
ICANN Transcription

Council Committee for Overseeing and Implementing Continuous Improvement

Wednesday, 27 April 2022 at 12:00 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/CBR1Cw>

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page <http://gnso.icann.org/en/group-activities/calendar>

DEVAN REED:

Good morning, good afternoon, good evening. Welcome to the Council Committee for Overseeing and Implementing Continuous Improvement call taking place on Wednesday 27th April at 13:00 UTC. In the interest of time, there will be no roll call. Attendance will be taken from the Zoom room. We do have apologies from Antonia Chu.

Statements of interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. If you need assistance updating your statements of interest, please email the GNSO Secretariat.

All documentation and information can be 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. As a reminder, those who take part in the ICANN

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.

multistakeholder process are to comply with the expected standards of behavior. Thank you. And over to our chair, Olga Cavalli. Please begin.

OLGA CAVALLI:

Thank you, Devan, thank you very much. Good morning, good afternoon, good evening, wherever you are. Thanks for joining with us this morning for me. Okay, let's see the agenda. Any comments to the agenda? It's quite straightforward and short.

First, remember that we have been communicating to the CCG the results of the ranking that we discussed in the last call. We also shared this information with the GNSO Council, the status update of this activity. And I will ask our ladies from staff to let us know about the work plan status, which is a document that you have linked there.

MARIKA KONINGS:

Thanks, Olga. So this should look familiar. This is basically the work plan and order that we share during the last meeting, in which we've basically suggested the order by which the group could go through the different recommendations to be kind of a logical sense and also aligned with the work that the CCG is doing.

So what we've done is we've updated this by reflecting in the status column where things stand. So as Olga just noted, the group completed its first assignment last week by completing the ranking of the recommendations and communicating that to the CCG. And the group started its review of the diversity

recommendations. So we covered a 1.1 last week, and we're picking up with 1.2 this week. So we've documented here as well in the third column, basically, that the status and we hope that this can also serve as a way for people interested to kind of track work that's being undertaken, and being able to document as well the conclusions that the group is making on each of these recommendations.

We've also posted the link to this document on the wiki page. So if ever you want to kind of check up on where things stand, you're of course able to do so. And of course, may also serve as a helpful reminder of the agenda for upcoming meetings, because I think as we've explained last week, the idea is to have this as kind of a rolling agenda so you basically know what is coming next and can prepare accordingly.

Of course, at one point we'll get probably a better idea of how much ground we can cover per meeting. But of course last week, we had to kind of go through a bit of explanation of what the group is trying to do. And this week, we'll also spend a little bit of time briefing you again on kind of the status assignments that are available and the background behind that. So hopefully, that will at some point speed up things and we're able to move through some of these at a quicker pace.

As I said, we haven't at this stage put a timing on it. But once we get a better sense of how many recommendations the group can cover in a meeting, we may be able even to attach a timeline to some of this. So I think that's basically it. We hope this is helpful. And we will continue updating this as the group progresses its work.

OLGA CAVALLI: So Marika, this is an internal document for us, for the CCOICI am I correct?

MARIKA KONINGS: Yes, but it's also—I think this is viewable for anyone that clicks the link. So it is on the wiki which is public so anyone can see this.

OLGA CAVALLI: Okay. But basically we are the ones to put information into this table based on our progress, right?

MARIKA KONINGS: Yes, correct. This is basically a tracker of the progress that's being made. And also for us the ability to kind of track and document the determinations that the group has made. Of course, it's also something that we'll capture into notes. But as you can see here, we basically captured here that based on last week's discussion, the group determined that 1.1 should have the designation not applicable for action, with a rationale for that. So again, this is to kind of tracking work progress, but also the outcome of the conversations today.

OLGA CAVALLI: Okay, thank you. We have other apologies in the chat, as I can see, from Thomas and Juan Manuel. Okay. Fantastic. Thank you. Can you show me again the agenda, please? So any comments about this workplan status? I think it's quite simple and

straightforward, but maybe you have any comments, suggestions, improvements.

