
ICANN Transcription

GNSO Temp Spec gTLD RD EPDP – Phase 2 Extraordinary Meeting

Thursday 29, August 2019 at 2000 UTC

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TERRI AGNEW:

Good morning, good afternoon, and good evening, and welcome to the GNSO EPDP Phase Two Extraordinary Meetings, taking place on the 29th of August 2019, at 20:00 UTC. In the interest of time, there'll be no roll call. Attendance will be taken by the Zoom Room. If you're only on the telephone, could you please identify yourself now? Hearing no one, we have listed apologies from Mark Svancarek and Volker Greimann, as well as Amr Elsadr. They have formally assigned Steve DelBianco and Owen Smigelski as your alternate for this call any remaining days of absence.

Alternates not replacing a member are required to rename their line by adding three Zs to the beginning of their name, and at the end in parentheses, their affiliation and the word "alternate," which

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means you are automatically pushed to the end of the queue. To rename in Zoom, hover over your name and click “rename.” Alternates are not allowed to engage in the chat, apart from private chat or use any other Zoom Room functionality, such as raising hands, agreeing, or disagreeing. As a reminder, the alternate assignment must be formalized by the way of the Google assignment form. The link is available in all meeting invite emails.

Statements of interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. Seeing or hearing no one, all documentation and information can be found on the EPDP wiki space. Please remember to state your name before speaking. Recordings will be circulated on the mailing list and posted on the public wiki space, shortly after the end of the call. Thank you, and I'll turn it back over to our chair, Janis Karklins. Please begin.

JANIS KARKLINS:

Thank you, Terri. Hello, everyone, and thank you for accepting to attend this Extraordinary Team meeting. I have to apologize for not being able to attend the Ordinary Meeting that took place at 2:00 UTC. I had my day job obligations that prevented me to attend the meeting this time.

So, we have only one issue on the agenda today. It is preparation for the Los Angeles face-to-face meeting. And, in this respect, we would like to propose to see whether a zero draft, which was circulated on Tuesday, would be acceptable as a basis for work in Los Angeles. So, as you know, I asked staff over the while ago to capture elements that, in their mind, will represent possible

elements for the zero draft, which potentially would be developed further in the initial report of the team.

So, staff did that, and Tuesday, they sent out the zero draft for consideration of the team prior to this call. So, if I may suggest that we would start with a brief introduction of the zero draft. That would be done Marika. And after that, I would ask you to maybe tell how you see it, and whether you think that this zero draft would be a document that we could use as a basis for future work, starting with the Los Angeles meeting. If that would be acceptable, then Marika would start with the introduction. I see no objections. Marika, please. I see no objections. Marika, please.

MARIKA KONINGS:

Yeah, thank you. Thank you very much, Janis. I'm just sharing my screen with a draft that was circulated on Tuesday, to just very briefly, at a very high level, just walk you through what is in there. And I hope most of you have at least have a chance to skim through it, and see the approach we've taken in relation to this document.

So, as Janis noted, we've tried to capture here, the suggestions, proposals, discussions that have been had by the group in Phase Two, but also elements that have come up in Phase One and deliberations, and work that has been done on the use cases, as well as other documents and suggestions of that have been shared. We've tried to capture them here in this document.

Just find my mouse back ... So, again just to emphasize here ... I think it was also included in the email. We just want to make sure

that everyone is clear that this does not aim to represent any kind of agreement, or pretend that these are representative positions of the EPDP team as a whole. We just hope that this can serve as a starting point, and help you identify where further work is needed, where there is possible agreement about some of the concepts presented, and really serve as a constructive way of further elaborate on your work.

And as noted here as well, it doesn't only outline some of the principles and building blocks we've identified, but it also aims to identify a number of questions, as well as open areas, where maybe not sufficient conversation has happened yet for us to be able to suggest the starting point and where, for the work is definitely needed.

So, as you may have seen, the document is kind of a build-up in the form of policy principles and building blocks. And again, I think as we go through these in detail in the LA face-to-face meeting, assuming there is a support for using this as a starting point, we may at some point see that some of these principles are maybe already well understood, and no longer need to be called out, or some of these are actually need to be translated into requirements that need to be placed somewhere else in the documents. But as a as a starting point for this document, we really thought that these ... I think someone needs to mute.

