

**Transcript GNSO Council Teleconference
11 December 2014 at 15:00 UTC**

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<http://audio.icann.org/gnso/gnso-council-20141211-en.mp3>

Adobe Chat Transcript

<http://gnso.icann.org/en/meetings/transcript-chat-council-11dec14-en.pdf>

on page: <http://gnso.icann.org/en/group-activities/calendar#dec>

List of attendees: NCA – Non Voting – Carlos Raúl Gutierrez – absent apologies

Contracted Parties House

Registrar Stakeholder Group: James Bladel, Volker Greimann, Yoav Keren

gTLD Registries Stakeholder Group: Jonathan Robinson, Donna Austin, Bret Fausett

Nominating Committee Appointee (NCA): Thomas Rickert

Non-Contracted Parties House

Commercial Stakeholder Group (CSG): Gabriela Szlak, Susan Kawaguchi, Osvaldo Nova, absent excused, proxy to Tony Holmes, Tony Holmes, Brian Winterfeldt, Heather Forrest

Non-Commercial Stakeholder Group (NCSG): Amr Elsadr, Marilia Maciel, Edward Morris, Stephanie Perrin, David Cake- joined call late, Avri Doria

Nominating Committee Appointee (NCA): Daniel Reed

GNSO Council Liaisons/Observers:

Cheryl Langdon Or – ALAC Liaison

Patrick Myles - ccNSO Observer - absent apologies

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
Julie Hedlund – Policy Director
Steve Chan – Senior Policy Manager
Berry Cobb – Policy consultant
Lars Hoffmann – Policy Analyst
Glen de Saint Géry - GNSO Secretariat

Glen de Saint Géry: Thank you very much. Good morning, good afternoon, good evening everyone. This is the Council call on the 11th of December. Please be so kind as to acknowledge your name when it is called so that we know who is on the call. And please remember to state your name before speaking for transcription purposes. Thank you.

Bret Fausett.

Bret Fausett: I'm here.

Glen de Saint Géry: Donna Austin. Jonathan Robinson.

Jonathan Robinson: Present.

Glen de Saint Géry: James Bladel.

James Bladel: Here.

Glen de Saint Géry: Yoav Keren.

Yoav Keren: Here.

Glen de Saint Géry: Volker Greimann.

Volker Greimann: Here.

Glen de Saint Géry: Thomas Rickert. Thomas is not on yet. Gabriella Szlak.

Gabriella Szlak: Here.

Glen de Saint Géry: Susan Kawaguchi.

Susan Kawaguchi: Here.

Glen de Saint Géry: Brian Winterfeldt.

Brian Winterfeldt: Present.

Glen de Saint Géry: Heather Forrest.

Heather Forrest: Here.

Glen de Saint Géry: Osvaldo Novoa is absent and he has given his proxy to Tony Holmes. Tony Holmes.

Tony Holmes: Present.

Glen de Saint Géry: Edward Morris. Ed Morris? Perhaps he's on mute because we have dialed out...

Edward Morris: Can you hear me, Glen?

Glen de Saint Géry: Yes, thank you. Amr Elsadr. Amr is dialing in now. David Cake is not on the line yet. Marilia Maciel.

Marilia Maciel: Here.

Glen de Saint Géry: Avri Doria.

Avri Doria: I'm on the call.

Glen de Saint Géry: Stephanie Perrin.

Stephanie Perrin: Present.

Glen de Saint Géry: Daniel Reed will be joining a bit later. And Carlos Gutierrez is not - is absent and sends his apologies; so does Patrick Myles, our ccNSO liaison. Mason Cole.

Mason Cole: Here.

Glen de Saint Géry: Thank you. And for staff we have David Olive, Marika Konings, Mary Wong, Steve Chan, Lars Hoffman, Berry Cobb and myself, Glen de Saint Géry. If I've left off anyone please let me know.

Cheryl Langdon-Orr: Cheryl Langdon-Orr. You've forgotten me, Glen.

Glen de Saint Géry: Cheryl Langdon-Orr. I am so sorry, Cheryl. Indeed, you are on the line, thank you. And...

Amr Elsadr: Hi, this is Amr...

((Crosstalk))

Amr Elsadr: ...I'm on the call right now too.

Glen de Saint Géry: Thank you, Amr, you're on the call yes. Thank you, Jonathan, and it's over to you.

Jonathan Robinson: Thank you, Glen. If it's any consolation I think I was about to ask who was our ALAC replacement for Alan Greenberg and I scrolled down the list and spotted Cheryl and reminded myself so welcome, Cheryl, it's great to have you here. And welcome, everyone, to what is to be the last GNSO Council meeting for 2014.

We've got a relatively full agenda with no actual motions but quite a lot of territory to cover so we'll get on with that more or less right away. Just a reminder, as you saw in the chat to please mute our line when you're not speaking.

So we've had the roll call. We will now call for any updates to Statements of Interest, please. And seeing none we'll move on to ask if there are any amendments proposed to the agenda?

Tony Holmes: Jonathan, it's Tony, if I may interrupt for a second?

Jonathan Robinson: Tony, go ahead.

Tony Holmes: Yes, so I don't have an amendment to the agenda but just to make sure everyone is aware, I had notified you earlier that Osvaldo and I

we both really struggled business-wise to make this call. And I will be on the call until 4:30 when I have to drop off, 4:30 UTC. Thank you.

Jonathan Robinson: Thanks, Tony. Noted. And we will do our best to cover whatever we can particularly if it involves you primarily in advance of that. Right, so next under 1.4 we note that the minutes of the previous Council meeting both on the 15th of October, 2014 and indeed the 13th of November, 2014 have both been published.

And then we can go on to Item 2 to review the projects and action list. As has become customary we will run through the action list in a little detail and just make sure that we're either acknowledging what has been completed or recognizing what remains open.

We have kicked off the planning of the Singapore meeting although we don't have it as a formal agenda item here. If you have something specific you are aware of that you need us to consider in formulating that agenda it's going to be led by Council Vice Chair, Volker Greimann, working with Council and policy support staff so please make it be known if you have particular items or proposals on structure, organization or content of the Singapore meetings, that will be great.

We have published the notes from the previous Council development meeting in Los Angeles so those are completed. There's an item relating to the IANA stewardship transition proposal from the naming related groups and we'll come to that as part of our main agenda. As we will on the Cross Community Working Group on Accountability although it's noted here that the action was simply to ensure that there was a member from each SG.

There are some open items in and around work with the SCI and a long-standing open item about prospective SSAC liaison. I think all of you who - well the opportunity to participate in the 360 assessment, as far as the GNSO review is now passed and so that's technically completed even if not everyone did but I sincerely hope that most if not all councilors did participate there.

Next item relates to the work on the Expert Working Group on Directory Services and the fact that there is a small group being formed to look at how this might be interwoven and reintegrated with the policy development process.

This work is going ahead. And I'm just wondering whether it wouldn't be a good idea to just get a small update here if anyone is prepared and willing or at the very least we should commit as a supplement to this action. Marika, are you noting the updates to the action list?

Marika Konings: Yes.

Jonathan Robinson: Yeah, okay so at the very least I think it would be useful - and my understanding is that this has gone a reasonable way down the road and I wouldn't mind any brief update if anyone's available to give that who's been participating in that. And then as a follow on action to distribute any draft documentation that's being worked on there or something to ensure that the Council is properly updated.

Susan or - I know I haven't pre- prepared you for this but are you in a position to give any form of updated as to where this is likely to go and what timescales you're working to?

Susan Kawaguchi: Yes, I'm trying to pull up a document right now. But we do have a - we decided on a timeline yesterday. We had a meeting - a phone call yesterday. I am chairing this group so I would be the likely person to provide this update as you need it.

So we're hoping to have our work and recommendations done and the final report out to the community probably August or September of next year. There will be - sort of backing up with some of this - we will do some sort of a communication or presentation to the community in Singapore but that will be very short most likely.

