

Transcript GNSO Council Teleconference 18 February 2016 at 12:00 UTC

Note: The following is the output of transcribing from an audio recording of the GNSO Council teleconference on 18 February 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-18feb16-en.mp3>

Adobe Chat Transcript

<http://gnso.icann.org/en/meetings/transcript-chat-council-18feb16-en.pdf>

on page: <http://gnso.icann.org/en/group-activities/calendar#feb>

List of attendees:

NCA – Non Voting – Carlos Raúl Gutierrez - absent, apologies

Contracted Parties House

Registrar Stakeholder Group: James Bladel, Jennifer Standiford- absent, apologies, proxy to Volker Greimann, Volker Greimann,

gTLD Registries Stakeholder Group: Donna Austin, Keith Drazek, Rubens Kühl

Nominating Committee Appointee (NCA): Hsu Phen Valerie Tan absent, apologies, proxy to Donna Austin

Non-Contracted Parties House

Commercial Stakeholder Group (CSG); Philip Corwin, Susan Kawaguchi, Wolf-Ulrich Knoben, Tony Harris – joined late, Wolf-Ulrich Knoben, Paul McGrady, Heather Forrest

Non-Commercial Stakeholder Group (NCSG): Amr Elsadr, Stephanie Perrin, David Cake, Stefania Milan 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 - absent, apologies

Mason Cole – GNSO liaison to the GAC

ICANN Staff

David Olive - VP Policy Development

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

Terri Agnew - Secretariat Services Coordinator, At-Large/GNSO

Eric Evrard- End-User Support

Coordinator: The recordings have been started.

Glen de Saint Géry: Thank you very much. Good morning, good afternoon, good evening everyone. This is the Council call on the 18th of February. Please answer when your name is called

just to make sure that you can be heard and that you can speak because we will probably have a vote and it's important to be able to speak for the vote.

Keith Drazek.

Keith Drazek: Here.

Glen de Saint Géry: Donna Austin.

Donna Austin: Here.

Glen de Saint Géry: Rubens Kuhl. I don't yet hear Rubens. James Bladel.

James Bladel: Here.

Glen de Saint Géry: Jennifer Standiford. I don't see Jennifer on the Adobe either. Valerie Tan is absent and she has given her proxy to Donna Austin. Volker Greimann.

Volker Greimann: Present.

Glen de Saint Géry: Thank you. Phil Corwin.

Phil Corwin: Present.

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. I don't see Tony Harris on the Adobe Connect either but he may be late.
Wolf-Ulrich Knoblen.

Wolf-Ulrich Knoblen: Here.

Glen de Saint Géry: Marília Maciel.

Marília Maciel: Here. Thanks.

Glen de Saint Géry: Amr Elsadr.

Amr Elsadr: I'm present.

Glen de Saint Géry: David Cake.

David Cake: Present.

Glen de Saint Géry: Ed Morris.

Ed Morris: Here.

Glen de Saint Géry: Stefania Milan is absent and she has given her proxy to Stephanie Perrin. Stephanie Perrin. I don't see Stephanie on the Adobe Connect either. Julf Helsingius.

Johan Helsingius: Present on audio, trying to get in on Adobe Connect but the network here at this conference center seems to be hopeless.

Glen de Saint Géry: Thank you, Julf, but we can hear you. Carlos Gutierrez is absent. Olivier Crépin-LeBlond.

Olivier Crépin-LeBlond: Present.

Glen de Saint Géry: And Patrick Myles, our ccNSO liaison is absent too. Mason Cole.

Mason Cole: Here, Glen.

Glen de Saint G ry: Thank you. And for staff we have David Olive, Marika Konings, Mary Wong, Julie Hedlund, Steve Chan, Lars Hoffmann, and our new staff member, David Tait. And for our connection we have Eric Everard, and Terri Agnew. And as a guest today we have Thomas Rickert. Thank you very much, James, and over to you.

James Bladel: Okay thank you, Glen. And welcome, everyone, to the GNSO Council call for February 18. Just a reminder please to mute if you're not speaking as we're getting an echo. Might just be on my line. Oh there it is. It's gone. Thank you.

So first off does anyone have any updates to their statements of interest or any other declarations relative to their status as a councilor? If so please raise your hand.
Donna.

Donna Austin: Thanks, James. Donna Austin. Just on behalf of Valerie Tan, she's recently changed employment. And she's updated our SOI to reflect that. Thanks.

James Bladel: Okay, awesome. Thank you, Donna. And I think that we can probably just check that SOI if you have any questions for Valerie on her change of status. Also, because we have a new staff member today from the policy team, I was wondering if Marika could just say a couple of words to introduce David Tate. Marika.

Marika Konings: Yes James. Hi. This is Marika. Thanks, everyone. Just wanted to take one minute to introduce the latest addition to the GNSO team. This is David Tait, he's joining us as a policy specialist. He will be based in the UK in Glasgow. He's a law graduate from the University of Glasgow and has a master's degree from that same university in politics and Central and Eastern European studies.

He joins us from the Commonwealth Secretariat where he was a cybercrime policy analyst. And we're very happy to have him join us here. He started this week and of course will be with us as well in Marrakesh where you'll all have an opportunity to meet him in person as well. So thank you for joining me in welcoming him.

James Bladel: Thank you and welcome, David. And impressive background. We look forward to meeting you in Marrakesh. And certainly I know that the policy team has no shortage of work and can use the help. And as I think as Donna pointed out that your name does sound phonetically very similar to David Cake who is also on the Council so if

the two of you can make sure that you are clear when you're speaking, maybe you have very different accents, we'll just have to learn the difference there. So thank you and welcome and looking forward to meeting you.

Okay so the last part of our administrative issues here is to review the agenda. There were a number of changes flying around here at the last minute. I think they were minor but they were just meant to fix a couple of broken links and change up the order to, you know, make best use of the Council's time on this call.

So does anyone have any questions or concerns about the agenda as it appears now in the Adobe connect room. Or if you're fine with that we can just charge right in, and certainly if you have any questions as we go along, I know no one on this group is shy so just weigh in as we go.

Okay, so let's move then to the item number two where we can review the open project and action list. And I will give staff a moment to queue that up. I'm reading the chat here. Yes, - we'll have to call it David C and David T but that's also rhyming so I don't know that I get us anywhere. Okay thanks, Glen.

So if you could scroll to the top here, we have a number of items that are completed. I may ask Marika to walk us through these quickly because I note that we've only allocated about 10 minutes to this portion of our agenda. So Marika, if you could maybe walk us through these here starting with the Marrakesh meeting planning item.

Marika Konings: Yes sure, James. So this is Marika. So I think as we've explained on the previous call we kind of reorganized the project list or at least in a color-coded way so it will become easier to see which are our outstanding items and which are items that are either coming back on the agenda or have been dealt with. The Marrakesh meeting planning is coming back as item 5 on today's meeting. I don't think we need to spend any time on it now. Similarly for the CCWG on ICANN Accountability, is item 6 on the agenda.

Then there are two items that are on hold which I believe the Council at some point should decide whether these can be taken off the list or whether they should be restarted. We still have the outstanding IGO INGO PDP recommendations issue. And

I don't know if Mary has any update on that one. I'll pause a second to see if she raises her hand but we are basically I think still waiting for feedback from the board on that topic which is engaging with the GAC on this specific issue.

GNSO liaison to the GAC...

((Crosstalk))

Marika Konings: Does someone want to speak up?

James Bladel: Yeah, sorry. This is James. I think there was also -- and perhaps I'm crossing my wires here, I think that we were also waiting for -- was this the one we were waiting for some response from independent outside consultant on this issue or am I getting got mixed up? I think Phil Corwin was involved in that one as well but I don't want to put him on the spot. There goes some hands.

Phil Corwin: James, this is Phil here. Phil Corwin for the record.

James Bladel: Yeah, go ahead, Phil.

Phil Corwin: This is not the same project, that's the working group on ideal curative rights process. But we have received a draft report from the Professor Swain who was retained for that at George Washington University. And the two co-chairs and staff are scheduled to have a call with him tomorrow to review that initial draft and give him some direction. So that working group will be picking up again very soon.

James Bladel: Awesome. Thank you for the update, Phil. And I apologize for getting those two IGOs groups...

((Crosstalk))

Phil Corwin: No problem at this hour.

James Bladel: Right, appreciate it. Okay, sorry for the interruption Marika.

Marika Konings: No problem at all. Then we had the GNSO liaison to the GAC which is basically a catchall item updates for some of the activities that the GAC GNSO Consultation Group is working on. I anticipate that they will be coming back with feedback to both the GAC and that GNSO Council prior to the Marrakesh meeting with some information to review and hopefully discuss as well as part of the joint meeting.

Collaboration with IETF, that is an item where I think the Council expressed a desire to see whether there could be an opportunity to meet with representatives of the IETF in Marrakesh to discuss exchanges of information and how to better collaborate between the two groups. And I believe David Cake is working on that item to see if it would be possible to have a joint meeting with them in Marrakesh.

Then there are a couple of items on the list here that deal with the updating of the GNSO Operating Procedures as well as the ICANN bylaws. I'm happy to report that the ICANN bylaws have just been posted yesterday to reflect the recommendations of the policy and implementation working group. And we anticipate that the Operating Procedures will follow shortly. As soon as that happens we will send a note to the Council to remind you all of all the changes that have been made.

And we also created a kind of cheat sheet especially in relation to the changes of the Policy and Implementation Working Group as those now provide some new procedures to the Council to deal with certain topics. So I said we anticipate that that will follow shortly.

And then we had an item in relation to the proxy privacy services accreditation issues PDP. Most of those items have been completed. Just a note that as soon as or when the board adopts the recommendations there will be a call for volunteers in relation to the implementation review team.

And then the last item on the list is one that has been completed in relation to the new gTLD subsequent procedures.

James Bladel: Okay thank you, Marika. Anyone on the Council with any questions or updates or any other additions to the project list? Okay, the queue is empty as we expect for this time of day. This is my own personal question, I note that we still have Jonathan

flagged on the SSAC liaison to the Council. And we also have another item on hold which is the issues for the SCI and have Avri and Alan flagged on that.