So, from a staff perspective, we really used these as a kind of underpinning, or at least what we think is a common understanding for some of the aspects, and when thinking and talking about SSID. And I said, some of these may be really obvious, but we still thought it might be worth writing them down,

and for now, having them in this category, but I said, at some point the group and they need to review whether they really belong here, or whether these are actually elements that need to be translated into requirements. So that's a pretty Well, it's not too long—12 policy principle, as this date.

What you can also find in the document—and I know it's probably not very well-visible on your screen, but it was also attached as a separate document—is a flow chart, in which we try to visualize the different aspects of SSID, and the different process steps that basically need to be gone through.

And you'll see that as well, further in the document, we've basically broken this down into the demand side—so, the requestor. What will he/she do? What requirements does he/she have? And the supply side—so, that's the entity disclosing the data. And I think, as we know, that there's no decision taken yet on who that entity would be. But again, there are certain requirements that will be associated with that entity.

Then, actual system—the technical part that's involved, that we're currently referred to as a system for standardized access and disclosure. And then, we also have a bit of a parking lot. Those are maybe elements that are more overarching, and don't necessarily belong in either one of those categories, or swim lanes as they're represented here.

We've also developed—and this is I know really small, and actually have to think very specifically for putting this together—a more detailed breakdown of the evaluation of requests for disclosure and access. And again, I think this is largely based—

and thanks to Alan Woods for that—on the document I think he shared at some point, kind of outlining what a 6(1)(f) evaluation request could or would look like. And again, this is a starting point. We've use that to build out this this flow chart to, again, become more and more visual—the different elements and aspects that are in play here.

One thing I forgot to mention here in relation to this diagram, is that has also allowed us to kind of place the different building blocks that we already defined into this in this chart. So, that also gives you, hopefully, a better idea of where these different building blocks fit, and it also will make it clearer where there's still gaps—where further work will need to be undertaken to make sure all the pieces are in place.

So then, I said, the rest of the document is organized in a similar way. Originally, we started following the order of the topics, as outlined in the SSID worksheet, but then we realized that that might make more sense to group it together, and again, focus on what are the requirements and expectations in relation to the requestor, the supplier, as well as the SSID itself. And so, we have flagged, in each of the building blocks, to which specific topic in the worksheet this relates to. And, as you note as well, highlighted in yellow are specific questions we've identified in putting this together.

And I said, for example, if you look at the first one, building block a, this is what we've taken from the work that was done in the Phase One recommendations. And again, it's a kind of copy paste on the work of the group developed there, and will need to be

further reviewed, and as well, of course, aligned with the actual implementation of those recommendations.

As you'll see in many of the building blocks, we've taken the current state of the work that has been done on the use cases, but clearly recognizing that that likely needs to be reviewed, and is still under development. For example, the categories that were originally defined, and some as well of the—for example, user groups that have been identified. Again, this is work that we've pulled from the different worksheets, but obviously there is overlap in these, and these will need to be further considered.

So again, I think that's at a high level. I'm just scrolling here so you can have a bit of an idea of the many yellow questions that, of course, there are. In many cases, there are further details that will need to be worked out. In some cases, there is a clear TBC, where we know a recommendation will need to be developed, but where we haven't really had any conversations yet, to be able to fill that. And, I said, where possible, we've also identified specific kind open questions that will need to be dealt with in order to provide the complete picture.

Then, at the end of this as well, we've started building, as well. I think you may be familiar with that and in the context of our groups—the so-called implementation guidance elements, where the group has discussed certain aspects of what implementation might look like. And I said, we've tried to document that here, also, as a as a starting point, and make sure that we tried to document some of the ideas and concepts that have come up.

So, I think that is, in a nutshell, what we've put together for you, for your consideration. And I see Hadia asking for the diagram. That was a separate document, I think. If you open the PDF that that was shared, and you can see it there in a better format, and also zoom in as needed. If it's helpful, I can also switch to the other document. But I said, there's a lot of detail in there that you may be able to view better zooming in on your own screen. So, I think that's it in a nutshell. Janis, I don't know if there's anything you would like me to add, and if not, I'll just hand it back to you.

