

**ICANN Transcription
Special GNSO Council Meeting
Monday 04, March 2019 at 2100 UTC**

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

The audio is also available at: <https://audio.icann.org/gnso/gnso-special-council-04mar19-en.mp3>

Adobe Connect Recording: <https://participate.icann.org/p7pwm13uozn/?proto=true>

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page:
<https://gnso.icann.org/en/group-activities/calendar>

List of attendees:

Nominating Committee Appointee (NCA): – **Non-Voting** – Erika Mann (apology sent)

Contracted Parties House

Registrar Stakeholder Group: Pam Little, Michele Neylon (present, Darcy Southwell as proxy in case of connectivity issues), Darcy Southwell

gTLD Registries Stakeholder Group: Maxim Alzoba, Keith Drazek, Rubens Kühl

Nominating Committee Appointee (NCA): Carlos Raul Gutierrez

Non-Contracted Parties House

Commercial Stakeholder Group (CSG): Marie Pattullo, Scott McCormick, Philippe Fouquart (apologies sent – proxy to Osvaldo Novoa), Osvaldo Novoa, Paul McGrady, Flip Petillion

Non-Commercial Stakeholder Group (NCSG): Martin Silva Valent (present, gave proxy to Tatiana due to audio issues) Elsa Saade, Tatiana Tropina, Rafik Dammak, Ayden Férdeline, Arsène Tungali

Nominating Committee Appointee (NCA): Syed Ismail Shah

GNSO Council Liaisons/Observers:

Cheryl Langdon-Orr– ALAC Liaison

Julf (Johan) Helsingius– GNSO liaison to the GAC

Adebiji Oladipo – ccNSO observer

ICANN Staff

David Olive -Senior Vice President, Policy Development Support and Managing Manager, ICANN Regional

Marika Konings – Vice President, Policy Development Support – GNSO

Mary Wong – Vice President, Strategic Community Operations, Planning and Engagement

Julie Hedlund – Policy Director
Steve Chan – Policy Director
Berry Cobb – Policy Consultant
Emily Barabas – Policy Manager (apologies sent)
Ariel Liang – Policy Support Specialist
Caitlin Tubergen – Policy Senior Manager
Nathalie Peregrine – Manager, Operations (apologies sent)
Terri Agnew - Operations Support - GNSO Lead Administrator
Andrea Glandon – GNSO Operations Support

Coordinator: Recordings are started.

Terri Agnew: Thank you. One moment, please. Good morning, good afternoon and good evening. And welcome to the special GNSO Council meeting taking place on the 4th of March, 2019. Would you please acknowledge your name when I call it out? Thank you. Pam Little.

Pam Little: Here.

Terri Agnew: Maxim Alzoba.

Maxim Alzoba: Here.

Terri Agnew: Rubens Kuhl.

Rubens Kuhl: Here.

Terri Agnew: Darcy Southwell. Darcy, it looks like your Adobe Connect...

((Crosstalk))

Terri Agnew: I certainly can hear you now. Thank you. Michele Neylon.

Darcy Southwell: Thanks.

Michele Neylon: Here.

Terri Agnew: Thank you. As a note, Michele has joined but if there are any audio issues he does assign a proxy to Darcy Southwell. Carlos Gutiérrez.

Carlos Raúl Gutiérrez: I'm here. Thank you, Terri.

Terri Agnew: Most welcome. Marie Pattullo.

Marie Pattullo: Here, thank you.

Terri Agnew: Most welcome. Scott McCormick.

Scott McCormick: Present.

Terri Agnew: Paul McGrady.

Paul McGrady: Here.

Terri Agnew: Philippe Fouquart has sent his apology with a proxy to Osvaldo Novoa. Rafik Dammak.

Rafik Dammak: Here.

Terri Agnew: Elsa Saade.

Elsa Saade: Present.

Terri Agnew: Arsene Tungali.

Arsene Tungali: I'm here, Terri. Thank you.

Terri Agnew: Thank you. Flip Petillion.

Oswaldo Novoa: Hello, yes, this is Oswaldo.

((Crosstalk))

Terri Agnew: Oh welcome, Oswaldo. Thank you, Flip. So you just heard Oswaldo Novoa has joined as well. Tatiana Tropina.

Tatiana Tropina: Here. Thank you, Terri.

Terri Agnew: Thank you. Martin Silva Valent sends his apologies with proxy to Tatiana Tropina. Ayden Férdeline.

Ayden Férdeline: Present, thanks very much.

Terri Agnew: Ta. Syed Ismail Shah.

Syed Ismail Shah: Here. Thank you.

Terri Agnew: Thank you. Cheryl Langdon-Orr.

Cheryl Langdon-Orr: Present, Terri.

Terri Agnew: Erika Mann has sent her apologies as well. Julf Helsingius.

Julf Helsingius: Here.

Terri Agnew: And Adebiyi Oladipo. And I don't believe Adebiyi is on. We'll go ahead and attempt to reach Adebiyi as well. From staff we have David Olive, Marika Konings, Mary Wong, Julie Hedlund, Steve Chan, Caitlin Tubergen, Berry Cobb, Ariel Liang, Andrea Glandon and myself, Terri Agnew.

May I please remind here to state your name before speaking for recording purposes? With this I'll turn it back over to Keith Drazek. Please begin.

Keith Drazek: Okay. Thank you very much, Terri. Hi, everybody. It's Keith Drazek for the transcript. I didn't hear my name called during roll call so I am here, maybe it's because I've already spoken but I am here so thank you all for joining this special GNSO Council call of the 4th of March, 2019.

As everybody knows, this meeting was scheduled as a backup plan in the event we needed some additional time following the last GNSO Council call where we did in fact defer the motion for the vote related to the EPDP Phase 1 final report. So we will get to that in a moment, but first I want to pause here and ask if anybody has any updates to statements of interest before we move on? Any SOI updates? Okay, not seeing any hands, not hearing any voices, we will then move on.

So a review of the agenda, we essentially have two agenda items today. The first will be the Council vote on the adoption of the final report on the Expedited PDP on the Temporary Specification. And once we get to that Rafik, as the maker of the motion, will read the resolve clauses into the record before we initiate the vote. And then, assuming we approve the final report from Phase 1, and in the same motion we will trigger the transition to moving to Phase 2 for the working group.

Assuming that all happens, then the second part of our agenda today is a Council discussion on the Phase 2 for the temp spec - sorry, for the Expedited PDP Working Group and with a goal towards ensuring that the face to face time in Kobe coming up real soon is as productive as possible.

So let me pause there and see if anybody has any suggested edits to the agenda or any questions for me at this time? Okay, I don't see any hands.

We have some background noise so if everybody could please mute your lines? Thank you very much.

So then Item 1.4 on our agenda is just to note that the status of minutes for the previous Council meeting were posted on the 28th of February and the ones from the 21st of February meeting will be posted on the 7th of March, so we're still within the timeframes required by our Operating Procedures.

Okay, Item Number 2 on our agenda is a consent agenda. We have zero items, so no issues on the consent agenda. And we will now move directly to Item Number 3, which is the Council vote on the adoption of the Phase 1 final report from the EPDP.

And so with that let me ask staff if there's anything procedural that we need to do now prior to handing it over to Rafik to read, at a minimum, the resolved clauses? Okay, not seeing any hands so, Rafik, I'm going to hand it over to you at this time so please let's go ahead and read the motion.

Rafik Dammak: Okay. This is Rafik speaking. Thanks, Keith. So I will read the resolved part of the motion. "The GNSO Council recommends to the ICANN Board of Directors the adoption of EPDP on the Temporary Specification for gTLD Registration Data policy recommendations as detailed in section 5 of the Final Report." Link.

