
**ICANN Transcription
GNSO Standing Selection Committee
Wednesday, 29 September 2021 at 18:00 UTC**

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting but should not be treated as an authoritative record.

Attendance and recordings of the call are posted on agenda wiki page:

<https://community.icann.org/x/RwKHCg>

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page

<http://gns0.icann.org/en/group-activities/calendar>

TERRI AGNEW:

Good morning, good afternoon, good evening, and welcome to the GNSO Standing Selection Committee call taking place on the 29th of September 2021 at 18:00 UTC.

In the interest of time, there'll be no roll call. Attendance will be taken by the Zoom room. If you're only on the telephone, could you please identify yourselves now?

Raymond may be on telephone only, but I'm not 100% sure on that. So Raymond, if you are on telephone only and you don't have a raised hand icon, just make sure to interrupt and we can get you in the queue then.

We do have listed apologies from Marie Pattullo and tentative apologies from Osvaldo Nova. And joining us a little later in the call will be Carlton Samuels.

Statements of interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. Seeing or hearing no one, if you do need assistance, please e-mail the GNSO secretariat. All documentation and information can be

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.

found on the Wiki space. Recordings will be posted on the public Wiki space shortly after the end of the call. Please remember to state your name before speaking for recording purposes.

As a reminder, those who take part in the ICANN multi-stakeholder process are to comply with the expected standards of behavior. With this, I'll turn it back over to our co-chair, Sophie Hey. Please begin.

SOPHIE HEY:

Thanks for that, Terri. Welcome all who are joining. Before the call started, we did note that we're a little bit light on numbers. It's good to see Tatiana has joined us since.

Just to clarify for the recording, even though we are light on numbers because this is an introduction call rather than an actual substantive decision-making call, we're comfortable to proceed as is. Thank you for the clarification, Tatiana.

But yeah, [inaudible] proceed with next week obviously being—or whenever our next meeting is going to be to make a decision, going to be—sorry, it's more important to have the numbers for that one. So if now is an introduction call, it's sufficient to proceed. Before I hand back to staff to give an overview of the assignment and the next steps, I just want to give everyone a reminder that our terms on the SSC are coming to an end, so just a friendly reminder to reach out to your SG or C appointing group to organize whether you're going to be staying on for another year or if you need to organize a replacement.

So with that, I'll pass over to staff to give us an overview of the assignment, and then we'll have a discussion where we can have any questions.

EMILY BARABAS:

Thanks, Sophie, for the intro, and I did want to say, thanks for the reminder about the refresh that happens at the AGM. Staff will also be sending an e-mail to each of your respective appointing groups shortly before ICANN 72 to remind them as well that the reappointment or new appointments will need to happen. I believe it's within three weeks after the AGM completes. But great to start thinking about now if you're eligible to stay on, if you'd like to do so and to coordinate there.

As Sophie said, the purpose of this call is really just to give everyone a little bit of an overview of what we're looking at for this assignment to prepare for the selection process, to answer any questions, and then to send folks on their way to do their individual reflection on the applications to be discussed further, probably next week. So for those listening to the recording, welcome, and thanks for listening. And for those who are here in person today, please do feel free to raise your hands and ask any questions that come up.

I'm going to drop here the Wiki page that hopefully you're all familiar with now which provides an overview of the assignment, and I thought it might be useful just because this is a fairly new mechanism and I'm not sure how familiar everyone is with it to just talk a little bit about the ODP and the liaison role since it's been getting a lot of attention lately in the community, and in this

particular case, the sort of history and nature and context is really important to the selection itself.

So starting a little bit with the ODP, the ODP is a fairly new tool. The subsequent procedures ODP is only the second one to be initiated after the SSAD ODP that was initiated earlier this year. The goal here is really for the ICANN Board to have some more tools provided by Org, specifically an assessment of kind of relevant information that can support the Board's deliberations on whether it should be approving a set of recommendations, be those GNSO policy recommendations or other recommendations provided by the community.

So if the Board sees that policy recommendations are particularly complex or may have a particularly large operational impact, they may call for such an assessment and on September 12th this year, the Board directed ICANN Org to initiate this ODP for SubPro, although we saw it coming earlier and that's why Council started this EOI process earlier. Specifically, the Council had already asked the Board to initiate the ODP when it adopted the outputs and there has been some discussion previously that this is likely a candidate for an ODP.

