
ICANN Transcription

Applicant Support GGP

Monday, 20 November 2023 at 20:00 UTC

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DEVAN REED:

Good morning, good afternoon, and good evening. Welcome to the GNSO Guidance Process Initiation Request for Applicant Support Call on Monday, 20 November 2023. For today's call, we did receive apologies from Satish Babu.

Statements of Interest must be kept up-to-date. Does anyone have any updates to share? If so, please raise your hand or speak up now. If you need assistance updating your Statements of Interest, please email the GNSO secretariat.

All documentation and information can be found on the public Wiki space. Recordings will be posted shortly after the end of the call. Please remember to state your name before speaking for the recording. As a reminder, those who take part in the ICANN multistakeholder process are to comply with the Expected Standards of Behavior.

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Thank you. And over to our chair, Mike. Please begin.

MIKE SILBER:

Thanks, Devan. I appreciate it. And thanks, everybody, who joined [inaudible]. I did note an out-of-office from Roz, so she may not have sent a specific apology, but I think she is out of office at the moment. But let's see. Maybe we'll get some stragglers joining us.

Folks, thanks for your diligence. We are going through the second read, and we've got some feedback coming through from Org, hoping we can make some progress. And appreciation to everybody who's sticking through to try and get us to the end of this.

Then I think the easiest is, let me hand over to you, Julie. Do you want to just take us through the agenda? It's been circulated. I think it gives us a good way forward, and we can make some progress.

JULIE HEDLUND:

Thanks, Mike. This is Julie Hedlund from staff. And just to go to the agenda that you see on screen, and then we'll go to the specific agenda items one by one.

On our second pass of the Public Comment Review, we finished up through Guidance Recommendation 6 last week, and now we're on 7 through 9. And in particular there, we're going to look at some staff input on some language on the interdependence of Recommendations 7, 8, and 9. And then we're going to go to review outstanding staff input relating to Recommendations 2 and 5. And we have staff on to address that.

And I'm going to suggest, Mike, that even if we do have a little time, that we not go to—it's not really showing up here right. But Item #4, which is the final report language, we don't have that language ready yet, and particularly because we have a few outstanding items that need to be discussed which are on the agenda today.

So I'm going to suggest that it isn't timely for us to pick up that review of the Final Report, but we could start with that at the next meeting. And that will give us time to—

MIKE SILBER: [I think that makes sense] [inaudible].

JULIE HEDLUND: —circulate language.

MIKE SILBER: Yep. That certainly makes sense to me.

JULIE HEDLUND: Great. I'll just say that we were thinking of previewing the Final Report language. That was before we realized there were a few items to wrap up with respect to staff input. And we want to make sure that we're in agreement on any changes to the recommendations before we finalize the text of the Final Report for the working group to review. So thank you for that.

And I will then go on to the Public Comment Input form. Let me pull that up, and let me share that with you. Okay. So Guidance 7, 8,

and 9. We have already discussed these recommendations once. So, as promised, this is the second pass, and the point of the second pass is to just spend time talking about any changes to recommendations.

And in particular, what we're about to talk about today is, there was an action item for staff to suggest some language that would show the interdependencies between Recommendations 7, 8, and 9. And this is in relation to an ICANN Org comment, which you see here, essentially that if there isn't noted a dependency between these recommendations, it's possible that one could be implemented in a way that contradicts the others or vice versa.

So I'm going to switch to another document, and I'll put the link into the chat. And this is specifically text as it relates to a suggested wording of a overarching recommendation relating to 7, 8, and 9. And let me copy the link and put it in chat. One moment, please. All right, that's linked to the document.

And I think you can see this document. It should say Guidance Recommendations 7, 8, and 9.

MIKE SILBER:

Yep.

JULIE HEDLUND:

All right. There are actually two areas for staff input. One is to make clear that the funding plan referenced is not connected to SubPro Recommendation 17.12. And the suggestion from staff is that this clarification can be added into the rationale for these

recommendations, which we'll, of course, be circulating for the working group to review.

The main language for the working group to review from staff is language that notes the interdependence of Recommendations 7, 8, and 9. And here's the new recommendation. You'll see it on screen. This could be an overarching recommendation. It's suggested that we could have this appear at the beginning of all of the recommendations, or it could be an overarching recommendation at the start prior to Recommendations 7, 8, and 9.