Two. "Noting the unique circumstances and external deadlines associated with the Temporary Specification and the work of this EPDP, the GNSO Council supports the EPDP Team's recommendation to informally convene the Implementation Review Team now to allow additional time for the necessary planning to take place before ICANN Board consideration of this Final Report. The IRT would be formally convened upon Board approval. As such, the GNSO Council directs ICANN Org to informally convene the Implementation Review team as soon as possible."

“The Implementation Review Team will be tasked with assisting ICANN org in developing the implementation details for the EPDP recommendations, evaluating the proposed implementation of the recommendations as approved by the Board, and working with ICANN staff to ensure that the resultant implementation conforms to the intent of the approved recommendations. The Implementation Review Team shall operate in accordance with the Implementation Review Team Principles and Guidance approved by the GNSO Council in June 2015.”

Three. “The GNSO Council hereby indicates its non-objection, as required per the EPDP Team Charter, for the EPDP Team to commence work on the System for Standardized Access to Non-Public Registration Data as well as other topics identified in Phase 2 of the Charter. The Council does request that the EPDP Team, as a first step, develops its work plan for phase 2 and, furthermore, identifies whether the GNSO Council should consider any updates to the EPDP Team Charter to facilitate the EPDP Team’s work.”

“The GNSO Council extends its sincere appreciation to the members, alternates and support staff of the EPDP Team for their tireless efforts to complete Phase 1 in the timeline available.” Thanks.

Keith Drazek: Thank you very much, Rafik. This is Keith. And thank you so much for reading that into the record as well as for your efforts both as a vice chair of the EPDP team as well as the Council liaison, so highly appropriate that you were the maker of the motion and had the opportunity to read this one into the record so thank you very much for that and for all of your tireless efforts in support of this team and the Council’s engagement.

So with that, I think the resolved clauses have now been read and so I think at this stage we’ll move to a vote. And if there are statements to be made, you know, associated with your votes I’d ask everybody to please hold those until the end. We will certainly have time to do so and we look forward to the conversation but I think it’s appropriate at this point to conduct the vote and to

move forward. Any comments, questions, thoughts? Pam, go right ahead, and then Paul McGrady.

Pam Little: Thank you, Keith. Pam little speaking. Regarding Resolved Clause 3, it says for "the EPDP team to commence work on the System for Standardized Access to Non-Public Registration Data." I just have a question whether it should be changed to "commence work on a System" not, "the System." I don't believe we have a system already prescribed under charter - under the charter for Phase 2. Thank you.

Keith Drazek: Okay thanks, Pam. This is Keith again. So I know that the terminology used there "System for Standardized Access to Non-Public Registration Data," is the language that we used in the charter for the working group as opposed to using the term "uniform access model," so that language is I think directly related to the charter. I think there - we're expected to have one system and so I think - I guess on this one I could probably go either way whether it should say "the" or "a" and I don't have strong feelings about it.

Does anybody feel like this language needs to be amended? I think this could go either way. I mean, I'm perfectly happy to have it say "a system" if everybody - if nobody else objects to Pam's point. But I guess this is a question for Rafik because he's the maker of the motion. So Rafik.

Rafik Dammak: Thanks, Keith. Thanks, Pam. I think we can accept this change as a friendly amendment.

Keith Drazek: Okay thanks, Rafik. And thanks, Pam. As the seconder of the motion I also agree, so we'll make that edit, that minor edit, and we can then move on. I know Paul has his hand up so, Paul, over to you.

Paul McGrady: Thanks, Keith. Paul McGrady for the record. So I just - a point of clarity, I'm trying to understand, we - after the presentment of the motion, 3.2 on the agenda, is Council discussions. As far as I know we've discussed motions

before we vote on them every motion that has ever been before the Council at least in the 3.5 years I've been on the Council. But you seem to be indicating the discussion will be held after? What's the reasoning behind that? Thank you.

Keith Drazek: Thanks, Paul. I mean, I think at this stage if there is an interest in discussing the motion then we can certainly do that now. My hope was that to the extent that we were going to have the vote and everybody knows where they're voting that we would move forward with that and then any statements associated with the votes would be conducted at the end. And so I mean, I guess the discussion of the vote or the Council discussion at this stage seems to be, you know, is there anything, you know, are people preparing to propose amendments to the motion is how I read that. I hope that makes sense.

Paul, your hand is still up, go ahead. Okay, would anybody else like to get in on that or any different opinions here? Rubens, go right ahead.

Rubens Kuhl: Thank you, Keith. Just to point one thing in Resolved Clause 4 which seems to miss the leadership team of the EPDP because it only mentioned the members, alternates and support staff, but not leadership, and I think we should recognize chair and vice chair excellent work in that effort. Thank you.

Keith Drazek: Thank you, Rubens. I think that makes a lot of sense and I agree with you. So Rafik, would you accept as a friendly amendment the inclusion of Kurt and yourself as chair and vice chair into Resolve Clause Number 4?

Rafik Dammak: I think it's okay as a friendly amendment, yes sure.

Keith Drazek: All right. Thanks, Rafik. And as the seconder of the motion I agree so we will include the reference to chair and vice chair in the text of Resolve Clause Number 4.

Okay, I see that Marie has noted that she's just been kicked off of audio. She's dialing back in so we'll look forward to Marie rejoining. So at this time is there any other discussion of the resolved clauses, any other suggested edits at this time before we move to a vote? Okay, not seeing any hands, let us then move to a vote on the motion before us, which is approving the Phase 1 final report and authorizing the work to begin on Phase 2 on the Uniform Access Model. So I think this is a moment many of us have been waiting for finally being able to get to work on Phase 2. So Marie is back. Thank you, Marie.

So with that, Terri, if I could hand it back to you for the running of the vote?

Terri Agnew: Thank you very much. We'll go ahead and begin the voting at this time and it will be a roll call vote. When I read your name out loud, please let us know your vote. We'll go ahead and start with Marie Pattullo.

Marie Pattullo: It's a no for me, thank you.

Terri Agnew: Thank you. Pam Little.

Pam Little: Yes for me.

Terri Agnew: Elsa Saade.

Elsa Saade: Yes.

Terri Agnew: Thank you. One moment please. Carlos Gutiérrez.

Carlos Raúl Gutiérrez: Yes, please.

Terri Agnew: Syed Shah.

Syed Shah: Yes for me.

Terri Agnew: Thank you. One moment please. Arsene Tungali.

Arsene Tungali: Yes for me. Thank you.

Terri Agnew: Thank you. Maxim Alzoba.

Maxim Alzoba: Yes for me.

Terri Agnew: Thank you. Ayden Férdeline.

Ayden Férdeline: Yes, thank you.

Terri Agnew: Thank you. Rubens Kuhl.

Rubens Kuhl: I vote for the motion, yes.

Terri Agnew: Thank you. Paul McGrady.

Paul McGrady: No.

Terri Agnew: Thank you. Rafik Dammak.

Rafik Dammak: Definitely yes.

Terri Agnew: Thank you. Scott McCormick.

Scott McCormick: No.

Terri Agnew: Thank you. Keith Drazek.

Keith Drazek: Yes.

Terri Agnew: Thank you. Osvaldo Novoa.

Osvaldo Novoa: Yes, thank you.

Terri Agnew: Thank you. Osvaldo, you also hold the proxy for Philippe Fouquart, so how do you vote for Philippe?

Osvaldo Novoa: Yes also.

Terri Agnew: Thank you. Tatiana Tropina.

Tatiana Tropina: Yes for me. Thank you.

