

YEŞİM NAZLAR:

Good morning, good afternoon and good evening to everyone. Welcome to the At-Large Consolidated Policy Working Group call taking place on Wednesday 28th August 2019 at 13:00 UTC. On our call today, we have Olivier Crépin-Leblond, Jonathan Zuck, Cheryl Langdon-Orr, Kaili Kan, Abdulkarim Oloyede, Glenn McKnight, Gordon Chillcott, Joel Thayer, Roberto Gaetano, Alan Greenberg, Herb Waye, Isaac Maposa, Yrjö Lansipuro, Holly Raiche, Marita Moll, Avri Doria, Amrita Choudhury, as well as Tijani Ben Jemaa and Justine Chew.

On the Spanish channel, currently, we don't have anyone. We have received apologies from Greg Shatan, Maureen Hilyard, Alberto Soto and Vanda Scartezini. From staff side, we have Heidi Ullrich, Evin Erdoğan, and myself, Yeşim Nazlar. Our Spanish interpreters for today's call are Marina and David. Just a kind reminder to please state your names before speaking, not only for the transcription but also for the interpretation purposes as well, please. And now, I would like to leave the floor back to you, Olivier. Thank you very much.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much, Yeşim. Welcome, everybody. This is another one of these calls which has a lot of different topics. Today, we'll be having an update from the ePDP Phase 2, then we'll have a quick update on the Subsequent Procedures. I note here, 'one minute'. I'm not sure if Justine will be able to do something in one minute, but we'll see. Most of the time we'll use today will be on the ALAC/GAC policy cooperation.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

Welcome to Yrjö Lansipuro, who is the ALAC liaison for the GAC. He'll be taking us through some slides and a discussion as to the way forward with the policy issues that we are most interested in discussing with the GAC. Then, Jonathan will take us, as a follow-up on the CPWG charter, and the ideal process, again asking for people to provide their comments by going directly to the Google Doc that is linked to our agenda, and then we'll continue with the policy updates. There's not very much going on in the policy updates, but that's the agenda for today. Do we have any other added topics or amendments to be made to the agenda at this point in time?

I'm not seeing any hands up. I do know of one thing. There was a discussion regarding the ATRT3, Accountability and Transparency Review Team 3, and it was consciously decided to keep this off this Working Group, since it's for the ALAC itself to respond on the one hand, and for RALOs also to respond on the other. The coordination for the input into ATRT3 is consciously not part of this Consolidated Policy Working Group. Now, let's move, then, to the action items which we have from the last ...

SÉBASTIEN BACHOLLET: Olivier, if I may.

OLIVIER CRÉPIN-LEBLOND: Okay, Sébastien. I didn't see your hand up, so, Sébastien Bachollet.

SÉBASTIEN BACHOLLET: No, you can't. Sorry, you can't see my hand up because I am just on the phone.

OLIVIER CRÉPIN-LEBLOND: Ah, okay.

SÉBASTIEN BACHOLLET: I understand very well why ATRT3 and the survey are to be done by ALAC, but I think it's also important if the RALO, and eventually the ALS respond, also, to the survey. It's not just a survey for the main bodies, it's a larger survey. I would like to raise an Any Other Business discussion about the comment period, and how the comments are organized. It's a topic we touched just now today in our ATRT3 ... It's not because it's on ATRT3, but I think our group may have some thoughts about that, and if we can do one minute during the Any Other Business, it would be great. Thank you very much.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks for that, Sébastien. We'll add this to the Any Other Business at the end of this call. Let's now go to our next agenda topic, and that's the action items from our last call. There were a number of them. The first one was Jonathan, Justine and Evin to follow up on the questions on SubPro Working Group arising from the ALAC statement at the initial report of SubPro summary, section ... Blah, blah, blah. I think we'll follow this up when we're in the Subsequent Procedures section on this call, today.

The next one is for Olivier to work with Evin, if necessary, on a response to SAC105, and I'll be addressing this shortly, during our policy discussions. Justine requested forming a subgroup to help answer the

SubPro questions. Maybe we can also discuss this during the SubPro discussion on today's call.

I would suggest that we move straight on to the next agenda item, and that takes us to the ePDP Phase 2 update. I'm not sure who will take this. I see that Alan Greenberg is here. I'm not seeing Hadia, so perhaps it's over to Alan Greenberg.

ALAN GREENBERG:

Yes, thank you very much. Not a lot to report, again. We're still doing case studies. We're scheduled to do the final reading of the ALAC case study that's being discussed at our meeting tomorrow, and that's where we sit. The first draft of the final report, which is essentially just an outline, has been published, and we'll be starting to talk about that, but that will be a main focus of the face-to-face meeting, not the teleconferences right now. That's all I have right now, and I'll give more time for the SubPro, because as Cheryl noted in the chat there is a SubPro meeting that's starting one hour into this call. That is 50 minutes from now, and many of us will be leaving for that.

OLIVIER CRÉPIN-LEBLOND:

Thanks very much, Alan. I'm not seeing any hands up, although I do have just one question. You mentioned that you will be going through the ALAC case study, and then be done with it. What do you mean by this? What happens with regards ... Go through the case study, and then 'deal with it'?

ALAN GREENBERG: I have no clue.

OLIVIER CRÉPIN-LEBLOND: Okay.

