Transcript GNSO Council Teleconference
12 May 2016 at 12:00 UTC

Note: The following is the output of transcribing from an audio recording of the GNSO Council teleconference on 12 May 2016 at 12:00 UTC. 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. The audio is also available at:

http://audio.icann.org/gnso/gnso-council-12may16-en.mp3

Adobe Chat Transcript

http://gnso.icann.org/en/meetings/transcript-chat-council-12may16-en.pdf

on page: http://gnso.icann.org/en/group-activities/calendar#may

List of attendees:
NCA – Non Voting – Carlos Raúl Gutierrez
Contracted Parties House
Registrar Stakeholder Group: James Bladel-absent proxy to Donna Austin, Volker Greimann-absent Proxy to Jennifer Gore, Jennifer Gore
gTLD Registries Stakeholder Group: Donna Austin, Keith Drazek, Rubens Kühl
Nominating Committee Appointee (NCA): Hsu Phen Valerie Tan
Non-Contracted Parties House
Commercial Stakeholder Group (CSG): Philip Corwin, Susan Kawaguchi, Wolf-Ulrich Knoben, Tony Harris, Paul McGrady, Heather Forrest
Non-Commercial Stakeholder Group (NCSG): Amr Elsadr, Stephanie Perrin, David Cake, Stefania Milan – absent, apologies proxy to Stephanie Perrin, Edward Morris, Marilia Maciel
Nominating Committee Appointee (NCA): Julf (Johan) Helsingius

GNSO Council Liaisons/Observers:
Olivier Crèpin LeBlond– ALAC Liaison
Patrick Myles - ccNSO Observer
Mason Cole – GNSO liaison to the GAC

ICANN Staff
David Olive - VP Policy Development – absent apologies
Marika Konings - Senior Policy Director
Rob Hoggarth - Senior Policy Director
Mary Wong – Senior Policy Director
Julie Hedlund – Policy Director
Steve Chan - Senior Policy Manager
Berry Cobb – Policy Consultant
Lars Hoffmann – Policy Analyst
David Tait – Policy Analyst
Glen de Saint Géry - GNSO Secretariat
Nathalie Perigrine - Secretariat Services Coordinator, GNSO
Mike Brennan - Meetings Technical Services Specialist

Guests:
Krista Papac -Director, Registry Services & Engagement
Francisco Arias -Director, Technical Services

Operator: The recording has started. You may now proceed.

Glen de Saint Géry: Thank you very much. Good morning, good afternoon, good evening everyone. This is the GNSO Council on the 12th of May. Would you please respond to the roll call when I call out your name to make sure that you're able to speak if necessary on this call?

On the call we have Keith Drazek.

Keith Drazek: Here.

Glen de Saint Géry: Donna Austin.

Donna Austin: Here.

Glen de Saint Géry: Rubens Kuhl is not yet on unless he's on the Adobe Connect. He'll probably be late. James Bladel is absent, he sends his apologies and Donna Austin has his proxy. Jennifer Gore. Jennifer is on the call. She's on the Adobe Connect. And I see that Rubens is also only on Adobe Connect. Volker Greimann is absent and Jennifer Gore has his proxy. Valerie Tan.

Valerie Tan: Here.

Glen de Saint Géry: Philip Corwin.

Phil Corwin: Here.

Glen de Saint Géry: Susan Kawaguchi.

Susan Kawaguchi: Here.

Glen de Saint Géry: Paul McGrady.

Paul McGrady: Here.

Glen de Saint Géry: Heather Forrest.

Heather Forrest: Here, Glen. Thank you.

Glen de Saint Géry: Tony Harris.

Tony Harris: Here.

Glen de Saint Géry: Wolf-Ulrich Knoben.

Wolf-Ulrich Knoben: Here.

Glen de Saint Géry: Marilia Maciel.

Marilia Maciel: Here.

Glen de Saint Géry: Amr Elsadr.

Amr Elsadr: Present.

Glen de Saint Géry: David Cake. David Cake I see is on the Adobe Connect. Edward Morris.

Edward Morris: Here, Glen.

Glen de Saint Géry: Stefania Milan is absent and has given her proxy to Stephanie Perrin. Stephanie are you on the call yet? I don't see her yet. Julf Helsingius.

Julf Helsingius: Here.

Glen de Saint Géry: Carlos Gutierrez. Carlos is on the call, is probably just getting off mute. Olivier Crépin-LeBlond. Patrick Myles, our ccNSO observer is absent. Mason Cole, GNSO GAC liaison.

Mason Cole: Here, Glen.

Glen de Saint Géry: Thank you. We have apologies – thank you, Mason. We have apologies from David Olive. And for staff we have Mary Wong, Julie Hedlund, Marika Konings, David Tait, Steve Chan, Berry Cobb, Mike Brennan from IT staff to help us with the audio cast, (unintelligible) Nathalie Peregrine and myself, Glen de Saint Géry. Thank you very much, Heather. And may I just remind people to say their name before they speak for transcription purposes. And now it's over to you, Heather. Thank you.

Heather Forrest: Thanks very much, Glen. Glen, could you please also note in our apologies for today that we did invite Göran Marby to the meeting following up on our invitation that was made in the Council meeting in Marrakesh. And we made that invitation through David Olive. And unfortunately, due to the executive level meetings today neither David nor Göran are able to join us. But if you could note that I would be grateful.

Glen de Saint Géry: Thank you, Heather. I will.

Olivier Crépin-LeBlond: And, Heather, sorry for jumping in. It's Olivier. Could you please also register me as being in the call. Thank you.

Heather Forrest: Glen, just confirming that you have that last update.

Glen de Saint Géry: Thank you very much.

Heather Forrest: Perfect. Well welcome, everyone, to our meeting of the 12th of May. May I ask councilors if anyone has any updates to their statement of interest? I don't see any raised hands so we'll assume and mark in the minutes that there are no updates.

And our next item under Item 1 if anyone has any proposed amendments or comments as to today's agenda, would you please raise your hand and note those now? Well, I'm seeing and hearing none.

I would note that the minutes of our meeting of the 14th of April were approved in good time on the 22nd of April and posted on the Council meeting page. So if you have need of our last minutes you will find them there.

That moves us very swiftly into Item 2 of our agenda, which is our traditional review of the projects and action list. If we consider first the projects list you'll see that we're about to see that on the screen.

I, for one, in preparing for this meeting, hadn't really connected that we have both a clean and a redline version available to us. The redline is particularly helpful. Those were posted by Glen to the list earlier today. And mainly housekeeping amendments.

You'll note from what you see here on the screen that we have numerous PDPs (on foot), I suppose that goes without saying. The new Meeting B format will give us a good opportunity to focus face to face on some of the issues arising in particular in subsequent procedures and the IGO curative rights, next gen RDS and RPMs. And we have dedicated sessions in the Meeting B schedule to deal with these things. We'll discuss that more when we get to Agenda Item 4.

Nothing further I wish to say about the project list. Does anyone have any concerns or comments in relation to the project list before we move on to our agenda? Silence is golden. So if we could transition to the action list please on the screen that would be wonderful. Give that a chance to load up. Thank you very much, wonderful.

So you'll see here that it says updated by Marika earlier this week. You'll note now that we have a number of items in green as having been completed since our last meeting in April. And James's valiant efforts at spring cleaning, Northern Hemisphere spring cleaning, I might add. And I'll simply highlight a few remaining open items that we have that are lurking on the horizon, some in more ways than others.

On the issue of the SSAC liaison, you may recall that James posted on the list on the 22nd of April summarizing a session that he had with Patrik Fältström and there were comments on the list that were then summarized by James earlier this month on the 8th of May.

The comments read being – that we seem to want to encourage a free flow of information with the SSAC. And Marika followed up on those comments by leaving the question of whether we want to revive a mailing list that is – or has become defunct for receiving SSAC reports and things like this. I think that's a discussion that

can be dealt with on the list and I encourage you to post your comments to Marika's email of the 9th May if you think that that is a good idea.

And on the issues of collaboration with the IETF, James posted his notes from his formal meeting that he had on the 8th of May on that topic. We have sort of in the sidelines the idea of an informal meeting between IETF folks and perhaps James and Donna and myself in Helsinki. And it's been floated as the possibility but we really have to see how well this fits in with the Meeting B schedule madness so we'll see how we go with that.

The Red Cross and its linkage to IGO INGO I suppose part of that at least is on our substantive agenda so I propose that we park that discussion for the moment and talk about it in a substantive way rather than here on the action list.

And finally you would have received Glen's reminder on the 6th of May to submit your nominations for GNSO liaison to the GAC following the procedures that we agreed in Marrakesh for going about doing that so that's just a reminder that those need to be submitted to Glen and she sent out a reminder earlier this week.

