

**Transcription ICANN62 Panama  
GNSO: Council Wrap-Up  
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Heather Forrest: Okay, folks, why don't we go ahead and get started? We've got at least one rep from each of the Cs and SGs. Tech folks? Looking to you for the thumbs up. Awesome, thanks very much.

Okay, last time the GNSO Council comes together in – here in Panama City and it's been a fantastically productive week and dialogue continues on the – on the Council list so that's brilliant.

We have an agenda for today, and what the normal process is, is that throughout the week leadership and staff keep track of things as they get mentioned, we run a bit of a running list and then put all that together in the form of this agenda, so these are things that we've collected along the way since the weekend.

The first thing is one that I won't tell you what I said when I saw it on here because I had completely forgotten about this; in addition to everything else,

we need to find some folks who are going to do a review of the GAC communiqué. And there is a timeline and I'm only thinking out loud a little bit, Marika, I know we saw the timeline for the Board meeting and something like the 27th of July sticks in my mind yes? Which means...

Julf Helsingius: I think it was the 27th but it's in my email, I'm just trying to dig it out so...

Heather Forrest: Thanks, Julf. If you can confirm that for us that would be great. So that – what that means practically speaking is that in order for us to reply to the GAC communiqué in a way that – in a timely manner for it to be considered before the Board and the GAC meet it means our communication has to be with the Board in good time before the 27th of July. So on top of everything else we have this to do. And there are specific matters likely to be in the GAC communiqué to which we will want to respond.

My view here is we want to put the EPDP drafting team first in terms of getting work done but I do think there are some efficiencies to be gained in terms of responding to the GAC Advice on EPDP might let's say feed into some of our broader discussions. What do you want to do here? Michele.

Michele Neylon: Thanks, Heather. Michele for the record. Yes, okay the timing around these two, yes, pain in the neck but at the same time they're not really conflicting in some respects, because the timeline we have with the EPDP charter drafting with its timeline it'll be done in the next 10 days or so or something like that. So that – that does give us a slight breathing room.

Now the GAC communiqué has been finalized but it hasn't been published yet. Those of us who have been keeping an eye on what they're putting into it are aware that there are several items in there which are obviously of interest to us, there's IGO, NGO, two characters and of course they might or might not have something to do with domain registration data, I don't know, I mean, that would be so surprising. And then of course there's the usual castigating the Board for not doing what they were told to do and all that kind of thing.

So we could probably split that out, like we do normally; we have that matrix that kind of scorecard type thing. Some of the people who are interested about, you know, the two characters and those other things, they're not necessarily the same people who are as actively engaged in the drafting as others. And some of us are vanishing to other parts of South America next week anyway so won't be really active in the drafting. But I'm more than happy to help with trying to un-jumble whatever they put in there.

But, I'm also conscious of the fact that when it comes to Whois things, we are probably going to end up making a non-statement statement because whatever they're going to put in there is going to be really hard to wed with reality. But I'm more than happy to help draft that so you can shove me down. I mean, actually just put me down as a standing, you know, Michele will volunteer to respond to the GAC person, but even if my response isn't helpful.

Julf Helsingius: Julf Helsingius for the recording. Just to start by confirming, yes, the discussion between the GAC and the Board is on July 29 so that's our timeline. And then, yes, the official communiqué they have actually nailed it down but it's now going through the process and we won't get to see it until it's come out of that pipeline. But as Michele said, there are no real surprises in there. And actually most of them will be fairly easy to answer with basically saying, we are working on this and watch for the results. So I don't expect it to be a major effort.

Heather Forrest: Thanks, Julf. So on the point of timeline, remember that our GNSO Council meeting is on the 19th so that can factor into part of this. So to Michele's point, do we have anyone who – anyone else, Michele's put his hand up, I would think, you know, a fast and light team here, we don't want to have an exhaustive effort on this because I don't think, yes, yes, not only Michele is saying four, and not only you know, keep the numbers tight but let's keep the drafting concise here too so that we're not burning energy. Julf.

Julf Helsingius: I assume I'm on the team by default.

Heather Forrest: Thanks, Julf, noted and we'll remember that for Barcelona too.

Michele Neylon: So Julf's role is not to actually draft, it's to translate GAC-speak back into English.

Heather Forrest: Martin.

Martin Silva Valent: Yes, I can join support Michele.

Heather Forrest: You're a star, Martin. Thanks very much. Marika.

Marika Konings: Yes this is Marika. And just to note as soon as the communiqué is published we'll put it in the template and get that out to the – I think two volunteers for now and as well – oh more? Sorry, oh Michele.

Michele Neylon: Me, Julf, Martin.

Marika Konings: Okay, so we'll get that out to you and then as well like if any further support is needed from staff like setting up a call or anything like that, I think last time would you like us to immediately set up as a Google Doc, does that help? Okay, I see thumbs up so that's what we'll do.

Michele Neylon: Just on that, Marika, yes, I mean, a Google Doc is helpful, just giving us the ability to make suggestions and notes and that kind of thing rather than letting us dramatically edit the hell out of it that you're going, where the hell did that go to? But I think that's helpful. As for calls, I think we did hold one – was it two GAC communiqués ago? I don't remember as I tend to volunteer myself for this. Maybe but I wouldn't get too excited about it if people are actually willing to respond to stuff, we should be okay. Assuming of course that Julf has not misrepresented us.

Heather Forrest: Great. Thank you, Michele, Julf and Martin, that's very helpful indeed. And reach out to the leadership team if you need anything at all, yes. Excellent. Number two, volunteers to work with Donna, who had volunteered initially to hold the pen to develop input on short and long term options in relation to reviews. The deadline for that one was said a few times this week, has been pushed to the end of July. I would like to think on that one as well that we can get sort of beyond the hump of the final effort in relation to the drafting team and then maybe turn our attentions to that.