ALAN GREENBERG: It is not at all clear to me, and it's not unique with me, how going over these case studies in great detail is then going to allow us to create generalized rules. That is what we're doing. I cannot give you the exact pattern of how we get from point A to point B. There has been general agreement, or at least I think there's general agreement, based on a discussion that was held last meeting, that these use-cases will not be published in the final report. They are not part of the substance, they are working documents. Exactly how these working documents then transform or morph into generalized policy is an interesting question. I don't have the answer.

OLIVIER CRÉPIN-LEBLOND: Thanks for that, Alan. In the queue is Jonathan Zuck.

JONATHAN ZUCK: Thanks, Olivier. Alan, I guess it's just a quick question. How do you feel this particular case study is being received by others on the ePDP?

ALAN GREENBERG: It's being rejected out of hand as an invalid case study, and we're doing our best to fight back. I don't really understand the concept of what is an

invalid case study, because there's no doubt that consumers, users, may well, for an entity that they believe to be a legal person, a business, may well ask a question. You can't stop an individual from asking a question. I'm talking about in real life, after the ePDP dies.

I don't understand the concept of, what does it mean to be an invalid case study? We've acknowledged it's not one that's likely to be automatable. It is still subject to the discussion, which we haven't had in Phase 2 yet of, should we be making a legal versus natural distinction? At this point, the contracted parties, among others, are saying there is no way they can do that.

Given there's no way they can do that a priori, before the information is available, then it seems reasonable that people can look at a particular registration and say, "this seems to me like a natural person. I'm going to ask a question." The registrar may reject it out of hand, the registrar may, with reasonable diligence, look at it and say, "yes, that seems to be a legal person, I'll give you the information," so we can't predict what the registrar will do in any given case. But it seems like a reasonable thing that someone might ask, therefore I don't understand the concept of it being rejected as an invalid use case. That is, however, what is being said by some people.

JONATHAN ZUCK:

Interesting, okay. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Jonathan, and thanks for this question. Alan, I'm seeing ... Is this part of a bigger question that goes to the discussions that we're seeing about domain abuse and the argument from contracted parties that this should be called differently? It seems to be part of a bigger super-set of discussions which are going on at ICANN.

ALAN GREENBERG: Surely, there may be domain abuse that overlaps with this. I think our use case is primarily looking at the real use of a domain name, which happens to be used for commercial purposes, and trying to access the information of who is the owner of it. I don't think that necessarily implies abuse. There may well be some overlap, but I don't see it as the same issue.

Now, is there a pattern that contracted parties would prefer not to have any responsibility with regards to any of these things, because that lessens their work, and lessens their liability? Sure! That's normal for any human being, to try to minimize the impact of anything on them. Certainly, for any company that is looking at a bottom line in profit, you're looking to reduce what you have to do, if it's something you can avoid. But I don't think it implies abuse in this case.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks, Alan. My question was not regarding that. I wasn't implying that there was domain ...

ALAN GREENBERG: Sorry. Then try it again.

OLIVIER CRÉPIN-LEBLOND: I was implying that there's a current trend that we're seeing across ICANN, and across several discussions, towards taking away any responsibility from the ICANN contracts towards the way that domains are being used. In other words, domains only used for malware and whatever. And that includes arguments against the DAAR project, the Domain Anti-Abuse ... I can't remember the R.

ALAN GREENBERG: I think I did answer that. I think it's a natural reaction for people to want to minimize the work they have to do, and the costs they have to bear, and that doesn't mean that we should agree with it. The reason we have contracts, and things like the RAA, is to put responsibilities that ICANN believes are reasonable and in the public interest. Obviously, if the use case was not something that we thought was reasonable, we wouldn't have proposed it at all. The fact that some people are trying to minimize the efforts, or, in the case of non-commercial, NCSG believe that there should be privacy for all, regardless of whether you're a natural person or a legal person. Yes, that's their position, and not ours.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you for this, Alan. I'm not seeing any other hands up, so in the interest of giving enough time for Subsequent Procedures, let's move on. We can go to agenda item number four, and for this we have Justine Chew. I gather you're going to take more than one minute? I'm not quite sure how the one minute came up here. Maybe there should be another

digit after that, or maybe before that. In any case, over to you, Justine.
Thank you.

JUSTINE CHEW:

Thank you, Olivier. Actually, it was one minute. I purposely put it at one minute, because I didn't want to give the normal update that I have been doing, for two reasons. One was I wanted to give more time for the next agenda item, which I wanted to participate in before having to leave for the Work Track 5 call at the top of the hour. I need to leave earlier to prep for it, as well. Having said that, since you've put two of the action items from last week's call into my section, then I will take two minutes. I actually don't need to look at this page, per se. I actually need to look at the agenda.

Action items, yes. There were two action items that were related to SubPro. One was to do with the other outstanding question that was supposed to give a reply to SubPro. I was meant to take this offline with Jonathan, that's why it's still undone, or not complete, anyway. I actually have reached out to Jonathan, and I'm still waiting for his reply. Jonathan, I think we need to get onto this at some point in time. In terms of the second action item, which is a calling for interested, active SubPro members to help me with drafting some replies to the earlier set of questions that were posted by SubPro, I haven't gotten round to that yet, because I need to do some planning before I can structure an effective way of managing this small group of people. That's action item done.

