

Transcript GNSO Council Teleconference 19 November 2015 at 15:00 UTC

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<http://audio.icann.org/gnso/gnso-council-19nov15-en.mp3>

and the Adobe chat transcript can be viewed here:

<http://gnso.icann.org/en/meetings/transcript-chat-council-19nov15-en.pdf>

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, Jennifer Standiford

gTLD Registries Stakeholder Group: Donna Austin, Keith Drazek, Rubens Kühl

Nominating Committee Appointee (NCA): Hsu Phen Valerie Tan – (connectivity issues)

Non-Contracted Parties House

Commercial Stakeholder Group (CSG); Philip Corwin, Susan Kawaguchi, Wolf-Ulrich Knoben, Tony Harris, Paul McGrady, Heather Forrest

Non-Commercial Stakeholder Group (NCSG): Amr Elsadr, Marilia Maciel, Stephanie Perrin, David Cake, Stefania Milan - absent, apologies proxy to Stephanie Perrin, Edward Morris - absent, apologies proxy to Marilia Maciel

Nominating Committee Appointee (NCA): Julf (Johan) Helsingius

GNSO Council Liaisons/Observers:

Olivier Crépin LeBlond– ALAC Liaison

Patrick Myles - ccNSO Observer –absent - apologies

Mason Cole – GNSO liaison to the GAC –absent - apologies

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 - Sr. Policy Manager

Berry Cobb – Policy consultant

Lars Hoffmann – Policy Analyst

Glen de Saint Géry - GNSO Secretariat

Nathalie Peregrine - Specialist, SO/AC Support (GNSO)

Mike Brennan- Meetings Technical Services Specialist

Volker Greimann and David Cake chaired the meeting

Glen DeSaintgery: Thank you very much, Volker. Would you like me to do a roll call for you?

Volker Greimann: Yes just too once again welcome everyone in the name of my co-chair, David Cake, and myself. Very good time today (unintelligible) to all of you, and I would like to start with Glen doing roll call indeed. Thank you, Glen.

Glen DeSaintgery: Thank you very much, Volker. If you could just answer that you are on the call. Keith Drazek?

Keith Drazek: Here.

Glen DeSaintgery: Donna Austin?

Donna Austin: Here.

Glen DeSaintgery: (Unintelligible)

Man: Here.

Glen DeSaintgery: James Bladel?

James Bladel: I am here. Thank you, Glen.

Glen DeSaintgery: Jennifer Standiford?

Jennifer Standiford: Here. Present.

Glen DeSaintgery: Volker Greimann?

Volker Greimann: Present.

Glen DeSaintgery: (Valerie Tan)? I see (Valerie) is in the Adobe Connect room. Philip Corwin?

Philip Corwin: Present.

Glen DeSaintgery: Susan Kawaguchi?

Susan Kawaguchi: Here.

Glen DeSaintgery: Paul McGrady. We are dialing out to Paul McGrady.

Paul McGrady: I'm here now. Thank you.

Glen DeSaintgery: All right. Good. Thanks, Paul. Heather Forrest?

Heather Forrest: Here thank you.

Glen DeSaintgery: Tony Harris?

Tony Harris: I'm here.

Glen DeSaintgery: Wolf-Ulrich Knoben?

Wolf-Ulrich Knoben: Here.

Glen DeSaintgery: Marilia Maciel?

Marilia Maciel: Here.

Glen DeSaintgery: Amr Elsadr?

Amr Elsadr: Present.

Glen DeSaintgery: David Cake?

David Cake: Present.

Glen DeSaintgery: Ed Morris is absent and he has given his proxy to Marilia Maciel. And (Stephanie Millan) is absent and she has given her proxy to Stephanie Perrin. Stephanie, are you on the line? I do not see Stephanie on the line nor in the Adobe Connect room, so she'll be probably be late.

Man: Here.

Glen DeSaintgery: Carlos Gutierrez?

Carlos Gutierrez: I'm here. Thank you.

Glen DeSaintgery: Thank you, Carlos. Olivier Crepin-LeBlond?

Olivier Crepin-LeBlond: Present.

Glen DeSaintgery: And Patrick Myles, our ccNSO liaison, is absent and received apologies. Mason Cole, the GNSO liaison to the GAC, is also absent and send his apologies.

And from staff we have David Olive, Marika Konings, Julie Hedlund, Mary Wong, Berry Cobb, Lars Hoffman, Steve Chan, and myself Glen DeSaintgery.

Have I left off anyone?

And I see we have Steve DelBianco on the call who is very kindly joining us for a item on the agenda, the update for the CCWG accountability working group. And we also have Margie Milam from staff on the call as well.

Thank you very much, Volker, and over to you with just a quick reminder to people to please say their name before talking for transcription purposes. Thank you.

Volker Greimann: Thank you, Glen. And to show you that I've listened, my name is Volker Greimann and I would like again to welcome you all.

First that we have on the agenda is the administrative items, and I would like to ask if there any updates to the statements of interest of any of the councilors. I see nothing on the list. Hearing none, I'll move to the next.

We - you have all been send the current agenda. The agenda is also posted on the right side of your Adobe chat. We already have two items that are going to be added to any other business, which is the meeting calendar for next year and the CWG stewardship letter with regard to oversight implementation. Is there anything anyone else would like to add to any other business at this time?

Wolf-Ulrich Knoben: This is Wolf speaking. I would possibly like address a quick question about the DNS entrepreneurship center that I already asked over e-mail.

Volker Greimann: All right. I'll hand that over to you at that stage. Let me just make a quick note. Here we go. Okay. Hearing nothing at this time, I would like to remind everyone that once we get this topic, we can of course amend the agenda there as well if there are any other business topics at that stage as well.

I would like now to note the minutes for the previous council meetings. They have been sent around by Glen. And unless there is any objections to the content of those minutes, I would like move to approve them. Hearing no objections, I would assume that the council approves the previous council's - council meeting's minutes. It will be posted as approved as soon as possible on the GNSO webpage.

As opening remarks go, we have to review the topics that are on our agenda today and of course our project and action items list. The project list is intended as a brief overview of things that are in the pipeline for GNSO work, i.e. upcoming things, especially the issue identification and the issue scoping issues as well as the initiation. Then of course the ongoing working groups, you should have all received lists of what's currently ongoing in the working groups there.

For content deliberations, we have primarily none on the table and one item that we've passed on to the board, which is now waiting for a vote of the board. And finally there's the implementation stage where a couple of working group outputs are now waiting for implementation. Does anyone have any comments to any work going on, coming or past, any questions to that? Then I would also like to refer that to any other business.

Hearing none, I'll move on to the action items list. These of course are items that have been arising from previous meetings that have been on our agenda and that need work going forward. First on this is the meeting planning for the Marrakesh meeting.

Historically the meeting planning has always been handled by the co-chairs of the council. However due to the specific situation that we had at the last meeting, where no new chair was elected and the co-chairs are only (unintelligible) in position for a

short while, we have the as responsible council members on our list Amr and Susan, who we'd like to thank for volunteering for this.

Just briefly touching on what this entails, the planning for the meeting mainly involves working with ICANN staff on organizing the sessions that we as GNSO councilors holds, both the weekend sessions and the Wednesday and Thursday sessions and any other sessions that we have as part of the community, setting up an agenda and liaising with those groups to get an agenda settled with everyone that we're supposed to meet and that wants to meet with us.

Staff will probably be reaching out to you as usual awhile before the meeting starts. We still have a little bit of time. I expect the planning stage to start in January. But of course with regards to the planning, it's also helpful to have the feedback on the previous council session and there has been a questionnaire sent to all councilors and community members that would be helpful if you could fill that out, because that helps the council members that are working on the agenda to be informed of any changes that are required or requested, you know, improvements or things that went very well.

I hear some noise in the background. I would like to remind everyone to mute their microphones if they're not speaking. Thank you very much.

Next on our action items list is the CWG on enhancing ICANN accountability. It's - the CCWG, I think it's also item nine of our agenda. And there has been a new timeline posted just under two hours ago, but we'll be hearing more on that later on on the agenda.

Then we have as item request, the question of whether we should have liaison with the SSAC or the SSAC should have a liaison on the GNSO. This has been headed by Jonathan Robinson, and we will probably have to have a new council lead. But that is currently on hold for this reason.

The next is the voting thresholds, issues for the SCI. It's also a topic that's on hold. It has been led by Avri and Alan Greenberg. We'll therefore need also a new responsible council members once we decide to move on with this. This is not the topic that's on the motion five of the agenda today but rather a question of

implementation changes to adopted PDP recommendations for council review and the voting thresholds needed for that. The SCI of course being Standing Committee for GNSO Improvement and Implementation, i.e. the committee that helps us improve our processes.

The next topic on our action items list is the outstanding IGO-INGO PDP recommendations issue, which was headed by Thomas Rickert who has also left the council, in that we have received a letter from Cherine Chalaby and we were notified that the GPC plans to talk about with the GAC and the IGOs at ICANN 52. That sounds outdated.

Marika, could you give us a brief update on that, or Mary? I think Mary's the staff responsible for it.

Mary Wong: Volker, this is Mary. And hello everybody. So you're talking about the outstanding IGO PDP, the original one, and I think this action item has been on this list for some time. And currently we are not talking about the curative rights issue, which is the subject of an ongoing PDP. And one of our councilors, Phil Corwin, is a co-chair of that group.

This one therefore is dependent from the council's point of view on progress that you can be notified of by the board, because that is something that Chris Disspain, as you may recall, those who were on the council, is leading from the board side at the time that was the NGPC. And so at the moment, the council is on hold essentially following some of the discussions that are referenced in this action items list.

Volker Greimann: Thank you. We should probably update this, the notes and the status of that in our action item, just to be sure that they're up to date and they're notified of the work that has to be done once we get our vote in.

Mary Wong: Thank you, Volker.

Volker Greimann: Thank you. Next on our agenda is the review of the GNSO liaison to the GAC. As you know, the GNSO Council has appointed Mason Cole to act as a liaison to the GAC and therefore smooth the waves of the flow of information between the GAC and the GNSO. This should be - this role should be reviewed by the GAC GNSO consultation

group, which regularly meets with various members from both the GAC and the council, as you well know.

Next we have the collaboration with the IGF. And while it says complete with a question mark, I received an e-mail from David Cake who wanted to make a brief comment that, because as I learned it's not quite completed yet. There's still work ongoing here.

Carlos Gutierrez: Volker, I wanted to comment on the previous one.

Volker Greimann: Can we do that on any other business unless you would like to comment right now. I don't mind (unintelligible).

Carlos Gutierrez: Sorry can you repeat, Volker?

Volker Greimann: Yes. Please go ahead, Carlos.

Carlos Gutierrez: Yes, relating to the GNSO-GAC working group, I just wanted to remind you that we have a call next week, next Monday if I'm right. And so far the chair of the GNSO is very active in this group, so his role was very important. And I just want to remind the new chair and co-chairs that we have this call. It would be very important to introduce the new leadership of the GNSO next Monday. Thank you very much.

Volker Greimann: Thank you, Carlos. However, I'm currently considering the timeline for the vote, and depending on what time this call takes place, we may not have confirmation of the next chair at that time. Glen, could you give us just a quick reminder of what time the voting ends on Monday? Or as Glen's muted, Marika?

Glen DeSaintgery: Sorry, here I am. The voting will end at 23:59 UTC.

Volker Greimann: Okay that will probably mean that the new chair is not yet in office at that time. So that would mean that David and I will have to try to call. I'll make a note of that. Thank you very much, Carlos, for raising that.

David, you wanted to say something on the next topic?

David Cake: Yes just very briefly, the - I think the issues - our issues we're considering at the ITF were not fully described in this action item, in particular we're also following RFC6761 process, which is to create special purpose, basically put TLDs on the special purpose reserve list.

This process is still very much ongoing. I think it's one that the GNSO needs to at least be aware of until it clearly - until it's sure we do not, which is to say because it deals with potential TLDs and in at least one case, a TLD that has actually been applied for but not delegated.

So the current status of that is that they have a - the ITF have sort of got a - the working group has sort of a problem statement. That problem statement clearly includes some issues like registry and registrar impact that may fall into the GNSO sort of remit. So I'm just going to say I'm still - I don't consider that completed. We're still following it. I'm happy to continue following that for - and reporting to the council as things happen.