So just for anyone who's not so familiar with it, this is a link to general information about what the Operational Design Phase is, and there's now a designated page for the SubPro one with some additional details.

In terms of the liaison role, it's framed initially in this concept paper that was developed to outline what the ODP is all about, and the criteria that were provided in the EOI were really derived from that

concept paper itself. It's summarized here on the Wiki page, but I'm just going to run through it and see if anyone has any questions about the scope and nature of it.

As the name hints, the responsibilities are really about being a point of contact between Council and Org, and serving as a conduit in a neutral and transparent manner. So there's an e-mail thread set up essentially and a public record of the e-mails that are sent between the liaison and Org so that you can really see, no matter where you're coming from in the community, exactly what's happening and make sure that you can follow along.

So the liaison acts as that conduit. To the extent that Org has questions that need to be channeled to Council, the liaison communicates those and does the same on the way back between Council and Org. And then to the extent that Org needs additional background information, the liaison can provide that in consultation with the GNSO Council.

Are there any questions about that in terms of responsibilities?

And then in terms of desired skills and experience, it really reflects what we said about the responsibilities here. It's a specific and limited role and the person performing the liaison role needs to understand that and also perform that duty with restraint. The person ideally has previous involvement with the PDP and knowledge of the subject matter, the ability to act in a neutral manner especially where there are divergent views in the GNSO, understanding of the GNSO Council and how it works, and of course, able to perform the necessary duties as well.

Raymond, I see your hand. Please.

RAYMOND MAMATTAH: With regards to the role to be performed and those who are qualified, I have a concern about current sitting Council members being appointed, because they are making the decision and the decision is supposed to be reviewed by the ODP members. So if there's room for those same people who are making the decision to review it, then it looks like the policeman is serving as police to him or herself at the same time. That has been my only thought since I look at the role to be performed, and some of those who even applied. So that has been my only concern. I'm not sure if I made myself [too clear though.]

EMILY BARABAS: Thanks, Raymond. So it sounds like maybe one of your concerns is about potential conflicts between this role and other roles. Is that correct? It's specifically about the role of the councilor versus the role of the liaison?

RAYMOND MAMATTAH: No. So the Council members are the ones who'll be making the various policies which will be reviewed by the ODP members before they advise the Board on what is the good way out. But some of those who are applying for the liaison are Council member. So it is the same Council members who are going to make the various decisions. So I don't see why a Council member who made the decision should be part of those who should review the same decision. That has been my thought.

EMILY BARABAS:

Thanks, Raymond. I think—and I'll invite Tatiana as well, I don't want to put you on the spot, to speak to this. But maybe it makes sense also to kind of pop ahead a little bit, because there's a couple other things that I wanted to go over, and one of them was that—so the SSC completes its selection process at the direction of the GNSO Council. I'm sorry, I'm just taking two steps back and then I'm going to come back to the specifics of the question.

So in this particular case, there are some clear criteria that are provided in the EOI, and the question about potential sort of conflicts between other community roles that candidates might be serving and this particular role was actually something that the Council discussed in its last meeting, and the Council said, is there—asked this question to the Council, are there any potential conflicts, or is it the case that because the role is for the most part a neutral role that's really an information sharing role, that there shouldn't be any constraints on playing multiple roles?

And the GNSO Council didn't actually agree to provide any specific guidance on that matter. And I also wanted to actually just clarify one additional item, which is that once the GNSO Council has approved the recommendations, they've already done that approval. So at this stage, the final report is moved on to being within the Board's domain for the Board to consider whether to adopt or not adopt recommendations.

So the ODP is intended to be a set of Org work that supports the Board's decision, and the communication between Org and Council is about clarifications about questions that come up in the

ODP that concern the outputs that have been approved by Council. So those recommendations and other outputs. Tatiana, do you want to add anything to that? And sorry, Naveed, I'm conscious that I may have skipped you in the queue, but I think since Tatiana can speak from the Council leadership perspective, maybe it makes sense for her to go first if that's okay with you.

TATIANA TROPINA:

Yeah. I hope it's okay, Naveed. Just very shortly—and thank you, Sophie, for giving me the room to provide some background here. I do understand the question from Raymond, and I think it is a very good question. And this is something that perhaps you as the Standing Selection Committee have to discuss in your deliberations, looking at all the candidates and weighing in on pros and cons.