Terri Agnew: Thank you. I do see that Martin Silva Valent is on but he noted in Adobe Connect chat that you will still hold his proxy for sound quality audio so I'll go ahead and ask you how do you vote proxy for Martin Silva Valent?

Tatiana Tropina: I vote yes for Martin Silva. Thank you.

Terri Agnew: Thank you. Darcy Southwell.

Darcy Southwell: Yes for me as well.

Terri Agnew: Thank you. Michele Neylon, are you on with audio?

Michele Neylon: I'm on with audio and I vote yes.

Terri Agnew: Thank you. Flip Petillion.

Flip Petillion: No.

Terri Agnew: Thank you. That does conclude the vote. One moment while I tally it up quickly.

Keith Drazek: Thank you, Terri.

Terri Agnew: Thank you.

Keith Drazek: This is Keith again. While Terri is tallying the vote we will move shortly to the discussion of any statements that people would like to make. I see that there's been a request for time from Marie on behalf of the BC, from Paul McGrady on behalf of the IPC, and also NCSG so we'll make sure that we get through all of that and everybody has the opportunity to speak, and sorry, Michele, also for Registrar Stakeholder Group.

I just want to note here though that as we get into this discussion I am asking everybody to keep it professional, not personal and to recognize that many groups within the GNSO and the GNSO Council, councilors are directed in their voting by their groups and so I just want to put that out there as a marker and just to say let's ensure that as we have the statements and if there's follow on conversation that it remains professional. Thank you. Terri, back to you.

Terri Agnew: Thank you very much, Keith. For the Contracted Party House, we have seven votes in favor and zero votes against. For the Non Contracted Party House we have nine votes in favor and four against. The motion passes with 100% of the Contracted Party House and 69.23% of the Non Contracted Party House. Back over to you, Keith.

Keith Drazek: Great. Thanks very much, Terri, and congratulations to all who worked so tirelessly in the EPDP in the working group on the team to everybody that was a part of this. I think speaking in my capacity as Council chair this in my view has been, you know, a demonstration that the multi-stakeholder bottom up consensus building process can work. It's not always easy, it's not always clean, but it is effective and I am very, very glad that we can now as a community turn to our engagement on Phase 2, the Uniform Access Model

and getting down to that important business that has been clearly so important to many in this community. So thank you.

So now with that we will go to the statements, so Paul, I think I saw your hand first or your reference first earlier so please go ahead, Paul, and then come to Marie and then come to NCSG and then Registrars.

Paul McGrady: Thanks, Keith. Paul McGrady here for the record. First of all a big thank you to the EPDP team, I know that's been an enormous amount of work in a very short timeframe. I also wanted to thank my fellow councilors for the extra time that we got, the 10 days were put to good use. Going into the call last time it was not clear to me that there was no way that we could not come up with something that would have allowed the IPC to vote yes so the time was well spent.

We spent many hours together both the IPC by itself and also with the BC attempting to find way to get to a place where we could support the motion but after lots of hours on calls and many, many emails, we just couldn't get there.

The bottom line from our point of view is that we believe that the consensus call in this particular case was broken. We believe that the chart showing consensus reflects a consensus where there really wasn't any and that the IPC had withheld its consensus on the entire report and that wasn't - that wasn't reflected.

And so the itemized list of things that we thought still needed a lot of work was a way to try to get the final report into shape so that the IPC could provide its consensus. It wasn't to be read as an indication that, you know, everything else was great because these recommendations are, you know, sure, they can be itemized out but that's not how the vote was, right, the report was, you know, the whole thing up or down.

So as a result we think that the recommendations that are now going to the Board reflect, you know, I'm sorry, the report reflects a cheerier picture than what is in fact the reality. And so we think that the Section 10 of the whereas clause simply doesn't reflect what actually is the case on the ground, although the whereas clauses weren't read into the record, they're part of the back and forth.

And again, and although some have said that this motion was about whether or not the working group followed its procedures, you know, in the motion's own language, Section 7 of the whereas clause indicates approval of the recommendations, not just an indication that all the procedures were followed, which we don't believe they were, you know, I've already mentioned that, in relationship to the consensus call and how that essentially broke down there at the end.

And then lastly, the whereas say that we reviewed and discussed the recommendations but we were in fact told that there was no possibility of opening up the recommendations at the Council level and that this was an up or down on procedural issues only. Additionally I'm just befuddled that the Council discussion was restricted to amendments of the motion only. I've never seen that in all the time on Council. I still don't understand why the Council didn't dig in here and really look at these recommendations so that Section 11 of the whereas clause of this motion could have been accurate. I don't think that it is.

So anyways, those are some of the reasons. I try to boil them down to the most relevant ones. Hopefully I've not left anybody's pet reason off the list and I get an email from an IPC member after the call, but those are some of the reasons why we just couldn't get to yes. It's somewhat moot now of course because the motion passed but I did want to pass along the reasons and pass along my thanks to fellow councilors for giving me the extra time to try to go back and get to a yes, it just - we just couldn't there.

And I know that this cost everybody an extra phone call meeting and so it wasn't just a hypothetical thank you, this is a real thank you to the other councilors on this call and I guess we move forward from here. Thank you.

Keith Drazek: Okay thanks very much, Paul. And, you know, thanks for your comments and certainly I take, you know, take on fully that there was ongoing conversations throughout the last ten days among, you know, a number of different groups. And, you know, thank you for taking that extra time and going through that effort and going through the process.

Okay next up is Marie.

Marie Pattullo: Thanks, Keith. First as you said at the beginning, the BC is one of the constituencies which is (unintelligible), there's Scott and I, I'm sorry, are here to represent the BC. As such I think given the form of words so forgive me for sounding wooden but I will read them out, and Terri, I'll send it to you by email so if I'm not clear you've got the exact words.

So the BC would like to thank all participants in the EPDP for the many hours of work to date and the Council, in particular Keith, for granting our request for deferral, which has allowed us to have substantive internal consultations. Although we have explored at length various potential options to address our concerns, unfortunately we were not able to vote in favor of this motion.

The EPDP's work is incomplete. This is just Phase 1, and the report is a step backwards for BC members' interests compared to the temp spec especially as the legitimate purposes for collecting and processing data in the report are insufficiently precise and don't include consumer protection, cyber clients, DNS abuse and IP protections.

Further, there were no firm assurances or commitments as to timeliness of dealing with requests or data accuracy. Overall, we note that there has been little attempt to address the risks to consumers and the DNS system as a

whole of not disclosing data for legitimate purposes. The (unintelligible) of the multi-stakeholder model, we also note that many of the BC concerns with the Phase 1 report are shared by the IPC, ALAC, SSAC and the GAC.

The BC trusts that Phase 2 will move forward expeditiously to put in place an accredited RDS access program with specific deliverables and (unintelligible) deadlines. Please be assured that the BC remains committed to this process. Thank you.

Keith Drazek: Okay thank you very much, Marie. And thanks to you and your BC colleagues for, you know, elaborating and providing some additional context in terms of your concerns. Before we move on I do want to just touch on one point related to the discussions of, you know, consensus and consensus taking and assessment of consensus within the group.

And during that process the working group - the EPDP team went through a process of establishing and documenting the levels of consensus for the various components and for ultimately for the report. And everyone in that team, every participant in that group, had the opportunity to object to the levels of consensus that had been put forward by the chair, and no one did.

So I just want to make a note that, you know, as there's discussions that take place around you know, process and consensus and assessment of levels of consensus is that that was actually a process that was conducted within the group and there was no objection raised by the members of the group.

So with that, let me now hand it over to - who from NCSG would like to deliver the NCSG statement?

Ayden Férdeline: Hi, Keith. This is Ayden. I will deliver that.

