YEŞIM NAZLAR:	Good morning, good afternoon, and good evening to everyone. Welcome to the At-Large Consolidated Policy Working Group call taking place on Wednesday, 20th of January, 2021 at 13:00 UTC. We will not be doing a roll call due to the increased number of attendees as well as for the sake of time.

However, all attendees, both on the Zoom Rooms and on the phone bridge, will be recorded after the call. We have received apologies from Bill Jouris, Alberto Soto, and Roberto Gaetano has informed us that he will be joining slightly late.

From staff side, we have Evin Erdoğdu and myself, Yeşim Nazlar present on today's call and Heidi Ullrich has also joined our call from staff. As you know, we have Spanish and French interpretation. And our Spanish interpreters are Claudia and David and French interpreters are Claire and Jacques.

As usual, we'll also have real-time transcription service provided on today's calls and I'm just sharing the link with you here on Zoom chat. Please do check the service. And with this, I would like to remind everyone to please state your name before speaking, not only for the transcription but also for the interpretation purposes as well, please. And with this, I would like to leave the floor back over to you, Olivier. Thanks so much.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Yeşim. I think there's someone on the Adigo line that has not muted and we can hear some wind noise. But welcome everyone to this week's call which might be slightly shorter than usual because of the lightness of our agenda.

Then again, it might provide us with more time to discuss things in-depth. And we'll start with the At-Large priorities for 2021 and for the Consolidated Policy Working Group with Jonathan Zuck, who will be taking us through that.

Then we'll have the workgroup updates with a very short update from Hadia Elminiawi and Alan Greenberg on the expedited policy development process and also a brief update from Justine Chew on the subsequent procedures.

And unless there are other updates with other working groups, we have not listed them so far so I would ask for anyone who wishes to have other groups added to speak out when I ask for it. And then we'll have the policy comment updates, which will deal with a couple of policy comments that are currently in the pipeline. Any other business follows immediately after that. Are there any amendments or any additions to make to the agenda at this point in time?

JONATHAN ZUCK: Olivier, I don't think I have anything new to bring up on At-Large priorities. So, we can definitely shorten the call that way because I don't have additional slides or anything from last time. So, I think this will be just an ongoing effort on our part, not necessarily an ongoing discussion.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this, Jonathan. So, that will give us 20 minutes back or nearly. And I'm not seeing any other hands up so that's the agenda as it currently is on the screen and it might be shorter than we think and we can move swiftly to the action items from last week. And our action items are all completed. They all relate to the current processes in place including the statements that are being drafted and some internals.

There are a couple of notes there with Carlos Gutierrez, ALAC member from LACRALO with the IGO Intergovernmental Organization work team member, requested a discussion about the remit of CPWG and ICANN in terms of Internet content regulation.

Now, this is not an AOB on the call today. I'm not sure whether—well, we'll definitely have time to touch on this. I don't know whether Carlos will be okay with leading on that, bearing in mind he has mentioned he might have to leave after an hour. Carlos, what do you think? And you are muted at the moment. Have we lost him? Maybe we have. Okay.

YEŞIM NAZLAR: Hi, Olivier. Just checking with Adigo if he's muted from our side.

OLIVIER CRÉPIN-LEBLOND: He did speak earlier.

CARLOS RAUL GUTIERREZ: Can you hear me?

OLIVIER CRÉPIN-LEBLOND: Now we can hear you. Welcome.

CARLOS RAUL GUTIERREZ: Okay. Yes. Sorry. The wind was a northerly wind in Costa Rica. Yes. I have to leave at 8:00. Whatever I can do before that, I'm happy to do it. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay. We'll see if we have some time in any other business then. Okay. And then there's also with regards to the need to submit an ALAC statement on priority two policy recommendations. That's also in the pipeline. So, I'm not seeing any hands up. Let's then move swiftly to agenda item three which is Jonathan's item. Jonathan just mentioned briefly that there wasn't very much else to add. Shall we just move on, Jonathan?

JONATHAN ZUCK: Yeah, I think so. Thanks.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this. Yeah, the At-Large priorities are still in the process. You will notice there is a link to the At-Large priorities page so please have a look at this and we'll be able to have a more extensive discussion in the future. Now, the Work Group updates and we'll start

with the expedited PDP with Hadia Elminiawi and Alan Greenberg. And we'll start with Alan. Go ahead, Alan. You have the floor.

ALAN GREENBERG:

Thank you very much. I have very little to report. There's been one meeting this year. I unfortunately missed that meeting but it wasn't a very onerous meeting. And in most terms, we have a bit of a homework to review of some new, small documents that staff created.