And I just - I think that we should probably as a Council, maybe between now and Marrakesh, work to get these off old to either converting them into active projects or action items or just mark them as complete for either lack of interest or lack of follow-up and move them off the list. I just note they've been on hold for a couple of cycles now and I think we need to either get going or get them off the list. That would be my only thought here.

And I don't know if anyone else has any passionate feelings about those two action items. I suspect if we did they wouldn't be on hold. Okay, well thanks for the update then. If there are no other remarks we will move on to consent agenda, number three. Great, we are just tearing through our agenda today. Fantastic. I have a feeling we're going to get bogged down later on though.

Okay, giving staff the moment to queue up that document.

Marika Konings: James, this is Marika. I'm having some connectivity issues so you'll have to ask Lars if he can change it back to the agenda. Thanks.

James Bladel: And he has done so. Thank you, Lars. Okay, item number three is the consent agenda. And the first item was the recommendations report that would be sent to the ICANN Board as part of our adopted privacy proxy services PDP from I believe our last call. And I don't know that anyone had any particular comments or concerns on that when it was circulated on the list. So I'm just checking here to the chat. I don't see any interest on that. So I guess then if there's no concerns here we can then take a look at the second item on our consent agenda which is approval of the leadership team for the next generation RDS registry directory services PDP working group.

If you haven't had a chance to see the note that Susan sent to the list, I believe it was yesterday afternoon, Susan, I don't know if - I know it's early where you are but if I could put you on the spot maybe you could just, for those you hadn't seen your note, you could perhaps just give us a brief overview of the leadership team for this PDP.

Susan Kawaguchi: Sure. Sure. If my voice works. So we've met several times. I, as liaison from the GNSO Council for this PDP, I was interim chair. And we've met several times. And there was overwhelming agreement that Chuck Gomes should chair the group, which Chuck has been following the Whois issue for - as long as anyone or longer. And so the working group came to consensus on Chuck. And then we also had done a poll on there was seven applicants for leadership total.

And Michele, David Cake and I were also chosen to act as vice chair since this is such a massive PDP, we felt like - the working group felt there should be a large leadership team. So we're just asking the GNSO Council to approve the leadership team specifically Chuck Gomes as chair and also since I am liaison and that is a conflict if I am vice chair, so I am resigning as the liaison and so that I can fulfill the vice chair role.

James Bladel: Okay thank you for the update. And just on that last bit, I think that that means we should probably look for a new Council liaison if I'm hearing you correctly?

Susan Kawaguchi: Correct.

James Bladel: Okay. And I haven't - and apologize for not knowing this off the cuff here but I imagine we have other Council members who are either participating in this PDP or observing this working group. Does anyone who fits that description have an interest in becoming the Council liaison for the RDS PDP? I see a hand from Amr. Amr, go ahead.

Amr Elsadr: Thanks, James. This is Amr. I don't think Stephanie Perrin is on the call right now but she had conveyed to me that she would be interested in being the council liaison to this PDP working group. We should probably confirm this with her maybe on list after the call or if she makes it to the call. She should be dialing in. Thank you.

James Bladel: Okay thank you, Amr. That's helpful. And I think you're correct. What we'll probably do then is, yeah, to Rubens point, we don't want to draft her for this role. We want to make sure that she indeed is interested and has the time to take it on. So let's flag that then as an open item for me and Marika to tackle that after the list. We'll reach out to Stephanie, see if she is able and willing to take on this role and then we'll come back to the Council list with that.

And so presuming that there are, you know, if there are any others that are interested, you know, please raise your hand as well. But I think if there are no objections we'll proceed to reaching out to Stephanie. And then if she's not able to we'll have to I don't know draw straws or something in Morocco and find another Council liaison. But thank you for that update, Susan.

Does anyone have any questions for Susan on the leadership selection of the RDS PDP? Okay if not then I think we can move to adopting our consent agenda. So, Glen, do we move to a voice vote? Usually the consent agenda is empty so I apologize for being a rookie here.

Glen de Saint Géry: Yes, certainly, James. It's just a voice vote. And I think normally it was the chair that asked the Council whether they had any objections to the items on the consent agenda.

James Bladel: Okay, let's knock that out then...

((Crosstalk))

James Bladel: Okay fair enough. We won't stand on ceremony. Does anyone have any objection to adopting the two items listed under Item 3 for our consent agenda? If so, please indicate as much either in the Adobe chat or on the call.

Okay, does anyone then if you approve of the adoption of the consent agenda please say aye.

Amr Elsadr: Aye.

((Crosstalk))

Susan Kawaguchi: Aye.

((Crosstalk))

James Bladel: Thank you. Any abstentions.

((Crosstalk))

James Bladel: Okay, Glen, I think we have adopted the consent agenda if you could note that.

Glen de Saint G ry: Thank you, James. And may I also note that we have - two people on the call are absent, Stephanie Perrin and Jennifer Standiford. We are trying to locate them.

James Bladel: Okay thank you, Glen. And I appreciate you still trying to reach out to them. Okay then if there are no other items of discussion for agenda item number three, we can move onto agenda item number four where I expect our amazing performance against our agenda will start to falter if not break down.

So item four is a motion, and I'll just introduce this real quickly here, a motion to initiate the PDP for the review of all rights protection mechanisms, RPMs, in all gTLDs. And rather than reading it here I just would note that this was initially a motion to initiate the PDP and adopt the draft charter.

And because we had a number of discussion points on the list and in previous calls about concerns with the draft charter, I think we wanted to separate that part or that function of the motion from the initiation. So we're basically breaking it in half and taking the initiation of the PDP, which is something that is on our calendar to be done at this meeting, and teeing that up today.

But the other part, the adoption of the charter, I think we recognize that here's more work to be done there and so we've extracted that from this motion. So I'll read through this here and then we can open up the floor for discussion about this motion and also about how we go forward on cleaning up the charter.

So I'll just jump to the resolve clauses here. "Resolved, The GNSO Council hereby initiates a two-phased PDP to review all RPMs in all gTLDs, to review and determine whether modifications to the existing RPMs, including but not limited to the UDRP, are needed and, if so, what they should be. The outcome of the PDP may lead to 1, amendments or replacement of existing policies, principles or procedures; 2, the development of new or additional policy recommendations; and/or 3, the creation of new implementation guidance to supplement existing policies or procedures."

And secondly, "The GNSO Council requests that the PDP Working Group be convened as soon as possible after the adoption of the PDP Working Group Charter in order to fulfill the requirements of the PDP."

So I note that that's the motion as it stands. Note that it doesn't make any reference to adopting the draft charter. And it looks like we just now have a second. Thank you, Donna, for adding your second to that.

So let's open the queue here for a discussion. And again, any questions, concerns about initiating this PDP at this time or any thoughts, questions, concerns relative to the draft charter. Really it's just kind of a free for all and we can open the queue on this topic.

And first up - our first contestant is Amr. Amr, go ahead.

Amr Elsadr: Thanks, James. It's Amr. Just to be clear, we're discussing both the motion to initiate the PDP and the charter, correct? We're also discussing the charter, which is not up for a vote today. Am I correct in this or...

James Bladel: Correct. If you have, you know, so I think what we'd like to do is we'd like to have two objectives from this agenda item. We'd like to proceed with initiation of the PDP and address any concerns that might be associated with that. And then secondly, looking for concerns relative to the draft charter and any proposals for a way forward so that we can get that teed up for our next discussion which would be in Marrakesh.

Amr Elsadr: Okay great, thanks. Well I think in terms of this motion and (unintelligible) the PDP I personally have no objection to this at all. And thank you for actually separating the charter from the motion to initiate the PDP, James, that was really helpful and it gives us more time to get some work on the charter done.

Having said that, I do appreciate the work that has been done by staff to prepare all of this and the discussion that has been on the Council list. I apologize for not responding to Phil's last email. Ouch. All right. I would like to address some of the points Phil raised on list if that's okay right now. But if not I'm perfectly happy waiting

until we have a more nuanced discussion on this maybe later on today's call. I'm just looking for guidance from you, James, on how to proceed.

((Crosstalk))

Amr Elsadr: ...I'm fine with the motion but the charter I would like to talk about the charter a little bit more. Thanks.

James Bladel: Okay, well let's move through the queue then and certainly you can jump back in to discuss the charter once we get in other meat of that discussion. But we've got a couple other folks in the queue. Amr, I appreciate your thoughts. And also I know that you've been carrying a lot of water on this issue and so appreciate you keeping an eye on this and being active on the list.

So next we'll go up to my neighbor here, Paul. Paul, go ahead.

Paul McGrady: Good morning. Paul McGrady for the record. This is purely a procedural question. So we've got in the resolve paragraph one that it's going to be a two-phase PDP and we've got in the whereas, paragraph six, sort of setting forth what the two phases will be and in which order. Does the whereas of six automatically manifest itself in one so that we know what two phased PDP (unintelligible) or do we need to restate it? Thanks.

James Bladel: Thanks, Paul. That's a good catch if we need to fix the language of number six so that we don't box ourselves in for item one. Am I hearing you correctly on that?

Paul McGrady: Or that we fix item one so that it reflects item six, which I think is what the real decision is that the - that the new gTLD review would go first followed by the UDRP (unintelligible) phase two.

James Bladel: Okay, I see Mary in the chat. Mary, can you clarify that please? I don't mean to put you on the spot but.

Mary Wong: Sure. Hi, James and everybody. This is Mary Wong from staff. Paul, if I'm misunderstanding your question please correct me. I had understood that your question was whether or not the resolve clause one about the two phased PDP

refers to whereas clause six. In other words, that by voting yes on this motion for resolve clause one, the two-phased PDP would be first the RPM for the new gTLD program, and then only in the second phase would it be a UDRP review.

That is the intention, as I noted in the chat. But as I also noted, of course if the Council wishes to further clarify this in the resolve clause it can do so as well. I hope this helps.