JANIS KARKLINS:

No, thank you, Marika. So, I would like to emphasize very clearly one thing. So, this zero draft is nothing but the proposal for the beginning of further work in a structured way, that we would we would hope, that if approved by the team, we would build on it, and would structure our three-day conversation in Los Angeles around different topics, and would try to progress as much as we can during the LA meeting, if of course, if team considers that this is something we could we could use.

So therefore, my question is whether the team thinks that the zero draft is something we could use in Los Angeles to structure our work around. Or, alternatively, I could ask, is there anyone who thinks that zero draft is absolutely unacceptable as a beginning point for our future activities? So, let me maybe outline a scenario. If the document is accepted as a as a starting point, then we would take each element and would schedule time to address each of them.

So, some elements of course have been more developed than others and some elements have not been even sufficiently discussed. So, we would take all these elements into account, and would try to allocate sufficient time, in order to bring all this thing together.

What Marika didn't say, and probably which is not really visible in the chart, that is this interface between demand side and supply side. And there is this million-dollar question that we would probably ask to ICANN Org and CEO of ICANN, whether ICANN is ready to take the responsibility of being this gateway, and being also a place where the necessary balancing acts are made or not. But again, this is just additional elements to presentation that Marika made.

So, now floor is open for comments, what you want to make. Specifically, if you have any doubts, or concerns, or reservations about the proposal draft and way forward, now it would be the time to voice those concerns. Floor is open. Milton. Please go ahead, Milton.

MILTON MUELLER:

Yes. So, we have exchanged a bunch of comments among our group about the zero draft. And I think, although there's a lot of requests for change or clarification, I would say that as a starting point for the meeting in Los Angeles, I think it's viable. The one part I think would need to be added to it would be a discussion of accreditation. As you know, we had some discussions about that this morning, and I think we would want to possibly eliminate ...

Discussion of the user groups, I think is very bizarre. I'm not sure. None of us understand what they're really trying to do with these user groups. I think the proper role of that might emerge out of the discussion of accreditation, so that we wouldn't we could we could eliminate building block c, if you will. Anyway, that's my initial take, and I think nobody from our constituency group is in violent disagreement with me. Although we have very contestable things in there, I don't think we have any objection to using this as a starting point with a few modifications. Thank you.

JANIS KARKLINS:

So, thank you Milton. If this would be accepted by all, I would outline maybe also a few other elements that I would like to ask team to do prior to the meeting in Los Angeles. So, I have now a number of hands up. Marc, Brian, Matt, James, Chris, in that order. Mark. Please go ahead.

MARC ANDERSON:

Thank, Janis. I guess, first, I have to compliment staff on the job they did with this zero draft. I don't envy them, the test they had, distilling our conversations and deliberations into this zero draft, and I think they did an amazing job, frankly.

And I also want to call out one thing in particular. In Phase One, I was critical that they were items in the first draft of Phase One that I couldn't easily track back to conversations or deliberations we had in Phase One, and I did not find that to be the case here. Without commenting on whether I agree or disagree with what's in there, I found it pretty easy to trace back all the items found in this

zero draft to discussions and deliberations we had. Kudos to staff on that job.

As far as using this as a starting point, I think you know the zero draft is an excellent place to start. It does a good job covering the areas that we've deliberated on, and I appreciate the effort that staff took to call out areas that still need to be covered—what some of the open questions are. I do think one of the bigger questions are what are around what are the things that are not in the report.

And so, as far as the LA face-to-face goes ... Janis getting to your question about building a schedule for the LA face-to-face, you talked about building a schedule around the zero draft, and deliberating on items in the zero draft. There, I want to suggest a slight deviation from that. The items in the draft or items we've already covered, and items that we can probably sufficiently cover on calls.

I think what's more interesting are the items that are not covered in the draft, and so I would suggest our focus in LA should be more on what's not included in the zero draft—some of those open questions, and maybe any other items that we identify between now and LA. I suggest that those would be better items to focus on when we're having this in-person meeting. Again, like I said, this is, this is an excellent job of capturing what we've covered and where we are so far. No objections with using this as a starting point and moving from there.

JANIS KARKLINS: So, thank you Mark, and your comments. Now, today I will tell you my thinking, after listen every everyone on the team who wants to speak on the first question. Brian, please.