And I think this week is going to be the one that will hopefully kick off the real discussion. That's about all I have to report. Hadia may have something new. One item that did come up is that the, one of the representatives from the SSAC unfortunately died just a couple of weeks ago.

It's Ben Butler, quite young and not quite sure how they're reacting to that. And I presume he'll be replaced with someone but rather sudden and unfortunate news. But I have nothing else really to report on the substance. There is an item later on, on the operational design phase that's associated with the phase two recommendations and I'll talk about that when that one comes up. Thank you. I don't know if Hadia's on the call or if she has anything. Hadia is on the call, I see. Hadia, do you have anything to add?

HADIA ELMINIAWI:

Okay. So, apologies first because I joined late. So, I did actually hear what you said but there isn't much to add than what we had last time

because we didn't meet yet. And we are now still updating the Google Docs documents.

And again, we are discussing the legal questions in relation to Bird & Bird memos and also in relation to the legal and natural case study conducted by ICANN. And there's actually a webinar on that next Tuesday. It will explain more of the study which was conducted by ICANN.

We are also still discussing the legal questions in relation to feasibility of a unique contacts to have uniform e-mail addresses. So, there's not much to add from my side at least. Thank you.

ALAN GREENBERG: I will add that one of the things that staff has done is drawn up a list of definitions because one of my points has been continually that we're using terms like anonymized and uniform but haven't defined them. So, they created a Google Doc trying to define them and curiously in several cases, there were conflicts among the definitions. So, we still have a way to go to make sure that we're talking about the same thing. Thank you.

HADIA ELMINIAWI: We have been also discussing a lot the purpose of having those e-mail addresses, the anonymized or pseudonymized e-mail addresses. However, this is something we shouldn't be discussing because recommendation 13 from phase one actually established the fact that contracted parties would have a relaying e-mail or a web form.

So, actually the purpose has already been established so, yes, we do know that we need to have an e-mail address. It's just now we are discussing anonymized, pseudonymized and feasibility of having this. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this update, Hadia. Thank you, Alan. The floor is open for any comments or questions. And whilst people think about questions or comments on the process, you've mentioned the legal versus natural discussion. I understand that there is an ICANN study on legal versus natural. Is that correct, and is this already made available or not?

ALAN GREENBERG: There is some study. It was made available quite a long time ago and as Hadia mentioned, there's a webinar on it on Tuesday, I think. We should get that information distributed. It's not a very satisfactory paper in my mind.

OLIVIER CRÉPIN-LEBLOND: Does it mean that—because at some point there was some real pushback on even touching on legal versus natural from some members of the group, does this mean that it's widely accepted that this now needs to be discussed, or have opinions shifted?

ALAN GREENBERG: Well, it's 50% of the reason of phase 2A so it's going to be discussed. The contracted parties and NCSG largely believed it had been

sufficiently discussed and discarded. Some of us did not agree and thus we have phase 2A.

So, it will be discussed. Whether it will be resolved or not is a different matter. One of the reasons we have phase 2A is we did ask for an ICANN study on the feasibility of doing such a distinction and they came back with a study and we never looked at it. So, that's one of the reasons that we're in the place we are right now and we will look at it. We will discuss it and maybe we will do something.

OLIVIER CRÉPIN-LEBLOND: Okay. Hadia Elminiawi?

HADIA ELMINIAWI: So, there's also a webinar on the 27th of January. It's about ICANN perspectives on EU Digital Initiatives and it will discuss the Digital Services Act, the European Union initiative including the Digital Services Act, the Digital Market Act and Network and Information Security Directive and EU Cyber Security Strategy. I will post the link in the chat.

OLIVIER CRÉPIN-LEBLOND: That's great. Thank you very much for this announcement.

HADIA ELMINIAWI: Yeah. In addition, of course, to the webinar which is on Tuesday—I will look for the link—which is about the ICANN study.

OLIVIER CRÉPIN-LEBLOND: Fantastic. Thank you very much, Hadia for this. Certainly something which I think our community is [positively] interested in. And I hope that there'll be plenty of people attending this webinar and reading the study as well. I'm not seeing any other hands up for further updates. So, Alan, Hadia, anything else, or can we move on?

ALAN GREENBERG: I see Hadia has her hand up but I don't have anything else.

OLIVIER CRÉPIN-LEBLOND: The hand having come down, I—thank you. So, now we can go to our other work group update and that's to do with the subsequent procedures. For this, we'll have Justine Chew taking the floor now.

JUSTINE CHEW: Thank you, Olivier. In terms of subsequent procedures, well, I think most of you, if not many of you—not all of you would recall that the approach that we agreed to take in dealing with the concluding policy development process for subsequent procedures was to take a two-prong approach.