Keith Drazek: Thank you, Ayden. Go right ahead.

Ayden Férdeline: Thanks very much, Keith. Hi, everyone. To begin with, it is with great pleasure today that the Non Commercial Stakeholder Group lends our full support to the EPDP team's final report and we are grateful that the GNSO Council has voted to adopt it. We encourage the ICANN Board to adopt its recommendations as well.

We are mindful of the fact that in the case of this EPDP this is the first time in which the ICANN Board has resorted to using the temporary specification under unusual and urgent circumstances and similarly this is the first time that the GNSO has resorted to using an expedited policy development process to address a policy issue, so it is understandable that we leave having learned a thing or two.

The NCSG believes that replacing the temporary specification with consensus policy fulfills both the stated required criteria for initiation of an expedited policy development process and that the narrowly defined policy issue was appropriately identified by the temporary specification, sorry, and complemented by the EPDP charter.

Having said that, the NCSG would like to point out a concern that we have had with how the EPDP has undertaken its policy development activities. On a number of occasions some of the members of the EPDP team have insisted on introducing topics that the NCSG firmly believes were out of scope of the EPDP. These topics were neither sufficiently outlined nor actually mentioned at all in the temporary specification nor the EPDP team charter and this troubles us because it has led the EPDP team to spend valuable time and effort which was in short supply on unnecessarily addressing these topics.

Some issues were also re-raised after we thought that they had been closed and a consensus reached. There were likely significant cost implications that resulted in terms of additional support required for transcription, call recording

and staff support that the GNSO Council may not have foreseen and perhaps would not have authorized.

Furthermore, discussions of these topics led to the inclusion in the EPDP's final report of a number of recommendations which we believe would have been better addressed in a traditional PDP following an issue scoping phase. These recommendations are Recommendation 1, specifically Purpose 7 concerning validation for registered name holder eligibility criteria to register domain names under specific gTLDs, which also impacted the content of Recommendation 5 of the EPDP team's final report.

It is also Recommendation 2 concerning consideration of additional purposes to facilitate OCTO to carry out its mission which we note today that the only GNSO stakeholder group which wanted this recommendation had all - had 2/3 of its constituencies vote opposing the report today, while those who did not initially support it supported it out of the genuine desire to reach across the aisle and to understand the concerns of others.

It's also Recommendation 4 concerning accuracy of gTLD registration data and the inclusion of the Whois Accuracy Reporting System which in both Purpose 5 of Recommendation 1 as well as within Recommendation Number 4.

The NCSG urges the GNSO Council to take this matter seriously and to be diligent when chartering any potential future EPDPs. We recommend that the GNSO Council monitor further EPDPs closely to ensure that they strictly stay within the scope of work that they are mandated to deliberate upon.

More importantly, the NCSG notes that there are a number of issues that were within the scope of the work of the terminated GNSO Next Generation gTLD Registration Directory Services Policy Development Process Working Group that have yet to be addressed in future policy development efforts. We ask that the topics identified by the NCSG in this comment be included in the

issues report of future policy development activities so that they are appropriately structured and fully considered in a future PDP.

And finally, with the adoption of the report today, the NCSG wishes to extend our thanks and our gratitude to the EPDP leadership team, staff support, members, alternates and observers for their contributions towards the final report of Phase 1 of the EPDP and to successfully completing its mandate by any measure developing 20 policy recommendations for consideration by the Council in a mere seven months must be considered a successful outcome for the use of a new process.

This reflects the maturity of ICANN's multi-stakeholder model and its ability to not only adapt to challenging circumstances but also to foresee these circumstances before they occur and to prepare the process (unintelligible) again. Thank you.

Keith Drazek: Thank you very much, Ayden. This is Keith Drazek. So thank you, Ayden, for the statement on behalf of the NCSG. And with that I will hand it over to Michele for comments from the Registrar Stakeholder Group.

Michele Neylon: Thanks, Keith. Michele for the record. So first off I'm not a morning person. I'm not a morning person at all so getting out of bed to do this call was quite painful. The final report represents thousands of hours of community volunteer time which sadly still could not result in full support from the Council. It's disappointing to all of those who participated in good faith to get this work completed under very tight deadlines.

The report is a result of many compromises by all who participated. While it's clear not every group got everything they wanted, included in those recommendations, is that not a good sign of success? We feel strongly that the positions of any one group should not take priority over another and we will point out our members would want any number of obligations this report contained to be removed, but despite the objections we voiced our support

for the final product a sign of compromise and support for the entire multi-stakeholder model.

Given the objections of certain parts of the community, it's unclear how we can ask this group to carry on with the next phase of its work at the same pace as they were obliged to carry it out during the first phase. Given the unwillingness of others to participate and negotiate in good faith, how can we ask our reps to spend hours compromising on this work when it's clear others will simply wait until the last minute and withdraw their consent for hard-fought compromise? Why would anyone sign up for that? Thank you.

Keith Drazek: Thanks, Michele. This is Keith again. So thanks to everybody for all of the thought and effort that went into your statements and I appreciate the opportunity to, you know, to hear from everybody. I think importantly I think some really important questions have been raised by everybody here in terms of what comes next and that is actually the topic of discussion for our agenda Item Number 4, which we will get to very shortly.

But I just wanted to note that we do have some important questions ahead of us as Council, in working with the EPDP Working Group as we enter Phase 2. And a lot of that is going to be focused on developing a work plan and properly scoping the next phase.

And I think that, you know, our expectation - my expectation is that we want to conclude this work as quickly as possible but that there - we need to - rather than setting, in my opinion, arbitrary deadlines or picking a date, we need to have an informed discussion about the work ahead and how long that might take and what the resources are that will be required to staff it and to support it and also, you know, the community hours.

So I think we're finally now at a stage where we can turn our attention to Phase 2 and the Uniform Access Model or Standardized System for Access to Non-Public Registration Data. And it's important for all of us I think to roll

up our sleeves and to commit ourselves to trying to find the most efficient and expeditious way forward to deliver on the expectations of Phase 2 as outlined in the charter.

So with that, let me pause and see if anybody would like to make any other comments or statements before we move to Agenda Item Number 4? Okay, anyone?

Okay, Terri, procedurally, are we finished now with Number 3? Do we have everything we need?

Terri Agnew: We do have everything we need. Thank you for checking.

Keith Drazek: All right. Thanks very much, Terri. Okay let's move on then to Agenda Item Number 4. And with that I sent to the Council list about 30 minutes prior to this call a slide deck that we, the leadership team, pulled together working with staff, Marika held the pen on sort of pulling the documents together with our input. We also engaged with Kurt in his capacity as outgoing and transitioning chair of the EPDP team.

So the document that you have in your email and also projected now in front of you in Adobe Connect will be the framework for what comes next in our discussions on Phase 2.

Marika, I see your hand from earlier, I apologize I missed you, go right ahead.

Marika Konings: Yes no problem, Keith. This is Marika. I just wanted to note for the record on Item 3 the next step will be the preparation of GNSO Council recommendations report to the ICANN Board unless there are any concerns or objections, staff is happy to take a first stab at that. It will follow the model of previous reports, there are some standard headings and information that is provided. And our aim is to get that back shortly to the Council for your

review unless of course there are any concerns about staff preparing that first draft.

Keith Drazek: Thanks, Marika, very much. This is Keith. No concerns at all. Thank you for flagging that as the next step procedurally, and certainly look forward to seeing the first draft that you pull together based on previous, you know, templates and formats so thank you.