BRIAN KING: Thank you, Janis. I want to echo Marc's thanks to staff, and really kudos for a job well done. I had no idea how in the world we could get to something that looked like discussion topics, based on our previous conversations, but I think this does it well. I think I like the concept of building blocks. Bounced this around the IPC group, and we're on board with using this as a way to organize our discussions going forward.

Before I can comment on Marc's concept about how to structure our conversations in LA, I think I'd like to understand, just a little bit better what's not here that we should focus on—maybe legal advice and things like that. I don't want to put words in Marc's mouth, but I think that might be a good idea, depending on what those things look like. There's certainly a lot here in the the zero draft that we could get into in LA, and I think we'd be happy to do that.

For the record, we think the building block c could be a good part of this conversation. It could be useful to have users identified as which one of these groups they're a part of, or how that ties to their purposes for processing. So, just for the record, we, we would like to leave that in. Thanks.

JANIS KARKLINS: Thank you, Brian. Matt is next.

MATT SERLIN:

Yeah, thanks, Janis. Again, speaking for the Registrars, would like to also start with thanking staff, echoing Marc and Brian's points. I think we were all kind of curious what the zero draft look like. I think we were all pleasantly surprised to see what it turned out to be, so kudos to the team for that.

Yeah, general agreement that it's a good starting point. I like this notion of things being broken up into building blocks. I think that's good. I think that allows us to chunk the work into digestible pieces as we move forward. Also agree with Milton. Janis, you weren't on the call this morning, but we spent a fair amount of time, at least in the chat, talking about the user groups and authentication. And so, I think that's a really important topic that we'll need to discuss in LA.

And then, also think it's going to be critically important to get that guidance and feedback back from outside counsel with the questions that we submit. So hopefully, we'll be able to have that in advance, or at least while we're in LA, and that will help us inform the discussion going forward. I do think it's worth discussing Mark's point a little bit more. I haven't spent a whole lot of time thinking about his point about what isn't in the in the draft, but I think it would be interesting to explore that and talk about that as a group. Thanks.

JANIS KARKLINS:

So, thank you, Matt. Next is Chris—Chris Lewis-Evans.

CHRIS LEWIS-EVANS: Thanks, Yanis. So, we had a quick look through this yesterday within the GAC small group. I just want to echo the comments that everyone else made. It's a really good starting point, and I think it will be really helpful in the LA meeting.

Just two comments on the document. I think Marika asked a question earlier today about whether we wanted to freeze this document now, so it doesn't change before we get to LA, or whether we would accept some updates, from discussions, either today or and going up to LA. I think that may be helpful, because even some of the parts in here are changing, call-by-call basis. So, certainly from our position, I think we would accept updates to this document going into LA meeting

And then, as Marc and Matt just said, I think some of the areas that aren't in here that would be helpful—like what does automation actually mean to everyone, and get some of those things defined. I think we'd get that better-understood a lot quicker in the face-to-face meetings, so that might be good to concentrate on as well. Thank you.

JANIS KARKLINS: So, thank you, Chris. Next is Thomas—Thomas Rickert

THOMAS RICKERT: Thanks very much, Janis. And thanks to you and staff for coming up with this little graph. I've always thought that ICANN staff and our team can work wonders, and I guess this is good evidence for that. I have a few observations and a question. And the question is, is the intention of this document to actually come up with a

general and abstract policy that would allow for the system to deal with yet-unknown scenarios, and process those based on the criteria that we establish through general policy, or where the policies stop, where we have you know defined the, the concrete criteria?

It was my impression and understanding that we would work on a couple of standardized scenarios where we would write up balancing tests, and look at their outcome and say, "Okay, if these criteria are present, then disclosure is ok." But I did not imagine this to be a system that is so general, that it would allow to semi-automatically or otherwise process cases that we have not considered. So, I would appreciate if you could answer that question. Maybe not you. Maybe we can discuss it.

I guess the idea of building blocks is a great one. And I think maybe at some point, we should discuss to what extent we are actually going to look into the operational matters for a system, but I think it's a good approach to do that. And if we wanted to, I think we should probably consider adding at least three more building blocks. One would be contingency planning, in case somebody you know challenges the system by taking one of the players or multiple players to court. What impact would that have on the running of the remaining parts of the system?