The first prong was to make a statement or submit a statement, an ALAC statement to be included into the subsequent procedures final report. Of course, antecedent to that, there was the release of the final consensus call designation on the 15th of Jan and link to that document is on the agenda page.

Basically, what happened was a couple of topics, the recommendations to a couple of topics were downgraded from full consensus to consensus because some people challenged the earlier designations. And basically saying—it amounted to basically one person saying that they didn't agree and therefore the full consensus definition was downgraded to consensus.

But in so far as the—I know designations is concerned, it didn't affect what we had in mind to put submissions into the ALAC statement for the final report. So, it did not change anything that we wanted to say in the draft that was sent to ALAC for ratification.

So, ALAC, I believe ratified and well, basically that particular statement that was ratified by ALAC has been submitted for inclusion in the final report and was submitted on the 18th of January when it was due. And the second prong for the approach that we agreed to was to craft ALAC advice to the ICANN board. And that's the one that we're looking at now.

Whoever's controlling the screen, could you click on the third link, bring up the Provision of ALAC Advice Google Doc, please. And while that's happening, basically the issues that we wanted to raise or the issues that we have raised in the ALAC statements that were submitted on the 18th of January is similar to what we want to put into an ALAC statement. So, you'll see that—okay.

Yeşim, can you click on the little icon on the left to show the menu? Yep. That's the one. Yep. Okay. So, from here, you'll see—because we've put

the two drafts in the same Google Doc so it's easy to just do a little comparison.

You'll see here that in the ALAC statement, we have included submissions for eight issues, right? So, these issues are represented also in the draft ALAC advice that we've crafted. But in addition to those eight issues, we think it's appropriate to also include a submission on name collisions as well as CCT recommendations into the ALAC advice.

So these are two additional inputs or areas that we've decided to put into the ALAC advice. Right. So, as it is, the draft is available for comment as you see in the Google Docs so if anybody has any comments, please feel free to add them.

But essentially, apart from the two additional areas, the ALAC statement is a little bit more brief, whereas the ALAC advice has a little bit more explanation or background because we are addressing that to the ICANN board per se. And the bylaw requires us to make sure that we have rationale behind our—whatever we put in our advice. So, that's the approach that we're taking anyway.

So, apart from inviting inputs from members of the CPWG, ALAC to this particular draft, we are also having a discussion with GAC in a few hours. We have a call between the SubPro leads and the leadership of ALAC and GAC to go through basically what was submitted in terms of the ALAC statement, as well as what we're planning to submit in the ALAC advice and to see if the GAC has got any response to that. Or they might have something that they would like us to consider including—I don't know, we'll have to see what happens at the call.

So, yeah, that's where we are at. There is no particular hard deadline for submission of this particular ALAC advice to the ICANN board. I'm looking at the GNSO Council meeting agenda. They have a meeting I think later this week but where they are just tabling for a briefing, the final report which includes everyone's minority statement including ours.

So, but it's not going to be decided upon by GNSO Council until the February meeting. So, in that sense, we still have time to settle our ALAC advice to our satisfaction. That's about it. Unless I have any questions to answer, I will hand the floor back to Olivier. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks so much, Justine. And there are two hands in the queue at the moment, two people in the queue. First is Cheryl Langdon-Orr.

CHERYL LANGDON-ORR: Thank you, Olivier and thank you, Justine. I just wanted to follow up on what Justine was saying to say that there will be a very brief introduction by Flip who is the GNSO liaison to the Subsequent Procedure Working Group. It's a formal role from GNSO Council and so we will probably spend about 20 minutes or so with him primarily but with Jeff and I there as coaches of the Subsequent Procedures PDP Working Group.

Although we both happen to be there in council anyway but our purpose at that stage will be as the leads to answer any basic and high-

level questions. I remind you all that GNSO Council meetings are available for anyone to join and observe and so you're welcome.

But also to say that on Thursday, the 28th of January at 20:00 UTC, for 90 minutes, Jeff, myself and Flip will be running a webinar for the GNSO Council on the Subsequent Procedures final report. And again, it's something that is open to observers. And if you want the details on that, you only have to visit the GNSO liaison reporting space and you can find all the necessary links and information. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Cheryl. Next in the queue is Alan Greenberg.

ALAN GREENBERG: Thank you. I just wanted to ask Justine a question. She mentioned a joint GAC meeting that normally I participate in and I don't see one on my agenda. Can you send me a link to it or something or other so if it's for a meeting I'm supposed to attend, I know about it?

