
**ICANN Transcription
GNSO Council**

Thursday, 21 May 2020 at 21:00 UTC

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List of attendees:

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

Contracted Parties House

Registrar Stakeholder Group: Pam Little, Michele Neylon, Greg Dibiase

gTLD Registries Stakeholder Group: Maxim Alzoba, Keith Drazek, Sebastien Ducos

Nominating Committee Appointee (NCA): Tom Dale

Non-Contracted Parties House

Commercial Stakeholder Group (CSG): Marie Pattullo, Scott McCormick, Philippe Fouquart, Osvaldo Novoa, John McElwaine, Flip Petillion

Non-Commercial Stakeholder Group (NCSG): Juan Manuel Rojas, Elsa Saade, Tatiana Tropina, Rafik Dammak, James Gannon, Farell Folly

Nominating Committee Appointee (NCA): Carlton Samuels

GNSO Council Liaisons/Observers :

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

Cheryl Langdon-Orr– ALAC Liaison

Julf (Johan) Helsingius– GNSO liaison to the GAC

Maarten Simon – ccNSO observer (apology sent)

ICANN Staff

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

Marika Konings – Senior Advisor, Special Projects (apology sent)

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

Julie Hedlund – Policy Director

Steve Chan – Policy Director

Berry Cobb – Policy Consultant

Emily Barabas – Policy Manager (apology sent)

Ariel Liang – Policy Support Specialist

Caitlin Tubergen – Policy Senior Manager

Nathalie Peregrine – Manager, Operations (apology sent)

Terri Agnew - Operations Support - GNSO Lead Administrator

Julie Bisland - GNSO SO/AC Support coordinator

TERRI AGNEW: Good morning, good afternoon, good evening, and welcome to the GNSO Council meeting taking place on the 21st of May 2020. Would you please acknowledge your name when I call it? Thank you. Pam Little.

PAM LITTLE: Here.

TERRI AGNEW: Sebastien Ducos.

SEBASTIEN DUCOS: Here.

TERRI AGNEW: Maxim Alzoba.

MAXIM ALZOBA: Here.

TERRI AGNEW: Greg DiBiase.

GREG DIBIASE: Here.

TERRI AGNEW: Thank you. Tom Dale.

TOM DALE: Here.

TERRI AGNEW: Maire Pattullo.

MARIE PATTULLO: Here. Thanks, Terry.

TERRI AGNEW: Thank you. Scott McCormick.

SCOTT MCCORMICK: Here.

TERRI AGNEW: John McElwaine.

JOHN MCELWAINE: Here.

TERRI AGNEW: Philippe Fouquart.

PHILIPPE FOUQUART: Here. Thanks.

TERRI AGNEW: You're welcome. Flip Petillion.

FLIP PETILLION: Here. Thanks, Terri.

TERRI AGNEW: You're welcome. Osvaldo Novoa.

OSVALDO NOVOA: Here. Thank you.

TERRI AGNEW: You are welcome. Elsa Saade. I don't believe Elsa has joined yet.
We'll check on her. Rafik Dammak.

RAFIK DAMMAK: Here.

TERRI AGNEW: Tatiana Tropina.

TATIANA TROPINA: Present.

TERRI AGNEW: Farell Folly.

FARELL FOLLY: Here.

TERRI AGNEW: Juan Manuel Rojas.

JUAN MANUEL ROJAS: Here. Yes.

TERRI AGNEW: Thank you. James Gannon.

JAMES GANNON: [inaudible].

TERRI AGNEW: Thank you. Carlton Samuels.

CARLTON SAMUELS: Yes.

TERRI AGNEW: Thank you. Cheryl Langdon-Orr.

CHERYL LANGDON-ORR: Present. Thanks, Terry.

TERRI AGNEW: You're welcome. Erika Mann. I don't believe Erika's on, so we'll check on her. Julf Helsingius.

JULF HELSINGIUS: Here. Thanks.

TERRI AGNEW: You are welcome. Maarten Simon has sent his apology. And I'm so sorry, Michele Neylon, did I call on you?

MICHELE NEYLON: No.

TERRI AGNEW: Michele Neylon.

MICHELE NEYLON: Hi. Yes, I'm here.

TERRI AGNEW: Thank you. And on the call from staff, we have David Olive, Steve Chan, Mary Wong, Julie Hedlund, Caitlin Tubergen, Ariel Liang, Berry Cobb, Julie Bisland and myself, Terri Agnew.

Those who take part in the ICANN multi-stakeholder process are to comply with the expected standards of behavior. May I please remind everyone here to please state your name before speaking for recording purposes.

As a reminder to councilors, we are now using a Zoom webinar room. You've all been promoted to panelists and can activate your

microphones and participate in the chat as per usual. A welcome to observers on the call who can now follow the council meetings directly. Observers do not have access to their microphones, nor the chat option.

With this, I'll now turn it back over to Keith. Please begin.

KEITH DRAZEK:

Thank you very much, Terri. Hello, everyone. Welcome to the GNSO council meeting of 21 May 2020. Just want to take a quick note to say it was wonderful to hear all of your voices. I miss you all, and I'm glad to be able to join and have this conversation today.

So with that, let's go ahead and move to a review of the agenda. So we've conducted the roll call. I'm going to ask if there are any updates to statements of interest.

Okay, not seeing any hands, so let's go ahead and do a quick review of the agenda. What we will do first, we'll review the projects list, and I just want to note that Berry Cobb sent to the list on Tuesday an update e-mail that provided some really good granularity as to the changes on substance, but also on format. So when we get to the review of the projects list, I'm going to give the floor over to Berry to provide a little bit more of an update and be able to answer any questions. But there is a new version of that that's been circulated. I hope everybody had a chance to look at it, at least take a snapshot of it before the meeting. But Berry, just putting you on notice that we'll be coming to you when we get to the projects list.

And next on the agenda, we have a consent agenda with two items, and that will be the approval of the PTI SLA for the ccTLD creation and transfer process—this is something that the ccNSO has already approved and it is now over to us, and James, if you have anything you'd like to add to this one when we get to it, feel free to raise your hand. And then we are going through the reappointment of Matthew Shears to seat 14 on the board on behalf of the Noncontracted Party House. So this will be the reappointment motion. That's the consent agenda.

And then once we get through the consent agenda vote, we will move to item number four on the agenda, council discussion on the GNSO work prioritization for 2020 and beyond. This is a follow-on for the work that we started in January at our strategic planning session, and there is a new version, essentially a new proposal from leadership and staff that we will go through in some detail. And when we get to that item, I will ask Steve Chan to sort of get into some of the specifics in terms of the thinking and the way that the new workplan proposal is laid out. And look forward to a discussion of that.

Item number five is a council discussion on the draft response to the ICANN board's letter of March 11th related to EPDP phase one recommendation 7 and the related Thick WHOIS transition policy. As you may have seen on the list, I recused myself from further discussion on this topic during the discussion of the actual draft letter. Rafik agreed to help shepherd that forward, so I will hand this item number five over to Rafik and Pam. And there have been some recent developments on that, including a new version of a letter that was sent to the council list just a little bit ago, just

within the last 20 or 30 minutes, I think. But I'll hand that over to Rafik when I get to item number five.

And then item number six is a discussion on the update on the EPDP phase two work on the standardized system for access and disclosure. I will hand that also over to Rafik as our council liaison and vice chair to the EPDP.

And then item number seven is an update on discussions around the topic of DNS abuse and the new gTLD SubPro PDP working group. In this particular case, we've received a letter from SubPro leadership referring some of the CCT RT recommendations that had been sent to the SubPro group from the board, and essentially referring that back to council for consideration as if SubPro were to tackle those recommendations, it would only apply to new gTLDs, future TLDs and not the existing TLDs.

So the question is, as a council, how do we want to take that on, and what do we think we need to do to be able to consider the question of DNS abuse, and specifically those CCT RT recommendations more holistically? And then Any Other Business. We'll talk a little bit about ICANN 68 virtual meeting planning.

So with that, let me pause and see if anybody has any suggestions, updates, edits, questions regarding the agenda for today's meeting.

Not seeing any hands, let's move on. Item 1.4 under administrative matters is that the minutes of the council meeting from 11 March were posted on the 27th of March, and the minutes

from our meeting of the 16th of April were posted on the 1st of May.

Okay, let's move on. Item number two, I think we can just move right into a discussion of the project list. so if we could pull that up, please. And Berry, I'm going to hand this over to you now, but I do want to just remind everybody that you sent an e-mail to the list that had quite a bit of detail in it, and I hope everybody had a chance to review that, but during our last call, we talked about sort of restructuring the projects list in a way to try to identify more easily and to make sure that the actual data is more, I guess, relevant for the things that the council has responsibility for.

So I just want to sort of tee that up and hand it over to Berry. Thanks.

BERRY COBB:

Thank you, Keith. Keith already kind of just said what I was going to say. The rationale for this slight design change to the summary page is to do just what Keith said, and that's to better recognize the span of control of the projects that are in front of the council or on the council's plate as of today. So I won't go through all of the changes that I highlighted in the follow-up e-mail. And thank you for the questions that we got on the list, or offline but that I responded to on the list.