I'll read it off. "Per the GNSO Guidance Process Manual, it is recommended the GNSO Council take into account where the GGP Team has indicated that any recommendations contained in the Final Report are interdependent."

And here, I'll note that "GGP Team" is synonymous with "working group." That's just the language that's in the GNSO Operating Procedures.

So it follows, "Accordingly the GNSO Working Group emphasizes that the implementation Review Team should take into consideration potential dependencies among all of the recommendations, in particular with respect to Guidance Recommendations 7, 8, and 9 relating to recommending a methodology for allocating financial support where there is inadequate funding for all qualified applicants.

"The working group clarifies that these recommendations are to be interpreted as interdependent and that the objectives therein are to be balanced is a key aspect of the program's success."

So let me go ahead and open this up for comment/discussion on that suggested language.

MIKE SILBER: Thanks, Julie. It certainly makes sense to me.

JULIE HEDLUND: Let me ask ICANN Org staff who are on the call if they have any—

MIKE SILBER: [inaudible]. Yeah. I see we've got Tom and Maureen echoing it. I wouldn't mind actually looking at it with a bit more time, not on a call. But I think it certainly makes sense. Now, I'm not sure we need to wordsmith it on the call. But, Julie, correct. If there's anybody from staff who wants to talk, more than happy to get their input. But I think there's general consensus that it makes sense, and it seems to add value and to address the concern that was raised.

JULIE HEDLUND: Thank you, Mike. Kristy or Leon, do you want to make any comments, as this relates to the ICANN Org comment?

LEON GRUNDMANN: This is Leon from staff. It looks good to me. I think this is taking into account the request that we had to make clear this interdependence and to have that as an overarching guidance recommendation sort of coming before the other recommendations.

I don't know, Kristy, if you have anything to add.

KRISTY BUCKLEY: I think that's great, Leon, and nothing else to add. I think this does address the question that we had in the comment. Thank you all.

JULIE HEDLUND: Thank you, Kristy. Thank you, Leon.

MIKE SILBER: Yeah. So I think the general view of those of us on the call is if you and Steve are able to integrate that, we can then look at the language and make sure that we're comfortable. But I think it makes sense to all of us.

JULIE HEDLUND: Thank you, Mike. We'll definitely integrate this as a new recommendation in the Final Report. We'll indicate that this is new, and we'll also, obviously, add the rationale for it. And then we can make sure that people have time to look at that before next week's call. And we can incorporate any further discussions into the deliberations on this item from next week's call on Monday the 27th. Great. Thank you.

MIKE SILBER: Excellent.

JULIE HEDLUND: Then what we'll do is move back to the places where we requested input from staff with respect to various recommendations. There were two where we were asking for input. One was relating to Recommendation 2, pro bono services. And that was for ICANN Org to formulate a response with respect to potential concerns as well as applicants' pro bono needs, and bring it back to the working group to consider.

So I'd like to turn it over to Leon or Kristy with respect to the Org response, and then we can go ahead and generate a discussion based on that. Leon or Kristy?

LEON GRUNDMANN: Thanks, Julie. So this is specifically the question about matchmaking and vetting pro bono service providers. Is that the one? Just looking at the text here. Yes.

So the ICANN Org response on this would be that ICANN Org will do its best to conduct due diligence on pro bono service providers. However—and this was also mentioned, I think this is in alignment with what was said last time as well—ICANN Org does not plan to matchmake, rather to facilitate opportunities for raising awareness between the two groups.

So for example, ICANN Org could host webinars for supported applicants where providers could have a chance to present themselves, the services they can offer, in what regions, in what language, on which areas, etc. But it's not the same as matching an applicant with the provider. The onus will still be on the applicants

to contact pro bono service providers should they want their help. I hope that's clear.

MIKE SILBER:

It certainly is for me. Let's see if there's any thoughts. Possibly in the rationale, Leon, we could add some language that staff will do their best to provide information and resources that will allow the most appropriate matching between services and needs. Somebody who's willing to offer pro bono services, you're not just going to put their name and contact details. But you might let them self-describe the types of services they're going to be willing to offer. Or you may have a bit of a drop-down in terms of what they're willing to do.

LEON GRUNDMANN:

Yeah. I think we'll have a bit more information, exactly, than just the name of the contract. Exactly. And quite happy, for what it's worth, with the way the guidance recommendation is phrased at the moment. So, "The Applicant Support Program has cultivated pro bono services." I think "cultivated" is the right word. Right? It's not matchmaking. It's simply enabling, let's say. Making sure that it can happen.