Volker Greimann: Thank you, David. We will make a note of that and keep that topic open.

Next on our list is the global public interest framework, where we're still waiting for an update on the research that has been undertaken on that topic. That will be provided at a later time. Just to notify that this still ongoing. And next we have the GNSO operator procedures.

As you know, we will have to select the board seat number 13 at a time very short in the future, and we will have to be clear on the process for that. Also a work in a progress, still on our list.

The topic of a new gTLD auction proceeds has been completed, as far as the council goes. It's now in public comment and all are encouraged to provide input there.

Next we have the data and metrics for policymaking, and here we need staff to update us on the operating procedures for the adoption of the final report that we had recently.

Next is one topic that we have on the agenda today. We have a motion on the agenda, so I will defer to that topic point there, the next generation gTLD RDS to replace Whois PDP. We are currently reviewing the motion and hopefully voting on it today.

The SCI liaison topic has also been completed. We have confirmed Amr as the new GNSO liaison to the SCI.

Then we have on our list the request from the ICANN board concerning possible policy work of the replacement (unintelligible). We've discussed this topic during our last meeting. We have a draft response currently being circulated on the list, and of course as usual, all councilors are encouraged to comment on that before we finalize and send it out.

Similarly, we have a request from the ICANN board concerning possible policy work on the exclusive registry access to generic streams. There's a draft response there as well currently circulating on the list. There have been a couple of comments here received that will be in cooperating to the next draft, which should be published somewhere - sometime this week. And we expect to be sending this out shortly afterwards as well.

The next topic is the topic which I have taken the lead for the GNSO Council as well, the new ICANN meeting strategy. There has not been as much update as I hoped there would be, and I hope to be able to raise this later today as well just to make sure that there will be progress before Marrakesh happens.

Finally, the - thanks to the outgoing councilors, it has been taken care of at the last meeting. However, certain councilors were not there to receive their gifts.
(Unintelligible)

Thank you. This concludes the summary of the action items list. Does anybody have comments or something to add that was left off accidentally or that should be mentioned at this time?

Hearing nothing, we move to item three on the agenda, which is the constant agenda. I'm not sure I will be able to complete that in zero minutes because beeping right now. Yes please? I heard a comment?

Marika Konings: Volker, this is Marika. There's several hands up.

Volker Greimann: Oh I didn't see those. Sorry for that. I wasn't watching the Adobe as I should have. Yes, David, please? Going to Paul, Paul McGrady.

Paul McGrady: Hi, Volker. Thank you. This is Paul McGrady. For the Marrakesh meeting planning, one of the topics that came up in our meeting in Dublin was seeking information about the security situation. Are we going to follow up on that? And if so, would it be - would that be under the remit of the Marrakesh meeting planning volunteers, or are we going to drop that topic?

Volker Greimann: Thank you, Paul. Actually this is item ten on our agenda today, where we have - we'll receive a brief update from I think (Nick Tomaso) on the security update on the security situation at all the ICANN meetings.

Paul McGrady: Thank you. Sorry about that. I didn't see that.

Volker Greimann: No problem. James is next, James Bladel.

James Bladel: Hi thanks, Volker. James speaking. And I just wanted to go back a little bit here in the action list to the item -- and I suppose this question is more appropriately directly to David -- we have a note here about collaboration with the IETF. And perhaps this - it's marked as completed, and I think that perhaps this particular - the underlying issue that prompted this particular action item is completed. But I'm just looking for clarity.

I'm hoping that that is an ongoing relationship or interaction that we will continue to build on, because I'm very concerned about some of the technical and operational developments that are coming out of the IETF that had the potential to, you know, let's say circumvent policy discussions that are currently underway or anticipated to be underway here at ICANN.

So I just want to maybe put a marker down that completed may give a false sense of a security where that particular action item I think is going to be completed and ongoing. And I just wondered if David had any comments on that on that, or maybe I'm reading too much into the way it's presented. Thank you.

Volker Greimann: Thank you, James. James, David already made a couple of comments during the mention of the topic on our action list, mentioning that it was not completed and that's something we should have an eye on. And I would suggest that we receive an update on the current status at some later time during the next meetings.

David, do you want - would you like to add something at this stage?

David Cake: Yes I just wanted to say there are a couple of issues to do with the IETF that are currently of interest. I specifically mention that the item as described does not include the work around a process to do with RFC6761, so what they're calling the IETF RFC6761 (unintelligible).

But we try and are definitely following, and I definitely think it is of interest to the council, but I do understand that yes there are also some technical issues related to new directory services, some of which may get into an area close to policy. I believe there may be some ongoing work to do with best practices and so on.

I would be very interested to hear specific items of concern to councilors and will be - where I'm not following that personally, arrange for someone to brief council. There are a number of ICANN people involved in the IETF processes, obviously enough. So James, if you want to shoot me a message on specific issues and I'll get back to council on - and make sure that those are monitored.

James Bladel: Okay thank you, David. And just to sign off on this point, Volker, I do appreciate the update and I apologize if I was unclear on some of your comments that it was still open. And, Marika, has posted my exact thoughts in the chat which is we should probably consider whether or not there needs to be a formal liaison with the IETF, either a permanent or on an interim basis until we can sort through some of these issues. Because I don't see them going away or dialing down any time in the near future. Thank you.

David Cake: Of course, yes there are existing sort of informal liaisons and the technical liaison group and so, or technical liaisons to the board. But it's worth considering whether as the GNSO we need to have some sort of process in place. And that's probably interesting thing to schedule a discussion on it at some later point. Thanks.

Volker Greimann: Thank you. I would post that we make a note of this discussion and amend our action items list just to make sure that we are aware that this work is going on and that we as a council should monitor this more closely to see how it impacts our work and how it may be in contrast to our work on conflict. So that's something that we should put on our action items list just as a wash item.

Then we have in the queue Philip Corwin. Please, Philip, go ahead.

Philip Corwin: Yes. Good morning. Philip here. Just briefly, I'm following up on Paul's remarks. I was the one who raised the security issue during the Dublin meeting. Someone, I forget who, responded, you know, we shouldn't be signaling North Africa. And unfortunately, the events a few days ago in Paris bear that out.

I think we - I'll save later remarks until we get the briefing from (Nick). But I understand it would be very unfortunate if the openness of ICANN meetings is in some way impacted by security procedures, but there are no visible security measures now and we're very inviting and soft targets, and taking some reasonable steps would be better than having some terrible event happen. So let's hear what (Nick) has to say and I'll save further remarks for later. Thank you.

Volker Greimann: Thank you, Phil. I think we're all looking forward to that topic on our agenda because it's of course of high interest.

Okay. Phil I assume that's an old hand. Then I would like to move on. Having nothing on the consensus agenda, we will skip this at this time and come directly to the item four, five, and six, which is the votes on the motions for this topic. I would like to hand over the rod of power, or whatever you call it, to my co-chair David Cake. Please go ahead, David.

David Cake: Hello. Hello?

Volker Greimann: We can hear you.

David Cake: Hello? Can people hear me?

Volker Greimann: Perfectly fine.

David Cake: Yes. So I'll be leading us through the motions. And the first item and motion we have, item four, is adoption of the charter for the PDP working group on next generation gTLD registration director services to replace Whois.

So this is - we have - I think we have some - quite a few amendments and - that have been mentioned. And so there may be a fair bit of discussion, but I'd like to start by asking Susan to present the motion.

Susan Kawaguchi: Thanks, David. As you all know, we discussed this in length last meeting and decided to defer to this meeting. There has been some discussion with the registrar group and Amr has also has proposed -- Carlos and Amr-- has also proposed some comments and revisions amendment.

This - the amended motion here reflects a slight change that I made to the amendment a couple - I mean I made to the motion a couple weeks ago and also Carlos' amendment. It doesn't reflect Amr and the registrar group. (Jen Gore) put forward some comments.

So I can read it through and then we can discuss or should we just start the discussion?

David Cake: Well does any - let's ask if either of those groups want to propose an amendment? Does anyone want to bring up an amendment to this motion?

Susan Kawaguchi: James has his hand up.

David Cake: Go ahead, James.

James Bladel: All right thanks. James speaking. And I would note that Amr actually raised his hand verbally in the chat here, so I will defer to Amr and just put myself behind him I think. Thanks.

David Cake: Okay then. Amr, you have the floor.

Amr Elsadr: All right. Thank you, David, and thanks, James. Yes, I think I've said pretty much everything I wanted to in the e-mail I sent regarding the - what I would like to see in terms of an amendment to the motion and also to the charter itself.

And it's basically one bullet which may also require some changes to the diagram in the charter basically to include a rights impact assessment similar to other assessments that are taking place to perhaps identify what is required in the first phase of the PDP and then sort of just further more detailed discussion in the second phase where the substantive issues are coming up, and then perhaps guidelines on implementation of the third one.

And considering sort of the chunking or the phases in this PDP that are taking place and the fact that it's a very iterative process and changes will be taking place across different phases that will require tracking back to some of the work that's already been done, I think it would be helpful to also address the risk assessment - I'm sorry, the right assessment, across these different phases and make changes as needed to sort of avoid delaying this in the process and requiring that a lot of work that has already been done at a late stage.

I will note, as I did in the e-mail, that this was brought up at many stages during the discussion, first during the joint group between the ICANN board and members of the council, which Avri was on. Avri brought it up several time during the - here on council. And the NSCG submitted a comment on this, which was also included in the staff report on the public comments to the preliminary issues reports of this PDP.

But the way I see it, it wasn't - the change according to what we had been recommending is not very clear in the charter. I appreciate Marika's response to my e-mail saying that this might be included as part of the risk assessment. My concern is that this is not clearly indicative of something that is within scope, and indeed not just within scope but a requirement to the PDP working group. I am concerned that

once the working group is convened that there will - there may be some resistance to - or some disagreement let's say on whether this is in or out of scope of the PDP working group.

I also am - just too quickly respond to Carlos' response, although this is a board initiated PDP, the PDP working group is still chartered by the GNSO Council. And although the GNSO Council does not need to approve the final issues report, we do need to approve the charter to the PDP working group, which is what this motion is all about.

So I would prefer that this change be made sooner rather than later. I don't see any need to delay it to when the working group actually convenes and then follow up with them and make this sort of a request from the working group to amend the charter.

And another concern I have is that if this is not clearly within scope and not picked up in the way at least that the NCSG would like it to be done during the work of the PDP working group, I'm concerned that this will lead to difficulties in achieving consensus at - well years down the line I guess when the work is done. So I think it would be a good idea to include this now, make it clear that the PDP working group members need to discuss it and reach some sort of conclusion and consensus on it. Thank you.

David Cake: All right. Does anyone else wish to respond? Sorry I don't know if Carlos or Volker was first - next in line.

Volker Greimann: Thanks, David. I think James was before me.

David Cake: My understanding is James wanted to respond to what - James, do you wish to respond to this item or do you have a separate point to discuss?

James Bladel: A little of Column A, a little of Column B.

David Cake: Can I ask to do - I can ask you to respond this after (unintelligible).

James Bladel: I'm sorry, I'm getting very painful feedback.

David Cake: Yes sorry, I got some vocal feedback. Can I ask you just to respond to Amr now and I'll call on you again later?

James Bladel: Okay thanks. Well this is James speaking for the record. And our - the registrars have also had some discussions about the motion. I think our concerns are - while the substance of our concerns are different than the ones raised by Amr, I think procedurally we are also in somewhat of a similar situation which is that we understand that this needs to go forward.

We asked for and were graciously granted a deferral at the last council meeting to further consider this and this draft charter. And we just - we believe that it is at least to our examination, it doesn't fully address some of the concerns that we have raised earlier in the process. And our concern is that if we go forward on this now that those - the PDP working group will begin its work without fully taking on board those comments.

However we don't want to be seen either optically or in reality of trying to introduce eleventh hour changes. We're simply continuing to reflect back the changes that were previously introduced. And I think that, you know, just looking for some assurances that that will be taken on board by the working group once it convenes.

So I think I have a path forward, proposed path forward, and I had been having some conversations with Susan as the councilor that proposed this motion as whether or not they would be taken as friendly. But I think that if we could include some specific instructions in this motion that the working group when it is formed convened or when it's convened, explicitly reaches out to all stakeholder groups and all constituencies for additional feedback on any items that it considers whether or they consider them to be in or out of scope for their charter.