JUSTINE CHEW: Sure. We'll do that.

CHERYL LANGDON-ORR: Actually, can I jump in on that as well? You also said the SubPro leads, I hope you're not referring to either Jeff or I but rather whoever is involved in leadership of the small team for the CPWG because I can

assure you that meeting isn't on either Jeff's or my calendar either. If we're expected to be there, you better tell us about it.

JUSTINE CHEW: No. It's the SubPro leads from GAC and ALAC.

CHERYL LANGDON-ORR: That's fine. That was what I assumed, but it wasn't clear in the way it came across.

ALAN GREENBERG: Marita says it's not on her list either.

OLIVIER CRÉPIN-LEBLOND: I don't see any other hand. Yeah, go ahead, Justine. You have the floor.

CHERYL LANGDON-ORR: And just on that, Justine. The confusion from my point of view is that Jeff and I—well, just that Jeff and I spend a great deal of time with the GAC and [their focus] group. So, it's easy to be confused. That's why I was asking for [inaudible].

OLIVIER CRÉPIN-LEBLOND: Justine Chew?

JUSTINE CHEW: Well, I think I've already answered the question so I don't know what else you want me to say.

OLIVIER CRÉPIN-LEBLOND: Okay. Next in the queue is Yrjö Lansipuro.

YRJÖ LANSIPURO: Well, mea culpa. It's my fault. I have been issuing these invitations to this meeting and I'm really sorry if I have not included everybody. This meeting, as everything, is of course totally open. And I asked the staff to send a wider invitation for the CPWG people. As Justine said, the purpose of this meeting with the GAC is simply to get the answers from the GAC to the brief from our side which Justine presented some time ago through the GAC. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Yrjö. Any other comments or questions? We look forward to seeing that invitation sent over to the CPWG mailing list. And I am not seeing any other hands up, so is there anything else?

ALAN GREENBERG: Olivier? Just for clarity, that wouldn't be the CPWG mailing list. That would be the group that's supporting Justine in the statements. The group that has been meeting with the GAC, not the CPWG.

OLIVIER CRÉPIN-LEBLOND: Okay. The follow-up group, yeah. Thank you. So, I was going to say the CPWG subgroup because it is a subgroup. Yrjö, your hand is still up. And I guess we can go back to Justine. Is there anything else that you'd like to update us on, Justine?

JUSTINE CHEW: Nope. I'm done.

OLIVIER CRÉPIN-LEBLOND: Fantastic. Thanks very much. And of course, as ever, thank you for your follow-up on this important topic. We now can move to the policy comment updates with Jonathan Zuck and Evin Erdoğdu, bearing in mind that some of the statements have already been somehow presented. But let's go over directly to agenda item five. Evin, you have the floor.

EVIN ERDOĞDU: Thanks so much, Olivier. So, you'll see on the agenda there that recently ratified by the ALAC as Justine just reviewed was the ALAC statement on the SubPro PDP Final Report. And you can see the final version on its workspace and on the At-Large website and ALAC advice on the topic and development.

There are also upcoming public comment proceedings. We're nearing the end of January but we expect that John Crain will visit the ALAC on either this month or next month, ALAC monthly call to discuss the domain abuse activity reporting 2.0, so stay tuned for that.

There are currently no public comments open for decision but there are current statements in development by the CPWG as was mentioned, the ALAC advice regarding subsequent procedures but also the operational design phase concept paper which is not an ICANN public comment.

But the ICANN CEO, Göran Marby has requested feedback from the community by this Friday and there is a draft ALAC statement which Alan and Hadia have drafted. So, I can turn it over to Alan and Hadia, if they would like to discuss this further or to Jonathan. Thank you so much.

JONATHAN ZUCK: Go ahead, Alan and Hadia.

ALAN GREENBERG: All right. I can start. I should note that I didn't realize Hadia was drafting it jointly with me so I did it alone. Hadia has since made a comment, which we need to resolve. Could we have the statement up on the list, please? On the document? It's posted on the Wiki. I suspect if you click on the link saying operational design phase, it might come up. Just scroll down to the statement submitted, you'll see a—just scroll down a little bit more. That's it. Okay.

Remember, the operational design phase is a new process—well, may not be a new process. It's a newly defined process by which the board for complex issues, before it can make a decision on whether to approve them or not, feels it needs to understand them more.

In the case of the SSAD which is what triggered this, the SSAD is a relatively complex design. The board at this point, we have no real idea of what the costs would be. No real idea of what the timing will be. No real idea of the implications of how much of the policy is implementable, how much is usable.