MIKE SILBER:

I'm comfortable with it. And Maureen seems to be comfortable, and Maureen is always my litmus of what makes sense. So thanks, Maureen. Maureen's comment is, "It makes sense. [inaudible] the applicants may not know what they need, initially. May approach

service providers just out of interest as long as there's enough information about what services are being offered." Yeah.

So I think, Leon, if we can just include somewhere in the rationale that Org will do its best to provide some descriptor of who the service provider is and what types of services they're willing to offer, I think that will help.

Maureen, I see your mic is open. Did you want to make a comment?

MAUREEN HILYARD: No, no, no. You said it all. Thanks, Mike.

MIKE SILBER: [All right]. I was just reading your comments, Maureen. So we're on the same page. Excellent. Okay. So I think we're happy with that. We can move on.

JULIE HEDLUND: Sorry for that. I was on mute. Thank you for that. I think there was a question that was addressed, actually, at the Applicant Support Session that was at ICANN78. Did you have anything you wanted to add to that from staff?

LEON GRUNDMANN: Yes. Thanks, Julie. There was the question that the working group would like to see the potential of not just pro bono services just like that period, but certain areas. They would like to see what areas in

particular are lacking support. There are some preliminary, let's say, findings we could say about that.

So we've had an Expression of Interest Survey, which was already put out in the summer and which closed on the 31st of August this year, and which has now reopened. So we covered that in the ICANN78 session in Hamburg. I can put the links again into the chat for the people who might have missed that one. And there's also the link to the announcement for the Expression of Interest.

So what we can say from those responses, the 25 responses that we received over that period, is that 23 completed the survey in English, one completed the survey in Chinese, and one completed it in Spanish. And the overall results indicate that between 175 to 315 applicants could be supported. Of course, assuming that all survey respondents that expressed an interest will also sign up to provide pro bono services.

So this is simply given based on the range that they gave us in the survey. And all service categories, actually. So general business services, application services, were well covered in the survey across all regions. What was lacking was technical services, which needed more global coverage in almost every single region. So those are things like DNSSEC or IPv6 support. So it's really the more technical side of things.

And again, that's assuming that everybody who expressed an interest will in fact register to volunteer their services. So an EOI is a good indication, let's say, of this latent interest. And it's quite a preliminary, let's say, study, but we will be continuing to collect this

data, and I'll put the relevant links into the chat for those who are interested.

JULIE HEDLUND: Thank you, Leon. Any questions or comments or discussion on that input? Not seeing any hands raised.

MIKE SILBER: I would just note, Julie, that we just need to be very clear what the results of that survey indicate because there seems to be, or certainly last week, there seems to have been some misconceptions as to what that survey actually means and that there was suddenly this massive influx and the ability to support dozens of needy applicants.

So I think we, referring to people, should actually read the results and read what the survey actually meant, as opposed to leaping to conclusions. But, yeah, it's good. It certainly is good news. And it's good to see that there are interested parties who are willing to offer pro bono services.

JULIE HEDLUND: Thanks, Mike. That's a very important point about the survey results. Thanks for mentioning that.

Kristy, please.

KRISTY BUCKLEY:

Thanks, Julie. And, yeah, excellent point, Mike. And just to maybe expand upon that for a moment. The Expression of Interest Survey was really intended to get a sense of the sort of latent organic level of interest among potential pro bono service providers, in large part to help inform the communications, outreach, and engagement that ICANN Org might do to follow up. Right?

So as the results of that survey, if we got results that showed, okay, well, we have lots of people based in Europe and North America that will be willing to offer services largely to applicants from those regions, but we're missing other key regions and languages or specific services in the regions or languages, then that would give us some information to greater focus our efforts in the communications, outreach, and engagement in recruiting additional pro bono service providers.

So that was really—the intent of the survey is to get a sense of, like, is there anyone out there that has an interest in providing these types of services? And if so, across what regions, what languages, and what services? As Leon rightly pointed out, they would still need to register. We would have to conduct due diligence on those entities. So none of this is a commitment so far. It's more just that, kind of, latent interest.

The good news is that even just based upon that Expression of Interest, we got more diversity in coverage than I think we anticipated getting. So even without doing any communications, outreach, engagement and recruitment for this program, there is sort of a baseline level of latent interest that we can grow upon and build. So that was really the point of that survey.