Donna, is just for clarification purposes, we had to split ourselves up today because they're running the ICANN 63 initial planning session right now at the same time as this session and Donna is our whiz and expert in relation to meeting planning and meeting scheduling so Donna volunteered to go off to that one and represent us there.

So I think what we ought to do is circle back with her but is there anyone off the top of it who feels very strongly about I think in particular it's going to be the long term reviews, the short term reviews affects us less now that RDS 2 was taken off of there or Whois 2. Anyone feel strongly about long term reviews at this point? Carlos. Yes, excellent. Thank you. So what we'll do, Carlos, is we'll connect you and Donna on that one. If anyone else feels a burning desire to say some comments about the efficiency and effectiveness of reviews, you can join that team but I'll make a note of that, Carlos, thank you very much.

Number three, Council input on the draft proposal of...

((Crosstalk))

Michele Neylon: Pardon, Heather, sorry.

Heather Forrest: Oh sorry, Michele.

Michele Neylon: No, I was just going to say because I was working internally with the Registrars on that, I mean, I'm happy to share at least what we've been looking at. Thanks.

Heather Forrest: That would be very helpful, Michele. Thank you very much. We'll make a note of that for Donna as well. Thanks.

Marika Konings: I'm sorry, do you mind repeating the volunteers?

Heather Forrest: So at the moment we have Carlos, and Donna and Michele is going to share some work that was done internally with the Registrars. And Marika, what it might be useful to do is just circulate the relevant comment period link to those folks just to put it at the top of the inbox, maybe we do that on Monday, let people get their brains cleared and circulate that on Monday. And by way of reminder, although it's not on the agenda, Marie, for you to put you in your calendar on Monday you're going to circulate to us – that's thumbs up, awesome, thank you – the BC comments on 3.0.

So 3.0 is simmering in the background. Everybody put on their radars and think of 3.0 as an adjunct to the work that we're doing in relation to the PDP. Yes, go back to your stakeholder groups and constituencies have a think about those recommendations that were made in the PDP 3.0 paper. There's a list of long term options there and some near term options so all good things to think about as we wind up our discussions on the EPDP charter and we'll come back obviously to EPDP in a second here on our agenda.

Number three, number three is one that's just come up on our agenda in the last 24 hours or so, Org has published a proposal of new fellowship program. This is something that we've had discussion about in the strategic planning session, on the list, in the context of the SCBO, the deadline for comments is the end of the month so there's not a huge turnaround here. It may be that we have a look at this approach and we say, it's not for Council to respond

because it's not directly impacting the policy development process, maybe it's better for SGs and Cs. But we need to do an initial sniff to see if it is something that we want Council to respond to. Can we – does that sound acceptable to folks in our overburdened brains? Ayden.

Ayden Férdeline: Thanks, Heather. This is Ayden. I'm happy to be a part of that effort but also I just wanted to say that I have read through the proposed approach already. I don't think there is a lot that we need to say but there are some financial implications so I'm sure the standing committee on budget and operations will be happy to look at just the financial aspects as well and we could do a quick turnaround if necessary.

Heather Forrest: Thanks, Ayden, I appreciate that. Could I ask Ayden, as a first course of action, could you post to the list a very concise rationale as to why you think Council should respond before you go into the substantive effort, let's get everyone on board with the idea of responding and then if we've got enough traction on that then we'll move ahead and consider what the response could be. Yes?

You might, if you want to jump the gun slightly, given the condensed timeframe, because I take your point about the SCBO but we're going to have be quick here, you might say I think we should respond on these points, here's why and just a very concise thing; that way you don't burn lots of time in drafting. If you're willing that would be brilliant. Thanks, Ayden, fabulous.

Okay, great. That gets us into number four, which is the EPDP. We've got 45 minutes here. The first thing that I would suggest we do is so we weren't able to catch up with Donna but Rafik and I sat down with Marika this morning and did a little bit of brainstorming on timeline and what happens next. And if we could show that – are we able to show that timeline? One minute, cool.

What the timeline does is it shows the month of – and I should say draft or proposed very much – shows the month of July and what we can accomplish

over the next few weeks, specifically with a view towards the major milestones; one of them is the July Council meeting, the other one is the approval of the motion to start the EPDP, the charter and the initiation request.

We've calculated out some deadlines, we've added in there the expression of interest, which we'll pick up in a more substantive way in Point B. We've calculated in there SGs, Cs, SOs, ACs, to put in their nominations. We'll come back to the actual substance of composition in a second. We've factored in there all the notice periods that I pulled out from the Operating Procedures yesterday. And effectively, so in fact while we're waiting for the schedule I'll give some background.

The very first thing that will happen in this timeline when you see it is a drafting team call. We had the Doodle that went out and the Doodle reflected the strongest support for a call next Tuesday. The next best option was Thursday. I'm inclined to say even though Thursday has one or two fewer people, those extra two days would be useful for socializing this within the SGs and Cs. The reason being as this timeline envisages, is after our call, immediately after our call, or even at the call, we would call for the email vote.

And you'll remember that what the Operating Procedures say in order to call that email vote I and we have to be sure that we're going to be in a position to vote when that seven days runs. And I feel like if we add a few extra days before our drafting team call to continue to socialize and continue to work on the drafts that's going to put us in a better spot, yes? I see some nods of heads around the table.

