Transcript GNSO Council Teleconference
13 November 2014 at 11:00 UTC

Note: The following is the output of transcribing from an audio recording of the GNSO

Council teleconference on 13 November 2014 at 11:00 UTC. 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:

http://audio.icann.org/gnso/gnso-council-20141113-en.mp3

And the Adobe chat transcript at:
http://gnso.icann.org/en/meetings/transcript-chat-council-13nov14-en.pdf
 all on page
http://gnso.icann.org/en/group-activities/calendar#nov

List of attendees: NCA – Non Voting – Carlos Raúl Gutierrez
Contracted Parties House
Registrar Stakeholder Group: James Bladel, Volker Greimann, Yoav Keren
gTLD Registries Stakeholder Group: Jonathan Robinson –absent apologies, proxy to
Donna Austin, Donna Austin, Bret Fausett
Nominating Committee Appointee (NCA): Thomas Rickert
Non-Contracted Parties House
Commercial Stakeholder Group (CSG); Gabriela Szlak, Susan Kawaguchi, Osvaldo
Novoa, Tony Holmes, Heather Forrest, Brian Winterfeld –absent, apologies, proxy to
Heather Forrest
Non-Commercial Stakeholder Group (NCSG): Amr Elsadr, Marilia Maciel, Edward
Morris - absent, Stephanie Perrin, David Cake, Avri Doria
Nominating Committee Appointee (NCA): Daniel Reed

GNSO Council Liaisons/Observers:
Cheryl Langdon Or – ALAC Liaison
Patrick Myles - ccNSO Observer
Mason Cole – GNSO liaison to the GAC

ICANN Staff
David Olive - VP Policy Development
Marika Konings - Senior Policy Director
Rob Hoggarth - Senior Policy Director
Mary Wong – Senior Policy Director
Steve Chan – Policy Director
Berry Cobb – Policy consultant

Lars Hoffmann – Policy Analyst
Glen de Saint Géry - GNSO Secretariat
Cory Schruth – Systems Engineer

Glen de Saint Géry: .Jonathan Robinson is absent..his proxy has been given to Donna Austin. James Bladel.

James Bladel: Here.

Glen de Saint Géry: Yoav Keren.

Yoav Keren: Here.

Glen de Saint Géry: Volker Greimann.

Volker Greimann: Present.

Glen de Saint Géry: Thomas Rickert.

Thomas Rickert: Present.

Glen de Saint Géry: Gabriela Szlak.

Gabriela Szlak: Present.

Glen de Saint Géry: Susan Kawaguchi.

Susan Kawaguchi: Present.

Glen de Saint Géry: Brian Winterfeldt is absent and he has given his proxy to Heather Forrest. Heather Forrest.

Heather Forrest: Present. Present.

Glen de Saint Géry: Osvaldo Novoa.

Osvaldo Novoa: Present.

Glen de Saint Géry: Tony Holmes.

Tony Holmes: Present.

Glen de Saint Géry: We are trying to call out to Edward Morris but we have got no reply yet. Amr Elsadr. Not yet on the line. David Cake. I do not see David on the line either. Marilla Maciel.

Marilla Maciel: Here.

Glen de Saint Géry: Avri Doria.

Avri Doria: I'm here.

Glen de Saint Géry: Stephanie Perrin.

Stephanie Perrin: Present.

Glen de Saint Géry: Daniel Reed.

Daniel Reed: Present.

Glen de Saint Géry: Carlos Gutierrez.

Carlos Gutierrez: Present.

Glen de Saint Géry: Cheryl Langdon-Orr.

Cheryl Langdon-Orr: Present.

Glen de Saint Géry: Patrick Myles.

Patrick Myles: Present.

Glen de Saint Géry: And Mason Cole, our GNSO GAC liaison.

Mason Cole: I'm here.

Glen de Saint Géry: We also have on the line Mathieu Weill who is a guest who's going to give us an update. And for staff we have David Olive, Marika Konings, Mary Wong, Lars Hoffman, Berry Cobb, and myself, Glen de Saint Géry. Have I left off anyone perhaps who's on the call?

If not, may I just remind you please to say your name before speaking. And then it's over to you, Volker.

Volker Greimann: Thank you very much, Glen. And hello to everyone who is there. I would now like to ask if there's any updates to Statements of Interest. Hearing none we move on to the next point which is the review or amendment of the agenda. Does anybody have any comments for the agenda that should be amended or commented on? Hearing none again.

I would like to move to the status of the minutes. The minutes have been circulated and I hope reviewed by all the councilors. Is there any objection to approving the minutes of the previous Council meeting of course.

Glen de Saint Géry: Volker, sorry, this is Glen. The minutes have not yet been circulated on the Council list.

Volker Greimann: Sorry, that was my bad then.

Glen de Saint Géry: That's all right. That will be done very shortly. Thank you.

Volker Greimann: Then we cannot approve them yet but we will do that then at the next meeting.

Okay then I would like to welcome everyone. We have an interesting meeting here. I was only informed about the - having to take over the session yesterday so I'm - might be a little under-prepared but I hope we will manage some form or shape and get the focus areas and review and discussion going in a seemingly shapeful manner and have a good discussion today.

We have our action items laid out for us. If I could just ask Marika to detail the action items so we can just review and talk about the individual items? There we are. Marika, please go ahead.

Marika Konings: Thanks, Volker. So this is Marika. So you see up on the screen the action items which you can also find on the wiki page that we basically update after every Council meeting with some of the outstanding items.

Maybe just to flag some of the ones that are still open or being dealt with. You'll note as well that some of these will come back later on the agenda, for example, GNSO Council development session, that is an item that's under the Any Other Business, and as well some of the other updates.

There are a couple of items that are still a work in progress in relation, for example, the ethic liaison to the GNSO Council. There are also a couple of items on there in relation to the SCI where, you know, further consideration may need to be given by those responsible for those items on whether those should be put forward and further framing work needs to be done.

And as said, scrolling through, as said, several of these come back under Any Other Business so just want to flag that for people to, you know, have a look at these and make sure that you're aware of those items that have been assigned to you and maybe can call out one of those, for example, the Board working group report and the Nominating Committee where Tony Holmes volunteered to hold the pen on that item.

And just to note that as the public comment period closes by the 9th of January any statement for Council consideration would need to be submitted in time for the next Council meeting in December to be considered.

Anything else you would like me to call out now, Volker, or...

Volker Greimann: No, thank you Marika. I think we have a couple of issues that we need to focus on at this stage on the - in the action items. And the first

one is the SCI with regard to the interactions between the proposal for the - of the SCI and the - and the GNSO review. And I think we would have to allocate some discussion time for this at the next meeting.

As far as I know, from Jennifer, the review is still on track. However, some of the proposals might better be framed in the SCI improvements instead of the GNSO review track. So we should have some discussion ongoing on that and I would like to ask all councilors to reach out to their communities and constituencies to just get a feel of the room, get an opinion on the proposals and come back to the Council maybe on the mailing list and discuss these.

With regard to the Board working group, is there any update from Tony if the work is already started or what is the status here?

Tony Holmes: This is Tony. No, I don't have any update currently on this.

Volker Greimann: All right, thank you very much. Then we need probably more time for that. We would like to have an update on that by the next meeting at the latest just to see that the work has started and if there's anything the Council can actively do to support this.

We have had an interesting and long discussion with regard to the skill set of the NomComm. I think it was valuable feedback that was received. And the discussion continues on the working group as well. So there is no need to delve into this at this stage.

Right, let's move on to Item 3, unless there's anything anyone would like to discuss as part of the consent agenda items of the action item reviews. The consent agenda is currently empty as far as I'm aware so

this is something that, unless there's any objection, we can move over very quickly and move to the first motion which is the adoption of the charter for a cross community working group on enhancing ICANN accountability.

The motion was made by Thomas and I would like to ask Thomas to read the motion and lead the discussion.

Thomas Rickert: Thanks so much, Volker. Shall we actually go through reading the whole motion?

Volker Greimann: I think...

((Crosstalk))

Thomas Rickert: Or just the resolve?

Volker Greimann: ...would be sufficient, yes.

Thomas Rickert: One, the GNSO Council approves the charter, and you find a link afterwards, and appoints in brackets name as the GNSO Council liaison and the GNSO co chair to the cross community working group.

Second, each GNSO stakeholder group will identify one member for the CWG by 20 November taking into account the charter requirement that best efforts should be made to ensure that members have sufficient expertise to participate in the applicable subject matter. See for example, and then you'll find the link for areas identified for expertise.

Secondly, commit to actively participate in the activities of the cross community working group on an ongoing and long-term basis.

And, three, where appropriate solicit and communicate the views and concerns of individuals in the organization that appoints them.

Three, the GNSO will collaborate with the other SOs and ACs to issue a call for observers to join the CWG each in according with its own rules.

So that's the motion. Before we start the discussion I'd like to, number one, let you know that we have a guest on the call who is (Matu Vial) who is the ccNSO co chair so should there be any questions or any need for discussion I think it would be good to have the co chair on the call to respond to questions there might be.

I'm informed by Marika's note in the chat that I should also highlight the last resolve clause. And I'm not sure what - Marika, would you like to chime in on that one?

Marika Konings: Yes, this is Marika. Just dawned on me that we actually still have the word "observers" there while the formal term per the charter is now participants. So I was just wondering if you may want to update that so just changing "observers" to "participants" as that is the terminology we're using for this charter.

And I think the observer term is a leftover from the previous CWG and we may have borrowed some of the language from the previous motion for this one.

Thomas Rickert: That is correct. That is actually an inconsistency. I see that Avri Doria is typing something in the chat but it's not related to this one. So I'm looking at Avri virtually as the seconder of the motion whether she's okay with that - with that correction. And I see in the chat that she is so we can please replace the word "observer" by the word "participant."