But it does not necessarily mean that we will have all of those entities. And we'll still have to do our homework to make sure that we have good coverage where it's needed. Thanks.

JULIE HEDLUND: Thanks, Kristy. Any comments on what Kristy added?

MIKE SILBER: I'm not seeing [any]. I think it's just generally good news.

JULIE HEDLUND: Indeed. Thank you, Mike. And thanks to Kristy and Leon. So moving along to Guidance Recommendation 5. We have two areas of input here. The first was for ICANN Org to provide guidance on the feasibility of providing the data suggested by Com Laude, comparing rates of delegation.

Leon or Kristy, do you want to speak to that?

LEON GRUNDMANN: Thanks, Julie. So this was, of course, the comment from Com Laude which asked for quite a lot of stats to be pulled out and compared to one another which, of course, in principle, it makes sense. But what we have to add on that is that we as ICANN Org are planning to hire expert evaluators. So ICANN will, of course, take into account the success metrics that the GGP has developed as a guidance.

But it will also be important to give the experts some degree of flexibility in developing and utilizing an evaluation method that they think is appropriate for assessing the ASP. We do, of course, want to understand if a supported applicant fails gTLD evaluation, why they failed. However, collecting information about non-supported applicants in the general gTLD program, which is suggested in the comment among other things, seems to go beyond the scope of evaluating the ASP.

And then we had another small response. So there was the sentence in the comment from Com Laude, which was, "It also avoids the total reliance on guessing the number of applications in the next round." So ICANN Org does have design assumptions about the number of applications that are part of the financial model for the next round. So I hope that's clear.

JULIE HEDLUND: Thank you, Leon. Let me ask if there are any comments with respect to this input.

MIKE SILBER: I'm not seeing any.

JULIE HEDLUND: Thank you, Mike. Thanks, everyone. And we'll move along to the next item relating, also, to Guidance Recommendation 5. So Roz and Satish had drafted some compromise language relating to the floor and the ceiling, so to speak, with respect to indicators of success [inaudible] specifically delegated gTLD applications. I'll

read the language. And the request was whether or not ICANN Org or staff had suggestions to amend this language.

So the original language you'll see on the screen here. "Indicators of Success: ICANN must ensure that of all successfully delegated gTLD applications, 10 or 0.5% (that is 0.005) were from supported applicants. This should be considered a floor, not a ceiling, and ICANN should strive to exceed this minimum by adopting a stretch target in order to achieve the aim of facilitating geographic diversification within the New gTLD Program."

And if I might remind you all, there was some discussion of the working group putting forward a specific number with respect to a stretch target. And after discussion on the last call, there was no agreement among the working group members that such a specific number should be provided. And staff has discussed among themselves, and I don't think we have specific suggestions for language. But we'd like to just open this up again for comment—

MIKE SILBER: Thanks. [inaudible].

JULIE HEDLUND: —and see where we go.

MIKE SILBER: Let me just explain my concern last time. And I think I'm the person who came up with the term "stretch target." But I'm hesitant to say that there shouldn't be an adoption of a stretch target because then

the question is: well, who sets the stretch target, and how much of a stretch should it be? So I think the wording makes sense.

I think it might be a little superfluous, but there's no harm in saying that "this should be considered a floor, not a ceiling, and ICANN should strive to exceed this minimum in order to achieve the aims of facilitating geographic diversification within the program."

But I'm very hesitant to say there needs to now be a second target. I don't know, between Kristy and Leon, if you can respond to that because I just think it's unfair. If we're not going to set a stretch target, to then leave this generic comment in there which says that ICANN must adopt a stretch target, but there's no indication how that's calculated, how that's derived, and where we get to with that.

JULIE HEDLUND: Thank you, Mike. Leon? Kristy? Kristy, I see you have your hand up.

KRISTY BUCKLEY: Sure. And, Leon, did you want to go ahead? Did you have anything [inaudible] first?

LEON GRUNDMANN: No. Go ahead, Kristy.

KRISTY BUCKLEY: All right. Mike, it's a great point. From my perspective, I guess the question is—there's a couple of bits here. The 10 or the .05% is the

floor, is kind of what I'm thinking about at the moment. And so if we hit 10 or .05%, that would be measured a success for the Applicant Support Program. So I want to just test that. I think that's the case, but I just want to test that.

And then to the extent that the Applicant Support Program goes beyond that, we get 11 or 15 or 7.07% of all gTLD applicants that are successfully delegated were supported, that would be even considered more successful than what you've indicated there.