Okay, let's move then to EPDP team Phase 2 planning discussion. Yes. Move to the next slide please. Okay, so the focus on the first slide is talking about the scope of Phase 2 and obviously there are certain things that have been identified in the existing team charter for Phase 2. One is the system for standardized access to nonpublic registration data, also known as the UAM; and then there was also an annex to the temporary specification that was referred to Phase 2 of the work of this group.

So the temporary specification will expire come the end of May and - but there are still some components to the annex of the temp spec that were identified as important issues for further community action. So we need to figure out of that list, of that annex, you know, what are the issues that need to be addressed in Phase 2 and what is the appropriate or proper sort of timeframe and, you know, priority.

In addition, there are the items that were deferred from the EPDP team Phase 1, so either things that require further consideration or are dependent on input from others.

So and we'll move to the next slide which is difficult to read on the screen because it's so small. It has been sent to Council list as a separate document so if you're in front of a computer now and you'd like to look at that, look for your - look in your email for the separate document with the mind map.

Let me just pause there for a second. Marika, at this stage anything else you'd like to add as it relates to the - this document, the mind map?

Marika Konings: Yes thanks, Keith. This is Marika. Maybe just to flag that the white language that you see in there, or the white boxes, that's all copy paste from what is in the EPDP team charter. The yellow bits are, you know, basically from the EPDP final report on Phase 1, so those items that have been recommended to be considered in Phase 2. And as you can see, some of those items relate to aspects or topics that were already part of the charter but there are also some new items that are in kind of the third category that have been called out.

What staff tried to do as well in relation to the EPDP items, we've also flagged some dependencies that were indicated by the EPDP team for considering those topics, in certain cases that's legal guidance that may help inform those deliberations, in other cases it may be input from others that is sought before addressing the topics. So I hope that clarifies. And as Keith noted, it's easier to review this document in the PDF that was circulated to the Council mailing list.

Keith Drazek: Thanks, Marika. And this is Keith. Maxim has asked if it would be possible to put that PDF up on the screen in Adobe for us to look over? If we could do that we'll just take a moment to put it up so everybody can have a common view of it.

And so, you know, while that's taking place, again, this is an example of how important it will be I think for both Council and the EPDP Working Group over the coming weeks to identify the appropriate priority and prioritization of all of these different work flows. So I think the mind map is a really good starting point for that but there's going to be quite a bit more discussion and importantly discussion in Kobe at the face to face sessions that have been identified. And we'll get to that in a minute, but, you know, this work is

important and there is some urgency to being able to use the face to face meeting in Kobe to try to advance that work as much as possible.

Okay. So is the document up now? Yes. Okay. So everybody should have access. Does everybody have scroll control and plus and minus control? Okay, thanks Terri. Terri is indicating in chat that everybody can scroll. And again it's probably easier for you to read this outside of Adobe but I think we all need to spend some time looking at this over as we, you know, move into the next phase of looking at the, you know, the work of the group and making sure that it's structured properly.

Anybody have questions or comments about this slide at this point? We probably need to take some time to, you know, to consider it and - all right, let's move onto the next slide please.

Okay, so here on the slide are the items for Council consideration. So at this stage in the conversations that we've had at the leadership level also with staff and with Kurt, is the starting point that we are presuming that we will retain the existing charter. It is my view, and having reviewed the charter for EPDP overall, which obviously we know had Phase 1 and Phase 2, that it is still fit for purpose, that there is no need at this time to reopen the charter, to go through a process of discussion and deliberation and potential disagreement and having to go through the whole voting process again on a charter that is still fit for purpose.

I think there's an opportunity for the Council to provide additional guidance and additional clarification to the EPDP team and you'll see the sub bullets there, you know, to maintain the momentum and the current membership of the team to the extent possible. On that point, I have reached out to all of the SO/AC/SG/C chairs asking formally for indication of whether the various groups are going to basically rely on the same people as members and alternates and if not basically requesting an update as to, you know, who might be swapped in and swapped out.

I think some of the feedback that we've received already is that that answer is going to depend on the workload, the timeframes, you know, sort of the having a better understanding of, you know, the commitment required for Phase 2.

I'm getting some feedback from some open lines so if everybody could please mute your lines?

Okay so we've asked that. And I know that - I think Rafik has asked within the EPDP itself of the members, you know, who's intending to continue and who's intending perhaps to step aside. So obviously the composition of the group is an important factor.

And further, as we all know, Kurt has indicated his intention and has now stepped down as the chair of the group. He's continuing to work with us in the background to provide, you know, suggestion and advice and we'll be working with him to try to secure like an after action report, you know, lessons learned. But at this time I think the, you know, at this time Rafik is the acting chair in his capacity as vice chair as well as the Council liaison to the group. And so when we get to Kobe Rafik will be chairing those sessions.

We have initiated a call - an expression of interest call for a replacement chair for Phase 2. That went out on Friday. And the deadline for response to that is March 22 and our goal is to approve and appoint the next chair of the EPDP during our April 18 Council meeting.

Okay, I know I'm talking a lot; if anybody has any comments or questions please feel free to put up your hand. Michele, go ahead. Michele, if you're speaking we can't hear you.

Terri Agnew: And this is Terri. I note that Michele's line is unmuted on the telephone side that we can see. And I see he's trying the Adobe Connect chat.

Keith Drazek: So while Michele's trying to resolve his line, Tatiana has her hand up so - oh wait a minute, Michele, are you there?

Michele Neylon: Can you hear me?

Keith Drazek: Yes, yes we can. Go right ahead.

Michele Neylon: I think the physical phone has given up on the number star 6s I tapped in. Just very briefly in terms of people who will be able to engage in Phase 2, this will depend entirely on the pace of work. The Registrar Stakeholder Group representatives have been discussing that with our ExComm. And if there is an expectation to continue at the pace that was used during Phase 1, it's going to be almost impossible. Many of our current representatives are happy to continue in Phase 2 but only if the tempo is reduced significantly.

Keith Drazek: Okay thank you, Michele. Tatiana.

Tatiana Tropina: Thanks a lot. Tatiana Tropina for the record. So basically I have two points to make. The first one is having the same charter, which I fully support, and would be very much against amending the charter. I hear the echo. Can everyone mute their lines because it's a bit annoying? So I think that my point would be related to the issue of scope so basically Slide 1.

I'm all right to understand the scoping would be within the existing charter and we just might detail the question that outlines the charter by adding something new. I just want to flag this because I think that we have to be careful how many new - potentially new or really new or old new issues can be possibly added and why they can be added.

I believe that we should not use the beginning of the Phase 2 as a reason to add new issues unless this is absolutely necessary for the work already outlined in the charter, especially if we retain the current charter. So I really

would like to understand the question of interplay between retaining the charter, not amending it, and adding anything new so how far it can go because I believe it shouldn't go really far and no new issues should be added unless absolutely necessary.

And my second point would be about the pace of the EPDP Phase 2. I honestly would like to ask if there is any early reason why we are taking the same pace as Phase 1. Well I mean, I basically understand why we had to go through and, forgive me for insensitive historic reference here, why we have to go through these blood, toil, tears and sweat process in the Phase 1, which was completely exhausting not only for members but also for alternates. I was an alternate and I can say that I have no idea how members survived this.

And I understand that that was warranted by the tight deadline and expiry date of the temporary specification. This team did almost impossible job but it cannot continue because it did impossible job and exactly because it's impossible this pace just simply cannot continue. I cannot imagine myself staying on the team or anyone staying on the team in the same pace because unless you are fully paid to do this as your second full time job, you just simply cannot do it. So I believe there is no reason to go to toil, tears and sweat in the second phase. I think that this should be slowed down. Thank you.