In terms of 4.1 and 4.2, I have purposely just put it as 'for information', because, as I said earlier, I'm not going to go into the normal updates that

I've been doing. Just to say that in terms of closed generics, SubPro has set up a small group to take up discussions further, because there's an obvious split between groups who think that closed generics should not be allowed, which was the case in 2012, versus another group that believe that closed generics should be allowed, and another group that says closed generics could be allowed, subject to there being a code of practice, and it must be tied to an application that is for public benefit. There must be an angle to why it should be allowed, simply put. That discussion is being taken up by a small group, because they tried to attempt to see whether the parties can come to some compromise or not, in order to make a recommendation. Okay, so that's going on.

The second one, 4.2, IDNs. I didn't want to make a detailed update on IDNs because it's kind of a technical topic. I have actually circulated the update slides to the CPWG mailing list, and I've asked for the At-Large IDN Working Group, to see if they wanted to react to any of the outstanding comments on this topic. I think they're probably the party that's most equipped to answer some of these questions, if at all. Yes, that's it. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for these updates, and for the follow-up. Now, we have Jonathan Zuck in the queue.

JONATHAN ZUCK: Thanks, Olivier, and thanks Justine, and I'm sorry I missed your e-mail. I've been looking into it, and it's probably not fruitful to figure out who added it, necessarily. The example that came back to me from folks that

this was referring to actually was [inaudible] as an applicant, having had numerous UDRP losses related to trademark names, and things like that. I think this might have come out of the IP community, that was still allowed to have his application go through and just pay a fee, etc., to allow it.

But he probably shouldn't have been allowed to be an applicant, based on the rules that were set out in the Applicant Guidebook. I think that was one of the biggest examples that came back to me of this. I don't know if we want to go into that level of specificity in a written document, but we could certainly get back to Jeff or others with that example, if that's useful.

OLIVIER CRÉPIN-LEBLOND: Okay. Justine?

JUSTINE CHEW: Yes, I was just going to respond to say, yes, because Jeff, or SubPro, has actually asked us for specific examples, because the "inflammatory" sentence refers to more than one incident. So, there you go. Thanks.

JONATHAN ZUCK: Okay, I will get back to you offline, and we'll craft some kind of response. Sorry, I dropped the ball on getting back to you.

OLIVIER CRÉPIN-LEBLOND: Alright, well, thanks very much for this. Any other comments or questions from anyone? I am not seeing ... Oh no, there is Hadia Elminiawi. Welcome, Hadia.

HADIA ELMINIAWI: Thank you, Olivier, thank you, Justine. It's just a quick question. I wanted to ask Justine about the deadline for the feedback to the IDN. How and when is this feedback going to be incorporated into the work of the subgroup? Thank you.

OLIVIER CRÉPIN-LEBLOND: Justine?

JUSTINE CHEW: Thanks, Hadia, for your question. In terms of deadline, it kind of shifted because we were supposed to have started IDNs on the last call, but, as my latest e-mail to the list said, the last call was taken up entirely by something else; string similarity. We are not going to start IDNs until the next call, which is on Thursday. I think the date and the time is already in my e-mail, I can't remember exactly. I think it's Thursday evening, or Thursday afternoon, or something like that.

It depends on what crops up, in terms of discussions. If there's no feedback, or there's generally little feedback from the participants of SubPro, then it may only take less than one call. If there is feedback, and people need to discuss it, then it may cross over into another call, which would take place next week. At this point in time, I would say if you can come back quickly before the next call, which is on Thursday, that will be

great. Otherwise, I can still try to bring back feedback later on, it's just that we'll be out of sync in terms of discussing the topic. Thank you, Greg, for putting up the time and the date.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks very much for this. For those people who are just on the phone, the time and date is Thursday at 20:00 UTC. Thanks to Greg Shatan for mentioning this. I am not seeing anyone else on either the chat or in the list, so thanks for these updates Justine. I understand a number of people will be leaving this call at the top of the hour to join Work Track 5 [follow-up discussions on this.]

Let's go now to the ALAC/GAC policy cooperation. For this, we have our ALAC liaison to the GAC, Yrjö Lansipuro, with a presentation and a number of questions for us. Yrjö, you have the floor.

YRJÖ LANSIPURO: Thank you, Olivier. Yes, our ALAC/GAC cooperation has been pretty active since 2016. At every ICANN meeting, there has been a joint ALAC/GAC meeting. We have issued a couple of joint statements, and there's been actually concrete cooperation in capacity building. Now, we have been talking about cooperation on the policy issues, and this was a suggestion coming from the GAC. As you may remember from Marrakech, at this joint meeting between ALAC and GAC, the Chair of the GAC focus group on new gTLDs and Luisa Paez from Canada welcomed the ALAC representatives to attend the meeting for that focus group, but then ... Can I have the next slide? Is there a next slide? Yes.

There was a suggestion from my counterpart, the GAC liaison to the ALAC, Ana Neves, to enlarge this policy cooperation, and she proposes an intersessional call with the ALAC, with the interested people from ALAC, on whether ... Of course SubPro would be one item, certainly, but would there be other policy topics, policy issues, that we would like to discuss with the GAC? These are the questions on my mind. Apart from SubPro and maybe ePDP, where there has been good cooperation already between ALAC and GAC, are there other items, other issues, we would like to discuss with the GAC, and if so, how should we prepare for such discussions? Of course, the third question is, who would be willing to participate in that intersessional meeting, and who would like to be topics leads from our side for that meeting? Of course, this is all in preparation for ICANN66. I'll stop here and answer any questions if I can. Thank you.