I think that would be, you know, perhaps a way around some of these concerns. Because to Amr's point, we don't want to be, you know, several years down the road with a lot of time and effort invested into this process and saying we should have spent maybe a little bit more effort now at the front end getting some of these loose threads tied up before we charge ahead.

So I'm just - I haven't drafted any specific language yet and I note that Jen Standiford had also posted a list of the substance of our concerns to the council list, which is something that we are happy to discuss or happy to just submit to the - for the consideration of the working group. But I think that procedurally it's very similar to what Amr is discussing is that we want to ensure that some of these items that were raised several months ago are in fact captured effectively in the charter. Thanks.

David Cake: So I don't know, again I don't know if Volker or Carlos had their hand up first. Which one of you would like to respond?

Volker Greimann: Yes Volker speaking. Just building on what James said, our main concern was that when we read the final report and the staff analysis of the public comments, there was language that said no comments suggesting additional requests should be explored in this PDP was included. And we found that some of the concerns that we raised that we feel essential for a successful completion of the work and an updated status on the ongoing in the work has been missing.

And while the charter said that the working group shall consider at minimum certain points, we think that exclusion of some of these points being raised would be detrimental and would maybe lead to a second raising of these concerns where we've stated these concerns should be front and center of the discussion because they deal with important things, such as technical feasible, jurisdiction, redundancy and (unintelligible) operation aspects and the legal aspects of this work that's going on - as a result of this work that's going to start very soon.

Therefore we would like to - we originally considered amending the charter but at this stage, we decided that it's better that we raise these concerns in a forum that the working group would be instructed to reach out to the stakeholder groups and constituencies and get their feedback to see what other talking points are not included under this. I did discuss at a minimum a header will be important to discuss at what stage and therefore we perform as James suggested an amended motion that such a equal possibility would be stakeholder groups and constituencies at a time when (unintelligible).

David Cake: Thank you, Volker. Carlos?

Carlos Gutierrez: Thank you, James. This is Carlos for the record. I agree with the comments by Amr and by James. I came very late to this issue, only in the last meeting in Dublin, and I was just trying to find a good solution. Nevertheless, the last two days I spent some time swallowing the draft charter and I think it makes a lot of sense to ask the working group to revise this complex procedure that the charter is proposing. You know, there are three steps or three major blocks with some feedback loops, et cetera, et cetera.

There are explained very well graphically but my guess is once you sit down and start working, then a lot of small or bigger issues may arise. And I think it could be drafted (unintelligible).

David Cake: Was anyone else getting some drop out from the audio?

Man 1: Yes.

Carlos Gutierrez: It's going to...

David Cake: Yes could I just get...

Carlos Gutierrez: ...sorry I don't know what happened. Somebody turned off my microphone.

David Cake: Okay and this...

Carlos Gutierrez: Did my comments come through?

David Cake: Some did I'm not sure do you want to repeat your last sentence or two?

Carlos Gutierrez: No I think it makes a lot of sense and can easily drafted for their point in the motion to give leeway to the working group to revise all these complex procedures that these propose in the draft charter. Thank you very much.

David Cake: Okay thank you (Carlos). (Susan).

Susan Kawaguchi: I agree that we should take the time to really look at all the issues. This is not that any PDP is simple but this one is extremely aggressive in my opinion in what we're proposing to change.

So if I can I do have some language that we could use to amend -- I'm trying to see if I can get it posted in the room and for some reason I've not been able to type.

Two seconds here I'm having a technical issue with copying and pasting this morning I don't know why. It looks like Marika is going to propose some language for me.

I can't seem to copy it into the box but this language that's on - that Marika is posting now is part of the result clause. The working group we convened is instructed to reach out to all SG/C for additional feedback on any items that at least should be considered that may not have been specifically called out in the charter.

Should the working group be of the view that after the review of the feedback changes need to be made to the charter to address these the working group is expected to come back to the council with proposed changes to the charter for the council to consider.

Does that language help us move forward and ensure that the charter is dealt with in the detail that it needs to be dealt with? And I do think that, you know, we could propose amendment now as the council but I'm not sure that it would reflect the whole working group when we really start looking into all the issues.

I do think that the work that I participated with the board GNSO group did think that most of these things that have been called out were considered but if we need more detail I am - more detail and clarity is always better for any working group.

So I am open to any, you know, most amendments to this as long as they provide equal feedback from all the SG's and C's.

David Cake: Okay, thank you for that. And James I think you're next in the queue.

James Bladel: Thanks (David), James speaking and thank you (Susan) and Marika for drafting on the slide here. I think just from the perspective of the registrar's that submitted these concerns that this is good and this captures our concerns, this amendment.

And I think that in that case the document that spells out those concerns should perhaps be considered a preview of what the registrar's intend to submit as part of this effort to the working group and the council got an early peak at that.

And like (Susan) and I think something that hopefully has come through this entire process is that this is not - just to amplify something that she said at the end there.

We want to make sure that all SG's and all constituencies have an opportunity to do this because this is an extremely complex and long-term, long-life cycle PDP and it's important that we get these things on the table early even if it looks like a speed bump here at the beginning. I think it saves us months and months of work at the end. Thank you.

David Cake: Thank you James.Amr.

Amr Elsadr: Thanks (David) and thank you (Susan) and Marika. I certainly agree with (Susan) that the more clarity we have in the charter the better. However I'm not very fond of this solution to deferring this to the working group.

For one thing if we are seeking stakeholder group inputs, stakeholder group and constituency input to this like I said the NCSG has already formally submitted its feedback to this and asked that this be included in the charter but it hasn't and at least not to our satisfaction.

And I do note that there may be some language that may suggest or indicate that this, that what we would like to see in the scope of the PDP is actually in scope but from our perspective and again this is a matter of clarity.

It is not clear enough, it is not explicitly stated and that there may still be some argument as to whether it is in or out of scope. But having submitted this feedback to the preliminary issues report and it already being included in the staff reports on the public comments I see no reason why this can't be - why the rights impact assessment can't be included at this stage and why it needs to be deferred amongst the working group members.

From a process perspective the NCSG has already followed the guidelines and we've already submitted the public comment. This is not a new issue it's been brought up from the very get go when the board and council members were working together on the framework for this PDP.

So I would personally prefer this to be included in the charter at this time and have amendments just reflecting that this change was made. Thank you.

David Cake: (Marilia).

Marilia Maciel: Thank you very much (David) this is (Marilia) speaking. I won't be very long. So I think that this is a very constructive and elegant solution and I think that we are not capturing right now with regards to the charter can be captured further down the process and we have more clarity.

So I do support that this language is included in the motion. I just would like to second the point that was made by Amr before because I think that one issue has already been identified with a very clear identifying scope which is the request for the inclusion of the rights assessment.

I think that this is something that the operational procedure calls upon when we are developing to ensure a report and also when we are delivering the first version of the final report.

And if you look at the process of this particular PDP that the first page we have a very considerable impact even on the existence of a second and third page.

So I think that the earlier that we start this kind of assessment the better and more sound the process will be and as was mentioned before the more changes that we have to be on the same page and to move forward with approval quickly.

So I think that it isn't an innovation it's something that is already foreseen in the process and including right now I think that would give us the possibility to really support the motion and move forward. Thanks.

David Cake: Okay, thank you. So I think Volker and (Stephanie) are still in the queue and after that point I think we should pause and work out exactly what the sort of status of the at least a couple of amendments that are flying about. So Volker.

Volker Greimann: Thank you Volker Greimann speaking. For me from what I've heard from our stakeholders is that this language as proposed here would be sufficient to address our concerns at this stage.

Note that we are not proposing to extend the charter into infinity i.e. have everything about Whois but could be considered but they have no (unintelligible) no real effect should be - and that should be included.

We were clearly referring our comment and our reason for deferral not (unintelligible) that we submitted to items that have been raised in the public comment that we felt were under represented or ignored or forgotten in the charter and after the public comment closed.

So it might be helpful to limit it to comments that have been raised at this stage prior and then they can be re-confirmed by we wrote. As it stands we commit with this as well.

David Cake: Thank you Volker and (Stephanie).

Stephanie Perin: Thank you, Stephanie Perin for the record. I wanted to join my colleagues Amr and (Marilia) in reinforcing the need for this rights and fact assessment as an ongoing process in the work of the PDP rather than having it confined to a one shot risk assessment.

That is not to say that we don't want the impact on rights to be included in the risk assessment. Can you hear me?

David Cake: We can but we can also hear someone's phone.

Stephanie Perin: Okay I should carry on. We certainly do want rights to be considered in part of the risk assessment but the NCSG in particular believes that we've been at this

Whois problem for quite a long time as noted in the issues report and it is an excellent summary.

Failure to analyze and properly measure the impact on rights is what has led us in our belief to impasse on many occasions before. So I think this is time well spent in doing an ongoing assessment as we go through this very complex PDP. It's going to save time in the end and possible stalemate. Thank you.

David Cake: Right, okay so thank you (Stephanie) and now I'd like to at this moment sort of work out where we are procedurally. Now my understanding is that (Susan) has proposed an amendment to her motion which I don't think - do we have language, specific language for that?

Susan Kawaguchi: So Marika copied in the language to the result clause. It's three...

David Cake: Yes okay so three. And my understanding Volker has asked to concede that that language be narrowed slightly. So I'm not sure about - and my understanding is that language proposed there in the (unintelligible) definitely addresses the concerns of the registrars.

First perhaps we could just address this question of whether or not the slightly narrowed language Volker has suggested should be added. Does anyone have any comments on that? Which is that Volker suggested that we narrow it to items that have been raised, already raised in the public comment rather than introducing any new items in the - rather than introducing new items to the - that have not yet been mentioned.

Do we have any comments and clarity on that issue? Amr did you want to speak to that issue?

Amr Elsadr: Yes I did (David), this is Amr. I'm using the audio on the Adobe Connect from when I dropped off the call. I just want to make sure for one thing that you can all hear me.

David Cake: Yes.

Amr Elsadr: Okay great, yes I think that's a good suggestion including whatever has been raised in the public comment. I would probably add that to resolve clause one where it said

the GNSO council approves the draft charter proposed in the final issues report and maybe perhaps add there as well comments submitted during the public comment period on the preliminary issues report that are not reflected in the charter.

And then maybe the changes could be made but if we do include just a reference to the comments that have already been submitted in the results clause and I think that would belong in result clause one. I think that would certainly satisfy that would satisfy me. Thanks.

David Cake: Yes okay, how do the - Volker what do you - how do you...

Volker Greimann: Thanks (David), Volker speaking. Just as a clarification this is - the suggestion I'm not sure the (unintelligible) suggested the amendment is just an idea of how to improve the language a little bit to narrow it down a bit to have not the sky as the limit but rather the public comment that we received and therefore prevent issue (creep) at a later stage.

I think we were all very clear that we want to have this as a functional working group and opening this door too wide just in consideration may be a problem down the road if new interests are being introduced all the time.

So having a certain limitation on that would be helpful hence my recommendation to change the language. Two of the proposed amendments prior to voting on that amendment but that's open for discussion.

David Cake: Okay and (Marilia).

Marilia Maciel: Thank you very much (David). (Unintelligible) yes my audio wasn't working I'm sorry about that. Just the point about this proposal. I think that I prefer the first one that (unintelligible) that you should read by Marika because I do feel that there are new general issues that we may come across that we're not receiving the public comment period that could be raised.

So I think that's kind of narrowed down to issues already raised (unintelligible) from amending the charter with issues that we came through for knowledge that they are important.

And I do feel that there is one issue that has been raised already very completely and clearly. And if we can start with this issue already result I think that should start in a better position.

So if there were no complications I completely agree that we just add the amendment proposed in the beginning related to that but we don't have a concrete issue that is part of the process.

So if we could (unintelligible) and that now I see that it could be the best way to go.
Thanks.

David Cake: Okay, so my understanding of where we are at - James, I'll go to James.

Woman 1: Marika has had her hand up for a long time too.

David Cake: Has she? She's not showing up. Yes she has too, absolutely I think perhaps we'll go to Marika for clarification.

Marika Konings: Yes (David) thank you very much. I'm actually looking for clarification just because I want to confirm that what currently is there as item 3 I understand that, you know, (Susan) has proposed that and I think I've seen (Carlos) agree with that.