So, there's a lot of unknowns, so for them to simply say yes or no to it is not as simple answer. So, the ODP was a phase, a staff-led process by which the board can gain more understanding of—and guide them in their decision process.

The original paper came out, I guess, October last year. It included the concept of what was called a community design feedback group where subject matter experts from various communities could get together and be able to feedback information to ICANN Org about the various designs that were being put forward.

Essentially to say whether they met the needs, I guess. And we're implementing the policy reasonable. It's not an attempt to change the policy but to make sure that the design that the board approves will ultimately address the issues.

That was a paper which I never saw, to be honest, and if it came to the ALAC for comment, I missed it. So, whatever. The general feedback that was given by those who did comment on it was the design feedback group was far too complex. It was onerous, it would add a lot of time and complexities to process, which I generally agree with.

In place of it, staff suggested a liaison from the GNSO. During a webinar on this last week, that was possibly changed to multiple liaisons to make

sure the workload was not too heavy and to make sure that the subject areas were covered.

I find that problematic, very problematic because the original concept number one did insist that they were subject experts who were going to give the feedback, not essentially political appointees. And moreover, the groups that are involved in the case of SSAD, for instance, will include cybersecurity people, law enforcement, who aren't represented on the GNSO.

So, how could a GNSO liaison act like that? Moreover, the design feedback group had an obligation to closely liaison with the groups they were representing. And again, we have groups that are completely disconnected from the process.

So, this used to be a belief that since the GNSO wrote the policy recommendations, they should be the ones involved in deciding whether the implementation works. And that leaves out in this particular case, some of the prime users of the product so it just makes no sense. The comment basically says that.

Hadia had suggested another addition, and she rightly points out that the current design which has a GNSO liaison also has a feedback path from the GNSO Council itself, in addition to the liaison. And she's questioning, just how will that work? Why do we need both paths? It's almost a conflict of which one does staff listen to.

And that's a valid comment but it really is at odds with what the first part is saying because we're saying that you scrap the design feedback group and put in a liaison, that was a mistake. You really need more

robust feedback so I feel commenting on that specific thing, although it is true, really dilutes the original statement that we're trying to make.

And since we're likely to be the only ones making this, I really would like to think we need to keep this statement as strong as possible and not dilute it because ultimately, if there are multiple paths from the GNSO, fine, there are multiple paths from the GNSO. It's confusing, it may not be needed but it doesn't really address the issue or the lack of them address the issue that we're raising.

So, my suggestion is to keep it safe and simple and pointed. But I guess I'd like some input on this, and Hadia may want to speak and explain why she thinks it's necessary to include it. Hadia and I have not had a chance to talk about this so we've traded some e-mails that are visible on the Wiki but that's about all. Sorry, I've been occupied with a number of other things so this hasn't taken my prime focus right now. And I see Hadia's hand is up, and Marita. We either need Hadia or Olivier coming back in.

HADIA ELMINIAWI: Okay. I wasn't sure I should go first or Marita. Thank you, Alan. So, no, I'm not going actually to comment on my comment. Actually, I have no strong position, it's just I thought that there's—as you rightfully said, there's a confusion between those two [inaudible] conflict.

Yeah. I don't know actually why we do need those two paths. Anyway, my comment is in relation to what would be required from the council? And [feedback] would mainly be in relation to two things. One is in relation to the implementation itself and the other in relation to the

intent of the recommendations or the intent of the policy and clarifications in relation to the policy.

If we are talking purely about the implementation part, that for sure needs feedback from other parts of the community because you might argue that council is the only entity responsible for the policy and that could be correct.

But when we are talking about purely implementation, for sure you do need feedback from other elements of the community. When it comes to the policy itself, the intent of the recommendations or clarification in relation to policy, then I think this part correctly should be handled by the council.

And that's why I think—and as Alan mentioned, you need feedback from the council, for sure if you're talking purely policy. But if you're talking purely implementation, you do need feedback from other elements of the community as well. Thank you.

YEŞIM NAZLAR: Olivier, if you're speaking, you're on mute.

OLIVIER CRÉPIN-LEBLOND: I believe it's Jonathan who's running.

ALAN GREENBERG: I was speaking. I was responding to Hadia. Hadia's right that we certainly could add a sentence saying we're not suggesting no feedback

from the council because they do own the policy part of it, but we feel other levels of feedback are also necessary. So, a small change could be made from that point of view just to make sure—just to make it clear, we're not saying get rid of all GNSO feedback but it's not sufficient. The only other hand up I see is Marita right now and I don't know who's running this.

JONATHAN ZUCK: Marita, this is Jonathan. Go ahead, Marita.