Keith Drazek: Okay. Thanks, Tatiana. This is Keith again. So I'll respond to your first point about the charter and, you know, adding things to the charter. My feeling is that the current charter, the language in the charter, is broad enough that it covers the things that we need to address in identifying the standardized system for access to nonpublic data, or a UAM. I think so whatever needs to be done I think to do that I think is covered by that language.

There's also, as we noted, the things from the annex of the temporary specification as well as the things deferred from Phase 1. And this is of

course in addition to all of the implementation work that needs to take place on Phase 1 but that's a separate topic for - than what we're discussing here.

So I agree, I don't think much or anything needs to be added, but I think that the current charter I think provides for and basically covers the range of issues that we will need to tackle as a community as it relates to coming up with some sort of a uniform or unified access model.

So I think you know, in terms of timing, my view is obviously we had the temporary specification imposed by the ICANN Board which set out an external deadline, basically an externally imposed deadline of no more than 12 months. I know I'm stating the obvious and repeating what we all know but I think it's worth doing.

The, you know, so we had 12 months. The working group itself didn't have 12 months; they essentially had to get their work done in about, you know, seven months or something like that. And I may have the date - the actual numbers wrong - but it took us a while as Council to charter the group, it took a little bit longer for, you know, a chair to be identified and appointed, it took longer for the various groups to appoint their participants, their members and their alternates. So it took a while to get this group up and running.

And that helped to - unfortunately it helped to compress the time that was available to actually do the work and meet the deadlines that were required for Council consideration, Board consideration, a public comment period of 40 days, etcetera, that all had to conclude before the May 25 expiration of the temp spec.

So I feel like there's an opportunity here to identify an appropriate and reasonable work plan that will, you know, basically establish what the timeframes are. I think the question of pace and intensity I think is a good one. And at some point it's going to be up to the EPDP team to develop its work plan and the timeline. I think we can set some guidance and some, you

know, some suggestions at this stage but I think it's really, really important for the actual working group itself to focus, to get together, to identify you know, an appropriate work plan with timelines associated with it based on what the group thinks is reasonable.

Tatiana, go ahead.

Tatiana Tropina: Thank you very much, Keith. It's all very reasonable what you just said but your last reference to the EPDP team, identifying the timeline sounds a bit, how do you say, I'm sorry for this word, funny to me because if the message is right now the pace might be the same, there might be no EPDP because no one is going to join in the first place.

So it's a kind of maybe we can at least say that it might not be the same, that just it will be less to EPDP team that people who are joining will know that maybe they're not signing up for a terrible horse race or whatever, because I mean, knowing the previous pace I really doubt that everyone will - I really doubt there would be many volunteers to do this. Thank you.

Keith Drazek: Yes. Thanks, Tatiana. All good points. Darcy next.

Darcy Southwell: Thanks, Keith. Darcy Southwell for the record. I appreciate what everyone said, Tatiana I agree with, and Keith your comments as well. I guess I did want to and - I certainly don't think we need to reopen the charter but I am a little concerned that we remain engaged I guess I should say, in how that work plan is developed. I think, you know, we've talked a lot about PDP 3.0 and how the Council can be a better manager of the policy development process.

And so I think in order to ensure that we are effective here, we need to carefully consider what the work plan that's proposed to us looks like and make sure it has the sort of milestones that we can actually utilize to monitor the work and make sure that they're making progress in a reasonable

fashion. We certainly can't work at the same pace as the EPDP did and there's no need to do that here as well; we don't have the, you know, deadline staring us down. But we also need to be careful that we set this up for success from a management perspective. Thank you.

Keith Drazek: Thanks, Darcy. This is Keith again. Yes, excellent points, completely agree. And I think under the current circumstances with Kurt having announced his stepping aside that we have Rafik as a counselor as the now acting chair and the Council liaison and I think we'll have an opportunity over the coming month or so, depending on how long it takes us to identify a replacement chair, we'll have an opportunity as Council to be working closely with Rafik and making sure that we are absolutely not just up to speed on the discussions of the group but, you know, perhaps having some guidance for them.

And that was one of the things that I suggested at the beginning was, you know, we don't have to reopen the charter because I think it's still fit for purpose and, you know, I think that would just introduce delays that are unnecessary. But I do think we have the opportunity as Council to provide additional guidance to the group in terms of things like pace or timelines or at least, you know, suggestions that could be taken under consideration.

So with that, let me to go Flip and then to Elsa. Flip.

Flip Petillion: Flip Petillion for the record. Thank you, Keith. Just briefly, I actually agree with quite a number of things that were said. I don't think that indeed the charter has to be reviewed but I think it would be good that we all at different groups we represent we go back and examine what a work plan could be, what the resources are available, who could join the team and maybe if some of us could actually have more people involved.

It's definitely a commitment of IPC to make people available and work as in the past and show willingness and good faith as in the past. And I think we

should indeed stay in contact and try to use our presence in Kobe, Keith, to discuss the chair's position and see how we can help Rafik in the meantime but also how we can actually find another person who has the skills who is eligible, who's competent to take on that leadership role. Thank you.

Keith Drazek: Okay thank you, Flip. Okay, Elsa, over to you.

Elsa Saade: Hi, Keith. Thank you. Elsa for the record. I just had a couple of questions and I saw that point being raised on the list by Michele, and it's about evaluation of Phase 1. And I thought it was valuable in terms of there being a better baseline of efficiency for the next phase of the EPDP and not just evaluating Phase 1 as a whole process and as the multi-stakeholder model baseline and all - but also maybe RDAP - evaluating RDAP and how it actually works or didn't work.

Because I'm pretty sure that it could definitely affect the outcomes of this - of Phase 2 especially that we're going to be discussing issues about access. So I thought I'd raise that point again and I thank Michele for having (unintelligible).

Keith Drazek: Okay thank you, Elsa. This is Keith. You cut out there right at the very end but I think we got the message, you were again thanking Michele for bringing that up. Yes, and I agree completely. I think you know, definitely some sort of a, you know, a review or after action sort of analysis of, you know, the lessons learned from Phase 1, you know, beginning with the chartering process and questions of composition and size and scope the representative nature of the participants.

You know, we've tried some new things this time, you know, with this temporary specification issue and I think there will be a lot of lessons learned both, you know, both good and bad and I think we owe it to the process and to, you know, the community to make sure that we, you know, capture the lessons learned both good and bad to better inform the work. And I think that

that ought to start soon while it's still fresh in our minds or in the minds of the people who lived it.

So I want to go back to one of the things - and Elsa, I think you...

Elsa Saade: Sorry.

Keith Drazek: Yes, go ahead.

Elsa Saade: Sorry to be interrupting, Keith, but I just wanted to also put on the table that it could also help us in the PDP 3.0 process to have that evaluation. And I just wanted to put that on the table. Thanks.

Keith Drazek: Yes, thanks. Thanks, Elsa, completely agree and I think you're absolutely right, this is an opportunity for lessons learned from multiple angles. And Darcy is noting in chat that Kobe will be an excellent opportunity to discuss lessons learned, I agree.

So I think as it relates to one of the things that Elsa was describing that related to RDAP and sort of the various moving parts as we enter into discussions about Phase 2 and a Uniform Access Model, really important to note that there are a lot of different moving parts to this equation and that there could be some dependencies that we need to consider.

And so for example, we've got now the Phase 1 final report which will go to the Board. We have the technical work that going on in the Technical Study Group, or TSG, that Göran pulled together and formed following the Barcelona meeting and that group is clearly, you know, working on, you know, developing some technical - we are having technical discussions about how to enable a Uniform Access Model.