I am conscious of the fact that the 4th is a holiday in the United States but nevertheless we're not all in the US and we might just have to pass the baton to folks in your SG or C who aren't affected by the holiday and try and progress this. So this is, again, not something that we've had a chance to

discuss with Donna. Rafik and I sat down with Marika this morning and engineered this as a proposal.

So that envisages the call to take place, the drafting team call to happen next Thursday, it would be next Thursday morning at – I'm not sure what time, what did we say, Marika, 12 UTC, I think but we'll put out a formal notice on that. Again, not decided, let's open that up for discussion. What do you think about that? Thumbs up. Keith gives a thumbs up. Thursday. Drafting team. Yes? One week from today. Okay. All right let's go with that then.

Prior to that – Carlos.

Carlos Raúl Gutiérrez: Did you set the time? Mid-day UTC?

Heather Forrest: I believe it's 12 UTC, Carlos but I'll come back to you. Prior to that happening to reflect the priority with which we want this thing to progress, we're proposing to commence the EOI next Monday, which is the 2nd of July. That kicks off the process of looking for the chair. What that means is that we need to spend some time this afternoon nutting out the last little bits in relation to leadership so hence that's on our agenda next, once we nail down timeline, we'll turn to leadership.

Assuming we're in a position on the 5th, and again, the Operating Procedures make crystal clear that we cannot call that email vote unless – that was one of those four must-meet conditions – unless we feel that there is adequate discussion, adequate time, and adequate capability, let's say, to vote after that seven-day period. So if we're able to do that at the end of the call on the 5th or, you know, immediately thereafter, let's aim for the announcement of the email vote. That triggers a seven-day notice period so you see if we just skip down one, that would commence the email voting period on the 12th, close it on the 16th.

Let's go back. On the 6th of July, we would begin to notify once we had the announcement of the email vote, that's going to signify to the community that we believe we are ready to vote. Again, we can't call that email vote if we don't think we're ready to email vote. So having called the email vote, that gives the community, all of us, the confidence that we can safely notify SGs, Cs, SOs and ACs, of the composition and begin the process for appointing members. Again, we said the email vote would be open for four days; that four-day period is prescribed by the GNSO Operating Procedures.

In the midst of all of this, the document deadline for the July meeting will pass. We might usefully add that, Marika, to this in the next iteration. That's on the 9th of July. My thinking on that is this, if we get to the 5th and we realize that we're not yet in a position, we might need to prepare to put the motion on the agenda for the June – or the July 19 GNSO Council meeting, we have that as a backup; we have between the 5th and the 9th to decide that we need to meet the July deadline.

The 17th of July we would announce the results of the email vote. That would be a clear indication of approval or not of the charter and the initiation request. On the same day, we would close the expression of interest process for the EPDP team chair. What I would like to do is somehow, based on the timing, is stagger those. What I propose that we do is stagger them.

I think for a legitimacy purpose, for good housekeeping, for proper process, we want to see what the result of the vote is before we close the EOI. It just makes sense to me that we not close the EOI before we know that we have a vote. And I see lots of heads around the table, yes. So perhaps one can be a certain time UTC and the other one can be you know, some hours later, 12 hours later if we can make it work.

What would then happen is the consideration of EOIs. Now I grimaced a little bit yesterday when we talked about leadership and let's come back to this substantive point on who reviews the EOIs. That review would need to

happen I think ideally immediately after the EOI period closes and before the Council meeting. I'd like to think that whoever it is that does that review and decision making is in a position to announce at the GNSO Council meeting the results of that process. That keeps us on good target, on good schedule.

With the announcement of the chair, that would in essence be the formal signal of this thing now starts. Which means that SGs and Cs would be aiming from here, we don't need to be official about this, go back to SGs and Cs and say, we need to be prepared to have our appointments at the GNSO Council meeting.

We're also of course looking for folks from other SOs and ACs and we've got Board liaisons, so those folks would need to, in short order as well, they'd be aiming for the same date, yes. From the GNSO Council meeting on the 19th of July, that would be the official commencement of the group. All of this of course dependent on everything else above it.

And that would see the first meeting of the EPDP team, you remember we meet at the end of the week; our Council meetings are normally on Thursday UTC, that would mean in that ideally, that week of the 23rd of July the group would get underway. As soon as we appointed a chair, we'd start working on scheduling. Any comments, questions, thumbs up, thumbs down on this draft timeline? Leaving aside for the moment the substantive points. Keith.

Keith Drazek: Thanks, Heather. And thanks to you and staff who have put this together. I think it makes a lot of sense, it's very logical. It's aggressive but it needs to be. So I fully support what you've got here. I do want to note that in the hopefully unlikely event that the chair decision is delayed for whatever reason, we have a backup in that the GNSO Council liaison can act as the chair of the group – the temporary chair until such time the chair is seated, so I think we have a little bit of flexibility there if needed; hopefully not. Thanks.

Heather Forrest: I agree, Keith. And to that point, I have asked that the Council liaison be put on our agenda for today. I actually think that's one of the things that we could usefully use our time today thinking about because frankly it's got to be one of us sitting here at the table so we need to start to think about that. Any other comments, concerns, questions about the proposed draft timeline? No? All right, let's get on with the substance then and then we'll feed that back into this timeline.

Okay, leadership, yes, as Keith has suggested here I think a lot of this hinges on having a leader in place. First item that we need to talk about is the deadline for submissions. We've dealt with that in the timeline, nobody's raised any objections. I've given you my rationale for thinking why that needs to at least follow a short period of time after the announcement of the email vote. Everyone comfortable with where we are on that? Everyone comfortable with commencing the EOI on Monday? Yes, great.