No, hands up. Thank you, Sebastien. It works for you. Fantastic. Okay. So that's point 1C. Two point in the agenda is review status designations. And we have an overview of status designations? I think Ariel will give us some updates about this issue. Am I correct?

ARIEL LIANG:

Thanks. Olga. Yes, I will. Give me one moment to share my screen. Okay. So this is to address some of the questions from the last meeting, because we discuss the implementation status, folks have a little bit confusion about what it means, for example, well, what does non applicable mean and what does action decision required? So this is an attempt to provide some clear definition to facilitate the deliberation of this group, and then assess the implementation status for Work Stream 2 recommendations in the context of the GNSO Council. So this is our list.

So this is the working document for CCOICI. And we basically included the proposed definition for the status in the working document. And so everything is in one place. I will just run through the definition and then see whether members have any feedback or input for these and hopefully, they're clear enough.

The first one, complete. So that means the recommended action decision according to that Work Stream 2 recommendation is

completed by the GNSO Council. So that's the definition for complete.

The next one, partially complete, it means recommended action decision is partially completed by the GNSO Council, further implementation may or may not be within scope to be addressed by the GNSO Council. So as the term suggests, there are some remaining work that still needs to be done. But it may be GNSO Council's role to do that, but may not be so but it's partially complete.

For action decision required, it means GNSO Council needs to make a decision on whether the recommended action decision is applicable for action by the GNSO Council, and then assign appropriate implementation status in this list. So that means a particular recommended action has zero action within the Council. Yep. So it's like a blank slate or an empty canvas. And that's why staff believes that the Council needs to make a decision on what to do with this and if it's applicable, we need to figure out what is the next step, should that be implemented, or was that already completed? Something like that. So that's action decision required.

For not applicable for action, it means recommended action decision and its respective implementation is not within scope to be addressed by the GNSO Council. So for example, the previous recommendation we just discussed, 1.1, the definition of diversity, that something should be addressed by the broader ICANN community, it's not really Council's role to provide definition for that, because Council is the representative body so it doesn't really have a position to play there. So for that type of

recommendation, it will be not applicable for action because the implementation work is not within scope for the GNSO Council, it's for some other body to address.

Implementation planned means the GNSO Council is planning to implement the recommended action decision. And then the implementation ongoing is the GNSO Council's implementation on the recommended action decision is ongoing.

Won't be implemented means recommended action decision is within scope to be addressed by the GNSO Council, but the GNSO Council chooses not to implement. So if you recall, some of the Work Stream 2 recommendations are not mandatory. And if the Council decides, yes, it may be within scope for the Council, but we don't really think it's relevant enough or important enough, so the Council chooses not to implement it. So that's a possible status too.

So these are the proposed definitions. And I hope that will provide some clarity for everybody when we go through each of the recommendation. And we can also refer back to this definition where we have confusion. Marika has her hand up.

MARIKA KONINGS:

Thanks, Ariel. I just wanted to add one thing, because it was one of the things that confused me initially, for a number of the recommendations, staff has included a proposed status designation. And that's really based on staff assessment on where things stand. So it's for the group, of course, to confirm whether or

not you agree with that designation, or whether something else should apply.

So in the case of action decision are required. And I think that's the question that Philippe is asking as well, that is only a status that that staff can assign where we basically are not sure based on our assessment, none of the other statuses seem obvious to us. And it's really for the Council, for this group to kind of make a determination on what designation applies. So it's not one that will remain there. At the end of the day it's just more of an indication that from the staff side, we're not exactly sure which one is most appropriate or which direction the Council wants to go on that.

Partially completed is to certain degree the same, but it's basically where some work has been undertaken but some work still needs to be done. So it's indeed from the group then to decide, is that for the Council to do, or does that belong somewhere else? So if it's for the Council to do, the group will, of course, need to identify what that will look like, and probably even implement it if that's something that the Council would assign to this group. But it could also find that it's not applicable for action. So it could have probably a dual status where it's partially complete, a part that has been implemented by Council, and a part that's not applicable for action, as is not within the scope of Council to implement that recommendation.