Any questions on the action list before we move on? Silence is truly golden. Excellent. We'll move on then to our one item in the consent agenda. We've come to what already appears to be an effective outcome in the selection of the three co-chairs for the RPM Review PDP Working Group that is Kathy Kleiman, Philip Corwin, and J. Scott Evans.

And this is an opportunity to ask - because I know a number of us have been involved in these early meetings of the RPM PDP Working Group but does anyone have any concerns or comments that they would like to express before we move to formalizing the confirmation of these three co-chairs? Phil, please.

Phil Corwin: Yes, excuse me. Phil Corwin for the record. Thank you, Heather. As the only one of the three co-chairs who's a member of Council I just wanted to say that the three co-chairs of that group have already developed a very good working relationship working very cooperatively to manage the highly complex work of that working group. And yesterday we were able to put out an initial work plan for discussion by the group which seemed to get a good reception.

We're going to be working together a long time. The work plan for Phase 1 of that project, which is the review of the new gTLD RPMs, projects that we'll complete our work on that Phase 1 in early 2018 and which time we'll move on to Phase 2, which is review of the UDRP. But I'd be happy to answer any questions about the group but I couldn't have two better co-chairs to work with me to manage our work going forward. Thank you.

Heather Forrest: Thanks, Phil, very much. And thank you for your willingness to fill that role. Seeing no other hands and noting the positive comments in the chat I am – will impose upon Glen, please, Glen, could you lead us in a voice vote to finalize the matter of the confirmation of the three co-chairs, please?

Glen de Saint Géry: Thank you, Heather. I will. Is there anybody who would like to abstain, please say your name. Is there anybody who would vote against this item on the consent agenda please say your name. Hearing no abstentions and no votes against is everyone in favor of the item on the consent agenda, please say aye.

Group: Aye.

Wolf-Ulrich Knoben: Aye.

Glen de Saint Géry: Thank you very much. And we also register the proxy votes for this. Thank you, Heather, the item passes on the consent agenda.

Heather Forrest: Thanks very much, Glen, much appreciated. And I think that's an outstanding result that we can all feel very pleased with. Moving on then to Item 4 in our agenda, this is our discussion of the madness perhaps, the circus that is Meeting B. And if I might call upon Donna as our representative in the scheduling effort to give us an update particularly on what's outstanding and where we are at this point. Thanks, Donna.

Donna Austin: Thanks, Heather. Donna Austin for the record. So from my perspective I think Meeting B is shaping up to be what we – to be what we hoped it would be which is, you know, a smaller ICANN meeting which has a strong focus on policy development. We have managed to get some good chunks of time assigned for the four PDPs so Phil will be leading two of these efforts so IGO Curative Rights PDP

Working Group is scheduled for a 75-minute session on the Monday. Next Generation Registration Data Services PDP Working Group is for Tuesday. And the New gTLD Subsequent Procedures PDP Working Group has sessions scheduled for Wednesday.

I just want to draw a distinction that we have. You can see that up until three o'clock, there are sessions scheduled more or less according to, you know, ALAC, GAC, GNSO, RSAC and SSAC. And then between – loosely between three o'clock and six o'clock in the evening there will be two 90-minute sessions that we hope to maintain non-conflicted scheduling is how we're referring to it.

There is a little bit of contentious – contention around this at the moment about whether the topics that have been identified actually raise to the level of requiring non-conflicting schedules. And that is really about Patrik Fältström has raised a question about, you know, whether the SSAC needs to be in some of these meetings. So the next phase in the process is getting a better understanding of what the format for these non-conflicted sessions will be, who will run them and, you know, hopefully what the outcome is intended to be.

So with the exception of the IGO Curative Rights PDP each of the other PDPs have a 90-minute session which will enable cross community discussion on the specific topic. And I think that's – I've been liaising with the chairs of those PDP working groups and I think they'll all reasonably happy with the amount of time they have on the conflicted schedule but also specifically the fact that they have non-conflicted scheduling available for discussion of their topics as well.

I think just in terms of – and I will note that this schedule you have in front of you hasn't been posted to the ICANN Website yet. It's pretty much hot off the press (unintelligible). One of the – we had a – Privacy and Proxy was originally on the non-conflicted schedule but as a result of a request that Mary received from Steve Metalitz and Bobby Flaim from the GAC's Public Safety Working Group, that's been taken off the non-conflicted schedule and there's a session on privacy and proxy that will take place within the GAC. There's no intention to have any further discussion that we're aware of outside of the GAC at this time particularly given that from the perspective of Steve Metalitz and Graeme Bunton, who were the chairs of the PDP

working group they think their work is done and they don't see any reason to open that up for discussion again.

At the end of every day there will be a reception of some sort so it's an opportunity for people to, you know, get together, have a drink with one another so that's been added to the schedule as well for an hour at the end of every day.

We are working through some bilateral meeting requests and the process at the moment is any request please provide those to Glen. And James, Heather and myself will review and see how we can incorporate that into the schedule. I think we – we will have some discussion around this later on in the agenda but I think we are leaning towards the fact that we will need a conversation with the board. When I say "we" the GNSO Council will need to have time set aside for conversation with the board specifically on IGO INGO issues.

So that's the background. I think, you know, as I said I think we're in pretty good shape. So I'll just open it up to questions now if people have any. Thanks.

Heather Forrest: Thanks very much, Donna. I'm going to ask a quick question and then turn to the list. I see Paul has his hand up. In terms of our meeting with the board do you know – I assume we need to move very quickly in terms of making a request for that to go into the schedule, is that right?

Donna Austin: I expect that we will, Heather. I mean, you know, one of the realities with trying to get this schedule together is that it's very different to what we understand for a normal ICANN meeting so, you know, we'll get that request in as soon as we can and identify time to meet with the board. But, yeah, the sooner we can do this the better. But, you know, really we've only just got the fleshed out schedule together and now we can go into the specifics. Thanks.

Heather Forrest: Great, thanks Donna. Paul, please.

Paul McGrady: Thanks, Heather. Paul McGrady for the record. Thank you, Donna, for all your hard work on this. Just wanted to pass along feedback that we're receiving from – that I'm receiving from my own constituency which is just the concern that there may not be

enough time in the schedule for various constituencies and ACs to meet with each other.

And we've had a specific request that perhaps more time could be found on this schedule for that sort of collaboration, you know, bilateral discussions between constituencies and ACs can sometimes prove very fruitful. Is there a possibility of finding more time other than the lunch hours where that kind of thing could happen? Thanks.

Donna Austin: Thanks, Paul. I understand that there is – and I'm not sure of the absolute numbers, but there are additional meeting rooms available for that, you know, those kind of meetings to take place. You know, the challenge I suppose is finding time within the four days to do that given that I know that, you know, there's a – within the PDP working groups themselves there's a lot of crossover with different people.

But, you know, from a Registry Stakeholder Group perspective we have received a request from Greg to meet during the four days and we've, you know, we said we'll be happy to do that.

So I guess any request like that if we can make Glen aware of it – and I only say this from a perspective of helping us to understand how many different requests we're potentially dealing with, but in my mind to some extent it may be that you – depending on how this falls out that some of these groups it'll just be a case of having to self-organize once we understand, you know, room availability and, you know, timing. It might just be a case of, you know, Greg's the chair of the IPC, Paul Diaz is the chair of the Registry Stakeholder Group, they identified time and place and then folks can turn up if they're available.

So it might come down to some kind of self-organization. But we'll, you know, please if you have any requests like that just let Glen know so that we can keep tabs on it and then we'll get back to you as soon as we can on how that will play out. Thanks.

Heather Forrest: Wolf-Ulrich, you had a question.

Donna Austin: Thanks.

Wolf-Ulrich Knoben: Can you hear me?

Heather Forrest: Yes. Yes, Wolf-Ulrich, thank you.

Wolf-Ulrich Knoben: Okay, thank you. Wolf-Ulrich speaking. Well just to add to Paul's question, so and to see in practice how it works in practice, you know, to organize such meetings. For example, if you look at Day 1 in the afternoon, the cross community activities which are focused on first CCWG group plus ICANN. So suppose this is a kind of meeting of the cross community working group, an open meeting from the CCWG with ICANN with regards to the accountability.

And so there would be, I understand there would be time for others in parallel to hold meetings if necessary, what you outline. And kind of meeting should be then requested for – to Glen, is that the correct way to do so? Thank you.

Donna Austin: Wolf-Ulrich, thank you. And in the absence of any other way to deal with this, and I'm sorry to load Glen up like this, but I think that's the best way forward. And just to – a note on the cross community discussions, it was intended that they would be non-conflicting with other meetings but obviously if there's no level of interest within your specific constituency group or you have no personal interest in the topic then, you know, obviously there's no reason for you to show up.