Confidentiality, so the normal process for a PDP is a transparent one, yes? There's no hidden applications process, if you like. We have at times in the past for the GAC liaison, kept that process confidential. I'm opening the floor. I have an idea but I don't want to – I have thoughts here but there's no reason for me to give my thoughts. Susan followed by Keith.

Susan Kawaguchi: I think we should be transparent on this and so just like with review teams or anything else, it you know, expressions of interest or applications are you know, at least at the Council level should be provided to everyone on the Council.

Keith Drazek: Thank you, I agree with Susan. I think in this case – and I think it also ties into the next question of who reviews and decides. You know, if we're going to delegate the review and decision making which we haven't decided yet, I'm just saying "if" we're going to delegate that to, for example, Heather, Donna and Rafik as the leadership team, then I think we need to be transparent so we can all see who's on the list, right? You know, if it's a bigger group making

that decision then, you know, but I agree with Susan, I think it should be transparent and open. Thanks.

Michele Neylon: Just echoing that. Michele for the record. Transparency around this is crucial. And also it's – we in our stakeholder groups I believe unless I'm sort of mistaken, I suspect most of us have already been having conversations about who we think would be suitable candidates, who we think would be terrible candidates, etcetera, etcetera, etcetera, so the more visibility we all have on what names are appearing, the better for everybody.

Heather Forrest: Thanks, Michele. So to add to the comments made by Susan, Keith and Michele, I'll say my vote is for – is for transparency for the following reason: we're taking a pretty strong step here in appointing going out of our way to appoint a neutral independent chair. And that in and of itself to me speaks for this thing ought to be open. Marika.

Marika Konings: Yes, this is Marika. Something that I think the SSC did in their last application round for the GNSO liaison to the GAC is that they published the names or shared those publicly but kept the application materials confidentially as there's, you know, sometimes information in there about employers or personal information that you may not want to have publicly out there. So that could be a potential approach. Another approach could also be that you indeed share the names publicly on the Council mailing list but use the non-archived mailing list to share the application materials if there is a desire for the group to review those.

So I think there are various ways in which you can maybe balance the you know, making it transparent and open without necessarily sharing all the personal information that maybe provided as part of the application that, you know, some may not want to have, you know, all across the world.

Heather Forrest: There is GDPR after all. Michele.

Michele Neylon: Thank you. Yes, I think this is a very important discussion. The – from my perspective all I was thinking about was the names, not anything beyond that. And I think the points Marika raise are very valid. And I would go so far as to say I don't think we need to access a lot of that information as other – if we decide that these certain subset of councilors are the ones who are going to be tasked with that selection process, based on the criteria that we have given, then they should be the only ones who are receiving this personal information.

Because, yes, it is – we do live in a time of GDPR. In my own company I do not have access to you know, job applications anymore; only the HR manager does.

Heather Forrest: Thanks, Michele. I would like to think that whoever is tasked with making this decision doing the review could also then provide a rationale and do so in a public way to explain why the particular person had been selected. Paul.

Paul McGrady: Thanks, Paul McGrady. So do we have a sense of how much time we will save by having leadership do this versus a Standing Selection Committee? Have we calculated that? Because in terms of transparency and process and all that if we save one day by having the leadership do it that may not be worth deviating from standard policy; if we save a week that very well may be. Have we done that calculation?

Heather Forrest: Susan as chair of the SSC, would you like to take a stab at that or would you rather Marika answer that? Marika.

Marika Konings: Yes this is Marika. I think if you saw the timeline I think it's currently foreseen in two days of course to a certain extent if leadership would do it of course it's dependent on a certain extent on the number of applications received. But I think at this moment in time I don't think we expect it's going to be in the hundreds or anything like that.

Just to compare, you know, the several selection processes that the SSC has run did usually – I think we had one where we had to do it fast and I think that was a two-week turnaround if I remember well. But there where there's no deadline usually that takes a couple of weeks because it's a process whereby they review and rank candidates, do that normally through a survey. As the members are appointed by stakeholder groups and constituencies they usually also take that back to their groups to get a confirmation.

Another caveat there as well that of course the SSC acts by full consensus so that usually also – sometimes takes also some time to talk through the list especially if there's some disagreement around that. So that's a bit, you know, the differences between those two to processes I would say based on experience to date.

Paul McGrady: Thank you. Paul McGrady here. So there is a significant time savings by having leadership do this. Thank you.

Heather Forrest: Thanks, Michele. And just to put a fine point on it, I think it's not so much before we get to the next point, the difference is material SSC versus small team; we don't have to say whether that team is leadership or not at this stage, yes. Susan.

Susan Kawaguchi: So the other issue to think about or point to think about is that the Standing Selection Committee is not all councilors. Rafik and I are councilors and I sort of look around the room I think that's it because the charter allows each constituency, stakeholder group, to appoint someone from their community. So and if we're worried about confidentiality on any of the details in these applications, then that all has to be shared with your community.

So if we're trying to keep this a little bit close to the vest but not but transparency and who the candidates are, then – and that rationale delivered at the end, then, you know, maybe it's not a Standing Selection Committee duty.

Heather Forrest: Thanks, Susan. So it seems clear from around the table that it, you know, the comments are consistent with the SSC is probably not the vehicle to do this; that we need a smaller group. I don't want us to get into the habit of thinking that – and I would not – it's the reason – the explanation for my grimace when this was raised yesterday, I don't believe that it's appropriate that there should be any sort of presumption that leadership has a role or a right in any shape or form; we're here as administrative functions. So to the extent that that, you know, it's a – and it's an option that we fall back on because it's a preset group that already exists. But, you know, let's turn it to who reviews who decides. Any thoughts on that? Paul.