And so in your mind, therefore, we don't need to articulate what a stretch or a broader target goal would be. Is that correct in understanding?

MIKE SILBER:

So, Kristy, there was some discussion on this in a previous call, and there was a feeling amongst some of the working group members that we were being unnecessarily conservative, and we were not being sufficiently ambitious. I think that set us back a little bit because I thought that we had all agreed that 0.5% or 10 would be a success. And they were saying, "Yes, it is. But we must be ambitious." And I think we're trying to capture language which says 10 or 0.5% is success, but we also want to be ambitious and see how many we can get rather than just, we get to 10, and we hang up our boots or gloves or whatever implement, and we say, "Okay, we've reached success. We've done our job. We can go home now. We're not going to continue trying to see how many more we can bring it."

And that's the thinking around this compromise language. Trying to find language that says, "Let's see how many we can get, recognizing without a budget figure, we don't want to have 100 but only have budget for 10, and then we learn that put people out in the cold. We're having to slice that budget really finely, and people don't actually get meaningful support.

So there are a lot of variables here, but I think the entire working group is in agreement that we want to be ambitious, but we also don't want to create a second or third bar and then criticize ICANN for not achieving the stretch target. And that's my concern. When you stay to stretch, then that's actually what you want.

But, Thomas, your hand is up. Do you want to continue?

THOMAS BARRETT:

Sure. This is Tom from EnCirca. I'm fine with coming up with a stretch target, but you can't just invent a number. I think you first have to look at the last round and distribute all applicants on a geographic banner. So we can see how many applications came from various geographic regions.

You then need to flag which ones are considered underrepresented. So let's say it's the southern half of the world, just for argument's sake. And then we can say, okay, Africa had five last time. So a stretch goal might be to double that amount. And South America had eight last time, and a stretch goal might be to double or triple the amount.

But I don't think you just randomly pick a number. Are we just talking about applications or successful applications? I would propose we

just look at applications, successful or not, and distribute the last round geographically.

And then we do a bottom-up. If we want to double it, great. We double it. We look at what we had last time, or we look to double it.

MIKE SILBER: Yeah. The problem with that is, we double it, we get to two. So we're far away from where we are at the moment.

THOMAS BARRETT: I don't know if that's true. We had four. We had .Africa and three from South Africa.

MIKE SILBER: No. They were not supported.

THOMAS BARRETT: I'm sorry?

MIKE SILBER: No, they were not supported.

THOMAS BARRETT: I know they weren't supported. But how many did we have from [inaudible]?

MIKE SILBER: Tom, the problem with what you're proposing—so you're saying we need to now go through the previous round and look at the number of applications from each region. We can do that, but then let's give this program another two months because it's going to take two months to do the analysis and come up with a stretch target, and we don't have that.

THOMAS BARRETT: Right. [inaudible].

MIKE SILBER: If you wanted to do that, we should have done that six months ago.

THOMAS BARRETT: So I guess I'm reacting to this comment saying the aim of facilitating geographic diversification within a new program. If that's our goal, geographic diversification, then I do think we want to look at it. And it's not—

MIKE SILBER: [inaudible]. But, Tom, are you then okay with us not meeting our timelines?

THOMAS BARRETT: Um ...

MIKE SILBER: Is it important enough that we then miss our timelines?

THOMAS BARRETT: No, it is not important enough to miss the timeline. Absolutely not.

MIKE SILBER: Anybody want to disagree with Tom and I?

LAWRENCE OLAWALE-ROBERTS: I'll be happy if I can take the floor.

MIKE SILBER: Yes, Lawrence.

LAWRENCE OLAWALE-ROBERTS: Thank you. I've had to give some second thoughts to this, and I see a lot of value in the current language that is proposed. I didn't think of Tom's dimension, but for me, it adds a bit more value to the context. I'm looking at it in terms of the total number of applications we had that were delegated in the last rounds, I think—staff could help me—was between 1,500 to 1,600. And if we were to even break this down by a quarter, that will put it at about 400 applications. If we were to say, for instance—and I'm being mindful here because I get that feedback that we shouldn't be brandishing numbers, but this helps to put this in some context.

So if we were to even have a very poorly executed program overall and there were maybe 400 applications, how many of those applications would we want to see coming through applicant support? 10% of that number puts it at about 40. So it kind of

resonated with me that while it's good having 10 applicants supported and measuring that as success, where we have a replica of the last program or something close to 50% of that success, what we might be celebrating as a win might not be positively good overall.