But of course, it's not in the requirements. And as Sophie said, the GNSO Council didn't agree to provide any guidance here. I just want to note here that this role is very limited. So as Sophie said, there is no review of the recommendations per se, which the Council voted on. ODP is going to deliberate on how to implement them and whether they're implementable, and how much will it cost and what kinds of consequences this implementation is going to entail, so to advise the Board what to do in a way. Sort of a risk assessment and risk mitigation in terms of financial and then other factors.

Here, we have to note that the role of the liaison is not to serve on the ODP. So the liaison does not deliberate. There is no point of influence here. Or at least it wasn't supposed to be. We don't

know of course how it's going to be. But I don't see any loophole here to exploit for the liaison. Liaison is indeed a point of information sharing, it's a channel between the ODP and the Council.

However, I do believe that all the concerns should be raised when Standing Selection Committee deliberate. I just think that what I would advise Raymond to do is to bring it up when you're going to deliberate, because I think that if there is a point here, it has to be clearly articulated and the Standing Selection Committee has to revisit this and say, "Okay, the role of the liaison is narrow. Is there any point to worry about this?" And so on and so forth.

So not trying to stop this discussion, just clarifying, but I think that it's worth to bring into your deliberation as well when you are indeed going to discuss the candidates.

SOPHIE HEY: Thanks for that, Tatiana. Does that help at all, Raymond, or answer your concerns and questions?

RAYMOND MAMATTAH: I think yes, it answers my question. So we'll leave it for the general consensus to be made on this.

SOPHIE HEY: Okay. Great. Thanks. Naveed. Thank you for being so patient.

NAVEED BIN RAIS: I share a similar opinion, because to me, as I investigate EOI, there seems to be some kind of vagueness in the kind of role that this liaison might have and the influence that this liaison might have on the ODP. That is something which is not clear.

SOPHIE HEY: Naveed, I'm really sorry to interrupt you but we're having some problems hearing you clearly. You're a little bit echoey. Would you be able to move closer to the mic, maybe, at all?

NAVEED BIN RAIS: I'll try to be closer to the mic [inaudible].

SOPHIE HEY: Sorry.

NAVEED BIN RAIS: Can you hear me now?

SOPHIE HEY: That's a little better, I think. Sorry about that.

NAVEED BIN RAIS: No, it's okay. So what I'm saying is that for example, I share the common concern with what has been discussed so far, because when I see this EOI, I see some kind of vagueness which does not clarify exactly what the role or what the influence this liaison might

have on the ODP representing, for example, the GNSO on that team.

And by the implementation, the priorities of the implementation might actually affect the implementation phase of that SubPro, so much effort has been done in the past, so we have to be careful about making sure that the implementations are prioritized and done in the right manner.

So maybe what we can do is have some option in the survey where we can at least register our opinion about this vagueness or this potential—I will not call it a conflict of interest, but potential problem that it might raise.

I also see that it has to be also—can you hear me?

SOPHIE HEY: Sorry, Naveed, you sort of cut in and out. We can hear you really well and then you go back. Were you adjusting your mic at all while you were speaking?

NAVEED BIN RAIS: I'll just try to use a different mic now. Can you hear me?

SOPHIE HEY: That's great. That's amazing. Sorry.

NAVEED BIN RAIS:

No, it's okay. What I'm saying is that this implementation is very critical. So what we can do is that we can come up with some kind of feedback in the survey that we are going to fill to register our opinion about this vagueness in the EOI or the potential—I will not call it a conflict of interest, but problem that we might have with the liaison and the ODP.

I also can see that we also have to keep in mind the amount of work required to be done on this task. And I see that the people who are applying already have so many hats within the ICANN and outside ICANN. So I wonder how much role this liaison brings with this appointment. So we have to consider that as well.

And moreover, there is another thing that I would suggest in the form or in the survey that we are going to fill later on, is the potential background of the candidate, specifically with respect to the SubPro of this new gTLD. So any direct working group experience or any such thing if we can highlight on that and give an importance to that would be great as well.

SOPHIE HEY:

Thanks, Naveed, for that. So a couple of points there. I think some of what you were saying is about a personal assessment on the capacity and assessing each candidate's skills and experience. Thank you for sharing that.

Again, I'm also seeing a lot in the chat—just to clarify for everyone—that the liaison is not going to have anything to do with implementation. The ODP is a pre-implementation process. The role of the liaison is to communicate between the GNSO and Org,

the ODP team and Org, where there are any concerns understanding the recommendations that the GNSO Council has adopted.

