's manifesting in this consolidated timeline but I would love to think that the Council could be in a position where we had a consolidated timeline of all of our PDP efforts; that we knew if we looked at any – at any given year we could say, across the year here's where we expect to be in these various things.

So this was an experiment in getting these two PDPs natural, that we choose these two because they do have some points of intersection. But maybe if we can, in the back, tinker, Rafik, you, Donna and I to try and take these consolidated timelines and merge into a coherent piece and then we have, if you like, an even scarier spreadsheet than the one that we had in January. Yes? Happy for us to do that. Phil, please.

Phil Corwin: Thank you, Heather. Phil Corwin for the record. Just real quickly, we just finished a very productive fourth session of the RPM Working Group meeting with the URS providers. We continue to make very good and harmonious progress on our URS work, so can't promise it'll stay that way but so far it's gone very well.

In regard to implementation, and the consent – on the consensus policy issue, there's only two RPMs that could possibly be applied to legacy TLDs, one is the trademark dispute resolution policy which has never been used against a new TLD, it's a very high – you have to show that a registry operator is either directly infringing or is actively encouraging infringement and we don't envision changing that standard.

The other is applying URS to legacy TLDs and the provider asked today whether they could quickly scale up if that was recommended and accepted as a consensus policy and the general response was that it could scale quickly; it would just become something that would be available against a infringing domain with a black and white situation at a legacy TLD if that is adopted.

So I just wanted to provide that input. And if there's any questions, happy to answer them. But we're – unless things change we feel pretty good about our current timeline and sticking to it. And as I said at the Council meeting yesterday, we're going to discuss some operational measures to enforce the timeline and meet deadlines and consolidate discussion in service of that. Thank you.

Heather Forrest: Thanks, Phil, very much. So to clarify that action item, we have Paul, Keith and we'll brief Donna to the extent that she's willing and able to review the materials that were presented on Sunday, identify any points of discrepancy, identify any specific questions that might need to go back to the leadership of that PDP. Yes. Great. Excellent.

GNSO review of the GAC communiqué, as always we're under a deadline here. The Board timeline for GAC consideration is to have the joint meeting one month after advice is issued. That puts us in any interesting spot in that our GNSO Council meeting for April is on the 26th. So we will not be able to meet the Board meeting deadline, at least as they envision it. We don't have a hard and fast one yet but we won't be able to push this to the next Council meeting, which means we'll need a flying minute if we want to get it done.

One of the concerns that we've had all along is the timeliness of our input. It's great to give input but if it comes after the fact then it's frankly pretty useless. So we need a group to turn around and do this fairly quickly. It has been the tradition in recent times that a member of leadership joins this effort to help champion and herd. Julf, I think there's also a very you know, an opportunity here that maybe hasn't been seized until now for the liaison to be very much involved in that drafting process because you will have to be our spokesman and rather than brief you after the fact I think it's helpful to have you involved in that.

We had a quick chat and I think Rafik, are you willing to champion things from a leadership point of view? That's great. So we've got Rafik and Julf. Anyone else keen to join the drafting team? Darcy, fantastic. Michele, fantastic. Tatiana, Ayden, great. We want to be – Paul? Great. Good. Yes, the whole Council.

Michele Neylon: Madame Chair, just throw us all on there and just be done with it.

((Crosstalk))

Heather Forrest: Excellent. For the record, Keith Drazek is not volunteering for this effort.

Tatiana Tropina: You did too much with the last one.

Heather Forrest: All right. That's fantastic. So just be careful because we have – it's wonderful to have lots of volunteers, but lots of volunteers means more coordination. Then again we're working to a tight timeline so you guys work it out how best, yes, take Julf and Rafik's lead, how best to get it done. What we need to do – may I suggest that you work closely with Marika and team on the flying minute. We're going to have to do a flying minute on this one. Marika, please.

Marika Konings: Yes, this is Marika. As per usual staff will kick this off but as soon as the communiqué is out we'll put it in a template that the Council has developed and that will provide then you with the starting point to start your conversations on how to complete that.

Michele Neylon: It's Michele for the record. I believe the communication will be out later this afternoon. And as usual we will love it deeply. You keep – you've used the term that I'm having difficulty wrapping my little brain around, a flying minute? What exactly do you mean? No, sorry, English is my first language and I found that one a bit confusing.

Heather Forrest: Fair enough, Michele, my apologies. So we're not going to be able to put this to a vote at the Council meeting, so we're going to have to do essentially a vote by email. We're going to have to have a sort of – sorry, Marika is going to clarify. Marika is now going to – so sad emoji face – over to Marika.

Marika Konings: I'm sorry about that. This is Marika. Actually I think the rules for email voting are actually that you should have already discussed the issue to be able to do an email vote, but I think what you've done in the past is that if there is a sense of comfort around a draft you can submit it to the Board saying, this is,

you know, our current draft, we're planning to confirm it and have a final draft following this Council meeting which we will send you as soon as it's confirmed, but here you already have our preliminary input at this stage.

And again, we're trying to confirm with our GAC colleagues if a date has already been found. Apparently it hasn't so that is still in flux as well, so there's also possibility that, you know, your meeting may still coincide or be close enough to their joint session, which is focused mainly on clarifying questions around the communiqué. But again, of course it might be helpful for the Board at that stage to have the Council perspective.