Now before we dive into the discussion let me give you a very quick overview of what we did. As you know during the last ICANN meeting the drafting team convened to work on a charter for the cross community working group on enhancing ICANN accountability.

And you find a full list of the drafting team members in the respective wiki. But I would like to outline or highlight that we had representation from ALAC, ASO, ccNSO, from the GAC, from the GNSO and even one quote unquote other. So the participation has been very good.

We had a couple of two hour calls of the drafting team to work on the charter, which I think was an impressive piece of collaboration and it was very encouraging to see the spirit of the collaboration in the light of the work that we have before us which will surely at times be heavily debated.

I should also practice the discussion by saying that the working group sort of in an iterative process has discussed the substance of the charter and ultimately when a consensus call or - it wasn't a formal consensus call but when the cochairs asked for support for the charter the response was very positive.

I think I'm not exaggerating if I state that the charter was supported unanimously by drafting team members. So that would be the

equivalent to full consensus, which I think is a good starting point for the work.

I should also say that we built on the information that we had, i.e. when it comes to the accountability issue we started looking at information that we had from the community. You know that there was a public comment period earlier this year on the issue of accountability so that's something we took into account.

We took into account various public statements that have been made by the US government with respect to their expectations. And then we tried to amalgamate that into a charter that should facilitate the feasibility of reaching the ultimate goal, i.e. improving ICANN's accountability in two work streams, i.e. Work Stream 1, which are the accountability mechanisms that need to be considered before the transition takes place; and then Work Stream 2 which are the more long-term accountability issues that are raised by the ICANN community.

Now we also made sure that there is flexibility for the cross community working group to prioritize matters, also to look at certain questions. Nonetheless we have tried to assist the cross community working group by putting together a list of questions for them that we thought needed to be dealt with.

But this list is non-exhaustive and it can be - it can be put into a different order than we placed it. So there's a lot of flexibility but also we've taken into account the stress test that have been discussed but the overall theme was that the accountability work that's conducted in the cross community working group does not jeopardize project

success, i.e. even if certain accountability mechanisms or discussions cannot be completed prior to the transition there need to be safeguards that even if things are not completed that they're going to be worked on in a guarantee fashion so that nothing is forgotten.

Also, we put requirements in for stress tests to be planned and put into the work plan so that these stress tests can be conducted, analyzed and potential amendments can be made in time.

So I think the charter is a solid foundation for the cross community working group to build its work on. I should also mention that recently there has been a very interesting blog post by Phil Corwin who stated that he thought that the bar was put too low by the charter. But in fact that the point of that we've discussed quite a bit.

And raising the bar is not, in our view, a matter for the drafting team to do. That's something for the cross community working group to do. And we've been very careful to make sure that we do not preempt the outcome of the work that should actually be done by the folk community and not only by the drafting team.

I think I should leave it at that and ask my co-chair, Mathieu, Mathieu would you like to add anything to that?

(Mathieu Weill): Thank you, Thomas. I think the short answer would be no, you've said it - said everything. I'd like to stress the excellent cooperation between SO and ACs within this group. And what Thomas said that we've had full support by all drafting team members present for this charter. And I think it's worth highlighting the fact at this stage on such an important and structural topic.

And of course I'd be very pleased to provide clarifications and answer questions in the coming discussion. Thank you.

Thomas Rickert: Thanks so much, Mathieu. That's been very helpful. And now I'd like to open it up for councilors to ask questions or make observations.

So I see Gabby's hand is up. Gabriela, please. Gabby, maybe you are on mute. We can't hear you.

Gabriela Szlak: So can you hear me now?

Thomas Rickert: Yeah, now we can hear you.

Gabriela Szlak: Okay. Okay so first of all thank you so much, Thomas, for all the explanations and for the hard work that the drafting team has done. And I just wanted to say - to raise two point.

One of them I've already said something at the Council email list but I think it's important to repeat it here is that the BC members agree with parity when it comes to consensus calls and voting, and then talking about membership and representatives, that we kind of object - this word is difficult - disenfranchising charter constituencies in the GNSO which is the effect of limiting to five representatives from the GNSO.

So, you know, if there are seven charter organizations in the GNSO we believe these are the registries, registrars, BC, IPC, ISPCs, Cs and NPOC, having only this limit of five will affect this situation for us. And we believe there is a huge amount of work to be done.

And you just said that it's not for the drafting team to raise the bar by it yes, for the group, for the cross community working group. So we want to be sure that diversity of expertise and viewpoints in membership is there because this is crucial to achieving the goals of the cross community working group. That's the first point.

And maybe I stop here, I listen to others comments on this and then we follow up.

Thomas Rickert: Thanks, Gabby. There's a queue building up so I have Heather first and then Avri.

Heather Forrest: Thank you so much. This is Heather Forrest for the transcript. I would like to echo the comments made just previously by Gabby. This is an issue of great concern within the IPC and it's a trend that we're seeing this lumping of the CSG somehow us some sort of cohesive whole of interest when in fact the CSG is made up of quite disparate interests, three different stakeholder or constituency groups.

And this is not a trend to the extent that Council has the ability to do so; not a trend that we would like to continue for the reasons that Gabby has just mentioned that this is not a way to achieve whole of community input on these important matters. So thank you for the opportunity to voice that comment.

Thomas Rickert: Thanks, Heather. Let's move to Avri.

Avri Doria: Okay, yeah, thank you. I guess I'd have to say I'm deeply concerned about this also. At the last reorganization of the GNSO we were divided into four stakeholder groups with each stakeholder group

having the ability to, in a bottom-up way, figure out what it was as a stakeholder group.

Now if I talk about the NCSG, we have two constituencies and a number of members who aren't members of either constituency. Now that's the internal architecture that we've taken.

If we start having to go down now to the next level beyond stakeholder groups then we also have to open for not only the NCSG maintaining its seat but for each of NPOC and NCUC having a seat.

Also, I think that we're seeing other groups such as the interest groups that are forming in the Registry. At what point do we have to consider their next level down?

My point on this is that we have been organized into four SGs. CSG has chosen to do it internal organization as a sort of a triumvirate that works together and NCSG has had many discussions with CSG where we've interacted with CSG as a block even though it was done by having one person be the spokesman - spokesperson for the three.

So I'm very concerned about this general process we seem to have of reneging on the agreed upon for stakeholder group - and that was agreed upon by the members at the time, that four stakeholder group organizational principle to go one level down for one stakeholder group only.

Now if we want to reorganize after, you know, this particular review cycle we're in, to have a different structure that takes these concerns into account that would seem fine. But for now we have been

organized as four stakeholder groups and if we start going down a level on all the other groups to get to parity who knows how large these cross community working groups will get.

That's why we have unlimited number of fully participating participants so the workload is not in any way limited by just having one member. We have plenty of participants and as we're starting to organize ourselves to do. And believe me, NPOC, NCUC and our individual members do not belong, you know, any better than perhaps the constituencies in the CSG do. We can't even necessarily vote as a block.

But we have started to basically organize ourselves as sort of a caucus where we've got the member and all the participants from NCSG in communication covering each other, sharing the work.

So the work aspect of this is certainly doable with the five (NIC)s. So I'd be strongly opposed to requesting a GNSO Council request to increase the number. Thank you.

Thomas Rickert: Thanks Avri. And as you can see I've put myself in the queue. Certainly I've been asked to chair this part of the meeting; nonetheless I would like to share some observations with you.

One is that we had this discussion on the drafting team's mailing list. So the concern that has been voiced by Gabby has also been introduced at the drafting team level. And there were responses stating that we should be very cautious to increase the number of these groups for the sake of not making the whole process unmanageable.

Also I'd like to highlight that we don't only have members. You know, we've amended the motion a few minutes back to change the language from observers to participants, as you will recall. And I think it's worthwhile noting that we will have a mixture of members. And there's a limited number of members. And then we will have potentially unlimited number of participants all of which can join and inform the discussion.

So I think it comes to having more people, more brains at work for the work of the cross community working group that is very well possible with the structure proposed in the charter as it has been put forward.

The member status only becomes relevant if a formal consensus call needs to be made. And I think that the overall aim of the cross community working group is to work towards consensus. And let's just imagine if we put the cross community working group's work into context it will be part of the package that's going to be proposed to the ICANN Board and then potentially to the US government.

And one of the requirements was that it should be a consensus-based solution. And I can hardly imagine that during a consensus call the chairs or cochairs of the cross community working group would ignore views of those that only have participant status and not membership status because that would jeopardize the integrity of the whole process.

Also I think the work will be structured in a way that no formal consensus call might be needed. Maybe it's good enough to start consensus in the whole group, including the participants.

So I think that the work will not - or the outcome of the work will not depend on the number of members. But let's please note that we sent this draft charter to all SOs and ACs, bit if we start changing the numbers that might potentially delay the whole process.

And I would find it unfortunate, I'm speaking my own capacity, I would find it unfortunate if the first milestone to be taken i.e. to the adoption by the GNSO Council, would be a roadblock or, you know, an issue for the whole process which is working towards a very tight deadline.

So I think I should leave it at that for the moment but I think that what I'm hearing is a more fundamental aim to work on the GNSO structure. And I'm not sure whether this is the best place to have this discussion particularly since the charter for the other cross community working group has been designed exactly as this one in terms of membership.

So let's move to Tony now.

Tony Holmes: Okay thanks. And some of the points you made, Thomas, I was going to make as well. Whatever the views are on this I think it does underline the fact that we do have a problem, particularly in the CSG. And I certainly concur with the remarks that were made by Heather and Gabby along those lines.