So I hope that makes sense. We've kind of struggled a little bit with some of these as well, but we thought kind of providing a bit more explanation for each of these may help as well the conversation as you go through these recommendations as we kind of, I think we got slightly distracted during the last meeting by

focusing more on the substance of the recommendation than the kind of the status designation of it, which of course is logical as well because there is a lot of content in there as well. But I think it's important as well to remind everyone again for that substantive discussion, that probably belongs within the CCG, especially those recommendations that are with that group to be implemented.

And of course, each stakeholder group and constituency has representatives there. So, of course, there's also an ability for Olga to provide feedback from a Council perspective in that conversation. But if there are very specific instructions that you think your representatives should convey, that is, of course, another avenue you have.

So with that, we hope that this is helpful. We would propose as well as we kind of go through the recommendations that you maybe keep this list handy to remind yourself again what each of these designations mean, because, as explained before, the biggest part of the assignment for this group is really to go through the recommendations and designate the appropriate status to each of the recommendations.

OLGA CAVALLI:

Thank you, Marika. This is clear. There is a comment from Philippe in the chat. I don't know if it was addressed by your comments. "Given action required status, does partially complete mean it is not up to Council to decide?" I think you just explained it. Is that okay, Philippe? I think it's clear because of what he wrote in the chat.

Thank you, Marika, for that. So not substance, but just the status of each of the recommendations. Any comments, suggestions? I must confess it's somehow confusing for me not focusing on the content, but it's something that we have to think about every time that we do this exercise. It's normal that we react and try to talk about the content. But it's up to the CCG, not to us, for that. Any comments, questions, about this list? It's available in the link that Marika has shared here in the chat. So if we can remind this list every now and then, we can go to this link. I see no hands up. No more comments in the chat.

DESIREE MILOSHEVIC: Hi, Olga. I've raised my hand.

OLGA CAVALLI: Oh, sorry. Of course, go ahead, Desiree. Welcome.

DESIREE MILOSHEVIC: Thank you. I believe this is a very good starting point. So it's really good to have this classification. I believe I'm also of the opinion that we need to a little bit do more work around this partially complete and action decision required, because I believe many of the items would be partially completed and somebody else may be assigned to complete that part of an action. And likewise, many of the items would need action or decision required, and it may not be a decision for action by the GNSO Council.

So I wonder whether it would be of any benefit if we have both partially complete or with action decision required for some items,

or if we could just think about it till our next call, how to somehow better describe who needs to make a decision first about the status? Is it staff? Is it GNSO Council? So some kind of hint might be useful for further clarification. Thank you.

OLGA CAVALLI: Thank you very much, Desiree. Sorry I didn't see the hands up. I was in other parts of the screen. I see two hands up, Philippe and Ariel, I don't know who was first, wants to speak first. Philippe.

PHILIPPE FOUQUART: To Desiree's question, and then to Marika's, I think, to me, this is more a tool than anything else. Had it been an academic piece of work, indeed, there are overlays, gray areas between those statuses, I can understand it. But given what Marika said, on the sort of space of work between staff guidance or suggestions, the work of this group towards Council and more broadly the CCG, then I think this is a tool. We can use it. I think it's more than enough as far as I can see if I understand the exercise correctly. And we can use it.

And as Desiree said, we can take that away, think it over and maybe come back with suggestions. I'm not sure there's a lot of energy to spend on this just to make it theoretically, a proper apparatus. Thank you.

OLGA CAVALLI: Thank you very much Philippe. Ariel, go ahead.

ARIEL LIANG:

Thanks, Olga, and discussion earlier. So I think these definition will be clearer when we look at the concrete examples, I'm going to go through other recommendations, and especially the recommendations are community oriented and we haven't gone to those yet, which is the recommendation two and six. For those recommendations, we won't go into substantive discussion of that. And so in that way, we will have a better grasp about this definition, and it won't stay on the academic level, it will be the practical use of that.