Just on the CCWG and IANA accountability, I have actually asked the question on the planning committee list to get a better understanding of what this session is intended to be because if it is simply an update I'm not sure that it actually rises to the level of requiring cross community discussion so it might be one that comes off the list.

So there's still a little bit of to-ing and fro-ing to be done on some of these sessions. But certainly, look, if a constituency has no interest in one of the topics that's up for cross community discussion then I don't see – there's nothing to forbid you from requesting a meeting during that time for individual purposes. Thanks.

Wolf-Ulrich Knoben: Thanks, Heather. Well, may I just one question? Wolf-Ulrich. Well, just regarding the CCWG meeting, so I understand it is a CCWG meeting, that's what I see here. And we have, you know, all constituencies, stakeholder groups, have members on this

group so do we have represented our interest in there if it's just a meeting of this group.

So if it's a different kind of meeting which means there is an exchange between this group to the other communities, within ICANN, so then it's different. So but I cannot read that from this schedule. That's my problem.

Donna Austin: Right, and I understand the problem, Wolf-Ulrich, and it's one that we're working on at the moment to try to get more information about what the intent of the cross community discussion sessions will be. So for example I've asked the chairs of the PDP working groups if they can give us just a synopsis of what the – their session is intended to be about. Essentially these sessions are supposed to be an opportunity for the community to come together and discuss topics of common interest.

And with – and my understanding of the CCWG and IANA Accountability is it will not be a meeting of the working group, it will be something that is more interactive with the community. But if it turns out that the intention for this meeting was just to be an update or a meeting of the working group then my suggestion to the planning committee is find some other time for that to happen because it doesn't really rise to the level of cross community discussion. Thanks.

Wolf-Ulrich Knoben: Thanks.

Heather Forrest: Thanks, Donna. Thanks, Wolf-Ulrich. I just note for everyone's awareness we have a Council session scheduled in on the Monday morning and then Council meeting on the Thursday. Donna, just one final question, how close do you think this version that we're seeing, the hot off the press version, is to the final version? Do you have any sense of that? Thanks.

Donna Austin: I might have to ask Olivier that question because I understand the ALAC was going to come back with some comments which I haven't seen yet but I think – I think this is pretty close to final. Obviously the bilateral meetings and the other plug-in meetings, you know, that we want scheduled we still have to get into that detail. And one of the things I don't understand yet is, you know, what the – what room availability there is for the Helsinki meeting so that will have an impact on how many meetings can be scheduled at different times as well so.

Heather Forrest: Great, Donna. Thanks for that and thanks very much for your holding the chair and whip and making sense of that stuff from a GNSO perspective. To collect my thoughts, what I said earlier about the Monday session, the Monday is not simply a council meeting. The Monday I guess we can liken to our usual weekend session. So that would be an open room and open discussion.

So as a summary here, reminder all SG and C chairs and secretariats have received a meeting request form from Glenn and that needs to returned by the 18th of May, no later than. Glenn will chase you down. And, Mary, could you please note on our action item list that we need to request a slot with the board for whenever we can find something open.

And I think we still need to think about any other bilateral meetings that we might to have. I suppose we could do that on the list. Donna is saying, "I'm happy to answer any questions on the list."

What I propose we do is that we make suggestions and have some discussion, albeit it needs to be timely if we're going to get this done. If you have suggestions as to bilateral meetings that we want to request, perhaps you could make those suggestions if it's at all possible by close of business this week, and if we need to we can follow up with some perhaps a planning session in advance of Helsinki because I know this is our last meeting before Helsinki. And so we'll follow up that way.

Any further input on this item before we move on? Seeing none. And, Mary, thank you very much for your comments in the chat as to our action list. Donna's typing in the chat. We'll see what she has to say. In the meantime we'll move on to item five which is our session on the state of the Cross-Community Working Group on Internet governance.

By way of reminder, (Carlos) supplied a written report as the council liaison and this was posted to the list by Marika on the 11th of May. (Carlos), may I invite you if you have - I think your report is quite thorough and speaks for itself, but I see you have a slide so would you like to speak to your slide please? Thank you.

(Carlos): Yes thank you very much, Heather. This is (Carlos) for the record. I submitted a note to the council and also Olivier made some comments also in a written form, so the people who want to follow closely I recommend to look at those notes. I've been working closely with Olivier over the last few weeks after Marrakesh and tried to get a better sense of the level of activity of the Internet Governance CWG.

We all know there are tons of activities, and there was never doubt that the cross-community working group is active. Actually it's very active. But as per the charter, we wanted to get a better feeling of the type of work, very specifically if this is a very targeted work or if this is related to policy work. So in a nutshell, if I may resume the results of our talks and my participation in the call, there are many calls and the calls are not very regular. Actually every call and ends with the discussion when is the next call, and there is a lot of planning there involved.

And that for me is the first reason why the rest of the community has a hard time following up with what's happening. So the first idea that came out of Marrakesh was to try to be more specific about the content of the calls and try to separate calls from organizational calls, which are many and complex, because for example the last meeting in Geneva of the (unintelligible) took, I don't know, three, four panels were organized by ICANN community so it was a quite a task to get them organized. So a lot of time is spent on that.

So the first idea is to try to separate the calls by the type of calls and have separate tracks for these organizational meetings, organizational calls that are geared towards the next meeting -- there is always a next Internet governance meeting every two months at least -- and try to develop a separate track for calls which should focus more on policy work related to the DNS. So this is the first issue we're trying to sort out, and I hope that soon we have the schedule for the policy call.

In the discussion, it came up that there is a very important meeting by the end of the year or by the end of October, actually overlapping with our last ICANN meeting of the year, which is the world conference on (unintelligible) by the ITU. And there are some work groups on this conference that are dealing with things that might relate directly with ICANN. So in order of a suggestion by ICANN staff, by (Nigel Dixon) to take this - these working groups as a part of policy work. So we're going to work on that.

And the question that some people ask if there was need to change the charter or to finish the work of the cross-working group. I think we should put back after this period of the world conference on (unintelligible) and see the results of the policy work. This is more or less the summary of the discussions after Marrakesh and I think Olivier is also in the room, so if somebody has questions for me or Olivier (unintelligible).

Heather Forrest: Thank you, (Carlos), for both your written report and your summary here. Olivier, you have your hand up, please.

Olivier Crépin-Leblond: Thank you, Madam Chair. It's Olivier Crépin-Leblond speaking. Can you hear me because I'm in a terrible area for connectivity?

Heather Forrest: Quite well, Olivier. So carry on.

Olivier Crépin-Leblond: Okay let's carry. Yes first I'd like to thank (Carlos) for writing this summary. I haven't really got much else to add to this, just to say that the - regarding the organizational matters on one side and the regular calls for DNS policy work on the other, there is indeed a lot going on in the wider Internet governance space out there. A lot of things are happening that might not appear at firsthand to be directly related to ICANN, but in fact ICANN operates in an environment which greatly affects it on the regulatory side of things.

There are several, what should we say, ongoing battles that are taking place at various fora, not only in the ITU with the WSIS on the side, the World Summit on Information Systems, but also on the other side in places like, as I said, the ITU, WTSA, the World Telecom Standards Assembly, which is the first step -- you might say well that's just standard -- it's the first step to a full on assault on the current ecosystem that we have.

That includes the regional Internet registries, it includes ICANN, it includes the IANA function, and some countries are yet again -- and they had been done a few years ago -- but they're yet again moving forward into doing things that would eventually or could eventually or could eventually take away some of the IANA functions from IANA itself, or post-transition IANA as we will know it by then.

And then finally on the review of the working group, yes it's not one of these types of working groups that has a stopping point and an ending point, as Internet governance keeps on - continues its work. But we've managed to work very well with staff in being able to act both as a sounding board but also as the real input for the statements that they have been able to present at the various Internet governance meetings out there in an official way.

And it's - I think that if we do have to come up with an actual statement that will have to be co-signed that we'll have much more weight if it's co-signed by the community and the channels through staff. It is important to keep that straight channel to the chartering organizations. And at short notice, you might actually expect to hear from the working groups co-chairs into having to consider writing a statement or consider a written statement that will have to go out there.

The timeline is pretty much unknown at the moment. Things just move a little bit over time. But we are expecting some movement around September, October. That's all I wanted to add. Thank you.

Heather Forrest: Thank you, Olivier, very much. Paul, please?

Paul McGrady: Paul McGrady for the record. Thank you, Olivier, for that update. I had - you mentioned something about IANA functions being taken away from IANA. Can you expand on that a little bit more? How - who would take them? How would they be taken? What's the mechanism for that? And would that be an easier thing to do after the transition than before? I just - that's - I just want to more fully understand there is so that we know to what extent we should be alarmed. Thanks.