This is likely to come up every time we have these discussions on the working group. And you made the point, Thomas, that's one of the issues with the (larger) group is you don't want to make it unworkable. The problem we have is that the overhead of making this work in the CSG environment, that's pretty unworkable as well. So we really do have a problem.

I don't think we can fix it around this particular item but we do want I think some acknowledgment that we do have a problem here. And with regards to the remarks that Avri made, there was a degree of enforcement about the structure that was placed upon us and it was also sold to us on the basis that well let's have a look at it and see if it works for a couple of years. Well for us it clearly doesn't work and it's time to do something about it.

We can't do it in terms of this charter but I think it's certainly worth making the point that we need to peg this as an issue and maybe look at the structure issues and try and work that through the GNSO at some stage in the near future.

Because as we increase the workload more and more the problems are building up in the CSG to a greater degree. And it is becoming pretty unworkable despite the very good points you made, Thomas, about the workings of the working group.

Thomas Rickert: Thanks Tony. James.

James Bladel: Thank you Thomas. I had some extensive comments lines up but being at the bottom of the queue they were very astutely covered by my colleagues, Avri and yourself as well. And I think to Tony's point this is something that's just going to continue to flare up whenever we have one of these cross community efforts.

So I think that it is something that we should address, you know, as part of the structural review and not here. And certainly we don't want to be out of sync with the charters that are being approved by the other

SOs and ACs. So I'll withdraw my comments and just kind of plus one to the things that have already been said. Thank you.

Thomas Rickert: Thanks James. I think on that Heather, that's an old hand from you so I think the next one in the queue would be Gabby.

Gabriela Szlak: Okay so thank you so much for all these comments. And regarding this issue I just think that if, as Tony said, it's really important that we actually work on this because this is a problem that will come all over and we really need to work it out.

So I wanted also to make another comment regarding the charter on a timing issue. So just in general but also in kind of in line with what Phil Corwin posted in his post that we believe that the goal, as drafted, overstates the need to meet the focal deadline of September 2015 and that it is more important that we get the right accountability enhancements, and that they are supported by the community.

So we want, first, the issues to be addressed and then the timing issue after. So the charter kind of mixes this. And it's not so clear that we are working on the issues and it's more clear that we are very worried about the deadlines. And we really want to make sure that this is not what's going to be happening. Thank you.

Thomas Rickert: Thanks, Gabby. Actually it is the cross community working group's task to draw up a work plan and the timeline. But the statements that you find in the charter are encouraging the working group to draft a work plan that would make it feasible to meet the deadline.

So it's not prescriptive in terms of timing. And as you know, working groups as well as cross community working groups can't revisit their work plan. But I think it should be noted that the expiry of the contract with the US government is in fact a factor, an important factor, that needs to be taken into account when the working group commences its work. But that's surely not meant to be carved in stone.

Also you will have noted reading the charter, that - and I'm stressing what I alluded to earlier - that even if certain pieces of work are not completed that there are guarantees built into make sure that the accountability mechanisms that are deemed required are actually being installed. So I think it's not prescriptive in terms of time. And as you rightfully stated, the quality of the work should be the decisive factor.

Let me virtually look at Mathieu and ask him whether I've accurately reflected that and the working group's work. But - and maybe you can indicate in the chat or get in the queue if I have potentially misstated the views of the drafting team.

The next in the queue is James.

James Bladel: Thanks Thomas. And, you know, previously I said I didn't want to spend too much time on this but now I unfortunately have to take that back because I would ask if you could very briefly summarize what the guarantees of accountability would be if, you know, if the IANA transition and the accountability of adoption or stress tests occur out of sequence.

Can you give us an idea of how ICANN would be held accountable to those guarantees?

Thomas Rickert: The answer to that is that we, as a drafting team, have not prescribed exact tools that should be deployed to guarantee that. But we put in there that if certain pieces of work that need to be done can't be completed or implemented in time that there need to be mechanisms to be recommended and agreed upon by the cross community working group to give exactly that guarantee.

But let me handover to Mathieu and I'm sure that Mathieu can also speak to that.

Mathieu Weill: This is Mathieu speaking. Thank you very much, Thomas. And I think the points that are raised here are absolutely essential to an efficient cross community working group because it is absolutely correct and that is the spirit of the charter that this work must be driven by the quality of the accountability enhancements first before taking into account the deadlines.

But at the same time it has been discussed over and over in the community since that NTIA announcement that there is an opportunity, a window of opportunity with the transition, with its deadline, to actually leverage across different stakeholders and the community as a whole, but ICANN included, some changes that could not - we couldn't get any guarantees if we didn't have these deadlines.

Therefore I think it's critical to keep a mention of the deadline, whether it's September 30 or later is not an issue here but this deadline because some accountability enhancements will need to be

guaranteed - have a stronger level of guarantee than others and that is why the two work streams are useful for the cross community working group to achieve its goal to enhance ICANN accountability.

And we've made sure in the drafting team to leave as much flexibility as possible for the CCWG to rely on this and it will, as it wishes, no specific topic is totally assigned to Work Stream 1 or assigned to Work Stream 2 because this is the cross community working group's goal to set the bar at the level it wishes.

But I think it is really worth highlighting that there is this opportunity with this deadline, with the transition, and flagging it for the working groups - to support the working group's ability to enforce some enhancements was extremely important and therefore there should not be any confusion; quality comes first, the deadline is just a mean to get better enhancement faster. Thank you.

Avri Doria: Is somebody perhaps muted or have I fallen off the call?

Volker Greimann: No, you are still there.

Thomas Rickert: I was speaking while being muted and asking Volker to unmute himself. Sorry for that. It's your turn.

Volker Greimann: Yes, just a small point. I note that we still have - not appointed the Council liaison and GNSO cochair in the resolve caused so it might also be valuable for the discussion here to find a candidate and appoint him - fill that blank so to speak to make the motion complete before we vote on it.

Thomas Rickert: Thanks Volker. And before a move to Avri I'd like to share with you that I would volunteer, if the Council wish me to do so, to act as cochair from the GNSO. Avri.

Avri Doria: Yes thanks. And that wasn't the point I was going to make that as soon as Volker mentioned it I was going to recommend that we amend the motion - the resolve - and add - oh no, no, we just have to fill in name, never mind.

Okay, the point I was going to make is - and I very much support you doing it. The point I was going to make about the guarantee because I just wanted to get - and that's have been one of my issues in the drafting team is that what we're stating there is that - and the obverse other - if there isn't a guarantee then we don't have that Stream 1 solution.

And I think this responds somewhat to the issue that Gabby has put forward in the chat and on voice is that we have to put everything into Stream 1 or, you know, that group has to put everything into Stream 1 that needs to be there to have the leverage that is needed post transition. That is key.

And the sentence about looking for guarantee - and I agree, I can't name what those guarantees are now but that's something that perhaps could happen in time, could be written into the contracts for transitioning the stewardship. I don't know how it could be done. It would be up to the people at that time to determine that there was a guaranteed way to ensure this.

But at that point if Stream 1 has done its work properly we have replaced the leverage that many feel we have now because of the NTIA rules with some other leverage and such. So that's why Stream 1.

I personally - and the motion doesn't specify this - I personally think Stream 1 and Stream 2 are largely sequential but perhaps not completely sequential. But, you know, other people feel otherwise and that's something again for the group to decide so I just wanted to put that in. Thanks.

Thomas Rickert: Thanks very much Avri. I see no more hands up so I think that this very important and valuable discussion can be brought to a close. Gaby, I see your hand up, please.

Gabriela Szlak: I'm so sorry. Just going back to the first item can I ask one last clarifying question?

Thomas Rickert: Sure, go ahead.

Gabriela Szlak: So the participation and membership and representation, so what we would like to know is that even if we only get like a CSG one vote that we still be able to - like its constituency can participate in every discussion and email as constituency I mean.

So we want to be sure that we have that - like can we at least clarify that, that's all constituencies will be able to participate in email lists and discussions?

Thomas Rickert: I confirm.

Gabriela Szlak: Okay. Thank you so much.

Thomas Rickert: Thanks Gaby. Any further comments, questions? I think we need to get this right. You know, since we are the first chartering organization that takes the vote on this I think this is going to be a strong signal to the community. And with that I think we can proceed to a vote and at that point in time I'd like to hand back over to Volker.

Volker Greimann: Thank you, Thomas. I think we had a valuable discussion here. Before we proceed to the vote I think we should fill in the name. We have one self nomination. Are there any other nominations for the Council liaison or cochair role here? I see a queue forming. James.

James Bladel: Hi. James speaking. I would just like to lend my support to Thomas filling this role since he so graciously volunteered.

Volker Greimann: Thank you, James. Avri.

Avri Doria: Yeah, and for me I thought I had actually meant - and I probably garbled my words - to nominate him for that when I was speaking right after his volunteering. I definitely support that also.

Volker Greimann: Thank you. So we have Thomas nominated and supported by Avri and James. Are there any objections to putting Thomas's name here? Seeing none I would like to ask Glen to move ahead with a roll call vote.

I see that we have Amr now joining so we are actually complete. Everyone who isn't here has had a proxy nominated so we are now, as far as I can see, fully present. Right, Glen?

Glen de Saint Géry: Volker, can I just check? We have not got Edward Morris on the line.

Volker Greimann: Sorry, I...

((Crosstalk))

Glen de Saint Géry: We have been trying to call out to Edward. He is in an hotel in Los Angeles. And we are not able to get him. We've even asked the hotel management to go up to the room.

Volker Greimann: Okay, thank you Glen. But this motion, as far as I can see, not the motion where we need absentee voting so we just need simple quorum, is that correct?

Glen de Saint Géry: I believe so but can we check via Marika please? Marika says yes. Okay fine.

Volker Greimann: Okay then I think we...

((Crosstalk))

Volker Greimann: Okay. Go ahead please.