And for recommendation one, it's something to be tackled by the CCG. So it's not entirely up to each group how they're supposed to implement. So that's why we're not going to the substantive discussion of that, and then to Desiree's question, who's going to have the final say of the status, that's for the Council to have the final say. So staff did the preliminary assessment.

And then we also provided rationale for the assessment, what implementation status can be tagged for each recommendation, but it's first for CCOICI to review that, discuss that. And if you feel comfortable with those status, then that'll become Council perspective. But then the outcome of the work, I think, still needs to get final approval by the Council. So at the end, it's the Council that has the final say on implementation status for these recommendations.

OLGA CAVALLI: Thank you very much. Desiree, if I understood right, you would like to review this list and make some changes. Is that what you said?

DESIREE MILOSHEVIC: Hi Olga. I just think it's a very good starting point. And if staff is happy with it, I agree with Philippe. We can work with it. But in the meantime, if we think of any improvement of this action decision required as to who needs to decide what the next move is, not so much the final say, thank you, Ariel, for clarifying that, maybe there could be another little word added to hint something as to who needs to decide, and it's always the council. It's just implementation may not be, of course, within the Council. So that's why we have this partially complete.

And my clarification would be if the council knows within whose remit is it, that this partially complete, may contain another word as to who is responsible for that further implementation. And that was all I had to say. Thank you.

OLGA CAVALLI: Thank you very much. Marika, you made a comment in the chat. Maybe you can explain it to us.

MARIKA KONINGS: Yeah, I'm happy to speak to that. And I just wanted to note—because I think these designations, that terminology, is also being used in other groups that are kind of going through a similar process and our staff colleagues who develop this list did that with

the intent of making sure that there's consistency in the way the terminology is used, because again, I think this is an attempt to make sure that there's a very clear idea of where the implementation of the different community recommendation standards within the different communities so that when it says completed means the same thing here as when for example the GAC says it's complete.

But of course, if the group is of the view that either the terminology used is not sufficiently clear or there are statuses that are missing and do not sufficiently convey what the actual status is, that is, of course something we can take back.

And I think to Desiree's point, of force, This is just a status designation. If there's additional feedback or guidance or next steps that need to be part of what goes back to the Council. And that is something that the group can definitely capture. I think we've already tried to do that as well for the recommendations that we reviewed last time around, because of course, it is important as well that with the designation, a rationale is provided for why you consider something complete, or why you think something is not applicable for action. So it's also easier to understand for others, why that determination was made.

And of course, if for certain items, there's a partially complete a designation, with a part that needs to be implemented, I suspect that the Council would expect the CCOICI to also identify now how that part that is not implemented can be implemented at a Council level, and by whom that should or could be done so that they, again, can make a determination on how to move forward with

that. So that's definitely not excluded by the designation or the terminology that is used from our perspective, at least.

OLGA CAVALLI: Thank you very much Marika. I think there is value in this homogeneous list used by other members of the community that it gets somehow a similar way to compare the in the process. And I also understand the concerns about perhaps with the rationale, we can add more clarity and more explanation. So we would live with this list for the moment and see how it works. That sounds a good idea. I see no hands up. No. Thank you.

Okay. we keep this document as reference. And now we next point is going directly about the diversity issue, right?

ARIEL LIANG: Yes, Olga. The next one will be a 1.2 for the CCOICI to assess the implementation status of this one. And if you feel like, I could start going through the recommendation and provide some staff assessment of that.

OLGA CAVALLI: Yeah.

ARIEL LIANG: Okay. Thank you. So 1.2 reads each SO/AC group should identify which elements of diversity are mandated in their charters or ICANN bylaws, and any other elements that are relevant and applicable to each of its levels, including leadership, diversity

criteria, and publish the results of the exercise on their official websites.

So for this recommendation, what staff believe is that it's completed for the GNSO Council, and then we will provide the rationale for that. So this is the bylaw for ICANN, I'm going to also paste that in the chat here. And basically section 11.3 already kind of indicates what the Council's composition should be, how many representatives from each stakeholder group should be part of the Council and then there was also through representatives selected by ICANN Nominating Committee. That's the composition of the Council that's basically showing why the Council is the representative body.