As Emily typed in chat, the role is expected to require about five hours of work a month. However, given you did bring this survey up, Naveed, I think it might be useful if we actually turned to that now and we focus on getting specific feedback on that form, because it might help focus our discussions a little bit more, if that's all right. Emily.

EMILY BARABAS:

Thanks, Sophie. I have the poll up here. I wanted to just highlight a couple things that I think Tatiana has put into chat, and others ... So just coming back to this, I want to highlight again that this is a really narrow and specific role. This ODP phase is not implementation. It's before the Board has even made a decision on whether to implement. So down the road, if the Board adopts the recommendations, there'll be an Implementation Review Team that'll actually do the implementation work. The ODP phase is really about doing this analysis to help the Board make a decision about whether to adopt the recommendations. And liaison role itself is very narrow and specific, so it's really about being the go-between to help deal with questions that the Org has to the GNSO Council. So it's a messenger role, and the intent is that it's very limited in nature.

So for the one ODP that's already underway, that's what we're seeing in terms of the role that the liaison is playing, that it's very specifically about Org coming up with questions, about the nature

of the recommendations and so forth or context and background that it might not have, and the liaison relaying that information to Council so that those questions can be answered. So I hope that that's helpful.

And I wanted to just mention one other thing about conflicts of interest. So for context, the EOI does include a question about material interests in the ODP and also in the new gTLD program in general. I think in formulating the EOI, the intention was really just to have that be an extension and a sense of the statement of interest. So the statement of interest registry asks, what is it that your material interests are, if any, in working groups and GNSO activities? And all community members who participate in those activities are expected to disclose that.

The ODP is a little bit different. It's an Org activity and so it's a bit of a different question, but essentially an extension of that. So when we talk about things like conflicts of interest, generally speaking, within the GNSO, community members wear a lot of hats. Many of them have interests of various sorts in the work that's done at ICANN. And on the whole, the model that's used is that people disclose those interests but it doesn't necessarily disqualify them from participating or even leading initiative, act in liaison roles and so forth. That's the general rule.

So if the SSC feels that it's something that's directly conflicting in some way, of course, that's for the SSC to deliberate on and make decisions on, but I think it's really important if there's an exception there, that the SSC provides a very clear rationale for why they see either two community roles as conflicting or why they say a set of material interests is incompatible with performing in a role,

because that is a little bit different than the way the GNSO typically operates.

I've been talking a lot, but I'll just say one more thing, which is that I'm dropping a link to the draft survey into the chat here. As you all recall, it's been a while, but typically for SSC practice, the way that this works is that after the sort of intro call with the background, the members individually look at the EOIs, fill out this poll to help organize their thoughts, and then that poll helps to guide the conversation where the deliberations actually happen about the candidates. So the poll as it is drafted right now is very straightforward and really only includes asking to rate the candidates based on the criteria provided in the expressions of interest.

So if there are items that should be captured in the poll that are not here now, so are beyond what was in the EOI, we can certainly add those things if there's agreement to do so. But it's helpful to have feedback about that on this call, or we'll give an opportunity for folks to do that on the mailing list directly after this call. Thanks.

SOPHIE HEY:

Thanks, Emily. I really appreciate you taking us through that. I hope that's a little bit clearer for everyone. I don't know whether everyone's had the chance to look through the draft survey yet or not. Originally, we'd planned that we'd put it out in advance. So Peter's put it in the chat, reading my mind.

At the moment, it was planned originally that we'd go out then following this call, any feedback that we received during this call, there'd be a further 24 hours following to fill out the—there'd be 24 hours to review the survey, make sure that everything is okay by everyone. Then, as I understand it, potentially next week at the same time, there might be another one of these calls to actually discuss the survey results and the potential appointments.

So it'd be probably until Monday. If that's a bit too tight, then we can look at potentially extending that timeframe so that we either have longer to complete the survey or to review the draft survey. But again, we need to hear some feedback from people and also about the timing for a further call on this.

To your question, Raymond, I thought I saw an any other comments at the end of the survey. Are you asking for comments for each ranking? Just to clarify. Sorry. For each criteria, you want extra comments?

RAYMOND MAMATTAH: Yes, so for instance, question three, after doing the ranking, probably, there could be a place for a comment for us to make comments on why we ranked somebody six and another person eight and the rest. That's what I was thinking.