Again, to the talk about pushing our timelines, I remember that at the very beginning of our calls, we had set the timeline for December being an aggressive one, and we still gave ourselves some slack by a month or two. Or is it two or three months? So if we have to push our time to delivery by two or three months and do a more robust job, I think we should go for it.

So I am up for us having to push our timelines a bit because we will not be missing our overall timeline. We have already put safety guards in place for situations like this. So let's—

MIKE SILBER:

No, Lawrence. We are at time. So, let's see. We so far have Tom and myself who are not keen to mess up timelines. Lawrence is saying let's miss timelines. I'm just a little surprised because this was not raised before. We went through this, and this is new. Anybody else support missing our timelines and restarting all of this work?

Yeah. So, Lawrence, I think the best we can do is note this in the discussion. We can note the desire to do more analysis, the desire to look at geographic diversity. But we went through a lot of discussion around 10 or 0.5%. I think we can put a note in the

deliberations which says that we should aim to exceed this as much as possible.

The language around facilitating geographic diversification is something that I haven't argued because I see that is generally positive rather than a specific recommendation because we had a lot of argument as to how we should prioritize potentially supported applicants and whether we should be doing geographic, or whether they should be for-profit, not-for-profit. So I really think that if we're going to get into that, then we've got to put a table together, and we've got to try and set priorities.

So my suggestion is that we note this in the deliberations, and we move on.

JULIE HEDLUND: Thanks, Mike. This is Julie from staff. I just note that Kristy's had her hand up. I think that's a new hand.

MIKE SILBER: I apologize. I assumed, Kristy, that was an old hand. I do apologize.

KRISTY BUCKLEY: No problem at all, Mike. And I just put in the chat a link to the implementation plan on page 59 where you can see the Applicant Support Program timeline. So while we plan to start meeting with the Applicant Support Program IRT in the next couple of weeks to start going through the applicant support handbook and draft criteria and so on, our timeline envisages us wrapping up that work with the

IRT in February and preparing those documents for public comment.

And so if the GGP outputs were not ready until then, it would delay the timeline for the program implementation.

MIKE SILBER:

[inaudible].

KRISTY BUCKLEY:

Yeah. And I just wanted to just speak to the—going back to my first comments—for my mind, it sounds like meeting 10 or .05% or going beyond that is considered success for the program. And perhaps in the rationale for that guidance recommendation, it may be worth considering something to the effect that, "At the same time, the GGP advises that the Org prepare for or resource the program with the aim of having resources available, should significantly more applicants qualify for support."

Something along those lines that can reflect that this was part of your conversation and deliberations and that due to time constraints and varying views, that it was difficult to reach consensus going through public comments on what an ideal stretch target might look like; that the group did talk about that and encourages that Org to be ambitious and to go beyond what was set as the metric for an indication of success.

So something like that may capture the sentiments around that from this group. And I think, from my perspective, it would be helpful just in terms of being able to reflect that in how we're resourcing the

program and budgeting for it and so on. So I just wanted to offer that in case it's useful to the group.

MIKE SILBER: Yeah. I think that's a very good idea, and I've got Maureen supporting that as well. So I think that's a good suggestion.

Can I also suggest that we drop the geographic diversification when we refer to this in the deliberations because I'm not really sure that adds anything? Or if we don't drop it, then we indicate that it's one factor rather than the only factor.

JULIE HEDLUND: Thank you, Mike. This is Julie from staff, and that is noted. I'll put that in [inaudible] as well.

And let me ask you to confirm. Let me just bring the text up again, more on screen here. Looking at the text then. Sorry, I'm having trouble viewing it because some of the videos are blocking my view here. One moment, please. Okay.

So we say in the suggested language from Roz and Satish, "ICANN should strive to exceed this minimum by adopting a stretch target." By adopting a stretch target. Do we not want to say "adopting a stretch target"? I'm wondering if we want to be that prescriptive.

MIKE SILBER: No. I prefer Kristy's suggestion, which is to say in the deliberations, we indicate that while the indicator of success is noted, we're requesting staff to consider resourcing the program to enable the

program to accommodate a number of applicants in excess of the target indicator.

JULIE HEDLUND: So then, let me just confirm for—

MIKE SILBER: Kristy, I see your hand is still up. So if you want to intervene, please do.