YEŞİM NAZLAR:

Olivier, if you're speaking, you are muted.

OLIVIER CRÉPIN-LEBLOND:

I was indeed, yes, sorry. The questions are open. I still get caught out in this way. What policy issues are ALAC and At-Large interested in discussing with the GAC, and how should the ALAC/At-Large prepare for such discussions? Who wants to start?

KAILI KAN:

Kaili Kan.

OLIVIER CRÉPIN-LEBLOND: Thank you, Kaili. Just before you, Jonathan Zuck has put his hand up, so I'll attend to Jonathan Zuck, and then to Kaili afterwards. Jonathan, you have the floor.

JONATHAN ZUCK: Thanks, Olivier, and thanks Yrjö for working on this cooperation. I think it's a really important initiative. I know that one of the things we've discussed is the GeoNames issue, although we haven't really reached consensus inside the At-Large, and they haven't reached consensus inside the GAC on this GeoNames issue. It might be worth exploring with them what that overlap might be, the subset of issues that there is agreement on, and whether the default is going to be returned to the Applicant Guidebook as it stands, and would that so bad, etc. That might be to actually understand the stakes associated with the GeoNames issue, might be something worth discussing with them, even though we haven't reached consensus. That's to your topic, that might be worth coming up.

In terms of how we should prepare for such discussions, I'm a fan of getting our act together in advance, and coming to the table with things on which we have some consensus, because those are the things we are best able to advocate together with them. Right now, we have a three-way split between the sort of, "let all flowers bloom", "let governments and sovereignty rule the day," and "somehow letting communities have the most say." That's not a clear partnership with the GAC, but in terms of other discussions, we should also try to find some consensus so that we come to them with a unified front, is my opinion on the matter.

We could discuss the stakes around GeoNames, and leaving the Applicant Guidebook as it is without either one of us having reached consensus. I guess I propose that as a topic for discussion, thanks.

OLIVIER CRÉPIN-LEBLOND: Thanks for this. Yrjö, would you like to comment, or shall we just go through the queue and you can comment with everyone?

YRJÖ LANSIPURO: Yes, let's go further in the queue, and I'll comment at the end.

OLIVIER CRÉPIN-LEBLOND: Alright, thank you. Next in the queue ... And I understand that Kaili has just joined the call, so it might have been that Kaili did not want the floor?

KAILI KAN: [It dropped, so I took it back,] and I didn't want to say anything, so I'm listening. Thank you.

OLIVIER CRÉPIN-LEBLOND: Ok, thanks. Next is Marita Moll.

MARITA MOLL: Yes, I'm totally in favor of cooperation. I think there should be a lot more cooperation going on. We seem to be such an adversarial system, one group against the other. However, I see that we need to avoid the perception of being an arm of the GAC. I feel that, even in the discussions

in Work Track 5, I see that sometimes there's an insinuation that if you're speaking about citizen issues, you're speaking from the GAC point of view. Being very careful to make sure that we retain our identity and separateness in this kind of cooperation, in this context, is going to be pretty important, I think. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Marita. Next in the queue is Tijani Ben Jemaa.

TIJANI BEN JAMAA: Thank you very much, Olivier. This is not the first time we have cooperation with the GAC about policy issues, and before that, we had some cooperation, and we discussed, and we tried to have consensus on issues on which we had already closed point of view, or closed opinion. If we go through policy issues where we have divergence, what is important, or what is the result of such cooperation if we go through them? It will be nothing, it will be no result, and perhaps we will have less good relationship with them between us.

I think that the GeoNames is a very controversial topic, and even inside At-Large we don't have consensus so far. Trying to reach consensus with the governments who have political interest in these names, it is something that we will never reach, because we are here to avoid the political interest, and the commercial interests. We are for the global public interests. I don't think that is a good topic to have cooperation with them about it. We will not reach consensus, and we may have a big divergence. I think that, in the future, we try to address only the topics or the issues where we have already a close opinion between the GAC and

the ALAC. How to prepare for that? Of course, we have to have our position clear in our house, and then we can discuss with the GAC, perhaps in small groups, to prepare for the final decision. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Tijani. Let's continue going down the queue with Alan Greenberg, and then I'll give the floor to Yrjö to respond. Alan, you have the floor.

ALAN GREENBERG: Thank you very much. Look, there are going to be issues where we agree with them, there are going to be issue when we probably, on the average, strongly agree, and there are also going to be issues where At-Large is going to be divided, with some people agreeing with GAC and some people not. That's, I think, a reality that we can't deny. Should we explore things to try to find places where we have common interests, and can work together? Yes. Should we be in a mode where we're trying to convince them that we're right and they're wrong, or vice versa? No, because neither of us are likely to be successful, and it's not a good use of our time, I believe.

When our ideas do align, I don't believe we should shy away from saying we agree with them. I'm not sure what Marita was getting at, implying that we shouldn't speak with them. In the ePDP Phase 1, At-Large was accused ... And I'm saying literally, this was said out loud, that we are just acting at the voices of the intellectual property people, because, at times, we agreed with them. Well, we agreed with them not because they're protecting intellectual property, but because protection of intellectual

property is synonymous, in some cases, with fraud prevention, and that does matter to us. Yes, we may agree; we may agree for different reasons, but if we agree and we can work together, then I think we should.