The preliminary report will go out for comment - and I don't - I couldn't find my document quick enough - but either - and, Marika, you can correct me if I'm wrong - it's either end of March or April. And so we're going through all the issues right now that we've identified and looking at additional information that the PDP working group would need to do their work and how to structure it.

These are solely recommendations but it is - comes from, you know, most of the people on the group have long history with Whois so I think we're working in the right direction.

Jonathan Robinson: Thanks, Susan. So that document that will be due out in - well for very initial discussion in Singapore, preliminary in March and then ultimately as a report in sort of August, September next year, that document is really the mechanism by which the work of the EWG can be synthesized with that of the PDP of the GNSO. Is that - am I correct in understanding it that way?

Susan Kawaguchi: Correct. So these are all recommendations but it would be - we're giving a lot of thought to how the process of the PDP might work. There's a lot of moving pieces, as you can imagine. And so we wanted to make sure the community understood what our thoughts were as, you know, since we're spending the time to delve into it. And so whether or not the community followed this recommendations, you know, is a, you know, that's up to the community and the GNSO Council.

Jonathan Robinson: Thanks, Susan. So it feels to me like this is something we could actually schedule as part of our work weekend in Singapore. My sense is that you'll probably be in a position where you can flesh this out a little bit and give a good sense of direction even if you don't have the preliminary document or sorted out. How does that sound? Do you think that's something we should be committing to or penciling in for the work weekend on Saturday Sunday of Singapore?

Susan Kawaguchi: I would think so.

Jonathan Robinson: Okay well let's make that - let's capture that as a proposal at least under this section then. And as soon as you feel able to if you could share any documents as soon as you feel they're in a sufficiently refined form to share with the Council on sort of work in progress there that would be useful as well.

Susan Kawaguchi: Okay. I will work with - we have another meeting early January so I may be able to share more at that point.

Jonathan Robinson: Great. Okay thank you. And I'm sorry I surprised you with this a little.

Susan Kawaguchi: No problem.

Jonathan Robinson: Thanks, Susan. Amr, would you like to go ahead?

Amr Elsadr: Yeah, thanks Jonathan. This is Amr. I was just going to ask since observers are allowed to listen in to the Board GNSO group's calls using the Adobe Connect room I was going to ask that if there are future meetings or calls scheduled that some form of notification be sent to the Council list perhaps so that we would know that they're going to take place and we could try to listen in anyone who cares to could try to listen in if they want to. Thanks.

Jonathan Robinson: Thanks, Amr. That's a good suggestion.

Susan Kawaguchi: Okay, and we can make sure that happens.

Jonathan Robinson: Good. All right, moving on then to the next in the action items list is the outstanding work on the IGO INGO PDP recommendations. And here we're waiting feedback, I think, from the NGPC to GNSO Council letter. And to the best of my knowledge we're still waiting for that and that's being I think followed up internally but that's an open item still.

Thomas Rickert: Jonathan, this is Thomas, I've just joined. Sorry for being late.

Jonathan Robinson: Thanks, Thomas. Welcome. We'll mark you as present and good to have you here. So the next item that we've got is the Board working group output on the Nominating Committee. And we'll come to that as part of our main agenda. And, you know, I note that Tony has to leave

early but we'll cover that before that since Tony is involved before his required departure and he's involved in that.

I'm still outstanding. I have had informal contact with Thomas Schneider but I'm still outstanding as to a formal note to him. But actually it feels pretty timely so I'll try and get that done this week before we start to shut down towards the end of the year.

And then the item on name collision comes up in the main agenda as does the skill set for Nominating Committee or at least it comes up under any other business so as part of the main agenda.

As does the next open item which is - relates to working with the GAC on their communiqué. So all other items covered in the action list have got a substantial piece - they've got a piece in the main agenda. I should say - yeah that's it, I think that covers it. Okay. Any comments or questions before we close Item 2?

I note that Dan Reed has also joined so welcome, Dan.

Right, let's move then on to Item 4 which is the - which relates to the output of the Board Working Group on the Nominating Committee. And those of you who have been tracking this will note that there was a proposal that came out from the Board working group that initially appeared to be quite a firm view of how things would go and then it was put out for public comment.

And there were indications given at the last ICANN meeting in LA that this was more of a kind of - or at least the way I understood it was this was more of a kind of a strawman, a proposal to get the discussion

going. The discussion has got going. There have been substantial input into the public comment period as far as I know and we're now into the reply period.

We as a council agreed that we would draft a response not in the initial comment period but in the reply period and that draft was agreed to be prepared by an outgoing councilor in conjunction - John Berard - in conjunction with Tony Holmes.

So we now have that draft. And I think it's been shared on list. And there's an opportunity now to discuss whether the Council is prepared to effectively support this going in from the Council or a variation of this being submitted as part of the public comment.

But, Tony, I don't know if you'd like to make any other comments as part of an introduction to this. Please do go ahead now.

Tony Holmes: Well there's just a couple of things. Thank you, Jonathan. The first is just to note that the reply period was extended and that now goes out for the 9th of January so we do have a little while to get this in. And the other remark I'd like to make is really to give full credit to the draft - for the drafter, John Berard who certainly did all the heavy lifting on this and really proved to me the point that I've always known that is at the end of your tenure you may leave Council but I don't think Council ever leaves you. So thanks to John for preparing that.

In response to circulating the draft there was an email comment from Avri on the 2nd of December. I was a little unclear as to whether that was a response from her part of the community or whether it was just

Avri's comment but either way it's something we need to take into account. And I think everybody saw that comment.

Other than that there have been no other comments on the list so we could open up for discussion now.

Jonathan Robinson: Yes and I think, Avri, I see your hand is up so we'll come to you in a moment. But I think let's hear the comments and perhaps just to try and set the tone a little more, I mean, I think absent comments to the contrary this is a proposal to the council but it will go in in this current form.

Now so really we're looking for one of two things, either a strong objection to it going in at all or some proposed modifications or indeed support for it going in. But I think my working assumption is the sort of silence is a presumed support so please do speak up if you are not in support or would like to see it modified.

Avri, go ahead.

Avri Doria: Okay, thank you. And, yes, I raised my hand to answer the question that was asked, though I can go into the issues if we wish. It was written as a personal councilor's comment on it. I have since been discussing it within the NCSG and I would definitely say that while I'm not alone in some of the issues I bring up, by and large I don't think anyone agrees with all the points I make.

I see Amr's hand is up and he does have a nuanced view at it seems to accept some of what I say but not necessarily all. So my immediate ask - I don't think that I - I strongly disagree with it but I realize that I'm

an outlier on it and so wouldn't want to put a block in it. I would certainly - even if I could, you know. But one person doesn't really have that ability.

I do want to at least insist upon the fact that there isn't a unanimous view on this. And basically come to the realization that, you know, I may need to put in a personal one or I just may need to sit on my hands and say, you know, whatever.

But so it was a personal comment. I can go through my issues, the most important to me is that I totally support the notion of trying to go on an equal footing in the Nominating Committee which is supposed to be that sort of neutral substitute for a global election. And it was put in as the replacement for going out. And I know a lot of people object to that substitution. But it was the substitution made.

And that I think that equal footing better represents the notion of the Nominating Committee's purpose in being. I'm sort of amused that it got bigger instead of smaller. I support normalization of voting to keep things equal even if more people end up at various points in the group.

And on the issue of the - but the Board makes more decisions about GNSO matters than it does about anything else is a point that I'm actually inclined to think is probably true.

And - but I don't think that torquing the Nominating Committee is the way to deal with that; the way to deal with that is to, you know, start a discussion perhaps related review GNSO review perhaps related to other issues about if we really believe that's the case then perhaps we

should be lobbying for another seat on the Board but not the skewing of the neutral independent vote replacement mechanism. Thank you.

Jonathan Robinson: Thanks, Avri. And thanks for those points on substance. And we'll come to you, Amr, in just a moment. So from my point of view there's a point of process as well. And I'd really appreciate help on this because clearly if we are to put something in on the part of the Council, as you've touched on at the beginning, we've got a couple of options.