Olivier Crépin-Leblond: Yes thank you very much, Paul. It's Olivier Crépin-Leblond speaking. So there are some countries that believe that the Internet has reached the level where resources become critical Internet resources and that believes that allocation of IP addresses should be done a per country basis by the national telecom regulation agency.

Whether it's - well I would say - if I was to remain neutral I would say whether it's true or not that some countries have been discriminated against in the allocation of IP members, I would say - it was to say, if I was to be neutral I would say maybe it is

true, maybe it isn't. I can absolutely assure you that the regional Internet agencies have done an excellent job in allocating IP addresses.

And yet some countries are saying that this is not the case and would have a regime where the addressing would go over to the ITU and member states would all be given a chunk of addresses from the bunch that the ITU would take. That's just on the ITU side.

On the domain name side, there are renewed calls, and you might have seen this, that the operation of the A root should be taken away from whatever the current arrangements are and move over to Geneva into some kind of International framework of some sort. It's - a lot of the requests and demands of those countries are actually completely filled with all sorts of areas and shall I say, are not exactly based on the true reality of things.

But unfortunately we have to fight those things off and there is no way of just saying, "Well no you're wrong." One has to provide the full details and effectively sway the vote, because everything happens with a vote at the end, sway the vote in a direction that will not let those resources be reallocated through national law by some regulations that might eventually end up to say that all of the running of IP addresses and the running of the A root and other functions would have to be done by other countries.

Heather Forrest: Thanks, Olivier. Amr, I'm mindful of time but we'll turn to you. Your hand is up and I think in light of the time, Paul, you just put your hand up, we'll cut the queue with you and ask that (unintelligible). Amr, thank you.

Amr Elsadr: All right. Thanks, Heather. This is Amr. I have a broad question on this as an agenda item during the past few GNSO Council meetings. This began in Marrakesh where we got a briefing from both Olivier and Rafik, the two co-chairs of the CCWG IG. And here looking at the four points on the screen as well as the discussion we've had so far, I think that we're getting both updates from the CCWG as well as possibly discussing a review of or a modification of its charter.

I will note that the charter actually does require a chartering organization to review the charter on an annual basis at every AGM. But I would just like to advise that if we

are receiving updates from the CCWG on progress of their work then it's great to - we do have a council liaison to that group who's (Carlos), and then we're lucky enough to have Olivier wearing two hats as both the ALAC liaison to the GNSO Council as well as one of the co-chairs of the group.

But if we do actually have an exhaustive discussion on review of the modification of the charter at all, which as I said is one of the chartering - one of the charter requirements, I believe it is important to engage with the GNSO appointed co-chair to this group, which is Rafik Dammak, as well as possibly the appointed members from each of the GNSO stakeholder groups and constituencies. I don't believe we've done this effectively till now.

So I just want a cautionary note that if we do proceed to discuss any modifications to the charter that we do need to engage with the GNSO members who are on that group. Thank you.

Heather Forrest: Thanks very much, Amr. And (Tony) you'll have the last word on this topic.

(Tony):   Okay I'll be brief. I was actually quite concerned at hearing that there is this initiative by some countries to take over the allocation of IP address space. This - the numbering part, because this effectively, if it should happen at any time and in any place, would give a government a stranglehold on who provides Internet services.

It could also help them to regulate content and all kinds of things. Does this, as a question to (Carlos), does this have a lot of traction or support in what he has been hearing?

(Carlos):   I pass the word to Olivier, (Tony). I think he's a better position to answer for this.

Olivier Crépin-Leblond: Yes thank you very much, (Carlos). Olivier Crépin-Leblond speaking for the transcript. And currently, yes there is some traction around those proposals. There has always been some traction by the what we would call the usual suspects, a group of countries that are not - definitely not happy with the current arrangement.

The problem that one finds is that the countries that were defending the current model are - several of them are going through an actual change in - an actual change

of leadership and we're not quite sure of the policies - the change of policies. There certainly is a concern as far as Western Europe and North America, the defenders of the multi-stakeholder model. Some of those countries are now thinking, "Well maybe we shouldn't fight this off outright and we might wish to find a middle ground."

And I think there is certainly concern among those people that have followed these discussions for a long time that the middle ground effectively means that we're giving some of the resources and we'll end up in a much (unintelligible). Yes it's getting traction and it's something that we really need to keep our eye on.

I was just at a meeting just now actually and I asked the people in charge of Internet governance for the - for Europe, for the European Union, are likely to be replaced over the summer due to a change of hierarchy and so on. And so we'll have several weak points as in new people in place in many of those important positions that will need to be briefed by those people that have the institutional memory. And thankfully there are many people in ICANN, in the ICANN community but also on ICANN staff, who have the (unintelligible) for a very long time.

But it's a concerted effort with of course the regional Internet registries also taking part in this. And I would imagine that there are also some people in the domain name industry that will take part and make sure that we get our point across to - for the countries that are often in the middle, not really knowing whether they should vote for something or against something, mostly due to lack of knowledge on their part.

(Tony):   Thank you.

Heather Forrest: Thanks, Olivier. Thanks, (Tony). Olivier, just to note you were at points a little bit difficult to understand. I think we all got 99% of it, but just to bear that in mind. We've got some good substantive comments in the chat so I don't think that this is over by any stretch. I suspect that we'll see this CWG on the agenda in Helsinki in some form or fashion, and I would think that we should continue to raise our concerns and note them in the appropriate points.

                 (Tony), I'm assuming that your hand is up from an old hand. And, Olivier.

(Tony):   Sorry, I'll put it down.

Heather Forrest: That's all right. So we'll move on now to item six, which is - sorry, have I cut someone off?

Olivier Crépin-Leblond: Yes sorry it's Olivier. Just two quick things. First to answer the question which was in the chat. There are, you know, everyone on the Cross-Community Working Group of Internet Governance is of the same mind that we have to defend the current model as it is both IP addresses and the root, et cetera. So that, you know, is not an issue at all.

And finally I just wanted to thank the council for letting me speak here, wearing the hat of one of the co-chairs of the Cross-Community Working Group on Internet Governance. And now I'll take that hat off and revert back to the ALAC liaison. Thank you very much.

Heather Forrest: Thanks, Olivier. All right now let's move on to item six, which is our discussion of the implementation of the IANA stewardship transition plan. By way of introduction to this topic, Marika very hopefully posted to the council list an update on the - or from the IANA stewardship transition planning update, which is volume two. And we articulated - sorry, again have I talked over someone? I hear a female voice in the background. Just me.

We've articulated several questions in our agenda and I'm conscious of the fact that each one could probably fill an hour worth of discussion or more. I'll just highlight them here so that we all try and stay on track, because I do think this is a topic that we still filling in and leaving - and losing the plot, if you like, of our discussion.

The first question that we asked in our agenda is should the GNSO Council submit a public comment on the new bylaws? I will note that the closing date for GNSO is the 21st of May. The second question we raised in our agenda is what concerns do we have with elements of the proposed implementation plan for the transition and how do we want to go about addressing them? And then finally how do we go about identifying and addressing implementation on the GNSO structure and operations arriving from the new bylaws and develop mechanisms in the GNSO to sanction the empowered community.

All weighty topics. Some of these are immediate. The substance of the bylaws question, given that 21 May deadline is the most immediate. Some are looming but not immediate, leading to just before transition, and others are longer term and ongoing. Let's deal first with the bylaws question and spend a little bit of time here and then I'd like to turn to Donna for an update as our representative on this group after that.

So if I can open the floor on discussion to the question of whether the GNSO Council should submit a public comment on the bylaws, should we rely on our GNSO representatives rather than take the steps of doing something ourselves. I would note that it's not expected that council will vote on the bylaws should we at a minimum conduct some sort of review to identify areas of perhaps inconsistency with any of the comments that was submitted by the SGs and Cs or perhaps have some of the SGs and Cs doing this other implementation work on their own.

Olivier, I see that you have your hand up. No? Hand down. Comments on the bylaws? Anyone have a view here as to what we, as council, should be doing, if anything? Paul, please?

Paul McGrady: Paul McGrady for the record. Thank you, Heather. So we've not instructions from our constituency on whether or not the council should take some sort of vote or take some sort of action. However, I would point out that council was asked to vote up or down on the recommendations from the Working Group on Accountability.

And I think that at the time we all indicated that diligence was important. We made a lot of comments about how important it would be to keep track and to watch the implementation of those, including the output from this drafting team, which won't just consist of the community but also ICANN staff and lawyers.