We should enter this knowing that there are a lot of places where we simply disagree with them, or where we can't come to an agreement because we don't have agreement within ourselves, and that's fine. Those stay at the side, we don't have to highlight the differences, but we should be capitalizing on the benefits, and we shouldn't be afraid to be talking about those agreements where we have them. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Alan. I see more hands up, so let me give the floor to Yrjö Lansipuro to comment on what he's heard so far, and then we'll go through the next set of speakers in the queue. Yrjö, you have the floor.

YRJÖ LANSIPURO: Thank you, Olivier. I want to thank all who spoke so far, this has been a good discussion so far. I think that, both in this discussion and also in the chat, these two items for the ePDP and the SubPro came up as pretty much self-evident things that we could discuss. Also, there were, like Tijani warned us, controversial subjects, and difficult.

However, as Jonathan said, actually there's a question about whether the Applicant's Guidebook, 2012, should be the default or not. That's a question that actually is not ... Well, there are different opinions, but it could be a fruitful thing to discuss. So far, no new topics have come up in

this discussion, but perhaps we can start with the two that I mentioned, and then new topics will come up. I very much associate myself to what Alan said, that we should explore. That's really what we should do; we should explore and try to find areas where we can have common ground, not trying to convince anybody, and not assuming that we can achieve full consensus or unanimity with the GAC. Thank you, Olivier, and let's continue the discussion.

OLIVIER CRÉPIN-LEBLOND: Thank you, Yrjö. Next in the queue is Hadia Elminiawi.

HADIA ELMINIAWI: Thank you, Yrjö. Cooperation with the GAC is certainly not about our relationship with the GAC, but it is about the interests of the end users. The answer to "How and where can the interests of the end users benefit from this cooperation with the GAC" should inform us about which topics to embark on. I would say let's start from this point. Let's decide which topics would mostly benefit from such a cooperation. After defining these topics, then we can start looking on if we do have, actually, the same positions on these topics, or not, and those in which we have similar or close views that we can start working together on. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Hadia. Next in the queue is Justine Chew.

JUSTINE CHEW:

Thanks, Olivier. In terms of Subsequent Procedures alone, I am trying to track GAC's assessment of Subsequent Procedures as an area. I understand that GAC has run a call for a small Working Party. I can't remember the term that they used, but basically a small group of GAC members who would like to see where SubPro is heading towards, and see where they think the SubPro Working Group is failing in terms of addressing concerns. Of course, GAC itself, I don't think they have a consensus position, per se, and I think they're trying to ...

Yes, focus group, that's right, Yrjö, thank you. I think the purpose of the focus group is that you try to galvanize the whole of GAC to a consensus position, if they can achieve it, and I think that's what we are trying to do as well, in ALAC or in At-Large. Certainly, some of the topics that are high on their agenda, I think, would be things like global public interests, as well as safeguards, and safeguards meaning the areas to do with highly-regulated sectors, verified TLDs, registration restrictions, and DNS abuse.

If you remember, when I made a presentation on global public interests, I did say that there were, I think, six CCT recommendations that were tacked to global public interest, but I also hinted that I don't know whether SubPro has properly addressed the CCT recommendation. It's also tied to, "what are the replies that we are going to give SubPro in terms of when we say we won't support another round of Subsequent Procedures and another round of new gTLDs until the CCT recommendations are implemented." All of these are related issues, okay?

In terms of those two topics, global public interest and safeguards, that I mentioned, which are high on the agenda of GAC, I believe; certainly

those two topics are areas that we should be concerned about, and we can obviously work with GAC on a common position. In terms of something else outside of ePDP and SubPro, I wonder if a topic such as ... I don't know how to frame it, so I'm just going to say multi-stakeholderism, the survival of it within the ICANN context, whether that's something we can talk to GAC about. I'm just throwing it out there. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Justine. Going down the queue, next is Marita Moll.

MARITA MOLL: Okay, thanks, Olivier. I agree with Alan, of course, that we need to continue to explore this stuff, and I wasn't trying to suggest that we don't. I'd like to avoid the perceptions that are sometimes thrown our way, that we're not working in the individual users' interests, we're just working for governments. We'd like to be able to say, "Oh, well we tried also cooperating with NCSG, for example, and we do that as well." With the multi-stakeholder [style] that Justine is mentioning, there's a possibility there. I think SubPro is probably not a great place to try that. I think we need to look at it in more than one way. I know we're already talking about ALAC/GAC policy here, but we need to keep in mind the fact that we also need to try cooperating with NCSG, as I mentioned. Thank you.

OLIVIER CRÉPIN-LEBLOND: Alright, thanks for this, Marita. Next is Alan Greenberg, and then we'll go back to Yrjö. Alan, you have the floor.

ALAN GREENBERG: Thank you. With regard to that last comment, just a bit of history. We have, a number of times over the years, attempted to cooperate with NCSG to try to find common ground. Even when we had some common ground, there tended to be a reluctance of NCSG, or NCUC before that, to accept the way we wanted to word things. That is, it was their way or the highway, typically. The result has been in many cases we don't agree, but even when we do agree we have not necessarily been able to find a common way of stating it. I would welcome cooperation where we actually are visibly doing something. It hasn't been successful in the past, but I welcome Marita to try to find areas like that, and succeed at it. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Alan. Let's go to Yrjö Lansipuro.