There's also the work on RDAP. There's currently an RDAP Pilot that has been announced and launched and contracted parties now have 180 days

from the time of that announcement to implement RDAP. And so I think this is one of the questions that the EPDP Working Group - the team - is going to need to consider. So when we talk about timelines and work plans we have to recognize that there are also these possible other dependencies or other moving parts that need to be considered.

And I think it's important - I'll take this opportunity right now just to flag that during the Phase 1 work we had built into the process at the end of the initial report phase for the initial report to be socialized and shared with a DPA or the Data Protection Board, and that - we didn't get that done, it still hasn't been done. I expect at some point we as a community are going to have to have better guidance and better interface with the Data Protection Board or a DPA on the viability of a Uniform Access Model, right?

So the question though is, you know, at what point along the continuum does that happen? I think the policy work needs to take place to be able to sort of inform those discussions or that engagement but I think there, you know, the sooner we can identify, you know, the potential legality of a model at all the better we'll be.

Rafik, over to you.

Rafik Dammak: Thanks, Keith. And thanks everyone for all those comments. So what I just want to and here is that as we sent to the EPDP team that we were trying to - opportunity of having Kobe meeting to start some prep work that will be helpful. And I think there are some question as we asked people for - I mean, the members and alternate to confirm - there are some question about the workload and the expectation.

So maybe I see here kind of chicken and egg issue because regarding like the timeline and the workload. I do believe here we will need the Council, and the EPDP team, to work together on setting out the timeline and the milestone so we can as the policy manager able to oversee and prep the

work. So for that I think we - having clarity about this call and how to say, the team can start working on the work plan as suggested and maybe, how to say, also about the pace and so on. But it's kind of adjust maybe - I understand that my role here will be much more critical in terms of liaising and trying to be between the two side.

So we have to do also some work regarding the dependency or interdependency here, so to be sure that we can cover the work and the task. Just also we have to be mindful that we also go into convene that informal IRT and that will have some impact, so we need to kind of manage all those kind of structures.

So having enough time like few weeks that help us to do the prep work is quite critical. And so we have to do - still have to do in parallel like the selection of the chair for the EPDP team. There is also something that is really for the Council also to help, it's regarding the resources. We got the budget in Phase 1 and we identified several resources. I think we will have to do the same and to see how it will help the work in Phase 2.

And also we need to factor in our planning the impact on the staff itself, so Phase 1 was quite exceptional in term of resources from staff and also from ICANN Org in general, to have the face to face meeting, the legal counsel and so on. So we need to confirm that what it will be allocated in term of resources in order to help for the work plan and the planning too.

With regard to the lesson learned, I welcome that we have that exercise, but I want to add some kind of caveat, and we need to be careful. Usually there is a learned and (unintelligible) and so on as exercise, we need to make them effective and useful. We need to avoid blaming and pointing fingers and to avoid like to make it quite personal. It's really about the process and to say how we can do a continuous improvement as we try to do for the PDP 3.0.

So if we have this kind of discussion I understand you are expecting like the - not Council leadership, the EPDP leadership there what they see as lesson learned and issues but if we have the discussion on the Council we just - we need to really focus in term of process and how we can make improvements for future.

Keith Drazek: Okay. Thank you, Rafik. This is Keith. Fully support everything that you've said there so thank you for sort of providing a little bit more context. I think your comments about, you know, resources and resource allocation, budgeting are all very legitimate and I think to the extent that we as Council and working with the EPDP team, you know, leadership and/or the team itself, you know, to the extent that we can develop that work plan that is predictable can also help inform the type of resources and the type of budget requirements that we might have to make.

As you noted, the face to face meeting is, you know, something that, you know, costs money and is not currently in the plan for Phase 2 but if it looks like that's going to be needed or helpful then we need to know that and we need to go through the process to try to define what that roadmap is.

So okay so let's move on. So we've talked about the starting point, talked about timing, consider items for the EPDP team input. I think we've covered this slide substantially so let us move on to slide Number 5 which is - this is just a summary on the expression of interest for the EPDP team chair. As we noted this expression of interest - the call for expressions of interest went out on Friday. It was essentially the same language that we used in the first phase.

And this is the process by which the deadline for response, as I said, is March 22. Council leadership with the assistance of the Standing Selection Committee leadership will review the applications and recommend the proposed chair to the GNSO Council for consideration.

As I noted earlier, Kurt is continuing to engage with us as a leadership team and staff and continuing to support us, but we made the decision - or I made the decision that it was time, you know, essentially to have a clean break and that Rafik was fully capable and well positioned to be able to take on the role of acting chair for the Kobe meeting and until such time a permanent chair is identified to replace. And Rafik confirmed that he was, you know, available to do that.

And our objective is to confirm the new chair at the latest by our 18 April Council meeting. If there's an opportunity to do that ahead of time then we'll certainly take that in the interest of efficiency, but that's the plan for the replacing the team chair. Any questions or comments on that before I move on?

Okay, let's move onto slide Number 6, which is the overview of the proposed EPDP discussions in Kobe. So perhaps Marika, if I could hand this over to you to sort of run through what the various you know, the various meetings are and sort of how we've evolved this over the last week to be most appropriate and under the circumstances. So Marika, over to you.

Marika Konings: Sure. Thanks, Keith. This is Marika. And just to note that although the EPDP team has been given a heads up that, you know, we're likely using all the slots in Kobe, we haven't shared a detailed agenda yet, you know, pending the outcome of today's meeting. But I'm assuming that will happen shortly after this call ends.

So, you know, we had to request meetings quite well ahead and as we didn't know at the time yet, you know, where things would stand, we went on the safe side and requested basically the same number of meetings and time as was allocated for the previous ICANN meeting. So there are quite a few slots that we've actually now been able to fill all of those as well.

So the idea would be to focus Saturday's meeting on some of the topics that, you know, you've just been discussing really looking at, you know, how to move forward in Phase 2, you know, what is the commitment that EPDP team members are willing and able to make, you know, what are the topics that need to be addressed, you know, what are the kind of working methods the group would like to apply, you know, what resources might be needed in order, you know, to meet the work plan that the group puts together, you know, what's the call schedule going to look like.

So those are some of the topics I think that, you know, the team hopes to kind of brainstorm around and kind of walk away with some hopefully general agreements on how to approach things which could then be translated into a concrete work plan and timeline as well as, you know, confirmation of schedule.

The hope is also to get an update on Phase 1 implementation planning from our GDD colleagues who will be leading that effort. Then the slot that was scheduled on Sunday, there's a slot scheduled as well for the Council to discuss you know, to continue discussions from today and presumably that will also include an update the conversations that took place on Saturday.

And Sunday afternoon there was an EPDP slot that will be repurposed to start some of the Phase 1 implementation discussions. And again, that will be led by our GDD colleagues.

On Wednesday an engagement session has been scheduled with the Technical Study Group. I think as many of you are aware, you know, they are working on some of the technical aspects of an access model. There is obviously some intersection with their work and the group of the EPDP team, so this is an opportunity to learn more about the scope and the status and expected next steps of the Technical Study Group, and again, how and where it will fit into the Phase 2 deliberations.

There is of course the Council meeting where there may be another opportunity for the Council to, you know, provide input on the Phase 2 planning and, you know, provide further feedback or input to the EPDP team. And then kind of a wrap up session has been scheduled for Thursday morning and the hope is that, you know, based on the discussions on Saturday they'll be able to, you know, review a draft work plan and approach that has come out of that and that will hopefully also then include any Council input that has been received. So that's in a nutshell what's planned for Kobe.

Keith Drazek: Okay thanks very much, Marika. This is Keith. Does anybody have any thoughts or feedback or questions about the slide that's in front of us about the Kobe schedule? Obviously it's most important that this information be shared now with the EPDP team members but there's also some Council interaction here as well. So if anybody has any comments or questions or thoughts about the agenda for Kobe, feel free to share them either now or on email later on.