Then, I think we need a legal building block to cover arrangements that need to be drafted and executed between the parties involved. And then, maybe a periodic evaluation of the entire system because, for sure, it can't be static. There will be case law that needs to be considered. There might be changes in policy in the ICANN ecosystem. So, maybe we should build in, as we do in

other parts of ICANN, an evaluation of the system that so that it can be updated. Thanks so much. I know that's been long, but I just wanted to get this on the record.

JANIS KARKLINS:

Yeah, thank you, Thomas. Very helpful, actually. Your first question, or your only question ... My answer is, I do not know, because everything is under consideration. So, this is just the beginning. We can we can add everything that we think is missing. We can take off everything we think is excessive, and we can shape the those building blocks, and put those building blocks in different ways as we wish. So, therefore, the answer to your question actually will be at the end of our activities, and that will be the policy proposal that we that we bring forward.

Whether we will be able to build a system that will respond to every possible situation in the real life, again, I do not know. But certainly, we would need to strive to build the system, which would be would correspond to a majority of real-life situations. And then, if comes a marginal situation, then the system needs to be, or could be, used in this [for to do that way]—as a completely manual way, or would be addressed those issues one -by-one. Thank you for adding ideas for some building blocks, and probably there might be a few more to add.

I would like now to see if there is any other team member who would wish to speak on my first question, because then I would move to the ideas that that we had for the preparation for LA meeting. So, I see no hands raised. So, then I take that the zero

draft, as proposed, is acceptable as a starting point for building our future work.

So, and here. in that case, comes the answer to Chris's question whether this zero draft should be frozen. And I would say yes. At this moment, the way how it is drafted and proposed is frozen and it is called zero draft. So, what I would suggest further, that we would take that zero draft and put on Google Doc and invite every team member to provide any addition, comments, expressions of concern, let's say within one week from now, and we would bring to Los Angeles 0.1 draft.

Okay, we would use all those elements that team members would put forward in order to further fine tune this zero draft, and would bring to Los Angeles even better zero draft, which we would call 0.1 draft. And then, we would work on that in Los Angeles, and outcome of Los Angeles meeting would be 1.0 draft. And then, from this 1.0 draft, we would we would see how far we can get prior to the Montreal meeting. And in Montreal, we would present outcome of our activities.

So, that is the proposal, what we could do prior to the meeting in Los Angeles. So, if we would say one week to add anything you think is missing, or delete everything you think should be deleted. Milton already alluded that building block c is not really good one, though others said that it might stay.

So, then the second proposal is that we would make kind of a survey on the issues that team members think would be specifically addressed in Los Angeles, as a weakest points in the in the zero draft, which would need further work. So, we discussed

with the staff that maybe in a few days' time, this survey could be ... Staff would put forward the survey, and then few days' time, team members would simply indicate, in their opinion, which building blocks need to have bigger attention in Los Angeles than others. So that's the second element.

So, the third element was ... And now I lost my train of thought. So, let me ask whether ... Do you have any objections to what I said until now? No objections. I got my train of thought back. The third element is, some building blocks are either in very, let's say, preliminary stage—not to say infant stage. Some building blocks are not yet even listed there. So, therefore we need, certainly, work on issues which are not sufficiently explored until now. So, Milton alluded that accreditation might be one of them—fully agree. But for instance, financial aspects of things might be another one, and probably there are few more of those issues.

So, my proposal would be that staff, tomorrow, or maybe today if they can, put forward a list of issues that need to be further explored. As you know, it is much easier to work on the basis of some something. And I would then invite those team members who would like to make initial write-up for those topics, that based on that collective write-up, we could have a basis for discussion, either in Los Angeles already or beyond Los Angeles.

In other words, for instance, we have not touched financial aspects at all. I'm using that deliberately because this hasn't been discussed. So, if one, or two, or three team members would wish to put their brains together, and to make a first cut how the funding of SSID could look like, should it be adopted and introduced. And then, present purely as individual views for the team, and team

would say, "Okay, this is something we could we could work on," or "No, it is completely off the target." So, then we could advance in that way.

So, this is the third proposal. Staff would put together a list of issues where team input would be requested. Then, you would list your names as volunteers to work on the first pitch, and we would use that for initial discussion, either in Los Angeles or beyond Los Angeles. So, these three proposals are on the table. The question is, is there any objection to those? No hands up. I think that this is broad agreement. Good. Now there are two hands up. Milton and Marc, please. Milton.