But with the implementation of part of the PDP 3.0 initiatives, which, one of the bigger ones that affected the project list is the overall status and health of our projects, and I think those that are in current PDPs have already realized or reaped some of the

benefits and the use of that status and health in terms of putting more accountability into the working groups themselves to commit to the work and getting to points of conclusion.

Where it starts to break down though is if you follow along through the policy development process, after the council has deliberated on particular consensus recommendations and passes those on to the board, the span of control greatly reduces from a GNSO council perspective.

That's not to say that the council or the whole GNSO is still not interested in the outcome or the implementation of those recommendations, but certainly, the control and ownership changes as it moves through the board and over into ICANN Org for implementation.

And then of course, there are other projects out there, such as cross-community working groups where the council is not the sole initiator or sponsor of those particular projects. So this reorganization, if you'll scroll down a little bit, is just to try to get some of the particular projects that are outside of that span of control, push them more to the bottom of the list.

You'll notice that none of these have the days or percent complete or status or health conditions. So hopefully, that makes a little bit more clear about where that span of control begins and ends. And then the last thing I'll say is we made a slight update to the graphic up on top that tries to assign that role of the GNSO council versus the board and ICANN Org.

So interested in hearing feedback or if anybody has other suggestions about how to make this work. I think this is an evolutionary and iterative process to continually improve this. So I'll just stop there for now, and if you have any other questions, please let me know offline. Thank you.

KEITH DRAZEK: Thanks very much, Berry. And I think my initial reaction on having reviewed this, it looks great and it's consistent with the discussions that we've had recently in terms of trying to make sure that the representation of the actual data are useful and accurate and helpful to us as counselors to make sure that we're aware of where things stand and where things need to be. So thanks for all of your work on this. I see James has his hand up.

JAMES GANNON: Thanks, Keith. I just want to echo what Keith said. He said most of what I was going to cover. This is excellent. I think it gives a good, quick look, capability to what we have as council. I think it helps with managing the different scope of responsibilities between the two quite well. So I think it's great, and thanks for the work on it.

KEITH DRAZEK: Thanks very much, James. Steve, over to you.

STEVE CHAN: Thanks, Keith. And so the really brief thing I want to add is, just to fall on to what Berry said and to put a finer point on it, the

differentiation between these different phases of the project, in terms of pushing some things further down, it's obviously not to minimize the importance of them. I think it's really just more to highlight that the tool that's available to the council to escalate and push forward with those projects is a little difference.

So by categorizing them a little bit differently, it helps drive that point home, that if the token is with the board, then if the council wants to follow up with it, the actions are different. For instance, you might want to write a letter to the board, versus a working group that's still in its deliberations. Like I said, just to put a finer point that a big part in differentiating is just to make sure that the council knows that it has different tools available to it. Thanks.

KEITH DRAZEK:

Thanks very much, Steve. That's really helpful context as well. Would anybody else like to weigh in on the projects list? Either on the formatting or on the actual substantive changes that were made that Berry included in the e-mail.

All right, I don't see any hands going up, so I guess we're okay with wrapping up on this one, Berry, unless there's anything else you had to add at this stage or wanted to flag on the substantive changes. If not, we can move on.

BERRY COBB:

All good. Thank you.

KEITH DRAZEK:

Thanks, Berry. Okay, back to the agenda. And let's go ahead and move to the action items list to see if there's anything on there that we need to be aware of. So let's see here. Yeah, so there's some action items here on the RDS program management program. We're talking more about programs than projects, and there are some action items here that I will circulate to the list following our call.

But there's an overarching action item for council leadership working with staff to propose a time frame and mechanism for addressing RDS-related issues, taking into account respective requirements as noted below. We've got EPDP phase one recommendation 7, so that's underway in terms of the action item that we have to discuss later today.

We need input from our SGs and Cs on the staff proposal related to recommendation 22. We need to solicit input from our SGs and Cs on two recommendations specifically passed by the ICANN board coming out of the RDS review team recommendations. And we need to focus on the WHOIS procedure implementation advisory group. Need some input from SGs and Cs on that as well. So there's going to be a series of items in an e-mail that I will send to the full council list that each of you will need to take back to your stakeholder groups and constituencies for further input. So watch for an e-mail from me on that.

Okay, next item is talking about our prioritization and workplan. That's on our agenda for today. Then we've got some other items down here, report from the transfer policy scoping team. We need counselors to review that report and to engage again with stakeholder groups and constituencies to focus on providing input

for the recommendations coming from the transfer policy scoping team, with an eye towards eventually initiating a PDP on that process.

PDP 3.0 final report, we need to carry out other future actions in the resolved clauses at the appropriate time as directed in the motion, and next item would be managing the IDN variant TLDs. Again, this is another one where we had a scoping team make a recommendation for the initiation of a PDP or EPDP on the IDN policy effort, and this one needs to be coordinated at some stage with the ccNSO in terms of the efforts that they have underway as it relates to the IDN variant topic.

Next item under the evolution of the multi-stakeholder model of governance, we need to organize—and this was something we discussed as a possible webinar around ICANN 67. The idea was to have a community sharing session or a webinar to discuss PDP 3.0 implementation work and how that might align with the evolution of the multi-stakeholder model work that's being discussed. So I think the expectation now is that we're going to try to accomplish that sometime in-between ICANN 68 and 69.

And I think that covers the open action items. I don't know if Steve or Ariel or anybody from staff would like to point out anything or flag anything that I may have missed. Not seeing any hands, okay, back to the agenda then.

All right, so we're at item number three, our consent agenda. If I could hand this over to Terri to conduct the vote.

TERRI AGNEW: Thank you very much. This'll be a voice vote, and we will go ahead and conduct the vote now. Give me one moment, please.

The vote agenda will be for the approval of the PTI SLA for the ccTLD creation and transfer process, and in addition, reappointment of Matthew Shears to Seat 14 on the ICANN board. Would anyone like to abstain from this motion? Please say aye.

Hearing no one, would anyone like to vote against this motion? Please say aye. Hearing none, would all those in favor of this motion please say aye?

UNIDENTIFIED MALE: Aye.

UNIDENTIFIED FEMALE: Aye.

TERRI AGNEW: Thank you. No abstention, no objection, the motion passes. Back to you, Keith.

KEITH DRAZEK: Thanks very much, Terri, and congratulations to Matthew for returning to the board in ICANN board Seat 14 on behalf of the Noncontracted Party House. Thanks for getting through the consent agenda. I just want to take a moment—I actually had a conversation with Matthew on a completely separate issue earlier this week, and he and I chatted a little bit about whether it might

make sense for maybe every other council meeting to invite our GNSO board reps from the Noncontracted Party House and the Contracted Party House, currently Matthew Shears and Becky Burr, to basically join a council meeting, perhaps on every other meeting cycle, every other month, to have an opportunity for us as a full council to engage with our board representatives or our appointees to the ICANN board.

And I just wanted to throw that out there and see if anybody had any thoughts about that. We can take that up separately, but I just thought it would be helpful in terms of communication and information sharing, to possibly invite the board reps to at least some of our council meetings throughout the year. If anybody would like to speak to that, feel free to jump in. Otherwise, we can take that under consideration and kick it around on the list. I see some support for that going on in chat, so I think maybe we could take that on. So maybe not around ICANN 68 virtual but perhaps in July, that's maybe something that we could aim for.

Okay, very good. Thanks, everybody. So with that, let's move to item number four on our agenda, and that's the council discussion on the GNSO work prioritization. So Terri, if I could ask you to pull that up, and then I'll kick off the discussion and then hand it over to Steve.

Those of you that were there will remember that in our strategic planning session Los Angeles in January, we started talking about prioritization of our work for 2020 and beyond. We conducted an informal, nonbinding poll, sense of the room to try to figure out what individuals thought about what might be an important or priority in terms of getting things into a pipeline, and then we had a

process where we talked to our stakeholder groups and constituencies, tried to generate some additional input for consideration.

Staff and the leadership team have been basically going through and working towards pulling that information together to present the proposal that we have before us here. But we did shift a little bit of our focus from thinking of it in terms of prioritization and of importance or urgency to try to tie it to a process where we can actually identify that if something ends, there's an opportunity to start something new that may be related. So think about this in a little bit of a different way.

I'm going to hand this over to Steve because he's going to be able to speak to it much more effectively than I will on this particular topic. So Steve, if I can hand this over to you, and you can sort of lay out the thinking, the concept behind what we've got here, and then really try to focus us as a council, what we need to get to at the end of this, not necessarily today but what we need to get to is a plan, an agreement on what we're going to start when we start having additional bandwidth. Steve, over to you.

STEVE CHAN:

Thanks very much, Keith. I will do my best to try to set the stage for this topic. As Keith mentioned, this new form that we're looking at right now that's in the Zoom screen right now is directly related to the previous draft that was prepared by staff and leadership, which as Keith mentioned is an more granular look at each of the pieces of work that's in the council's pipeline.