Paul McGrady: Flying minute is defined as committee members can vote on issues and pass motions without holding a physical committee meeting, such votes are usually referred to as flying minutes or VOCs. So that's what that means.

Michele Neylon: It's Michele for the record. Thank you, Paul. Genuinely didn't – had no idea what that was. Thank you.

Paul McGrady: Thumbs up, winky face.

((Crosstalk))

Keith Drazek: Thanks. Thanks, Heather. And thanks, Marika. So just sort of at a higher level, this is going to be a recurring issue for us in terms of timing in response to GAC communiqués, so I'm wondering if looking ahead, you know, not this month or this meeting but looking ahead for meeting planning, whether it might make sense to consider scheduling the Council meeting that follows an ICANN meeting, a face to face ICANN meeting a little bit earlier in at month to give us the ability to focus on this and have the vote and not have this sort of like, you know, ongoing circular problem so just something to consider.

Heather Forrest: Thanks, Keith. It's a helpful suggestion but I think what we need to do is we need to be better as a Council in getting the response to the communiqué out

in a more timely fashion because where we haven't had the bump up in timing problem we've never the less scrambled to get that document done, it's just it's a difficult exercise and it's drafting by committee and it makes it a bit challenging. So take that on board.

But I think that's one thing that, you know, in terms of how we can do things better back to our discussion in January, that's one of the areas where we can improve and hopefully we can do that a bit organically, we don't have to stand on ceremony and propose some sort of formal process there. So anything that this drafting team can do to make that happen to make some improvements I think that'll be very helpful.

Excellent, so we have our drafting team for that effort. And Marika will follow up once we have the information put into the template, that'll kick that activity off. Fantastic, thank you.

PDP 3.0, minor matter. So I think it's really fabulous – kudos to all of us that there's so many positive things being said about the GNSO. And let's seize on that, you know, we – our goal was to come out of January and do something about it right away and we've done that. Fantastic. Sunday's session was extremely productive, we now have white board sheets that we're carrying back and what I would ask that maybe we do as a starting point is if staff are willing to help us just in putting all of that information that's on those white board sheets into a Google Doc that we can all see because at the moment they're just tangible pieces of paper. So that's maybe a starting point for all of us.

And then how do we want to take things forward? What do we want to do next? My thinking here is one of the first things we want to do is reverse engineer a timeline that tells us how we get to having something tangible at ICANN 62. We need to figure out how we're going to actually parse the time between now and 62. What else do we need to do by way of next steps?

What are – we didn't have a chance to talk about this on Sunday because we focused on the substance. For the record everyone is staring at me.

Do you want my ideas? Do you want my thoughts? Carlos.

Carlos Raúl Gutiérrez: Yes, I think one of the major hypotheses in Los Angeles was that most of the additional work comes not from the PDP work but from the fact that the transition has put an administrative load on the Council. So I think this initial hypothesis at least from my side should be revised how do we allocate the resources, the time, the efforts, the dismay of the volunteers to these two type of tasks. And what I saw on Sunday were incredible ideas how to improve one part of it, only the PDPs. So which is great, I think the priority should be there, but we haven't discussed if – how to solve the other part of the problem.

My personal feeling is of course we should continue 80% of our work is PDPs, and we should improve PDPs as much as possible. But we have this load of the SOs, ACs, and GAC and cross communities and so on, I don't know if that's a sign for the future that the future is going in that direction and focusing ourselves only on PDP efficiency could be a waste of time. But this is my – the thing that I see hovering around, the elephant in the room and everybody knows and we're all aware and – but so what? How do we face the future beyond the next Panama meeting and what recommendations would you – would the present leadership because we're losing two of you to the next leadership, because we will continue facing these problems. Thank you.

Heather Forrest: Thanks, Carlos. Darcy.

Darcy Southwell: Thanks, Darcy Southwell. I guess I'm not sure what you mean by what we want to get to by ICANN 62. I mean, we've discussed a lot of issues, even more issues came out in our Sunday session. All of them probably relevant. And I think we have to prioritize those that we think we can, you know, what's

a smaller chunk, maybe, I don't know, low hanging fruit versus what's going to take us more time so that we can actually continue to make progress by, you know, at every meeting we have something tangible that we've accomplished. Somebody brought up the other day, you know, the concept of ranking the projects and we can look at the PDPs this way is red, yellow, green. What are the criteria for that? Is that something we could come up with and have that understanding by ICANN 62 for example, versus something that maybe needs more time and we could accomplish by ICANN 63?

Heather Forrest: Thanks, Darcy. I personally think that that prioritization is a great way to go. Let's capture everything that's been said up to now, January and now, and see what we can do with that. Michele.

Michele Neylon: Thanks. Michele for the record. Now, I think Darcy's thing about the prioritization that traffic light concept, that kind of resonated. But what's that look like? Does that mean we as Council come up with some kind of paper, some concept, some document of some kind? And where do we go with it? Do we put that for public comment? Do we circulate that amongst the SGs and Cs, does it have to go to the Board? I'm just trying to understand this kind of like in an ideal world we would solve the world's problems quickly and easily but realistically speaking within this construct there has to be a way to kind of push it forward so it's accepted.

Because, I mean, the issue I think for a lot of us who have been active in PDPs is we want the things to work but in order for them to work the actual process itself has to be accepted as being valid. And if it's invalidated in some way then we're back to square one.

Heather Forrest: Thanks, Michele. Rafik.