KRISTY BUCKLEY: Sorry, Mike. That, in fact, is an old hand now. Sorry about that. Thank you.

JULIE HEDLUND: This July again, from staff. I'm just trying to confirm [inaudible].

MIKE SILBER: So can I suggest, Kristy—

JULIE HEDLUND: Yes, please go ahead.

MIKE SILBER: —maybe you can pop that into the chat or share that language with Julie because I think that was helpful, and we've got a fair amount of support for the position that you expressed.

JULIE HEDLUND: That would be extremely helpful. Thanks, Mike, for that suggestion. And we'll look for that, and we'll reflect that. [inaudible] with that language, if it's being included in the [inaudible].

Thank you, Steve. Let me see. "Action Item: Add to the rationale that adequate resources will be made available if the number of qualified applicants increase or greatly exceeds the indicators of success."

I'm just looking at the language that Roz and Satish had recommended. Are we then cutting off this language at "this should be considered a floor, not a ceiling" and the rest is stricken?

MIKE SILBER: Yeah. I'm not even sure we want to have that language of "floor not ceiling." I think we want to capture the notion that we want the program to be ambitious, and staff need to consider how to resource the program if that ambition is actually achieved.

JULIE HEDLUND: But that would be captured in the rationale. Right?

MIKE SILBER: Yes, correct. So I think that we should take out the additional language completely and rather capture it in the rationale.

JULIE HEDLUND: Then we're basically going back to the original—

MIKE SILBER: Correct, correct.

JULIE HEDLUND: Okay. That's what I'm trying to confirm. Going back to the original recommendation. Yes. Or the original indicator of success, I should say, because the recommendation doesn't state a number that is an indicator of success.

And I see Maureen is agreeing with Steve's suggestion in the chat. Thanks for that. That's a very helpful discussion. And I think that was all the inputs that were requested from staff.

Leon or Kristy, do you recall if there were others? I'm not seeing any here.

LEON GRUNDMANN: Not to my memory. I think that was all for now.

JULIE HEDLUND: That's all I recall also. Mike, just as a suggestion to go back to the overarching recommendation that we will send around that staff were discussing, and that was with respect to Guidance Recommendations 7, 8, and 9 and about the interdependencies. And we were wondering if that might be better captured as implementation guidance as opposed to a recommendation.

So implementation guidance relating to 7, 8, and 9 to the interdependencies should be taken into consideration. We'll present it that way to the working group. And we did want to give working group members time to digest the [inaudible] anyway. But just thinking that was a nuance we wanted to try to capture.

MIKE SILBER:

Julie, just before we get there, Maureen has raised the question in terms of deleting the compromise language in its entirety.

Maureen, do you have a view on that? Have I been too quick to claim some form of consensus which may be misguided?

MAUREEN HILYARD:

Thanks, Mike. It's just that I didn't get a copy of it, so I wanted to read it through to see what has actually been deleted. But I think it would be wise so we don't have to spend another week on it to try to keep close to what is actually said and how they've actually structured that and stopping, for example, I think that—yeah, stopping there where you mentioned the stretch target. I think that where they carry on about the diversification is just going a little bit beyond it.

But you mentioned that we should or that we could include a stretch target, and I think it's mentioned in their statement. And I think because it's come from the group that the idea of a stretch target should actually be included in there somewhere.

MIKE SILBER: Yeah. So, Maureen, I hear you. But my concern is referencing a stretch target without putting the stretch target makes no sense.

MAUREEN HILYARD: Um ...

MIKE SILBER: And then do we hand this over to staff because staff have said they can try and resource the program. But staff can't set a stretch target.

So can I suggest that we maybe then end the sentence where it says "considered a floor, not a ceiling," and we end the sentence there?

MAUREEN HILYARD: Okay. I'll accept that because that was also one of the really strong points when we're actually discussing this particular—

MIKE SILBER: Okay.

MAUREEN HILYARD: —item in that so that, yeah, that would be a good compromise at this particular point in time. Thanks.

MIKE SILBER: Yeah, okay. I'm comfortable with that. So, Julie, apologies. I was too quick. Let's put back the language. "This should be considered a floor, not a ceiling." Full stop, and we delete the rest.

JULIE HEDLUND: Thank you, Maureen. Thank you, Mike.

