

## GNSO Council meeting 16 May 2019

### Chat Transcript

00:55:22 Julf Helsingius: My client keeps jumping to full screen on it's own every now and then.

00:55:55 Rubens Kuhl: Julf, like a toddler, wants your undivided attention.

00:56:28 Julf Helsingius:)

00:57:46 Rubens Kuhl: Welcome to all invitees.

01:00:53 Maxim Alzoba: it is possible to pop out chat or participants windows

01:01:53 Scott: Sorry folks for being late, had some computer issues on my end.

01:02:23 Terri Agnew: Document wiki page:  
<https://community.icann.org/display/gnsocouncilmeetings/Documents+16+May+2019>

01:03:25 Rubens Kuhl: And Zoom might evolve over time.

01:05:50 nathalie.peregrine: Agenda:  
<https://community.icann.org/display/gnsocouncilmeetings/Final+Proposed+Agenda+16+May+2019>

01:06:25 Terri Agnew: @Maximum - yes, use the small arrow in top left hand side or the window you want to "pop out"

01:08:53 Maxim Alzoba: no

01:10:11 Rubens Kuhl: Formal IRT looks fine to me as well.

01:10:57 Maxim Alzoba: one does not form a group usually :(

01:11:00 Rubens Kuhl: I also volunteer to IDN Variant TLDs small group.

01:11:04 Steve Chan: ...and Philippe

01:11:10 Maxim Alzoba: great!

01:12:27 Marika Konings: This one can only be completed once the IFR RT is formed

01:17:15 Julf Helsingius: Thank you! :)

01:17:25 Elsa Saade: Keith, it would be good to CC Flip and I on the exchanges with Jeff and the board?

01:17:29 Rubens Kuhl: Julf, don't thank to us yet. ;-)

01:17:31 Elsa Saade: for Subpro

01:17:51 Arsene Tungali: Good luck, Julf

01:18:19 Julf Helsingius: Thanks, Arsene!

01:19:12 Maxim Alzoba: I see white line :(

01:19:30 Maxim Alzoba: sharing is back for me

01:19:34 Terri Agnew: @Maxim, a document is now being shown, do you see it?

01:19:37 Terri Agnew: Great!

01:20:32 Arsene Tungali: Back now

01:21:05 Marika Konings: See <https://gnso.icann.org/sites/default/files/file/field-file-attach/council-recommendations-pdp-igo-ingo-crp-access-final-16may19-en.pdf>

01:21:25 Marika Konings: Sorry, wrong link...

01:22:35 Steve Chan: If you'd prefer to review on your own screen

01:23:11 Marie Pattullo: Expertise essential - agree!

01:23:30 Rubens Kuhl: Has conflict of interest being addressed specifically ?

01:24:00 mary.wong: @Rubens, not specifically; we have kept the SOI requirement.

01:24:47 Rubens Kuhl: I believe this theme requires going beyond SOI.

01:25:00 Maxim Alzoba: pdp 3.0 is not final yet, so it is hard to place something on it

01:25:06 Maxim Alzoba: on basis of it

01:27:14 mary.wong: @Maxim, @Paul - that's why the document draws on PDP3.0 discussions (and what the Council approved for implementation) but does not second-guess what the final form of those will be.

01:27:56 mary.wong: Also - as Keith is saying, this is structured as a separate work track that can go in parallel to the overall RPM (Phase 1 or 2) work.

01:29:12 Paul McGrady:UDRP and URS will both be looked at in Phase 2. Hard to see how we could complete this independent work without considering the larger issues in Phase 2. If the plan is to do that, we should just make this its own PDP rather than trying to tie it into a PDP, but not really tie it in.

01:30:07 Maxim Alzoba: Due to work in parallel with RPM, we might face the same issue as with IGO #5 (lack of volunteers leading to strange results)

01:30:31 Maxim Alzoba: I refer to RPM phase 2

01:31:00 Paul McGrady:+1 Darcy!

01:32:54 Martin Silva: I agree with the concerns. I said it before as well.