Rafik Dammak: Thanks. Rafik speaking. So my understanding is that we imitated a process or discussion and we get the momentum and in particular with the Sunday meeting. So the idea is to keep that. And I think one will discuss maybe to

have a small team to be (the finer tool) will be there. But to keep working to - that we get a lot of input and ideas.

So but to maybe to (share) that to make it something that we can present to the community but I (get) the (whole) question from Michele how we do that. Maybe you can work out the details.

So but for now, please (unintelligible). We can ensure that we have the follow up. We asked people - we consulted them. We asked if you have ideas (once) so we can keep working with that and we can develop maybe a process how we include input later on.

But I think and my understanding from Heather so we want like ICANN 62 here, 62 in Panama is to ensure that we have the next milestone that we can check what we did and we make progress.

Heather Forrest: Marika. Then Carlos.

Marika Konings: Yes. This is Marika. As a reminder and some of you may still remember that but we actually had a PDP Improvements 1, which is PDP improvements at that time, which I think at that point was more staff driven or at least staff held the pen and wrote up a number of the ideas so that the concept was that I think we had as well a kind of brainstorming exercise.

A number of ideas came out of that. And then the Council kind of looked at okay, so which are some of the ideas that we want to experiment with. And from some of those indeed where kind of staff implemented some others had like a little team - a community team that would work or further explore that.

So again, it may be something similar you want to consider here. Indeed gathering all those ideas there may be a number of kind of streams and I think some of those were already identified in the Sunday session, you know, some focusing on, you know, the working group itself.

And, you know, how does that run; what its leadership has. Others were looking more at, you know, upfront, you know, what guidance does Council need to provide in the form of the charter as well as data.

So again, there may be some streams that can be derived from that conversation. And underneath that you may be able to attach them kind of, you know, low hanging fruit, things that may require a more long-term planning and also looking at, you know, some things you can maybe do without any kind of changes to charters or operating procedures.

But there may be other items that could require changes. And again, the way it was done with PDP improvements a lot of those ideas were then just tested and tried. Some as a result have been translated into kind of standing improvements; even changes to the operating procedures and some other were discarded because they didn't really result in the outcomes you were looking for.

And doing it in that way may then also allow you writing it up in a paper and kind of outlining some of the thinking to maybe pass it back to some of the other SOs and ACs that have expressed an interest and saying hey, this is what we're doing.

If you have any ideas or suggestions, you know, feel free to come back to us or if there's some things that you really like or really hate, we're happy to take that input as well and then from there kind of decide which are some of the things that we start doing.

And I think - and Chuck came to the mic during the meeting yesterday already I think indicate that some things may already get implemented because I think some leadership teams did take some ideas away from that meeting that they want to go and try and test and see if that changes some of the dynamics in the groups.

Heather Forrest: Thanks Marika. That's helpful. And just follow up on two specific points that Marika has made. One I think important that we be crystal clear about this is that we in the Council support that idea. We want to empower our PDP and leadership teams to come up with this kind of creative thinking.

I think it was fantastic that Chuck came to the mic yesterday and said, "Look, here's what I took away from Sunday and we're going to work on these things." I would like to think that all of the PDP leadership teams would be similarly encouraged to do that sort of thing.

And two is this idea of documentation that Marika has raised. And I can say that coming out of the SO/AC Chairs' meeting on Friday all six of the other SO/AC Chairs congratulated the GNSO on its ability not just to talk but to actually do and put something into writing and capture what we're doing and coalesce around a plan, if you like.

And I think that in and of itself that activity of documenting what we're doing is an important one. So let's I think continue to do that. Michele raises a great question about what do we do with that (thing) once we've written it up. Do we put it out for public comment? How do we - let's - I think that's a question that we probably won't be able to answer here today but it's one that needs to be answered.

Rafik's made a point about a small team. I think in order for that small team to get started, what we need is that capturing of everything that was said up to now. January and comments on Sunday and comments made yesterday at the microphone capture all of that.

And then maybe what we do is we see what that is and we figure out, you know, who amongst us wants to try and move that forward and answer some of these questions that Michele's raised and others; likewise (Darcy). Carlos, you had your hand up. Last word on this one.

Carlos Raúl Gutiérrez: Yes. I need better boundaries. I don't want to go into an academic study or organization of study. So what I hear here is that we're going to focus on PDP efficiency. We're not going to worry on the news setting or less. So let's say 80% is PDP driven by the PDP leadership.

And if I was going to join a group, I would strongly suggest to say we're going to work within the paper that (Amelia) and Marika offered us. And we're going to try not to write a Wikipedia on the history of the GNSO.

But we're going to take out of this Los Angeles Sunday and PDP leadership ideas the ones that answered - they have (publicists) of the paper, period because otherwise this is another PDP. Thank you.

Paul McGrady: Paul McGrady. There's a second less cheerful full component to this though, which is what (Bruce) had to say yesterday. And I do think we need to take a look at what in our queue, right, deserves to continue to live and (watch) run its course even if it didn't ultimately produce a result. And I don't know how we handle that but I think that's an important part of this as well. And not as, like I said, not as happy and cheerful but needs to be done.

Heather Forrest: Thanks Paul. That's realistic. You know, and to Carlos's point, remember that we started this discussion in January by calling it incremental improvements. Yes. That's what we're looking for here.

What incremental improvements can we make quickly that don't need changes to our documentation? What incremental improvements need changes to our documentation; for example, the operating procedures. That's I think this sort of bifurcation that we can focus on. And that helps us with the scope problem that Carlos has identified.