We either say this is a Council position but it's not unanimous; or we modify it such that it can be unanimously supported which may be untenable in this particular instance. So I'd really appreciate help now. And I take Tony's point that we don't necessarily have to resolve this now and we really have until the end of the first week in January.

But anything that can direct us or direct us to where we might go in the near future to refining this such that we can put something in that's got ideally total support but as strong a support across the Council that would be helpful. Amr, go ahead.

James Bladel: Jonathan, this is James. Can I get in the queue behind Amr or wherever the end is?

Jonathan Robinson: Sure, James. Are you not on the Adobe?

James Bladel: No, unfortunately I had to drop Adobe, sorry.

Jonathan Robinson: No problem. We'll put you in after Amr.

Amr Elsadr: Okay, thanks, Jonathan. This is Amr. Yeah, I think I'm coming from pretty much the same place Avri is on this. I don't think the output of the Board working group on the NomComm was bad at all. I don't think it presents a problem with diversity in the membership of the NomComm or the representation within the NomComm at all.

And I think it's quite all right. I do recognize that even within the Non Commercial Stakeholder Group that my opinion is certainly within the minority. But as a Non Commercial Stakeholder Group representative to the GNSO Council I am not necessarily locked in to a certain - maintaining a certain position here. And so I would like to support Avri's position and say I do not support this letter as it is.

There were several other points that Avri made on the list that I also agree with including the fact that the draft letter points out that non commercial representation is affected where it actually isn't.

One other thing that I do wish would have been included but I don't think - I'm not sure if that was within the scope of this working group's work or not but I think it is unfortunate that the NomComm selects half of the voting members of the Board.

I would like to see more representatives amongst the voting Board members being elected directly by the community as opposed to being appointed by the NomComm but that wasn't addressed at all in the Board working group report. So - but apart from that I would just say that I would be within the minority that does not support this letter as-is. Thanks.

Jonathan Robinson: And I think before I come to James - and Avri and Amr, this feels like a relatively challenging position to resolve because I think there's really two ways, like I say, of doing it. It's either we try and modify the letter to get your more on side. And it may be that it's sufficiently fundamentally distinct from your personal view or views that we can't do that in which case we will note that at least you two did not support this letter in your individual capacity.

But as much as you could help me and us in refining that - either the content of the letter or the wording on your position, because it's quite nuanced that the fact that you have a view but it's not necessarily an NCSG view so it would be really helpful if you could guide us on that.

James and then I'll come to you, Tony. James.

James Bladel: Thanks, Jonathan. James speaking for the transcript. And you kind of - you and I must be thinking on the same frequency because I was going to propose something similar which is that we try to find a path forward on this.

And I felt one of two ways, you know, since Tony indicated we now have until the 9th to file our comment maybe we could work on drafting, you know, the language if there's a way to make the modification so that we can enjoy unanimous support on the Council. You know, it seems like we have an extension so we have some time to do that.

And the other point I was going to make - and I tried to make it on the list it's, you know, recognizing that this is putting some of individual councilors in a tough spot here where they want to maybe

acknowledge that this is a - and I'm going to use the C word here - and say consensus position of the Council but not necessarily unanimous.

I was thinking we could make a, you know, motion perhaps if it's put into a vote and that - not, you know, not to discount those who don't agree with the letter, quite the opposite, that folks would then have a mechanism to lodge their individual opposition and make statements into the record of why they feel like their positions are counter to the point in the letter.

And I was thinking that that might be another opportunity to kind of navigate our way - navigate our way forward on that. So those are just the two mechanisms I was thinking would be at our disposal. It sounds like the first one just trying to see if we can continue to hammer out some language is probably the best one between now and the time that comments are due on the 9th. Thanks.

Jonathan Robinson: Thanks, James. Your second solution strikes me as potentially very elegant because the way I could see that happening was that the councilors, as a matter of personal conscience may choose to abstain and in abstaining could give a reason for that abstention which is customary. So that could be a way forward.

The challenge, even if that was acceptable and a desirable mechanism is that we don't have a Council meeting between now and the 9th of January. So we are somewhat scuppered on that unless I'm not being sufficiently creative. So it may be that your first suggestion, which is refinement of the wording including minority positions if necessary, may be the way to go. Tony.

Tony Holmes: Thank you, Jonathan. From a personal perspective I would certainly favor the first option that we try and craft the words that we can all sign up to because I think if we go down the second option then the fact that different people make different statements, I think it tends to weaken the weight of the response from the GNSO. So I would try to avoid that if possible.

The other question I had is if you look at the draft then what it basically does is emphasize and focus on five particular areas. And I wondered if, at this stage, Avri or Amr could give some indication as to whether there are any of those areas currently that they actually are okay with so that we can then just concentrate on whatever issues fall outside of those five points.

Jonathan Robinson: Avri I see your hand is up. Please go ahead.

Avri Doria: Sorry I was muted. As written probably not any that I would be able to say yes I totally agree with that one. So may be number five.

I think, you know, the two year term notion is, you know, I'd have to think about. But I think that one's probably fine.

But, you know, no I don't - I mean we'd have to go through the text. But there's none that I can say yes if we were to do a line by line vote or rather an issue by issue vote would there be anything?

I wanted to add two other things to the discussion. One is I believe we do have interim voting. I believe we voted that in at a previous meeting. Staff can correct me if I'm wrong.

So this is exactly one of those instances where that new provision may apply if indeed we did vote it in and it was all finished and everything in its processes. I don't remember at the moment.

And the other thing is is that the procedures you don't actually even have to abstain to put in an opinion to put in a comment.

I believe that new voting processes -- and again staff can correct me -- because there is so many of them changing periodically that I do lose a certain amount of knowing exactly details of where we are in the various discussions we're having on procedures changing is that we can put in a comment with a yea, nay or abstain but it isn't just abstain that allow comment any longer. Thanks.

Jonathan Robinson: Yes thanks Avri. And I guess it was more that it was customary to almost require a comment if...

Avri Doria: Right yes abstain seems to require when the other to allow it.

Jonathan Robinson: Yes. So I know that Amr wants to - Amr's hand is now down. But I what I have sensed from the two of you and is that actually this is somewhat binary as per Amr's comment and it's we are so we might be deluding ourselves if we think we can modify this position to suit you because it's sufficiently divergent from your own views.

So my temptation -- and I'm going to put this to you to consider -- is that we put this to a vote as not as a motion but as another action of the council, in other words it's the attention to submit this letter since this is our last opportunity to do so.

And we put this to a vote and we then give the opportunity to - the opportunity exists as you point out Avri for in addition to submitting this letter with the outcome of a vote we could have the capability for more than one counselor or the two of you if you had a common position assuming it is just the two of you to state that position as an addition or to the submission of the letter. So that's my proposed way forward.

Could I get comments to support or disagree with that way forward? So we would be voting to support the submission of this letter in substantially this form and of course giving the opportunity for any individual positions or collective positions to be stated outside of the outcome of that vote.

I see a checkmark from Avri. And...

James Bladel: This is James. I favor that.

Jonathan Robinson: Thank you James and Amr is in favor. And in many ways that's most important since they are mostly strongly affected by this.

Tony Holmes: Jonathan it's Tony. I did raise my hand. Could I get in the queue?

Jonathan Robinson: Sorry everybody I didn't realize it but please go ahead.

Tony Holmes: Yes just to make the point that so far I think we've only heard from one constituency on this. And I'm fine with going down that approach if at the end of the day either be it for or against there is quite a strong weight of opinion from the council.

If we get to the stage where we're totally split on this then I think we're probably at this stage where we've all commented back or most of us have commented back one way or the other as constituencies or even individuals then it doesn't seem to have that much weighting coming from counsel if it's a total split.

So I'm not against a vote but I think in terms of submitting anything after it really for me would depend upon the strength of support either for or against this other document.

Jonathan Robinson: Tony as I said at the outset my working assumption was that -- and correct me if I am missing something here -- my working assumption was that if we were hearing opposition to the content of the letter that was implied support unless as we have heard from two counselors so far there is clear lack of support or disagreement.