And so here where we have a situation where I'm pretty sure the working group, this Accountability Working Group itself, has put out a short statement on inconsistencies and issues that they see, I think that it would make sense for the council to see - to take note of that and to at a minimum issue some sort of statement saying that, you know, we expect that bylaws will track closely the plan that was voted on and that if there are things that are in the bylaws that were not part of the process that there

would be an opportunity, sufficient opportunity, not just for 30 day comment period but a sufficient opportunity for the community to actually look at those.

And so for the record, this is me speaking as me; I don't have instructions from the constituency on this. I'm just speaking as somebody who was asked, you know, to cast a vote on behalf of the constituency and someone who has ongoing concerns that implementation be along the lines of what we were all told it was going to be. Thank you.

Heather Forrest: Thanks very much, Paul. I note Keith's comment in the chat. He says, "I think we should conduct a review of bylaws to ensure our input was duly considered. I don't have any specific concerns at this time but I think we have an obligation to check the work."

I then followed up there. I think I - I think we need to bear in mind the timing. This is something that if there's work to be done in good time for the comment period, that's 21st of May, my question I guess is, is this something we're doing as council or is this something that we're doing as individual SGs and Cs? I think there's an argument to do it as individual SGs and Cs given that while we approve the plan as a council, we sent then package with comments from the individual SGs and Cs and they were fairly I won't say inconsistent but different across the different groups.

Keith and Donna in the chat have noted that that seems to be a decent approach. Does anyone disagree with that approach that we move this to the individual SGs and Cs in the interest of time and in light of the fact of that's where the comments came from in the beginning? I don't hear any screaming objections. And Amr says, "The NCSG is preparing a comment and I wonder if a comment from council is necessary."

Paul, your hand is up. Please.

Paul McGrady: Paul McGrady again for the record. I guess I don't have a problem with the idea of the constituencies and stakeholder groups, you know, taking the lead and posting their own comments.

But I do think that in relationship to the integrity of this process that a short statement by the council saying that, you know, we believe that the bylaw should remain faithful to the plan as voted on might provide some help to the environment such that these public comments are actually, by our constituencies and stakeholder groups, are actually given the weight that they deserve and don't just end up being brushed off because of the race to the finish line. So I guess I'd like to know whether or not there's any stomach for that. I'd be happy to do the first draft. Thanks.

Heather Forrest: Paul, thanks very much. I think that's helpful and I see you have some support for that in the chat, which means then the action item on this is not - is twofold let's say. Paul, are we noting it down as having volunteered yourself? Yes? Marvelous, Paul. Thank you very much indeed. That's a very kind effort.

Our next question if we talk to bylaws on that basis and go forward on that basis, our next topic to deal with here is how council should go about identifying other concerns or elements of the supposed implementation plan and how do we start passing the impact on us of the bylaws and the implementation of the transition plan. And in fact if I can turn over to Donna for her to give an update, that would be very helpful. Thanks, Donna.

Donna Austin: Thanks, Heather. So just to be clear on what I'll be speaking to, this is specifically related to obligations for the council related to the IANA transition proposal and specifically their obligations with regard to the establishment of the Customer Standing Committee. And the reason that I'll focus on this is because it's more or less an immediate piece of the implementation that has to be put together or has been requested by the USG to be established by -- it's mid-August I think is the date, sorry. My focus is on the Customer Standing Committee.

So the Customer Standing Committee is a committee that will be established to monitor the performance of IANA in the post-transition environment. So currently I guess you could say that NTIA does that, and we've - through the IANA - CWG IANA we've developed a customer standing committee that will take on that role to monitor performance of IANA on a regular basis.

The composition of that committee is two members from ccTLD representatives, two from gTLD representatives -- and that's mandatory -- and a member that is not from a

registry that is not considered a cc or gTLD representative, so it's something like .(arpa) or .(mil) or .gov, those registry operators.

The CSC will be - have a liaison from IANA, so that's somebody with the knowledge of what IANA does and can inform the CSC on different aspects of performance. So it's somebody who actually works for IANA and has the knowledge base that's necessary to assist with the performance role. And then there's non-mandatory liaisons that came from the GNSO, and that's the GNSO as a whole, it's only one liaison.

And the only condition is that it not be a registry because there's already two gTLD registries representatives in the membership. And there's one from ALAC, the GAC, ASO, SSAC, and RSAC. These liaisons are not mandatory so we don't have to provide a liaison to this group if that's the, you know, the will of the GNSO.

In terms of responsibilities, so the council will be responsible for selecting the liaison. So that's the GNSO liaison. And then the GNSO and ccNSO must approve the full membership of the CSC. It's not the role of the GNSO and the ccNSO to question the validity of any recommended appointments.

So each different organization will have its own internal selection mechanisms and they will make their selections and then those selections will be provided to the ccNSO and GNSO for more or less confirmation of the appointments. But the ccNSO and GNSO will take into account overall composition in terms of geographic diversity and skill sets.

So Julie Hedlund and myself have been working through some of the machinations about how that would work, and Heather, James and myself are having a call about this next week and then we'll come back to the council about the way that we hope to take that forward. And we're looking at some kind of - establishing some kind of selection committee within the council to select the GNSO liaison and also do the work with the ccNSO to sign off the final composition.

I don't think I'll speak to any more of this slide unless anybody else has any comments, because this is the immediate concern. We have - I think we have - at the end we have a draft timeline. So this is specifically for the CSC. So we have to have

this committee established and formed by the 15th of August. And we hope to have the expressions of interest - the call for expressions of interest go out on the 16th of May.

And then there'll be - I think the intent is to have a webinar with the SO/AC chairs just to go through a bit more of the details so people are all the same page. And then individual SOs and ACs will do their own kind of selection process and then it comes back into the - we need to find a way to feed it back into the GNSO and ccNSO to make those final appointments.

So, Heather, I think that's where I'll finish. And if anyone's got any questions, if they could raise them now. Thanks.

Heather Forrest: Thanks very much, Donna. That was a very helpful summary of the Customer Standing Committee and particularly noting here at the end the timeline and when we expect that call for EOI to come out, which is next week.

Does anyone have any comments on this point? If not, I'll provoke with another question on a related point. I don't see any raised hands at this stage. What I am - would like to propose for us as a council is we need to start thinking about tackling the impact of the bylaws and implementation, not just in the form of the Customer Standing Committee but in terms of our own internal processes and how we go about doing things.

And I'd like to focus today, let's say with the time we have on this topic, not about the substance, because I think that truly will swamp us at this point, but really about the mechanics. How do we want to go about initiating our discussion here? Should we - do we want to call for volunteers of say a council task force?

Do we want to have something kicked off for Helsinki? How do we want to capture and appropriately let's say corral and lead this discussion because it's not going to be a discussion that is in an out? It's going to be something that lingers with us for a fair while. How does council want to go about doing this? Donna, your hand it up. Please.

Donna Austin: Thanks, Heather. I like the idea of a task force of the council to try to manage, you know, particularly the bylaw implementation part. But I just a have a question about,

you know, the CSC that I'm speaking to here is an immediate concern because we need to get that established by the 16th of August, but I want to understand what the timing is in regard to any GNSO requirements related to the changes in the bylaws. Because I think that would us in our thinking as well if we understood what the timeframe was.

Heather Forrest: Thanks, Donna. That is very helpful input. Does anyone else want to comment on this point? A few people are typing into the chat. Marika, please go ahead.

Marika Konings: Yes this is Marika. With regards to the timing, I understand that there's some parts that are time sensitive, especially the CSC part. I think on the other part it's more a question of do those mechanisms and procedures need to be in place if the council or the GNSO wants to make use of those new mechanisms. Without having clarity on that it seems that it would be very difficult or if not impossible to actually start making use of those new powers.

So at least from my personal perspective, it is indeed one that, you know, should commence sooner rather than later as of course there needs to be certain steps that will need to be taken. First of all there needs to be an identification of what processes or procedures apply, if that's existing procedures or processes or whether new ones need to be developed.

These most likely will need to be incorporated into the GNSO operating procedures. There's an obligation to put those out to public comment before this can be adopted. So there are certain time constraints that are already, you know, baked into that kind of process. And again, you know, of course it will depend at the end of the day as well when, you know, transition happens, but that's probably something to factor in as you think about, you know, how to do that work and what kind of timeline you want to roll it out.

Heather Forrest: Thanks, Marika, very much for following up on the timeline point. And I see a number of positive comments in the chat in relation to whether we call it a task force or something, a smaller group. I think that's a good idea in the sense that we want this to be fairly quick on its feet, and having to try and do this an entire council is probably not super helpful and indeed might well be a bit of a challenge to the extent that some of us are more up these issues than others.

So perhaps what I propose is -- and I agree with Donna's comment in the chat, it would be helpful to have an outline of the different pieces of the puzzle and the timeframes -- perhaps we can start working on that, trying to get our head around the timeline and all the various moving parts.