We have that example of the previous PDP improvements process. Staff's very ably provided, you know, a sort of set of documentation for that and what could be done. I think we can hopefully rely on our staff team here.

The point of course that Paul raises that came up yesterday, (Bruce) was specifically talking about timing of reviews but that of course goes to a broader picture.

What I think we probably want to be doing here is, you know, we don't want this to be that the community waits for Council necessarily on all of these things. I think it was great to see that Chuck came up and made some comments yesterday, you know, I thought critically on Sunday and here's what I think we can do within RDS.

Paul, to your point, to the extent that a PDP leadership team goes back, does a bit of critical self-reflection and says, you know, I think we have a PDP that's gone on too long and we need to do something about it or we need to come back and change, you know, the charter or something like this that that team feels sufficiently able to come back to us and do that whether it's us as a broader Council or to their particular Council members or something like that.

So I hope that that would be happening. And to the extent that that wasn't clear that it's on the record that that's possible. Michele.

Michele Neylon: Thanks Heather. Michele for the record. I suppose just a query really. Based on the - on what Council is meant to do as per bylaws and things to let the lawyers worry about, if the issue of the - of our conversations in January, the conversations here is more about how we improve our stewardship as opposed to changing our stewardship, which I know is a subtle difference.

But it's more a case of okay, we are charged with doing X, Y and Zed. We've reached the realization that we probably haven't been doing that as well as

we could have done. So this is what we're looking at proposing to do, whatever that may be.

Then maybe - I think Carlos is right. We don't end up in a situation we're doing a PDP to improve the PDP and then we have the same problem we have with all the other PDPs and we're still talking about in like six years' time by which time some people will probably have moved on to other things.

Maybe it's more a case of us just kind of issuing a advisory or something just to kind of go here people, this is what we - how we think this should look. If you think it's a terrible idea, please let us know. But otherwise we're just going to do it, something. I don't know.

I'm looking across the table to hashtag and smiley face emoji just to see if he agrees or disagrees with me. But, you know, I think it's something that maybe we're overt thinking this a little.

Heather Forrest: Thanks Michele. For the record there's some nods around the table. Let's see what we have. Let's put it all together. Yes. Capture everything. Philippe.

Philippe Fouquart: Thank you. Philippe for the record. Yes. To Marika's observations and to the low hanging fruit and referring back to the discussion we had in Los Angeles. I was wondering maybe I'm completely off base but we talked about metrics a lot and as opposed to the longer-term issues.

Maybe between now and the next meeting and the one I had (red taped) to what we do. But collecting data on those metrics, defining them we refer to the costs - relative costs of those number of meetings and number of participants, whatever we can come up with.

Maybe between now and the next meeting that would be reasonable. Now we don't want to add anything undue on the top of our list but food for thought. Thank you.

Heather Forrest: That's a helpful suggestion Philippe and it clearly - it gives us a clear path for coming out of this meeting. So thank you very much. Anyone object to that suggestion by Philippe? No? Fantastic. Great. Excellent. We are making progress. We are making progress.

Timeline of reviews. I'm conscious we have two minutes left. Timeline of reviews and if and how modifications can be made. We've heard quite a bit about this this week in our various forums whether it's here in the Council or with the ccNSO or with the Board or in our (RSGNC) meetings.

It seems to me that where we are is that (Goran) and team are proposing putting together a bit of a proposal, a discussion paper on what we can do here. I think it's not a bad idea. While I tend to be, you know, hesitant to just let ICANN org take the pen on a first draft, if we as individual SGs and Cs or excuse me, SOs and ACs start down that path, we might just end up too wildly divergent.

So I think let's let them take a stab. So at this point we're at least a bit responsive rather than proactive on this one. And I see nodding around the table that folks are okay with that. Yes.

I think we all recognize - maybe this is the elephant in the room meeting. We all recognize something needs to be done. And that's in and of itself a good thing, right. Recognizing that you have a problem. All right. Any questions about that one? No?

Board process for GAC advice. So this is something that (Ruben) very kindly raised on the list for us. And we can I think follow up here. So Marika posted some helpful updates on that in a sense that Marika, as we understand it that

document it was put together by staff. It's just a description. Tell us a bit and help us on how we move this forward.

Marika Konings: Yes. This is Marika. As you may recall when (Goran) joined the organization -- I think he is the starting point -- started looking at all the documents and all the processes we have and said look, this is terribly complicated.

There's a lot of information there. Can we actually start visualizing that and describing more what it is that happens in these different SO and AC processes. And I think some of you know that was a thing called the Hubba-Bubba project.

So we actually did the same exercise for the GNSO and all those papers have been published. I mean to a certain extent of course they capture exactly what is in the ICANN bylaws and the PDP manual but in a more of a descriptive way to make it easier to understand for those that may not be intimately familiar with the PDP on how things go, how things flow.

And as well I think one of his objectives was also to identify impasse points. Did we have any points in the process that, you know, we currently don't have any way out and should be further considered?

So again, so the document that was circulated was that process description for how the Board deals with GAC advice. And I think as I shared as well that is intended to be an open document. So if there are any updates that are needed, any further clarifications to be added, that's no problem at all.

I mean, as said there, if things are missing they should be pointed out. And of course, you know, what the Board does is what it has outlined in bylaws and in there are respective procedures. So again, this is just a description.