And then the paragraph under this composition says, stakeholder groups should in their charters ensure that their representation on the GNSO Council is as diverse as possible and practicable including considerations of geography, GNSO constituency, sector, ability and gender. So there's a very clear diversity related language in the bylaws regarding the GNSO's composition. But at the same time, it indicates who has the responsibility to ensure diverse representation. It's the stakeholder groups of the GNSO Council. So this is the language in the bylaws.

And then if we go back to the language of the recommendation, it says the elements of diversity needs to be mandated in the ICANN bylaws or the charter. So for this part, the diversity element is indeed mandated in the ICANN bylaws with regard to the composition of GNSO Council.

And if we look at the elements of diversity, that's recommendation 1.1. So what staff believes that are relevant is that element one, which is geographical regional representation, element three, gender, element six, diverse skills and elements seven, stakeholder group or constituency. So indeed, the ones that we just mentioned, they're already mandated in the ICANN bylaws related to GNSO Council's composition.

And then the other parts of this recommendation is publish the results of the exercise on their official websites. So to staff's understanding, the result is basically the final selection or appointment of councilors from stakeholder groups, and also NomCom. And then they are indeed published on the GNSO Council website. So basically, that's the results of this diversity consideration.

With this rationale, we believe this recommendation is completed from the GNSO perspective. So we'd like to hear whether there's any feedback or input from the members in this group and see whether the staff assessment is correct.

OLGA CAVALLI:

One comment comes to my mind, it's about what the different stakeholders apply about diversity in a selection. This is not contemplated in the GNSO documents. So it's somehow up to them to pick on the diversity in the selection. But I don't know how this applies to the rationale that we have [inaudible] or if it's not relevant. Just this comment. Any other comments, questions, reactions?

I don't know if I was clear with my comment. Say for example, one stakeholder selects three persons of the same gender and from the same region. Does the GNSO have some say or make some input about that selection? Because that will impact the diversity outcome. Philippe, your hand is up.

PHILIPPE FOUQUART: Thanks, Olga. Speaking personally, by the way. Well, first, to the initial question. And speaking personally here, I think the assessment is good. I think it's complete, as far as I can tell, first and foremost.

As to your comment, Olga—and I think an observation along the same lines, that element of diversity is easier to address when you have a certain number of seats available [inaudible] that those criteria, as opposed to the situation at Council, where each and every SG or C might have a limited number of seats, sometimes one seat to consider for an election.

I can only speak anecdotally, because I know what happens at the ISPCP for instance, where we do take into account that elements even if there's one seat, but there's obviously there's one thing that we don't know, is what's going to happen elsewhere. And what globally, the situation as with regard to diversity at Council, in general, will look like we don't know. You may be very strict locally and elect, say, only people based in Europe and end up with an almost fully European Council, even theoretically. So you apply the constraints properly locally, but then have a totally inappropriate results in a way.

But I guess what I'm saying is that this is almost an intractable problem. Hence my perception that that it's complete. And as to your question, Olga, I don't think there are any measures at even according to the bylaws that Council would have. I speak under control of staff here, who would probably know the bylaws better than I do. But that's my perception. Thank you.

OLGA CAVALLI:

Thank you. Thank you very much. I also agree with you that this is complete, but I have this question in my mind—Sebastien, your hand is up.

SEBASTIEN DUCOS:

Yeah, just all the points you made, Philippe, are completely relevant. I see it as complete too. I don't know of any enforcement from the GNSO Council. And I don't know that it's desirable. I think that the fact that it exists in the bylaws, and should somebody want to second guess or to have a nomination question on those kind of grounds, it's enough for it to exist in the bylaws, and then that discussion will be open. We don't need to police it.

I have another thing that keeps on bugging me, but I guess I can't remember if I said it. It's more on 1.1. But I don't know how it fit or if it should fit or it should be recognized in some way. But the aspect of time zones is one that makes it different.