And if we think that it's the way to go, I think we try to seize the opportunity to seek our volunteers between now and Helsinki. And that means that the folks who have volunteered have an opportunity to get together in Helsinki if that's what they would like to do. And of course we also have the Monday broader community session on the agenda for Helsinki.

So does anyone have any objections with trying to put out the call for volunteers for that group between now and Helsinki so we get the ball rolling, being mindful of the timeline issues that we just noted? There are no objections from here in the chat. Thanks very much, Paul. And there seems to be some support for that. And Ed has volunteered for the task force. Marvelous. So the volunteers are already starting. So let's do that on the list then.

To summarize our way forward on this item, Paul has kindly agreed to draft a high level comment or note, if you like, seeking confirmation that the comments that were submitted by the SGs and Cs have been duly taken into consideration, point one. And point two, we'll put out a call for volunteers. We'll note Ed on the list as having volunteered. And Amr, I see your hand up. Please.

Amr Elsadr: Thanks, Heather. This is Amr. Yes I just want to put out there something I put in the chat as a possible alternative to a task force, which is a process that the GNSO already has and hasn't used yet, which is the GNSO input process. And this process was designed specifically to allow the GNSO to provide input to requests where - that are coming from other organizations, maybe other SOs or ACs or possibly the board, where they would like input on - from the GNSO on a topic that is not gTLD policy development related.

I'm just thinking that a process like this could possibly also be used to provide input to something like the Customer Standing Committee if and when necessary and it's something that's already in the GNSO operating procedures and requires not

amendments or public comments and so forth. I was just thinking we have a tool at our disposal. We may want to consider using it before making a decision on proceeding with a task force. Thank you.

Heather Forrest: Thanks, Amr, very much for following up in your comments in the chat. What I suppose we can do in light of the time is let's get together our volunteers and then one of the things that the volunteers could talk about as an initial thing and perhaps report back to us on would be the mechanism by which they think is best to go about their work.

My only recommendation on that would be that I think we want to try and avoid something that involves a charter or anything that gets bogged down, let's say, that requires us to build new rules around it. And if a drafting team is the quickest, best way to do that, that's fine. If the alternative that Amr's identified is the quickest, best to do that, then I think that's open to consideration too.

So for now, I see there's general support for let's call for volunteers and we'll see where that takes us. But at least we can leave the meeting today feeling like we have gotten the ball rolling on this very complicated topic. Any further final comments on this topic before we move on? Seeing none. I'm noting Marika's follow up in the chat. We'll keep an eye on those sorts of issues once our group of volunteers get together.

Moving on then to item number seven in our agenda, which is our discussion of the next steps in resolving issues (unintelligible) certain Red Cross identifiers. On the 8th May, James drafted a letter to the board, essentially referring back to the steps that were undertaken with the NTTC. And those discussions ended with council undertaking to consider initiating a policy for amending policy recommendations only after receiving clarification from the board as to the specifics what those potential policy amendments might be.

Essentially the GNSO is in a holding pattern. We're really awaiting that input from the board and that's really the subject of the letter that James circulated on the list. If you have any suggested edits for the letter or particular concerns about the way that draft letter has been articulated, there's been some comments and tweaks to it on the list, and frankly folks should have done that already, please circulate them by close of

business in your time zone at the end of this week. That's close of business Friday your time (unintelligible).

And that will enable us to send that letter off first thing next week. So a note for everyone to do this if you haven't made comments about the draft letter to the board on the next steps for Red Cross. And you can see the draft letter is here in front of you on screen. Then please do that by close of business Friday your time.

The second thing that I think we need to consider in relation to this agenda item is how we want to engage with this topic between now and Helsinki, and in Helsinki. And this gets us into some of the issues around overlaps between this topic and IGO-INGO and other things. I'll note that the GAC has suggested that the topic of IGO protection be placed in the same slot as this suggested bilateral meeting with the GNSO on day two of the Helsinki meeting.

The Red Cross isn't an IGO but nevertheless we might see that the issue get raised issue. I wouldn't be shocked if it did. And I suspect that the Red Cross is very much front and center of the GAC's attention and will likely have some representatives at the Helsinki meeting, as they did in Marrakesh. So I think they'll be looking to push this forward.

This could also be something that we think about in line with our meeting with the board. So all the more reason as to the extent we can get that on the schedule, which I hope that we can. To the extent that we meet with the board, we want to get this layer out sooner rather than later so that the board has some time at least to look at it before we try and discuss this with them in Helsinki.

Any suggestions for how we, A, get ourselves better across this? Because I think what's going to happen is the board's really going to punt it back to us and with what specificity I suppose is a question. Donna, please. And then Phil.

Donna Austin: Yes thanks, Heather. Because this issue has been going around for - has been in a state of hiatus for a long time and if we want to have an informed discussion with the board about how we move forward with this, I think there would be value in having, you know, for those who want to participate that Mary and the team put together a

webinar for the GNSO Council just to get us up to speed with, you know, what's happened in the past and why we're at this point now.

I wouldn't - we kind of trialed this with the GNSO review and I think it worked well. I would just request at this time that this is specifically for the GNSO Council to bring them up to speed. It's not to, you know, hash out some of the specifics related to the issue but it's just to bring the council up to speed so that we can have an informed discussion with the board if we go down that path in Helsinki. And I think we should go down that path in Helsinki.

You know, this is - my understanding is this is much broader than just the Red Cross being concerned that this isn't finalized. There are temporary reservations within the registry agreements so that's also - they remain temporary because the board is still lagging behind on some of the recommendations that came out of the original PDP.

So that's what I would like to see happen because, you know, I wasn't on the council the first time this did the rounds so I'd really like, you know, to understand what's going on here so that I can contribute to any discussion that we have with the board in trying to move this forward. So that would be a suggestion I'd like us to consider. Thanks.

Heather Forrest: Donna, thanks very much. I think the webinar that you suggested has to get inspected by the folks who were involved in the original PDP. And that might be quite helpful. Phil, please, your hand is up.

Phil Corwin: Yes thank you, Heather. Phil Corwin for the record. I'm going to speak here from my perspective as one of the two co-chairs of the working group on curative rights processes for IGOs. I'd like to say three things. One, I'm very happy to see that this letter emphasizes that the issue of the Red Cross is different from the general issue of IGOs, and I think that allows for the Red Cross issue to be resolved earlier and separately from broader IGO concerns.

Separately, there have been ongoing discussions for a long time between the board, the GAC, and the so-called small IGO group regarding the issue of blocking IGO names at the top and possibly the second level in new TLDs, and that's beyond the purview of the working group I'm co-chairing. And those talks have been going on for

a long time without any resolution. We thought last summer we'd see something and we've seen very little since coming out of discussions.

Now on the work of my working group, which relates to the question really of whether the current process, whether IGOs have access to the current curative rights process, which is the UDRP and the URF, and we have found in that working group that they've - IGOs have used the UDRP certainly. We don't know of any that have used the URF yet.

The issue there is sovereign immunity. Generally the UDRP is completely respectful of the sovereign immunity of IGOs because it gives them an option other than going to court that's both faster and less expensive to resolve any concerns they have about a domain which they believe is infringing upon their name or their - the acronym of their name.

The only area where the sovereign immunity issues rises is in the very rare circumstance where an IGO would prevail in a UDRP and a domain registrant would exercise their existing right to appeal that decision to a court of mutual jurisdiction as defined in the UDRP.

And our working group has basically been on pretty much hold since around the time of last year's Buenos Aires meeting because we did not have the legal expertise to decide the sovereign immunity issue and it took some time to get ICANN to commit to provide some funds to hire a legal expert and then to do the search for the expert and then to find one.

We had retained finally Professor Edward Swain of the George Washington University Law School in Washington, D.C. And I'm very happy to report that we got an excellent draft memo from him in the third week of April, a 30-page memo on the subject.

And the fact that it's 30 pages is illustrative of the fact the question of IGO sovereign immunity is not a black-and-white issue as some have contended but is a highly complex issue that's resolved differently among different nations and under different for different forms of IGOs.

And our working group has engaged in initial discussion of that legal memo last week. We're having a second follow-up discussion at 16:00 UTC today on our regular weekly call, and then we're engaging in a dialogue with Professor Swain next Thursday. So - and we have a session scheduled of course for 75 minutes at Helsinki.

I'll be happy to share that legal memo with members of the council if they find it useful. But I just wanted to speak to the fact that we've got three different moving parts here. We've got the Red Cross issue, which is separate from IGOs, we've got the blocking of IGO name and acronyms issue, which has been a long-term discussion between the board and the GAC and the small IGO group, and then we've got the curative rights, which our working group is now reengaged on and moving forward with we hope moving toward a final report in the next few months.