So having said that, you know, if there's something that the GNSO Council believes that should be added, you're more than welcome to just suggest

specific edits to that document. And I can then take them back to the staff owners of that document so they can have a look at it.

And, you know, if they have any major concerns about it because from their perspective it doesn't describe what actually happens or it adds steps to it that currently are not done, of course they can then come back and we can have a conversation around that.

But if it's adding a clarification that, you know, currently is not in there or just provide some additional explanation that may be helpful for those reading that document, I think that will be more than welcomed.

Heather Forrest: Helpful clarification Marika. Thank you very much. So as I understand it, if there is anything in there that we think is inaccurate, then we should point that out. But Jeff, you're lurking at the microphone.

Jeff Neuman: Yes. Thanks. Jeff Neuman. I would strongly urge you to update that document because as often happens in the ICANN world and as Marika said, the intent is really to provide a streamlined version for those who are not as familiar with it.

So the last thing you want is a new GAC member to go in and only read that document and not see that there is a role for the rest of the community to provide input into the Board when it's considering GAC advice. Because right now that document says nothing about when that advice is inconsistent with another supporting organization's advice or is something that is naturally in the jurisdiction of that other supporting organization, which - so it should be referred back to that organization.

So I think it's imperative that you all provide an update. Otherwise years go by, people refer to that document and then we have bad will between a GAC member that says wait a minute, this process says that it's considered by the Board. There's no role for the GNSO here. So that's my opinion. It's critical.

Heather Forrest: Thanks Jeff. So based on what Marika said, what I think we could rationally do here is if we want to make edits, we simply channel those to Marika. Jeff, you've raised the issue and feel quite strongly about it. I think let's, you know, anyone who has -let's make a call now. Let's make a call for edits to that document.

Perhaps what we could do - Marika, could you help us? Could we put that thing - how do we do it? Can we put it into a Google doc? How can we - no. All right. So then let's just do red lines. Send red lines through. Let's channel them to the Council and we'll compare any red lines that are received and we'll see how we want to go forward from there. If we only get one red line, then we'll only talk about the one.

Marika Konings: Yes. And this is Marika. This is just about, you know, pointing out what is missing. We're not here to rewrite the process, you know, because this is really outlining the process that the Board uses.

And again, it's just focusing on how they deal with GAC advice. It doesn't mean that there's nothing else that's around that. But again, what needs to be pointed out let us know what is missing and we'll get it added to the document.

Man: What I recommend Marika to - it's just a small process diagram rather than a big wordy document. There is one. Yes. But you - I realize that (in their message). Have a look at what some of the consultants did. I'd get it down to about three boxes. So just similar to what you have on the GNSO Web site to just say if GAC advice is relevant to the GNSO, this is the path it follows and stick it on the GNSO. So that's what I recommend.

Jeff Neuman: Thanks. Jeff Neuman. I'm not sure - I'm not sure about what you said. I understand not rewriting it. But then you said because it's only the way the Board deals with the GAC.

But the Board should be dealing with the GAC letting it know that there are other things and other steps in there that the Board does when considering GAC advice. So that is the part that's missing. Right.

And so, right. So don't rewrite it but just make sure you add it. It just sounds like you're minimizing it and it's kind of important.

Marika Konings: This is Marika. So Jeff, please send me what you would like to see added and we'll get that across to our (unintelligible). They will take it from there.

Heather Forrest: Michele.

Michele Neylon: Yes. Just very briefly. Michele for the record. Just one thing that somebody flagged with me earlier this week, which I think we need to bear in mind. Within the GNSO you - ever though there is a turnover of people, there is an institutional memory.

Within the GAC unfortunately that doesn't seem to happen because the - simply the average time a person is in the GAC is about 1.5 years. So you need to be conscious of the fact - I mean I think what Jeff was pointing at, and I know Jeff's going to enjoy me actually agreeing with him for once, is that, you know, be careful how you document these things because ultimately the GAC member you're talking to today could be gone.

I mean we've seen there's a couple of Latin America ones who've been reposted and God only knows who's going to replace them.

Heather Forrest: Thanks Michele. I think that's a very good point. And that's one that recognizes a present reality. And I too understand, you know, very clearly Jeff's concern that when there is a document out there and that document has a gap that that gap can be misinterpreted. And so I think that's something that we want to be very careful of.

The one thing I just want to clarify for the avoidance of any doubt is I don't think that we're comfortable with a space where Jeff hands a red line to Marika and Marika goes off and implements those. I think we probably want to circulate that around the Council to make sure that that's understood.
Marika.

Marika Konings: Yes. This is Marika. And just to make clear as well, I'm not implementing anything. What I would do - whatever I get, I'll send it across to whoever was responsible for drafting that part of the document.

And they will give it then consideration whether indeed it is something that was missing or whether it's trying to add steps that are currently not written down anywhere.

Similar to how, you know, for the GNSO process manual if someone would suddenly say oh, you've missed this step, please add it; we would go to a similar process to evaluate is that indeed something that is being done in the clarification or is someone trying to insert something that is actually not consistent with current practice.

Heather Forrest: Thanks Marika. So let's clarify. Jeff, if you're willing, you're the one that's raised the issue; if you're willing to give us some text around what you think could be usefully added, let's take onboard (Bruce)'s input that let's not make this more complicated than it needs to be.