In this previous [inaudible] what it was trying to do is to really drill down into each of these projects and to help identify what needs to be done, whether or not there can be discrete parts of the project that can be carved out and started earlier, and then also, if there's dependencies, what they are, and essentially, when things can begin.

So while we saw this as being helpful, it doesn't necessarily say what this looks like as a workplan. So that's the purpose of this next iteration of this, I guess really the same theme of thing, which is about the council trying to establish a workplan to try to get through all the important work that's in the council's pipeline.

This is, as I said, the next iteration of that detailed look at each of the projects, and so the purpose here is to really try to look, at a granular level, when each of these things could start. So this is more about a proposal about how the work can be sequences, not the proposal. That's just to say that the things on this page are of course adjustable by the council as it sees fit. But the idea is to try to present the council with an example of how the work could be sequenced and accomplished.

And the premise here is that of course, all the work on this list is important, and as a result, there needs to be some give and take about when things can begin. And so as you see, some things on here are pushed further out. And then I guess the additional context is even with that acknowledgement that not everything can start at the same time, all these things that you listed here in Q3, even that's likely ambitious. So even there, you're going to have to potentially prioritize how that work gets sequenced.

So with those things that are all expected, or I guess depicted here to start in Q3, you still have some things that councilors have identified as being important to them, pushed out a little further, like the IDNs thing is, at least the policy development aspect that is pushed out a little bit further.

That's the idea behind this, is to try to establish a more specific workplan about how the council could actually address the work within its pipeline. So if I could just run through, I think specifically what's sort of targeted for initiation in Q3, you have things like the transfer policy review where they would request an issue report, and that's follow-on from the scoping team that Keith mentioned earlier.

The next one down here, at the high level it's labeled as accuracy, but more broadly, this is potentially the topics from the EPDP phase two. Some of the things that may not end up being resolved through that PDP or EPDP, actually. So it's sort of unclear exactly what would happen with that, but that's intended to be sequenced and started around Q3 as well.

Going down a bit further, you have the RPMs phase two, which is working on the phase two charter would be expected to happen on or around the time when the RPMs phase one delivers its final report to the council.

Going down further, you have all these different efforts in red where the token would really rest with GDD for them to do preparatory work where there is the potential for additional council work. It's not necessarily a given, but that GDD preparatory work could lead to additional council work.

And these are all really dependent on the availability of GDD staff. So accordingly, all this work is, at this point, sort of staggered to give them the opportunity to be able to actually do the work. So just quickly, to reach down to the end of these topics, you have the IDNs topic which Keith mentioned that the scoping team delivered a report to the council. In that, they had actually recommended two tracks of work. One is about an operational track that's taking a look at the IDN guidelines.

So the idea here is to actually start that work in the near term, which would be the contracted parties and GDD working collaboratively. And then in parallel, you could also start the drafting of the charter. And then eventually, in the future, you could have the initiation of the actual PDP if that's where the council decides to take that work.

You also have the IGO curative rights work track. Based on some capacity issues and discussions with the GAC, the target here is Q4 rather than, I think, where it was originally planned, which was probably more like Q2. And then lastly, we have something that's on this council agenda, the recommendation 7, the Thick WHOIS topic.

So again, I just want to reiterate that this listing of work is, I guess, more exemplary. It's an example of how all the work could be sequenced. And on the staff side, we thought that it's important to take this next-level of detail and try to construct this as a workplan to try to see how the council could actually sequence the work and get all this important work done at the same time without actually overburdening and exceeding the capacity of both the community and staff.

So with that, I'll stop there, and pause. Thanks.

KEITH DRAZEK:

Thanks very much, Steve. That's very helpful. And thank you to you and to all the staff that put time into this. I see Rafik has his hand up, and then [inaudible], so let's go right to the queue. Rafik, over to you.

RAFIK DAMMAK:

Thanks, Keith, and thanks, Steve, for going through this workplan. I think as you mentioned, we can go granular later on when we try to work on those activities. But I want just also to stress or emphasize that I assume that all this, the duration and so on are high-level estimation now. And so we can be maybe more emphasize later on when we start really with the scoping, and working on the chartering.

And why I wanted to highlight this is that because we discussed the PDP 3.0 and also the council level how the scoping is important. So this work plan is helping us to see ahead to kind of the backlog. We are the defining dependency, and also, who can take care of the different phases. But when we start about the chartering and scoping, we can expect the drafting team to really spend time outlining the more precise scope and the expectation for EPDP, and also thinking about any needed or required resources and to have an idea about the estimation. But at the same time, we are expecting when a PDP working group starts, to work on its workplan and its estimation based on that. so that's an important exercise.

So this, just for now, is high-level to help us in terms of management and planning, and when we start, we will have to kind of go more granular into more details with regards to the details of or the timeline of each activity. So just maybe last question to Steve. When you think we can start having moving from Q3 and Q4 and to be kind of more specific. You don't need to answer now, but if you have something to add, we can start doing that.

KEITH DRAZEK: Thanks, Rafik. Steve, if you'd like to respond, feel free to jump in. Otherwise we'll go to Juan Manuel and then to Philippe.

JUAN MANUEL ROJAS: Thank you, Keith. I just want to ask one question, because I was reading the charter, this draft workplan that we have on the screen, and I have just one question. Why IDN track one working group only include contracted parties and GDD? Why not include noncontacted in this working group to do the charter thing in track one? That's it. Thank you very much.

KEITH DRAZEK: Thanks, Juan-Manuel. There was a little bit of echo on your line, but I think the question that you're asking relates to the IDN line item where it talks about creating track one working group with contracted parties and GDD in parentheses, and the question is why is it limited to those parties. I'm not sure if anybody wants to respond to that, but I think the expectation or the assumption perhaps is that contracted parties and GDD have had a history in

terms of the development of the guidelines that exist around IDNs, and that its really those groups that are primarily interested in the topic. But I don't know, Steve, if you want to add anything to that. I'll hand it back over to you.

STEVE CHAN:

Sure, Keith. I think I can add a little bit. So the primary reason why they're separated into two tracks, first of all is that one of them is more operational related—not even more, it's strictly operational related, versus the second tack which is about policy development. So that's primarily why they're separated into two different lines of work.

To Keith's point, the purpose of the track one is to take a look at the IDN guidelines which the contracted parties are required to adhere to. And this is that next iteration which was on the agenda for the ICANN board to adopt, actually, but the council requested that the vote on those guidelines be deferred.

So just to finish this thought, I guess, is to say that there's some concerns from the contracted parties. So the purpose of this track one is to try to resolve those concerns, and as I mentioned, because there are contractual requirements for the IDN guidelines, the idea is that they would work hand in hand with the GDD. So I don't know, hopefully that helps. Thanks.

KEITH DRAZEK:

Thanks, Steve. And just to add to that, the history here, for those that haven't followed it, is that the development of these guidelines have over time evolved into contractual requirements. The

guidelines themselves, which are really operational in nature, and then there's the question of the broader policy. And there is an open question of how those two things are related. So the concept of the two tracks is as Steve described. So Juan Manuel, I hope that answered the question, and let's go on to Philippe and then Maxim.

PHILIPPE FOUQUART: Thank you. A question to Steve. What we've got here on this slide, or is there a one to one mapping between this—and I suspect there is—and the project list? And did you go as far as being consistent with the milestones, for instance, or is it just, as I understand it, pretty much rule of thumb? Thank you.

KEITH DRAZEK: Thanks, Philippe. Steve?

STEVE CHAN: Thanks, Philippe. I'm trying to think through your question. And I'm trying to determine if everything on the project list is actually mapped here. I'm not entirely sure. It's a good question. Let me take a second to think that one through.

KEITH DRAZEK: Yeah, no problem, Steve. And if you need to come back after, that's not a problem. Let's go to Maxim next.

MAXIM ALZOBA: Actually, track one is for operational interaction between ICANN and registries in framework of the contract. It's more about how we do what's written there. Thanks.

KEITH DRAZEK: Yeah. Thanks, Maxim. Okay, and I see that there's some input in chat saying there's a couple of things that might not be on there. Pam, go ahead.

PAM LITTLE: Thank you, Keith. Hi. I have a question for Steve. It just occurs to me that we in this chart—which is very helpful, by the way, and it goes back to the council's strategic plan session where we discussed the principle that is going to guide us in considering our work and how to prioritize in that I believe we say one of the things we need to be mindful, really, is very much about resources. So the approach, I believe, was to make sure that there is bandwidth freed up, community resources, volunteers, time, as well as staff time and resources to support new effort. Therefore, a new effort would only be kickstarted once a major PDP or EPDP is wrapped up.

So to that end, we have now in this chart showing EPDP phase two ongoing, RPM phase one ongoing, but SubPro doesn't seem to be on this chart. So I'm just wondering whether we should also include the SubPro as ongoing. Oh, sorry, it's in the top. Okay. That's great.