Paul McGrady: So Paul McGrady here. I'm uncomfortable not doing it with a standard, you know, the Standing Selection Committee but I understand the reasons for bypassing that step because of time. But I wouldn't feel comfortable with us trying to reinvent a new mini-Standing Selection Committee here. We've got great chair, great co-chairs, we trust them. I think that makes sense to me and I can support that. If we start veering off into developing a new you know, expedited Standing Selection Committee, which is what we really would be doing, not only will we lose the next 25 minutes or hour, but it's going to be very uncomfortable outcome. Thank you.

Keith Drazek: Thanks. Keith Drazek. I agree with Paul. I think the leadership team is probably the right group – the right subset of us to handle this responsibility. The only other thought that I had had was possibly adding Susan as the Standing Selection Committee Chair and then one other person from the Contracted Party House for balance. But, you know, that may be just going unnecessarily far. You know, so I agree with Paul, that was the only other thought that I had but, you know, just throwing it out there.

Michele Neylon: Michele for the record. We've got a leadership team for Council, let them lead.

Pam Little: I agree with Michele. I think keep it simple.

Michele Neylon: I think the thing that, you know, it's like within the ICANN space everything gets so over-thought at times. And it's like if you were doing this in your day jobs, well I'd fire you, you know, it's like – it's like, you know, nothing would ever get done. So, you know, keeping it simple, there's a level of trust there, you're not going to screw it up because you know it's important. We know that. Everybody knows that. Let's just get on with it.

Heather Forrest: Susan.

Susan Kawaguchi: Thank you, Keith, to – for the support there. The only thing I would offer, and I'm fine either way, is that I think there was some learning from this committee for the last two years so if you would like insight on process or something; not that you – it's not rocket science, right? But we did, you know, we've gone through several different methods and I do feel like we have a – had a well-oiled process by the time we, you know, so anyway I am a resource if you want any input.

Michele Neylon: Thanks. Michele again for the record. I think Susan's thing about the learning is very, very important. I mean, maybe that's something we should look at capturing anyway because if Susan got hit by a bus, then you lose that knowledge. Of course in the US with your public transport system, that's fairly low risk. But anyway, no but I think that's the kind of thing where we as community in general you know, need to capture those things. If there is learning – if there's something – lessons have been learned, mark them down somewhere so you don't have to go back and do it all over again.

Keith Drazek: Thanks, Heather. So just to summarize to make sure I understand where we are. The names of the applicants, respondents, will be public, or at least available to us as Council. That will be published prior to your decision making so we will have the opportunity as councilors to, you know, feed our input to you prior to the decision. And then the leadership team will execute

on the decision. You'll make the decision and then communicate it back. If I have that correct, I fully support that moving forward.

Heather Forrest: Keith, that's how I interpret the comments and Marika, could we please add a line item to that timeline which is publication of EOI application respondents, just the names, right. Is there anyone who objects to leadership taking on this role? And what I would suggest is Keith, to your point about tapping into the SSC and I think Susan makes a very valid point, Keith, you've also mentioned balance, and we don't need to over-engineer it, but it is the case that Susan, your vice chair is whom on the SSC?

So what I would propose is that Council leadership coordinate with the leadership of the SSC and for the procedural aspects we'll do that before the EOIs have even been reviewed or received so that will sort of clearly differentiate those two things. Marika, could we put an action item down to set up a Doodle of Council leadership and SSC leadership and that can be whatever really let's get home and get our heads clear and we'll have that conversation if you're willing, Susan and Maxim, yes? Cool.

All right, so we've talked about the impact on timeline. That's a clear signal to the community; we're about to kick off an EOI on Monday for this EPDP. And we anticipate that by the 19th at the GNSO Council July meeting we will have our announcement. Now that of course there are a number of conditional factors on there and one of which is that we get any responses to the EOI. Now is the time to tap folks on the shoulder and, to Michele's point, you know, have those discussions within your SGs and Cs. Michele.

Michele Neylon: Thanks, Heather. So I assume at this juncture are we going to pull out the membership criteria we've already agreed more or less within the draft in order to start putting that EOI together or what are we planning to do?

Heather Forrest: Yes, that's exactly what the intention is, Michele. And after that we're going to go onto the team composition stuff, so that also includes some leadership

things and we need to talk about a Council liaison. And we have 15 minutes.  
Paul.

Paul McGrady: Paul McGrady. Did we settle the issue about the neutrality/independence of the chair? There was a discussion about do they need to be not part of any stakeholder group? And also magically have enough ICANN experience? Or do we settle on capable of being neutral even if they have – you know, even if they're part of a group? I just don't know that we put a pin in that. Thank you.

Michele Neylon: This is Michele. I think – well my understanding, may not have been your understanding and or Keith's understanding, is that we had agreed that the chair would be neutral and would be – wouldn't be counted in the numbers. So it'd be X number of people are members of the working group, plus this independent chair. The magical mystery of how the chair is neutral and knowledgeable was something that was akin to Jack and the Beanstalk or something but that was another conversation entirely.

Rubens Kuhl: Rubens. The point the chair being neutral is that the chair can take its hat on or off say, hey, this chair needs to be always neutral during all the proceedings.

Michele Neylon: Yes.

Rubens Kuhl: So the chair can be pro or con anything that the group discusses, that's what I took as being neutral.

Paul McGrady: Can I just – so Paul McGrady here again. Just my question was procedural, not the substance of neutrality and how it works. I just wanted to make – I just wanted to make sure that being a member of a stakeholder group or whatever that's that not a disqualifier.

Michele Neylon: Correct.

Paul McGrady: Okay thank you.

Michele Neylon: Unless we're talking about you of course.

Paul McGrady: Or you, my dear.