So I think at this stage I can probably remove the brackets and it can be considered part of the current motion and as I understand we're now considering potential changes to that language.

If I may make one comment in relation to Volker's suggestion and it's also something I pointed out in the chat before that actually as part of the PDP manual a PDP working group is already required to go out to different SO AC's as well as stakeholder groups and constituencies to ask for input on the issues that its asked to be addressed.

I think this, you know, what the current language is doing is basically, you know, reaffirming that but also allowing the working group to specifically call out that, you

know any input that the different parties may have on the charter is welcome at that stage too.

And that's not something that is excluded so I'm not really sure whether Volker's language is necessary because I think, you know, it's up to the different groups to submit whatever they want.

It's really up to the working group them to review that and determine, you know, does the feedback provide it, does that require any changes to the charter or does the charter provide enough flexibility as is to address those issues.

And there I think an important element of the work the working group will also be the work plan. So again I think once the working group has received all the feedback and has developed a work plan it's not a point where the council can check and say well, you know, have all issues been considered and addressed, are they dealing with all the specific items that have been raised because I think at least from a staff perspective (unintelligible) the charter as is provides a lot of flexibility.

Yes not everything may be spelled out but as said all the underlying documents and information that is expected to be the foundational documents of this policy development process may clear reference to, you know, what is expected and what topics are expected to be considered.

But again I think, you know, the way it's currently be proposed of course doesn't prevent the charter coming back to the council to ask for specific language that may need to be added if they believe that the charter as written is constraining them in their work.

David Cake: Thank you Marika. Yes and it's my understanding that the language proposed by Volker it seems like some, many don't fine it acceptable but it seems like as you said it may not be necessary.

And is anyone strongly pushing for that language? Does anyone feel that the proposed language is overly broad and that we need to try to limit it? James.

James Bladel: Hi (David), James speaking and I guess if I understand your question correctly then I do believe that the proposed language when it says any item is of, you know, look is inviting the opportunity to introduce items that were unlike the concerns that were raised by (Avern) unlike the concerns raised by registrars and other groups might be, you know, moving the goal post.

And I know that (Susan) and others who have been working on this since the days of the EWG probably do not want to circle back and reopen some of those discussions.

I think that it could be something that we see later as something that was an impediment to moving this forward as opposed to just kind of keeping the issues open indefinitely.

So my thought would be to - and I believe this is where Volker was going originally was to note that on any item that were previously expressed either as part of the board GNSO consultation or as part of the public comment from any SO or any SG or C that needs to be addressed by the PDP working group.

And that if we kind of throw open the doors to the work we would effectively be creating a new public comment period and I think that's what I would like to try to avoid. Thanks.

David Cake: Yes, thank you James that's helpful. Though I understood Marika's comments to say that we can't really limit what feedback we get from SO's and AC's anyway.

I mean if we can only encourage or discourage them we can't actually limit it.

James Bladel: That's fair let's encourage them to reference comments that were previously made. Thank you.

David Cake: Okay, does anyone else want to speak towards limiting the language or against for that matter? If we have no one speaking for or against it then we have to ask do the mover or seconder to consider a friendly amendment. Marika.

Marika Konings: Yes this is Marika. I'm just trying to get clarity on what the specific proposed language is. I know that Amr has put something into chat I think Volker put something beforehand.

So if someone could just specifically read out what is being proposed that may also help (Susan) and (Carlos) then consider whether they are supporting that change or not.

So I don't know if Amr is in the position just to read out the sentence as he thinks it should read and I'll try to keep up in typing it up.

Amr Elsadr: Hi this is Amr should I go ahead right now?

David Cake: Yes.

Amr Elsadr: Okay, let's see it so the working group would convene it doesn't resolve clause three. The working group when convened is instructed to reach out to all stakeholder groups/constituencies for additional feedback on any items that it believes should be considered that may not have been specifically called out in the charter.

Maybe we could add here as well as any input already provided by the stakeholder group/constituency in the public comment period for the preliminary issues report. Would that work?

David Cake: James or anyone else is that version of the language acceptable?

Amr Elsadr: (David) this is Amr again. I'm re-reading the sentence. So the instruction in the result clause is about the working group reaching out to stakeholder groups and constituencies.

So instead of adding as well as any input already provided by stakeholder groups/constituencies during the public comment period maybe we can say that the working group is also asked to consider any inputs already provided as opposed just to make sure that this is not referencing an instruction to reach out to stakeholder groups and constituencies that have already provided input on issues.

So I guess it would be a combination of reaching out to the stakeholder groups and constituencies as well as already considering input that has already been provided.
Thanks.

David Cake: Okay, could you compare that to the language Volker has provided in the chat. Is that a significant deviation?

Amr Elsadr: This is Amr. Yes I'm reading that right now. Okay I'm just reading what Volker just put in the chat and my issue with this is that the result of clause here would then not instruct the working group to consider what was provided but to reach out to the stakeholder group and constituencies for additional feedback on items that have already been provided.

So what I'm looking for here is not that the working group reached out to the community on input that has already been provided but to go ahead and consider this input without reaching out to them.

If folks would like the working group to also reach out to stakeholder groups and constituencies for additional feedback that hasn't already been provided I'm fine with that as well and this is something that normally does take place early on in any PDP.

But I think it should be clear that input that has already been provided needs to be considered without reaching out to the community. Thank you.

David Cake: Okay, thank you. Well it seems as if Volker's withdrawn his amendment so we have one set of language on the table. Now the question here is so we have this one set of language the question now is, is this amendment acceptable to the mover and the seconder of the motion?

Yes so it's acceptable. So okay as that's acceptable to the mover and the seconder that is automatically accepted. We don't need to vote on that amendment.

We'll then move on to - and now my understanding is the amendment that Amr proposed is still on the table. But so which is the amendment that we specifically include languages about a rights impact assessment.

And the question is I guess Amr do you still want to consider that amendment at this point?

Amr Elsadr: I'm sorry (David) I'm a bit confused on what I'm being asked to consider right now could you elaborate? Thanks.

David Cake: Okay, so we have a language proposed that adds the resolved clause but you on the chat has proposed a motion. My understanding is you proposed a - on the council list you proposed an amendment that would specifically add language in calling for a rights impact assessment is that correct?

Amr Elsadr: That is correct that is what I asked for but looking at resolve clause three right now on the screen I think that's fine. So that's not - yes we don't need to explicitly point to a rights impact assessment as long as it is clear that any input provided by stakeholder groups and constituencies will be considered by the PDP working group and the rights impact.

David Cake: Effectively...

Amr Elsadr: Yes so that would effectively include the rights impact assessment provided in the...

David Cake: Yes so you would be - you would effectively be withdrawing your - I mean even though you may think that this motion covers the same it covers the same ground it still is different language.

So that's still - you'd have to - you're going to withdraw that motion I take it as you...

((Crosstalk))

Amr Elsadr: Withdraw the amendment.

David Cake: Yes this amendment because you believe that this other amendment has already satisfied that okay.

Amr Elsadr: Exactly yes thanks.

David Cake: Yes, but I have a comment from (Marilia) so (Marilia) could you...

Marilia Maciel: Yes thank you very much (David) I just would like to say that I did support the amendment that was made by Amr so I would like to keep this amendment and present that as my own.

David Cake: Okay, which is the language about the specific language calling for a rights impact assessment.

Marilia Maciel: Exactly.

David Cake: Okay and so I guess say - well (Stephanie) already has her hand up so I'll ask her and but then we also need to consider from (Susan) and (Carlos) will you accept that amendment or do we need to put that to a - discuss that and put it to a vote? (Stephanie).

Stephanie Perin: Thank you Stephanie Perin for the record. I'd just like to second (Marilia's) motion to take over Amr's amendment. I think it's important and while I accept that something is included there when we get down to the actual work in the CDP I think that (unintelligible) important should be more clear and therefore should be explicitly drawn out. Otherwise I think we'll have a hard time including it. Thank you.

David Cake: Thank you (Stephanie). James.

James Bladel: Thank you and James speaking and I guess I would ask (Stephanie) and (Marilia) if there is any specific concerns that they have about the language that's currently written that it would exclude the inclusion of consideration of a rights assessment the impact in the work of the working group because I don't see that it explicitly excludes that.

And I would worry that if we explicitly include one particular concern then the registrar look we have six and I'm trying to avoid a situation where we would have to explicitly call out our concerns as well.

So I'm hoping that by making sort of a - leaving an open door to addressing those concerns without naming them by name that we can move this forward without

getting stuff on any one concern or a list of concerns and I would just ask is there something about the way that amendment resolve three reads now that you would think would prevent us from doing that? Thanks.

David Cake: Thank you. (Susan).

Susan Kawaguchi: I will defer to (Marilia) if she would like to respond to James and then I have a comment and a question about actually amending the charter at this point.

David Cake: Yes thank you. (Marilia) if you could respond to James.

Marilia Maciel: Thank you very much (David). Yes I do agree with you James. I think that the language as it stands does not prevent us to look at anything that was raised during the public comment period including the point of the rights assessment.

But I think that the way this is written it does not say that we should include the assessment either. So I think that this is a (big) solution. If we consider that our operation procedures called us to make this assessment and that this PDP divided in a way that earlier (unintelligible) assessments like this the more we'll be able to include these concerns into the process in a meaningful way.

So I do think that issue has a point among your six points. The things that you did not mention them but if you have points that it would be supported by the procedures or by what the documents that guide our work you should raise them right now just like we are doing because we feel that this concern has been raised before and it is in the past in the documents that guide our work here.

So that's why we're making these points. So I do feel that we should include this in a more clear way. I do agree with the language that was proposed by Amr and although I see the progress with the language that has been proposed and that we see now included I do not think that it completely solves the problem that we are raising here. Thanks.

David Cake: Okay thank you. (Susan) do you wish to speak now or should I go to (Steven)?

Susan Kawaguchi: Just a quick point. I'm concerned that we are really working on amendments to the charter at this point. It seems the feedback that we're getting it may be lengthy and detailed.

And in my understanding may not be appropriate for the motion. So I'm wondering if staff can let us know what it would take to allow councilors to amend the charter right now.

David Cake: Okay, Marika you have your hand up would you like to respond to that right now?

Marika Konings: Yes this is Marika. Basically changing the charter means we need to get the charter up with the modified language and I think as James already pointed out as well that obviously may as well trigger others to put in their specific issues.

So I noted that we're already an hour and a half into the call and we're just on item four so I'm not sure how feasible that is at this stage but I'll leave it to the council to decide how to move forward on this.

David Cake: Thank you. Assuming - yes (Stephanie). Yes we are a long way into the call so please everyone be quick and I'll probably end the queue there. We may have to decide on whether we're moving to a vote. (Stephanie).

Stephanie Perin: Thank you, (Marilia) has already - Stephanie Perin for the record. (Marilia) has already said many of the things I wanted to say, probably better. I do think the issue of individual stakeholder or individual registrant rights in my appreciation always comes last and this is why we have a Whois impact.

And in the light of many other PDP's that are also looking at the public interest on individual rights we need to put it forward. I would draw to everyone's attention that in the debate over human rights that took place in the accountability framework there was a flat out statement that privacy could not be accepted as a specific human rights quote forward in the language.

Now if there is one right that is ICANN it's privacy rights. So I think that I cannot over emphasize the need to pull this out. I understand that the registries and registrars

have issues that they care about and they're important issues. If so put them on the table.

But I would suggest that over the 14 years of fighting over Whois the thing that usually solves it is individual and user or registrant rights. Thank you.

David Cake: Omar.

Amr Elsadr: Thanks (David) this is Amr. Yes I just want to reconfirm my perspective on this. I'm hearing some noise. Yes I think the resolve clause three as it is on the screen in front of me right now does the trick as far as I'm personally concerned.

I appreciate the challenges in trying to amend the charter at this point and understand that this may be difficult and it would leave us with nothing really to vote on in the motion.

The way I see it the only difference between adding this language and resolve clause three as opposed to adding it in the charter is that the result clause here does not specify what stage in the PDP this input's provided including what the NCSG and the registrars have submitted will be considered.

But I guess this is something the working group can take up and my hope is that we could follow the same pattern with the risk assessments and that would be what I would propose during the PDP working group.

But from my personal perspective and of course my fellow councilors from the NCSG are free to disagree with me but from my personal perspective I think resolve clause three the way it is now is fine and I think it would do the trick nicely. Thank you.