James Bladel: Thank you, Mary, that is helpful. So it does seem like the resolve clause is ambiguous based other sequence, you know, based against the sequence that's laid out in the whereas clause number six. So I guess if that's the case perhaps we can - and I hate to edit on the table here, but maybe we can tweak this first resolve clause to, you know, to the part where it says the two phased PDP, we could even just say, as described in whereas six. Does that - is that a inbound play to reference the previous section?

Or Mary's alternative is, "or as recommended in the final issues report," which I believe is also reflected in whereas number six. I see Paul saying that fixes it and I see a red checkmark from Amr. So let's leave that in brackets for the moment here. Referring to the whereas fixes it but I don't know if - I see Amr's red checkmark has dropped back to a hand so I don't know if, Amr, Marilia and Phil, do you mind if we jump to Amr because it seems like he flagged that as a problematic edit.

Amr Elsadr: Thanks, James, and Paul, Marilia and Phil, for jumping the queue here. Personally I don't think there's a problem in the language the way it is. I think the whereas items one and six reflect what is in the issues report and that is what they are meant to do. I think changing the resolve clause to say that the Council is initiating this PDP based on that sort of - it takes away any advantage in separating this motion from the motion to adopt the charter which is still an issue to be discussed.

The recommendation for the two phased approach as is right now is a fast recommendation based on a public comment period and the input provided by the community for the preliminary issues report. But the GNSO Council still has to resolve this issue in terms of how it's going to charter the PDP working group, whether it's going to proceed in this manner or whether it's going to recommend any changes. And this is a discussion we still need to have.

The way I see it, the whereas items here, they reflect what is in the issues report very well. I think the resolve clause especially the first one, is sufficient to adopt the issues report and initiate the PDP while leaving these questions to the discussion and motion to adopt a PDP working group charter. So I would personally recommend we leave it as-is right now. Thank you.

James Bladel: Okay thanks for that intervention, Amr. I know Paul jumped back in the queue. I don't think there's anything necessarily wrong with the resolve clause. And I don't know that Paul was pointing out any errors, just noting that it was ambiguous and that there was more detail and more specificity in the whereas clause number six.

You know, I - I'm just trying to keep up on the chat here just quickly here. So let's have it now, no need to discuss it. Paul, can I put you on the spot here since this is - I imagine your hand is up to continue with this thread. So, Paul, go ahead.

Paul McGrady: Sure, thanks. First of all I apologize for my typing in the chat. They made me take woodshop instead of typing and I really am not happy about it but that's the way it goes. The - so my question is why - if we have identified it as ambiguous that leaves a question open for the charter. What's the benefit of leaving it ambiguous, let's go ahead and deal with the issue now. And that way we cannot deal with the issue when we get the charter. There's going to be other things in the charter that need attention.

I see in the chat that Amr says that ambiguous is good for now. But I don't like ambiguous resolution so we set it out here pretty straight-forwardly in whereas six. I don't know what possible objection there could be to just making resolve one reflect what the whereas-es say unless we don't really mean what we say in the whereas-es. So in any event that's sort of the thought. Thanks.

James Bladel: Okay thanks, Paul. And thanks, Amr, for that exchange. So here's my thought. What if we include this - what if we include the change in the square brackets as it currently reads, as recommended in the final issue report, but we add to it something along the lines of, comma, or as reflected in the forthcoming charter. Does that, I mean, that kind of kicks the can to Paul's point about, you know, to your point about wanting to address it here. I think that is in fact one of the - one of the issues that is holding up

the adoption of the charter is that we need to find some, you know, find some path forward on this two-phased approach.

And one of the recommendations that I was going to propose would be this idea that we would - between now and Marrakesh, we would identify a subteam of councilors to go back with staff and go back and do a little bit of refinement to the draft charter and get it to a point where we've addressed some of these issues so that we aren't necessarily trying to catch them in a motion or do, you know, surgery on a charter while it's - we're here on the Council call.

So that was my thinking here is that we would leave both the issues report and charter flagged in the resolve clause and then we would then move to a working or a subteam to hammer out those charter issues. I'm looking in the chat and it looks like that captures Amr's concerns but not Paul's but Paul is still typing. Let me pause there for just a second because, again, I hate it when we - when I start proposing language on the fly, I get myself into these either backed into a corner or too open ended.

So Paul is not happy with that edit, believes it's too vague. So here's the challenge then, Paul, and I guess I'm going to ask you to see if you can kind of paint a way out of this here is that we either make it specific or - but in that case I think we're traipsing into those issues that are causing the heartburn around the charter to begin with. And I was trying to tease out those charter related issues from this particular motion and see if we could put together some focused efforts on that between now and the next call.

But I don't want to, you know, to your point, I don't want to leave this thing so open ended that it's unworkable as a motion. So the question is, you know, how can we satisfy both sides here? Because I think we do - and I'm looking to staff a little bit - I think we are on the hook to at least initiate the PDP recognizing that the charter is still a work in progress and that there are still issues to be addressed around that.

Paul McGrady: This is Paul.

James Bladel: Yeah.

Paul McGrady: I see that Phil wants to get back in the queue and I'm happy to do that but the question was put to me should I respond to that now or should I put my hand back up and go back into the queue?

James Bladel: Yeah, let's see if we can get to Marilia and Phil. Maybe they can shed some light here as well or complicate things further, and then we'll come back to this issue. So if you can jump in third that would be great. Thanks, Paul. Marilia, you're up next.

Marilia Maciel: Hello, can you hear me okay?

James Bladel: We can hear you now. Thank you.

Marilia Maciel: Perfect, thank you. Well this particular point in the GNSO agenda was a subject of a long discussion in our monthly call of the NCSG. And many of us are looking forward to this PDP. We have a group of people that have worked on rights protection mechanisms since the start. Our only feeling with that motion is that we do a (unintelligible) report. We think that it's a good report and we would be in the position to approve the report fully.

Our just understanding is that we had a lively discussion with regards to the order in which we should tackle the two processes the UDRP and the rights protection mechanisms related to new gTLDs. And some of us feel very strongly that UDRP could provide us with good lessons learned, that could be useful for us to analyze the rights protection mechanisms of new gTLDs.

So we are in the position of still discussing what would be the best order of things. And we believe that the right place to discuss this would be the charter when we go into details of how we're going to proceed with our work. Our only feeling is that the motion as it was written before gave the impression that the order of discussion is already decided, and that could preclude further discussion when we're going to adopt the charter. And we would like to prevent that.

So as far as I understand with the suggestion that was made in the resolve clauses we achieved this goal. We leave the discussion for the charter or we make sure that we still have room for discussing this when we're going to approve the charter.

If this understanding is correct I think that this reflects the concerns of many of our members during our call. And I would agree that we can approve the motion as it is regardless of the (unintelligible) I think that (call) six talks about a particular order. But I'm assuming that the resolve part of the motion is the most important one and I feel that I would still have base to discuss the order in the next call when we're going to discuss charter. Is that correct, James? Can you confirm if this interpretation is correct?

James Bladel: As I understand your question, I'm sorry, I'm sorry for trying to read the chat here. So your question if you can restate it very simply is, whether or not the resolve clause supersedes the whereas clause and that any ambiguity is then reflected in or expected in the second motion that will follow when the charter is developed and adopted. Is that - am I understanding your question correctly, Marilia?

Marilia Maciel: Yes, we would just like to know if there would be still room to discuss the order of issues that we're going to tackle because some of us feel that it would be very useful if we could start discussing UDRP and not rights protection mechanisms related to new gTLDs. And if the resolve clause, as it has been changed, reflects that possibility for us to get into the charter and then discuss the order then we are going to approve the charter, I'm okay with that.

So your question is correct, I'm asking if regardless of the fact that point six talks about a particular order, first new gTLD mechanisms and then UDRP, if the resolve clause as it stands now leaves us the opportunity to still discuss the order of issues when we discuss charter.

James Bladel: Okay. So let me just step back here a second. I've actually asked Marika to address that whether or not the charter, which is still, as we've acknowledged, still needs to be hammered out, whether or not the charter needs to - can override a sequence that's laid out in a whereas clause of an adopted motion. And I'm asking Marika if maybe she can weigh in on that.

I'm just trying to step back from this a second, folks. It sounds like we're kind of beating on some procedural issue but it sounds as though the sticking point here is that there's a two phased PDP teed up and that there are some who have expressed a desire to continue to plan for different sequencing of the PDP with respect to the

UDRP. And there are some who want to see a specific order or a specific sequence and want to make sure that we nail that down in the motion.

Have I captured the sticking point here or I don't want to say the boundary line between the two positions. But I'm really trying to make sure that we're not just splitting procedural hairs here, that there is an actual material question that's on the table that we have some that want to leave this as an open ended question for the development of the charter and we have some that want to nail that down now. Is that correct? I see a couple of flags so far from Ed and Susan.

And is that sticking point where the UDRP falls on that sequence whether it goes first, whether it goes last or whether we just don't know and don't want to make any commitments right now. Is that also a fair statement here? Because I'm trying to figure out if we can take the, you know, I'm not trying to kick the can here but I am trying to take the quicksand out of this road or at least drive the road around the quicksand with the recognition that we're going to need to fill that in a little bit later.

And, you know, I don't really know that we, you know, and just speaking for myself personally and for registrars, I don't know that we have a compelling position on that. So, you know, I'm really more procedurally just trying to tease out the specific concerns so that those are addressed as part of the charter versus addressing them here in the motion. And maybe that inadvertently is boxing in one side or the other and that's certainly not my intention. I'm just trying to navigate through this here.

So okay, Phil, you've been very patient. We'll go to Phil here and then we'll jump back into the queue.

Phil Corwin: Yeah, good morning all. This is patient Phil. Let me first speak to the resolution. I believe the original resolve clause did not determine the order but if folks are concerned about that and want to preserve that issue for the charter discussion I don't have an objection to adding, "as reflected in the forthcoming charter" - charter should be capitalized there - to make it clear that we're not - that we're leaving that for now.