So because it's so tiny, I actually missed it. I apologize. But I also believe SubPro is one of those topics that is very big, as everyone

knows, and it's of great interest to a lot of community members and the whole ICANN community. And the implementation of that PDP is also going to require a lot of community resources and council's attention. So I think we should factor that in as well. That's all I have. Thank you.

KEITH DRAZEK:

Thanks very much, Pam. That's very helpful, and I agree. And this is very much based on a question of, at what point can we as a community initiate new work based on what's already in the pipeline? So I think that's a really important point. And I'll just flag that since you mentioned SubPro, one of the things that will probably lead from SubPro or is associated with SubPro is this topic of DNS abuse and the CCT RT recommendations that we're going to discuss later in the call. So that's something else that we will likely at some point have to add in here in terms of some discussion, some process to handle those issues. So thank you, Pam.

I'm going to hand it back over to Steve. I don't see any other hands, Steve, so my takeaway is that this is a very helpful framework. As you noted, it's not intended to be determinative or definitive in terms of where things actually sit, and this is something that we as a council are going to need to work on in the coming weeks and months. But I do like the framework. I think it's very helpful.

And I know one of the questions that was asked earlier, if you want to circle back to it, is, at what point do you think we can get a bit more granular in terms of the timing? So maybe moving from

looking at it on a quarterly system or basis to a monthly basis. I guess, what do you see as the next steps here in terms of making this useful? Steve, go ahead.

STEVE CHAN:

Sure. Thanks, Keith. I'll finish with that one, I think. So to Pam's point, the dependencies is a big part of this, and the capacity of the council is a big part of this planning. So as you'll see, at least based on the planned completion dates for the various PDPs, for the most part the idea is not to initiate anything else during this period. essentially, something needs to complete before the next thing starts.

And I think that actually touches on—and I had a little more time to think about what Philippe's asking. I think the project list is in that way integrated here, so as Berry mentioned, the projects are referencing both these two documents, and then I think what Philippe is getting at is the timing is reflected here. So when SubPro and when EPDP phase two, when RPM phase one, when those are intended to complete is actually reflected here. So that played into when these subsequent streams of work could actually begin.

And I guess I just wanted to stress that the idea here is that the council has been talking about its workplan for some time, and the concept is to try to give the council an actionable plan when they can actually put this into motion. So to the extent anything is intended to begin, when can it actually start?

So I guess just to connect to what Keith mentioned, what's the actual next step? Maybe it's exactly that, is that it turns into something more granular than quarterly and actually looks like a true workplan so you can see exactly when they start and then, I think to Rafik's point, then you can maybe get into a more accurate look at durations, because I think estimating that each of these PDPs is precisely one year is probably inaccurate. So right now, what you're looking at is I think more reflective of when you could start the work rather than duration. So hopefully that touched on, I think, most things. Thanks.

KEITH DRAZEK:

Thanks, Steve. Very helpful. Berry, go ahead.

BERRY COBB:

Thank you, Keith. I'll be quick. It just occurred to me, because when we had this discussion in the SPS in January, it was something that troubled me, is that we have what used to be called the scary spreadsheet versus the project plan, and the whole idea is really being able to look ahead at the projects or work that is coming our way. And my one concern about what we're looking at here, even though this has a specific purpose about what PDPs we can initiate, it still doesn't account for things like Work Stream 2 actions that we might get or CCT review or the eventual GNSO third review if that occurs or when that occurs.

So I'll take the action to—because what Steve presented here for this specific purpose is to understand when we can launch the next PDP type of thing, that I'll investigate trying to incorporate this

at the bottom of our projects list so that at least it's there in front of us on a monthly basis, and we'll try to—when you start looking out on this longer timeframe, it gets a little bit harder to see changes from one month to the next, but at least it's always in front of us as a reference and perhaps look to expand it a little. That brings in some of those other programs and projects that sit out there that are on the horizon for us. Thank you.

KEITH DRAZEK:

Thanks, Berry. That sounds good. And then Rafik, you have the last word on this, and then we need to move on. And Steve, you wanted to add something as well, so let's go to Steve and then Rafik.

STEVE CHAN:

Thanks, Keith. Sorry, Rafik, to jump the queue. Berry's comment just reminded me of something I wanted to point out, is that each of these items is not necessarily equal in terms of its burden, and it's also not equal in who is the responsible party. So something like requesting an issue report is primarily a staff action, whereas like the track one under IDNs is going to be the contracted parties and GDD, and then Recommendation 7 is policy development.

So I think one of the things that Berry and I can take back is actually to try to take into account who is actually doing the work for each of these things, which I think is probably an important factor. Thanks.

KEITH DRAZEK:

Thanks, Steve. Agreed. Okay, Rafik, last word on this?

RAFIK DAMMAK:

Thanks, Keith, and thanks, Steve. So since they talked about other [pieces] of activity that are not here, just wondered maybe if we can have it as an action item to clarify the situation regarding the Work Stream 2. I'm not sure if everyone read the blog post from Theresa regarding the Work Stream 2 state and that the board, ICANN Org will discuss with the community about the prioritization with priority for the implementation, which I think came as a surprise. So wondered if we can clarify or communicate at least maybe with board and/or ICANN Org to understand about this, what is expected process. But maybe. Just wondering here what we are waiting for exactly. As the chartering organization we approved the recommendations. I'm just wondering if we can take the lead by ourselves and think about the work that we can start. So just if we can really clarify what we are waiting, and to understand this process.

my concern here is that regarding Work Stream 2, it's kind of maybe unusual compared to review teams for PDPs and so on in terms of who should initiate the implementation exactly, because many of the works that are expected are supposed to be done by the different SOs and ACs. So just wondering if we can by ourselves start thinking what are the activities that we need to work on for the implementation of Work Stream 2. At least I see like the human rights impact assessment and so on. So if we can get an action item and try to follow up.

We know it's coming as well, but one step for us is really to start preparing for it and not to start waiting for something to happen.

KEITH DRAZEK:

Thank you, Rafik. I think that's a good point in terms of anticipating some of the opportunities to initiate work without having to wait for someone to tell us to do it. Work Stream 2 is a good example of that. so I don't know if anybody else has thoughts on that, but we are short on time and we need to move on.

And maybe, Rafik, that's a topic for our next meeting, is to focus on that a little bit more, maybe if there's a small group that would like to come together to review the blog post, to review Work Stream 2 implementation and to come up with some recommendations for council. Perhaps that's the next action.

So thank you all for the input, thank you, Steve and staff for pulling this together and giving us something to react to. And I think this is a really good step forward, and now we'll take the next steps.

So with that, let's move on to number five, a council discussion. This is an update on the draft response to the ICANN board's letter on the 11th of March related to EPDP phase one recommendation 7 and the impact on the preexisting thick WHOIS transition policy.

I'm going to hand this over to Rafik now. I understand there's been some recent conversations and a new version circulated, and Rafik, I'll hand it to you and to Pam to provide an update to the council and take this forward. Thank you.

RAFIK DAMMAK:

Thanks, Keith, and thanks, everyone. With regards to this topic, maybe first is just to remind everyone what we are trying to achieve here and the background. So what we have is recommendation 7 from EPDP phase one, and just maybe to remind everyone what it's saying exactly is that the EPDP team recommends that specifically identified data elements and the translation of registration data from the registrar to the registry is illustrated in the aggregate data elements [inaudible] must be transferred from the registrar to the registry, provided an appropriate legal basis exists and data processing agreement is in place in the aggregate [inaudible]. You have then a table of list of data element.

So what happened is that the board reached the council with regards to potential impasse. I'm using the word here "impasse," that's coming from the board letter. There's a potential impasse at the IRT where some IRT team members believe the EPDP team intended for recommendation 7 to repeal or overturn the thick WHOIS consensus policy while others believe the EPDP team did not intend to overturn the thick WHOIS.

And as a note here, I would like to ask later on Sebastien as the GNSO council to IRT to give us more update and more information about the discussion at the IRT level. I think that will be helpful for everyone.

So in the board letter, it confirmed its position that the purposes for registration data processing contained in the final report, the recommendation one, so we have 1A and 1B, provided a legal

basis for processing aggregate minimum dataset in the recommendation 7.

Also, the board confirmed its position that the EPDP final report did not repeal or overturn existing consensus policy, including in this case the thick WHOIS transition policy. Also, the board approved the EPDP phase one recommendation on the basis that thick WHOIS transition policy isn't changed by the EPDP recommendation.

What also the board noted is that the final report did not specify if recommendation 7 was intended to modify the thick WHOIS, and if so, how. This is in contrast with EPDP phase one policy recommendations such as recommendation 23 which includes specific changes to the UDRP.

And so when we are reviewing, as you know, the recommendation 27 [inaudible] report, we are expected to review and determine the next steps for the thick WHOIS transition policy as it was [inaudible] intended as an impacted and as a result of EPDP recommendation.