David Cake: Okay and that leaves I think Tony is the last speaker, Tony Harris please.

Tony Harris: Yes Tony Harris hello. I just wanted to say that I'm comfortable with the new wording in item three. I think it covers anybody's concerns about not being - but this issue which is being raised it won't be left out and I suggest we move on and vote. Thank you.

David Cake: Right, well so my understanding is that (Marilia) and (Stephanie) still want to move an amendment that would be a change in the charter is that correct? Okay so I take it that that's an amendment.

I'll first ask - so (Carlos) has already said that it's not acceptable and that means I guess then could I ask (Susan) if you feel that language is acceptable. That's a good question (Susan) is it feasible to amend the charter at this point?

I'm not sure it is practical. So we have a - my understanding is that (Stephanie) and (Marilia) still wish to move a motion that would - well I don't know that we even have direct language for this.

That we would amend the charter effectively amending - including something under the phase one deliberation on page 69 saying something to the effect of a rights impact analysis be added.

Yes and (Carlos) has definitely rejected that amending the charter at this point. So by - if we're assuming that the council has the power to amend the charter with this motion but the movers concede it unacceptable we would then have to move to a vote on the amendment. Does that sound correct to everybody?

Susan Kawaguchi: So I am totally confused at this point. So the reference language that Marika just posted in the chat is proposed as a change to the charter not the motion, not the result clause?

David Cake: Yes.

Susan Kawaguchi: Okay so if that's true no I can't agree to that.

David Cake: Yes absolutely that's what I figured. So could we - and so (Stephanie) but (Stephanie) and (Marilia) have reiterated that they want to move that amendment so I think we're going to have to vote on that amendment.

Susan Kawaguchi: Sounds good to me.

David Cake: Yes so I'm not going to go forward on that.

Amr Elsadr: (David) this is Amr can I get a quick comment in before we go to a vote?

David Cake: Yes absolutely, one quick comment.

Amr Elsadr: Thank you. And the language that Marika put there is the language from the email that I sent about an hour before this call started, and I usually give folks a really hard time about suggesting amendments to motions that late prior to a Council call so I apologize about that.

But - yes but I think during this discussion a few things have been made clear to me and I'd like to just say them out loud now and ask for - ask the folks to agree with me.

From a procedural perspective I don't see any way of actually amending the charter at this point because we need to vote on a charter in the motion, and we don't have one to vote on if we decide that we need to amend it.

So the only way we could actually do that is if the motion is withdrawn by Susan. That's my personal take on the procedural aspect of this and I don't imagine that Susan wishes to withdraw the motion.

So - and from a practical perspective the way I see it is that Resolve Clause 3 will keep what the NCSG wants in scope to be in scope of the PDP Working Group.

It gives clear instructions to the PDP Working Group to consider the comments provided. I understand that there are some issues with this; especially there's no clarity on what phase of the PDP Working Group - where this should be discussed but this could be taken up by the Working Group members.

So I just wanted to clarify where I stand on this and my understanding of what it would take to amend the charter as opposed to amending the motion.

David Cake: Yes.

Amr Elsadr: Especially in that regards if I am mistaken I would appreciate if someone did correct me. Thank you.

David Cake: I - and I would appreciate a clarification from Staff as to whether we actually can amend the charter with a motion at this point. Marika.

Marika Konings: This is Marika. I think procedurally there's nothing preventing you but as I've noted before this is, you know, very much on the fly. And I think, you know, Registrars have also expressed that they had ideally wished to see changes but they decided that another route would be more appropriate, so that may be also something to factor in as part of that consideration.

David Cake: Yes. Well if it's - but if it's procedurally possible and Marika as - and Marilia and Stephanie wish the motion to go forward we have to move to a vote I think. So I would like to vote - the Council to vote on that amendment. So...

Paul McGrady: Hi there. This is Paul McGrady. I just lost connectivity and I also - and I apologize for being so new at this GNSO Council thing. It's hard for me to know what we've been called to vote on and I'm trying to piece it out of the chat. Is there an authoritative chat where it's at or could it be moved into...

David Cake: Okay.

Paul McGrady: ...the main document? How can we get some clarity on what...?

((Crosstalk))

David Cake: I'd like to - so first I'd like to apologize to all new Councilors. This is unusually complicated mess, and I'd like to say to everybody that this is a good example of why moving motions and amendments at the last minute and constructing language on the fly is something to be avoided because it takes up a lot of time.

And we have accepted the charter amendment as friendly but - and so the language in front of you with the change of the Resolve Clause is correct. But Stephanie and Marilia still wish us to move a revised language that includes - it said - it's now at the bottom of this - bottom of the notes on the screen - a revised language that will include a bullet under the Phase I deliberations on Phase 69 rights impact analysis - have Registrant rights to be affected, analyzed and considered.

So this is a motion that in the amended motion would essentially revise the charter slightly so I'd like to move to a vote on that. I think this is one we can probably do by - we're not - yes we'll do a roll call vote.

So Glen can you do a roll call vote on their amendment to the - the vote for an amendment to the charter?

Glen de Saint Gery: Thank you David. This is...

Paul McGrady: Paul McGrady again. I - I'm sorry. Again I apologize but what happens if this amendment is voted down? Does that - do we then consider the motion as previously presented or does that kill the motion?

((Crosstalk))

David Cake: The motion - if this is voted down we then consider the motion as previously amended. Yes we consider the motion as previously amended with the Clause 3 of the Resolve Clause because that amendment was agreed on and accepted by the movers.

Paul McGrady: Okay thank you.

Glen de Saint Gery: Shall I go ahead David?

David Cake: Yes thank you Glen.

Glen de Saint Gery: Thank you. Rubens Kuhl?

Rubens Kuhl: No.

Glen de Saint Gery: Marilia Maciel?

Marilia Maciel: Yes.

Glen de Saint Gery: Valerie Tan? Valerie? Valerie can you hear me? I'll start over. Keith Drazek?

Keith Drazek: No.

Glen de Saint Gery: Volker Greimann?

Volker Greimann: No.

Glen de Saint Gery: Jennifer Standiford?

Jennifer Standiford: No.

Glen de Saint Gery: Susan Kawaguchi?

Susan Kawaguchi: No.

Glen de Saint Gery: Valerie Tan can you hear me? Valerie are you online? I'll come back to you. Amr
Elsadr?

Amr Elsadr: Yes.

Glen de Saint Gery: Stefania Milan? And would Stephanie please - Stephanie Perrin please vote for
Stefania?

Stephanie Perrin: Yes.

Glen de Saint Gery: Thank you. Stephanie Perrin for yourself?

Stephanie Perrin: Yes.

Glen de Saint Gery: Julf Helsingius?

Julf Helsingius: Abstain.

Glen de Saint Gery: Thank you. Wolf-Ulrich Knoben?

Wolf-Ulrich Knoben: No.

Glen de Saint Gery: Paul McGrady?

Paul McGrady: No.

Glen de Saint Gery: Heather Forrest? Is Valerie Tan back on the line? Ed Morris is absent. Marilia would you please vote for Ed?

Marilia Maciel: Yes.

Glen de Saint Gery: Philip Corwin?

Philip Corwin: No.

Glen de Saint Gery: Donna Austin?

Donna Austin: No.

Glen de Saint Gery: David Cake?

David Cake: I'm going to abstain.

Glen de Saint Gery: James Bladel?

James Bladel: No.

Glen de Saint Gery: Tony Harris?

Tony Harris: No.

Glen de Saint Gery: Valerie are you on the line? Has Valerie dropped? I see her in the Adobe Connect room but we are missing her vote and we for the moment mark that as absent.

I'll mark Valerie's vote as absent because we cannot get her on the line to vote. So the results are in the Contracted Party House six votes against and in the Non-Contracted Party House five votes in favor and six votes against and two abstentions.

So the - sorry I missed quite a bit. In the Contracted Party House there's six votes against. One person is absent. In the Non-Contracted Party House there are five votes in favor, six votes against and two abstentions so the motion - the amendment does not pass.

David Cake: Yes the amendment does not pass and my suggestion is that we - having defeated that amendment we move immediately to the voting on the amended motion. Does anyone - Tony is that an old hand?

See two hands in the chat. Tony is that an old hand? And now Paul has put his hand down. Okay so I think we will move directly to the vote on this one. So again I don't know if we need a roll call vote on this one or do we?

Does anyone think we need a full roll call vote? Okay in that case I'm going to say any - do we have anyone voting against the amended motion? Do we have anyone abstaining from the amended motion? I would like to - who is - who - everyone is in favor of the amended motion?

Wolf-Ulrich Knoben: Aye.

David Cake: Aye for me.

Volker Greimann: Aye.

Group: Aye.

Amr Elsadr: Sorry David. This is Amr again. I'm a bit confused. Right now we're voting on the motion we see in front of us on the screen...

((Crosstalk))

David Cake: Yes on the amended motions.

Amr Elsadr: ...right?

David Cake: The full amended motion.

Amr Elsadr: Okay. All right then aye for me as well.

David Cake: Yes I think we have no abstentions and no votes against so I think that one is clearly passed. Thank you.

Glen de Saint Gery: David can I just check if - sorry. Can I just check if Valerie Tan has been in the vote or if she is still offline? Not hearing anything we will note that she was absent for the vote. Thank you very much.

David Cake: Thank you. Right. Thank you everyone for their patience and that was quite a complicated motion that's taken a substantive amount of the time, substantively longer than we intended for it.

We may need to move some items from the agenda later. So next item is vote on the new referral request to the Standing Committee for GNSO Improvements implementation, and to present that motion I would like to call on Wolf-Ulrich Knoben.

Wolf-Ulrich Knoben: Yes thanks David. This is Wolf-Ulrich speaking. I do hope that we don't need that much time for that motion. It goes back to the discussion we had at the development session of the Council in Dublin after the first one of Chair elections.

And there came up some points, which were obvious there that there is something let me say confusing or not very clear or missing in the rules of operations.

And that should be investigated and should be discussed, and that should be brought up and then brought back to the Council with some recommendations with regards to amendments of the existing rules of operations.

So that's what it is about this motion and that in addition Mary was preparing a review request for the SCI because that motion is planned well to be - to put them on the mandate on the SCI while to deal with that matter and as it's the rules.

I learned about that. There is to be a formal request for review for the SCI to be done, and also in this document which was circulated by Mary it is described in detail about the issues.

More or less let me just summarize. The content of the motion is - the issues is about the Council terms - term of the member of - Council members in relation to the - to those members who are available/who should be available during the election and that was some open issue.

There is something with regards to the Vice Chair terms in a specific case when it ends. We've had meeting where the election is going to be taken and there's a question with regards to the general timeline from the elimination of Council Chair candidates after the election, which normally the Council is going to discuss before that election.

And so that is your request with regards to that motion: to go into details and then to give a mandate to the SCI to discuss that matter. The - all the details are in the - coming from the rules of operations, which may be new for example for the newcomers especially.

And I would like also to ask those who are not very familiar to review this section if you are interested in. So if you don't mind David I would like just to read the Resolved and then we can open that for discussion.

David Cake: Please do.

Wolf-Ulrich Knoben: So the Resolved is that in the Council request the Standing Committee on Improvements implementation, so-called SCI, to review Sections 2.2 b., 2.2 f. and 2.2 g. of the GNSO operating procedures with respect to clarifying first the eligibility of incoming Council members to run for the position of GNSO Chair; second, the start and end dates and the duration of the Chair and Vice Chair terms in accordance with the ICANN Bylaws; and third, the timing of publication of the election results and to recommend a general timetable for election of the GNSO Council Chair to be approved by a general Council and added to the GNSO operating procedures.

Just coming back to one point it's not about the rules and the - for example the details of the rules itself with regards to the election, for example the thresholds and the voting scheme, which is used during the election.

It's rather and more important with regards to the process, which is used coming in the timeline, which is used for the election. So that's it from my point of view and I'm - hand it over to - back to you David. Thank you.

David Cake: Thank you. I believe I've got - Volker would like to speak to this item. Volker?

Volker Greimann: Thank you. I think we have a very straightforward motion in front of us and hope that everybody can vote in favor for this. As we've seen from the last Council Chair elections they had there are some problems with the current way that our Bylaws are structured that Wolf-Ulrich has already shined some light on, the first of which being the eligibility for newcomers.