Tony Holmes: Right Jonathan. And I am fine with that. It was just that I wanted to make sure in my own mind that anyone who had other issues with the papers drafted would maybe voice those before we headed down that path. Thank you.

Jonathan Robinson: Absolutely. And thanks for (unintelligible). And that was also why I worded my suggestion on the vote is that it would be on the letter substantially as drafted so that it wouldn't preclude further tweaks but it - but not material alterations.

Let me put it this way are there any objections to voting to submit this letter as part of the reply period on behalf of the council along within the - along the lines that we've been describing?

Okay and there is one other point I'll make is that if it is possible for us to vote outside of the meeting as per the new procedure.

So if anyone would prefer that there was an opportunity to vote outside of the meeting it's probably most elegant to sort it out now but if anyone would prefer that that's also an option. Amr your hand is up.

Amr Elsadr: Thanks Jonathan this is Amr. Just a question are, we still within the comment period now or are we already in the reply period?

Jonathan Robinson: We very much in the reply period. And in fact that was what was strongly motivated for particularly by John who prior to his departure on the council and I think others at least within a portion of the council had a similar view that it was appropriate that the council first held back to see if what submissions came in from the different stakeholder groups and constituencies and thereafter specifically chose to submit during the reply periods.

So this is a deliberate choice to be responding in the reply period.

Amr Elsadr: Okay. All right great. Thanks Jonathan. What I was going to suggest and I don't mind doing this is if since we do have some time before submitting this letter if the council does indeed vote to submit its putting forth - forward this position on the board working group.

I wouldn't mind going back to the NCSG and bringing in some of the comments by the members there that in effect actually support this letter and maybe add some - add somewhat to it.

I guess that would make me feel better about being outvoted on this one. Thanks.

Jonathan Robinson: Sorry Amr can you just explain to me from a from a process point of view exactly what you would envision doing assuming we do go ahead and vote as a counsel to submit this letter now or on the respective submission of this letter what - where would that - what would you expect to do then?

My understanding is that you individually or you together with Avri would prepare some supplementary comments to go alongside the submission of this letter. What else would happen?

Amr Elsadr: Well I'm sorry. I thought that we were - we would have preferred to submit a letter putting forth the unified counsel position as opposed to submitting sort of minority positions on this.

What I was suggesting is that we - I - we could add some of the comments and feedback by NCSG members that in effect support this letter and what this letter is proposing.

So I wouldn't collecting some of those. If we're going to support a - if we're going to submit a minority position as well on this I guess I wouldn't mind working on both. Thanks.

Jonathan Robinson: And Avri go ahead?

Avri Doria: Yes. I tend to be fine with voting now as long as I can use that sort of congressional notion of I've put in some remarks I can put them in now

but with ability to revise and extend them as I'm writing them up because, you know, I don't have a prepared statement.

I've written email, I've written various things but I would need to collect the statement. So I'm perfectly personally find to vote against the letter at this point, you know. And the rest of my and CSG fellow counselors as is always the case after we've had a discussion can make their own decisions as we're voting.

And if there are more than just Amr and I we can collect either separate or probably a together statement of why we voted as we did.

So I'd be fine with voting now. I'm also fine with experimenting and using our new process if that makes us it easier for example for, you know, Amr to follow his particular direction of let me go back to the stakeholder group and see if we can't drive it to at least our stakeholder group having consensus or going on like that.

So I'm fine either way but I love the idea of using our online voting techniques.

Jonathan Robinson: Okay well in any event my proposed list that says the letter goes in and the first part of January. So there will be plenty of time to draft the comments that you wish to supply individually or together with one or more other counselors to go alongside that.

So let me say this. All I would like now is guidance from anyone as to whether we vote now and bring this to a head and clear up - clear it up or we allow for further refinement of the text has been suggested thus

we may bring others on board and vote in the first week in January by remote voting?

Avri Doria: I put my hand up again. Can I say one other thing?

Jonathan Robinson: Please do.

Avri Doria: I know having stating that I'm going to vote against it gives me very little to say about changes in it. But I would request the change on based on the unanimity of its members to be based on the strong support, based on the near unanimity if that's what works but that it be changed from unanimity. Thanks.

Jonathan Robinson: Any other guidance as to whether anyone would like to see is vote on this now and submit it subject to the change that Avri has proposed?

Tony Holmes: If I could join the queue Jonathan please.

Jonathan Robinson: Certainly. Please go ahead.

Tony Holmes: Thank you.

Jonathan Robinson: James behind him please.

Tony Holmes: Yes so I would favor with the change that Avri proposed that we go ahead and vote now.

Jonathan Robinson: Thanks Tony. James?

James Bladel: I support Tony's comment. Let's vote now.

Jonathan Robinson: Okay. So I see a comment from earlier in the chat looking for later online voting with time for final consultation. and I'll wait for Stephanie's comment which agrees with Marilia.

So I think that gives us enough to have to look at it, I'm afraid Tony looking at where there any refinements or changes or at least give NCSG members the opportunity to consult in their groups. And we will schedule an online vote on the then content of the letter.

So we - we'll take refinements of the letter between now and really probably the 31st of December and aim to settle this letter no later than the end of the year and then vote on the content and the first week of January for submission that week.

And it will be one of two things. We'll either have by then found some form of consensus which doesn't look likely given that disparate opinions but at least we should have some clear views from our NCSG colleagues as to which of them will, you know, they will have opportunity to be clear on their position.

Okay so that's the decision. I hope that's clear to everyone. Tony is there anything else you'd like to say in conclusion? I'm afraid the pen will sit with you to the extent that there are revisions and that's where we are.

Tony Holmes: No that's fine. Thank you Jonathan.

Jonathan Robinson: All right thanks everyone. That's a healthy discussion on that item.

Let's move onto Item 5 then which is an update on the Cross Community Working Group on enhancing ICANN accountability which will be provided to us by the co-chair of that group, Thomas Rickert.

Thomas Rickert: Thanks Jonathan. Hello everybody. Just to give you a quick update that the Accountability Cross Community Working Group has held its first meeting earlier this week on Tuesday.

In total the group has like 120 members and participants. And there are members from ALAC, ASO, ccNSO and the GAC and the GNSO which I think is very encouraging news that all these members have been confirmed in the meantime.

Also a co-chair has been appointed by the ccNSO which is (Machia Viya) whom you will already know as he was my co-chair during the drafting team phase.

During this inaugural call we had a lot of procedural aspects to discuss and a lot of housekeeping to do in order to get started and organized.

We went through the charter in particular with colleagues on the call. I think we had between 70 and 80 people on the call. It was a two hour call and I think it was a good starting point for the huge task ahead of us.

Basically what we did after going through the administrative matters is give homework to the whole group to be completed by next week's call which is going to take place again on Tuesday.

And we agreed that we would split into four subgroups as a scoping exercise for the work to come and also in preparation of our discussions of the work plan as well as the timeline.

Because at the moment we are uncertain as to what actually we have to work on and what the biggest challenges are going to be.

So the four subgroups that we have established are dealing one, creating an inventory of existing accountability mechanisms that ICANN already has that would be items such as the ombudsman for the reconciliation request procedure or the bylaws.

And the second subgroup deals with analyzing the result of the public comment period on accountability matters that was held by ICANN earlier this year and to go through that list of public comment and make a determination as to whether the accountability mechanisms asked on the recommendations made by commenters during the public comment period would fall into what's been called Workstream 1 or Workstream 2.

You will remember that the accountability work has been divided into two work streams.

The first work stream IE Workstream 1 deals with matters that need to be either completed or binding way committed to prior to the transfer prior to the transition while Workstream Number 2 deals with the more long term accountability mechanisms.

And Mr. Strickland had mentioned one example in one of his public interventions on the matter that would for example be budgetary issues that ICANN might wish to deal with.

So in order to get a better view on what needs to be done in Workstream 1 and Workstream 2 we had agreed that we would analyze what's already there from the public comment period as mentioned before.

Then there's a third subgroup that would undertake to analyze the deliberations and the proposals made by the naming community, the proposal that has been published by the CWG on December 1.