YRJÖ LANSIPURO: Thank you, Olivier. I want to thank everybody who took part in this discussion. It seems so many people are leaving pretty soon to the Work Track 5. I'm not trying to make a great summary of everything that was said, but I'll do that to the list. Basically, trying to write a brief for our contacts on this matter with the GAC. I'm glad that, in this discussion, nobody was dead set against talking to the GAC. To the contrary, I think that people are positive on this. I'll come back with a proposal to the list. You can comment, and if that's acceptable to the CPWG, then I'll contact my counterpart, and we'll try to set up this intersessional meeting. Thank you, Olivier.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Yrjö. Let's now move on to our next agenda item, and that's the CPWG charter and the ideal process, with Jonathan Zuck.

JONATHAN ZUCK: Hey, folks. This is a PowerPoint that's been converted lovingly by Evin to a Google Doc, to make it easier to comment on. If you have comments on it, please do them in the next couple of days, because we're going to be trying to work with ICANN staff to turn things into a more polished diagram than I was able to pull off. There have been a few comments clarifying that the slide after the pyramid was a slice from the funnel, and things like that.

For the most part, people seem supportive of what we're doing there. I would ask everyone to take a quick read through that document, and make comments on it in case there's something with which you disagree. As things start to harden over time, it'll become part of the work I'm doing with Joanna, both on the issue of what are end users, and the other thing on the [class] on how to get engaged in policy. Both of those things are topics that fall out of this effort that came up specifically as a desire for a charter.

We're starting to get some comments. Please, if you haven't had a chance to take a look at this, please do in the next couple of days. I'll probably try to take the weekend to clean it up, and I would love everyone's feedback. Alright? That's really it. I've already presented this on the call, of the PowerPoint, this is just to make it easier to comment. If you have any questions, I'm happy to take them. If there's anything you think is

worth discussing on this call, please raise your hand, and we'll take those discussion items on as well. Thanks. Tijani, go ahead.

TIJANI BEN JAMAA: Thank you, Jonathan. Thank you for this effort, and I love at least the presentation of the work. I would like to comment on the image you put where the end user is pulled from several parties, and I can remark that you put, at the same level, the governments and the [Klingons. Just a joke, thank you.

JONATHAN ZUCK: Thanks. I guess that was just an unhappy coincidence, Tijani, but thanks for listening.

TIJANI BEN JAMAA: I know, it's a joke.

JONATHAN ZUCK: Holly, go ahead.

HOLLY RAICHE: Maybe the next page, please? There was one that I kind of thought I wasn't sure where it comes from. Okay. No, Jonathan, I can't find it, so I'll go back and look. There was one thing that just looked a little bit strange to me, that I just noticed now. I'll go back in the document and comment, okay?

JONATHAN ZUCK: Sure. Now that we're looking at this particular slide, there was apparently some confusion associated with this part. This slide here is a break-out from the slice of the funnel that was about position development, on the funnel diagram. This is like a break-out, and we'll figure out some way to represent that, but this is just a part of that. It's one of the layers in the funnel document.

HOLLY RAICHE: Thinking about what I saw – and I'll hunt it down in the page – the way the diagram read, it looked as if we came to a position and then had a discussion, and I don't think you meant that. I'll go through the document again.

JONATHAN ZUCK: Thanks, Holly. These are areas I would love feedback, but I guess the flow that I'm proposing is that we identify a couple of people that want to take this topic on, they go read the relevant documents, etc., and they come back and make a presentation of what they believe our position should be, and that leads to a discussion. It's not a question of, the CPWG as a whole reaching ... It's about somebody proposing one. That's in the next diagram. I'm sorry, [inaudible] the slides. The slide after this, the "develop position action," is the one where this comes up. Keep going.

HOLLY RAICHE: The other question I have is, where does it fit that we say people should participate in the Working Group? Where does that fit? We've said,

several times, participation in the Working Group means that you're part of the development of the policy, and it's so much easier to actually influence outcomes there. I don't know where that actually fits in the chart.

JONATHAN ZUCK:

Definitely, thanks, Holly. That is meant to be one of the points of the process, that's why this is meant to ... We talked about it in a couple of different places, like "What is policy?", etc. That's why the process that I discuss here is position development, the idea being that our job in the CPWG is to try to reach consensus on the At-Large position on a particular topic.

There are multiple ways that that position, then, is evangelized within the ICANN community, one of which is work groups. Another might be cross-community working groups. Another might be review teams, and another might be commenting, and then finally another might be doing advice, right? There's a number of different outlets, if you will, for evangelizing the position, once we've formed it. That's the idea, that our job really is to work on forming positions and act as a feeder for all of these different avenues for then participating in the policy process within ICANN.

HOLLY RAICHE:

Okay. My only comment on that is, having sat through more than one working group in my life, very often policy issues arise as part of a working group discussion. You don't know from day one what the issues are going to be. At some point, you may be on a working group and suddenly, if

something comes up, you haven't got a policy on it, and you'll have to take it back and develop a policy. So, maybe ...

JONATHAN ZUCK:

Exactly. The top of the pyramid is all the ways that things can find their way into the funnel, one of which is individuals saying that something has come up. I can provide some more explanation or prose around that, but that was the idea; come to us with an issue. I feel like these presentations by Hadia and Alan have been a good example of this, where they're sharing what's going on in the process, and when there's questions that they want support or resolution of from CPWG, they bring them up on this call, and then they take those things back into the work group. I think that's been a good example of that particular flow that you're describing, actually.