Glen de Saint Géry: Okay thank you. So I'll go ahead. Jonathan Robinson, Donna, would you please vote for Jonathan?

Donna Austin: I vote in favor on behalf of Jonathan.

Glen de Saint Géry: Thanks, Donna. Volker Greimann.

Volker Greimann: I vote in favor.

Glen de Saint Géry: Amr Elsadr.

Amr Elsadr: I vote yes.

Glen de Saint Géry: Marilla Maciel?

Marilla Maciel: Yes.

Glen de Saint Géry: Edward Morris is absent so I am - unless he's just joined the call?
                    So he's marked as absent. Brian Winterfeldt. Heather Forrest will you
                    please vote for Brian?

Heather Forrest: On behalf of Brian, yes.

Glen de Saint Géry: Thank you. Daniel Reed.

Daniel Reed: I vote yes.

Glen de Saint Géry: Thank you. Stephanie Perrin.

Stephanie Perrin: Yes.

Glen de Saint Géry: Susan Kawaguchi.

Susan Kawaguchi: Yes.

Glen de Saint Géry: Heather Forrest for yourself.

Heather Forrest: Yes.

Glen de Saint Géry: Donna Austin for yourself.

Donna Austin: Yes.

Glen de Saint Géry: Gabriela Szlak.

Gabriela Szlak: Yes.

Glen de Saint Géry: Avri Doria.

Avri Doria: Yes.

Glen de Saint Géry: James Bladel.

James Bladel: Yes I vote to approve.

Glen de Saint Géry: Bret Fausett.

Bret Fausett: Yes, I vote in favor.

Glen de Saint Géry: David Cake.

David Cake: Yes.

Glen de Saint Géry: Tony Holmes.

Tony Holmes: Yes.

Glen de Saint Géry: Thomas Rickert.

Thomas Rickert: Yes.

Glen de Saint Géry: Osvaldo Novoa.

Osvaldo Novoa: Yes.

Glen de Saint Géry: Yoav Keren.

Yoav Keren: Yes.

Glen de Saint Géry: In the contracted party house we have 100% in favor; 7 votes. And in the non contracted party house we have 12 votes in favor; one person absent so it's 92.3%. So if it is a simple majority the motion passes.

Volker Greimann: Thank you very much, Glen. Then the motion has passed and we can move on to the next item which is the second motion on our dockets today which is the changes to the GNSO Operating Procedures and Working Group Guidelines to address issues relating to waiver of motion deadlines, GNSO Council voting outside of a Council meeting and workgroup consensus level.

The motion was made originally by Avri. It was amended in a friendly amendment by Amr and seconded by Gabriella. And we have the motion in its amended form before us right now. As it was made by Avri I would like Avri to read the resolve clauses and the discussion please.

Avri Doria: Okay. Thank you. This is Avri speaking. Okay so the amendment basically is the SCI had three issues in front of it and these were issues that had been sent to the SCI, did not contain a specific provision on waiving deadline to submit the motion.

Did not contain specific provision that permits the Council to vote outside a meeting. And the language relating to consensus levels in the current Working Group Guidelines, which form Annex 1 of that GNSO Operating system, possibly required further clarification on the issue of consensus against as opposed to consensus for.

So - and I'm not reading through the whereas, I basically just talking through it. So basically three sets of changes have been put forward, a process for waiving the deadline to submit the motion, a process for having voting outside a meeting, and language speaking to the fact that consensus against is a valid form of consensus just as consensus for, as long as the motion is clearly stated.

So basically the Standing Committee discussed these things, developed language for them. And the procedures provide for waiver, prescribed deadline for the submission of new motions by voting by the GNSO Council in certain circumstances, provided certain specific criteria are met.

Now let me just quickly, you know, while explaining this, get to the specific types of criteria. I have all these things. So all votes - oh no this is on the waiver, sorry.

On the waiver, basically that advanced notice shall be posted if reasonably practical seven days before. Now the changes made, if the motion is submitted after the submission deadline the GNSO Council shall consider the motion if the following requirements are met.

The motion is submitted to the GNSO Council at least 24 hours in advance. The motion is accompanied by a request to consider the motion despite submission after the submission deadline. And a vote on the request for consideration shall be called as the first order of business for the agenda that deals with the motion.

The vote on the request to consideration must be unanimous. All councilors or their proxies must vote. All votes cast must be in favor for the motion to be considered at such a Council meeting.

So essentially the rule is it has to be 24 hours in advance and if anybody objects then it moves to the following meeting as is the current structure.

In terms of the voting outside a meeting those would be under the same rules as a regularly scheduled Council meeting, which means they would also be open, they would allow for inclusion of voting statements, and the outcomes would be published and recorded with accompanying voter statements.

Now there are also determining when we can vote outside a meeting may only occur when all the following conditions are met. The GNSO chair determines after discussion with Council members that the issue will have been adequately discussed and a sufficient time given to each stakeholder group and constituency to consider the issue by the time the vote is called.

The GNSO chair determines, after discussion with Council members, that the Council's regular meeting schedule would make it difficult to resolve the issue without scheduling an extra meeting. And this would be impractical in the light of circumstances at the time.

C, no Council or objects to the vote being taken outside a regularly scheduled Council meeting. And, D, the chair provides at least seven calendar days advance notice of the vote along with notice of the beginning and ending day and hour of the voting period in UTC which period shall not be less than four calendar days.

From some of the specificity in D you can see we really spent a lot of time looking at the details of this. And by the way, I'm recording this in my role as liaison to that group. And I already discussed the changes made in the - so let me - changes made in terms of the language for consensus.

So let me find my way back to the motions so I can receive the resolves. Took me a long time to get all these pages set up.

Okay so Resolve 1, the GNSO Council adopts the revised Operating Procedures including the new provisions concerning a waiver of deadline for motions submitted for voting by the Council and the ability

of the Council to vote outside a meeting. See, gives references, comma respectively.

Two, that GNSO Council adopts the additional footnote language clarifying the consensus levels in the GNSO Working Group Guidelines. See, gives the URL reference.

Three, the GNSO Council thinks the SCI for its work on these matters and agrees to consider SCI's request that the current language concerning consensus levels in the GNSO Working Group Guidelines be more fully reviewed and revised as part of the broader exercise in reviewing all the GNSO Operating Procedures including Working Group Guidelines.

And, four, the GNSO Council instructs ICANN staff to oppose the new version of the GNSO Operating systems and GNSO Working Group Guidelines effective immediately upon adoption.

And I guess that's it. Thanks.

Volker Greimann: Thank you, Avri. I think we already had a substantial discussion of this motion and the topics contained therein in the previous Council which of course doesn't include all the members here. So I would like to ask if anybody would like to comment or make any other suggestions, additions, supportive. Amr.

Amr Elsadr: Thanks, Volker. This is Amr. I have to really apologize about being late; I mixed up the time for the call. If I did miss an earlier discussion on this motion I was just wondering if the amendment was discussed and if there were any questions about it?

Volker Greimann: No, the amendment was not discussed. We've just discussed the motion as it stands right now which includes the amendment.

Amr Elsadr: Okay all right. Thanks.

Volker Greimann: Thomas.

Thomas Rickert: Yeah, thanks Volker. And thanks, Avri, for explaining all this to us. I know that I might sound like a broken record but I'm not getting tired praising the work of the Standing Committee on its work. It's truly consensus driven. And I think this motion that we're going to vote on in a moment actually might help making the Council's work far more effective.

And I think it's, you know, as far as I'm concerned personally I think it's a real milestone that we can now operate and turn things around quicker since I anticipate that there will be the need for that. So I think that's really a milestone in changing the principles on the basis of which we are working. Thanks so much.

Volker Greimann: Thank you, Thomas. I see a question in the chat from Heather regarding the amendment. As it was a friendly amendment, which was accepted by the makers of the motion, it has already been incorporated into motion and therefore the motion stands in its amended form. Heather.

Heather Forrest: Thank you very much. There's been quite a bit of discussion around the amendment within the IPC and questioning as to whether it is

indeed friendly. And I was not a member of the SCI so I don't speak with personal knowledge.

But they concern has been raised that to the extent that the motion is meant to express agreement reached by the SCI that in fact the waiver in regard to resubmitted motion was not something that was discussed by the SCI. And concern has been raised around that point. And I wonder if anyone can speak to that please?

Volker Greimann: Avri has her hand raised so I would like to defer to you.

Avri Doria: Yes, thank you. It was accepted as a friendly in that it doesn't change the motion at all. Now it could be seen as there is a gap in what the SCI sent forward. There are basically two different procedures. There is the one for waiver; there is the one for resubmission.

The procedures set for waiver does not discuss or in any way address resubmission. Resubmission obviously preceding waiver does not discuss waiver.

Now there is a question, and I must admit I haven't worked through the exercise, of whether the two rules are completely compatible or whether one rule makes the other one impossible that if you were resubmitting waiver wouldn't work because you couldn't quite meet its conditions or if you were, you know, so that has not been looked at.

But the two rules should be able to operate in parallel. There was a little bit of discussion in the SCI on this. I believe the discussion was inconclusive and therefore no issue was made; things were left open

and relatively flexible in terms of if there is ever any resubmitted motion we have the two procedures, we could deal with it.

Now there is a possibility, and this is being said as liaison, and it's something that I would mark myself as remiss in not having pre-thought of when I said, it sure, I'll submit the motion as put forward by the SCI.

We could have sent the language back to SCI saying no, we really do want you to resolve how a resubmitted motion and the waiver will work together, so spend a little bit more time on that and come back to us.

However, since the rules don't indeed change anything I also don't know if it's anything that needs to be done right now before approving the waiver. So to briefly state what I said is I do not believe that the two actually materially affect each other and there's nothing in this motion that does have one affects the other. That's how I understand it. Thanks.