As it's written right now if the Council wants to make a newcomer their Chair, which is of course their right, then we would have a situation where they would be encouraged not to vote for a Chair under the current rules because he wouldn't be eligible under the first round.

But then under the second round and moved around in the second voting election time then he would be eligible. For example if again where a newcomer - he wouldn't be - wouldn't have been eligible the last time then everybody could've - vote for none of the above.

So it's probably last - next election time and then voting for James at that time. That is a circumvention that is probably not necessary. I think the rules should be looked at and - for that and a solution should be made that makes sense and would not necessitate such a circumvention, and the second part being that the current way that the - our processes are structured is that the Bylaws that the Co-Chairs leave their office at the same time as the Chair.

Therefore if no Chair is elected and the various groups' Houses could not decide on a Co-Chair, then we would indeed be leaderless, therefore having a good look at when the Co-Chairs leave office when the Chair leaves office and make sure that

these are not at the same time or that a better solution is found is very worthwhile for our time, because while it worked very well this time and we had the ability to continue on to push us toward the - David and me myself, we could've faced a situation where both him and me were termed out, would leave the Council at the last meeting and then we would indeed be without leadership unless somebody else has been replaced at this - on very short notice.

And if there's some deadlock within one of the House or the other then that would be very negative for the Council and for the session of the Council and to the outside world.

Therefore a good - having a good look at this and their processes or Bylaws there is very worthwhile and I recommend that we move to act on this quickly in the SCI's work.

David Cake: Yes and I'd just like to say yes I agree with Volker's concerns that we end up in a situation where the Council has no leadership whatsoever and is thus unable to even sort of run a meeting.

Okay does anyone else wish to speak to this or shall we move directly to a vote? I'm taking that means no one else wishes to speak to this motion. And again I think we don't need to go to a full recorded vote if that's okay with Staff. So we'll move to a quick vote.

Glen de Saint Gery: Can you hear me?

David Cake: Yes I could hear somebody?

Valerie Tan: Hello?

David Cake: Hello?

Valerie Tan: Hello. Hello.

((Crosstalk))

Amr Elsadr: We can hear you Val.

David Cake: Valerie?

Valerie Tan: I'm getting a couple of iterations of the call so I'm not sure where I am. Hello?

Amr Elsadr: We can hear you.

Valerie Tan: Yes I think Glen called my name a few times but I don't think I was seeing her so I'm not sure how, you know, I should be getting into the process.

Glen de Saint Gery: Valerie are you there?

Valerie Tan: Yes. Hi Glen.

Glen de Saint Gery: Yes hello Valerie. This is Glen. I've just called your name a few times in order to vote.

Valerie Tan: Yes.

Glen de Saint Gery: And...

Valerie Tan: So working on the...

Glen de Saint Gery: ...you were not online.

Valerie Tan: Yes. So yes I apologize. It's to vote on Item 4 isn't it?

Glen de Saint Gery: Yes but I think we must ask the Council what to do now that you're back.

Valerie Tan: For me it's no.

((Crosstalk))

David Cake: Well we've moved on to a Motion 4. Your vote was recorded as absent but I don't believe your vote would've made a difference to the outcome.

Valerie Tan: Sorry about that Glen.

Glen de Saint Gery: Thank you Valerie.

David Cake: I would suggest we move on to - so let me - it's a vote on Item 5. Who wishes to vote - does anyone wish to vote against this motion? Does anyone wish to abstain from this motion?

All those in favor of the motion please say aye or type yes in the chat.

Group: Aye.

David Cake: Yes. And there being no votes against and no abstentions I'll declare that motion carried. Right. Now Item 6. This is a vote on the adoption of the GNSO review of the GAC Dublin communiqué.

We - now this motion was - the final language for this was only sent through to the Council list just during the call I think, so we could choose to vote on this or defer.

Stephanie sent this language through. I believe the current - Stephanie says that she would - she believes that we should probably discuss the motion before we vote on it.

I'd like a - basically a feeling from the Council as to whether we would like to vote on this - on the GAC communiqué or discuss and vote on the GAC communiqué - sorry, response to the communiqué now or would we like to defer it till the next meeting?

Any Councilor that has a - yes Donna would like to defer and so would Heather and so would Rubens. And okay I think that enough people have asked to defer but we will defer.

We - even if we don't need to vote on that if any one Councilor wishes to defer we consider it. Does anyone definitely want it to be considered at this meeting?

Okay I think we're going to say we defer Item 6 till the next meeting. Okay so if we defer Item 6 that's all the items we're voting on. Having got through those - the agenda, Volker would you like me to pass the chair back to you or carry on?

Volker Greimann: Thank you David. I think I'll take over from here just because I've been notified that we have a bit of a timing issue because our currently scheduled Item 10 - our speaker Nick Tomasso has a little bit of a timing stop coming up very soon.

So I would like to move that topic up right now, this of course being the attendee security request that has been made as to a briefing for the GNSO Council of - with regard to the security situation on the ground on our previous meeting places.

This is not to say that this is specifically scheduled for specifically an item for Marrakech, although that has been voiced by certain Councilors as a main concern.

But we've heard of robberies right outside the venue at other venues as well, so I think it's a - more of a general concern that we as a Council should hear about from ICANN Staff as to what the considerations are, and what the considerations that ICANN has made to protect the Councilors or what the considerations are on the ground that should be taken into account when attending a meeting at any given venue.

So with that I would like to hand over to Nick Tomasso from ICANN Staff to just give us this update.

Nick Tomasso: Thank you very much. Good day everyone and this is Nick Tomasso. I head up meetings for ICANN. Thanks for altering your schedule for us today and thanks for giving us the opportunity to brief you on security arrangements for the ICANN meeting in Marrakech in March.

I understand this will be a standing briefing for every ICANN meeting moving forward but this is a good start. On the call today with me are Aziz Hilali, our host for the meeting in Morocco, Geoff Bickers of ICANN Security and our Security Consultant, Chris Clark.

Chris is with Control Risks, a global risk and strategic consulting firm. They specialize in security and political risk. We've been coordinating security arrangements with the Moroccan government on a conference facility for quite some time.

Aziz I hope you are on the call. Aziz will start with an overview of our activities and then we'll turn the discussion over to Chris Clark for a deeper dive. Aziz are you there?

Aziz Hilali: Yes I just arrived. Thank you. Hello? Are you hearing me?

Nick Tomasso: Yes. Yes Aziz, please start with your briefing.

Aziz Hilali: Okay thank you. I want just to - the link of Adobe Connect if Nathalie can send it to me please because we'll have a presentation.

Marika Konings: Aziz this is Marika. The slides are up so I can move them for you if you like.

Aziz Hilali: Thank you. The - can I have the link of Adobe Connect please? Okay I start. Good day for everyone. I am Aziz Hilali. I'm from Morocco and I am also the Chair of African-at-Large.

Let me first say that the city of Marrakech is a city in which are organized a large number of international events all year around. And for example I hope you have the slides because I am not on Adobe Connect.

These slides was sent to me from the Head of Palmeraie Golf Palace security. And if you have in front of you the last - the first one, we organized - for example in Marrakech last November 2014 there was the 5th Global Entrepreneurship Summit and this event brought together over 3000 entrepreneurs with high level government officials, global entrepreneurs, corporate leaders and young entrepreneurs.

We have also in 2014 the World Forum on Human Rights in Marrakech in the same month, and they - it was - they bring also 500 people and you can have - I can send you the link if you want.

Another great even which took place in 2015 in May on the - in the same place - site where we'll - there be our ICANN meeting is Clinton Global Initiative Middle East and Africa meeting between 5 and 7 May in Marrakech in the same place.

In additional to those I have just mentioned you have the - here other events. Do you have - Nick do you have the presentation or no?

Nick Tomasso: Yes I have it. It's up in the Adobe Connect room Aziz...

Aziz Hilali: Okay good.

Nick Tomasso: ...so everyone can see what you're referring to.

Aziz Hilali: Good.

Nick Tomasso: Tell me when you want the slide advanced or tell Marika when you want the slide advanced.

Aziz Hilali: Okay. Okay. And in additional of those I have just mentioned you have here other event which was hosted by the Palmeraie Golf Palace site where our meeting will take place.

In Slide 2 regarding the site where our meeting will take place is the PGP, Palmeraie Golf Palace. This site - excuse me. I have - okay this PGP is a zone of two handed sites with a golf course with 24/7 hole.

There are two hotels that are traced to the conferencing center where our meeting take place. There is two hotels which the name is - are Golf - Hotel du Golf and Palmeraie Hotel.

The - these two hotel as well as villas and apartment have all been reconditioned and - for ICANN meeting. These two hotel we'll be staying have a capacity of 750 rooms.

And transfer in Slide 3 please - the next one please. You have this - the site is completely secure with camera everywhere and you have some safety measure here, and it was sent from the hotel for me for this meeting.

We have anti-intrusion equipment. We have anti - video surveillance 24/24 and 7 by week and we have - also I think Chris will speak about our meeting during three days when he - I received him here in Morocco.

We had a meeting with the national and the regional level with the official of security at the level of national and regional. And in the slide - the next slide we see - you will see it is a closed and monitored zone.

The head of security at the hotel gave me this confidential document that show the schematic of the security Palmeraie Golf Palace zone in addition. And there is a very - security's national carry out constantly around 7/7 for 25/25 hours and we will have reinforcement when we have a event in the site.

We have reinforcement of the security by national security. And when we had our meeting with the regional security they told us, Chris and me, the - there is the possibility of escorting group for example for a dinner in the evening in the city center if it is - if this is possible on request.

The other hotel which shows Nick and I to house the other participants are the city - in the city center at - on the same avenue that leads to the site of the meeting.

And this avenue will be totally secure during the week and transport of participants will be provided by ICANN. And finally in the next slide I think I will give the floor to Chris because he's more specialist or expert than me on the security.

And I - just to tell you we had a meeting with a very, very high level security at the national and the regional level. The government of Marrakech received and confirmed with us that the Marrakech security services are running smoothly, and they are used to ensure the security of events and participants since Marrakech hosts these events all through the year.

I will stop there because I think Chris can explain more than me about the security and thank you for listening me. Thank you very much.

Nick Tomasso: Thank you Aziz. Chris it's - please start with your presentation. Thank you.

Christopher Clark: Yes for sure. And a quick check - can you hear me okay?

Nick Tomasso: Yes.

Christopher Clark: Okay great, thank you. Good day to everybody. I recognize we are a bit over as was mentioned so I will be very brief. Aziz touched on some really key points there.

We had - not only did we have these meetings at all levels of - in Morocco. They were very open and so we're establishing information sharing with the Moroccan government and also with private sector security analysis that are giving us really detailed level information on the threats in the region, and we'll be using those for - as we develop our security plan.

And with those meetings we will continue with the Moroccan authorities to coordinate and collaborate to address any potential threats - any threats to that. Right now we do categorize the risk as low in accordance with our analysts.

We also have these relationships with OSAC, the Overseas Security Advisory Council, and taken in accordance with all that information we are applying our security plan, and not only in a preventative aspect but also in the case of any incidents we're prepared to respond with instant management plan.

We'll have an operations center that will be distributing an assistance line to all attendees so they can call in if there are any issues. We will have security risk consultants on hand that will help to not only provide surveillance but also to be prepared to provide response should any incidents arrive.

But with this, you know, outstanding relationship with the Moroccan authorities we feel like the preparations that we're making are going to be able to adequately deal with anything should it arise.

At that point I think we can go ahead and since we're a bit tight on time with any questions that the - anyone on the call may have.

Nick Tomasso: Chris its Nick. Let me make one more comment before we turn over to Q&A, and that is that we will keep a watchful eye on security around the world and liaise with our government colleagues in Morocco in the run up to the Marrakech meeting.

Aziz has already arranged a meeting for us with the Moroccan authorities again in February to work with their planning team, and they do have a planning team that they've assigned to this meeting to ensure that we stay abreast of any developing incidents or issues and that we react accordingly. Now any questions please?

Volker Greimann: Thank you for the presentation. I think you've addressed a lot of concerns that have been raised before. I see that the security topic is front and center for the planning of this meeting, and I hope this is also a concern for our future meetings in other regions that may carry their individual risks.

I would like to open the floor for questions. Any questions that anybody would like to raise right now? Please raise your hands. Otherwise I would propose that we send you a brief letter or a questionnaire with the comments from Councilors that have any issues or any concerns and ask you to respond to us prior to the meeting.