But I think this is - I'll just take a moment to say, you know, we've hit a major milestone here today and while not everybody is fully happy with, you know, the content of the report or had some concerns about, you know, how we arrived at where we are, this is a major, major milestone for this community and for the ability to demonstrate that the policy making apparatus in the GNSO can operate and deliver under very, very challenging circumstances under imposed external deadlines and we've delivered a consensus policy recommendation and will be delivering it to the Board in short order.

Marika noted that we've got some work to do to prepare it in terms of the delivery but this was a major milestone and I just want to, again, acknowledge that, thank the EPDP team in its entirety, including staff, for everything that they've done. But really, again, this is - this transition to Phase 2 and the work that needs to take place on determining, you know, the best path forward on a Uniform Access Model, is equally important.

It is equally important, it doesn't have the same external deadlines but I think we all need to recognize that there are parts of our community who feel very strongly about the need for this, and frankly I think from contracted parties' perspective, I mean, I'll say predictability is good, right, and so the ability to tackle this work and to move forward as expeditiously and as efficiently as possible is essentially just a continuation of the good work that's taken place to date.

So let me stop there, see if anybody else would like to get in queue at this point? Okay, Elsa and then Flip. Thank you.

Elsa Saade: Thanks, Keith. Elsa Saade for the record. I'm, at this point I'm not entirely clear or sure as to the division of responsibilities and the process going forward. Like how much agency the GNSO Council has versus how much agency the EPDP team has in developing the process itself for Phase 2. So I thought I'd raise that point and see if it's just me or if this point needs a bit of clarification. Thanks.

Keith Drazek: Sure. Thanks, Elsa. It's a good question. So from my perspective the GNSO Council, you know, in terms of procedure, the GNSO Council chartered this EPDP Working Group last year. By my read, and I think the agreement that we have on the call today, is that that charter is still fit for purpose, in other words, it provides the overall framework or the umbrella for the group to work.

At this stage I think it is up to the EPDP Working Group to continue to tackle the, you know, sort of the work at hand for Phase 2 that's enumerated in the charter and for itself, the working group, to essentially come up with its work plan with timelines, with resource requirements and with, you know, sort of an agreement on the scope and the pace of the work or certainly the pace, I think the scope is outlined by the charter.

And so I think the ball is essentially in, very shortly, going to be in the court of the EPDP Working Group to continue doing the work that it needs to do to prepare itself for Phase 2.

Having said that, I think there is an opportunity for us as the Council to assess and review sort of the task ahead and to try to provide some, you know, level of guidance or recommendations. So for example, around timeframes, I think timeframes and deadlines should be, you know, sort of dictated by or determined by the amount of work, all of the dependencies, and the capacity of the community and the working group members to do what they need to do.

I think in my view the pace, as we've heard today, the pace and the intensity of the group in Phase 1 was dictated by an external deadline. We don't have that external deadline now. I think we have an opportunity to try to find, you know, a balance or some sort of more reasonable, you know, sort of I guess thresholds in terms of intensity, in terms of the pace of the work and all of that, while also recognizing that there is urgency around our ability to deliver something in Phase 2.

So I guess, you know, I guess that's my take on your question, Elsa, and feel free to follow up if you'd like to. If I made it less clear than more clear I apologize. Flip, over to you.

Flip Petillion: Flip Petillion for the record. Keith, I really want to thank you and it's not simply a formality, I thank you for what you just said and what you said just before Elsa launched her question. You have shown the interest that we have, we should all have, and you have clearly shown an interest for a balance, a balance of interests, a balance of attention for topics that one another wants to discuss and that is actually a very good message to those who will participate in the second phase.

The second phase is as valuable as the first phase and the EPDP is one package, it's Phase 1 and 2. And I think although, and we of course - we thank everybody who has spent millions of hours in the multiple meetings, but I think it - despite the fact that of course this was taking a lot of time, I think people and to different groups should not be discouraged to try to invest the same amount of time in Phase 2. But I very much thank you for stating this and for the balance you've put in the discussion. Thank you.

Keith Drazek: Thank you very much, Flip, much appreciated. And I think to your point about the EPDP Phase 1 and Phase 2, it's all part of the same work, it's all part of the same goal. It was just - we were forced to essentially tackle Phase 1 because of the expiration of the temporary specification and Phase 1 final report essentially becomes the foundation on which to build a Uniform Access Model.

And I think there are still plenty of opportunities, as we engage in the Phase 1 work, for the interests and the legitimate interests and legitimate use and access to data will be discussed further and there's an opportunity I think for us to build a model that is predictable, is legal, is compliant, and also provides maximum, you know, access and ability to - for people to - or individuals or entities to access data under some prescribed rules.

And that's really what we're talking about now as we move forward into Phase 2 is developing the policy rules around how a Uniform Access Model will be implemented. And of course the work of the TSG is more on the technical side of how that will work. RDAP is the protocol that will be used to enable a Uniform Access Model and so there's a lot of different moving parts, as I said earlier, but I completely agree, Flip, and thank you for calling it out, that this is the continuation of the work, it's not a separate group.

It will not be a separate group, maybe have different members, but, you know, this is an opportunity for us to finally, once and for all, build a system

that will serve the needs of its - sorry, the needs of its users to the extent possible permissible under the laws that exist.

Rafik, over to you.

Rafik Dammak: Okay thanks, Keith. So we heard several comments and intervention here regarding the next steps. I think there is an action is to kind of how to say, giving a first guidance from the GNSO Council to the EPDP team so clearly outlining what the EPDP team need to deliver here. I understand it should discuss about the work plan based on the scope we have and then discussing about the pace, maybe possibly working methods and about any dependency as we see for now.

And so for that to help the team members themselves to confirm their commitment because as I say, again, it's really about the question that will concern several, I mean, some concern about the workload. So I think that's the clear as we are making here the EPDP team and they want just to be sure if there is anything else I need to communicate to the EPDP team.

Also we share, I mean, we are working on the agenda and the plan for the Kobe meeting and so we can factor all those elements in our plan and to have that discussion within the EPDP team in Kobe. So I just wanted to - if it's possible really to outline what is expected. I think as you explained previously the kind of the how to say the labor division between the Council and the EPDP team. So thanks.

Keith Drazek: Okay thank you, Rafik. This is Keith. And yes, I think that makes sense. I think what you've heard today and what you've described are probably the things that need to be communicated. And why don't you and I work together and also with, you know, with Pam and Marika to develop a communication that's appropriate and try to have that sent out, you know, here in short order because obviously people are getting ready to get on planes and head to Kobe if you're not there already.

So okay so let me just pause and see if there's anybody else in chat? No hands up at this point. Would anybody else like to say anything before we start to wrap up? And Marika, again, I'm happy to, you know, if there's anything that you'd like to add at this point as the - obviously the person who's interfacing with both the Council and the EPDP Working Group, you know, feel free to jump in. Okay, nothing more from Marika.

Okay, would anybody else like to comment, put up your hand, otherwise we will conclude this call. Okay, not seeing any hands. All right, thank you very much one and all for your time and for your commitment to supporting this process today. I think we have delivered on the obligations and the expectations of the GNSO Council in the - as the process and policy manager for the PDP on this EPDP. And I just want to say I really do appreciate all of the time and the commitment and the collegiality and I look forward to seeing you all in Kobe. So safe travels and with that we will conclude the call.

Terri Agnew: All right, thank you, everyone. Operator, if you could please stop all recordings? To everyone else, please remember to disconnect all remaining lines and have a wonderful rest of your day.

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