Let's try and, you know, because by putting language in, we run the risk that that gets misinterpreted. So let's try and be as clear as possible, plain English on that language.

We'll have a look at that. If we agree that it's, you know, and we don't have to worry so much about the fine wordsmithing but if we agree that indeed it's a gap and it ought to be raised, then we'll pass that up and we'll go through the

process of how, you know, whatever that process is of seeing if that can't find its way into the document. Everyone okay with that? Jeff is nodding for the record. (Susan).

(Susan): What's the timeline here?

Heather Forrest: Marika.

Marika Konings: I mean - this is Marika. All these documents are posted and kind of intended to be kind of running documents so that there's so specific deadline. So whenever you want to submit something, we'll take it further.

And again, it's not the intention then that it gets sent and no is no. I mean our staff colleagues may come back and say well, we actually don't understand or, you know, we actually suggest - we actually think this is a better reflection of what you're trying to provide.

But again, this is a description. This is not, you know, the rules as they are. I mean the bylaws are very specific. You know, Council provides policy advice to the Board. And that is to be a policy recommendation to the Board and that's to be considered.

Similar when other SOs or ACs provide recommendations to the Board, the Board needs to consider those. So it's never that it considers - similarly like when we send GNSO policy recommendations, those are not considered in isolation. If there's other advice, those are also factored in.

And no, I do agree it's helpful to make sure that that is recognized. But it doesn't mean just because it's not specifically called out there that it's something that doesn't happen anymore.

Heather Forrest: Okay. Any further comments on this one? No? Excellent. We have some time remaining. We're scheduled until noon. It's 11:42. Anyone have any

other business to raise? This is just a running list of things that we've kept across the week.

Jeff, let's just check on Council first before we turn it to the open mic. So this is the list that leadership and staff came up with that we wanted to catch back up on today.

Councilors, anything that you feel like we've missed that we ought to usefully talk about here today? Paul.

Paul McGrady: Paul McGrady. Just I guess a heads up that one thing that we learned from this week is that unless a miracle happens, there will not be an accreditation process in place to get access to (this) information prior to the GDPR deadline.

And that's causing some consternation obviously among various folks, the least of which not including the IPC. And it's causing some real practical questions about how do you take next steps in participating in the RPM PDP without knowing whether or not there will be Whois, right, because there are certain element within (BRS).

For example, the ability to prove a pattern, things like that that are baked into the elements of some of these policies. And so there's nothing to report other than to report that, you know, all of these things as we all know are very much interconnected.

And so maybe ICANN staff will provide some guidance on how people can be accredited to access Whois. Hopefully that's in the coming months. But I just wanted to point out that that is, you know, causing a wrinkle that might affect at least one of our PDPs. Thanks.

Heather Forrest: Thanks Paul. Stephanie.

Stephanie Perrin: Stephanie Perrin for the record. It struck me yesterday that with all the manifold review teams and PDPs and everything else we've got we don't have a proper cross community or GNSO appointed working team to solve this problem.

And frankly that is quite stupid. I'd like to cancel about five of the PDPs that are killing us and review teams and set up one where we have proper representation, multi stakeholder representation and transparency. That I think would be a useful suggestion to come from the GNSO.

We tried back I guess it was Johannesburg to have a process and there was squabbling about whether this was a registrar contract deal or whether it was a, you know, but I mean we're chugging along and I think that the process that we're following right now does not reflect well on us or on ICANN.

Heather Forrest: Thanks Stephanie. I think Michele wants to respond to that.

Michele Neylon: Thanks. Michele for the record. Don't worry about it. We haven't forgotten about Jeff. He is still there. Are you - Stephanie, are you specifically referring to how contracted parties and others are trying to deal with GDPR or are you talking about improving PDPs? Because I'm just trying to parse your comments because I kind of heard two things and I wasn't exactly sure which way you were going with it.

Stephanie Perrin: Sure. We have a - the accreditation issue is a Whois issue. And the GDPR compliance is a really Whois issue. I mean there are other issues. But so why wouldn't we set up a small working group or a sub channel of the RDS working group, which is still chugging along, and try and solve this problem in a more transparent way?

Michele Neylon: Michele again for the record. Okay. Thanks for clarifying. Now I'm not speaking on behalf of all the registrars or the Contracted Party House but just kind of channeling the kind of general sentiment.

We generally view the issue we're currently facing as being a contractual issue. We are conscious of the fact that post end of May when the sky has fallen or not we will have to address the policy properly - would be that by the RDS PDP or something else.

And we would need to potentially change a bunch of other policies. And as the (proto standing) operating procedures and everything at the moment we - the Council and the aboard has the ability to suspend a policy I think for a 12-month period or something like that. It's not indefinite anyway.

And so that does give us a timeline. But realistically speaking, if we still have this issue with participation from people who participate in order to block progress as opposed to working towards compromise, it's going to be very, very difficult. And I don't think forming another group to quote unquote solve it is actually going to solve it.

Keith Drazek: Keith Drazek for the transcript. Thank you Stephanie for bringing this up and Michele, I agree with what you've said. Just to carry on this conversation. So Michele's right. There is the opportunity built into registry and registrar agreements for the ICANN Board to initiate or to impose a special or a temporary policy.

That temporary policy can be in place for up to 12 months before a PDP is required to be established. So the question then I think as Stephanie raised is if that is the mechanism by which ICANN organization Board legal decides to implement the model that's being discussed right now for GDPR that there's an expectation that within 12 months -- it's a maximum of 12 months where you could have it as temporary policy in place -- there needs to be a PDP established to deal with the issue that was raised for this temporary policy.