However, on the charter question, there seems to be broad agreement that we're going to have a two-part PDP that it makes no sense to try to tackle the new TLD

RPMs and the UDRP simultaneously. When we get to that charter discussion, if we're going to reserve that debate for that discussion on the order the one thing I'll say now is that I believe it's the responsibility of this Council to set the order.

I think there was a suggestion that we might delegate it to the working group to make that determination. I think that would ignore the results of the public comments and would be an example of this Council shirking its responsibility and foisting what could be a potentially divisive debate on the working group as the first thing they discuss.

So I think when we get to the charter we need to make a decision. It's a binary choice, it's either new TLD RPMs first or UDRP first; there's not much to debate there. It's one or the other. And I would hope that given that this PDP working group is supposed to be coordinating with the one on subsequent gTLD round procedures, which we approved last month, that we would all agree that we're going to conclude that charter discussion and make a decision by the meeting in Marrakesh.

I don't think this is - excuse me - something that should be hanging out there for months with a long period of time between adoption of this motion and adoption of the charter. So when we get to the substantive discussion I'm prepared to make a case for why it makes far more sense and is far more consistent with the public comments to proceed with reviewing the RPMs first, the new TLD RPMs, and then proceeding onto the much more complex issue of UDRP.

But I'll leave those remarks for later. But what I want to stress now is that I think the current language is - was okay. I have no objection to adding in the clarification that the content of the two phases will be left for the charter. But I think I'd like to see a commitment on this call that we're going to conclude that discussion and make a decision by Marrakesh and not - and not kick that can to the working group and leave it ambiguous as to what they should be doing. I think we have to set the priority for this working group.

And I see Paul saying that my clarification isn't clarifying, it adds ambiguity. Paul, I'm not sure what clarification you're talking about. I just was saying that I'm okay with the - adding the language that leaves it to the charter. If it's the will of the Council to resolve that question today, of the order, I'm ready to get into that substantive discussion. But if - at a minimum I'd want to see the Council commit to resolving that

matter by our next meeting, not our special meeting but our next meeting in Marrakesh. Thank you.

James Bladel: Thanks, Phil. And just a couple of points. First off, I don't think that there is any proposal on the table, at least that I'm aware of from the Council to kick this so the working group itself. I think that we recognize that the charter development and charter adoption needs to happen with us, with the Council, that's our responsibility.

And when I mentioned a drafting team, I meant a - or a subteam of councilors and staff to hammer out that issue in advance of Marrakesh. So I apologize if I gave the indication that that was open to working group members as well, it's certainly not the direction I thought that would go.

And to your second point, again, I do believe that this needs to be addressed by Marrakesh. I think that the issue of nailing this down on this call will probably derail this particular motion just from, you know, from that discussion. And so the question then becomes is it sufficient to - or is it acceptable to craft some language that can recognize that there is going to be work on this charter between now and Marrakesh and can we reflect that in this particular motion that that charter may - and I don't want to say overrule but let's say clarify any ambiguity that is explicit or implied in this particular motion.

Because regardless, you know, when we separated the charter from the PDP we, I think necessarily created this loose end. And I understand that - and recognize that that's not ideal. But noting that we need to clean that up. There's still a couple folks in the queue but I wanted to go to Marika because maybe she's going to come in and rescue us from this - from this sticking point here. Marika.

Marika Konings: Thanks, James. This is Marika. I'm not sure about that but I can at least give it a try by giving it a little bit of historic fact around the difference between initiation and adoption of a charter. Because actually in the past those always used to be two very distinct separate phases that happened at separate points of time.

The Council would first initiate the PDP and the initiation would merely be confirming the topic of the PDP, not having anything in relation to how it should be managed, how the order should be or, you know, any further work around that. And then

separately that after the initiation actually a small team would be formed to hash out the charter.

However, as part of recent discussions on how to streamline the process, it was discussed that maybe it would be helpful if staff would provide a first draft of such a charter based on what is in the issue report to give the Council the ability to adopt the charter at the same time as the initiation of the PDP. And this has happened in I think most of the recent PDPs where indeed those two elements happened in sequence.

However, it has always been clear as well some that discussion that it's really the Council's prerogative to decide whether, you know, more work is needed on the charter whether through, you know, work by the Council or by forming a drafting team or forming a small team the charter is actually considered at a later stage. So I just want to clarify that that it's not uncommon.

It has always been the practice that the charter actually just confirms the topic and maybe even indeed ambiguity on how it's expected to be dealt with as that was always part of a second phase of work looking at the charter, which of course is still the responsibility of the Council to adopt at the end of the day.

Just one point I wanted to make as well on some of the questions that were raised on the whereas clauses, in relation to six, my understanding is that that is merely a reflection of what is in the issue report. It doesn't say, you know, that should be the way forward for the charter, it just recognizes that that is what staff has recommended.

And on the resolved, one - one thing you may want to consider is maybe just taking out the two phased PDP and just say initiate a PDP as it is clear that of course refers to the issue report and indeed have then a small team discuss how that PDP should be managed as, you know, probably with a starting point that two phases as outlined and the comments that have been received during the public comment forum. So that may be a possible approach for you to consider.

James Bladel: Thanks, Marika. And in fact you may have inadvertently rescued us here because one of the possibilities, if I'm understanding you correctly, would be to strike the two clumsy attempts by myself to fix this that are in square brackets, and also strike the

phrase, "two phased" and just essentially saying Council hereby initiates a PDP to review all RPMs.

That's I think might be the cleanest way forward. I don't know if that addresses Phil's concerns regarding ambiguity. But he's next in the queue so I'm sorry, not Phil, Paul. Apologize for that. Paul, you're up.

Paul McGrady: So, yeah, this is great negotiation because everything that's been operative is far worse than we started with. So, you know, it's clear that there is a substantive discussion that needs to happen on the issue of which will come first, that people are unwilling to have that discussion now even though we are the same people who will be having that discussion later.

There has been no - as far as I'm concerned - any attempt to actually clarify which of the two phases will happen first. And I think that Marika's recently proposed change is - significantly changes this proposed resolution in a way that I don't have time to go back to my constituency to get their comments on. We discussed a two phase resolution, that's what was posted.

So, you know, I am a person who accepts defeat nobly and with a good attitude. So I withdraw my concern rather, a question, regarding how this is written and propose that we vote on it as it was posted seven days ago. Thanks.

James Bladel: Okay thanks, Paul. And I think, you know, your concerns are heard and probably land on my lap for trying to, you know, cut this thing with a scalpel as opposed to a dull butter knife and separate the charter discussion from the motion itself. So but if I'm understanding your intervention correctly, you are saying that all of the proposed edits that are in square brackets have actually made things worse and if we just go back to the original language that we can proceed.

I don't want to assume that you are the only one objecting to proceeding. I think that there were some concerns raised by some others as well. So we want those folks to get in the queue also, we have a busy signal, there we go, for those of you old enough to remember what busy signals sound like.

Okay, so let's see, we're going back to - we would strike the two clauses. I think the proposal from Paul is to strike the two clauses that exist now in square brackets, restoring two-phased because I believe that was in the original language, and that we proceed with this less than ideal but unaltered resolve clause.

Okay and I see that Marilia does not agree and she has her hand in the queue. So, Marilia, go ahead.

Marilia Maciel: Thank you very much, James. I have some echo here. Just to capture the question that I asked Marika, on the chat (unintelligible) maybe folks could check if they're muted or this is my line, I don't know. I'll try to speak and wait. Just to capture the question that I asked Marika in the chat, to confirm for me that the whereas clause serves merely as a background to the substantive part of the motion which starts in resolve.

Being that way then I think that I am in the position to agree with the text with the adjustments that have been proposed by you. I think that the text that we have in the square brackets that mention that we will start a PDP and that this PDP will be conducted as establishing the charter or something like this, I cannot read the exact text anymore, was a constructive way of moving forward. I think that it does exactly what Phil suggested, that we discuss in a Council level what is the order that we are going to establish when we come to approve the charter - the chartering at our next meeting.

So I think that that would put us (unintelligible) move forward with the consensus. And it was a very good suggestion (unintelligible) so I would suggest that we revert back to the language in the square brackets, the one that mentioned that we will proceed as - proceed as agreed in the charter. I'm sorry, I still hear an echo, very hard to speak, but thanks.

James Bladel: Thanks, Marilia. Appreciate you speaking through the echoes here. Phil, you're up next in the queue. I - and just a note for Marilia, that I have withdrawn the proposed language but, you know, I think that - I think that there were, in a sense, an effort to narrow the resolve clause in a way that addressed Paul's concerns. I think that I was only aggravating that situation so reverting back to the original language leaves it a

little more open ended. I'll go to Phil next but then I think we need to start thinking about how we want to proceed on this motion. Phil.

Phil Corwin: Yeah, I didn't have a big objection to adding in the charter reference but I see that Paul does, and others may. And I don't think we really need to add any language. I think we all understand as of now, after this discussion, that Item 6 in the whereas recitation is simply stating a fact of that was in there in the final report and does not bind the way the working group is going to proceed. And that we all understand that the current resolve clause leaves the order in which this two phased PDP will proceed to be determined by our debate on the charter.

So as long as we all understand that adopting this resolution as-is preserves the issue of whether the RPMs or UDRP should be addressed first by the working group, and that we're going to resolve that by Marrakesh when we adopt the charter, I think it's fine to proceed with this motion as is because we all have a clear understanding now that it's not locking in that order and it's leaving the issue open.

James Bladel: Thanks, Phil. That's my understanding as well is that the - reverting back to the older language does leave it a little more broad versus the narrowing that was attempted by the edits. And then I see - I saw another hand, I thought it was - was it Amr? Okay so let's bring this one in for a landing. I think that there's, you know, we've reverted back to the original language.

And just first of all, thanks, I don't think this was a dead end. I do think this conversation over the last 25 minutes or so, has helped to highlight the points of contention over how we're going to proceed on this. I don't envy the folks that are going to be volun-told to work on the charter. But I think it is going to be an important work element that we're going to need to have crystal clear before we can move forward on this - on this issue and before this PDP can stand up on its own.