01:33:59 Paul McGrady:@Mary, I think this is a great document, but I think we should be looking forward now to rechartering Phase 2 and incorporating in this IGO issues into it. I think a parrallel group will slow down Phase 1 and delay Phase 2. We don't want to give those in Phase 1 who are playing the slow down game (very well, I might add) any reason to slow down and wait further.

01:34:23 Maxim Alzoba: +1 @Paul

01:34:37 Paul McGrady:@Keith - sorry. I finally learned how to take my hand down in AC and then, ZOOM!

01:34:56 mary.wong: @Paul, understood - one reason (amongst several) why a totally separate work track, with different (representative) members, was suggested.

01:35:33 Maxim Alzoba: also there is a coffee icon

01:35:40 Darcy Southwell - Domain.com: I'm not sure the original charter contemplated the Borad considering all PDP issues at once. At least from my read, phases 1 and 2 had separate deliverables. So I'm not sure the total redrafting of a charter for phase 2 is problematic.

01:36:04 mary.wong: @Darcy, I meant the IGO issues.

01:36:17 Darcy Southwell - Domain.com: Ah, sorry.

01:36:34 Maxim Alzoba: new hand

01:37:25 Marie Pattullo: As separate a group as we can within reason, not losing any expertise!

01:38:07 Maxim Alzoba: RPM phase 2 should not be limited to legal experts, it has operational side too (what registries / registrars do in the process/after the resolution)

01:38:31 Darcy Southwell - Domain.com: +1 Maxim

01:38:42 mary.wong: If it helps, the staff view the substantive issue at hand as not really an RPM issue, but more of international law, ADR and to some extent international IP.

01:38:52 Paul McGrady: I think we are definitely going to have to revise the Phase 2 Charter one way or the other. It would be irresponsible of us not to carry forward PDP 3.0 and other lessons learned from Phase 1 into Phase 2. So, how about we get started now? Drafting team?

01:39:08 Marie Pattullo: Maxim - so when we re-charter phase 2 do we have a reconstituted RPM WG membership?

01:39:17 Marie Pattullo: \*re-charter

01:39:42 Marie Pattullo: Count me in, Paul

01:40:06 Paul McGrady: @Marie - yes, PDP 3.0's approach on the size/origins of the team is very different than our prior approach.

01:40:19 Maxim Alzoba: @Marie, we need to have three components of expertise : legal, operational, tech

01:41:00 Marie Pattullo: Thanks both!

01:41:05 Maxim Alzoba: and since ROs and RRs have to do whatever found in RPM2 - they need to be there

01:42:36 mary.wong: @Maxim, there will be operational implications, yes, but to our mind, until the legal issues are understood and addressed, you won't know what those are. "Operational" and "technical" also more likely means ADR providers (though there will be some implementation considerations for contracted parties, as is usual with any potential policy change).

01:44:05 Maxim Alzoba: @Mary, I would not recommend to invent something non-implementable, and the way to form the PDP is up to GNSO Council

01:45:52 mary.wong: @Maxim, of course - staff was just offering our perspective based on the Curative Rights experience. The legal issue is the fundamental problem; so hopefully that helps the Council decide how it wants to form the group. Even in Phase 2, we suggest it is still best considered by a specialist sub-group.

01:46:35 Maxim Alzoba: @Mary, without Registries and Registrars the group will have no specialists in operational side / tech side

01:47:42 Maxim Alzoba: thanks for suggestions

01:49:42 Maxim Alzoba: for example - currently legal requirements for Registries is hidden in the URS technical document

01:50:33 Marie Pattullo: Agree with Mary - and Maxim, the draft foresees the composition as including CPH people so hopefully they will be the experts from "your side"?

01:50:56 Rubens Kuhl: Mary, considering how badly URS was implemented from an operational standpoint, there is a bad history in things made without understanding of how contracted parties operate.

01:51:28 Rubens Kuhl: So RPMs are not only about the dispute per se, but how the consequences of dispute are implemented.

01:51:32 Maxim Alzoba: the draft is to be changed

01:53:13 nathalie.peregrine: Legislative/ Regulatory Reports:  
<https://www.icann.org/legislative-report-2019>

01:53:25 Brian Aitchison ICANN Org: Thanks all! Appreciate your review and consideration of the PSR

02:01:17 Michele Neylon: Is Ayden's audio bad?