So this is what board letter says. On the other hand, we had first draft that was sent previously, and we also had volunteers who wanted to join the drafting team to work on the council response. So based on the latest comments in the council liaison, including the letter from the Contracted Party House representative to the IRT, the small team [members] tried to meet this week and to work on making edits and changes. And we ended up with a new letter with the understanding here for this letter that first we need really to focus on the process here, not the substance as I think it is

really the role of the GNSO council here as policy manager, and also, so with that, with the letter to acknowledge the reception and that we are working on this issue, and so also that we need really to kind of follow the process here, and we need to hear directly from the IRT team asking the council here for guidance.

This is important, I think, for the council in order to take ownership and to deal with this issue, and so I think if possible to share the latest version in the Zoom for those who didn't have a chance to read it. Sorry that it was sent late, just before the council call, but we finished working on it a few hours ago.

So with that, I will stop here, and I'm happy to respond to comments or questions. But also, I will ask if Pam or John want to add more on this topic since we can discuss as members of the drafting team.

So we have Pam. Please go ahead.

PAM LITTLE:

Thank you, Rafik. Again, I just want to very quickly take you through what this new version of the draft council response letter to the board letter dated 11th of March entails. And as Rafik mentioned, we have a small group of drafting team, including John and Marie who volunteered to help with drafting of this letter, but unfortunately, Marie wasn't able to join our call yesterday.

It became apparent during our call yesterday that the council really should kind of take one step back in terms of how we deal with the issue raised in the letter from the board. And you can see

they are actually, to me, two major topics or issues raised by the board in their letter.

One is regarding recommendation 27, and the other one is regarding recommendation 7 in the EPDP phase one final report. Recommendation 27 to me is pretty straight forward. The recommendations in the EPDP phase one final report impacted certain existing ICANN consensus policies or procedure, and that's very much explicitly listed—not exhaustively though—in recommendation 27 and the council needs to take action, including potentially initiating a new PDP effort or other mechanism to address those conflicts or impacted policy.

So that's now addressed as you can see, the first topic regarding the recommendation 27. Those existing policy that are impacted by phase one final report.

The second topic is about implementation of recommendation 7, and the board in their letter said there is some potential impasse regarding the interpretation of this particular recommendation. And you probably have seen the first letter circulated by Keith, which was reviewed by myself and Rafik. And we thought that sounded pretty straight forward, but we had some proposed amendments from John subsequently, and then we seem to have some sort of disagreement as what recommendation 7 actually means and the intent behind it, and we felt at this point it is probably not the best approach for the council to be involved in discussing the substance of that particular recommendation. And in order to resolve this so-called potential impasse, we should go back to the basics.

So we looked at what the GNSO processes that are guiding us to deal with issues such as this one, and that's why this is the new draft came about in light of those processes. And if I could ask staff to perhaps scroll down a little bit, and that's the second part—yes.

So here we really are going to go by—and the last paragraph, basically the next step is really for the council to officially ask our GNSO council liaison to the EPDP IRT to clarify and to resolve this so-called potential impasse. And if that is not successful, then we'll come back to the council and council would then consider next step.

So that's the gist of this new draft letter, and I appreciate you probably haven't had a chance to take a good look at it carefully, but we'll leave it open for a while and then open for discussion here this meeting. Thank you.

RAFIK DAMMAK: Thanks, Pam. Let's see if there is anyone in the queue. Nobody at the moment. So we have Tatiana and then Sebastian. Please go ahead.

TATIANA TROPINA: Maybe we'll let Sebastien go first, and then me, if possible.

RAFIK DAMMAK: Okay, thanks. Seb.

SEBASTIEN DUCOS: Hello. I just wanted to say that I have no problem with the letter, and as a liaison myself to the IRT, I'm more than happy to take this work onboard. I'm obviously not going to go into the substance now, but it has been a topic that has been discussed into the IRT. I did have a quick call with Dennis Chan—who runs this process—yesterday, and I think it is indeed the right next step to take. And that's all I have to say now.

RAFIK DAMMAK: Thanks, Seb. Tatiana.

TATIANA TROPINA: Thank you very much. I wanted to ask Pam or other drafters of the letter, what is the timeline of this expected work of the liaison on resolving this conflict? Do we have any timeline in mind, proposed timeline or anywhere? Because I'm looking at the letter, and I did read it before the meeting, but somehow I didn't find exactly how it's going to happen.

I believe there is probably not for the letter itself, but it would be interesting to know for me if possible. Thank you.

RAFIK DAMMAK: Thanks, Tatiana. Pam, you want to respond to this?

PAM LITTLE: Thank you, Rafik. Thank you, Tatiana, for the question. We don't really have a timeline in mind at this point. To be fair, this is the first time we as a council have to deal with this issue, and it is also

probably—we resort to this GNSO processes, principles and guidelines.

So I think we need to be open minded. The topic could be complex. And I want to thank Sebastien for willing to take up this issue and trying to resolve the disagreement or differences, and maybe there will be a resolution at the IRT level, and maybe not. but I think at this point, we should just follow the process and give all we can to support Sebastien and the council as a whole working together, trying to resolve this issue.

And as I said, we really need to be mindful that we have existing GNSO guidelines and processes. We don't need to and we should not reinvent new rules to deal with this, address this issue, because we are really dictated or should be guided by the existing processes rather than inventing new ones. And as [inaudible] said, we don't have a timeline, but we should just do our best and support Sebastien to hopefully get this resolved as expeditiously as possible. Thank you.

RAFIK DAMMAK:

Okay. Thanks, Pam. Yeah, we count on Sebastien, and I think we'll do our best to help him. I think following the process is quite important, and as you can see on the letter, there are several reference to [inaudible] on that matter. So maybe you want to highlight something that come yesterday. We also need everyone to get familiar with this issue. I think it's not just maybe about the EPDP phase one itself but also about thick WHOIS and so on. And there are several document to read and so if possible, maybe if we can get some briefing, that would be helpful for everyone.

But for now, we have this letter. I think that's a good start, and we try to work based on that.

Okay, so I see Tatiana in the queue.

TATIANA TROPINA:

Yes, Rafik. I would like to thank Pam for the response and Sebastien for taking this tremendous task. Why I asked about the timeline, because the thought came to my mind when I was reading this letter for the first time, exactly because this issue is very contentious and I was wondering if there is anything in the guidelines or we have something in mind.

I do believe that what we have to do is of course provide full support to Sebastien and mobilize here. And I also believe that IRT is probably not going to kick the can down the road and make this process longer than PDP itself.

So it's all good, but really, I just wanted to highlight that it is important to give it enough time but still keep an eye on this and not allowing it to go for too long, exactly because this is such a complex issue. Thank you.

RAFIK DAMMAK:

Okay. Thanks, Tatiana. Yes, Pam.

PAM LITTLE:

Sorry, Rafik. I was just wondering whether given we all appreciate this is time sensitive and critical, I was wondering whether we could ask the councilors how long they need to review this letter

and be able to finalize this letter. I think it's important we actually send this letter back to the board as soon as we can. So I'm thinking, is one week enough? And I'm happy to consider other, longer time period, but is that enough time for councilors to take a good look at this letter, consider what we are proposing here, and then agree upon a final version of the letter to be sent out? Thank you.

RAFIK DAMMAK: Sorry, Pam, can you repeat the last part?

PAM LITTLE: Yeah. Would one week from today be enough time for councilors to take a good look at this letter and indicate their support or nonsupport of this letter to be sent to the board? Thank you.

RAFIK DAMMAK: Okay. Thanks, Pam. I think this is fair point, and I think it's good to move forward. So I think we can take it as an action item and to put this for [inaudible] any reaction. And at the end, it's just acknowledging [inaudible] also say that we are working on this issue.

Okay, I think with that, we have support for this approach. Seeing nobody else in the queue, I think we can move from this topic. Keith, do you want to add something?

KEITH DRAZEK:

Thank you very much, Rafik. And also thanks to Pam, John, Marie, and Seb of the work that he's about to undertake. So thank you for running that discussion. And what I'll do, Rafik, now is transition us to item number six. I'll tee it up and then I'll hand it back over to you in just a couple of minutes. So thanks, everybody, for the input on that, and we now have an action item for all councilors to review the current draft and provide feedback by a week from today. So thank you for that.

Thanks, everybody. Let's move to item number six, which is council discussion on the current state of the EPDP phase two work. And in addition to receiving an update from Rafik generally, there's a specific topic that we need to discuss. And I'll get to that in a moment. But just to remind everybody that the EPDP phase two is on track and on target for concluding its work around the end of June when, just a reminder, we lose Janis as chair.

So the group has been focusing on the critical path issues for the development of policy recommendations related to the SSAD. But what that means is that there are going to be—and I think the exact list is still TBD—additional pieces of work that we need to consider. There's going to be priority two issues that are not currently on the critical path for SSAD development and will be left over, likely, from the EPDP phase two work. There are other topics of interest of various parts of our community, both inside and outside the GNSO related to things such as data accuracy, legal versus natural. There's some ongoing questions about how we're supposed to be dealing with ICANN Org related to the PPSAI implementation, the privacy proxy service.