MILTON MUELLER: I just wanted you to repeat what these three options are again. Thank you.

JANIS KARKLINS: Okay, Marc.

MARC ANDERSON: Same questions as Milton. Maybe a review the three items would be helpful. Yeah, maybe I'll just hold any other comments until so that.

JANIS KARKLINS: Okay. So, I may need kit Caitlin's help, but I will try. I had a really long day, and now it's close to 11:00 p.m. my time. But the first the first thing is ... No, Caitlin, please go ahead and help. Please help.

CAITLIN TUBERGEN: Thank you, Janis. Here are the three action items I captured. The first is that support staff will populate the zero draft into a Google Doc form, and invite team members to provide any additional comments or expressions of concern by Thursday, September 5th. And then, those comments will be used to create the 0.1 draft for discussion in Los Angeles.

The second action is for support staff to distribute a survey, which will be used to allow EPDP team members to rank topics they wish to discuss in Los Angeles, or add topics that they don't see on the list.

And lastly, support staff is to put forward a list of issues that need to be further explored, and invite team members who would like to draft a an issue write-up for that topic to do so. And then, those write-ups could be used as a beginning point of discussion, either in Los Angeles or beyond.

JANIS KARKLINS: Thank you, Caitlin. On those write-ups, I observed that Legal Committee was working in that way very successfully—that few members of Legal Committee put their brains together, and proposed formulations, and then those formulations were discussed during the Legal Committee meeting, and then modified, edited as needed. That was a very constructive way of going forward.

So, hence, on issues which are, for the moment, underdeveloped, I thought that it would be useful to use the same method, because

it works in on Legal Committee, and I hope that that would work also in our deliberations. So, and then that would be kind of a collective effort, and then everyone would discuss those initial, initial proposals—modify them in every way as appropriate. Marc Anderson, please.

MARC ANDERSON:

Thanks, Janis. Yeah, sounds good. I think on proposal one—the zero draft, and giving an opportunity to add comments for 0.1 draft heading into LA—makes sense. So, I think that's a good approach. For your second point, ranking priority ... I think, as you described it, we have an opportunity to pull in items that we think are missing, and prioritize how we'll tackle them in LA. I think that's perfect. I think that's exactly what we need to do—identify the items, both in the zero draft and night in the zero draft, that are important to discuss, and then give everybody a chance to rank what we think is most important to cover in LA. So, makes sense.

And then, on the small teams, I'll say for proposing ... I guess you're proposing small teams to come up with the initial language on items we haven't covered yet. I'll just say, in Phase One, we had mixed results on small teams. I think in some areas, they didn't work very well. Where they did work particularly well was when we used small teams for handling the public comments.

When we used small teams for handling public comments, the small teams had pretty specific instructions—basically where the small teams could come to consensus agreement, they provided those recommendations to the plenary. And the plenary had a chance to deliberate on them, but were instructed to have a bias

towards adopting. Where the small teams could not come to agreement, the questions were referred back to the plenary for further discussion.

I think those instructions and that approach was successful in Phase One, and could probably be successful in Phase Two as well. So, I would suggest that an approach similar to that could be taken here. So, a long way of saying I think your proposal makes sense, and I'm generally supportive of it.

JANIS KARKLINS:

So, thank you, Marc. What I was thinking when I proposed this third thing on small group of volunteers—when I'm saying small group, I really mean small group, two or three people—is that, at least for me, it is much easier to work on proposal, even of three sentence, rather to formulate in group of 20 plus people, those three sentences. So hence, the idea is that something should be put on the table, and if that is generally agreeable, then we can build on it. If that is not agreeable, we simply reject that, and we put another team in place to do the same write-up.

So again, it isn't simply to help us, ourselves, not to draft in in the in the plenary of the team, but draft among people who are interested particularly in the topic, and have expertise in that topic, and then propose that ideas to the team as a whole for further consideration. And of course, I understand that that those volunteers need not to be representing only one point of view. The team would need to be composed—meaning that the small group—need to be composed of team members who would

potentially have different opinion about the same topic, or would not be professionally interested in that topic.

So again, it just a method how to how to accelerate progress. I see Hadia is seeking the floor. Hadia, please. Now it's your turn to speak.