When you started the call, Manju said how comfortable this time was because it was in her evening, instead of being the middle of night. I've enjoyed the European life for a few years due to pandemic but I know that the sort of work that I'm able to do from

here is not the same work that I made to do from Melbourne. It's impossible to maintain a normal life and do that.

So I wonder if there is also some acknowledgement that needs to be made there. And I don't quite know how. But having a seat designated for Asia is not in itself enough. You also need to make that that seat operable. Otherwise nobody's going to raise their hands and they're going to censor themselves.

OLGA CAVALLI:

Yeah, I see your point. That's totally fair. I see a comment in the chat. Philippe agrees. I also agree. I also think that 1.2 is complete. Philippe says it's indeed become more acute without face to face. Okay. Manju says, great points, Sebastien. Thanks for that. Any other comments? Are we okay that this is complete? Do we agree with this assessment?

Sebastien says yes, it's complete. Desiree. Thank you very much, Manju. Thank you. Thank you. So I think we have agreement that this is complete. Okay, thank you very much, Ariel and Marika for all the explanations and to all the group for agreeing and commenting. So this point is done in the agenda. Can we go back to the agenda?

ARIEL LIANG:

Olga, I just want to clarify because the work plan is the rolling work plan. So we basically just keep going to 1.3 and forwards. And thanks very much for everybody's comments. So we will mark this as complete for 1.2.

So 1.3 is says each SO AC group, supported by ICANN staff, should undertake an initial assessment of their diversity for all of their structures, including leadership based on their diversity criteria and publish the results on their official website.

So what staff assesses, this recommendation is not applicable for action for the GNSO Council. So if you recall the bylaws language, it says stakeholder groups should in their charters ensure the representation on the GNSO Council is as diverse as possible.

And so basically, this recommendation is definitely relevant to GNSO stakeholder groups. And then GNSO, as the representative body, doesn't really have a role to play to conduct initial assessment, because, as also, Philippe said earlier, it's hard for the Council to basically turn away appointees from stakeholder groups for their Council appointment, it's up to the stakeholder groups to select their representatives. So this recommendation is for the GNSO structures to implement, but for the Council itself, not applicable for action. So that's what staff assessed.

OLGA CAVALLI:

Okay, thank you, Ariel. I'm reading it again. So, do we have to say if it's complete in process, or we have to do that now?

ARIEL LIANG:

So I think this one is for the CCOICI to decide whether it's indeed not applicable for action for the GNSO Council. And if you agree, then we will just mark this one as not applicable for action. And if you disagree, then we do need to look at other implementation status and see which one is the appropriate one to assign.

OLGA CAVALLI: Not applicable. Okay, Manju, I'm not totally sure that it's not applicable, but I don't have the rationale yet. Manju, go ahead.

MANJU CHEN: Yes, thank you. Olga. I think I agree that it's not applicable, because, as people suggested, Council is made up by people that is appointed by their stakeholder groups, or by their stakeholder groups or constituencies. So Council doesn't really have the authority or right to turn down a councilor because it's not diverse or something like that.

And then I think this really makes 1.4 and 1.5 not applicable either, right. So because they're kind of connected. So if we agree on the 1.3 not applicable, we kind of can wrap this three recommendations all with not applicable, if that's agreeable to other on this meeting. Thanks.

OLGA CAVALLI: Thank you very much, Manju. I see in the chat several reactions. Let me check. Desiree says she agrees, not applicable. Philippe says makes sense, [inaudible] not applicable. Okay. Any other comments? I think we have some agreement that it's not applicable. Any other comments?

No hands up. Okay. Thank you. Thank you very much. Okay, move on. Yes. So what's next, we keep on reviewing this document, or we'll go back to the agenda?

ARIEL LIANG: Thanks. So Olga, and thanks for Manju's analysis. So just to confirm, can we mark 1.3, 1.4 and 1.5 as all not applicable for action for the GNSO Council? We just want to make sure we mark it correctly. And then we can move on to the next one.