MARITA MOLL: Okay. Hi. Thanks, Jonathan. I just wanted to throw in that I've been watching this go by and seen a lot of pushback from the GNSO on this. I understood it at the beginning as a way for management to look at extremely complex, proposed processes and try to get a fix on what it would cost to implement these things which they would have to—they need to do just as a fiduciary duty before they can vote on these things. So, the attempt was to get ahead of the game.

But in the context of ICANN, that looks pretty difficult to do. I thank Alan for actually jumping in on this because given the pushback on GNSO saying, "Hey, you can't tell us how this is going to go in advance of what we proposed."

I completely agree that there's going to have to be more input. It's just how it's going to go not if the GNSO [inaudible], we also want to be doing something or putting our voice in there as [inaudible]. It just

seems to have a strong [inaudible] without any advance warning. [Inaudible]. Hello? Is anyone moderating?

JONATHAN ZUCK: Yeah, it's Jonathan. Alan, go ahead.

ALAN GREENBERG: Thank you very much. Well, I'm not sure it was—there was no notice given. As I said, I wasn't aware of the first operational design phase concept paper. I'm presuming I just missed that somehow. In any case, we are where we are right now.

At this point, I suspect what we say is going to get ignored and I suspect we will then have to write advice to the board pointing out that we think that the proposal is flawed as it's currently being managed by staff.

But I may be wrong and maybe they won't ignore us. We'll see. I have a question. Justine put a comment in and she echoed it in the chat here. I read that comment as reaffirming that she supported what was being said, not that she was suggesting that the text be altered.

And if I could ask Justine which your intent was so I make sure that we don't ignore you. You made a rather astute comment that there's a precedent being set here because there's a good chance an operational design phase may be suggested for the SubPro as well.

But I don't think our comment is—I think it's quite appropriate to that use of the OPD as well and I don't think it alters the text but maybe I'm

missing something. So, Justine, if you could respond here or just respond in the e-mail, whichever. We don't have a lot of time before we get this to the ALAC.

JUSTINE CHEW: Sure. I'm happy to say something. As I said in my e-mail, I agree with your approach. I guess I'm suggesting whether we could put in a point that the reason why we are doing something about it now is because whatever happens, it sets a precedent for the treatment of policy implementation or design of policy implementation down the line which would affect things like RPM and SubPro. So, if we don't fix it now, then the chances of us fixing anything down the line will be diminished. Thanks.

ALAN GREENBERG: Okay. So, you're saying just mention that it's not just—SSAD may be today's example but it's not the only one where this is going to be relevant.

JUSTINE CHEW: Yes.

ALAN GREENBERG: Okay. That's a good adjustment.

JUSTINE CHEW:	The reason why I say that is because the first version of this paper does not actually mention SSAD.
ALAN GREENBERG:	Well, the paper is a board request for a new staff process which will be invoked multiple times for complex policies. So, it is the default way to go forward. So SSAD is today's example but it's not the only one if this becomes operational practice.
JUSTINE CHEW:	Absolutely. Which is why we do not want anything that is detrimental to having stakeholders outside of GSNO Council being [silenced] set as a precedent. We don't want that to happen. Thank you.
ALAN GREENBERG:	No. It's a good point. I see Cheryl's hand is up.
JONATHAN ZUCK:	Cheryl, go ahead.
CHERYL LANGDON-ORR:	Thanks. I want to support the way forward and certainly Alan, adding what you and Justine have just discussed as an additional sentence, I think is important. I think this is the right approach for the ALAC to be considering.

And I'll point out, of course, specifically for the consequences of designing and looking at the implementation of something as complicated as the recommendations out of subsequent procedures which in the [main] will be triggering at some point another round of new gTLDs, or the offerings [for them,] that the board has already started to do some things which is in some people's views potentially coloring outside the line.

And this process, this concept paper, I believe, is in some ways a response to those criticisms. Now, I think what the board is doing is appropriate. It is saying that because there's whole new things that need to be built to implement anyway, whatever the shape and form of the specifics of the policy is, any new round that will be coming up, that they would be making certain assumptions and looking at the costings so that they are simply better prepared for any implementation.

It's not at the level of "and who is involved in the implementation reviewing and the team that does that." So, I want to make sure that we're supportive of that aspect because that's just smart business, but that we also make sure that it is a place where beyond just the administration and management group for gTLD policy i.e. the GNSO is also heard. And that should be a strong statement from the At-Large Advisory Committee. And I think Alan—

JONATHAN ZUCK: Greg Shatan, go ahead.