HADIA ELMINIAWI:

Thank you, Janis. First off, thank you to everyone who have contributed to this report. My question is about the action items and one and two. So, my question is, are we are ranking into the topics mentioned in one? And if so, why are we adding more topics? As I understand, in action item one, we shall be adding, or deleting, or whatever. If the ranking of topics is not related to one, then do we have an initial set of topics? Thank you.

JANIS KARKLINS:

Yeah, thank you, Hadia. I think maybe it is not is not really a ranking per se, but this has simply indicated, for instance, which are building blocks you think need to have more attention in Los Angeles than others. We could we could rephrase that task because, for instance, we know that some building blocks are more developed than others. But equally, some building blocks may have smaller importance than others. So, therefore, this simply to capture the wisdom of the group and to see which would be those issues that team, as a whole, think we need to be given priority in Los Angeles.

For instance, there might be building blocks that are underdeveloped, but they are not overly complex, and that we

could maybe work on those during the, the team calls after Los Angeles meeting. But there are topics that might be, in the view of members of the team, so complex that the best way would be to address them when we can also see body language, that we could have personal engagement and side conversations with a glass of wine in hand. So, hence, this is just an indication, rather than ranking, per se, that would help us to structure the discussion in Los Angeles in the most efficient way.

HADIA ELMINIAWI:

So, my suggestion would be to not allow adding topics into, and any topics that we think we would like to address should be done in one, so that when we get to step number two, we already have all the possible topics. And from there, we could start ranking, and from this ranking, we could keep some or delete others, but I think no additions, but then ...

JANIS KARKLINS:

I hear you, Hadia, but what if we would add simply one line in the survey saying, "What other questions you think need to be discussed?" And then, everyone could write down those that are not currently in zero draft, for instance.

HADIA ELMINIAWI:

Yes, sure. I get your point.

JANIS KARKLINS: Okay, thanks. Anyone else? So, no further requests? Marika, is there anything I have not covered from our conversations prior to this call? Please help me.

MARIKA KONINGS: Thanks, Janis. No, I think you have ... The only thing I would note, I've seen some people commenting that next Thursday might be tight because there's a holiday in some places on Monday. But we'll just note that if Thursday is not the cut-off date, it will make it really difficult to produce an updated version, and even give that back to the group to review—probably when you're all getting on your plane.

So, ideally, we're able to stick with that day. But I think as you noted as well, that's not the end of input that is provided. It's just probably helpful to see if there are specific suggestions or comments that we can use as well, to help inform the preparations for the meeting, and maybe see better where issues lie, or sensitivities are. That will help developing the agenda and the approach for discussing the different topics. So, I just wanted to flag that.

JANIS KARKLINS: Yeah. Thank you. Thank you, Marika. So, what is our further actions for preparation of the meeting in Los Angeles. We will now ... With the staff review situation on Monday, we would start building the program for Los Angeles. And my intention would be to give you an idea how the Los Angeles meeting would look like as one of the topics for Ordinary Meeting of the team, next

Thursday at 2:00 p.m. UTC. That would not be the only topic on the call, but that would be one of them.

So, I also understand that today, legal questions have been submitted to Bird & Bird, or will be submitted to Bird & Bird, which means that we may have some indication in one week time whether we can expect some reply from Bird & Bird at the time of Los Angeles meeting. Caitlin, am I right?

CAITLIN TUBERGEN: Yes, that's correct, Janis. The questions that were presented during this morning's meeting will be sent to Bird & Bird shortly, and they've been notified that we would ideally like to receive the legal advice in advance of the face-to-face meeting.

JANIS KARKLINS: So, thank you for confirming that. And then, another action that we need to do is to compile the questions to ICANN Org, that we could formulate, probably in the form of a letter, that stays on the record. I do not know exactly where we are with that process, but I see Marc Anderson is seeking the microphone. Please, Marc. Go ahead.

MARC ANDERSON: Thanks, Janis. I'm sure you're already planning on doing that, but just to be sure. Can the final version of the questions for Bird & Bird be sent out to the to the group? I understand from this morning's call, there are still some tweaks going on, so I think getting the final version would be would be helpful.

JANIS KARKLINS: So, thank you. Caitlin, any comments?