OLGA CAVALLI: Yeah, as per the comments in the chat and the comments made recently by members in this committee. Yes.

ARIEL LIANG: Great, thank you, for the very speedy progress. Appreciate that. So now we can look at the next set of recommendations. Now it's 1.6, 1.7, 1.8. So I would just read the first one, 1.6. ICANN staff should provide support and tools for the SO/AC groups to assist them in assessing their diversity in appropriate manner. ICANN should also identify staff or community resources that can assist SO/ACs or other components of the community with diversity related activities and strategies.

So in the logic that the previous recommendations, 1.3 to 1.5 are not applicable for action for the Council and it's really up to each stakeholder group and constituency to undertake those assessment of diversity, then 1.6 is not applicable, either, because that's basically to provide support and tools to conduct those assessments.

And also, the owner is basically ICANN staff. So it's a double not applicable. So in staff assessment, we believe this one is not for

the Council to action, so it's not applicable for action for the Council.

And then the same logic applies to 1.7 and 1.8. Because first, it's for each stakeholder group and constituency to conduct those assessments. And then the owner of these actions are ICANN staff, so they're not applicable.

OLGA CAVALLI: Okay, comments, reactions, questions. Are we okay that this is not—Sebastien says, “It all makes sense to me.” Philippe says, “It all makes sense to me following the same logic.” “Likewise, makes a lot of sense.” Thank you, Sebastien. Thank you, Philippe. [inaudible] agree with you. Manju says plus one. Desiree, “likewise, makes sense to me.” So we have agreement in this one. Thank you for your explanation and analysis, Ariel.

ARIEL LIANG: Thanks very much, Olga and everybody's comments. So staff will mark 1.6, 1.7 and 1.8 as some not applicable action for the Council.

OLGA CAVALLI: Thank you very much for that and for your explanations.

ARIEL LIANG: No problem. So Olga, this is a question for you and also for the group. We have 10 minutes left. And then based on the work plan, the next batch of recommendation is recommendation to two,

sorry, item five, we're actually here. So we're going very fast progress. So we're ready to item five here.

It's the guidelines for good faith conduct recommendations. And this set of recommendation, staff also provided an initial assessment of their implementation status and the rationale for that. But we're just wondering, would you like to keep going? Or would you like to stop here and then start in next meeting?

So this set of recommendation requires some kind of preliminary understanding of that, because it's related to the empowered community's power and one of the powers is for the decisional participants to remove Board directors. So this set of recommendations is related to those things.

So probably not everybody's familiar with that and may need some introduction for that, so we're just wondering, do you want to stop now or do you want us to start with the introduction of these recommendations, and then pick up the pace next meeting?

OLGA CAVALLI:

My suggestion would be if you can give us an introduction of the issue, that would be good. So we are prepared for the next meeting. But it's up to the group to—Okay, plus one from Sebastien. It's up to the group to decide. Just a suggestion. Okay, Philippe says he agrees, yeah, an introduction would be good so we are prepared, more prepared for the next meeting. And we can think about it in the meantime, in these two weeks. And at the end, I want to ask all of you a favor for next meeting. Please, Marika, remind me that I said that. I have a conflicting activity at the same

time. Ariel, if you can guide us through the introduction of this point five and the list, that would be great.

ARIEL LIANG:

Okay, sounds good. Actually, I didn't expect the group to move so fast. So hopefully, my introduction will be clear enough. And the content can be a little bit complicated, but first, we can read the recommendations first.

So it's the recommendation two four guidelines for standards of conduct presumed to be in good faith associated with exercising removal of individual ICANN Board directors. Let's just read the recommendation itself. The proposed guidelines apply to all Board seats, where the director is appointed by the SO/AC or the ICANN Nominating Committee, and are as follows.