So what I'm proposing now is that we move to a vote on this - sorry, this motion as it's written, as it was written in the original language. And that we then identify at least three councilors who've been - who are representing their stakeholder group and who have had some contributions to this discussion and we flag those folks as well as staff to work on the charter with the objective of bringing that to the Council for discussion and adoption in Marrakesh.

So if everyone's okay with that approach then let's proceed with moving towards a vote. And I don't see any hands. So, Glen, it's all yours.

Glen de Saint Géry: Thank you, James. I'll do a roll call vote. Tony Harris.

Tony Harris: Yes.

Glen de Saint Géry: James Bladel.

James Bladel: Yes.

Glen de Saint Géry: David Cake.

David Cake: Yes.

Glen de Saint Géry: Donna Austin.

Donna Austin: Yes.

Glen de Saint Géry: Phil Corwin.

Phil Corwin: Aye.

Glen de Saint Géry: Ed Morris.

Ed Morris: Yes.

Glen de Saint Géry: Rubens Kuhl.

Rubens Kuhl: Yes.

Glen de Saint Géry: Marília Maciel. Marília, can you hear us?

Marília Maciel: Yes, Glen. Thanks.

Glen de Saint Géry: Thank you very much. Donna Austin for Valerie Tan please?

Donna Austin: Yes.

Glen de Saint Géry: Keith Drazek.

Keith Drazek: Yes.

Glen de Saint Géry: Volker Greimann.

Volker Greimann: Yes.

Glen de Saint Géry: Volker Greimann for Jennifer Standiford please.

((Crosstalk))

Glen de Saint Géry: ...proxy vote for Jennifer. Volker? I'll come back to Volker for Jennifer's...

Volker Greimann: Yes, yes.

Glen de Saint Géry: Thank you. Susan Kawaguchi.

Susan Kawaguchi: Yes.

Glen de Saint Géry: Amr Elsadr.

Amr Elsadr: Yes.

Glen de Saint Géry: Stefania Milan. Stephanie Perrin, would you please vote for Stefania Milan who is absent and you hold the proxy.

Stephanie Perrin: Yes.

Glen de Saint Géry: Thank you.

Stephanie Perrin: Yes.

Glen de Saint Géry: Stephanie Perrin for yourself.

Stephanie Perrin: Yes.

Glen de Saint Géry: Julf Helsingius.

Johan Helsingius: Yes.

Glen de Saint Géry: Wolf-Ulrich Knoben.

Wolf-Ulrich Knoben: Yes.

Glen de Saint Géry: Paul McGrady.

Paul McGrady: Yes.

Glen de Saint Géry: Heather Forrest.

Heather Forrest: Yes.

Glen de Saint Géry: Thank you very much. The vote is 100% in favor for the contracted party house and 100% in favor for the non-contracted party house so the vote passes unanimously. Thank you, James.

James Bladel: Thank you, Glen. And thank you for everyone to - who - for the spirited and I think helpful discussion on that. So before we close the book on item number four can we identify please those councilors who would be interested in participating in a small group to finalize those charter issues and bring an updated charter to Marrakesh? I note that Phil is volunteering in the chat. I see Paul has also volunteered. That's fantastic.

I'm hoping that we can get - and Amr, I think those are the three - those are the three folks that we definitely wanted to have, Susan as well. And okay and I think if any others would like to join then please indicate so either in the chat on this call or on the Council mailing list following this call, that would be great.

And then if we could set out a goal to have the charter hammered out and presented to the Council in advance of the meeting in Marrakesh that would be fantastic or at least an update on the status of that if that deadline is proving problematic. I know we have a lot of other things in the pipeline between now and then.

So thanks again for everyone's contribution. Still getting a little echo here so apologize if I seem a little out of sorts. We'll move on then to item number five. And normally the - this is Marrakesh meeting planning. Normally this occurs at the end of our meeting but we ran short of time the last two sessions and were not able to cover it. And since this is our last time together before Marrakesh thought we would move that up in the agenda as well. And I think that was also something that Heather wanted us to attack a little bit earlier in the call.

So if we could get an update from whether it's Susan, Donna or Amr, really anyone that would like to weigh in on this item of Marrakesh meeting planning. And just give us an idea of where things stand currently as we look ahead to the meeting in Marrakesh. Make this a little larger. Okay.

All right I don't see anyone in the queue so let's - and I guess it falls to Marika and I maybe to walk through the Marrakesh meeting planning here. And, Donna, also has her hand raised so, Donna, if you'd like to take the wheel here please be my guest.

Donna Austin: Thanks, James. Donna Austin for the record. So I just wanted to address one item which is at the bottom of Saturday. So 1730-1800 open and substantial strategic discussion, educational update from (unintelligible) NCPH intercessional. So this is something that I suggested and it's based on the fact that I'm aware that, you know, the NCPH - non contracted parties' house had an intercessional (unintelligible) and I think it would be useful for the contracted party's house to, you know, just get a brief overview of that.

And the contracted parties' house who have an intercessional in May, we call it a GDD summit, and we can give you some, you know, just a brief overview of what happened in the past one and, you know, where we are in terms of planning for the next one. So I just thought it was useful to have some information sharing. So that's why that's in there. Thanks.

James Bladel: Thanks, Donna. And I think that's a good addition to our discussion on Saturday. I think having the briefing from - well we already got the two biggest bits of news out of the intercessional, right, that Panama was going to be relocated and I think there was another bit there about the CEO search. But I agree with you that we should probably have a more comprehensive overview of the non-contracted party intercessional.

And because we're in between GDD summits, one occurred in September and the next one won't be until May, we can at least maybe present the agenda for the upcoming session as it exists today and cover any of those topics that were addressed in September.

And I think, Keith, yeah, would we be able to provide that update in the B meeting schedule in the mid-year? That's a good question because I think, you know, that schedule is definitely abbreviated and would this be the sort of item that would be sacrificed to make that B meeting schedule work. Good point and something we should probably be mindful of and certainly provide that information in writing if they're not able to do that face to face in wherever we end up meeting in June.

Donna, did you want to weigh in some more here or is that an old hand? Okay, it's down. Marika, you're up, go ahead.

Marika Konings: Yeah, this is Marika. Just on the rest of the agenda maybe just to encourage everyone to have a look at it and see whether you think there's anything missing, you know, from a staff perspective and as well having worked with the small team is I've tried to identify, you know, all the relevant projects that the GNSO is working on or whether an update from other staff members or other groups would be welcome.

I think we noted as well there there is some flexibility, I think there's still some lunches that are not taken up by any topic at the moment so we do have flexibility to either add topics or add time where needed and especially thinking, you know, on the next topic that's on the agenda, you know, should it be needed there can be flexibility in the schedule.

But maybe just encourage everyone to have a look at this as soon as possible because of course we need to move forward to inviting the different speakers. And

especially looking at, you know, chairs of working groups, as well as other groups that are invited to present. And it's something that we would like to move forward with as soon as possible after this call to make sure we get it on their calendars.

James Bladel: Thanks, Marika. And you segued very nicely into agenda item number six because some of the proposals that were floated around on the email list last week we may end up repurposing some of our time on Saturday to discuss the accountability report. And if that is the case then we'll have to decide which of these items will be transitioned either to shorter timeframes or consolidated or come off the schedule entirely. So let's consider this to be a draft schedule for Marrakesh. But I think it is a workable schedule at this point in time.

And I think we should extend our thanks to Susan and Amr and Donna for working on this and getting this set up particularly in the way they were kind of pressed into service there in Dublin. So thank you for your work on that. And if anyone has any other questions on this please raise your hand now. Otherwise we can move on to the next big item on our agenda, which is item number six and the Cross Community Working Group for Accountability.

Sorry, Wolf-Ulrich. I'm a little too quick on the draw there. You had a question regarding the schedule?

Wolf-Ulrich Knoen: Yes thanks, James. Wolf-Ulrich speaking. Well just a question for you. Sunday morning meeting with the CEO or CEOs, is there an update, is it clear at the time being that the new CEO is going to meet us?

James Bladel: Yeah, I may ask Marika to clarify that. I know that we have reached out to the - to that office to have an introductory session with the new incoming CEO but, Marika, maybe you can give some more specifics on that.

Marika Konings: Yeah, this is Marika. You're absolutely correct. We have put in the request. The request has been noted but I think they're still working out the schedule for Göran in Marrakesh. So as soon as we get a confirmation on whether or not he is available we'll of course let you know but at this stage we do not have that confirmation yet. Just to note that our request has been put in and it has been recognized so fingers crossed.

Wolf-Ulrich Knoben: James, thank you Marika. Original question, well, to what time do we expect, well to have the item - the issues we would like to discuss with the CEOs at the table. Is it just to be discussed on the Saturday or evening or are we going to discuss it before?

James Bladel: So do you mean prepare...

((Crosstalk))

Wolf-Ulrich Knoben: ...like to have to be discussed with the CEOs. So otherwise it may be helpful, well, if councilors could provide their wishes before the meeting.

James Bladel: Yes, Wolf-Ulrich, thank you. That is noted at 1645 on the Saturday session but I think that if anyone has any topics or questions or items they'd like to discuss there's no harm I think in sending that to the list earlier so that we can collect those and table those for discussion on Saturday. Is that to your meaning, sir?

Wolf-Ulrich Knoben: Yes. Okay thank you.

James Bladel: Okay. Yes and thank you to Marika. And we will follow up or I'll ask Marika - I say we - to follow up with the Council list once we have a confirmation of our time slot with the incoming CEO. As you can imagine, he's going to be a very, very popular person in Marrakesh.

However, as the GNSO Council represents a very large and important and diverse segment of the community, we would anticipate that he would want to - he would be eagerly awaiting his introduction with us. So we will definitely keep this group updated on that session. And if you have questions or topics you'd like to discuss please send them to the list.

Okay so thanks again for everyone's work on this. And we can move on to the item number six. And thank you for your patience as well, Thomas. So let me just introduce item number six here as it stands today. And certainly I know there's a number of folks on the Council who have been following this issue closely, perhaps even more closely than I have.