So this raises a question. If they use a temporary emergency policy and there has to be a PDP set up to deal with that particular issue, there's going to be some potential overlap between that and the RDS PDP Working Group.

And is there an opportunity for the RDS PDP Working Group to be re-scoped, re-chartered, refocused to deal with the issues that have been raised around GDPR.

So I think there are a lot of uncertainties about this moving forward. I saw Pam put her hand up. So feel free to jump in here and correct anything I may have said that was wrong.

But I think we as a Council at some point looking ahead will have to, you know, engage on this issue and, you know, sort of look at that. You know, how does the RDS PDP Working Group evolve?

Is there an opportunity for it to be re-scoped, re-chartered, refocused to deal more specifically with some issues not what we have GDPR sort of hanging over us, will have more experience based on the GDPR enforcement, you know, come May 25 and beyond.

So I just want to put that out there as a marker for us as a Council to be at least aware of that we may be dealing with some of these new dynamics. So back to Heather and I saw Pam's hand.

Pam Little: Pam Little. I agree with what Keith just said by and large. I just want to clarify one thing. My read of the language in our contract is once ICANN Board adopts that temporary policy, it's not a PDP has to be established within 12 months. But the consensus policy has to be in place within that 12 months.

So it's a subtle but very important difference. So we only have 12 months to come up with a permanent policy, if you like, to replace that temporary policy.

So I guess as a Council we need to be prepared and be aware that might come to us more than - earlier than we expected and the timeline is quite short. Thanks.

Keith Drazek: This is Keith just to respond. Thank you Pam. That's a very important clarification. And you're right. So that's - but it I think underscores the importance and urgency that we're facing as a Council and as a community to be able to react to that if that's the direction the Board goes.

And I think we heard a couple of times this week in interactions with the Board and staff in various sessions that that is what they're thinking about. So I think we need to be prepared for that. Thanks.

Stephanie Perrin: Stephanie Perrin for the record. I think - and that is a very important distinction that in my view underscores the need to have the other stakeholders at the table while the interim solution is being crafted.

I think you should understand by now that civil society at least understand the policy implications of what's in that and understands your frustration with the liability issues that you face.

But nevertheless, this is the first time the wretched policy has changed in 18 years in a (substantive) way. And if - once it gets into the contract as an interim policy, it's going to stay that way.

So I am I think as frustrated as anybody. I have - I won't say I've got perfect attendance at the wretched RDS meetings but pretty close. And unlike some, I read all the documents.

So the fact that we have been completely waylaid by a bunch of actors who were allowed to walk in the door and join and have no respect for ICANN, its procedures, anything else that goes on here I find deeply frustrating.

But then to keep the people who've been putting up with that and patiently waiting through it and exclude them from the deliberations of the only policy that counts I think is fundamentally unfair. And I don't mean this as a personal attack Keith. I hope you understand I'm just being blunt.

Michele Neylon: Okay. So I'll go first. I'll be the blunter. One, that I'll cede to the much politer American gentleman across the table. Michele for the record. And Stephanie, much as I appreciate your - and respect your view on this, I fundamentally disagree.

We're (unintelligible) this is a contractual compliance issue that we are dealing with. The policy is going to be made within the RDS PDP. And that's the thing that we need to fix as it so that we can move forward to have a new set of policies that will be robust enough to survive into the future.

And I think you've done a fantastic job and you've been incredibly patient. You bring a lot of knowledge on the data protection issues to that group and I hope you stick with us. Thanks.

Heather Forrest: Keith and then I'll make a last word and then we're going to come to Jeff Neuman.

Keith Drazek: Okay. Thanks. And Stephanie, thank you. I understand and appreciate your - certainly your frustration with the current situation. I think there's a lot of that going around.

But I do - I agree with Michele in the sense that just because there's a temporary policy put in place, it does not mean that that is going to be what survives.

And I think that the RDS PDP Working Group either in its current form or its future chartering adjustments, whatever may happen, I think is the place where the policy will be - the consensus policy will be developed. And that

will be of course a cross community, you know, open to all participants and, you know, a bottom up consensus based process. Thanks.

Heather Forrest: Thanks Keith. So just so - this is Heather. But just so that all of you know this, any time any Board member or anyone asked me this week about - or not asked me necessarily but gave me some sort of a view on scenario planning for what we're talking about here, I said, "Are you engaging the RDS PDP and leadership."

Sometimes I was met with blank looks. And I said, "Over to you then." Please engage with RDS PDP and leadership. I think that's what we need to be supporting the PDP.

I see lots of nodding so it tells me I haven't said the wrong thing. That's good. Cool. Thumbs up for Michele. So if we could all communicate that message to the extent that you're approached by someone who says here's my wacky idea about what we ought to do here in relation to temporary or policy or otherwise. Then maybe we can all adopt that same mantra and make sure.

My concern is that if the RDS PDP and leadership is going to get handed something and by surprise. And they weren't given an opportunity to input to that. And (Susan), last word on this. Yes. Because Jeff is going to stab me if you...

((Crosstalk))

Michele Neylon: Jeff's not violent. He's just fiery.