Michele Neylon: Oh don't worry, I wasn't putting myself down for it anyway.

Stephanie Perrin: Thanks. Stephanie Perrin for the record. I think there's two factors here.

Number one, we should I think have – ask for demonstrated neutrality because we can have faith that someone's going to be neutral but if somebody's effectively chaired a difficult group and has been neutral then, hey, they've shown they can do it. Number two, because this is not going to be easy.

Number two, if we have a robust independent dispute resolution procedure at the ready, if anyone thinks they're not being neutral, they can raise it in a discrete and effective way and have their issues solved before we wind up flinging things at each other.

Heather Forrest: Thanks, Stephanie. Marika, could we shift this document too – we had a few dot points on the leadership criteria. There it is. Good stuff. So there's our EOI points and so we need to think about whether we're happy with these, whether there's anything missing. Any comments on these? Concerns? I think some of this that we're discussing now includes you know, or relates to the discussion we had yesterday about conflict of interest statement and the updated SOI. Michele.

Michele Neylon: Yes thanks. Michele for the record. So okay, I'm fine with most of that. So (unintelligible) of ICANN and GNSO policy development is great; what I'm not seeing there is any understanding of the essentially of the technical operations or – not even understanding, working knowledge. I'm looking for language that doesn't mean you have to have an uber-geek but somebody

turns up who've never registered a domain name in their life is probably not qualified. I don't know how to finesse that so I'm looking across at Paul because – do you know where I'm going with this, Paul?

Paul McGrady: So Paul McGrady here since my name was called. Yes, I think, Michele, I think you're exactly right. I think we are – and I hope that the expression of interest process itself sort of solves that problem on its own. I expect we will get applications from states persons, from ICANN land who have a fulsome understanding of most, you know, of all these issues. And I think we'll get some applications from some cranks, right?

((Crosstalk))

Michele Neylon: ...specific language though in this text...

Paul McGrady: What's that?

Michele Neylon: What I'm asking you for is help with the specific language in the text here. No, I mean, what you're saying is...

((Crosstalk))

Paul McGrady: I think it's already handled by the bullet above it, their understanding of ICANN and the GNSO policy development process, right? I mean, you can't understand ICANN if you don't – if you have never registered a domain name, if you've never transferred a domain name...

Michele Neylon: Oh yes you can. Okay, you might be surprised by this but I have had some very interesting conversations with people in – who have been sitting at tables similar to this one who did not understand some really basic things about domain registration because they'd probably never done one, so I'm just – it may be a bit pedantic but I would appreciate some kind of – throw me a bone please and put something in there.

Keith Drazek: Okay thanks. This is Keith Drazek. Maybe just adding some language there that says their understanding of ICANN, the GNSO policy development process and the domain name registration process or something like that. Just so just basic familiarity with what's involved in registering a domain name and how that impacts registries and registrars.

Heather Forrest: Thanks, Keith. And I think what we can do is we can cross refer to – I know we have some criteria down for the GAC liaison that refers to something around the DNS, so we've noted the language that you've just given, Keith, we'll check that against what we already have and it seems – does anyone object in principle to what's being discussed here? Stephanie.

Stephanie Perrin: I'm not objecting, I'm just suggesting that perhaps you need something a bit more specific. You need – you don't need to be a geek but you need to understand the impact of policy decisions on technology options or technology, you know, something – words to that effect. I had thrown in some language on my edits on understanding the impact of national and regional law. You don't have to be a lawyer, you don't have to be an expert but you have to know what the impact might be on our policy decisions.

Michele Neylon: Michele for the record. Much as I love Stephanie's opinion and value it, I have to disagree. You're really getting into – far into the weeds on this. The chair is meant to facilitate the discussion; the chair is meant to project manage the working group. The reason why I would be asking for some little bit of technical knowledge is so that you don't have to spend hours teaching them that, you know, this is a DNS record, that's a Whois record, they're two separate things. Understanding the ICANN thing, all that, but getting into that entire – the impact of this and the impact of that, that's something the members of the working group are going to raise .

If you turn around and say – well somebody says oh let's do this because it's a wonderful idea, and it turns out it's going to cost the registrars and registries

millions, I can assure you one of them is going to put up their hand and go hell no, or vice versa, if it's something that's going to have a massive impact. I just – I don't think we can get into that kind of specific set of things.

Heather Forrest: Thanks, Stephanie and thanks, Michele. So let's not lose sight of the fact that these criteria have a particular purpose and we need to make sure that they're fit for purpose. At the end of the day the way that I see it is there are a number of checks and balances here. Number one, the purpose of the criteria is to help individuals screen whether or not they should apply. So there needs to be enough information there that an individual could assess their own ability and say I believe I meet those criteria.

Number two, the criteria would then be used by the leadership team in reviewing the applications and assessing them and selecting the chair. Number three, those criteria would be used to provide the rationale for why a particular individual was selected. We know that we can deal with two or three, right, the failsafe is we listen to your discussions and we understand what it is that we mean. We need to provide enough information to give potential candidates a way of assessing their own abilities. I think to the extent that we can find language around that I'm fairly confident that that should make sense, Keith.

Keith Drazek: Thanks, Heather. I think that makes sense. And just one edit suggesting – or suggested edit, sorry, we have policy development process essentially repeated twice in two different bullets. I think we can remove one. So in Bullets 3 and 4 we have references, knowledge of the process to develop consensus policy and then in the next bullet we talk about the GNSO policy development process. So I think we can simplify that and just include it in one bullet rather than two.