2.1, recommendations for guidelines with respect to petitions for removal may for any reason and must be believed by the indemnified party to be true, be in writing, contain sufficient detail to verify facts if verifiable facts are asserted, supply supporting evidence if available or applicable, include references to applicable bylaws and or procedures if the assertion is a specific bylaws or procedure has been breached. Be respectful and professional in tone.

So I'm just wondering what's the best way to do this introduction. Maybe I'll stop here and ask members in this group, how many of you are familiar with the empowered community powers, especially related to the Board director removal power?

And actually, the GNSO Council developed those guidelines in 2019. It was a small Council team that was tasked to develop these guidelines related to the empowered community powers and how for the GNSO Council to fulfill its obligation as a decisional participant in the empowered community.

So it was a pretty complicated process. But the work was done in 2019. And then there's councilors and even members from the broader GNSO community who were participating in that effort. So this recommendation is related to that. And I'm just wondering, from this group, how many of you are familiar with that particular effort? And if you are, please put in the chat. If you do not know much about it, please let us know too. So if based on the response, then maybe staff can prepare a better presentation for the next meeting to just give everybody a kind of refresher on that effort based on your level of knowledge. I will stop here and see whether there's any comment. Okay, I see Sebastien.

OLGA CAVALLI:

Sebastien says, "I'm not familiar with it and I'm interested in learning more. I think it would be good to have that refresher." Yeah, me too. "No knowledge" says Manju. I remember all this process in the IANA transition when we decided all [inaudible] but I cannot recall details and I don't know about process and achievements either. So yeah, that will be good to have more information or more details so we can better decide which is the status of this.

ARIEL LIANG:

Yes. This very helpful to see the comments and also verbal comment from Olga and I think it will be good to provide a refresher so everybody is up to date with that effort, and it will be much easier to explain what staff assessment is for this recommendation with that background in mind. So I think that's a very good the information that we can prepare a presentation for the next meeting, just to let everybody know what the empowered community is, and all these different procedures that Council developed to fulfill its role. So yeah, thank you for the feedback.

OLGA CAVALLI:

Thanks to you, Ariel, and thanks for your willingness to provide us more details and presentation. Philippe says and maybe also how those records should be read. Okay. Philippe said, "I have some difficulty even parsing them."

Okay, I have a comment for you before we end this call. I may have a conflict with other activity in two weeks in the next Wednesday—the other Wednesday. So would someone of you help chairing this session? Or maybe we can ask Marika to help us with that task. I wanted to ask you that. I don't want to cancel the meeting or change it because we have this time set and the date set. Comments, questions.

Should we just cancel it and then move it two weeks or one week? Comments? Would someone replace me in being chair? Manju would not be in the next meeting too. Desiree, she's traveling that Wednesday. Okay. So we have three that we have conflicts. Marika, your hand is up.

MARIKA KONINGS: Thanks. It may be a suggestion noting that a couple of people are traveling that week and we are a fairly small group, should we exceptionally try to find another day that week that may work better? I mean, we still are two weeks out. So maybe do a doodle just for that specific week. Keep the same time slot because that seems to work or at least gives a good balance as we do have some geographic spread in this group. And see if we can find a day that week that works better.

OLGA CAVALLI: Okay. Yeah. Okay, I think Friday works. Desiree, Friday works. Good. Or Monday.

MARIKA KONINGS: Olga, we can check first with you to make sure that the other days work for you and do a doodle on that basis and see what works best for most, because I know Friday may work. But I know for Manju, that will already be her weekend.

OLGA CAVALLI: Yeah, okay. Sorry for that, but these things happen. So you will send a doodle and we can see how it works in two weeks. Okay. Thank you very much for that. And thank you for your flexibility.

Okay, I think we are at the top of the hour. Any final comments, suggestions? I see none, and no other comments in the chat. Thank you all very much. Thank you, Ariel. Thank you, Marika, for

your help and explanations and thank you all for your participation and comments. And see you in two weeks. And let's see when and what time. Let's decide it among us. Bye. Have a nice rest of the day.

DEVAN REED: Thank you for joining. Once again, this meeting is adjourned.

[END OF TRANSCRIPTION]