Volker Greimann: Thank you, Avri. Amr, do you want to add something?

Amr Elsadr: Yeah, thanks Volker. This is Amr. Yes, I would like to add some context to this discussion understanding we do have several SCI members on the Council and they can correct me if you feel I am mistaken.

But, yeah, I did add that amendment because I actually did feel that it's sort of depicted what the intent of the SCI was in providing this recommendation. We did have a discussion, a lengthy one actually, on whether the 10 day waiver rule does affect resubmitted motions or not.

And this discussion began before the resubmission of motion recommendation from the SCI was actually voted on by Council, which I believe was in March of this year. So this discussion did start earlier than that and continued - I think the last time we discussed it was on an SCI call in July.

And you could look at it in one of two ways, one way would be that that SCI did not reach a conclusion on whether this should be - whether the waiver of the 10 day rule should involve resubmitted motions or not. And you could look at it in another way that the SCI didn't really include it in the recommendation.

And it's noteworthy to realize that the sections in the Operating Procedures are two completely different sections dealing with these two issues. The waiver of the 10 day rule is in Section 3.3.2 I believe, which is on organizing meeting agendas. And the resubmission of motions is in a later section of the Operating Procedures in Section 4.3.3 and 4.3.4. And 4.3.4 specifically deals with limitations and exceptions to the rules of the resubmitted motions.

And so if there was - if this waiver would apply then it would have to either refer to that later section in the earlier one or have some - were also the waiver would be referred to in the limitations and exceptions for resubmitted motions.

My personal impression was that the SCI had decided that it would be unnecessary to apply the waiver of the 10 day rule to resubmitted motions. And this was made clear to me by the people who - in a

subgroup of the SCI were specifically working on this project. And this was back in July.

And I have simply requested that this be made clear to the Council just for avoidance of any confusion in case this ever comes up which is the reason why I propose the amendment that I believe to be quite friendly.

I don't know if that addresses your concerns, and other, or not and I would be happy to discuss this further. Thanks.

Volker Greimann: Thank you, Amr. The next hand I see is from Mary. Please go ahead.

Mary Wong: Thank you Volker. Hi, everybody, it's Mary from staff. I just wanted to follow up on what Avri, Amr and others have said with regard to what was discussed and done at the SCI level as one of the staff members supporting the SCI through both the resubmission and now the waiver and the other efforts as well.

And just to clarify that the SCI did discuss this and a number of issues extensively, as Amr has said, so there was a very thorough discussion as it does have for all the requests that come before it.

What I wanted to emphasize is a couple of things. One is that the SCI's recommendation expressly is what's before the Council. The links are in the motion so as Avri has walked you through the specific language for the waiver and so forth.

Secondly, as Avri also noted, the express language before you does not change any other language that you've previously approved.

Thirdly, this specific issue that Heather and Amr have brought up, was not something that the SCI has made an express recommendation on.

Fourthly, the language that you have before you which expressly deals just with what happens if the motion is submitted late has already gone through a public comment period and no public comments were received.

So as staff supporting the SCI I would revert back to what Avri said in a presentation which is not even if this is an issue that the Council desires clarification on this may be an issue that would require some further discussion on at the Council level, perhaps a referral back to the SCI on this specific issue.

But this would not prevent the Council from approving the language as it is today simply because the language as it is today is the express recommendation from the SCI that covers the general principle of waiver. And that's it. Thank you.

Volker Greimann: Thank you, Mary. Amr agrees in chat. I think we reached the end of the discussion unless there's anybody else who would like to chime in. And as this is, if I'm not very much mistaken, a book that does require absentee voting. I would like to ask Glen to go ahead and explain how we move forward on that.

Glen de Saint Géry: Thank you, Volker. We will take the vote and we will have to wait for the results because there will be an absentee vote on the part of Edward Morris.

Volker Greimann: Thank you. Okay then I would like to ask Glen to call the roll for the vote, and then we reach out to are missing member and find out how he voted afterwards. Please go ahead.

Glen de Saint Géry: Thomas Rickert.

Thomas Rickert: Yes.

Glen de Saint Géry: David Cake.

David Cake: Yes.

Glen de Saint Géry: Stephanie Perrin. Stephanie, are you on the line?

Stephanie Perrin: Sorry, I must have been unmuted. Yes.

Glen de Saint Géry: Edward Morris is absent. Yoav Keren.

Yoav Keren: Yes.

Glen de Saint Géry: James Bladel.

James Bladel: Yes.

Glen de Saint Géry: Heather Forrest.

Heather Forrest: No.

Glen de Saint Géry: Bret Fausett.

Bret Fausett: Yes.

Glen de Saint Géry: Donna Austin for Jonathan Robinson, please.

Donna Austin: Yes.

Glen de Saint Géry: Amr Elsadr.

Amr Elsadr: Yes.

Glen de Saint Géry: Donna Austin for yourself, please.

Donna Austin: Yes.

Glen de Saint Géry: Gabriela Szlak.

Gabriela Szlak: Yes.

Glen de Saint Géry: Osvaldo Novoa.

Osvaldo Novoa: Yes.

Glen de Saint Géry: Daniel Reed.

Daniel Reed: Yes.

Glen de Saint Géry: Volker Greimann.

Volker Greimann: I vote in favor.

Glen de Saint Géry: Heather Forrest for Brian Winterfeldt.

Heather Forrest: No.

Glen de Saint Géry: Tony Holmes.

Tony Holmes: Yes.

Glen de Saint Géry: Susan Kawaguchi.

Susan Kawaguchi: Yes.

Glen de Saint Géry: Avri Doria.

Avri Doria: Yes.

Glen de Saint Géry: Marilla Maciel.

Marilla Maciel: Yes.

Glen de Saint Géry: In the contracted party house we have 100%; 7 votes in favor. And in the non contracted party house we have 76.9%, that is 10 in favor, 2 votes against and the one absent person so the absentee ballot will be sent out right now with a 72 hour limit. Thank you, Volker.

Volker Greimann: Thank you Glen. Okay we will wait for the result of that motion and will be updated on the list. And the motion will be then posted is accepted or rejected as soon as we have the final results.

The next point on the agenda is an update on the name collision question which is, if you recall, the question of whether that GNSO should initiate a policy work developing a long-term plan to manage the gTLD name collisions as opposed to the temporary framework which is in place right now.

We had at the last ICANN meeting in Los Angeles received a presentation and a paper was presented to us which was the cause for the Council to ask its members to reach out to their respective groups and see what further action if any should be taken on this topic. And we asked everyone to report back during this meeting that we are holding right now.

So I would like to ask the councilors ideally one from each constituency and stakeholder group to report back on their current position of their group to allow us to analyze how we should move forward and what the next steps would be.

Seeing that there is a deluge of volunteers coming forward, Gabriella, thank you very much.

Gabriela Szlak: Okay. So just to say that the BC is satisfied that staff listened to the community and is requiring any rights protection mechanism for that domain names coming off the block list. This is the feedback that I have so far from the BC on this issue.

Volker Greimann: Thank you. However, the question goes deeper than that. The question is - there needs to be policy work not with regards to the rights protection mechanisms but rather with regard to the issue of name collisions which could conceivably cause harm to body and

property by registration of domain names not only the new gTLDs but also in the existing gTLDs by releasing domain names that might have name collisions on them.

Now there has been an analysis only for the new gTLDs, however, there might also be an issue for the existing TLDs. So the question is if there should be policy work should be undertaken. We don't have even an issue report yet so that would be the first step moving ahead i.e. requesting an issue report.

But before we do that we wanted to reach out to see what the temperature of the room so to say is amongst the constituencies and stakeholder groups.

Gabriela Szlak: Okay, thank you Volker. This is Gabby again just answering. Thank you for the clarification. So I will have to go back to the group and ask more deep...

((Crosstalk))

Volker Greimann: Thank you, Gaby. Donna.

Donna Austin: Thanks Volker. Don Austin for the record. So the Registry Stakeholder Group has not had any substantial discussion on this issue so we're not in a position to provide any kind of guidance to the Council at this time.

I think there is a Registry Stakeholder Group call next week and I will propose this goes on the agenda so we can have some discussion around it.

Volker Greimann: Thank you Donna. Tony and then James.

Tony Holmes: Thanks. Tony Holmes for the record. We have a constituency call tomorrow and this will be on the agenda then, we are in a similar position, we haven't discussed this at the constituency level. So I would anticipate we'll probably be fairly warm towards looking toward some action here.

Volker Greimann: Thank you. James, go ahead.

James Bladel: Hi, thanks, Volker. James speaking. And just want to echo Donna and Tony's contributions. We have not had, to my knowledge, an extensive discussion of this on the Registrar Stakeholder Group. I would like to initiate that and ask for some additional time to do so.

One question that I have, and this could just be a function of the early hour on my end. Are we discussing now the staff report that was presented in Los Angeles and whether or not that would be suitable for future policy work? Because if I recall, there was one included element that was - generated some significant discussion regarding the idea that the names that were expired or fails to renew were somehow being included into the issue of name collision.

And I think there was - myself and a number of others express the concern that that was inappropriately mixing two separate issues. So I'm just curious, are we talking about the same report? And if so, is that segment of the report still included? And, you know, and possibly if we were to proceed with policy work in that area are those separable? So those are my questions. Thanks.

Volker Greimann: Thank you, James. As far as I know the report has not been amended so it would be the same but Marika can probably answer more clearly on that and then I would go to Mary.

Marika Konings: Yeah, this is Marika. On the staff report that was basically just to, you know, in response to the NGPC request for staff to, you know, initiate a conversation with the GNSO to consider whether policy work is needed so that the paper was just intended to start a conversation. It was no way or means intended to limit or broaden that topic it was just to start the conversation with the GNSO.