But also if we have the CWG members or and there are quite some in the CCWG that they would share with us a list of those items that have to do with accountability and again make a proposal as to what falls under Workstream 1 and what falls into Workstream 2.

And finally the fourth subgroup that we have established is tasked with creating a list of contingencies that we have to contemplate when conducting our work.

You will remember that the chart that the GNSO has adopted during its last meeting passed the post community working group was looking at existing accountability mechanisms and potentially new accountability mechanisms to counter threats that might rise or contingencies as we call them.

But we need to know what these contingencies are in order to be able to work on countermeasures and maybe improving existing accountability measures or establishing new ones.

So that's work underway at the moment. The group has decided that it would have weekly two-hour calls. And we've also decided that we would have a two day face to face meeting in January as well as two sessions during the upcoming ICANN meeting in Singapore.

And I hope that next week we're going to be able to flesh out the work plan and the timeline because then we will know, you know, after the scoping exercise what exactly we are going to do. And then we will establish most likely more subcommittees to work on individual items.

I should also note that we haven't yet been provided with a list of the public experts that are going to help with this exercise.

And that might for example impact on our working methods because they might have suggestions as to how we should best approach this to come to results in the most expedient fashion so that to be published by the public expert group.

But I will keep the council informed and I might even keep the council informed intersessionally before the next GNSO council call.

I think I'll leave it at that and open it up for discussions.

Jonathan Robinson: Thanks Thomas. That's interesting and it's good to know that you've kick things off properly.

And I for one and I'm sure others would and this is an item of such substance that keeping us informed and what are the way you see fit will be welcome I think.

Can you tell us, are you able to tell as when and where or any other details of your face to face meeting and will that the open to attendance by others or is it, you know, what's the level of openness of the group?

Thomas Rickert: I think I don't have a - I don't answer that is backed by the whole group. But my personal notion would be that the open should be open. There will definitely be remote participation.

And at the moment we're planning to hold the meeting in Frankfurt as well because Frankfurt seemed to be a venue they can be reached quite easily by plane.

So we're currently looking at doing it in Frankfurt and we've identified a venue that would hopefully be confirmed today or tomorrow whether there would be affordable hotels in the vicinity.

So to answer your question I think participation on-site should be open and would be very welcome. And there will definitely be remote participation so that colleagues as we call the combination of members and participants would be able to join remotely.

But as you know there's also the possibility to join as an observer, i.e., to sit in with us in listening mode and that will be made technically possible.

Jonathan Robinson: Thanks Thomas. I've got just I see Tony is in the queue and I'll come to him about two other points. Do you know the dates yet and Avri asks will members of this group be supported for travel?

Thomas Rickert: As to the first question that dates that we're visiting at the moment would be the 19th and 20th of January.

And in terms of travel support it is my understanding the travel support would be provided to members, i.e., those colleagues on the group that have been delegated to this, the cross community working group by their chartering organizations.

Jonathan Robinson: Thanks Thomas. Tony over to you.

Tony Holmes: Thanks Jonathan. I was going to ask the same questions that you asked Jonathan but just with one additional point.

And it may be a little early to ask Thomas but you mentioned that the group will meet in Singapore.

Is that within the existing ICANN scheduled meeting or will it be before or after? Do you have any idea of that?

Thomas Rickert: Maybe Marika can help me with the exact dates but at the moment we are considering to have two parts of the meeting.

One I think would be on Monday after the opening ceremony for three hours and the other one would be if I'm not mistaken before the public forum starts on Thursday.

So we are cognizant of the fact that a lot of the ALAC representatives would not be available on Friday. So the original idea was to have the whole day on Friday.

So the idea is at least up for the moment to be able to accommodate as many people as practically possible. So it's likely we will do that on Monday and on Thursday.

And so yes it will be within the normal meeting timeframe.

Jonathan Robinson: Any other questions...

James Bladel: Jonathan this is James.

Jonathan Robinson: James go ahead sorry. Sorry just an announcement that I'm afraid I have to drop the call now. So thank you for putting up with me and my limited connectivity today.

Jonathan Robinson: Thanks James. We'll see you soon. Any other comments or questions for Thomas on this matter of the work of the Cross Community Working Group on enhancing ICANN accountability?

Thomas Rickert: And if not Jonathan if I may I would, you know, this is not directly related to the Cross Community Working Group but I think it's still highlighting that in order to ensure a most sufficient collaboration between the efforts of the technical community the CWG and what we're doing and the CCWG we have established regular calls between the chairs.

And the call is going to take place tomorrow as you know Jonathan. But I thought that's worthwhile information to share with the whole council and all those that are following this call.

Because we do know that liaising and making sure that everything fits is our efforts are interlinked and interdependent is crucial.

So I just wanted to get that out to you.

Jonathan Robinson: Thanks Thomas. Okay good. Let's move on then to Items 6, our next item which is prospective policy work on name collision something which has been on our agenda I think since it's - was brought to the council back in October.

And there we had a presentation on issues around name collision including some staff suggestions as to areas where we might think about policy.

I know for some of us we took it that there was a suggestion that this may be area, there was a sort of sense of scope creep. And perhaps this was pushing into areas where we didn't think there was even a name collision issue.

However subsequently I understand that those are really just suggestions of where we might consider policy work.

I do think we, you know, we've had a follow-up letter from Cyrus Namazi of the ICANN staff the Global Domains Division offering additional information or assistance.

So I think we need to respond and put questions about this or do something. It's sitting as a bit of a hiatus. Thanks. I see Cyrus has left his up there where he highlighted the presenting of the briefing paper and offers to provide additional information or assistance.

So I feel it's incumbent on the council to do something here. We have to, it feels to me like we almost need a deadline to - we need a self-imposed deadline to either say look we don't think there are any policy issues right now which might be a point or we do but we don't have the opportunity to define those which is a little bit sort of whimsical.

So any comments or thoughts or guidance on this would be very welcome. I think at the last meeting which I unfortunately had to miss there was a somewhat of a commitment to go back to the groups and try and seek some input here.

Donna?

Donna Austin: Thanks Jonathan, Donna Austin. So there was some discussion about this on the last Registry Stakeholder Group call, not considerable discussion.

But some I guess just to recap on the high points I think there's a, as Jonathan said there's a view within the Registry Stakeholder Group that name collision issue is not actually an issue so that's a difficult starting point to have a discussion around whether any policy work is required.

The name collision mitigation strategy that's been deployed or the implementation framework that's been deployed there is a view that it's

too early to tell whether that's been helpful or to what extent it has met the expectations of I guess staff.

And I guess there would be a question if SSAC as well if you think forward. So if any policy work was done now it would not impact the current round of TLDs.

So anything you do post that is you're potentially going to have differentiation between when TLDs came to market if you think ahead to next round of the possible next - well net round of TLDs.

The other thing that's been discussed on the list in a slightly different context is that while the board has imposed name collision mitigation on the new gTLD registries that same imposition does not apply to IDN ccTLDs.

Even though they are new TLDs and the DNS doesn't distinguish between the two the board has not imposed on those new ccTLDs the same mitigation measures of new clubs.

So the in that context the other issue is even if we went down the road potentially of looking at policy in this area it wouldn't have any applicability to ccTLDs.

So that would - trying to sort out how that would work could also be a little bit challenging. Thanks Jonathan.

Jonathan Robinson: Thanks Donna. Any other comments or input? Susan and then Tony.

Susan Kawaguchi: So from the BC's perspective we haven't had lengthy discussions on all of those questions. But we do we do have some input.

So the BC's first priority is security, stability and resiliency for business registrants and users. And we start by asking the SSAC for their views and insist that ICANN follow up on SSAC concerns and recommendations.

So there was three different reports by SSAC that involve name collisions SSAC 066 on June 2014 there February 2014 reports 064 and the November 2013 062.

So we would recommend that ICANN review those reports. I'm sure they have. But to make sure any of the concerns by SSACs have been addressed.