So we can take these into consideration. I see a hand from James. James go ahead.

James Bladel: Hi. Thanks Volker and thanks for the update. I think there are a number of questions in the chat specific to the security issues not only at the venue but also I think at other areas including the airports.

My question is that, you know, since we are over time if we could possibly just defer this to a list or letters of communication from the Council that we can gather more concerns of - from our groups and then submit them and then sometime in advance of the meeting get a response.

But can, you know, peripheral to this there's another issue with the venue and I think this question is more correctly directed to Nick is that we've - hear - we're hearing a number of issues relative to folks trying to actually secure rooms at these hotels. That they're being told that they must pay in advance; that it's non-refundable but they must, you know, submit all kinds of documentation and that, you know, that even that rooms are not available midweek for one or two days of their block of stay for the duration of the ICANN meeting.

So I don't know if this is something you can maybe address off list as again we're behind time. But what can we do here to get through these travel problems because I

don't think anyone, you know, that isn't somehow funded by ICANN or managed by ICANN constituency travel has had much luck getting a hotel room at this point.

Nick Tomasso: I - this is (Nick). I was made aware by David Olive of the problem you're experiencing this morning. I've already engaged my (mid) planning team - resolve it and I'll report back to you with a solution shortly.

James Bladel: Thank you.

Nick Tomasso: My pleasure.

Volker Greimann: Thank you. Thank you (Nick). Thank you (James) for your question. There was also concerned raised on the chat that the rooms in the (Hotel America) would not be available on Thursday night, i.e., the night - actually the night after the last - (our) meeting, which most people usually take to travel the next day and that of course also is a concern to a lot of attendees that they would have to either leave early and miss the Board meeting, the public comment period and the public forum or find some other form of accommodations available or something - be something that we would like to address in writing or by letter later on.

One final point that I would like to raise with you (Nick) while I have you here before I close this topic is that we're still working on the meeting strategy plan. I would propose that we organize a call between now and end of January to get all the - (parties) on the table and finalize the - at least the strategy for the Marrakech meeting and ensure that everyone's on the same page and that we get it scheduled (unintelligible).

Nick Tomasso: I will make sure that that happens. Yes, we are working very closely with ICANN staff as well as the Board to get the Board schedule as well as the high interest topics booked so that the SO/AC SGCs can work around that to schedule their meetings. But I will certainly have a SO/AC call in the near future to cover these issues with you.

Volker Greimann: Thank you very much. I think we'll update further questions. We will get to you as soon as possible. And I think that we can look forward to an interesting meeting.

Nick Tomasso: I'm certain we can. Thank you very much for your time.

Volker Greimann: The next - thank you. The next topic is the discussion of the Council action required with regards to the Cross Community Working Group on Enhancing ICANN Accountability.

As you know, this has been an important piece of work that has been going on for a while. And we have received requests that we consider the proposed recommendations even though they're not final yet.

And there have been some concerns raised with regard to that especially with regards to Council and the stakeholder groups, constituencies being asked to provide comment or sign off on something to preliminary sign off on something before having read the public comments, which might influence on how we feel about this.

So I would like to ask Thomas Rickert who has joined us to briefly - very briefly please elaborate on this topic and tell us how we can help and what we can expect and what the timelines are supposed. The (documents) have been posted to the list but it may be helpful to just summarize (them here) as well.

Thomas Rickert: Thanks very much (Volker) and welcome back everyone. I try to be as brief as you've been on Agenda Item Number 4. But joking aside, I guess I can really try to make some time here.

What you see in the Adobe room now is the covering sheet of a summary document that we've published a few days back. And just to put this into context, you will remember that when we were in Dublin, we've been asked to be more transparent about the recommendations that we're working on.

People have complained that what we're doing is very hard to understand unless you follow the process quite closely, which we can't expect a lot of people to do.

And we've taken this - these concerns to heart. And we've been working on what we now call the update document to ensure that we have a concise document that explains in plain language with as little acronyms as possible what the CCWG's recommendations are as well as how they would work in practice.

What you will not find in this document is a rationale for why we picked the options in there over other options that we've discussed over the last month. Also you will not find any legal niceties or legal memos. Those will be left to the final report that I'm going to speak to in a moment.

But what's important to take away from this is that this document covers the recommendations that we have. It - and most of them are consensus based inside the CCWG now. It also clearly marks those areas where we're still working on as not yet finalized. So you will instantly spot what areas are still unresolved. And there are only four areas to which this applies.

And we will come up with an update with solutions on the remaining questions in the next couple of days. But this shouldn't keep you away from you meaning Councilors as well as their respective groups from looking at this paper and analyzing it to determine whether or not you can support the recommendations.

And support from the chartering organizations is key. The charter that amongst others is seen as - the GNSO has adopted requires approval from the chartering organizations.

And what we need is the approval from five out of six chartering organizations. And let's be very clear. This chartering organization support is decisive for us to be able to pass on our recommendations of final report to the Board and then for the Board to pass it onto NTIA.

While we are cognizant of the fact that wider community input is important, still we, you know, with the time constraints given, we need to work a little bit in parallel on the different areas.

So basically you will now have the opportunity to look at the recommendations in their current status. We will then issue the final report. We will solicit feedback from the chartering organizations, as we will from the general public.

And hopefully the chartering organizations will swiftly be able to adopt the recommendations. And unless the community chimes in with severe concerns, there will be no adjustment required based on community feedback.

So I would really recommend that you take a look at this draft. It's an easy to read document. It's very accessible. It has a two page Executive Summary at the beginning.

And it has clear explanation on the community powers on the revisions to the request for consideration on the IRP and the other areas in it so that you can clearly understand how the community powers in this post-transition accountability system can be operationalized. Can we now look at the - at the table with next steps please?

So basically what we did is publish the update document just to not confuse it with a summary of the final recommendations. As you remember, I just mentioned that a few questions still haven't been answered. Actually we've narrowed it down pretty much to only those (first) 18 questions where the other are open issues we have solutions on they're way. They just need to be finalized in terms of concrete language.

So what we're planning to do is release to the CCWG the full proposal including all the appendices spelling out rationale, legal memos and other supporting documentation that those that want to dive into that can then read.

We will then work to finalize the language and the plan is, if you look a little bit further down in this table that we're going to publish the final report on the 30th. That will be the beginning of the second phase of soliciting feedback.

So we're now in the first phase where people can actually look at the update document. And we would really appreciate for the chartering organizations to then consider the final report.

And as we phase this out in parallel with translations and professional proofreading and editing, we would appreciate for the chartering organizations to provide feedback by the 21st of December to let us know whether they have issues with the recommendations in our report.

It's a total of 12 recommendations. Because our charter has a particularity in it saying that if the chartering organizations cannot support one or more recommendations from the final report, they need to come back with - to us with a rationale for their concerns as well as with a suggestion for a recommendation that they could support.

So this is an additional feedback loop that we needed to factor into the overall timeline. So receiving that feedback or an indication whether or not the GNSO in this case can support all of the recommendations or whether it can't needs to be with us by the 21st of December.

And we will then work on a summary of the public comments received. If need be based on the outcome of the public comment, we will go back to the chartering organizations and advise them whether what they got as a final report needs additional tweaks. But let's just hope that there are no tweaks required because the community will support the changes between the second and the third report. Can we move to the overall timeline please?

So this - what we just saw in the AC is a detailed planning for the next couple of days. What you're now going to see is the overall timeline. And I've showed you through the process until the 21st of December.

We're then going to work on the analysis of the comments received. And we're also going to work on a supplemental final report based on the feedback from the chartering organizations whether they can or cannot support all the recommendations. And that would allow for the chartering organizations to receive the amended report by the 7th of January.

The chartering organizations would then according to their own processes make a determination on the support or lack of support of the overall final package so that we are aiming to pass it on to the ICANN Board on the 22nd of January.

I should note that there is the possibility for chartering organizations to get administrative support from ICANN to hold face-to-face meetings should they need one for this (docket). But since we changed the GNSO's operating principles quite a while back to allow for remote decision making intersessionally, the GNSO might not

be in the need of that. So let me pause here and open it up for questions or comments.

Volker Greimann: Thank you Thomas. I would like to ask everyone to - wants to ask question to this point to raise their hands in the Adobe Connect right now. I will close the queue after I hand it over to - after Marika's finished (speaking) because Marika just alerted me to some timing issues that we would also have to consider with regard to a response in our next Council meeting.

So after Marika's done, I will close the queue. So please bear this in mind. Marika, go ahead.

Marika Konings: Yes. This is Marika. Just to remind people of upcoming and meetings and deadlines we have for that that may factor into your consideration of, you know, how the Council can or should respond. And as well, what, you know, if this is potentially maybe needed from some of the appointed members to this group.

So Council meeting is scheduled for the 17th of December. The deadline for our motions and documents is the 7th of December. Additionally and it's also an item that will come up under any other business if we have time; Glen had circulated a proposed schedule of meetings for 2016.

And currently we have foreseen two meetings in January; one on the 14th and one on the 21st to basically have, you know, sufficient flexibility to be able to deal with the proposal when it comes in.

And as I see it on the chart now, it's foreseen that it would come back in the final form on the 7th of January, which would be too late to meet the document deadline for the 14th of January meeting. But obviously that meeting could otherwise might be used as a briefing or discussion session and then the 21st of January meeting as the meeting during which the final proposal can be considered.

So just wanted to point out some of those timing and deadline issues that you may want to consider as part of your discussion.

Volker Greimann: Thank you Marika. I now have a queue of two. First is Phil Corwin, then Robin Gross. To each of those of course Thomas can respond. And anything that's (unintelligible) in the chat and we also have the list to discuss further of course. So please go ahead Phil.

Phil Corwin: Yes. Thank you very much. I have - I was on the CCWG call this morning and I distributed this timeline to - and requested feedback from BC members on whether they believe this is sufficient time to the extent we - I've had very limited feedback from the BC prior to today. And to the extent there's been that feedback, there's been an indication of a desire for a comment period of at least 30 days.

I am concerned given that this is very, very aggressive. Its 21 days for the general public. Its nine days for those who do not read English who are waiting for translations because translations aren't scheduled to be issued till December 12.

And for the Council to provide an initial indication of support or non-support or areas of (concern) by the 21st, our next scheduled Council meeting is for December 17. So it really requires Council members to consult with those they represent and really take a decision by December 17 on whether we're going to support this or ask for more time.

So I'm - I'll stop there. I'm looking for more guidance from the BC before I weigh in more officially. But I'm a bit peripherally uncomfortable with the speed of this given that this is not a refinement of the second proposal but a significant deviation from the member model to the designator model and questioned about the procedures and the effectiveness of accountability through that model and also there are major unresolved issues as of today. We'll see how they're resolved by November 30.

But that's mission Stress Test 18 and some other things. But I'll stop there and I'll look forward to comments from other Council members. Thank you.

Volker Greimann: Thank you Phil. Thomas, do you want to comment on that or should I go on?

Thomas Rickert: I suggest we wait for Robin and Paul to chime in and then I would comment.

Volker Greimann: Okay. Go ahead Robin.

Robin Gross: Hi. This is Robin Gross. Can you hear me okay?

Volker Greimann: Very fine.

Robin Gross: Can you hear me okay?

Volker Greimann: Yes. You're very clear.

Robin Gross: Okay. Great. Yes. So I represent the Non-Commercial Stakeholder Group on the CCWG Accountability Working Group. And I really want to echo what Phil just said.

Some of the concerns about the aggressiveness of timeline I think it makes it unrealistic and exclusionary and particularly to non-English speakers only having nine days available for them to be able to read and digest a report that's going to be in the hundred page range, extremely technical with significant changes from what we had from the last time with the rationale only being provided for the first time.

I think it's just we're asking for trouble by trying to do it this quickly that we're going to make mistakes and we're not going to hear from all the stakeholders particularly those outside the ICANN community, the non-English speakers.

So I'm really concerned about the aggressiveness of the timeline and the impact that it's going to have on the quality of our work and the acceptability of our work with the broader Internet community. Thanks.

Volker Greimann: Thank you Robin. Back to Thomas.

Thomas Rickert: I'm sorry (Volker). I thought we wanted to hear Paul first.

Volker Greimann: Paul. Oh yes, Paul (your hand is up). I already closed the queue but sure, why not?