So I wanted to give that background to council because I think if you attend our session, which is Monday morning at Helsinki, you'll be better informed on that part of the IGO issue for any subsequent discussions with the board and the GAC. Thank you.

Heather Forrest: Phil, thanks very much. In responding to your comment, I think it's particularly helpful let's say on this agenda item to have your comments on the letter given the background (unintelligible) and I appreciate your comments that were made in seeking the draft before this call on the list. And also I think it would be great if you're willing, since you've offered, when you are able to share that report which you've received from legal counsel, I think that would be quite helpful and be part of our upscaling process.

I'm mindful that we have guests with us for our next agenda item and we want to be mindful of their time. So what I will do here is just summarize where we are. So by way of reminder, action item, councilors if you have comments or edits on this draft letter that you see on the screen, please send those around on the list by the end of the week your time.

And secondly, Mary has very kindly agreed in the chat to liaise with us on setting up a webinar to get councilors up to speed. I think if we can do that sooner rather than later, let's say do it before we all start traveling for Helsinki, that would be ideal. Then

we're in Helsinki and informed for the discussions that are likely to happen even if not, you know, directly between the GNSO and Red Cross, because there's really nothing that we can do for them at this stage.

We'll certainly hopefully have some engagements with the board on this and might well have some engagement that comes out of the GAC on this. So I don't think we initiate the GAC intentionally on this one. We're really waiting for the Board. But if we can do that, then I think that would be very helpful.

Excellent. Any final comments, concerns on this topic? Have I summed up things in a way that makes anyone upset? Hopefully not. All right. Seeing no hands and feeling no daggers, we'll move on to Item 8, which is our discussion of the possible integration of the pending implementation of the translation and transliteration of gTLD data PDP recommendations with the implementation of Thick Whois.

Amr very helpfully posted to the list on the 11th (unintelligible) some of you (unintelligible) a memo from Dr. Brian Aitchison, the lead within GDD for implementation of translation and transliteration.

That memo provided GDD's (issues like) temperature taking on the proposed bundling of the implementation of that PDP with the implementation of Thick Whois.

We had I'm delighted to say - at least I think we do. We have (Krista) and Francisco and (Cyrus). I think we all three of you. So I'll first invite them to give a brief summary specifically of the benefits that are perceived to bundle from their perspective and then we'll devote most of our time to any (unintelligible) any specific questions or concerns while we have those folks with us.

And I'm told we don't have (Cyrus) yet. But we have Francisco and (Krista). So I'll turn it over to either Francisco or (Krista), whoever would like to go first.

Francisco: Hi. This is Francisco. Can you hear me?

(Heather):   We can indeed Francisco. Thank you very much.

Francisco: Thank you. So I read your instructions. So I'll start basically with - summary of benefits that we perceive on (doing match). The - as you may know, we already have the Thick Whois, the part about Consistent Level and Display of the transition of (common areas) (and jobs) that follow in a different (unintelligible).

But the Consistent Level and Display part of Thick Whois policy implementation is already bundled with RDAP and we are in the final stages of that implementation having already got public comments.

And we already noted in the (unintelligible) to that. We're very close to finalizing that. TNT on the - it's basically an app to the transition of Consistent Level and Display and RDAP. This envelopes modifying the (RNDS) - the (output) and in this case it would of RDAP.

And so we think that it's a benefit in having the contracted parties comment (unintelligible) together since they will be modifying the same parts of the infrastructure.

It simply makes sense to bundle these so that we do one implementation as opposed to let's say since we are very close to be done with RDAP, then we call for implementation now and six months later we are done with TNT and then we (ask you) to implement (unintelligible) affecting the RDS (unintelligible). We have to be modifying a system that we just finished modifying six months before.

And so that the three benefits that they are affecting the same service. Then also TNT will likely require a one or two week extensions for (unintelligible). And the optional translation transliteration transition beta.

And this thing can be set up then Consistent Level and Display if our Thick Whois that it will require one or two operation or the (EDP) extensions. So it also makes sense to - seems to make sense to bundle those two implementations because you are modifying the (APP) service also for this implementation. And so that's the second benefit.

And the second - the third benefit, I'm sorry. It's in the TNT final report that the Board recommends combination with (unintelligible) of RDAP. And so by doing this - and by

doing this bundle we are being consistent with that recommendation in the final report of the TNT policy development.

For benefits (unintelligible) that is recommended there. That that model is in this case would be connected to RDAP. So it again makes kind of sense to do those two together at the same time.

And the other benefit is in terms of efficiency. And by having a one implementation or review team instead of two when they just are very similar in nature or affecting the same service.

It seems to make sense to have one implementation review team that is foreseen - overseeing the Thick Whois and the TNT implementation. And of course the fact - the simple fact that the (contact site) will be as (implemented). One single package instead of two different implementations with six month difference, something like that.

It seems to be a benefit to (concerned parties). And so certainly the benefits that we see and that we highlighted in the letter that we sent to you. And would you like me to go over the (unintelligible)?

(Heather):   Francisco, I think we might - let's just pause here before you go on and see if anyone has any questions and then we'll see where we go from there. Does anyone have any questions, concerns, comments? Paul, I see your hand is up.

Paul McGrady: Hi. Paul McGrady for the transcript. I guess the concern that I have is that the finalization of making all registries thick registries - Thick Whois registries has been incredibly slow. And there is some concern I think that by bundling the remaining issues in the way that you're suggesting that that will slow down the finalization on Thick Whois even more.

Can you or (Cyrus) talk to that issue and how your new proposal won't exacerbate and already really unfortunate problem? Or in the alternative assure us that by doing this everything will be, you know, everything will - including the finalization of making all registries thick will, you know, that'll kick it into overdrive and we'll actually see some progress on that. Thanks.

Francisco: Yes. Thank you for the question Paul. In fact that's one of the concerns we have here. However, we think that the transition from thin to thick for (common area jobs). That's - if you look at the implementation review team, that's - the work is divided in two fronts. One is the condition level and display and the other is the transition of thin to thick.

The Consistent Level and Displays, et cetera, very close to be ready while the transition from thin to thick there's still work to be done on the planning. And the timeline there even though there is still no final plan, the consideration for the plan we're talking about a (year) or two in (a conversion like this).

So that's more than enough time to include the implementation of the TNT bundle with a (common) level - Consistent Level and Display and that in the meantime. So we don't think there will be an affect - any - a delay in the transition from thin to thick because that's following a separate timeline.

(Heather):   Thanks Francisco. Thank you Paul. And Paul, you're back in the queue. We'll work our way through. Jen, you're next in the queue. And you made some comments on the list as well. Perhaps you want to elaborate on those. Thanks.

Jennifer Gore: Thank you. Francisco, thank you for running through the summary. I have received verbal conformation but not written confirmation back from many members of the Registrar Stakeholder Group essentially not supporting the idea of combining the efforts.

Although we appreciate the idea of combining (unintelligible) synergy, that doesn't extend the timeline out further and where there is definitely an overlap that doesn't increase throwaway work from a registrar perspective.

Our concern with the combining of these two is that there would be a vast amount of work that requires implementation around the physical data structure as it relates to storage. And then underlining changes to our EPP communication protocols.

And by combining these, they're - we've highlight areas, and I'll be happy to elaborate further in email where it does create more throwaway work. And I'm not sure that I believe that it wouldn't extend the timeline out further. Thank you.

Francisco: Jen, I'm sorry. I didn't get the question.

Jennifer Gore: I actually wasn't asking a question. I was making a statement.

Francisco: Oh, I see. Just want to - if I could, I would like to say something.

(Heather): Go ahead Francisco. Thank you.

Francisco: That is fine. And then in regards to the (unintelligible) is of course is not for (staff) to say. We're simply proposing something and if the community believes that's not the right way to go, we're - we don't have an opinion here.

We were thinking on raising the topic in the GDD Summit since next week we have that and there is a slot delegated to this topic. We're thinking of raising the topic for one last time with the community. We haven't had a chance to raise this with them (the group of the committees). So far it has been only small groups like the transition review team and Thick Whois and of course here with you.

But we are thinking on doing one last attempt to explain what we see as the benefits and if they - it is not for the community then we would move on. But just to be clear what it means to one in this case is RDAP and Consistent Level and Display like I say are pretty much ready to go.

And so if there is a decision - if there is a decision to not bundle, then what will happen is we'll start preparing the call for implementation for RDAP and Consistent Level and Display.

And like I said, TNT seems to be very straightforward limitations. So we think in a cycle or we maybe one cycle later or six months later we think we could be ready to implement TNT. So that means the contract side would be making changes to the (RDS) with six months (of difference). I just wanted to highlight that. But there is no issue by doing that as (the contracted parties), that's okay with us. Thanks.