The other second priority for the BC is to avoid disruptions costs and other consequences affecting business users and registrants as the result of changes in the DNS.

So one of these disruptions would include allocation or registration of the domain names once released that they would follow the same procedures as domain names not on the collision list. And there has been some work to address that issue.

But we do think this is an important issue and want to make sure that Internet users are protected in the name, you know, from any issues with the name collision.

Jonathan Robinson: Thanks Susan. Let me go to Tony and then we'll come back to some questions or thoughts on this.

Tony Holmes: Thanks Jonathan, Tony Holmes. Firstly I concur with the number of the remarks made by Susan particularly with the reference to the SSAC reports.

But from the ISPs perspective and I think this is somewhat aligns with Donna's - one of Donna's points anyway is that it's really early on to make a decision on this.

We need to see how effective the framework and the measures are going to be and we're not in a position really to judge that.

Having said that, I wouldn't want to see this disappear particularly at this stage. So I would suggest that it would probably be a prudent approach if we hung this discussion over at least until the Singapore meeting gives us a little bit more time.

It may need to go beyond that. But at the moment it really needs to be parked rather than closed if there's is a way of doing that. Thank you.

Jonathan Robinson: Well Tony thank you. And thanks Susan and Donna. That's really constructive input and it's very helpful I think potentially.

I don't think it's a matter of closing it in either direction. It feels to me like we can write a constructive response. And it may well be I'm not - I wasn't 100% sure that I wasn't hearing things that were perhaps in conflict between what Donna and Susan said.

But it may be that we can synthesize a response which gives a coherent response saying that the registry at least that, you know, in some way this feels like a registry issue. But that I hear, you know, if Susan and Tony come in and it feels to me that, you know, it becomes clear that there are obviously other perspectives on this as well.

But it feels to me that we could write a coherent response back to Cyrus and team and indicate that these are our initial thoughts.

We would see this as being potentially open for policy development work but it's too early but we would give the background that you guys have just described.

So I realize Donna and I seem to mostly get on quite well but that I may be about to undermine that a little by suggesting that she could get those points down in the initial draft and be supplemented by Susan's points and Tony.

And the three of you I - it feels to me like with not too much work -- and I know everyone has got too much work -- but we could pull together a draft of the letter that the counselor could submit comfortably in advance of Singapore which didn't close the door as you're concerned about Tony but nevertheless gave a coherent and critical response.

So I'm proposing to put you guys on the hook led by an initial draft from Donna supplemented by Susan more or less in the order in which you've spoken.

And you can sort of see that if Donna can just draft out a position of the registries Susan can read that and supplement that with the position of

the BC that - and it may be that these can be presented in a way that's coherent and not conflicting.

And then Tony can come in on the back of that. It feels like that we could produce something. How does that sound?

Great, wonderful. Thank you very much the three of you. I see either checkmarks or comments to support that.

So let's proceed with that and we'll get this off our collective plates in a way that hopefully won't involve us with too much work but yet produces the kind of outputs we would like to see. So that's great.

All right let me move us on through the agenda then to Item 7 which is the board resolution concerning future gTLD rounds.

Now here I think the board is really wanting to put some input in and start to encourage the discussion and development of the next round of gTLDs.

Bret I see your hand is up. Are you coming to talk about this board resolution or did you want to go back where you missed out on name collision?

Bret Fausett: No I wanted to talk about this. I think this is a response to the motion that I drafted in the council passed in London so I thought it would be appropriate if I took this one.

Jonathan Robinson: All right. Before you do that just to make you aware that staff has worked in the background with a potential first draft response. So just

be aware of that and we can discuss what that is as well. But by all means go ahead Brett.

Bret Fausett: Sure. I thought I would provide some background. You may recall that in London we passed a motion to start a discussion group among other things to talk about issues that might inform a subsequent round of new gTLD applications.

And one of the things we asked for was input from the boards new gTLD committee as to things that they would like us to address.

And so I read the November 17 resolution and particularly it is Annex A to the November 17 resolution and I will drop a link here into the chat if you want to see that.

The board new gTLD committee provided nine areas that they thought were worthy of our attention as we looked at subsequent rounds.

And I can tell you that I believe every single one of these items is in the list of issues that have already been identified by the discussion group that the names council created in June which and maybe we haven't covered Section 5 registry agreement terms as heavily as we've covered some of the others but I believe everything else is identified by the discussion group.

And certainly our meeting this past Monday we also talked about this and brought it to our members' attention so that they could take a more careful look.

Next steps for the discussion group is to prepare a summary of the work to date. There is a very long list of issues that has been identified including all of the ones addressed to us by the board here in this resolution that we will bring back to the council in the New Year together with what we hope is a draft charter for a Working Group for the names council to consider creating.

And of course there's also going to be an issue report in between the time that that - between now and the time that that working group is created if ever.

But we'll get that request I think around Singapore but it'll have all of this stuff that the board just gave us in it.

Jonathan Robinson: Good. Thanks, that's very helpful. And that does seem to pave the way for us to do some potentially very valuable work commission some potentially valuable work for moving the new gTLD or future rounds of new gTLD work to another level.

I should say as I said a moment ago that the staff might have preempted some of this by assisting you. I know what they've done and I've just seen it 24 hours or so before the meeting that they can share that with the council immediately after this.

They took the board's list and put that into a table form and said what was already going on in and around the council's work.

So it may help the group that you're leading to have that as, you know, sort of preempt the work. As you said there's a much longer list of work

going on but at least that may be a perspective format that you can work with.

So I'll ask that gets shared with the council immediately afterwards and see if that doesn't actually ease your burden a little.

Are there any other comments in relation to this or how - I mean how we might take - because expect this will come up again and in January once we've seen both - any further information provided by Bret and the discussion group as well as the proposed for the initial draft of the response that was - that's been prepared by staff.

All rights, seeing no hands I'll move us along then to the next item. It's Item 8. It's an update from the related to two areas of work with the between the GNSO and the GAC and it split quite carefully and deliberately so between the work that's going on with between the GAC and the GNSO through the consultation group and a piece of work which we have discussed which arose in LA at the council development session and has been moved along a little which is a proposal that we actually respond to the GAC communiqué with a view on when and where that has impacts or policy development.

So they are loosely connected which is why they're - or broadly connected is probably a better way of putting it which is why they are under Item 8.

But for Item 8.1 we can ask Mason to provide an update. I wonder if Mason is on the call actually, a good point.

Mason Cole: I am on the call Jonathan.

Jonathan Robinson: Oh great. I'm sorry. I just - it suddenly occurred to me may have overlooked ensuring that you were on the call. Thanks Mason and welcome.

So let me hand over to you to provide that update on the 8.1.

Mason Cole: Thank you Jonathan, Mason Cole speaking. I just have a very brief update. The - on a couple of areas. One is the council or the GNSO GAC Consultation Group continues to meet roughly every few weeks.

And the focus of that group is working to find a procedure by which the council and GAC can have a methodology for the GAC to contribute to policy making as the GNSO moves issue through the PDP process.

Right now the thinking of the group broadly is that the ideal time to do that would be at the time of an issues report because that's the earliest moment of comment or contribution that the GAC can make itself heard on.

But what we're pointing out to the GAC is there are other opportunities along the way to do so.

The challenges you might guess within the GAC is that they feel as though they're overwhelmed by work as it is.

And it would be difficult for them to form subgroups or otherwise take issues to the broader GAC and formulate input in time for a worthy contribution to the PDP.

So much of the work of the Consultation Group now is working on assisting the GAC in finding a way that they can organize themselves and contributing to the PDP process.

I'm happy to say that's moving along. We're not there yet but I do anticipate some results hopefully in the next few weeks.

The other issue that I wanted to report on is the first where there's a formal engagement between the GNSO and the GAC on any particular issue. And that is on the issue of IGO protections for at - particularly at the second level in new gTLDs.

And as we know that was a subject of a PDP for GNSO going back almost a couple of years now and is further the subject of examination by the GNSO by a Working Group tasked with seeing if there's a way to formulate protection mechanisms for IGOs or what your protection - post registration protections for IGOs.