Heather Forrest: Could I also suggest that we add in relation to the conflict of interest statement, I'm just reading the first two, that they appreciate the requirement to act neutrally throughout this process and commit to doing so. We're asking

for a commitment but again, if we're looking at sort of ex post what happens here if we have a problem down the road we can say you've a commitment in submitting that EOI. Yes? Okay, I see nods and I see some motionless which I'm going to assume is okay thumbs up. Good, all right.

Anything further we want to add here because the intention is that we'll put out the EOI on Monday. Susan.

Susan Kawaguchi: Really quick, I'm not objecting to taking out the language on consensus, but when you are vetting these people that should be one of the points that you should really be discussing with them. I'm assuming there's going to be some sort of an interview process to this and maybe that's an assumption that hasn't been, you know, is – I would suggest that there – the candidates, maybe not all of them, but your top three or whatever, you know, you actually have a phone call with because that is something on the SSC that, you know, a lot of times we're like, oh if we could just talk to them, you know, we could clarify things quickly. So I would suggest that.

Heather Forrest: That's very helpful, Susan, and it's not to say that it hasn't – that it doesn't make perfect sense; we just haven't gotten that far in our thinking yet. But it makes perfect sense to me so what we do have in place is a placeholder, Doodle for a call between us if it went this way that the discussion is going and I think we implement that as well, it makes perfect sense.

All right, this then would be the expression of interest that went out on Monday. What I suggest we do is Marika, could we capture an action item to circulate this as a standalone piece so in other words, pull it out of the charter and set out the EOI criteria. We'll give folks another 24 hours to make a comment. We're going to lock it down tomorrow, Friday evening, and then staff can prepare to issue the EOI request on – or the EOI call on Monday. Yes, great. Score.

Okay, let's talk about team composition. So in the spirit of what we did yesterday, let's use what little time we have remaining, six minutes, are there fundamental ideological issues that would be helpful to discuss face to face? Of course we can continue to word smith on the list but these face to face meetings are best seized for fundamental discussion. Paul.

Paul McGrady: So the blue highlighted thing is where my confusion came from on the disqualifier or not, because it says, neutral, comma, not from the working group membership participants.

((Crosstalk))

Paul McGrady: Right. But from the way that that reads it reads like you can't be one so I'd like to fix that if we can. Thank you.

Heather Forrest: Good point, Paul, so let's make that not constituting or not comprising, not replacing, not being one of the – not counted as. Great. Thanks, Steve. Tony.

Tony Harris: Yes we had discussions in the ISPCP about the membership composition. It's just a question, it says up to three members per constituency. And in an event where we would not perhaps have three members, it's just an example, how would that play out when there's a call for consensus? Would our voice be taken as less because we didn't have three members appointed? That's one of the issues that came up today.

Heather Forrest: Thanks, Tony. Keith.

Keith Drazek: Thanks very much, Tony. So my quick response is no, you would not be – you would not be penalized in a sense for only having one member. My view, and I think there's a bullet on this list that talks about essentially the stakeholder groups and constituencies, SOs and ACs, the participants in this process, in this working group, essentially are speaking on behalf of their group. I think they need to speak on behalf of their group and essentially that

means it's, you know, one position presumably from the three people or two people or whatever it is.

So my view is it's not intended to be, you know, a head count, if you will. It's essentially the will of the groups, the constituent parts of ICANN voicing their support or not – or lack of support and the rationale why. And ideally it doesn't ever come to a vote but it's a good question and I think that it's worth clarifying. Thanks.

Yes, and to the point here, yes, it's the last bullet, right? No, no not the last bullet. Yes. Anyway sorry, back to you.

Philippe Fouquart: Thanks. Philippe Fouquart. Yes, thanks, Keith. That was exactly the discussion that we had. And there were also concerns as to the size of that group if indeed the purpose was to convey the positions of the respective SGs and Cs, then having three people per SG and C seemed to be a bit of a size in that spirit. So that was exactly the discussion that we had. Thank you.

Heather Forrest: Thanks, Philippe. I think this is a timely reminder for all of us in our PDPs so the PDP Working Group Guidelines do not in any way shape or form envisage consensus being a quantitative analysis. We are meant to come to consensus in the form of discussion, in the form of qualitative, let's say, dialogue. And it's probably a good reminder for all of us as we go back to our PDP working groups that it's not a duke-out on the numbers, it really is, you know, the process is meant to be much more nuanced and much more collegial than that. So Tony.

Tony Harris: Another point – it's more of a request really, when the expression of interest call goes out for membership, not leadership, would it be possible to determine or announce a minimum estimated requirement of time commitment? It doesn't have to be set in stone but something that would guide people when they're thinking about putting forward and expression of interest. Thank you.

Heather Forrest: Tony, I think that makes good sense. What we would need to think about there is also including let's say I think we would draw from the text we haven't yet finalized and none of this is finalized, of course, but the text on working methods. So there is of course a contemplation of a face to face meeting so there would have to be some ability to attend that, and I agree with you, at the least we could describe the working methods, even if we can't put a hard and fast number on it we can say this is what you'd have to commit to to take on that on board, Tony, and we'll make a note of that. Thanks.

Carlos.

Carlos Raúl Gutiérrez: The other extreme for groups that expect to bring more people in, I don't know if this is the right moment to mention that any constituency can – can draw on expert advice and presentations so on specific issues during the process. That would be very important for the GAC I think to make the separation of the true participants, the alternates, doesn't mean that they cannot bring other people when so required or agreed, etcetera.

Heather Forrest: Carlos, I think that's a very positive way to end this. And I note that we are out of time of this session. Marika, could we turn back to the agenda just to make sure that we've captured everything that we need to capture?