HOLLY RAICHE:

Okay, good, fine. If it's clear, maybe a little bit of prose around that, making it clear, because I've forgotten the slide, but it wasn't clear to me. I think that that's really an important way to flesh out what it is that we think on issues, as they arise.

JONATHAN ZUCK:

You're right. This is just the slides, and not the talking I did around them. I guess I should probably do some prose around these diagrams, so thanks for that, Holly.

HOLLY RAICHE:

Thanks.

JONATHAN ZUCK:

I see no more hands, so I'll just repeat my request to go back and look at this Google Doc in the next couple of days, and then I'll try to incorporate all of the things that have come up, and we'll recirculate it and then try to turn it into something prettier than I came up with in time for Montreal, and for the other documents that we're working on.

OLIVIER CRÉPIN-LEBLOND:

Okay, Jonathan, thank you for this. Now we can go to the policy comment updates, and that's back to you and to Evin Erdoğan.

EVIN ERDOĞDU:

Thanks, Olivier. There were no recently ratified statements by the ALAC within the past week, but a new public comment has come out for decision just yesterday, and that is one I'm sure the group will be interested in commenting on. It's next steps to improve the effectiveness of ICANN's multi-stakeholder model, and this closes on 14th October. In addition to that, as we discussed already on this call, there were some updates with SubPro, and also SAC105. Back to you Jonathan and Olivier, thank you.

OLIVIER CRÉPIN-LEBLOND:

Thanks very much. Jonathan?

JONATHAN ZUCK:

I was just going to say, do we want to identify some champions internally on the multi-stakeholder model comment that's come up? Do we have some volunteers for carrying the ball on that? Looks like we still have Marita, that's excellent. Let's just say Marita is the owner of this topic, and so if you are interested in participating in this, then reach out to staff and Marita, and I'll talk to Marita offline about next steps vis a vis the CPWG. Thanks. Back to you, Olivier.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much, Jonathan. I was just going to comment on the SAC105 comment. I've added a little note in there which effectively says that the matter of SAC105 was discussed with the ALAC on its call yesterday. I gave a brief summary of what the contents of SAC105 were. I gave you a summary last week, and it was felt that the ALAC did not need to comment on this topic. In fact, Andrei Kolesniskov, the ALAC liaison to the SSAC, mentioned that this was purely informational, and it was more like letting people know about IoT and the topic, rather than asking for some feedback.

The proposal that I have is perhaps to ask if the ALAC Chair could just send a note to the SSAC Chair, congratulating the SSAC for its excellent document, and also to take note that the SSAC ... This is not to be [transmitted,] but just internally, the SSAC should bear in mind the existence of this document so that they can use it in any input for future ICANN strategic planning sessions. That's the gist of it.

Okay, I see no other hands up on this topic, so let's move to Any Other Business. Sébastien Bachollet wanted to touch on ... Sébastien? Do we

still have Sébastien, or has he moved to Work Track 5 as well? Subsequent Procedures?

CHERYL LANGDON-ORR: He's only on audio, he may take a moment to come in off mute.

OLIVIER CRÉPIN-LEBLOND: That's correct, yes. That's why I'm waiting.

YEŞİM NAZLAR: Sébastien? You should be able to speak, you're unmuted.

OLIVIER CRÉPIN-LEBLOND: In the meantime, I note a note from Marita Moll in the chat that she's leaving for the CPWG. I find it very hard to believe, because she is in the CPWG call. I'm only being cheeky here. I think we might have lost Sébastien.

SÉBASTIEN BACHOLLET: No, I am here. I am sorry.

OLIVIER CRÉPIN-LEBLOND: Oh, you're back, okay.

SÉBASTIEN BACHOLLET: Does it sound okay, or not so bad?

OLIVIER CRÉPIN-LEBLOND: No, you sound fine, welcome.

SÉBASTIEN BACHOLLET: Thank you. We had an ATRT3 call this morning, or this afternoon, whatever, just before the CPWG, and one of the topics was about how the comments periods are organized, and how the comments are requested, what is the goal, and so on and so forth. One of the topics I read, and I would like to have the input of the participants of the CPWG and At-Large in general – and I'm sorry to go back to some history. A few years ago, we worked on a new public comment period with two periods. The first one was supposed to be for the first answer, the second was to answer the answer. [inaudible] the first period for first comment, and the second period was to be for the [inaudible]. Strange noise.

OLIVIER CRÉPIN-LEBLOND: Somebody has ... Yes, go ahead.

SÉBASTIEN BACHOLLET: The team within ICANN staff who is working on the evolution of the comments, and then how it will be organized, which tool will be used, and so on and so forth. It seems that the question of having a period to put the comments, and having a period to put answer ... This way, it was organized, or dreamed at that time. We didn't succeed because, in fact, within 40 days a lot of bodies like ALAC will take the 40 days, and finally publish something at the end of the second phase of the comment period, and it didn't work.

With the current tool, it's not possible, and it seems to me that it could be interesting to keep the idea, and to see if there are tools that can help us if somebody is doing a comment, or ... Sorry, giving a comment on a document, we can start a discussion with that. It's happened that we have the discussion somewhere else; in another mailing list, in another place. Therefore, my question, and we don't need to answer it now, but I would like to have your input on that, if you are ... What do you think about that? Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for that, Sébastien. Cheryl Langdon-Orr has put her hand up.