That working group has formulated four specific questions for GAC input because there's a disparity between the GAC communiqué from Los Angeles and the direction of the charter of the working group.

So I've been asked to consult with the GAC on getting clarification on the LA communiqué. I've posed those questions to the GAC formally.

We have yet to receive feedback on that but again we're moving that issue along. That's the first sort of test case if you will for GAC participation in GNSO processes.

Everyone in the process recognize that their input is at the midpoint in the PDP and not at the early point. But it's a way to find out how the GAC can help organize itself to contribute to a GNSO PDP.

So I anticipate answers to those questions in the near future I hope. And I look forward to having the GAC's input on that issue.

And I believe that's it for my report on these Jonathan so I'm happy to answer any questions if the council has any?

Jonathan Robinson: Thanks Mason that's helpful insight to what's going on there. And your involvement has been great to have you involved.

As you said there's a little bit of - I'm going to have to approach this current involvement with a bit of caution because if it's as you pointed out in the midpoint of a PDP cycle and really the core objective of the GAC GNSO consultation group is of course effective working between the GNSO and the GAC but really targeting early engagement so that we don't get this later involvement and unexpected disparate positions.

Any comments or questions in relation to Mason's work from yourself Mason or anyone else who would like to come in?

Mason Cole: Jonathan if I may?

Jonathan Robinson: Go ahead Mason and then Donna has her hand up.

Mason Cole: Sure. I just see a note from Amr in the chat that the midpoint of the PDP is the best place to have the GAC engaged.

It's - thank you Amr for the comment. I - it does seem at times that that's the best point because then the PDP has some momentum and there are positions formulated by the Working Group that are mature enough for discussion.

The challenge that we're having in the GAC GNSO Consultation Group is that if you timed out the development of a PDP against the ability of the GAC to organize and formulate an opinion and as the GAC says consult with capitals and then come back with a formal position on behalf of the GAC that's going to take more time usually than the PDP allows or that the - that process moves slower than the maturation of a PDP.

So the thinking of the Working Group is that if there's a mechanism by which the GAC can be alerted as early as possible in the process than that gives them the maximum time to come up with a way to contribute to the PDP.

So it's a bit of a Catch-22. When you have the beginning of the PDP the issue is still open and positions may or may not have been formulated so there may or may not be something to comment on for the GAC. But that amount of time is often needed to accommodate to accommodate GAC working guidelines.

And I realize that's a frustration on the part of the GNSO but part of the liaison's role is trying to figure out how to harmonize those two timelines as much as possible.

Jonathan Robinson: Thanks Mason. Donna?

Donna Austin: Thanks Jonathan Donna Austin. So Mason this is I guess it's more out of curiosity and it may not fall within your bailiwick but the board recently wrote to the GAC saying that it was going to revoke the consultation period where the board has not agreed with the GAC advice. I think it was in the London communiqué about the GNSO roles and policymaking.

Do you have any sense of how the GAC had a discussion about that or where that's going? I'd expect that not much has happened. I think the letters recently recent.

Mason Cole: Yes this is Mason. No Donna I'm sorry I don't have much insight into that. And I don't know if the GAC has taken it up formally.

I'm sure members of discussed informally but I don't have any visibility into progress on that letter inside the GAC. I'm sorry.

Jonathan Robinson: Okay. If there are no other questions or comments for Mason on that then just I guess the one other point I'd make is that the key point with a GAC is to the extent that the GNSO policy has what they call public policy implications -- and that's the other thing to try and flush out -- because the GAC doesn't necessarily need to or want to have an involvement in all GNSO policy.

It's where there's the belief or recognition of so-called public policy implications.

Let's move onto 8.2 which is an update on this proposed process really. We've called it a draft process. It's a proposed process and there's a draft about the proposed process for dealing with GAC

communiqué and we can have that introduced by Volker who's put some thoughts out on to the list already.

Volker Greimann: Yes I wouldn't even call it the process yet. It's more like very, very like a wire framework of what the process could look like just to test the waters and get some feedback from other members on the list.

While there was some feedback from you Jonathan and it was less than I hoped but we piqued the interest of the Policy and Implementation Working group who has suggested that some of their processes that they are working on may be interesting for us as well.

So I'm currently in talks with members of that working group to see if indeed some of their suggestions and processes that they have been developing for quite some time already might be applicable for this.

I would still like to invite all counselors who have seen this framework to comment and either here on this call or on the list.

Finally yes, I will be continuing to develop this based on the input that I receive. And I think this process is worthwhile. It would remove some sort of friction that we have seen in the past between the GAC and the GNSO roles within ICANN.

And the more we can do by alleviating the friction one is Mason's role the other might be this process that we were discussing right now the better for the future of policymaking in ICANN and the most stakeholder model and having a GAC that is more involved and understood may be as well which is what we might be dealing with would be helpful. Any comments?

Jonathan Robinson: Thanks. So now I note Volker in the chat, Marika's point about the fact that the policy and implementation work is significantly draft format at this point.

But nevertheless the initiative to synthesize the work of this initiative and the work going on there is - seems very sensible to me so they aren't operating in silos.

Personally an initiative I'd like to take is meet with Thomas Schneider and/or one or more of the GAC co-chairs or I forget what they call vice chairs and in Singapore face to face. And I intend to try and set that up.

And I think this would be the right way to socialize this so we can continue with what might be a proposed process in consultation with the Policy Implementation Working Group as well and in addition socialize this with the GAC in a way that's doesn't ruffle feathers hopefully but actually introduces it in a way that can be seen as constructive.

David Cake your hand is up.

David Cake: Yes thank you Jonathan. If we are on that schedule and if we're going to think about meeting with, you know, the - some of the GAC leadership in Singapore and so on does that mean that we are more or less not intending to give a reply to the previous GAC communiqu  in that if we gave a reply in the previous if it's one of the timelines for us managing to do this the first time.

Have we more or less given up on a giving any form of reply to the GAC communiqué in time for Singapore or are we intending to start assert this process after Singapore?

Or are we - because if we aren't we might need to sort of, you know, forge ahead before we've had a chance to meet with GAC leadership to discuss all the details and would have to probably rather than nailing down the entire process try and get at least a sort of input gathering start of that phase started pretty quickly and thank you.

Jonathan Robinson: Hi. It's Jonathan. Sorry I got called away for a moment. So David I didn't hear the final point of years but I got the gist of it that you were talking about whether or not anything would happen.

I would - I think it's, you know, whilst it would be potentially desirable to comment before on the current one I think the danger is we ruin the opportunity by not socializing and explaining it properly it.

And that's - so I didn't hear everything you said but that's my initial thought.

David Cake: I mean thank you. That's sort of a - I mean up to this point I thought we were still going to try and make some form of reply even if the process wasn't - it was a bit of a trial balloon but in time for Singapore. But if we aren't, we aren't. That's fine.

Jonathan Robinson: Donna your hand is up.

Donna Austin: Thanks Jonathan, Donna Austin. I guess just in the interest of sharing some information from the Registry Stakeholder Group we actually

prepared or sent a letter to the NGPC raising some concerns that we had about the GAC communiqué from Los Angeles as it related to some safeguard advice.

So I guess I just wanted to flag that we've kind of started to be a little bit more proactive in the way that we accept what is in the GAC communiqué.

And in the interest of giving the NGPC or the board another opinion or perspective we've written to the board. So I'll personally link into the chat for those that are interested.

Jonathan Robinson: Thanks Donna. Yes from the - so my understanding is then we will continue to work on refining this as a process and that we will want to talk with the GAC about this.

David I was just wondering I mean were you advocating that we try and do something ahead of Singapore on the previous communiqué?

David Cake: Yes that would be. I mean my preferred option was to have some - I would prefer to have some replies to the previous communiqué.

But and then just sort of refine the process a bit. I mean I don't think we need to have - I agree that socializing the process and so on is all a good idea. But I mean I think we - there's no reason why we shouldn't sort of start and refine it as we go.

Jonathan Robinson: How do you propose to do that?