Marika Konings: This is Marika. If I can make one point in the meantime, I think if we can have a brief conversation because a lot of suggestions are being sent to the list, I've seen a redline from Stephanie so we may want to briefly talk about how staff or leadership or whoever is intended to deal with all those. (Unintelligible) we have received several comments, I think Ayden did a great job of kind of pointing out the sections in which he would like to see changes and people have started respond to that. So for us that's quite easy to capture that in a separate document and kind of, you know, have the dialogue and hopefully some kind of agreement on how that point then is addressed.

But it's more difficult to do that with, you know, for example the redline that Stephanie has done. You know, there may be a way for us to pull out maybe fundamental points but I think some of them are just, you know, minor edits. So it may be helpful if either we all take the same approach because again, we have a very short timeline as well to put this all together and agree on it what would make the most sense and making sure that we can capture the items but also have a way then to talk through them so that by the time we get to the call it's very clear what still the outstanding items are and what the different positions are so that those can get resolved.

Heather Forrest: Okay, while we discuss that let's pull up the agenda. The challenge that we have now is that we have essentially 21 drafters and opening that up to a single document let's say, you want to see a Google Doc headache, that's instant headache. So we need to, you know, we need to work out how we want to – how we want to deal with this. I think at this stage what I hear from staff is that redlines are harder to deal with than discrete comments. Rubens.

Rubens Kuhl: Rubens Kuhl. Our experience in the Registry Stakeholder Group is to effectively manage Google Doc development of 30 or more people so the fact that we are 21 does not scare me on that.

Heather Forrest: Any further final thoughts on this? If not, what I might suggest we do is turn this one to staff to think you know, ultimately you're the ones that support us and you're here to make our job easier and happen so we might ask staff for some input here on what they think the best approach is. Does that – Paul.

Paul McGrady: So I'm hoping staff says yes and right, because if we have a continuously being updated Google Doc it's a moving target and if we go back to our constituencies it may take two or three days to get content. And that content may have changed on a moving target Google Doc. So I think as sort of a ease of use issue, it would be easier for me to send stuff like that to staff than to try to keep up with the ever-moving Google Doc target. Thanks.

Heather Forrest: We might consider sort of version control. Marika.

Paul McGrady: Yes, the problem with deadlines though is that so for example, I'm sorry to jump ahead, or jump but, you know, up until now essentially if you look at the scope section the Registry Stakeholder has had the pen. Right? And so we're reacting to that. And so if you start setting deadlines then is there a deadline for a reaction, another deadline for another reaction and how many deadlines do you get...

Rubens Kuhl: I'm sorry, Paul, I meant a date to freeze the document so it can be circulated, I mean, either tonight or Friday or Sunday night, freeze it and then leave it for three or four days, for comments with the stakeholder groups, sorry, I was not clear. Freezing might be the word.

Marika Konings: Ys, and this is Marika. At this moment apart from what we've discussed here staff hasn't made any changes based on what has been submitted. You know, our idea is that what is there now is what is kind of indeed frozen as such. What we will do is we create a separate document where we'll – and it can be a Google Doc and maybe there people can comment or edit but where we try then to track the different conversations that are ongoing and hopefully at some moment people say, okay, I think we have agreement here.

I know there was I think a conversation between Darcy, Michele and Ayden on a topic and I think you know, there was some new language, you know, at some point if there are no further comments on that maybe we can assume that there's agreement and then I think prior to next week's meeting insert those new parts where we feel there is agreement and then have that on the list of items that are open.

So again, it will be an interactive iterative process but maybe we can indeed just leave the Google Doc for what it is for now, so what is in there is in there, and then, you know, once we have that other document set up and the further

conversations, what we can do now as well we'll move all the yellow highlighting so as we progress as new things get added I'll add those in yellow so you'll know then very clearly as well when something new has been added or we can even color code now, this is yellow and pink is the next version, but maybe that is the easiest way of doing it.

Heather Forrest: Thanks, Marika. I think we would do well. It's clear that there is some critical thinking here on staff's part about how to make this user friendly. I think we'd do well to rely on their expertise and any questions Marika, that you and your team have of course you can raise with us. You know, if you're unsure about what to do then don't hesitate to do that.

On the last point there, commitment to get comments and proposed edits. And this dovetails very nicely into what we were just discussing in terms of freezing drafts. So let's make this abundantly clear, if we're going to call an email vote on the Friday – on the Thursday, the 5th, next Thursday, one week from today, we are going to have to get any comments and further additions into that charter as soon as possible because we're going to have to take that back and get instructions in order to front up to that meeting on the 5th.

So that means there's a fair bit of work to be done for example, between now and Monday. And I understand that that's a very tight turnaround for instructions from SGs and Cs so I think one of the things we all could do is get our SGs and Cs teed up on at least where the document is now because if we start that process next Monday frankly I don't think we're going to make it for Thursday. And again, if we get to a point on Thursday where I can't hand on heart say for bylaws purposes that we're ready to vote seven days after Thursday, then we're going to have to shift the timeline a little bit.

So obligation on all of us to review this document, take it back, get instructions as you need to and aim to be prepared on the 5th in the course of that call to work this out. I'm going to suggest that our call on the 5th, Marika,

I think we're down for an hour but I wonder if we ought to make it 90 minutes, yes or two, yes, okay, we're down for two.

Okay, this commences a period of working intensely together, brilliantly that we got along so well this week because this is the start of something grand. It's been a fabulous week here in Panama City. Thank you very much, everyone, for all your heavy lifting so far. Safe travels home and look forward to speaking with you next Thursday. Thanks very much. Thanks to our tech team, thanks to the staff, we've had a very successful, very successful meeting here so round of applause for all involved.

END