MIKE SILBER: Sorry. Can I suggest we do it: "This should be considered a floor, not a ceiling, and ICANN should strive to exceed this minimum." Full stop. Because I think we want to—

MAUREEN HILYARD: Oh, [inaudible].

MIKE SILBER: —reference that language about striving as well.

MAUREEN HILYARD: Yeah. And that sort of includes something a little along the lines of what Steve was suggesting in his statement as well. So that would be great. Thanks.

JULIE HEDLUND: Thank you, Maureen. Thank you, Mike. Very helpful.

MIKE SILBER: And to Kristy's comment, we maybe want to wordsmith, slightly, the language. "Minimum" is maybe the incorrect word. But I think, Kristy, the point that I think the working group wants to make is, we should be striving. And, yes, 10 or 0.5% will be success, but we should strive to actually achieve ultimate success.

KRISTY BUCKLEY: Fully agree. That's excellent. Thank you.

JULIE HEDLUND: Thanks, Mike. Thanks, Maureen. Thanks, Kristy. Yes, we'll finalize that language. Right now, though, we're noting that the sentence should end at "ICANN should strive to exceed this minimum." Period. And we're taking out "by adopting a stretch target in order to achieve the aim of facilitating geographic diversification within the New gTLD Program." So noted for the record. Thank you for that.

Anything else on this recommendation, Recommendation 5?

MIKE SILBER: I'm not seeing any hands. I'm not seeing any comments. I think we can move on.

JULIE HEDLUND: Very good. So just one point, and then we can finish up early and then vote, the next call, to going over the Final Report text.

But we talked earlier about recommendation with respect to interdependencies between Recommendations 7, 8, and 9. And

we'll just note that staff was consulting in the background and thinking that perhaps this text might be better captured as Implementation Guidance because it does relate specifically to implementation. And I was just going to bring up—

Steve, you have a hand up. Please go ahead.

STEVE CHAN:

This is Steve from staff. I'm taking notes, and I cannot multitask very well. What I would note is the acknowledgement—or, I guess, the confirmation that recommendations are considered as interdependent oftentimes will come in introductory or preamble language. And this is in the case when all the recommendations in an entire report are considered interdependent.

So it doesn't usually get captured as a recommendation or implementation guidance or anything of the sort. It's just intended to be a way that the Council, the Board, and then also during implementation, how they should be considered. So in that respect, I would actually just dial it back and say I don't think we need it as a recommendation or implementation guidance. It's actually just context captured essentially as introductory language to Recommendations 7, 8, and 9.

So, Julie and I, if that all sounds right, can collaborate in the background and try to find the appropriate home for that language about them being interdependent. Thanks.

JULIE HEDLUND:

Thanks, Steve.

MIKE SILBER: Good point, Steve.

JULIE HEDLUND: Yes. That's much clearer than what I was trying to express.

MIKE SILBER: I'm very happy that you wordsmith in the background, and then we have a document before the next call that we can actually look at and see how it hangs together.

JULIE HEDLUND: And we shall make sure that the working group has that to review. Thank you, Mike.

So that was all the items we had teed up for today, given that the Final Report language will be affected by the discussions we had today. So we'll make sure that's reflected in deliberations and rationale and so forth.

And Leon is asking in the chat, "Just to be clear, this language will still stand out as a clear commitment to 7, 8, and 9?"

Yes. I think that's our intent, Leon, that that would be, I think, [inaudible] specific preamble to those recommendations that would be called out.

Isn't that right, Steve?

STEVE CHAN: Yes, indeed. Thanks.

JULIE HEDLUND: Thanks. So that was all we had. That means, I think, Mike, unless others have something they want to discuss, we can finish close to 60 minutes of time.

MIKE SILBER: Thank you, Julie. Thank you, Steve. And thank you, Leon and Kristy, for your interventions as well.

Let's just check if there's anybody who has anything else that they would like to raise or discuss. We can certainly look at it. We do still have time on the schedule. But I do take Julie's comments. Looking at finalized wording seems a little pointless when we haven't had the chance to actually go through that. So let's just see if there is anybody who wants to go back to any sections, if there's any AOB.

And not seeing any hands or comments, I'm then going to call it. You have a few fleeting seconds. In which case, Devan, thank you. We can stop the recording. Thank you, everybody, and looking forward to speaking to you next week.

JULIE HEDLUND: Thank you so much, Mike, and for very ably chairing the call today. Thank you all for joining. This meeting is adjourned.

[END OF TRANSCRIPTION]