So there are going to be some items that are sort of remainders from the phase two work, and there's a hope and an expectation across the community that these items will not simply fall away or fall on deaf ears, but there's actually going to be some community work to actually take a look at these issues.

So what we need to figure out as the GNSO council is, what are we going to do with those issues? And there are probably a range of options. There have been some suggestions about an EPDP phase 3 where we would have to go through and recharter the group to have a phase 3 to be able to deal with some of these issues.

It's also possible that the council could charter independent work on each one of these items that are going to be on sort of the list of leftovers that didn't get addressed during the critical path discussions for the SSAD.

So I just wanted to tee it up in that way. And we're not going to come to any decisions today on this, but this is really introducing the issue to the full council, that we are going to have to consider how to handle some of these issues that won't be addressed within EPDP phase two by the end of June.

So with that, I'm going to hand it over to Rafik. Feel free to add to or correct anything I said, Rafik, but let's hand it over to you for the general update on EPDP phase two and then we can move to a discussion of these other topics.

RAFIK DAMMAK:

Thanks, Keith. Yeah, just maybe to add some comments to what you explained right now. So the EPDP team is working on reviewing the comments received during the public comment period, and I think it was highlighted—and maybe you can see that, I think in the project package, is that we are running out of time due to the complexity of the comment review, and so we need to say that, that there is elevated or high risk that we might not be able to deliver final report by June.

So I think the message that was shared last week at the EPDP team call as to ask everyone to focus and to work toward that timeline to deliver recommendation on the SSAD and also priority two issue that we can have recommendation or agreement on.

So I think as Keith mentioned, we have several priority two issues that we need to deal with, but currently, with the timeline and the risk we have, we need to discuss the next steps, how we'll work on that. But outside of the EPDP phase two.

So all the difficulty is we have to review the comments. Also, we have broader spectrum of position and it can be difficult in many occurrence to have everyone to agree on the recommendation. So I think this is a real risk that was mentioned, and it was made clear by Janis that he cannot continue after the end of June. We might need a few weeks in July just to kind of finalize and finish, and it's possible to step in at that time, but we cannot go longer with that regard. So this is something we need to have in mind as we are the manager of the process, and I think we have to live up to our commitment, and what we have discussed several times is to be able to finish the PDPs within the timeline. And I think also from project management perspective. So we need to get things done

and we can't work on what's left of the different [inaudible] process.

So I don't have anything else to add, just to put it on the table for the council to discuss and also to be aware about the current situation. And with that, over to you, Keith.

KEITH DRAZEK: Thank you, Rafik. Would anybody like to get in queue on this topic? Marie, I'll come to you next but also invite our staff colleagues if anybody would like to speak as well in terms of this update, these topics here. You're more than welcome to get in queue. But Marie, over to you.

MARIE PATTULLO: Thanks very much, Keith. Thank you for putting the subject on the agenda and thank you to Rafik for—

KEITH DRAZEK: Marie, I'm sorry to interrupt, but you're sort of fading in and out. We can hear you for a second and then not for a few.

MARIE PATTULLO: Okay. I don't know what to do about that. [inaudible]. Okay, I'm yelling. Does that help?

KEITH DRAZEK: It's a little better.

MARIE PATTULLO: Okay. You know what, Keith? I'm going to call in. I think that's going to be easier.

KEITH DRAZEK: Would you like a dial out?

MARIE PATTULLO: That would be great. Move on without me. Thank you.

KEITH DRAZEK: Okay. Thanks Marie. Sorry about that. So yeah, if we could dial out to Marie, that would be helpful. Thanks, Terri. Okay, would anybody else like to get in queue while we wait for Marie to come back?

So I'll just jump in here and again remind folks that there are parties participating in the EPDP that feel very strongly that some of these issues, such as data accuracy, legal versus natural, should be handled as part of the EPDP phase two work on the SSAD. And I think there is some concern, as I understand it, that unless there's some predictability or certainty that there's a path forward on addressing some of these other issues that it may be difficult for those groups to support consensus on the package related to the SSAD and the critical path on the SSAD.

So I want to underscore that this is an important topic for us as the GNSO council to take on and consider as we figure out how we're going to handle these issues to give confidence to the broader

community or the groups that care about these particular issues that the issues will get a fair hearing.

So I just want to reinforce and underscore that that's a consideration that we need to keep in mind. So thank you, and Marie, over to you.

MARIE PATTULLO:

Sorry for the technical issues here. What I wanted to say was, thanks so much, Rafik, for teeing that up. I'm also really grateful to what you just said, Keith, which is that there are parties that really believe that legal and natural and accuracy are fundamental to this process. They're not something external. And as you know, the position of BC is that we believe that they were not dealt with in phase one because of compromise agreements that they would be dealt with in phase two.

They're not being, and we find that incredibly worrying, as do, from what I understand, our colleagues in RSSAC, ALAC and many others. Now, I fully appreciate the time constraints here, but I do have a serious concern. Even if I look at the agenda, you mentioned the, if I can find the wording, voluminous and complex comments that were received from the community in response to the phase two report, and also to the addendum to it.

And I'm really worried that trying to get all of this done by June is not going to give full credence to those comments. We're not going to be able to look at them—sorry, the EPDP team is not going to be able to look at them properly, not really understand issues being raised, and coming back also to accuracy and legal

versus natural, and our colleagues from the other parts of the community.

All of that to wrap up to say, while I realize the time constraints, I really think we should maybe be looking at a three-month extension of EPDP here, not rechartering, not trying to get new people in, we need the experts we have, and get this done properly and get it done once. Thank you.

KEITH DRAZEK:

Thanks, Marie. So just my initial reaction, and then if others would like to get in on this, feel free to put your hand up. But I think a three-month extension of the group loses Janis, he's not available past the end of June or maybe past the end of the first week of July. And we would have to go through a process of identifying a new chair, getting that new chair up to speed and basically, I just fear that that would actually end up delaying the process significantly, more than three months. It could potentially push things out six months in terms of having to go through a new search for a chair, and for getting that chair up to speed on the very detailed discussions that have taken place over the course of a year or more.

So I think we need to be very careful about what the expectations would be and what the potential impact would be there. Would anybody else like to get in queue? Michele.

MICHELE NEYLON:

Thanks, Keith. A couple of things. First off, I don't think that extending is viable, because as Keith has pointed out, this is

something that is not a revelation, it's something that we have discussed multiple times over the last I don't know how many months. Janis as chair cannot continue. Replacing Janis with somebody is not something that can happen overnight. And to be perfectly frank, based on the experience we had with trying to find a chair to fill the role—which ultimately became Janis—I just don't see that as being an option.

With respect to the areas where some parties believe that they haven't been dealt with, I'm not sure if that's really a true reflection of reality. I think possibly, the reality is closer to being that they—

KEITH DRAZEK:

Michele, I think we just lost you.

MICHELE NEYLON:

The way the multi-stakeholder model works. Consensus does not equate with everybody agreeing. A consensus will invariably involve parties not always getting what they want. And I'm not convinced that extending things further is actually going to lead to a greater level of agreement. And I'm saying that as somebody who has been involved in various WHOIS-related activities going back more than a decade. There are certain things where there will never be consensus, never be full agreement. And that's just the reality. And I just don't think that extending certain things like this—especially in light of the fact that many people were pushing for all of this to get done in record time. Those who have been on council longer than a year or two may recall when all of this kicked off, people wanted it to be done within, I think, they were talking

about six months. We're now, what 24 months later? So I think we just need to be realistic, and I think some people need to accept that they will not get what they want, and that unfortunately is reality.

KEITH DRAZEK: Thank you, Michele. Tatiana, then Rafik.

TATIANA TROPINA: Thank you very much. It is hard to add something to what Michele just said, but a couple of points. Coming back to the issue of data accuracy, while Michele was speaking and I was listening to him, I pulled up the minutes of the meeting on the 11th of March, and I think that it was pretty clearly expressed in the minutes, and I believe by the council, that accuracy is probably outside of the scope.

But all right, I don't mind bringing it up again and deciding on this, although I don't think that if we're trying to bend this decision again and again, it would be good for us. What I want to say here is that I totally and truly and wholeheartedly support what Michele just said. Keith, I'm not trying to tell you that you're wrong, I actually appreciate your willingness to bring different opinions and different stakeholder groups to a consensus here. But I do not think that consensus would look like one or two groups keeping the entire process hostage by saying that they disagree with something and this is why this should never be finished.

And I'm very sorry for my strong wording here, because I believe that the other parties are also making strong claims here that,

either give us what you want or we're going to disagree and undermine the entire process. I apologize for the strong wording, honestly. I miss you all, I miss the face-to-face discussions, but I want to get my message clear here.

And I totally agree with Michele. Consensus is not getting everything you want. It's not when everybody agrees with what you want. And although I hate this definition of consensus of consensus being everybody equally unhappy, I think that sometimes, we have to accept that consensus is exactly this.