(Susan): Thanks. But just - I was on the RDS leadership and resigned in January. But I just can't even express what would anybody hand RDS PDP. We have a charter that was - I mean I don't think that's a feasible solution. I don't know what the solution is but I agree things should be going through the PDP but a PDP.

But to actually hand things off to the RDS PDP, that would require a charter change and all kinds of mechanisms to stop and then start again and so.

Heather Forrest: To be clear (Susan)...

(Susan): I don't think it's feasible.

Heather Forrest: ...my concern is simply that whatever dialog happens includes the RDS PDP leadership. Because I'm not convinced that they're involved in any of the discussions that are happening. And (Susan)'s for the record shaking her head now.

And for the record also, I didn't mean what I said about Jeff. I like Jeff very, very much. And I know he wouldn't actually do anything nasty, sad face emoji. Jeff, please, over to you.

Jeff Neuman: Thanks. Jeff Neuman. There is one issue I think that impacts subsequent procedures that has been discussed this week, which is that the SSAC is doing a study on name collision and they've asked for input on their work plan.

And, you know, this is not about any substance of the name collision study but there is a timeline that is proposed in there, which is already going to get delayed because I don't think the Board is going to approve it in the timeline that they thought.

Long story short, the timely ends or actually - yes. The study ends around mid to late 2020, which then the next step would be to implement whatever the recommendations are. That timeline is essentially could delay what we want to do with subsequent procedures in the next round.

When I brought this comment up to the SSAC at their name collision study, the response was well maybe you should accommodate our time schedule. Because I had recommended that the GNSO coordinate with the SSAC to try to see what we could do on the timeline, set priorities, all that stuff.

The basic response the next day was tough luck. We're doing what we're doing. It's our timeline. You guys if you have an issue with it, let us know. I think that's the wrong approach.

I would like to see the GNSO Council submit a comment just basically saying that we should - we the community should coordinate together on the timelines, understand our priorities, understand what we want to do and see what we can do so that we can have a win-win situation. Thanks.

Michele Neylon: This is Michele for the record. Jeff, just so I can understand you, are you concerned that the SSAC focus on security and stability should be ignored? Or are you - or what are you suggesting exactly? Because the bit I'm trying to parse there is that if you want this to move forward, you need to make sure that it moves forward and is robust and isn't delayed further down the line.

So if you look at that - the last round, lots of horses left gates and barns and were heading down tracks and then various things happened where people realized that oh dear, oh dear, whoopsie, we forgot to look at X, Y and Zed and then we ended up with a situation where, you know, various things were put on hold or were suspended and that caused a lot of frustration and lack of predictability.

So I'm just trying to understand what you're actually asking for because if it's a case of speed it up, speed it up, speed it up, then we're going to end up in the same situation we did last time.

Jeff Neuman: Thanks. This is Jeff. I'm not saying that at all. What I'm saying is that there should be coordination between the GNSO and the SSAC to understand

each others' timelines so in fact there are no surprises, so in fact we're not all the way down the line, we're implementing and all of a sudden the SSAC says whoa, whoa, whoa, you can't move forward until we're done.

So to avoid that surprise, the groups should coordinate to figure out the priorities, to figure out what needs to be done and when. And if there are things that need to be done prior to a launch of a new gTLD round, that's understood by the community and that the community can plan around it instead of having one side all ready to go and the other side then puts a halt on it. So I think I'm saying the opposite. I'm not saying speed up. I'm saying coordinate.

Michele Neylon: Thanks Jeff.

Heather Forrest: Thanks Jeff. Thanks Michele. Let's take that as a matter of note; follow up on that to the extent that we think is best. Could I also just end by putting on the record as well I think it's helpful just for transparency purposes. So the SO/AC Chairs each receive an invite this week to contribute if they were able to to the SSAC review.

There's an independent reviewer that's working on that. I responded to that invitation, met with them earlier this week. Was asked if there was anyone else I thought they should talk to. And I said, you know, any member of the GNSO but in particular brought back the same sort of personal invitation to Rafik and (Donna).

I know that that's been circulated out on the list as well that, you know, anyone can contribute to that process. I encourage you to do that. Michele, over to you. Let me say Michele just, you know, so everyone's crystal clear, I wrapped a disclaimer all over that and said, you know, I can't speak for the GNSO. I need it recorded in my response that I can't speak for the GNSO.

I gave my response as largely now as a result of my interaction with the SSAC leadership and so that you know, I have contributed to that process in that way.

Michele Neylon: Just very briefly. Thanks. Michele for the record. The Registrar Stakeholder Group was also - has also been looped into that. I know Tobias Sattler - I think he did contribute to the review. I'm going to be doing it this afternoon, which I'll be doing in my capacity of me as a human being and not on behalf of anybody else because I never do anything on behalf of anybody else.

Yes. I mean I think this - these kind of review are useful. And I think hopefully it'll help to improve the overall kind of interaction.

Heather Forrest: Thanks Michele. I will say, you know, the SSAC folks they've got a transition and leadership team. They've been super friendly and welcoming and all that good stuff. They're very good contributors to the SO/AC Chairs process. So I think that's great.

Any further that we want to raise. I know we're three minutes over time. But great to have had an opportunity to have an open microphone. I see none. We had a fabulous meeting. I suspect lots of you are as exhausted as I am. We're making great progress. We're doing things in response to January. And I think that's very positive development.

Let's all go home, recharge the battery and then keep up that momentum. So thank you very, very much folks for your contributions to ICANN 61.

END