But there is an updated timeline for the delivery of the CCWG final report to the stakeholder groups - sorry, the chartering organizations, the SOs and ACs, for approval, and that that approval would then need to be submitted to the board and the board to NTIA and it all rolls up the hill.

The updated timeline, which is displayed now in the Adobe Connect room, notes that we are now in a period where participants and members of the CCWG are working on their minority statements and the final report, including those minority statements, will be sent back to us tomorrow, February 19.

Which is an important date, because one of the options that we proposed for reviewing this and giving ourselves ample opportunity to discuss this report, is to have a special session on the 29th. And it wasn't carved in stone but it was just easier to get it on the calendar now and cancel it if we didn't need it.

But now that that meeting is on the 29th it does have a document cutoff associated with it on the 19th, which is tomorrow. So we absolutely need the CCWG to hit that date or we need a document waiver for that special session if it indeed proceeds.

Then we will need to get this approved by March 9 which is our Wednesday session in Marrakesh. And then we need to turn that over to the board. So a lot to do in a very short period of time. And that's one of the reasons why I put some ideas to the list. And I think there were some pretty solid discussion regarding some of the pros and cons of those approaches to give us a little bit more time to consider this.

And just off the cuff it seems like, you know, some sort of - there's not going to be one single solution. It looks like we're going to have some sort of a hybrid approach of special sessions and repurposing time slots in Marrakesh to consider to discuss and to ultimately vote on the CCWG report.

But before we get too deeply into how we're going to solve this, let's maybe ask Thomas if he can give us a very brief maybe five minute update on this timeline covering what I've left out, and then we can open the floor for discussion on the path forward. So, Thomas, if you don't mind, could you give us an update on this timeline please?

Thomas Rickert: Sure. Thanks, James. And hello everyone on the Council. You see all the days - all the decisive dates in front of you in the remote participation room. We have slightly delayed the publication of the report because we needed to apply some finishing touches to the report. The good news is that we seem to have resolved all issues. We're now doing a feedback loop for our group to look at the report and let us know if there are any remaining concerns.

The minority statements might be important for your discussion as well. As you know, members representing chartering organizations on our group are entitled to submit minority statements, which will be included in the final report. We already have received three of those minority statements. So you can see that with what we've produced now we have not succeeded in making everyone happy on each and every aspect of our report.

But hopefully we've managed to make everyone equally unhappy. I guess that's sort of the nature of the beast when it comes to such complex matters. But in your endeavor to seek community consensus there are always some who do not like each and every aspect of the recommendation.

So we are now planning to publish the report and submit it to the chartering organizations tomorrow. We do know from the transition facilitation calls that we regularly have with community leaders and the ICANN Board and staff, that the Board has foreseen to review our final report if it is adopted soon enough during its meeting in Marrakesh.

And the idea is for the Board to pass on, you know, to adopt the report, you know, not technically adopting because it's not for the Board to adopt the report, but they need to pass it on to NTIA after they have met to see whether there are any global public interest concerns with our report. So I guess the time pressure now is stemming from the fact that we need to make sure that we sequence all the actions by the chartering organizations and the board so that our final report and the other components of the proposal can be shipped to NTIA on March 10, which is the Thursday of the Marrakesh meeting.

We do know that the chartering organizations have put an awful lot of work into reviewing our previous work results. And we are very thankful for the continuous

dedication of the whole community and the chartering organizations in particular. And as you will remember, we have had several discussions with this group to hear what the concerns from chartering organizations were and to ideally remove all the concerns there were with our final report.

We think we've succeeded in doing so. We have tested the waters with members establishing the link between the chartering organizations and the CCWG. And we've asked them, for example, with respect to the issues surrounding what we call the GAC 'Carve out', we've asked them whether they would be happy to go to the chartering organizations and ask them to not object against the recommendation. And there was no pushback on that.

So we're quite sure that the CCWG is ready to sign off on our recommendations. Maybe not each and every one of them but we think that there is sufficient momentum, sufficient support for the recommendations so that we can get them approved by the chartering organizations.

One thing that I think is particularly important for the chartering organizations and maybe especially for the GNSO is the date in later this February the 25th, where we are going to get feedback - formal feedback from the CWG. You will remember that the CWG report was shipped to the chartering organizations and chartering organizations have made their approval of the CWG recommendations conditional to the Accountability group delivering on certain aspects of accountability that would feed into the CWG report.

So far, and as you know we are regularly liaising with the CWG leadership. We have no indication whatsoever that we would meet CWG requirements. But you will get that with an official sign-off letter on the 25th. And after that we think that there is green light for the chartering organizations and particularly the GNSO, which I represent, to sign off on our recommendations.

So ideally we would get the chartering organizations' approval earlier than March 9. We think that our group would appreciate getting some reassurance that there are no last minute surprises. We are sure that the board would appreciate some wiggle room in order to get prepared for the handover of the 10th. But the most important point, and this is why you find the 9th of March in this timeline, is that everything is

going to be ready in time for the board consideration so that the board can sign off on the 10th of March.

I think I should pause here. If councilors or yourselves do have any questions I'm available.

James Bladel: Thanks, Thomas. And we'll go to the queue now. First up is Paul. Paul, the floor is yours.

Paul McGrady: Hi. Paul McGrady. So just a quick question on that this - what the report is. Because I think I've become more aware in recent days that the - what I'm being told is is that the report essentially are instructions to lawyers who will eventually draft changes to bylaws. They're not - what's being proposed are not in the bylaws themselves. You know, essentially it's not - it's not really in final form, it's a set of instructions. Is that your understanding as well, Thomas?

I just want to - I just want us to understand what it is that's being presented because we have to explain that back to the community in case we end up with - at the end of the day as the instructions are acted on if they - if the end result is different from what was voted on we need to be able to say that we understood that was going to happen at the time I guess. Thanks.

Thomas Rickert: Sure, Paul. That's a very good question. And I think if you take a look at our report you will find that our report has to cover far more aspects of accountability enhancements than only the bylaw drafting, which certainly is a very important part.

What we've done is we have made recommendations and these recommendations are not final bylaw language. So we are capturing what the - if you will the policy recommendations are. These have not been transformed into concrete bylaw language that is going to be incorporated into the ICANN bylaws.

The bylaw drafting process is going to be a joint effort between CCWG, external counsel and ICANN Legal and ICANN's lawyers so that's going to be a collaborative effort. And there will be implementation oversight consisting of members of the CCWG, the ICANN Board and maybe some other community representatives to

ensure that the concrete bylaw language that's going to be enacted at a later stage, truly reflects the spirit of the CCWG recommendations.

So our report does not include final bylaw language. But would be - that would not have been feasible in the timeline given because we've only finalized our policy recommendations recently. And more importantly, our report speaks to many more aspects. These are a rationale for the recommendations that we're making. The report speaks to the genesis of our recommendations.

Have we looked at alternatives? If so, why have we not worked on the basis of alternatives implementation of accountability enhancements. The report includes stress tests and many, many more aspects such as meeting CWG requirements, meeting NTIA requirements and so on and so forth.

So ultimately the report is a far more comprehensive document being, you know, partially narrative language, an explanation of how the accountability enhancements will be operationalized, how engagement escalation and enforcement will work with an empowered community. And the aspect of bylaw drafting is one for the implementation phase. But rest assured that we have put a lot of emphasis in ensuring that this is nothing that's passed on to other parts of ICANN and that is going to be done by ICANN Legal or ICANN's counsel only.

There will be implementation oversight and more importantly, what you will see is the final bylaw language being published as ICANN would usually do when it comes to bylaw changes so that the community will have an opportunity to chime in again and confirm or raise concerns in cases where the bylaw language does not encapsulate the spirit of the CCWG recommendations.

James Bladel: Okay thank you, Thomas. Appreciate the overview of the implementation work that's yet to come once this - once this report is approved. Next in the queue is Heather. Heather, you have the floor.

Heather Forrest: Thanks, James. Sorry, this is Heather Forrest. And thank you very much, Thomas. My question - and apology to match - is a procedural or logistics one. Bearing in mind that this has to go to the board for the board's public meeting on the 10th of March, is there some deadline prior to the 10th of March that has to be met, let's say under the

current bylaws for that document to be on the board agenda? Or - and I assume the CCWG would have thought this through but can you give us some input on that?
Thanks.

Thomas Rickert: Sure. Thanks for the question. It's not for me to speak on behalf of the Board, but what we've learned from the Board is that they are monitoring our activities very closely. So the situation is not such where the Board receives our report, and has to read, and check it from (unintelligible). So the Board has promised to be able to have a very short turnaround time. I think ideally, they would like to receive green light from the charter and organizations by the 8th of March. But we're quite confident that even if sign off takes place on the 9th that the Board would be in a position to act as currently planned in terms of timing.

Certainly, we need to make sure -- and I guess that the accountability or responsibility of the community -- we need to make sure that there are no last minute surprises for the Board. Because (unintelligible) then the timeline will not work anymore.

James Bladel: Thank you, Thomas, and good to know that they're holding a spot for us on their agenda for the 10th. Heather?

Heather Forrest: All good, James. Thank you very much.

James Bladel: Okay. Excellent. Thank you. Up next is Marilia. Go ahead, Marilia.

Marilia Maciel: Thank you, James. This is Marilia speaking. Thank you very much, Thomas. My quick question is there a meeting coming on March 4th and we were wondering if you have an agenda for this meeting that you can share with us, and what is the goal of the meeting on March 4th?

And just a side question (unintelligible) some information on that. I'm not sure. Have you discussed how it's going to be the transition between work streams one and two, or you (unintelligible) a particular moment in Marrakesh in which we're going to discuss the modalities and the work in work stream two?

Thomas Rickert: Thanks so much, Marilia. Your question is spot on. We are going to publish an agenda for the meeting on March 4th. For counselors who are not aware of that date, there is a one-day session for the CCWG planned for the Friday before the ICANN meeting in Marrakesh (unintelligible). And the primary purpose of that meeting is to form the kickoff for work stream two activities. We'll certainly also speak to the question of implementation or operationalizing the implementation for the work stream one recommendation, that you can count on part of the day to be allocated to planning for the work that needs to be conducted in work stream two.