And it's really up to the GNSO Council to decide, you know, what if any policy work needs to be initiated and what the exact scope of that would be. So that's in no way limited to that paper that was just the start of the conversation.

And I just wanted to note as well that as I know that several of the groups are having further conversations if there is any need for staff input and especially looking for, you know, technical expertise, you know, Francisco Arias who presented also in Los Angeles, you know, would be more than willing to answer any questions or provide additional feedback if there is a need to.

Volker Greimann: Thank you Marika. Mary.

Mary Wong: Thanks Volker. I just wanted to follow up on what Marika has just said as a starting point for discussion and passing along something from my colleagues who support the SSAC.

The SSAC has just released another advisory on search list processing. This does not appear to raise any policy concerns however, other SSAC work and previous advisories might be something that the GNSO would want to take into account.

One specific example would be the criteria that might need to go into developing a reserved name list. As folks know, there were certain names that we reserved for this round.

So again, this is not something that we need to discuss today but because of the SSAC work we thought it would be useful as your constituencies and stakeholder groups start to discuss the staff paper to note this specific issue from the SSAC work such as reserved names. Thank you.

Volker Greimann: Thank you, Mary. And I would like to note that at this stage we are probably not prepared to make any substantial discussion of this topic so I would ask that all constituency members and all the councilors and discuss this internally and come back perhaps for the next meeting so we can discuss this.

We are looking at a long-term plan. And the result may very well be that we decide that no policy work is needed. But as the Board has directed staff to at least come to us and ask if there is - if we deem it necessary to undertake this policy work I think we should take this ball and run with it at least as far as the question goes and find a proper response if we deem that this is worthy of policy work and necessary of policy work more like.

So I would propose to close this topic and put it on the agenda for the next meeting again so everybody would have time to discuss this internally with their groups.

Been no objections to that I would like to move to Item 7, which is the update of the GNSO GAC Consultation Group and the related work. Here we have three subtopics that would be discussed and I would like to open the update from Mason, and then we have a question with regard to the membership of the consultation group and finally, a point of discussion which was initiated by Bruce Tonkin at the Council development session in LA which some of you were not a participant of so we should discuss this as well. Mason, go ahead please.

Mason Cole: Thanks Volker. Mason Cole speaking. Let me just provide a brief background before I start on an update for what's going on with the working group. So the Council called it overall the objectives of the work in this area is to reduce conflict between the GNSO - between GNSO and GAC advice and also reduce inconsistency and timing.

The GAC has expressed interest in early engagement in policy development work because once policy is formed that's when the GAC tends to get involved, and sometimes their advice is in conflict with the GNSO's advice.

And trying to reduce that conflict would help avoid delay in policymaking, delay and Board decisions specifically as they relate to GNSO policy recommendations.

So the desired outcome here is more efficient PDPs, better decisions at the Board level, and implementing ATRT, excuse me, decisions that call for better community collaboration.

So the working group, or the consultation group has two work tracks that they're putting in place. There is a PDP work track and there's a day to day work track. The PDP work track is supposed to find ways to engage the GAC during the PDP process instead of after the PDP recommendations are already finalized.

The day-to-day work track is meant to look for ways that the Council and the GAC can collaborate more often and facilitate conversations outside the formal PDP. And the day to day work track is clear that liaison's role comes into play. Excuse me. So I'll cover that in just a moment.

So here's an update on each work track. On the PDP work track, not very much progress has been made so far but I would ask the Council to take note that there is some overlap with the day-to-day work track.

There's been some work done on early engagement in the PDP but more discussion is needed specifically on how the GAC can organize itself to find a way to participate earlier in the PDP process.

There are multiple points of - well there are multiple points in the PDP process where the GAC could contribute starting with the issues report, all the way up to participation in working groups. And the GAC has not yet formulated a way to do that. So there needs to be a better commitment from both sides, the GNSO side and the GAC side, to make that collaboration work.

I've signaled to the GAC that the GNSO stands ready to receive their input. I'll even help facilitate it as liaison. We need some more commitment from the GAC on how to go about doing that.

So there's been a suggestion on the part of some of the GAC members that we consider a proposal for would be called a quick look mechanism to figure out whether or not the GAC wants to be involved in a PDP.

The idea there is to provide some kind of indication during the issues report phase as to whether or not the public policy implications - as to whether or not there are public policy implications with regard to the subject of a PDP. This isn't necessarily a substantive input; it's just a quick look to determine whether or not the GAC should be involved.

The timing here is pretty important because, you know, as you know the GAC meets only three times a year. They do conduct intercessional work but as a body when it speaks as the GAC there's really only three opportunities per year for that to happen.

Timing is also important because they tend to need to go back to their relevant government departments, sometimes even at the ministerial level, to determine what individual government's positions are and then formulate a consensus at some level as to speaking as the GAC on any particular issue.

So if more time is needed for the GAC to participate the GAC could be informed immediately following a request for an issues report instead

of when it's posted for public comment and that would give them the maximum time for participation.

The quick look could be developed intercessionally but without any kind of binding advice, otherwise just for the GAC to provide guidance to the GNSO and to itself. And if the quick look results in some sort of GAC interest or public policy determination then what we could be looking at is the formation of a committee inside the GAC to develop input. So that's the discussion of the PDP work track.

The consultation group is going to meet next Tuesday, and I expect, and maybe Marika wants to chime in on this as well, but I expect there to be further discussion of that is not progress on the PDP work track.

On the day to day work track, as you know, I'm here in my role as liaison, that role has been filled and we started to execute on the role. One thing I will report on, on this work track is it would be particularly helpful for me to find someone inside the GAC to have a peer to peer relationship with in order to facilitate conversations with the GAC. That doesn't exist right now and that would prevent me from having to try to speak on behalf of the GNSO to the entire GAC and then solicit some kind of input.

So this could be possible through the GAC secretariat, those seem to be hired. Or perhaps it's been discussed that perhaps this could be done through one of the vice chairs. And this may be suggested to Thomas Schneider, the new chair of the GAC.

So in terms of challenges going forward on this entire process, the biggest one is time on behalf of the GAC. You know, we heard in Los

Angeles that the GAC is overworked and they even want to go so far as to try to cause some community work to let the GAC catch-up. Personally I don't believe that would be a good outcome but the GAC is really time challenged.

My point of view is the solution is to find a way to better breakdown that work into digestive bits so that the GAC can tackle it through some sort of current war non-disruptive structure. And I'll be looking to speak with the GAC leadership about that issue.

So there is one opportunity for engagement in front of us right now, that's the IGO INGO - excuse me - Curative Rights Working Group which right now is - I believe this will come up in all other business - but that working group is asking the Council for me to submit a letter to the GAC clarifying some rationale behind their point of view as expressed in the Los Angeles communiqué about not amending that UDRP for curative rights for IGOs and INGOs.

And then clarification of understanding regarding - I don't want to get too far in the weeds here - but regarding Article 6ter of the Paris Convention which deals with preventing abuse of an IGO INGO name. This is something familiar to the Council who has participated on IGO PDP work. But that's the first opportunity for a real collaborative engagement between the GAC and the GNSO.

As I mentioned, the next meeting is Tuesday 18 November. It's yet another early call for those of us who are on the West Coast but nonetheless we'll conduct it and looking forward to progress on these fronts. And I'm happy to answer any questions, Volker.

Volker Greimann: Thank you, Mason. I think you've raised a couple of very interesting point there of potential cooperation and how your role and the relationship between the GAC and the GNSO can move forward. And I think we are on the right track.

I'm very confident that we have made the right decision in moving ahead with this level of engagement. And from what you are reporting to us it seems that we are on the right track and will have some results to show for it as well.

I see a raised hand from Donna, so please go ahead.

Donna Austin: Thanks, Volker. Donna Austin. Mason, thanks for the update. I just have something that's kind of been in the back of my mind for a while. So is there a distinction between public policy and public interest because the issues report, as I understand it, calls out issues regarding public policy. Where a lot of the GAC focus seems to be in more recent times is around public interest.

And certainly, you know, what is in the public interest is open for debate. So I just wonder, is there any distinction between those two terms that you're aware of? And also, if there's not, are there any implications for that in terms of policy work?

Mason Cole: Mason speaking again. Thank you, Donna, for the question. I'm not aware of specific definitions of either of those terms. I do know that the GAC can cast a wide net when it wants to be involved in a particular issue or it wants to be heard on a particular issue.

And they can name an issue as something that has public policy implications which, you know, I don't want to speak for the GAC but my read on that is public policy has to do with the development of some sort of position that says, you know, that a government is interested in a policy as it relates to how it's applied to anyone in the public sphere.

Public interest I think, in the GAC's opinion, has to do with what is in the best interest of the public itself meaning, you know, is this a good thing or bad thing.

As I mentioned, those are all broadly applied and undefined terms so I think it's probably too early to say yeah there is, you know, a well-defined point of view on what constitutes public policy and what constitutes public interest.

I think as it applies to the liaison role, public policy comes along as, you know, a far more practical issue because that's the basis on which the GAC decide whether or not it should be involved in some kind of policy development.

Volker Greimann: Sorry I needed myself there. Carlos, please.

Carlos Gutierrez: Yes, can you hear me?

Volker Greimann: Yes, very well thank you.

Carlos Gutierrez: Oh thank you very much. Thank you very much, Mason, for the explanation I just want to - and there is a lot in the chat already. I don't want to extend myself there. But I was shocked in the meeting in LA

with the GAC group that they have expectations from the GNSO for a clear declaration when public interest was at stake - was at stake.