GREG SHATAN: Thanks. I think this is a very important point, maybe even an inflection point for ICANN processes. Strongly support Justine's view and concern. I've consistently watched GNSO Council mission creep over the last several years and this seems to be aiding and abetting that mission creep.

The larger community really needs to be well-represented in this. This is no longer about managing policy development which is really where the supremacy of the—or primacy of the GNSO and the GNSO Council should end.

My concern is that—and I think this is reflected in the comments on the screen, that GNSO Council is—over-representation in a larger sense from contracted parties in their power on that. And this is a way of delivering essentially more power to the contracted parties through larger phases of post policy development activities.

And from the point of At-Large, representing in many ways, the largest group of stakeholders and many ways the ultimate group of stakeholders, this is really a way of shelving everyone. I think anybody who's watched the EPDP process feels that—looks like the GNSO contracted parties plus any other one body can beat the entire rest of the ICANN community. And this is just playing out at large, so to speak, and the idea that this is going to be repeated, itself is being a repeated design, is of extreme concern. Thank you.

JONATHAN ZUCK: Alan, go ahead. Alan?

ALAN GREENBERG: Marita pointed out that she's surprised this didn't exist before. This is not something new in concept and that was made clear on the webinar where Steve Crocker was making some comments.

This kind of thing has always been done on complex things. This is formalizing it and documenting it and externalizing it. And my concern, one of my real concerns is in the process of externalizing it and making sure it's not just staff and board scurrying around and deciding how this is going to be implemented and funded, but it's now putting the GNSO into that loop to the exclusion of others, whereas the first concept paper included others. And that's the problem. You're taking an internal process that has existed, documenting it and perhaps restricting who can be involved in it.

Whereas before, in theory, even though it wasn't documented, the board could have gone out to other people to talk to them and now it will be documented. So that's a real concern going forward. But I think we have general consensus to go ahead.

We'll make sure it makes clear that it's not just relevant for SSAD but it's going to be really crucial for the other PDPs that we know are coming down the pike at this point and coming down very quickly. And we'll see.

I suspect this is not going to be honored and we will have to take further action because I believe what they are proposing is dangerous, not only wrong. But we'll see how that unfolds.

JONATHAN ZUCK: Always walking the increasingly not so fine line of being a trade association. Greg, I assume that's an old hand.

ALAN GREENBERG: Yeah. I'll point out to Greg's comment that the contracted parties and one other group can get what they want. In fact, the contracted parties together have a veto in the GNSO so they can't get what they want necessarily but they can kill anything they want. That's by design at this point.

JONATHAN ZUCK: Greg, do you have more? You're muted if you do. All right. I guess I'm going to assume that Greg's walked away from his machine. So, if there aren't any other comments on this, I think this is the right path forward and let's proceed. And Olivier, I think that's back to you.

YEŞIM NAZLAR: Olivier, if you're speaking, you're on mute.

OLIVIER CRÉPIN-LEBLOND: Getting yourself unmuted is not an easy one. Sorry about this. And thank you very much for this and I think we can, now that we've finished with this section, go to any other business. Now, I gather that Carlos is probably leaving the call right now because it's about four minutes of the hour.

CARLOS RAUL GUTIERREZ: Exactly. Just if you allow me, Olivier.

OLIVIER CRÉPIN-LEBLOND: Yes. Go ahead, Carlos Raul Gutierrez.

CARLOS RAUL GUTIERREZ: Thank you. Just for a minute, just a general thought. Yes. I asked the question during the last call and Alan was so kind to show the limits of the policy process, the picket fence. But I think it's very hilarious almost to hear the announcement today that we are having a webinar on the future European regulation on the definition of a new market to regulate.

Because well, that's the way we go forward. I mean, for the last 20 years, we have assumed that we don't need Internet regulation, that everything will be solved by itself or later on in court. But on the other hand, we see that some countries are not happy with that and are pushing forward ex-ante regulation like GDPR and with the definition of the digital markets and so on.

I fully understand that it's not under ICANN's remit but I would expect ALAC which also deals with broader Internet questions to structure some kind of discussion. We've spent a lot of time on IGF and things that are really far beyond the picket fence.

Abuse has become a number one bestseller here without a very clear definition, I would say. That's it. Thank you very much. And I will follow the recording. Thank you. You have a good week.

JONATHAN ZUCK: Alan? And Alan has his hand up.

ALAN GREENBERG: Yeah. Thank you. Yeah. Just a quick comment. I, of course, agree. I think this is something that we're going to have to get involved with. I'm not sure it's at the stage where we need to do anything right now other than perhaps inform our members and as was pointed out, there is a webinar on this which we should advertise.