Paul McGrady: All right. Thanks (Volker). Paul McGrady here. I just want to echo what Robin's saying and essentially what Phil said, which is this is a very compressed timeframe. It's especially compressed given that it falls really in the middle of two major North

American holidays; one - well I shouldn't say that Christmas is North American but it certainly is celebrated in North America.

And in terms of how this will be perceived by people who are perhaps skeptical of the transition to begin with is that it is a rush job pushed through under the haze that the holidays create in a lot of places including North America. And I just don't think it serves anybody's interest to push this hard, so, for such an aggressive timeframe on such an important issue.

And lastly just to channel my good friend Kathy Kleinman for a moment, the short timeframes just really don't give us enough time to consider unintended consequences of what is essentially a new proposal. So I think I join my voice with others calling for us to find a way to build in some more time for good deliberation. Thank you.

Volker Greimann: Thank you Paul. What I think I'm hearing is that there's a bit of reluctance to commit to this timeline at this stage. I think what we can commit to is that we will try our best to analyze the report and take this report to our constituencies and stakeholder groups as soon as possible and start the discussions maybe also with the help of the GNSO (blanket) members of the CCWG who could report back to us on the - explain (unintelligible).

We try to be able to provide some feedback even if that feedback is not yet a sign off on what's proposed but something that would allow us to act very quickly once we have a consensus position in the interest of moving the timeline along, maybe not as aggressively as proposed here but still in a speedy fashion. Thomas (unintelligible).

Thomas Rickert: Thank you very much (Volker). And thanks to Councilors for raising their voices and sharing concerns, which certainly is a leadership team and the CCWG takes very seriously.

What I would like to say in response to the concerns and maybe to help understand why we're doing what we're doing a little bit better. We've done the math counting backwards with the project management for the overall implementation of what's required prior to transition - hunting backwards from the September and of the first contract extension on the IANA functions contract.

And the date - the delivery date that was specified to us was mid-January. So with our deliver to the ICANN Board on the 22nd of January, we would slightly miss that target already. And we've done further backward counting based on the discussions in Dublin.

And we've agreed on the planning that I just presented to you again in Dublin. We know it's a little bit of a stretch for everyone. But I would slightly dare to disagree with the notion that this is an entirely new proposal.

A lot of what's in there has been presented to the community in two reports already. We've made changes - substantial changes. That is certainly true. But nonetheless there's an awful lot in our final recommendations that is already known.

And we've made it even easier for the community to understand by coming up with these plain language documents. The report will also be much easier to read than the previous report.

We will further make it easier for commenters to chime in by making the public comment submission interactive as the GNSO did with GNSO review. So it's going to be a Q&A type approach that can but must be used by commenters.

But the format to solicit responses to specific questions on the changes between the second and the third report allows for us to focus the community's attention on the very changes while still allowing for free text, free (port), free form text submissions by those that want to take that route.

Let me also say that we - that there was the SO/AC leadership call earlier today. And it is true that GNSO representatives have voiced concerns about the timeline. But we did not hear any concerns from other parts of the community during that call.

I don't want to overstate this and I certainly can't testify that there are no concerns from other parts of the community. But what I can say is that there seems to be an overwhelming willingness to try help make this work.

So we're under a lot of pressure. There's an expectation from the (unintelligible) community that the numbering community that we finally deliver since they've been working hard to come up with their recommendations almost a year back.

And they've spoiled their own holiday seasons in order to delivery months and months back. And there is a fear that if we stretch this out further that we might miss the targeted transition overall time plan.

And this is what we're trying to address here. I hope that I could shed some light on us not trying to be stubborn and (dump) top down certain timeline on the community. But we want to operationalize what we had in our charter and what you guys have tasked us to make possible.

And there's so much energy that went into this. We're really very, very close to being able to finalize this. We have reach consensus on almost every part of it. And there's a lot of documentation out there even on the bits that you don't find in the update document that I outlined earlier.

So we would really urge you to take this information particularly the members, one of which I am. So I would volunteer to discuss with you all the questions you might have, explain what we're doing to hopefully expedite the analysis and the feedback.

And, you know, I've done this earlier with the registries and the registrars and I'm more than happy to speak to other parts of the community - the GNSO community as well as other parts of the ICANN community.

I should stop here. Thanks for bearing with me. And I hope that we can make this work. But I will take your concerns back to the CCWG leadership and we will further discuss this. Thank you.

Volker Greimann: Thank you Thomas. Thanks for you time and your presentation. I think we have our work cut out for you - for us as well. And let's see how far we can get this.

Next on our agenda is the action item for the GNSO candidates for the ICANN Competition, Consumer Trust and Consumer Choice Review Team. Here we have a

topic that can be pushed a bit to the next meeting because, as I've learned, the timeline can be extended to December the 17th.

We will need probably a formal request that we the Council say sends a letter noting that we need the time until December the 17th to make a commitment on which candidates, if any, we want to endorse. And I would like to hear if anyone's opposed to pushing this to the next meeting and the list.

James Bladel: (Volker), this is (James).

Volker Greimann: (James).

James Bladel: Thanks. Yes, I support moving this to the next meeting and taking some work to the list where - because I believe that, you know, formally requesting that is important but we also need to get a clearer understand, as much as possible, of what the prescribed composition of this group will be.

I think that we've seen some notes about the general number of participants. But, you know, I think that, you know, it's important for us to understand exactly how many of those will be experts, how many of those will be coming from other SOs and ACs. And then what, you know, remains for the GNSO to (unintelligible) and then how we want to balance all the different segments of our community as well.

So I think we just need a little bit more time to do this. I think we need some more guidance and I think we should take this up next meeting but use the intervening time to do some prep work so that we can hit the ground running. Thanks.

Volker Greimann: Thank you (James). Any further comments? I have (Susan) and (Mark) in the queue. (Susan), please go ahead.

Susan Kawaguchi: Yes. I agree with (James) that we need to look at this further. And I also propose that we come up with some sort of process for this. Not sure what that is yet. But I think we need that better understanding. And we also need more representation than for each of the constituencies and stakeholder groups than we've had in the past in my opinion.

So I would propose that I can start a (unintelligible) the Monday after Thanksgiving on developing a process and maybe we can handle most of this on the email thread and then discuss it the next meeting.

Volker Greimann: Thank you (Susan). And what you said just brought to mind something that I - an email that I read earlier. And Wolf-Ulrich suggested that we have a process in place that we use for different proceedings with different selection process, which we might be able to adapt to that.

So Wolf-Ulrich, if you could share that to the list and with (Susan) so we can get the ball rolling as well. And maybe you'll be able to rely on an existing process instead of having to develop the wheel and even make that process stand for something else that would be helpful.

So basically the proposal here stands as developing or looking at a process that we can use. At the same time requesting an extension on the timeline until the next Council meeting. And in the meantime having a look at the candidates and seeing if there's any endorsement. All that will be happening on the list. I'm looking forward to that discussion there.

I see Margie and (Stephanie). Do you have something that you would like to add?
Thank you. Margie.

Margie Milam: Yes. Hi. It's Margie Milam with staff. Just to answer (James)' question about the composition. There is no formal numbers associated with this. All we have is what the Affirmation of Commitments says, which is essentially that there will be, you know, a review team and the review team composition will be determined by the Chair of the GAC and ICANN CEO.

As I think it was noted on your Council (unintelligible) last week that is tentative results in a review team of about 16 members. But that's certainly not fixed. And we're also aware of the CCWG proposal that wants the number to be higher. I think it's like 22.

And so as, you know, as Fadi and Thomas look at the various participants, I imagine they're going to look at things like diversity, geographic distribution, whether all of the

stakeholder groups that are represented and whether all the subject matter that is necessary for this particular review team is covered by the representatives on the review team because as you recall, this is covering a lot of areas.

It's covering, you know, competition issues. It's covering consumer choice and consumer protection, intellectual property, security aspects and obviously all of the new gTLD application processes.

And so when you think about that, some, you know, a holistic review team, you want to make sure that collectively there is representation of all those subject matters.

So I'm sorry we can't be any more specific than that but that's really because the Affirmation of Commitments doesn't have any prescribed number. And so that's why the endorsements are very helpful because that will be fed into the process so that Fadi and Thomas can look at it and take that under consideration.

Volker Greimann: Thank you. I think this laid out a roadmap for the time until the next meeting. We have our work cut out for us. I don't think we will be able to answer this in this call. So I would like to push this to the next meeting unless there's any objection to that. (Stephanie), I see your hand but in the interest of time and number of topics that we have in the last five minutes, I would like to ask you to put that into the chat so we can look at it there and respond at that point.

We have the next item on our agenda, which is the issue report and the potential PDP on the new gTLDs. And this update can also be provided on the mailing list; the discussion that follows also there. We don't have to vote on anything here. So we would just be update at this stage.

I don't think we need to actually hear this read out. So (Steve), I thank you for attending but alas we don't have the time to discuss this. So I ask you for your understanding and would like to ask you to provide the update to us on the list in written form so we can react in that venue.

Finally, before we come to any other business we have a topic that we have scheduled 30 minutes for. And I would like ask attendees to - that are able to stay

longer to use their time if they are interested in the question and answer session for the GNSO Chair of actions. So I will push this back before any other business.

We have the meeting calendar, any other business, which is also something that we should be able to discuss on list. There have been some concerns raised there. And while we could discuss them there, we simply do not have the time.

And the CWG stewardship letter with regards to oversight (unintelligible) limitation, also something that's very important for us to do. In the interest of time, I would like to push this to the next meeting and the mailing list as well. So we have to have an action item list I think going forward to just inform us next week what kinds of - what the topic are that we have to address on the list.

And the last topic that was raised by Julf, I am afraid we cannot come to this as well because we have three more minutes plus overtime for (James) and - whom I would now like to ask to provide instruction and then let's move to the Q&A overtime.

Yes. For those that have to leave at the top of the hour, I thank you very much for the - for your time. It - I think it has been a productive meeting. We've taken some more time than expected on the first motion but I think it was well worth taking. And we've made some significant changes there. So I think we're in a good place. And now I hand over to (James).

James Bladel: Thanks (Volker). And just quickly I was going to offer that to be respectful of everyone's time and that we're so far over our schedule that the Q&A session I would be happy to conduct that both either now or also carry that over onto the list if that is more convenient for some Councilors who may have to drop.

And then the second part of that is just to refer - because some of the new Councilors may not have been available during the weekend sessions in Dublin is just to refer back to the transcripts where this was conducted previously I believe on the Sunday and just make sure that that - those materials were available to new Councilors as well. Thanks.

Volker Greimann: Thank you (James). We still have two minutes of schedule time. I see Paul McGrady in the queue. You have a question (for us) please.

Paul McGrady: Hi. This is Paul McGrady. Just a quick question. So the - and unfortunately I do need to go because (unintelligible). Will we be voting on (James) today or when does that occur and how? Thank you.

Volker Greimann: Yes. The voting will occur - will start tomorrow because of the requirement of the bylaws. So we will not be voting today. Otherwise we would have voted at the beginning of the session. I wouldn't have had (endure) this entire presentation (unintelligible).

No. So the voting has occur starting tomorrow and it will run until Monday evening UTC. So by the time the U.S. goes to bed, we will probably have a new Chair. Fingers crossed.

Any other - further questions for (James) at this stage? Seeing none. Yes. Questions can be submitted on the list (Heather). But given that voting starts tomorrow, I would rather hear them here and now. But that...

((Crosstalk))

James Bladel: Just a note that I would be happy to answer questions while the ballot is still open as well. I understand the timing. I don't want anyone to feel like, you know.

Volker Greimann: That's fully understood (James). And (Heather), you're right. The timing is now very tight. I would be very reluctant to postpone the elections. But I think everybody can hold their vote till their question has been answered. So I think we're okay there as well.

Now it's the top of the hour. We did not manage to make the entire schedule and the entire agenda as planned. But I think the topic that we have left on the agenda can be discussed offline and maybe even in more detail than we would be able to do it here.

So I thank you all for you time. It has been a pleasure to be Interim Chair for the time being together with (David). It will also be a pleasure to hand over this duty to the next Chair hopefully next week. I thank you all for your time. Have a great evening,

afternoon or even morning if that's where you are. Looking forward to hear from you again and read from you on the list. Until the next time, goodbye.

END