And we have to tread very carefully there, I mean, the whole discussion ATRT 2 has been around getting an opportunity for the GAC to evaluate if they want to join based on the fact that it might be an issue for the public interest.

And it should not be a responsibility of the GNSO to flag it. I don't know if I made myself clear. But this is an issue that has to be tread very, very carefully and very clearly. The GAC has an opportunity to jump in very early and they should have the means and time and people to evaluate these issues and not the other way around. Thank you.

Mason Cole: Mason here again. Thank you Carlos. Thank you for the input. I agree with you. And the discussion in the Consultation Group has been such that the GNSO does not want to be in the business of identifying what's public policy or public interest on behalf of the GAC. I don't think anyone on the GNSO side is interested in doing that.

Volker Greimann: Thank you, Carlos. Thank you, Mason. Are there any other questions? Carlos, is a follow-up or an old hand?

Carlos Gutierrez: No, no, I'm sorry.

Volker Greimann: All right then I would like to thank you for your report, Mason. We have two more points that we would like to - that I would like to raise during this item. First being a personal point, as you might know along with David, Avri, Brian, Amr and Jonathan I am a member of the

Consultation Group, however - the GAC GNSO Consultation Group, I should say.

However, the meetings and teleconferences have been consistently at a time slot where I was enabled to participate so might ability to effectively contribute has been limited to reviewing the protocols and the meeting minutes, which I think is less than optimal way of proceeding. So I would like to offer up my slot on that consultation group to another councilor.

And we have already had a volunteer in Carlos to take up that role here at and I would just like to open this up for discussion if this is something in the general consensus and interest of the Council and if there are any opinions to that effect. And I see David already in the queue.

David Cake: Well actually I'd be very happy would Carlos because he has experience as the GAC representative as well as a councilor. But I actually wanted to speak to the other issue so I'll leave it there for the moment.

Volker Greimann: Avri. Thank you. Avri, you're next.

Avri Doria: Thank you. I actually wanted to speak to this issue. I'm very happy to have Carlos start participating. I thought you were participating though by virtue of being a vice chair. And I just wanted to mention that I had already, at one point, put my feet up for grabs for anybody that wanted to take my seat because I've been finding myself in the same situation as you, missing calls and such.

So I just wanted to say perhaps we've got two people that want to take roles on that. But I wanted to get that said that I've been trying to find somebody to get my seat for while. Thank you.

Volker Greimann: Thank you, Avri. And I think you're correct, I was nominated on my - on the virtue of my being vice chair. However that does not mean that a replacement for my slot, so to speak, should be or needs to be a vice chair. Marika, do we have any procedure that we need to follow for this or should we just agree by refusing to disagree?

Marika Konings: Yeah, this is Marika. I think that's probably the way to go. I don't think there's a formal procedure for doing so.

Volker Greimann: Okay then I would like to add an action item that we informed the GAC that I will be removed from the Consultation Group and Carlos would be added.

Closing this topic, we had, and that leads into one point of any other business, but I would like to discuss this here because it fits in very well here, a proposal during the meeting that we had after the meeting on Friday which was a proposal made by Bruce Tonkin from the ICANN Board, who joined us at the development meeting and contributed very helpfully to the discussion there that the Board feels very uncomfortable whenever the GAC is asking them to decide on policy matters because the Board realizes that it is not the prime body of making policy within ICANN.

And a Bruce suggested that we find a way that the GAC communiqués be channeled through the Board to the GNSO and be analyzed by the GNSO for policy implementations that arise within the

recommendations or the topics raised in the GAC communiqué. And we reported back to the Board with a proposed method of responding to that communiqué and initiating policy work if need be.

Of course this is a very rough proposal. This will probably need a lot of discussion. And the one thing that I would like to use this time for now is to ask everyone if they have already reflected on that, to propose approaches or to suggest how we should move ahead on this topic.

And I see already David and James in the queue so I would like to go to David first.

David Cake: Right, yes. I'm very much in favor of this proposal. I think it's a terrific idea. I think it very helpfully reconfigures the GAC/Board/GNSO relationship in the - and so that the Board is not sort of - is not put in a position of having to sort of craft a response without - a proper response to the GNSO.

I don't necessarily think the Council as a whole needs to respond to every GAC issue, it's an issue of where we sort of - there is a policy distinction with the GAC that may well be something that we should be done on a stakeholder group basis. But certainly there are several other recent GAC communiqués have talked about policy - policy process issues on which I think the Council absolutely is our role to advise on - in part on GNSO policy process issues.

I note for example recently the Board rejected the GAC advice about not subjecting some of the Red Cross related issues to a policy process. And I think that's something I think hopefully the Council in general would have, you know, have been fair agreement on.

The question is how do we do this? We've got a relatively short time and that hopefully we would like to respond to the London GAC advice - to the Los Angeles GAC advice before our Singapore meeting.

And this is quite a very significant - it is a very significant thing that changes the relationship so I think we need to do it fairly carefully. So I think we should definitely start discussing this issue on the list quite quickly but at the same time also start thinking about what that advice - what form that advice might take.

My opinion is that certainly issues that obviously concern a specific working group process we certainly should be asking the working group for their input on that. And as I said this is hopefully a bit of a change for the better in the way that relationship works.

But it's also important to note we've put this in the GAC GNSO part of the meeting but process wise we would not be directly interacting with the GAC; we would be giving advice to the Board about how we interpret some of the GAC advice and guiding the Board response.

It would be natural that the GAC - that so many members of the GAC would be paying attention to it and informally collecting a guide them. But we would not be interacting with the GAC process because the GAC don't have an intercessional process for us to interact with.

So the way we phrase it would be you know, thought about GNSO Council responding to the GAC advice but not to the GAC, to the Board. So just wanted to clarify that sort of is how it would work. And as said, I think this is a great idea. I'm really pleased Bruce brought it

to us. And I really hope that we as a Council can quickly come up with a process that allows us to respond in time for Singapore. Thank you.

Volker Greimann: Thank you, David. And I should clarify one more thing, while it's probably ideal to channel all this feedback through the Council it might not be the Council that's actually doing the work - this analysis, this could be a standing committee, an ad hoc committee that comes together for certain parts made up from the GNSO members.

So the way of how we structured there's within the GNSO through the Council, participation of the Council as a Council of councilors or whatever, this is up for discussion. That is something we need to figure out before Singapore to have a process proposal in place. And I would like to ask all the councilors to discuss this idea with their stakeholder groups because it would be a valuable tool to address any GAC concerns from a policy perspective.

James, go ahead, and I'm sorry I interrupted.

James Bladel: Thanks Volker. James speaking. And with one eye on the clock I'll keep my comments brief. I think, like David, I think this is a great idea and I very much support this proposal in concept and would encourage us to implement it before the meeting in Singapore.

There is a GAC communiqué at the conclusion of every ICANN meeting and I believe is therefore appropriate for there to be a GNSO response to each GAC communiqué. And I think that that is definitely something that we should work towards.

However, I would like to propose something perhaps a little radical, you know, in light of the conversations we've had about the general workload and the commitment of councilors and GAC members and Board members across the community as well as the absence of volunteers for some of these critical functions.

I would recommend or propose that we first examine and potentially rule out whether or not this could be done through a lightweight and informal process that would put out a call for topics to the various GNSO constituencies and stakeholder groups and roll those up into a Council letter that would be sent within let's say 30 to 60 days upon receipt of a GAC communiqué, a letter to the Board responding to that communiqué.

I really am reluctant to throw my support behind another standing subcommittee that has, I would save a very formal and lengthy process to analyze, collect and submit feedback based on GAC communiqués. I think that we can do this lighter and faster and be a little bit more a Johnny on the spot with our feedback. And I think that that timeliness will be more useful to the Board. Thank you.

Volker Greimann: Thank you, James. Before I go to Donna I would just like to point everyone's attention to the comment Marika made in the chat. Conscious of time please read and consider if you might volunteer for that. Donna, go ahead.

Donna Austin: Thanks Volker. So Donna Austin for the record. I support this initiative as well but I think going to Volker's point we need to be very specific about what are these that the GNSO Council would be responding to. I think if we can do it in terms of policy or implementation implications

that would be really useful but understanding the diversity of the Council I think we need to structure this in a way that we are able to provide guidance to the Board that Council is one voice.

So I would suggest that we be really careful how we frame this in terms of what the intention of the responding to the GAC communiqué would be.

Volker Greimann: Thank you, Donna. And I'm closing the line after Dan.

Dan Reed: All right, I'll be brief. This is Dan Reed for the record. I just wanted to echo what James said. I think being informal, being quick is by far the best strategy. We've got to get out of the mode of the GAC and the GNSO going to the Council as our parents to adjudicate squabbles; we need to have some more efficient ways to have those informal conversations and do so quickly.

Volker Greimann: Thank you, Dan. I think we have our work cut out for us. It would be helpful if any proposals, even draft of proposals or ideas would be circulated on the list prior to the next meeting so we can have a discussion starting on this sooner rather than later.

I'm conscious of the time I would now like to move to the next topic, the update on the cross community working group with regards to the transition proposal for the IANA stewardship. As Jonathan is not there we have asked Donna to take over as reporter for this topic. Donna, could you say a few words and update us on the current status?

Donna Austin: Sure, thank you Volker. Donna Austin for the record. So I will be quick. There is a lot of frantic activity going on with this working group at the

moment. We have broken the group - the full working group down into subgroups to look at different aspects of the ICG's RFP that went out, so a lot of work has been done on identifying specific aspects of the NTIA transition announcement that actually impacts the naming community.

So that's pulled out relevant bits from documents that exist, like the NTIA contract with ICANN for the IANA function, a number of documents that relate to ccTLD delegations, redelegations, also as it relates to gTLD process as well.