Just one other comment. Carlos used the term picket fence. That's a term that's used a lot in ICANN often with multiple meanings. And he's using it in a new sense that has never really been used before that is the realm of things that are within ICANN's domain.

Whereas the picket fence has traditionally been used to talk about what the GNSO can make consensus policy on, that is, which parts of contracts are subject consensus policy and which parts of contracts are not. It's also used in a completely different sense within the GNSO just to confuse people.

So, just to comment, if we're going to use the term picket fence in this new sense, we should try to really define it because otherwise it gets thrown around for newcomers and they just end up being completely confused what we're talking about. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Alan. I see Sébastien Bachollet.

SÉBASTIEN BACHOLLET: Yes. Thank you, Olivier. Just to say to Carlos two things. The first one is that we organize—sorry. EURALO organized during the last ICANN meeting discussion on those issue with participation from various stakeholders, and I hope that it was useful.

And the second is that I am regretting that this call is just organized by ICANN staff and I write to GSE to say that I would have been happy to be engaged to this work with EURALO because I think it's an important topic. And we can't just invite GSE people to talk to us and not to be involved. This call could have been a multi-stakeholder reflection and not just the staff speeches. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for that, Sébastien. Hadia Elminiawi?

HADIA ELMINIAWI: Thank you, Olivier and thank you, Sébastien. I'm just commenting on what Sébastien was just saying. I would say that we could in the future also have another assembly or a webinar addressing it from the perspective of EURALO and actually affected stakeholders.

And my understanding in that is that that assembly will be reflecting on—would be focusing on ICANN's perspectives in relation to that. And

definitely there are many other perspectives and I think, yes, we need at some point to have that kind of webinar that reflects different perspectives on the subject matter. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this. Greg, your hand is still up. Is that an old hand? I gather it is. Let's go to Sébastien Bachollet.

SÉBASTIEN BACHOLLET: Yeah. So, thank you very much, Olivier, and Hadia, for your comments. And just to add one point, we have our EURALO first roundtable yesterday night. And I guess some of the issue were discussed with EURALO participation and just definitely it's something we are taking into account in building our next roundtable and to inform you if you don't know that we have at EURALO, that we've decided to change our monthly call to a roundtable and with people invited to talk about specific topics. Next one will be around Internet & Jurisdiction and domain names, and we are building that for each month. One call a month. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks so much for this, Sébastien. So, I think that we need to have a follow-up on this topic. And of course with Carlos having made the call now, it's probably tabled for the next call that could be an action item. We could have a further discussion on this but obviously it looks as though there are a lot of things going on and maybe all the information

has to first be gathered before we start the discussion on this. And this is not something that needs to be resolved as of yesterday.

Any other comments or questions or any other business? I am not seeing any hands up from anyone. And Marita asks if it's possible to get a notice circulated on the EURALO roundtables' times and dates. I gather that Sébastien will be able to share this with the CPWG mailing list. It's not something that is restricted to EURALO, far from it. And with this—yes. No. I note Greg has stepped away. Hopefully, he'll be back before the end. I think we're reaching the end now. So, Jonathan, is there anything else before we check for the next meeting?

JONATHAN ZUCK: No. I think that's it. Thanks, Olivier.

OLIVIER CRÉPIN-LEBLOND: All right. Well, when is our next meeting?

YEŞIM NAZLAR: Thank you, Olivier. So, our next meeting will be next Wednesday at 19:00 UTC which is 27th of January.

OLIVIER CRÉPIN-LEBLOND: Yep. Thanks very much for this, Yeşim. I am not seeing anything else on my calendar. If there is a blatant conflict, then we'll have to change that time. But for the time being, then it is 17:00. What am I saying? I'm not saying right. Did you say 18:00 UTC?

YEŞIM NAZLAR: 19:00 UTC.

OLIVIER CRÉPIN-LEBLOND: 19:00. Okay. So, that will be immediately after the ALAC subcommittee on outreach and engagement or is that—immediately after that?

YEŞIM NAZLAR: After 30 minutes, actually. There is a gap for 30 minutes in-between the two calls.

OLIVIER CRÉPIN-LEBLOND: Correct. There's a 30-minute gap, yeah. Just making sure. Okay. Thank you very much for this. And not seeing any other hands, it's time for me to thank everyone for having been on this call. We thank our interpreters and our captioner, Heather, for today's great captioning and to invite you to continue the discussions on the mailing lists. So wherever you are, have a very good morning, afternoon, evening, or night. Goodbye.

YEŞIM NAZLAR: Thank you all. This meeting is now adjourned. Have a great rest of the day. Bye-bye.

[END OF TRANSCRIPTION]