David Cake: Well we more or less have the core of a - the process in what we had from - what Volker has already said. We ask for input and then we as a council sort of, you know, create text on the council list and send it.

That - well I mean if others are not - think we need a firmer process at this point, I can understand that.

Volker Greimann: Jonathan if I may.

Jonathan Robinson: Please go ahead Volker.

Volker Greimann: I think David is right we shouldn't try to have the perfect process. However we need to be sure that whatever we send has been carefully deliberated.

Now in this case I have just learned from Donna that the registries have already prepared a statement for - concerning the proposed and the GAC communiqu  sorry.

And maybe this could serve as a framework, outline, initial starting point for a council response for responding to this communication. So basically the proposal would like that one of the groups takes a shot at analyzing and commenting on the GAC communiqu  and the other stakeholder groups and constituencies.

Review this, if this would also match their views of the contents of the GAC communiqu  then we debate on that basis and by the time of next call we would have a response ready.

Jonathan Robinson: Donna.

Donna Austin: Thanks Jonathan, Donna Austin. Just in looking for the correspondence that the registry stakeholder group sent to the GAC, I just came across a letter that Thomas Schneider sent to the board on the 9th of November, which provides quite a bit of detailed explanation about some of the language that was in the communiqué from Los Angeles.

Obviously I haven't had a chance to look at it but it seems like a new development. I don't think I've seen anything like this from the GAC previously. So I'll also put that link in the chat as well.

Jonathan Robinson: Is that internal substance Donna or both?

Donna Austin: Can you explain what you mean by that Jonathan?

Jonathan Robinson: You said you hadn't seen anything like that previously from the GAC so I wondered if it was in sort of style or substance.

Donna Austin: Style and potentially substance as well. This goes into quite a bit of detail, well it would appear that it goes into quite a bit of detail about what the intent of the language in the communiqué was.

As many of you, some of you may know that I served as the GAC support for a number of years both as a secretary for the Australian Government and also when I was in ICANN staff.

And there was always a reluctance of the GAC to explain the language in the communiqué because it was usually nuanced to ensure that it didn't offend any of the members in the GAC.

So this is quite a direct approach and a good approach I think because if it gives more insight into the intent of what the GAC is thinking then that means the (NJPC) or the board doesn't have to second guess or certainly, you know, a lot of this most recent advice has affected potential registry operators.

So that gives us a little bit more clarity too. So I as I said I haven't read the substance of this letter but it seems like a good approach.

Jonathan Robinson: All right well it sounds like we have a way forward then. Volker do you feel clear on where we go next with this?

Volker Greimann: Not quite yet I would like to see more communication, more discussion of the framework on the list. But I will have a look at both the communications that Donna just mentioned, the registry one and the response from the GAC claiming that communiqué.

And looking at that I think we can plug away our fast forward, I will have to review it first.

Jonathan Robinson: Okay, certainly I was expecting that there will be more and work on refining what you've put up there and hopefully that takes place and tidy that up. All right and David I guess if there is something to be done in the interim you may want to take a lead on that.

I'm not sure if there's or if you want to even pick up on a draft or working with Volker by all means roll up your sleeves and get involved there that would be great.

David Cake: Okay.

Jonathan Robinson: Thanks David. All right, we've got a couple more items we need to work our way through and the first one is an update on the cross community working group to develop a transition proposal, which those of you tracking it will have to be aware that I'm co-chair on that group, I'm the GNSO chair, co-chair on that group.

I'm just wondering how much detail to go into this being some Webinars that have taken place recently that have educated the audiences on the substance of that proposal, it's out for public comment until the 22nd of January.

It's really important, I guess the key message here is that the groups within the GNSO, the constituencies and stakeholder groups are aware of this work going on and they should be because there are at the very least at the stakeholder group level there is some direct membership representation.

And to ensure that groups are up to date and informed on this so that they are in a position because what's going to happen is this will come back to us in January for voting on as charter, as a chartering organization.

So the refinements that we would seek to see in it, it's working on an incredibly tight timetable and any refinements or modifications we would seek to see into that need to have gone into the process by this public comment period or by - that's really the time to make substantial comments.

And so, you know, groups will hopefully be aware of that and tracking this by representatives. I think that's, you know, without going into any of the substance, I mean it needs to be in a topic of an hour, hour and one-half Webinar this week.

That's probably at a high level of the key points is the critical thing is to make sure that the groups are aware of what's going on and both the deadlines and time scales and what's actually happening there.

Any comments or questions in and around this? Clearly Thomas highlighted, Thomas Rickert highlighted earlier the inter-relationship between the work of this, on the stewardship transition and the accountability work and together with the co-chairs we will meet tomorrow to further that linkage and make sure that that's being properly supervised and managed.

So that's certainly going on. Any other comments or questions? All right we're moving up towards the top of the hour so let's move onto the any other business items for which there are a relatively large number and cover those off.

I think we covered item 10.1, let me scroll to that item 10.1. I believe we covered that in our discussion previously on the action items. We're still waiting on a response. Can someone remind me on this one, I think we're still - as far as I'm aware there is no update here?

In terms of the item 10.2 we have the skill sets for the nominating committee, (Dan Reed) took a go at that, David gave some further input and I think that's - I mean I had previously sent back the previous version told the nominating committee to use that in the interim and

that we would try and provide them with an answer duration, which I think we're in a position to do now.

So I proposed that we send that off in its revised form and that goes off more or less immediately. Yes great, so I have confirmation from Mary that we are still waiting for response on 10.1, Mary Wong in the chat there.

And then 10.3 we have a letter from the - a letter to the GAC sub-working group on geographic names from across constituency working groups GCNSO, GNSO and country and territory names.

You would have seen that, we're really looking here for a point of non-objection to sending that letter. That I think Heather is probably on the call and is involved in that group but the intention is to submit that letter and they're seeking a non-objection from the council to that letter going ahead.

So providing we have no objections and Heather indicates in the chat she is willing to answer any questions. Heather it may be worth just a couple of sentences saying the purpose of that letter, which I think I understand but just to make sure everyone is clear on that, on the purpose of that letter.

Heather Forrest: Certainly Jonathan, Heather Forrest here for the transcript. The cross community or cross constituency rather working group met with the GAC sub-working group as it were in LA.

And following that meeting there was discussion within the CWG as to the very different nature of speed scope of the work being done albeit

overlapping between the CWG and the GAC, the GAC's working group.

And given that the GAC's working group called in LA a public comment period on its proposal in relation to country and territory names, the CWG found this to be a good opportunity to do two things essentially.

One, to participate in this process of the GAC calling for public comment. This is not, this a new concept for the GAC and the group thought it was important to participate in that process.

And two, to take the opportunity to highlight the differences between the GAC's group work and the cross community or excuse me cross constituency working groups work.

As there had been a number of questions that came out of LA as to why do we have two things happening in the community and what's the difference. So it was a way to acknowledge that publicly without having someone chase through the transcript.

So that was discussed in LA but it was a way to acknowledge that publicly in writing.

Jonathan Robinson: Thanks Heather, any comments or questions? In particular are we okay with that being sent? I think we are and then just to make sure that there are no objections.

Good and then finally under 10.4 we note that there is planning on the way for that meeting in Singapore. An item came up earlier, which was in respect of the work of the - moving the work of the expert working

group on directory services and that may be something which we need to get into the agenda.

If there's anything else please highlight it on list and make sure that Volker, Glen, Marika and at least myself, the four of us at minimum are aware of your requirements or requests to get something on the agenda and we'll do our best to weave that in.

Good, any other business from anyone else who is on the call now who would like to raise anything that hasn't been covered so far? Okay, thanks very much we're ten minutes ahead of the hour then, thanks very much for your contributions.

And to those of you who will get a break over the next few weeks I hope that the holiday season goes well for you and we will be meeting again in the new calendar year. Thanks very much everyone, talk with you soon.

Woman: Thank you bye, good holidays.

Man: Thank you, bye-bye.

Woman: Thank you.

Man: See you, bye-bye.

END