(Heather):   Thanks Francisco. And Jen, your hand's up. Do you want to come back with a comment or should we move on to Wolf-Ulrich.

Jennifer Gore: Sorry. Let's move on.

(Heather):   (All right). Wolf-Ulrich, you're next in queue.

Wolf-Ulrich Knoben: Yes. Thanks (Heather). Wolf-Ulrich speaking. So I'm all for finding synergies and if that could be found, we should put it together. So but I have one question with regard to that because I remember, you know, the (unintelligible) translation, transliteration - what was doing and the - what kind of membership was on this (talk).

                       So my question here is related to if you think about merging this effort so in the (IRT)'s review team, you should think about of, you know, what comes out about the membership of that team. So whether people from that former group who dealt with the transliteration actually should join that and that may then come - lead to a different aspect and discussion (there).

                       I wonder if you did that already to check so it's the membership of first groups and whether those fit together really with regards to the combination of these two efforts. Thank you.

Francisco: Yes. Thank you for those suggestions. Yes. That's indeed one of the things that we would do if there was a (match of the) limitations. Then we will (unintelligible) members from the TNT (unintelligible) (IRT) on Thick Whois. Thanks.

(Heather):   Thanks Francisco on the report. That sounds a (pathway) forward. Amr, please.

Amr Elsadr: Thanks (Heather). This is Amr and thank you Francisco again for the briefing. I just wanted to go over a point regarding when would be an ideal time to initiate the implementation of TNT.

                       And just wanted to point out that one of the recommendations that actually came out of that PDP Working Group and what subsequently was adopted by the GNSO

Council and the ICANN Board was a recommendation specific to when implementation should begin.

And that was - and that recommendation, Recommendation 7 of the PDP Working Group was to begin the implementation when a Whois replacement that can receive (foreign display) on ASCII characters that comes operational.

So if you think about that and think about that RDAP is being rolled out along with the consistent Labeling and Display track of Thick Whois and if that will actually provide access to receiving, storing and displaying of non-ASCII characters in the Whois, then since that should be a sufficient trigger to begin implementing this policy.

It doesn't necessarily mean you have to bundle it with Consistent Labeling and Display but it does mean that the policy needs to begin implementation. And so I would have strong concerns about postponing this implementation for years until the next gen RDS PDP comes up with a policy recommendation and implementation plan. Thank you.

(Heather):   Thanks Amr. And Paul, back to you.

Paul McGrady: Hi. Paul McGrady again. Thank you for your patience as I ask the following question. So as I am listening to issues raised by (Jennifer) and others, I guess I - what I'm looking for is a fairly straightforward statement that by bundling these two things that there is zero chance of there being a corresponding slowdown on finalizing Thick Whois implementation.

The (IRT) only has certain amounts of bandwidth. So can you just let us - can you confirm that there's no need for concern? Thanks.

Francisco: Yes. Thank you for the question. Yes. We don't think there will be an impact in the transition to - from thin to thick for (common areas). The impact we see would be in the Consistent Label and Display. That we have seen as a - there's going to be a delay for six months.

Instead of being ready now, which is where we think we are almost there, it would be in six months from now. But the transition from think to thick and for (common area)

that following its own timeline and the communities feel coming together in terms of (offline an) approach Whois.

So there's still more work to be done to reach that agreement and the timeline that is being considered there it's in the order of years and there's going to be about one or two to make then the decision happening. So we don't expect that to be an issue in regards to delaying the transition from thin to thick. Thank you.

(Heather): Francisco, thank you. (Paul), your hand is up. Is that - I see (unintelligible). Yes. Thanks. Okay. So I don't see any further hands up. I suppose I'll ask Francisco and (Krista) would this be that helpful to you if we wanted to get more feedback from you. How do you recommend we went about doing that?

Francisco: This is Francisco. So as I said, we are intending to present this to the contract parties and GDD Summit next week. And so if you are planning to go there, I think that would be the perfect opportunity. Otherwise I guess you can write back to us in - and we will take into consideration that input. Thank you.

(Heather): Okay. Thanks very much Francisco. And Amr, you'll have the last word.

Amr Elsadr: Yes. Thank you (Heather). Amr again. I just wanted to note that similar to some of the concerns on the list to the Thick Whois implementation there are probably some concerns - similar concerns within the TNT PDP Working Group where some are concerned that the bundling that too will delay the implementation of TNT.

So you can see this is - it's probably coming from both sides. But in any case, I don't think this implementation should be delayed. And I would say that the folks from the TNT PDP Working Group who are concerned have reached to me and expressed that they are in favor of the bundling but however cautiously in favor. And I believe that this sort of reaction was also capture in the memo prepared by GDD staff. Thank you.

(Heather): Thanks Amr very much for following on that - with that (text). It appeared to me that this is not a discussion that's over. That it would be an ongoing thing. We'll ultimately have to come to a view on this within Council.

What I propose that we do is we'll take onboard (unintelligible) comment about how to get more feedback back in - and Amr's statements toward the end there. Let's discuss this and see what we perhaps want to do about this when we approach getting together in Helsinki.

I'll also note on the sort of sideline (unintelligible) that we have recently received a letter from the (copper) today in fact linking the Expert Working Group on internationalized registration data to some of the issues that are…

((Crosstalk))

(Heather):   …around - in this area. So…

((Crosstalk))

(Heather):   …general…

((Crosstalk))

(Heather):   …the sort of multiplicity and issue that has to do with the overlap say of initiatives going on here. So to be continued and let's perhaps deal with this more substantively in Helsinki.

In the meantime, (Krista) and Francisco, thank you very much for joining us today. We appreciate you being here taking time to answer the follow up questions.

Francisco: Thank you.

(Heather):   With that, folks we have one final housekeeping item to take care of and that is the call for volunteers for Council liaison. The first one as still noted on the list is the RPM PDP Working Group. I'll put myself, my hand up for that and volunteer for that. If anyone else would like to volunteer or have any concerns with my volunteering…

((Crosstalk))

(Heather):   Are there any objections to my serving as Council volunteer for the RPM PDP? (Unintelligible). Right. Good (stuff). Seeing no objections, then I will step into that task.

We have two IRTPs that are close to completion, IRTPC and IRTPD. We need volunteers for Council leads on both of these. I suspect the registrars are probably the best at (unintelligible).

And poor Jen, you're the only - you're holding the stick up and you volunteered -- that would be wonderful -- volunteered to be the Council liaison for both taking it for the team. That's super. Thank you very much.

And the finally we have the liaison for the IGO, INGO IRT. Bearing in mind that, you know, this work is ongoing. (Phil) has very kindly provided an update as to that work and offered to follow up with the legal opinion they've recently received. Note, you know, as (Phil) said, there are remaining (audit option) recommendations but they're still subject to discussion.

So this is ongoing work. Do we have any volunteers for being the Council liaison for this IRP? Oh, come now. We were going so well. (Dang). You and silence does not (go well). Going once, going twice, liaison for the IGO INGO IRP. It'll make (Phil) cry if you don't volunteer. Oh well. We'll have to follow up with this one on the list. And I'd expect - ah Keith, marvelous. Excellent.

Thank you very much. So we'll note to use the following that (unintelligible) the RPM PDP Working Group, IRTPC and IRTPD is Jennifer Gore and Keith Drasek the Council liaison for the IGO INGO IRP.

With that folks, with six minutes remaining, do we have any other business? Seeing, hearing none, it looks like we get six minutes back in your day folks. And ah, (Donna), please go ahead.

(Donna):   Sorry to ruin everyone's last six minutes. When Francisco was on the call, he mentioned the GDD Summit, which is the Global Domains Division Summit. It's basically a meeting of the registries and registrars that will take place in Amsterdam next week.

I have sent a link to the Council list of those that are interested. It is akin I guess to the Non-Contracted Parties House meeting that you had earlier in the year if I understand correctly.

We have a pretty good agenda. We understand that there are over 300 people that are signed up for it. Some Board members will be in attendance for the first day and I think ICANN's new CEO will also be in attendance as well. So we'll report back on that, you know, perhaps in Helsinki or even to the list. But it's shaping up to be a pretty good meeting. Thanks (Heather).

(Heather):   Great. Thanks very much (Donna) and thanks again. You played a significant - excuse me. Something very (live) just fell over here in (unintelligible). You played a very live role in a number of the items on today's agenda. And we're all grateful to you for keeping Council's interest in the back of minds in those activities.

So with that folks, with four minutes left in your day and seeing no other concerns or any other business, I'm very happy to call the meeting to a close and wish you all a very good day and safe travels to Helsinki. Glen, you can stop the recordings and we'll end the meeting. Thank you.

Glen DeSaintgery: Thank you very much (Heather). Please stop the recordings.

END