02:01:19 Julf Helsingius:Badly chopped up audio  
02:01:20 Michele Neylon: or is it me?  
02:01:24 Michele Neylon: I can't hear him at all  
02:01:25 Maxim Alzoba: Aiden is on GSM codec - mobile  
02:01:26 Tatiana Tropina: yes I can hardly hear Ayden  
02:01:41 Terri Agnew: @Ayden, would you like a dial out on the telephone?  
02:01:59 Maxim Alzoba: mute button?  
02:02:13 Ayden Férdeline: I was on the audio bridge...  
02:02:20 Ayden Férdeline: i will try computer audio next  
02:03:30 Carlos Raul Gutierrez: Sorry. I was not aware I have to unmute 2 times, both cel  
and in the webapp  
02:03:38 Carlos Raul Gutierrez: just for the others to take note  
02:04:57 Maxim Alzoba: Aiden, it is perfect  
02:05:00 Tatiana Tropina: Ayden your sound is perfect now  
02:05:17 Maxim Alzoba: @Ayden, sorry , misstyped  
02:05:27 nathalie.peregrine: @carlos, sorry about that, it can be the case that we need  
to unmute twice, once locally (phone) and also on Zoom, next to your name.  
02:05:36 Osvaldo Novoa: Hello all, sorry I'm late, got delayed in traffic  
02:05:45 nathalie.peregrine: Welcome Osvalao.  
02:05:48 nathalie.peregrine: Osvaldo!  
02:08:22 Carlos Raul Gutierrez: We can always ASK @Ayden. As I said in the last call we  
need to start there, as most GAC members at least understand to a certain degree ICANN (or  
should)  
02:08:56 Julf Helsingius:Indeed. The GAC representatives might represent their countries,  
but in a narrow sense, ans might not be briefed on all developments.  
02:09:01 Maxim Alzoba: community should not be excluded from notification  
process  
02:09:47 Maxim Alzoba: GAC is mostly telecom regilators/ministries, and might  
have slightly different perspective than the rest of the particular gov.  
02:11:29 Marie Pattullo: Interesting point Tanya - logical - yes, law x means y, but  
RED FLAG may have effect z on ICANN.  
02:12:16 Tatiana Tropina: I think if someone put it there, there's a reason. :)  
02:12:26 Tatiana Tropina: so just to see the reason  
02:12:37 ESun: That sounds fair!  
02:13:21 Darcy Southwell - Domain.com: Agree with Tatiana's comment about the  
why statement.  
02:13:40 ESun: and would not lead to a randomness of laws affecting processes without  
proper relevant reasoning.  
02:15:53 Darcy Southwell - Domain.com: As we explore this, we should be careful to  
focus on what the final product really should be vs. all possible final products. Need to balance  
cost v. value of result to ICANN and community.  
02:16:37 Tatiana Tropina: Michele, that's what I suggested - make a note why  
particular piece made its way to the report

02:16:56 Maxim Alzoba: spending few 10M per year to resolve issues of few 100k might be a bad idea

02:17:05 Paul McGrady: While agreeing with Michele and Darcy, I do think it is important for the Community generally, and the Council specifically, not to be ostriches either. We need to find a balance between what Ayden was suggesting and doing nothing.

02:17:14 Philippe Fouquart: Agree Darcy, it can end up being a "bottomless pit" in terms of resources

02:17:43 Michele Neylon: Paul - I wasn't suggesting being an ostrich

02:17:52 Michele Neylon: but more KISS

02:18:20 Cheryl Langdon-Orr: Thank You Mandy

02:18:27 Pam Little, RrSG: Thank you Mandy, especially while you are unwell.

02:18:42 Maarten Simon, ccNSO liaison: leaving you here as announced. have a productive further meeting !

02:18:47 Paul McGrady: @Michele - understood - I agree with you that we need a lightweight framework and then those of us who have specific concerns about specific laws can ask for a drill down.