CHERYL LANGDON-ORR: Thank you very much, Olivier. Yes, the comment, reply, comment proposal, I was actually the pen holder on the three-person team out of ATRT1 who came up with this concept, so I was quite wedded to it for many years, I thought it should work very well. It was poorly executed, and even less popular with the wider group of ICANN community that we thought it possibly could be. It was a great disappointment that it did not work, and it did not work. If it was going to be revisited, it wasn't the fault of the tool, because we actually tried a few tools, in the post-ATRT1 days, anyway. ATRT2 looked at it and decided that it certainly was not worthwhile keeping in concept, and so ATRT3 is looking yet again. If the CPWG is functioning, of course, then I guess it could take the time and energy to consider whether it would like to interact in a reply comment modality that was originally envisaged.

A couple of things have changed since those earlier days, and here we're talking circa 10 years ago. We now have more webinars, we now have high-interest topics, we now have some other opportunities for the different parts of ICANN, which were far more isolated, to interact with each other, and I guess if we can't get the comment, reply, comment system working, if that was so desirable, then we certainly should be looking at strengthening our engagement and opportunity to engage with other parts of the community in other ways.

Just to embellish the history, and give you an idea of what the intent was, even though it did not end up being that way in the reply comment, of course, the very few times that reply comments were received, unfortunately, a number of people then brought in new material, and so it ended up being an extension to the public comment period, rather than the opportunity for clarifying questions, debate and discussion that it was originally envisaged to be. Whilst we've got this topic open, if the CPWG has any words of wisdom or excellent ideas on how the public comment process could be improved, please do share it with Sébastien, and Vanda, and Daniel and myself, and we can also feed it into the current discussions [in] the ATRT2 on public input into our policy development processes. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Cheryl. I'm not seeing any other hands up. I was just going to mention regarding the public comments, since we all have been following the processes for so long. There has been great improvement over the years. I guess one of the questions is whether the

rules are always followed. There were a number of the rules, like a moratorium on closing the public comments during ICANN meetings, etc.

I'm not sure whether there's any feedback loop regarding this, whether there has been any statistics that are published regarding public comments. Not just about the number of responses, but the ones that took place over ICANN meetings, etc. I'm not quite sure how to word this, but I think you get the idea.

CHERYL LANGDON-ORR: I gather, Olivier, you mean the extended ones, the ones that last longer because they are bridging across the time that an ICANN face-to-face meeting ... Is that what you're referring to?

OLIVIER CRÉPIN-LEBLOND: That's correct, yes. For those people who weren't around a few years ago, back in prehistoric times, there used to be public comments that sometimes landed in the middle of an ICANN meeting, which was very terrible for everyone. You either finished and submitted the public comment before the ICANN meeting started, or you pretty much missed the deadline, because everyone was just so busy during the ICANN meeting that it was pretty much impossible to file the final thing on the very last day, and have a vote, etc. They've kind of cleared this now, and said, "well, we'll extend it until after the ICANN meeting," and they introduced a whole number of things to make it easier, especially for SOs and ACs to do their input, because it was not just a problem with At-Large, but with everyone else.

CHERYL LANGDON-ORR: Indeed, and thank you for reminding us all of that. ATRT3 will pay particular attention to that, as well. One of the things we learned in today's ATRT3 briefing was just a little bit surprising to me, and that was that over a number of years, and it looked to be about five or six years, if not a little longer, a 10% decline, that is, less public comments were happening, and that data capture ended. The data was up until, I believe, 2017. That, I find quite astonishing.

I'll be very keen to see if the 2018 and 2019-through 2021 period is the same, because to me it feels like we've got plenty of public comments coming at us, in short order, quite often. The point was made during the call that that 10% down each year may have actually been a product of what was going on with the bandwidth available from volunteers with the cross-community working groups on both IANA transition and accountability work streams one and two.

There certainly is a lot of very interesting work going on, and it might also behoove this group, once the next phase of work is ready, to have a briefing from the public comment team. Certainly, it was well worthwhile from our perspective.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks very much for this. I'm not seeing any hands up, so it appears that there's no further business. Our call next week: I'm told that our rotating time, which would be the time of 19:00 UTC, would actually conflict with an AFRALO monthly call, in which case we are going to have to stick to the 13:00 UTC again next week. That's where we are,

13:00 UTC, next Wednesday. Thanks, everyone, for being on this call. I'm not seeing any further hands. Jonathan, is there anything else on your side that you'd like to add?

JONATHAN ZUCK: Nope, nothing but my thanks that we handled that last topic so efficiently, thank you.

JUDITH HELLERSTEIN: Olivier?

OLIVIER CRÉPIN-LEBLOND: Yes, Judith? Judith Hellerstein.

JUDITH HELLERSTEIN: Yeşim will be sending everyone a survey after the call talking about the RTT feature, and how well you liked it, and what feedback you could be giving. We hope people can respond.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Judith, for mentioning this. The RTT being, of course, Real-Time Transcription text, a very interesting feature, and very helpful, too. But of course, I'm not biased. Anyway, thanks for this, and look out in your mailbox for the RTT survey. It's just one page, it's five questions. You can answer it really quickly, and we'd like to find out if this has been helpful for everyone here. Thanks, everybody. Have a very good morning, afternoon, evening or night! This call is now ended, bye-bye.

YEŞİM NAZLAR: Thank you for joining today's call, this meeting is now ended. Have a lovely rest of the day, bye-bye.

[END OF TRANSCRIPTION]