SOPHIE HEY: Okay. Does anyone have any thoughts on whether they'd like a space to include a rationale? It would be optional to include a rationale. Does anyone have any thoughts or objections, further comments on that? Okay, optional if it's there. Emily. Yes.

EMILY BARABAS:

It's certainly not a problem to make an optional comments box after each of the ranking questions so people can add additional comments. And of course, you can leave it blank. I did want to note also that Carlton had provided feedback on the mailing list that he would like a question to indicate whether EOI materials submitted by the candidate offer enough information for an informed decision, especially if you don't know the person.

Since we're going to put additional comment boxes in, I was wondering if maybe it makes sense to just encourage people to select "not applicable" for these questions if they feel like there's not enough information to rank them based on a criteria, and then they can just put in the comment box that they don't feel like they have enough information to rank the person on that criteria. Does that work okay?

SOPHIE HEY:

I think that is the perfect use for a not applicable, honestly. But I would like—again, please feel free to disagree with me if anyone has other opinions on that. So I'll just pause. Okay, so I think when we send the survey around, Emily, we make a note as a reminder to address Carlton's concern that people might not have enough information, that if they're not comfortable to provide a ranking, then they can select the not applicable option and they can also make comments in the optional comment box. I think that addresses both Raymond's and Carlton's concerns. Again, I'm very aware that Carlton's not here and I don't want to be assuming that I've addressed his concern that he raised.

Okay. Are there any other comments, questions, feedback about this particular assignment, about the draft survey, about the timing? Okay. Emily, go ahead.

EMILY BARABAS:

Thanks, Sophie. I was typing while you were talking about timeline and just wanted to confirm what we had agreed. So it sounds like we would give everyone 24 hours after this call on the list to provide any additional feedback about the survey. Then if everything is resolved within 24 hours, we could open the survey and give folks until shortly before the next call to complete the survey. Did I get that right? And then we just have to figure out the timing for the next call.

SOPHIE HEY:

I think that sounds good. I think we do need to figure out the timing for the next call. But I think overall, for the 24 hours, unless anyone would like longer, if there are no comments or things can be resolved, I think that would be enough. Peter, I see your hand.

PETER AKINREMI TAIWO:

Thank you so much. I was just trying to look at how the liaison role can be made easy. Is there any kind of a template for reporting for liaison? I know that's actually beyond the remit of this call. I'm just trying to ask if that is available so the work of the liaison would be made easy. Is there any kind of a template for them to report back on whatever [whatever things] from the ODP or any liaison role? Just wanted to ask.

SOPHIE HEY: I don't think there is because this is such a new role, and everyone is still trying to work out how exactly is the best way to move forward with it. As Emily said earlier in the call, we've only had one and it was the SSAD ODP. I don't think it's really our place to necessarily comment on the template or anything that might assist the candidate that we select. But yeah, again, it's a very valid point. It might be something you want to ask your councilors to raise at Council. But it's not something that we as the SSC can actually look at and prescribe for instance.

PETER AKINREMI TAIWO: Yeah, that makes sense. Thanks.

SOPHIE HEY: Okay, great. Okay then. So we'll have 24 hours. That would be, I want to say, 19:00 UTC Thursday. We'll ask for comments to come through on the draft survey and—is it okay if we maybe do a Doodle poll again for next week to—yeah, thanks. I think it would just be best rather than assuming everyone's got the same availability for two weeks in a row. And just to make sure we're fair to everyone.

Okay, so we'll also be sending a Doodle poll around to try and find another time to discuss the appointment that'll impact on the survey. So yes, we'll probably be looking at the second half of next week and early the following week for a time. So it might be that we get a little bit longer on the draft survey, and if we're not getting responses to the Doodle poll in time.

Okay, are there any other comments, questions, feedback on this at all? So Raymond likes this time. Okay. Any Other Business then? I think we can move on to Any Other Business. Are there any other items that anyone wants to raise? Okay, I think we can end the call then. Emily, if you need me to clarify anything, please let me know about timing and next steps.

Perfect. all right, with that, enjoy the rest of your day, everyone. Thank you.

TERRI AGNEW:

Thank you, everyone. Once again, the meeting has been adjourned. I will stop the recordings and disconnect all remaining lines. Stay well.

[END OF TRANSCRIPTION]