02:19:10 nathalie.peregrine: Slide deck: <https://gnso.icann.org/en/drafts/presentation-irp-16may19-en.pdf>

02:19:24 Darcy Southwell - Domain.com: Agree with the basic data points Michele called out.

02:25:23 Michele Neylon: @paul exactly - some stuff will be super important for ICANN - some will be super important for my business BUT not ICANN

02:27:16 Paul McGrady: @Staff - can you send around these slides on the mailing list? Very helpful stuff. Also, sorry if you already did. I had trouble getting my new email address on to the Council list, so I missed some emails.

02:27:39 nathalie.peregrine: Slide deck: <https://gnso.icann.org/en/drafts/presentation-irp-16may19-en.pdf>

02:27:48 Paul McGrady: Thanks Nathalie!

02:33:16 Pam Little, RrSG: Thank you, David

02:34:35 David McAuley: link to current IOT members, not all are active at present: <https://community.icann.org/display/IRPIOTI/Independent+Review+Process+-+Implementation+Oversight+Team+%28IRP-IOT%29+Home>

02:34:38 Pam Little, RrSG: Thanks Liz

02:35:18 David McAuley: Thanks all

02:38:03 Rubens Kuhl: What are the term limits for this position, if they exist ?

02:38:15 Maxim Alzoba: 3?

02:40:03 Marie Pattullo: Yes - thanks for the service!

02:41:48 Arsene Tungali: To James: What is the average time commitment for this role?

02:42:42 Arsene Tungali: Thanks, James

02:42:42 mary.wong: Apologies for late response: CSG members and liaisons are appointed for 2 years (initially 3 for half the team), with option to renew for up to 2 additional terms.

02:42:42 Rafik Dammak: Thanks James  
02:42:55 Rafik Dammak: question was to help council to know more about the CSC and liaiso nrole  
02:43:08 Tatiana Tropina: Thank you James!  
02:43:10 James Gannon: Thanks everyone  
02:43:35 nathalie.peregrine: Brian's Slide deck:  
<https://gnso.icann.org/en/meetings/presentation-multi-stakeholder-model-14may19-en.pdf>  
02:44:00 mary.wong: Also, the amended CSC Charter confirms appointments are by the various groups, but requires an Expression of Interest that highlights (as James noted) knowledge of IANA functions, among other things.  
02:49:33 Carlos Raul Gutierrez: Let us see the last slide @brian  
02:52:07 Tatiana Tropina: thanks, Brian. I was wondering about ATRT3, too :)  
02:52:54 Cheryl Langdon-Orr: Brian is working closely with the ATRT3 to ensure we are complementary and not tripping over each other...  
02:53:05 Tatiana Tropina: Michele, plus million. We haven't even implemented WS2 and ATRT3 is doing it's work and just started and now \*this\*.  
02:53:14 Keith Drazek: The question of cost is better asked of ICANN Org  
02:53:20 Ayden Férdeline: MSSl... this department seems to have access to unlimited resources...  
02:53:35 Tatiana Tropina: Keith, I totally want to ask this question of ICANN Org.  
02:54:30 Tatiana Tropina: so the PDP3.0 was not enough. It's the same situation, we haven't really implemented anything, but we are already discussing revamping. I am sorry for my tone, but.  
02:54:41 Michele Neylon: the question on cost was not answered  
02:55:03 Maxim Alzoba: @Mary, Please send us followup about the cost (Michele question)  
02:55:06 Tatiana Tropina: thanks all! Have a great evening  
02:55:06 Cheryl Langdon-Orr: Thanks Brian  
02:55:10 Rafik Dammak: Thanks all  
02:55:10 Maxim Alzoba: bye all  
02:55:11 Flip Petillion: Thanks all  
02:55:12 Darcy Southwell - Domain.com: Bye all  
02:55:13 Elsa Saade: thanks  
02:55:16 Elsa Saade: bye  
02:55:17 Ayden Férdeline: Thanks all  
02:55:20 Paul McGrady:@Keith - INTA Annual Meeting is next week, so I'll be unavailable  
02:55:20 Cheryl Langdon-Orr: Bye Thanks Kieth et.al  
02:55:23 Arsene Tungali: bye all