There is a second - another working group that's kicked off to start looking at possible transition proposals. There are three strawman proposals that were put forward for discussing yesterday, so there's still a bit of work to be done there.

There will be a face-to-face meeting of the membership in Frankfurt next week on the 18th and 19th or the 19th and 20th. The intention is to have a document ready for posting for public comment on 1 December and that document will essentially be a response to the ICG's RFP from the naming community.

And I'm not sure of the public comment timeframe, perhaps Marika could provide some information on that. I think the ultimate timeframe for having this transition proposal to the ICG is the end of January. So it is a reasonably compressed timeframe.

And I think Marika also asked me to mention that when the transition proposal goes out for public comment whether the Council would

consider providing a statement in support or not, whatever the case may be. So that's just a very quick wrap.

Volker Greimann: Thank you, Donna. And we're quickly approaching the top of the hour. I'm conscious of the time, might want to propose something radical, does everybody have to drop off at the top of the hour or could we add 10 minutes to the call. Is that a possibility?

Tony Holmes: It's Tony. I would have to drop off at the top of the hour.

Volker Greimann: All right so we would - I mean, we would move into any other business and it would be possible to inform yourself through the transcript. So unless anybody has any concrete objections to add 10 minutes - and I see a lot of plus ones - I would propose that we move ahead so we don't have to close in midsession and leave the other points unattended. Marika.

Marika Konings: Yeah this is Marika. Just following on to what Donna has said, in relation to a possible Council statement as said, you know, the idea is that the initial proposal will be published for public comment by 1 December but due to time constraints and pressures of delivering a final report by the end of January, it's likely that the public comment forum will only stay open for a relatively short time. I think the current proposal is 21 days.

So if or should the Council was to provide a statement as the Council it would need to be ready and considered by the time of the next Council meeting in December, so that's maybe just something to think about. And especially those that are involved either as members or

participants to consider whether that's something you would like to spearhead.

As I presume as well most groups are probably looking at this and will provide input to see whether there would also be any value in having the Council comment and provide input at that stage.

Volker, are you still with us?

Man: Hello?

Volker Greimann: Oh, I apologize, I was talking to the mute I was talking to the mute button, I apologize. Thank you, Marika. And thank you, Donna for your presentation. I think running out of time any discussions will have to wait for the mailing list. We still have any other business to take care of which has a couple of points that I would like to touch on at least. So yes, thank you for that.

Closing Item 8 and moving on to Item 9, we already have, from the chat I see one volunteer for the curative rights and protections of INGO - IGO PDPs with Susan. I thank you very much for volunteering here. And we still need a volunteer for the data and metrics for policymaking. Is anybody willing to volunteer for this? Please not everyone at the same time.

Seeing none I would like Marika to tentatively add my name to the list. I will have to check when the meetings take place if I can actually participate that I would otherwise volunteer.

Next topic is the correspondence with the NGPC on the IGO and RCRC questions. Is there any update in this communication path? Thomas, can you give us just a brief indication of where we are here?

Thomas Rickert: We haven't received any further feedback. It's as easy as that.

Volker Greimann: Then do we still need feedback to be able to move ahead or could we move ahead without the feedback?

Thomas Rickert: We can move ahead without the feedback, in my view because that's where we get - where we got stuck originally, i.e. the group or the Council wanted to get a clear vision on what the Board envisaged compromise solution might be, or I should rather say a solution that might bridge the gap between the GAC's view, the GNSO and the Board's view. And we haven't received anything on that.

But, Volker, now that I'm occupying the microphone can we deem that all the other liaisons are confirmed?

Volker Greimann: Yes, Marika just reminded me of that on the chat. I would like to confirm that all the liaisons are hereby confirmed. And I haven't heard any objections still going once, twice, sold. We now have liaisons for everyone.

I would like to add an action item to our list that we write another letter to the NGPC and to just follow up and once again request that feedback because if that is the factor that is stopping us from proceeding in this matter, which has raised some ire within the GAC, I think we should insist that this, friendly insist that we get some feedback, yes, to allow us to move ahead.

Next point, we had an extensive discussion for the skill set for the Nominating Committee. However this discussion has died down recently. Are there any other comments from councilors to that effect or should we close this at this stage and move ahead with finalizing the proposed skill set? Are there any comments to that effect? Or contrary of course. Thomas.

Thomas Rickert: Yeah, I had hoped that we would have a few minutes to discuss this. And I know that we're past the hour so maybe we should actually reconvene on this subject. But I thought that the wish list that was exchanged or built up on the mailing list was quite extensive.

And it was my impression always that the Nominating Committee should look for people that could complement the expertise that's already there on the GNSO Council. so I was wondering whether we should actually ask for so much.

And I would have thought that it would be more adequate to ask for more general skills such as knowing how the DNS works; being used to working in multicultural, multilingual environments. You know, I think it's that type of skills that we need for the Council work rather than asking for particularly legal expertise in various areas.

Volker Greimann: Thank you, Thomas. Well raised. James.

James Bladel: Hi, Volker. Thanks. James speaking for the transcript. And I just - in the interest of time I would just simply ask that this issue be rebooted on the list. I think there was a very healthy discussion, and before we

proceed I think we should bring our existing conversations in for a landing.

My concern was twofold, that the list of skills or qualifications was being so narrowly tailored that we were asking NomComm to go out and look for unicorns and also possibly to the exclusion of other qualified candidates who could make a very valuable contribution.

And then also that the specificity of what we were requesting was probably a little too tightly worded as well and we could probably cast a little bit wider net. So I would really welcome restarting that conversation on the list. Thank you.

Volker Greimann: Thank you, James. That would have been my proposal as well to finalize this discussion on the list. Susan, go ahead.

((Crosstalk))

Susan Kawaguchi: I actually view the list as sort of an overall, you know, does one, you know, these are all characteristics or background that we would consider but it would not be everyone has - anyone has to fulfill every bullet point from that list. So I saw it as more of a broad bank of if a candidate has some of these, any of these could be good background for a position. So maybe I was doing it differently than I should have. So I do think we should discuss it some more.

Volker Greimann: Thank you, Susan. That's a very interesting point. And I think one that we should - if we move ahead with that list make clear to the NomComm as in this is what we mean by this list if that is what we come down to.

Susan Kawaguchi: Right.

Volker Greimann: David.

David Cake: Yeah, I just wanted to say, I mean, I think in some sense we are probably kind of over thinking this anyway. I mean, we're not - the NomComm are of course very, very dependent on - this is only guidance to choose between people who have applied essentially. They don't, you know, it's only two guides between a fairly limited group of applicants.

And of course the various representatives on the NomComm are going to take the least into account. So, I mean, I think we've all - we sort of made our points on the list. I don't think it's worth - unless anyone feels that, you know, we are on the verge of a resolution I don't think it's worth spending too much more time on it. That's all. Thanks.

Volker Greimann: Thank you, David. And I think that was the intention. I think we should finalize this list on our mailing list. And if there is still need for discussion we should of course not reject that discussion. But if the final state of what we discussed on the list is the final statement we should just distill what this means for the list that we submit and finalize this so the NomComm have something to work with.

Mary wanted to speak to the next topic which is the request to Mason to engage with the GAC with regard to the IGO INGO curative rights protection. Mary, you want to go ahead.

Mary Wong: Yes thank you, Volker. Actually that and the earlier topic about a
               further letter to the NGPC, which is 9.2. So let me start with that that,
               you know, given the workload of Thomas and everybody and given the
               fact that on the staff side we have been coordinating with staff support
               to the NGPC I just wanted to say that the NGPC is very well aware that
               it owes the Council a response to its letter.

               And so I don't know that we actually need to send a further letter at this
               point. What we as staff can do is undertake to further oppress and
               pursue, you know, the staff - or the NGPC to see when we can expect
               a response and then maybe at the next meeting if we don't get any
               information that we think of our letter then.

               This hearkens back to the discussion between the Board and the
               GNSO in Los Angeles where there was some discussion about
               coordinating with the IGOs and the GAC as well. And I suspect that's
               the reason why we haven't had a response.

               On 9.4, the curative rights working group, again on IGOs and the
               INGOs, justice they, and in the interest of time that the proposed
               request was sent to the Council list a few days ago. So just to reiterate
               that the working group would very much like to see the Council take a
               decision on this as soon as possible because much of its work at this
               point and going forward may be very dependent on any message or
               response coming back to the GAC.

               And Mason has been a very active member of the group and speaking
               for him I think he's ready to step forward so he really just needs the go-
               ahead from the Council at this point so just conveying the request from

the working group that from their perspective there is some urgency to this. Thanks, Volker.

Volker Greimann: Thank you, Mary. Okay this concludes the discussion. I think if there is any need to discuss this as well we should delegate this to the mailing list as well.

Final point we have is the review of the informal notes of the Council development session. Now the councilors at large have not yet received those notes I'm informed so they have only been sent out to the councilors in attendance.

And unless there is any objections from any participants, any amendments proposed, which I have seen none on the discussion thread, I would propose that this - these notes be circulated to the Council at large and therefore used to start the discussion may be on the topics that were raised with the Council at large as some of the councilors unfortunately didn't have the opportunity to participate.

I myself found the Council development session to be very valuable. And I regret that we had only limited participation. However, those councilors that were there I think had a very worthwhile time.

Seeing no - David.

David Cake: Sorry, old hand.

Volker Greimann: All right. Seeing no objections I will then ask Mary or Marika to circulate those notes and start the discussion that way. Then I would like to thank everyone for their willingness to add 15 minutes of their

valuable time to this Council session to allow us to conclude with all the topics that we had on our agenda, which is very pleasing to me that we were able to have a substantive discussion on all the topics that we had on our agenda and still finish it.

I would like to thank everyone for their time and would like to call this meeting to a close.

                            END