James Bladel: Okay. Thank you, Thomas and that's an important distinction between work stream two and that work is going to be teeing up immediately following, or if not, in parallel with some of the implementation work of work stream one.

So there we have the latest right from the source, from Thomas. We certainly appreciate your time and from addressing the questions. I think that the ball is now in the court of the chartering organizations like the GNSO. Oh, I'm sorry Ed. I jumped the gun there. Ed, you have a question. Go ahead.

Ed Morris: Well, no James. I actually jumping the gun for when we get to the point in the discussion about how we're going to handle what Thomas just said and the deadline. I can wait until you're done (unintelligible).

James Bladel: Oh, okay. Thanks. Yes, we'll just hold for that because that's coming up next. I think the important takeaway from Thomas's presentation of the deadline is we're going to get the supplemental report tomorrow. And we have, as a chartering organization, we have a -- let's call it a drop-dead deadline of March 9th. Obviously, the Board would prefer -- and its procedures might be more accommodating of receiving our feedback on that report sooner than March 9th. And I think that we should endeavor to work on this as much as we can. However, noting that regardless of what discussions transpire between the 19th and Marrakesh that all of this has to be brought to a close on March 9th.

So in recognition of that, and I put some proposals out to the council list last Wednesday, and I guess my first one is I would ask you to ignore the dates because they've shifted a little bit in light of the new timeline. But we had a couple of options here laid out, three options for holding a special session and repurposing some of the

session either on Saturday, the 4th of March, or on Tuesday, the 8th of March. That evening session is usually an informal discussion of -- amongst the council as we prep for the public meeting on Wednesday. And it usually involves some snacks, and some refreshments. And who knows, maybe that's just the sort of thing that will be required to get through this accountability work.

But all of those I think are options and I don't know that any one solution is going to be the way forward here. We may want to pick and choose a couple of these as a path forward. I think that there have been some notes on the list as far as whether or not holding a special session on the 29th is realistic in terms of providing enough time to review the substance of the report with the various stakeholder groups and constituencies, and to get feedback back from those groups in time to cast any kind of a meaningful vote.

So just -- and I welcome the opportunity to be corrected here, but it appears that the general sense from the group is that it might be valuable to meet on the 29th to discuss the status of the report and what works are occurring within the stakeholder groups. But it may be premature to actually hold a vote on that date.

So some questions for this group and I'll open the queue. Do we want to proceed with the meeting on the 29th? Would that be valuable to this group to provide an update, either have someone like Thomas walk us through the changes to the recommendations, or have individual counselors report on the status of the discussions within their stakeholder group and constituencies. Or should we just cancel it entirely and focus all of the CCWG approval work in Marrakesh. The downside of that being that that would probably be to the exclusion of almost all the other things that would normally be on our Marrakesh agenda and it puts us at risk that we might actually, you know, potentially miss that March 9th deadline, which of course I think all agree would be an unacceptable outcome to have a group like the GNSO sidelined for that approval.

So just teeing up the discussion on that. The only other part that I would just note is that Thomas mentioned the 25th of February as a key date for receiving an indication from the community working group on the IANA stewardship that their conditions have been met. If you recall, the GNSO's approval of that report was conditional on this. Just to let you know that we -- and by we, I mean (Rica) -- has sent a letter to

the Chairs of that group asking them to inform us explicitly via letter that their prerequisites for that report have in fact been met.

So we should know by the 29th, either way, whether or not the CCWG stewardship's conditions for accountability have been satisfied. So I don't want folks to think that that's a loose end hanging out there. We should have a clear picture of that before we meet.

So that's me just kind of launching the discussion on this topic and how we proceed once we have this report in hand, and the CFQ now forming. So we'll go first to Ed.

Ed Morris:

Thanks very much, James. The big -- the difference to me -- about the 29th, one thing I should let folks know that the NCSG adopted a formal position at its policy committee meeting on Tuesday and that we will not support any vote before the March 4th meeting. Let me elaborate on that a little bit.

I've now been to -- what -- five, six face-to-face meetings both at ICANN meetings and in our special CCWG meetings. And invariably what happens at these meetings, during the first hour one of our fine colleagues from one of the advisory committees will (unintelligible) and he'll tell us, gee whiz, guys, sorry. We've had a meeting and we can't support X, Y, and Z. So unless you do what we want, we're going to take the ball and go home. We're not going to support the CCWG or at least that's the implication.

I do not want to go into the meeting on March 4th having already voted to approve the proposal and to be disarmed while other groups start negotiating, start threatening to withhold support unless they get X, Y, or Z in work stream two. So personally, and as a stakeholder group, we're opposed to having a vote of any sort before the meeting on the 4th.

In terms of the call, I question its utility. We're just going to be getting the final report tomorrow. As Thomas -- first of all, I want to thank Thomas for his exceptional leadership and without his complete dedication we wouldn't be nowhere near close to being where we are today. But as Thomas mentioned, we have some minority reports. One of them is by (Robin Gross) which I've read. It's sensational. I'd encourage everyone to read it. We have the entire document to go over again. I get

530 plus members in over 100 countries and we need to consult them. Many of them don't have English as their first language. I anticipate spending a lot of time on our list answering questions about the final proposal.

I'd suggest that as counselors, some of us have been very much involved in the CCWG since December 9th of last year, but many have not been. And I think the first thing we need to do, as counselors, especially those who haven't been involved in the CCWG is turn to your member or your participant. Turn to (Becky Burke), (Steve Tarasic), (Steve DelBianco), Greg Shatan, (Malcolm), and we have a bunch of people in the NCSG, Robin Gross, et cetera. Turn to them so you understand the report in its intricate details. I spent close to 12 hours yesterday communicating with three board members, one of the chairs (unintelligible) six of our members, an hour long conversation with one of our members out of Washington, D.C. over a very arcane part of the proposal having to do with the guest carve out.

I'd suggest that our time is better spent talking to our members, talking to our participants, and getting all of us to understand what's in the report and then come to Marrakesh committed to focusing on this in the first part of our meeting there on the 4th. If necessary, start with dinner Saturday night. Let's work. This is important. But what we need to do is make sure everybody understands it first before we start talking to each other. Otherwise, it's the blind leading the blind. Thanks.

James Bladel: Thanks, Ed and, you know, you touch on an important point that I apologize, I neglected to leave out. It's one of the down sides of conducting a vote on the 29th, you know, if that meeting were to occur would be that we have essentially tied the hand or locked in the position of the GNSO. So that if some other group organization, chartering organization or even an individual were to put something new on the table in Marrakesh -- first of all, I would hope they would be resoundingly booed out of the room at that particular session because I think it's just so late in the hour.

But, you know, allowing for that contingency, that possibility, it would essentially silence the GNSO participants because their votes had already been cast. So I think leaving the final approval open a little bit does provide some negotiation leverage there. So I think that's a good point. I think that -- I think to your point about consultation with SDs and Cs, you know, it's taken that it is very difficult. I have the responsibility for updating registrars who have also been very casually following this

issue, arranging a call between now and then where it's a webinar where we can get all of the registrars to raise their questions is also going to be very challenging.

So I can sympathize. In fact, I would rather be in my position than yours as far as socializing the new report to the stakeholders and constituencies. But my take away from that is that -- to the folks on this call -- is that should be happening now. And if you are not closely coordinating with the ex-comms and leadership of your stakeholder groups, may I urge you please to do that even in advance of the report dropping tomorrow from the CCWG because that needs to occur in parallel.

But I think the question that's still on the table is, is there value in holding a call on the 29th to either -- to table some of these discussions like we're doing today, or to update the other aspects of the GNSO on what conversations are occurring or what preparations are occurring within the various stakeholder groups. And I think that's still a question that I think I see some mixed results here or (unintelligible) from that.

So next up would be Phil and I'm also trying to catch up on what's going on in the chat here, but in the meantime, Phil, the floor is yours.

Phil Corwin: Thank you. Phil for the record. I think that a call on the 29th, even without voting, and I didn't envision it as being a voting session, would have tremendous value. I know speaking in my role as a BC counselor, one of our members, Steve DeBianco, has been a CFG liaison. He's kept us very well informed on the progress and the contentious issues in the accountability proposal. We have a BC call one week from today where we can discuss that.

So I'd be -- Susan and I would be fully informed by our constituency for a 29th call. I think that 29th call could be very useful in terms of identifying among the 12 recommendations which ones are probably acceptable -- that we are not deciding on, we're not voting on, but we identify as not raising any controversies -- and focusing on the ones that are still controversial where there are significant minority views and where we're going to have to spend some time.

I think we'd be disserving ourselves to not start that discussion until we get to Marrakesh. And by the meeting on the 4th is the meeting of the CCWG, which is going to discuss -- begin discussing work stream two, and the issues and the

priorities. I don't think it'll change anything in the recommendations. I think what we get tomorrow is going to be the final package. We can certainly monitor. Our first meeting is on the 5th. I know I'm getting in on the afternoon of the 4th. So, you know, many of us are going to be getting to Marrakesh. There may be jet lag. There may be travel delays. That's not where we should start this discussion.

Let's talk on Monday, the 29th, before we leave for Marrakesh, and get a good idea of what we're going to have to really focus on in our discussions when we get there. And that will also give us a chance to actually deal with many of the other important items on our agenda and not have CCWG review displacing everything else that we should be discussing in Marrakesh -- including things like the charter for the RPM working group.

And I see Ed's comment that some of you will have already left on Monday. I don't know what we can do about that, but Ed, you can certainly share your views -- if you can't be on the call on the 29th -- in advance in writing and you have other counselors from the NCSG and NCUC, so you can convey those thoughts verbally as well. But I think if one or two counselors can't be on that call is not a good argument for not holding it at all, especially if we're not making final decisions on anything but simply prioritizing our work for Marrakesh. Thank you.