CAITLIN TUBERGEN: Thank you, Mark. The version that you received is the final version. The tweaks that were noted, or some of the comments that were noted, are additional questions that will be sent back to the Legal Committee for its review, but there are no additional tweaks to my knowledge.

MARC ANDERSON: Okay, thank you.

JANIS KARKLINS: Marc, are you satisfied with the answer?

MARC ANDERSON:: Absolutely. Thank you.

JANIS KARKLINS: Okay, thank. I see Alan Woods, and then Leon. Alan, please go ahead.

ALAN WOODS: Thank you. I suppose I just wanted to state for the record that the whole point of the Legal Committee was to decide on those questions, and then bring them back to the plenary. And then,

plenary would have a look at the questions, and provide us comments on it. You know that I have not had the best reaction to some of the questions. I understand we are short for time on this, but at the same time, I don't really feel like the plenary was fully given an opportunity to give those responses. Again, I know time was an issue there, but it just gives me some pause. I'm not going to lie. I just feel like I wanted to put that on the record. Thank you.

JANIS KARKLINS: Thank you, Alan. Leon, do you have any comments on this?

LEON FELIPE SANCHEZ: Thank you, Janis. Yes. I understand that some might feel like they didn't have a chance to chime in. Nevertheless, I believe that the questions have been [fairly] considered through different calls. And yes, time an issue at this point. The version that was circulated by Caitlin is the final version for this first batch. And of course, we will continue to work, pending questions that are still in the in the pipeline, and of course, adding the new ones that that are emerging from the calls. Thank you.

JANIS KARKLINS: Thank you, Leon. Okay, any other concerns about Legal Committee. I understand that the team had on today's agenda legal proposals, or updates from Legal Committee, and proposals or ... Alan, how badly you feel about the situation?

ALAN WOODS: Sorry, Janis. Could you respond again? I missed some of that. Apologies.

JANIS KARKLINS: No, I simply ... I thought that Legal Committee proposal was today discussed during the team meeting, and the team approved the questions, and they were sent to Bird & Bird, as a result of the team call. That was my understanding, that would be the process that should have happened.

ALAN WOODS: Yes. Apologies. It was, absolutely. Don't get me wrong. They were bought. Perhaps I'm alone in the way I feel about it, but I don't necessarily feel that the plenary had a substantive input to it. It was presented to us, and it doesn't appear that we had much leeway in that. However, that being said, the questions are the questions. We will get the answers, whatever they may be. Personally, I will know to probably interfere a bit more in future, when it comes to the questions, as clearly, again, we are moving very fast, and I understand that it is important for us to turn on done on these things. So, I'll just up the involvement. I think that is probably the easiest way. Thank you.

LEON FELIPE SANCHEZ: Janis, if you're speaking. We can't hear you. You might be mute.

JANIS KARKLINS: Yeah, no. Something happened with my connection. I suddenly was disconnected, and I did not hear the end of Alan's remarks. I understood that he is still okay that the questions were sent to Bird

& Bird, and that we will wait for answers. So, something happened with my connection. So, could somebody confirm that you hear me?

TERRI AGNEW: Hi, Janis. I confirm. We can hear you.

JANIS KARKLINS: Okay. So, do we have then any other questions to discuss? I do not see any requests for the floor. So, in that case, staff will act as Caitlin already indicated. And we will try to circulate the initial proposal for Los Angeles meeting for consideration during the next team call, in one week's time on Thursday. And then, a few other action items will be proposed to the to the team members to perform prior of the next meeting.

And I also would like to confirm the [Gina] is with us today. She will take active part in planning process of the Los Angeles meeting, and also will play considerable role in facilitating conversation of the team during the Los Angeles meeting. So, that is what I wanted to say. Is there any other questions on team members' mind? If not, then I consider that we are on the same page. I'm really grateful to all of you that you accepted the zero draft. That enormously facilitates our preparations for Los Angeles.

With this, I would like to thank all of you for active participation, and I would suggest that we go back to our day work, or some to the bed like me. This meeting stands adjourned. Thank you.

TERRI AGNEW: Thank you everyone. Once again, the meeting has been adjourned. Please remember to disconnect all remaining lines, and have a wonderful rest of your day.

[END OF TRANSCRIPTION]