And I want to echo all these points about the process of finding new chair, appointing the new chair. And I do not believe—I'm an alternate on the EPDP. I'm part of legal committee, and I've heard recurring discussions on data accuracy. We have been sending the letters to the external legal counsel on data accuracy, reframing questions like this and like that, bending them, asking the same questions hoping for different answers. There are basically not really different answers. And if it goes like this, I do not believe that data accuracy is going to be resolved in three months, in addition to me not believing that it is within the scope of EPDP, and in addition to me not believing that the GNSO council should revisit what we discussed on the 11th of March. Thank you.

KEITH DRAZEK:

Thanks, Tatiana. Rafik, I'll hand it over to you and then I'll make a comment and we'll need to move on.

RAFIK DAMMAK:

Okay. Thanks, Keith. So maybe just to add some comments here. Again, I understand the [inaudible] to end up with some recommendation on this topic, but we need maybe us to be factual here and just to remind everyone that we already have a lot of long deliberation about this, and so it didn't seem that we can reach really agreement on them.

So I would think in such situation it's better to have a reset and to think about the scoping and to build and to enable the factors for success for the future. And that's why we are talking about next steps, how we can deal with also those priority two issues, is how we can do that outside of EPDP phase two. It's not to delay, it's not the intent, but it's really to build the condition that we can deal with them after the phase two and a better condition, and to think how we can maybe reset, do better at scoping, do all the preparation by that time. I think we'll have all the needed documentation from ICANN Org and so on. that will help us to reach or to get recommendation on this. Trying to do that in the now, in the EPDP phase two, I don't think it's a recipe for success.

Regardless of the policy, if we are thinking of project management, we have the SSAD and we can get it done. If we do our best, maybe just even like few days after June will be fine. But let's get that done. Trying to force and also to work on the priority 2 issue, it might bring the risk that we don't succeed on both sides. So we need to be careful here. I think we can make insurance and warranty that we will work on those priority two issues. We need to discuss how we will do that and what should be the best option in terms of process for that.

And I also believe—why I'm using the word “reset,” because I think there is a fatigue in the team. I cannot speak for everyone, but there is fatigue. People, many of them, this would be their second year in what was supposed to be something short. So we need to be cautious, try to get success when we have the chance to do so.

Again, I think the point was made several times about Janis, he's not going to stay after June. If we have that process to have—it kind of doesn't make sense. I don't see how we can get extension. Just we will spend more time to get [inaudible] really spend doing the deliberation that we are thinking about. So, sorry for rambling here, but I wanted to kind of stress these two points.

KEITH DRAZEK:

Thanks very much, Rafik. It's all very helpful, and you're as close to this as just about anybody. So thank you for the input. So we're going to draw a line under this one right now, but I just want to circle back to a couple of things that I said. There are going to be issues that are “left over” from the work of the EPDP that are not currently on the critical path for the development of policy recommendations for the SSAD, the standardized system for access and disclosure.

So, the EPDP team now needs to focus, in my view, on the critical path items for the SSAD, and to try as hard as possible to wrap up their work by the end of June before Janis departs. We as the GNSO council have to figure out how to deal with these remainder issues. And there are open questions on the table. Do we recharter the EPDP to have a phase three? Do we set up other

processes? Are there other ways that we as a council can give some assurance and some confidence to the groups that care about these issues that they will be dealt with? I think that's an important consideration in terms of being able to provide some level of comfort and confidence that by approving the phase two recommendations on the SSAD, that that does not take these other issues off the table entirely, that the GNSO and the GNSO council are acknowledging the importance of these issues to various groups, and that they will not simply be left to the side. So I think that's the question before us, and we have different ways that we could approach this. But if we're going to have another group follow on to the EPDP phase two, we're going to have to find another chair. And that's going to take time in and of itself. But the key here right now is to ensure that the EPDP phase two can conclude its work on the SSAD critical path and that we find a way to provide some predictability as to what the next steps will be for these issues, the priority two issues that won't be addressed, and the additional questions of data accuracy and legal versus natural, etc.

So that's my view at this point, and I think we just need to try to start getting creative as a council in terms of how we might be able to address these issues moving forward. Michele, I see your hand, and then we really do need to move on.

MICHELE NEYLON:

Thanks, Keith. Speaking on my own behalf and not speaking on behalf of the Registrar Stakeholder Group, or the Registries Stakeholder Group, who I would never be able to speak for, I get the distinct impression that there is little to no appetite for a phase

three of the EPDP. I honestly, from talking to people involved in the EPDP that have been there in the trenches as it were for the last 18 months or whatever time it was, the workload there has been intense, the pace has been heavy, the number of hours that people have had to dedicate to that over the last 18 months or so has been insane. To ask anybody to commit to another PDP—whether it be an EPDP or any other alphabet soup—is just unrealistic. And I honestly do not think that there is any appetite for that, and I cannot see a reality in which we will be able to find people willing to take on that workload. Thanks.

KEITH DRAZEK:

Thanks, Michele. So yeah, understand completely. I think Rafik mentioned earlier the concern about Fatigue. I know somebody mentioned it. And there's no question that there's a challenge there. but at the same time, there are going to be issues that need to be addressed somehow, someday. So whether it's a phase three or something else, we need to figure out how to deal with that. That's our job as the council in terms of trying to figure out what to do with these issues. And Marie, I saw in chat you typed that the BC feels like it only needs another three months. I think based on our history in EPDP phase one and phase two, topics of legal versus natural and data accuracy are not going to be dealt with in three months. They are simply too complex issues to be able to be handled in a three-month period. And they need to be scoped appropriately.

All right, so we do need to move on. Flip, you have the last word on this, and then we will move to the next item.

FLIP PETILLION:

Thank you, Keith. I'm not going to repeat or try not to repeat what you just said, because I agree. We can't leave them untouched. How they are handled, I don't know. in parent or in a next group or EPDP 2 or 3, but we simply can't leave them untouched. And I hear you say it's not going to be dealt with in three months. I don't know. But we have to be clear. You admit clearly that we need to address these issues, you raise the point about timing, but I think we should all reflect on how we could address this and try to be as constructive as possible and come back to this on the next meeting. Thanks.

KEITH DRAZEK:

Yeah. Thank you, Flip. Agreed. I think this is the beginning of a conversation that we will continue to have. So thank you for that. Okay, let's then move on to our item number seven on the council discussion, which is discussion on subsequent procedures and the letter that was sent from the SubPro leadership to the GNSO council basically referring the CCT RT recommendations related to DNS abuse back to the council for consideration.

As I said at the top of the meeting, this topic is important because the ICANN board forwarded these re cs to the SubPro group. Subsequent procedures has indicated to us that they feel it's better for the council to consider these recommendations in a holistic way that would involve all gTLDs rather than just future gTLDs that is the purview of the SubPro work.

So we now have before us essentially a work item that is going to require us to decide how to handle the CCT RT recommendations specifically related to DNS abuse, and if I'm not mistaken, I think some of the same recommendations will be included in the SSR2 review team recommendations. And we need to figure out how we as a GNSO and a GNSO community and council want to deal with these issues related to DNS abuse. And frankly, the broader topic of DNS abuse that has been sort of on everybody's mind for the last 12 to 18 months now.

These topics of DNS abuse were initiated last year in terms of a community discussion, and it appears that those topics are certainly not going away in terms of interest across the community. So I think we have to figure out as a community how we want to deal with these issues and how we want to approach them, what the right solution might be. So I want to just sort of tee up the conversation, see if folks have any thoughts or views.

Before I hand it off to the queue, there's clearly interest in this topic across the entire community. Whether it's ALAC or GAC or SSAC, there's interest across the community. And the question is, how should or could we engage the community in these conversations? One possibility would be a CCWG that was designed to develop and inform industry best practices.

At some point, if what we hear from Göran and from ICANN Org, that they feel that they don't have the right compliance tools, the right contractual language in gTLD registry agreements and registrar agreements, what is it that they do need? What's different? And that would obviously require a GNSO PDP, because it would be impacting registry and registrar agreements

in the gTLD space. The benefit of running a CCWG on so called best practices could include gTLD operators, the ccTLD operators who would probably bring quite a bit of expertise and experience to the table and the discussion. Obviously, no contractual changes or requirements there, but an industry best practice informed by community discussions could be interesting and potentially helpful.

So I'm just throwing out ideas to see if others have a view, any sort of contributions to this. I know this is a relatively new development, but it's being triggered by the fact SubPro PDP working group that we're responsible for is referring these recommendations related to DNS abuse back to the council for consideration in a holistic way that would potentially involve all gTLDs and not just future gTLDs.

So let me pause there. Michele, over to you.

MICHELE NEYLON:

Thanks, Keith. So abuse has become one of those topics that everybody seems to have an opinion about, even though many people don't actually have any real facts or statistics to back up their opinions, which is leading to a lot of noise and hyperbolic headlines. I think one of the bigger issues here is a complete lack of factual data and statistics in a lot of the conversations, which I find incredibly frustrating, because there's a lot of talk about there's a massive problem over here, but when you actually ask for data, there's very little there.