James Bladel: Thanks, Phil, and I tend to agree that going into Marrakesh cold would probably be, you know probably not serve us very well when we're expected to have an approval by Wednesday, you know, regardless of the outcome. So next up will be Olivier. Go ahead.

Olivier Cr pin-LeBlond: Thanks very much, James. Olivier Cr pin-LeBlond speaking and I thought I'd share insights about the ALAC is looking at ratification and various meetings anticipating this ratification. Ed Morris has made some very, very important points regarding us being everyone -- or the whole ICANN community being able to convey the insights and the different recommendations to our community than getting the feedback from them.

For this purpose, the ALAC is planning on having two conference calls that will take place on the 24th and the 25th of this month. So that's Wednesday and Thursday. We're doing it in two pieces because we've found that after an hour and a half, nearly

two hours of speaking about the topic, people tend to drop off. They're not as excited as we are about this stuff. And as a result, we thought we'd do half of it on one day, half of it on the other -- going through each and every recommendations, providing information to our community and getting their feedback on this, and having some frank discussions on this.

And then in Marrakesh, on the Saturday and on the Sunday prior to the ICANN meeting, we'd have half day on Saturday and a half day on Sunday, which is pretty taxing on our own schedule because it kind of puts everything else that we do to the side, but this is such an important issue, we thought we needed to get people to see eye to eye on this, and perhaps beef out anything between themselves that they didn't agree with each other on prior to a vote that we would then stage, hopefully -- if all goes well -- and with a couple consensus on the Tuesday of the Marrakesh meeting.

Thank you.

James Bladel: Okay. Thank you, Olivier. And it is helpful to know what's going on in the ALAC. And to that point, I'm going to make a note here for staff, if we could please reach out to Patrick and some of the other folks -- other liaisons -- and perhaps through Mason or the GAC support staff to ask, as well, what some of their timelines or anticipated timelines for approval or consideration of the CCWG report would be between the publication tomorrow and adoption presumably in Marrakesh. I think it might be helpful to know or have some visibility to what some of the groups are doing as well.

So thank you, Olivier. That was a big one. I put myself in the queue to -- just in the interest of time, we're probably going to need to close this off -- but Ed, you have -- were next. Go ahead.

Ed Morris: Thanks, James. Very quick point. First, thank you for that update. It would be (unintelligible). I like the ALAC plan. Rather than a formal council meeting on the 29th, what about more of a webinar where we can invite Steve DelBianco, Robin Gross, our members that have been engrossed in this stuff for the past 14, 15 months so we can have a discussion rather than more of a formal session. I think that might actually be a way forward that would give us more information and we can exchange information about the different groups, views at that point. But rather than

have a formal council session, where probably we're not going to have a vote, what about broadening what we're going to try to do (unintelligible)?

James Bladel: Okay. Thanks, Ed. And actually, I think there's a lot of merit to that idea of including the members that we have -- we from the GNSO -- have sent to the CCWG and having that delegation included in that special session. So I put myself -- I think that's an excellent idea. But I still think it's a council meeting. I just -- if we're not voting and we have a number of invited, what are we going to call them, special guests for our special session -- I think that would probably at least get us out of our normal routine and recognition that that this is, as many have noted, a historic bit of work that we are expected to complete on a very short period of time.

So here's where I think we're landing on this with five minutes left in our call. And just as an update to our agenda, Marika and I were noting that Jen is not currently on the call, Jen Wolfe, and so we will defer item number seven to Marrakesh for an update and discussion on the GNSO review. So thanks for your patience on that and I think the same is for item eight where we'll discuss that with Cyrus and the DDB staff when we get to Marrakesh.

So but just closing off the CCWG topic, I think what I'm hearing from the group is proceed with the call on the 29th. However, do not conduct a vote. That should not be a part of the agenda. Instead, use that time as a counsel to prepare for the discussions in Marrakesh, to update one another on the work that's occurring within the stakeholder groups and constituencies, particularly if there are any red flags that are coming to the service with the supplemental report that we are all going to see for the first time when it's unveiled tomorrow -- to invite those participants from the GNSO that have been very close to this throughout the process. And I think we should probably -- to your point, Ed -- I think we should probably focus on members first and maybe key participants. But I really -- I think we should endeavor to maybe keep that list as small as practical without silencing anyone or disenfranchising any folks that have really worked hard on this. And I think we're going to have to thread that needle very carefully.

But having those voices, I think, on the call will be very valuable, and helpful, and informative. And then also reaching out to other SOs and ACs through our liaison. It's exactly why we have these liaisons to get an update on their timeline in preparation

for approval of this -- consideration and approval of the CCWG before Marrakesh. And doing all of this with the objective that -- and now looking down the list to item number two and number three -- I believe that we should put on the Wednesday, March 9th agenda as a backstop that we are going to vote on the CCWG. If it happens sooner, great. But I think that we need to include that as a stop to ensure that we don't go beyond that date. And just as a note for counselors, I've been kind of ticking around with Heather, and Donna, and staff to some process of how a vote might look given that we have one single report with 12 separate recommendations and that many of the counselors will want to issue or attach statements to their vote that reflect the discussions and positions of their stakeholder groups.

So we're kind of designing a process that allows for all of that and hopefully makes sure that everyone has the opportunity to not only cast a vote, but also reflect their positions in that. So my recommendation now is that we go forward with the 29th, that we put a note on the 9th and that we choose one of option two or option three. And my preference would be for option two for the Saturday session, because I believe that that is going to allow -- if there's any slippage in the schedule because, hey, this is ICANN -- that we'll still have option three in our pocket.

So that's just kind of what I'm putting out to a group here is how we proceed on the 29th with a special session. We invite the key guests, members, and participants. We do not hold a vote. We reach out to the other SOs and ACs. We hold time on Saturday and on Wednesday in Marrakesh with the final time slot being an approval based on a voting process that's still TBD.

So any thoughts, feedback on this approach? And we're coming right up against the top of the hour, so I do appreciate your patience if you can hang on just a couple more minutes. Ed, your hand is up. Go ahead.

Ed Morris: Old hand, James. Apology.

James Bladel: Okay. No problem. Keith, you have the floor.

Keith Drazek: Hi, thanks James. This is Keith Drazek. Yes, I support the plan that you've outlined. I also support Marika's suggestion in chat that, you know, having a draft of the motion beforehand would be helpful. But I just want to suggest that on the call on the 29th, I

really do view that as the last gasp opportunity for a signal of any problems. You know, I think at this point, we need to go into Marrakesh with this outcome certain and that if there are any concerns from any stakeholder group or constituency that the 29th, really, to me is the last opportunity to flag that. You know, this report will be finalized. It will be frozen and, you know, just a tremendous amount of work that's gone into this. And it needs to be wrapped up and we just need to avoid any, you know, last minute problems in Marrakesh.

So just to reiterate, on the 29th, to me that really ought to be the last opportunity for folks to flag concern. Thanks.

James Bladel: Great point, Keith. I think that that is well taken and I think particularly, not just for the council and our approval timeline, but also for those folks who are going to be participating in the CCWG in Marrakesh. You know, it's -- we need to make sure that they're adequately prepped and that they're current going into those discussions. So I agree with you that has to be the -- viewed as the closing of the window for any showstoppers.

That still doesn't preclude the idea that other groups might raise issues in Marrakesh, but I think, you know, having our delegation on firm ground for that meeting is valuable indeed.

So just two other procedural points here that Marika has started drafting a motion to get that in when the report drops tomorrow on the 19th, that there will be a motion submitted -- but it will actually come before Marrakesh -- of what it will look like and the format that that will take. And then the other part, and I think this kind of is implied but maybe we just need to put a marker down from -- on behalf myself, and Heather, and Donna, and some of our discussions earlier this week is that hopefully it goes without saying that we won't be entertaining any deferrals or request for deferrals on this motion because the timeline is so tight. So if we get into that session in Marrakesh and we move to a vote, just a heads up that we won't really be in a position to offer any deferrals. And I think that that's hopefully comically obvious at this point, but you never know. So we just wanted to make sure we got that on the record.

So with that said, that is -- Keith, is that an old hand or? Otherwise, I think we can consider the...

Keith Drazek: Yes, my old hand.

James Bladel: Okay. And I'm just trying to keep up with the chat here, noting some agreement with Keith's point that the non-voting special session on the 29th should be considered, you know, a point to raise red flags. Yes, I think Paul, you know, I think should more than must -- yes, particularly when we don't know what other groups are going to raise between now and then, I think we're taking as much visibility as we have between now and approval. And of course, all of this is sight unseen for a report that's published tomorrow.

But I think we have a good plan forward. We will tweak it as we go. But hopefully, we've got the broad brush strokes outlined so that no one is surprised and that we can answer some of the questions that were probably being asked by our stakeholder groups and constituencies.

So with that, it looks like we're three minutes past. If we can move to agenda item number nine, which is any other business, I don't know if anyone has anything else to add to this call. Certainly, we tore through it fairly quickly and we have a lot of follow-on work left to be done. So that is -- we did talk about item eight being deferred with the GDD on Sunday.

So we have -- okay, Marika, go ahead.

Marika Konings: Yes, this is Marika. Sorry, just getting off mute. And just on item eight, just wondering if -- when people have a chance, I've circulated a paper on this topic. If there are any questions on the paper or any questions you specifically would like the GDD team to address during their presentation in Marrakesh, it can already be circulated to the (unintelligible) that probably would be helpful in preparing that session.

James Bladel: Yes, excellent point and thanks, Marika. I probably glossed over that too quickly, just one eyeball on the clock right now. So thanks for that reminder. We will get an update from GDD staff on the RDEP implementation but if you have any specific questions

or concerns for that conversation or that update, the sooner the better would be fantastic.

So if there are no other items of business, I think you for your extra time, for your patience, and for a spirited discussion this week. We have a lot to do in front of us. We will proceed with the discussion on the 29th and that's what it will be, a discussion. No votes will occur and we'll get the invites out to those other folks as well.

So thanks to everyone for your work, both today and in the intervening time between now and Marrakesh, and we'll talk to you on the 29th.

END