I suppose one of the overarching concerns I would have is that if you start working on pushing for processes, policies, procedures for one set of TLDs, invariably, they will bleed into the others. Now, that's not necessarily a bad thing in all cases, but it would be naïve to believe that a set of contractual requirements that were to be imposed on an upcoming range of TLDs would not end up being backported on to existing TLDs.

I think the idea of having some kind of dialog with country code operators makes a lot of sense, but as I think Maxim and others are saying in the chat, there are some limitations around that, because country code operators are able to work in the silo of their national law, which means that they can do certain things in certain instances that just don't really scale up when you start dealing with international business and TLDs in multiple countries, etc.

I suppose the big issue a lot of the time is trying to understand what the problem is that people perceive that needs to be addressed. And often, they use domains that fall within ICANN's remit as being the stick to beat people with, because there are contracts in place, whereas a lot of issues have very little to do with the domains. The domains are just one part of a larger issue.

And the reason that the domains get pulled in is because of course the contracts, so there's somebody to actually go after, whereas if you're trying to go after hosting providers or ISPs or other parts of the broader Internet ecosystem, there is no one place that you can go.

So I think in some cases, we are seeing a focus on potentially the wrong thing. And I think it's interesting to have the conversation, I'm just not 100% sure where exactly it should go. Thanks.

KEITH DRAZEK:

Thanks, Michele. That's exactly the reason we're sort of teeing it up here for thought and consideration, because with the letter from the SubPro leadership, we as the council now have an action of some sort to take, and the question is, what do we want that to look like? And does taking this conversation to the broader community through perhaps a CCWG to develop best practices, could that be a good first step? And then coming out of that, if there are clear things that need to be updated in the gTLD agreements that we could initiate an EPDP to focus on something very targeted.

So these are all just ideas at this point, but I think this is something that we as a community and the GNSO need to think about. We've got a trigger here now with this letter referring this to us for consideration in a holistic manner. So I've got Maxim, and then Tatiana, and then James in queue. Maxim.

MAXIM ALZOBA:

Speaking about DNS abuse, and industry standards, etc., we shouldn't miss the fact that companies which are sources for tools like DAAR—cybersecurity companies—they don't have industrywide standards. There is no industrywide quality. Registries cannot have useful information often? The situation is that the picture seems to be quite one sided. Saying that registries

or registrars do nothing is really wrong, because we have to fight abuse on a daily basis, and situation where for example some so-called public sources deny a request of registries to at least check what was in complaints or in abuse letters doesn't seem to be right. And situation is really weird where there are no standards on which we can base industrywide reaction, because just blindly accepting everything coming out of security companies doesn't work, because we've seen examples of them, I'd say, doing not the best things. Thanks.

KEITH DRAZEK:

Thank you, Maxim. I guess my initial reaction to that is that I feel like these conversations have been taking place now in the ICANN space for over a year around "DNS abuse," and it seems to me that there could be some benefit to having some sort of structure or process around the conversations and the information sharing. And I want to note Pam also typed in the chat or put in chat a link to a new ICANN Org initiative or a new Technical Study Group on the topic of DNS abuse.

So we see ICANN as an organization moving forward with some efforts. And I guess I'm asking myself the question, what should the community be doing? And what could the community be doing better together to sort of improve understanding and to take steps and do better, I guess, for lack of a better word. I'll stop there. Tatiana, James, Rafik, and then we need to move on.

TATIANA TROPINA: Thank you, Keith. I don't know how the transcript is going to catch this, but I feel like I'm going to talk about Voldemort, because I'm going to say something about content regulation yet again, because this is what NCSG always links all the efforts to counter DNS abuse.

I would say that this is a very important discussion for the GNSO council, also for the reason that we want to limit these DNS abuse frameworks to gTLDs only. I believe that it is also up to us to keep it within ICANN narrow and technical mission and not go into content regulation. 15 minutes for DNS abuse is nothing, but I want to flag this issue, that we have to consider it within narrow, technical mission of ICANN, and gTLDs, and do not go to any point where we cross the line between a reaction to DNS abuse in terms of content regulation. Thank you.

KEITH DRAZEK: Thanks very much, Tatiana. Agree that any effort would have to be scoped very carefully to make sure it's within ICANN's bylaws and not focused on how [inaudible]. James, and then Rafik.

JAMES GANNON: Thanks, Keith. An anecdote and a comment. Just as somebody who has a day job that's been heavily impacted by the abuse around COVID, it's actually showed us that the toolset that we have for DNS abuse at the moment, while slightly archaic, is actually working quite well. Obviously, my company has been involved in a lot of the misinformation around certain drugs, so

we've had some huge impacts, a huge amount of volume around this topic, and it's worked incredibly well for us.

And then just a comment on the ICANN side of things. I don't want ICANN to try and reinvent the world of DNS abuse, to be very honest, and it goes well beyond ICANN' remit in terms of scope. So I would push us heavily away from taking a CCWG model around that. If as a result of either the TSG that the Org has convened or as a result of external efforts outside of ICANN which are already ongoing, there are specific gTLD policy issues that the council needs to address, then through our normal standard channels, we can address those. I don't see the need to try and reinvent the world around this.

KEITH DRAZEK:

Thank you, James. Pam, and then John, and then we do need to move on. We're out of time and we need to talk a little bit about ICANN 68 planning.

PAM LITTLE:

Thank you, Keith. I just want to echo what Michele and Tatiana and to some extent what James has said, but I am a bit more open minded than James in terms of the CCWG mechanism you proposed earlier. May I suggest, perhaps before we actually go down that path, we do have these bilateral meetings with our ccNSO colleagues. Would that be something that maybe we can just socialize and get some sort of a brainstorming during our next meeting with the ccNSO colleagues and see what their reaction is

or their thoughts and experiences that we could share before we decide whether we go down that path at all?

So I thought we could just explore that a little bit before we decide yes or no. Thank you.

KEITH DRAZEK:

Thanks, Pam. I think that's a good suggestion at the right time, but something that we have to think about ourselves at the GNSO council level before that outreach. But I do think, absolutely, that kind of outreach would be helpful. I think we want to have a sense as to what we might want to do. But I fully support that outreach.

Okay, John, and then Rafik.

JOHN MCELWAINE:

I'll be quick. One thing in terms of figuring out what future actions might be needed with respect to DNS abuse would be if we could get a status of what has been accomplished and collected with respect to the board's score card concerning the recommendations from the CCT report. That might help identify anything that's left to do and what the board and CCT had asked to be done. So I don't know if that exists. I see where things were handed off. I happen to know because of this discussion what's going on with SubPro, but I wasn't familiar if there's any sort of tracking of all of the other recommendations. Thanks.

KEITH DRAZEK: Thank you, John. That's a good suggestion. I don't have that answer or visibility either. Rafik, did you want to speak?

RAFIK DAMMAK: No. I think with regards to the time, we just keep commenting for now.

KEITH DRAZEK: All right. Thanks, everybody. thanks, Rafik. Okay, so we need to draw a line under that, and if you'd give us an extra five minutes here, please stick with us so we can talk about ICANN 68 planning, and then we will wrap up the call.

So, who would like to take this one?

TERRI AGNEW: Hi Keith, I can quickly give an overview there for you. So ICANN 68 sessions forms have all been submitted. Meetings team should be sending out a draft schedule shortly to the planning mailing list for the next steps, which is discussion about session conflict resolution. We don't anticipate any issues from the GNSO perspective. There will be no public forum, but there will be three plenary sessions covering DNS abuse and COVID-19, the DNS and Internet of Thing, and finally, ICANN post-COVID 19.

A reminder, the schedule is in Kuala Lumpur time, which is UTC+8. In UTC times, ICANN 68 session will start at 00:30 UTC and end at 09:30 UTC. Sessions concerning the GNSO council directly are as follows: All will take place on Wednesday to avoid

burdening the councilors over the whole week. There'll be two joint meetings: one with ccNSO council, and the other with the board, and then there's the two-hour GNSO council meeting.

Some PDPs have chosen to have a session during ICANN 68, and another during that week, but at their usual meeting times. All sessions taking place that week off the ICANN 68 schedule which are open to non-members will be listed shortly on the meeting website.

Correct, Juan, they are in Kuala Lumpur time. All right, Keith, back to you.

KEITH DRAZEK:

Thank you very much, Terri. Any questions for Terri before we move to wrap? Not seeing any hands, thank you. We'll look forward to receiving the actual schedule. And then I will conclude the meeting today by saying all of you are staying healthy and safe and that your families are healthy and safe, and it has been a pleasure to hear from all of you today. Like I said at the outset, I miss you all, I look forward to the day that we can get her again in person, whether that's this year or next. So thank you for joining, and with that, we will conclude the GNSO council call of May 21 2020. Thanks all.

TERRI AGNEW:

Thank you, everyone. Once again, the meeting has been adjourned. Please remember to disconnect all remaining lines, and stay well.

[END OF TRANSCRIPTION]