
BRENDA BREWER: Hello, everyone. This is Brenda speaking. Welcome to the BC Membership call on 16 May 2024 at 15:00 UTC. Today's call is being recorded and is governed by the ICANN Expected Standards of Behavior.

Please state your name before speaking and have your phones and microphones on mute when not speaking. Attendance is taken from Zoom participation. I have received apologies from Vivek Goyal. And with that, I'll turn the meeting over to BC chair, Mason Cole. Thank you.

MASON COLE: Thank you, Brenda. Good morning, good afternoon, and good evening, everyone. Mason Cole here, chair of the BC. Good to have you all on the call today on 16 May. We have the agenda on the screen for you. Before we dive in, are there any updates or additions to the agenda, please? Okay, very good.

All right. So we have our usual credit agenda. I've added item number two as we did back on our meeting on the 2nd of May to talk briefly about potential BC participation in an IRP action that is being considered under the umbrella of the GNSO. Then Steve is going to do the policy calendar. You will have a Finance Administration update from Tim, and then we'll go to AOB. All right, so let's go ahead and dive in, please.

Let me lead off with item number two. I sent an e-mail out to the BC last night, or yesterday afternoon my time, in advance of the GNSO Council meeting. This has to do with an update on where things stand with the

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.

potential IRP. So, as you know, the ICANN Board dismissed a Request for Reconsideration on the part of the IPC who requested reconsideration of a Board decision in terms of handling of the fundamental Bylaws as it relates to Auction Proceeds. We talked about this again two weeks ago and Zak raised a couple of very good issues, which I tried to address in my e-mail. But let me just run through a couple of thoughts that I imparted in the e-mail last night, and then I'm going to turn to Mark and Lawrence for a quick discussion on the discussion that was had late last night on the GNSO Council call.

I don't know who on this call has been through an IRP process, maybe in a different context, but an IRP has not been used to date to broker any kind of decision between constituencies, SOs, ACs, and ICANN itself. So this will be the first try at that. The procedures leading up to an IRP are pretty intensive. They're complicated, they're process-heavy. And if the community launches a community-based IRP, it's going to take a while. So ICANN has a history of digging in its heels and an IRP won't be easy. As I mentioned back on the 2nd, the issue at hand isn't really so much about the Auction Proceeds disbursement issue. It's more about Org's attempt to bypass accountability mechanisms. So that attempt to bypass those mechanisms is not a precedent that many in the community are comfortable with because it might set a precedent where ICANN give myself license to ignore community powers going forward.

So, at this point, right now, the IPC is still in the captain's seat in terms of leading the effort. There are other interested parties that are assessing what level of support is available again under the umbrella of the GNSO, that includes the BC. As I mentioned, there was an agenda

item last night for discussion of this on the GNSO Council. Zak raised the issue of potential cost to the BC joining this effort. I will point out that the ExCom had a conversation with the Petillion law firm in Europe. You may know Flip Petillion and his associate Jan Janssen. They spent some time walking us through some of the procedures that are involved in an IRP, and that was enlightening to the ExCom. One thing that they pointed out, which is an issue that Zak raised two weeks ago, is that there may be a cost outlay in advance, but if it's community-based IRP, ICANN is ultimately responsible for handling all the costs associated with the IRP. And that includes the cost of legal counsel and technical experts if they're needed. So, at least according to the Bylaws, if we were to have to front some money for this process, ICANN is responsible for reimbursing us or at least paying the bill up front, whichever we arrange.

Again, there are some timelines involved here. There's really only so much time under the Bylaws to bring further action under IRP rules. If the community is going to put together a coalition to bring this action as a community-empowered party, then we'll need to get our ducks in a row to make sure that we adhere to those deadlines. So it's still a pressing issue.

The Council meeting last night was pretty illuminating. Again, I'll turn to Lawrence and Mark here in a second. But there is discussion about this. There's some concern on the part of others in the community that it's very difficult to go up against the ICANN machine, as it was put last night, that ICANN could be in a position to sort of wear you out with time and money. But then again, what's the point of having these community-based accountability mechanisms if they're not put to use?

So the issue remains not really up in the air because it appears like this may very well go forward, but under the guise of the IPC's leadership then we need to continue to assess our willingness to participate.

Before I go to Lawrence and Mark, let me call on Steve Crocker. Steve, go ahead, please.

STEVE CROCKER:

Thank you very much. I have not followed this in detail, but having heard about this now a couple of times, I'm really quite puzzled for the following reason. It's hard for me to imagine that the Board—and when I talk about the Board, I'm talking about the Board members, not legal department of ICANN Org or any ICANN staff—feeling certain that they have made a decision that they understand and are fully prepared for the pushback that is building up here. If I were still on the Board, I'd be flabbergasted to know that there's this amount of pushback, and I'd want to know why are we being put in this position. It is not good. It's not good for the Board, not good for ICANN, not good for anybody. And the challenge that you're putting together is one of the most fundamental as to whether or not the Board is countenancing a violation of its Bylaws. I can tell you my reaction in the few times that anything approaching that ever came up with the Bylaws are absolute. We don't violate the Bylaws. If you need to change the Bylaws, then go ahead and change them, but don't violate them. So my question is do you know whether the Board—and I want to emphasize I'm talking about the Board members, not any part of ICANN Org—fully aware of the controversy that is brewing here?

MASON COLE: Thanks for the question, Steve. No, I can't say that surveyed the entire Board by any stretch. Anecdotally, I have heard from a couple of Board members who expressed some surprise that there is community pushback on this decision that it looked like something that they believed could be handled with contract language as it's related to the grant request from the Auction Proceeds Fund. The BAMC dismissed the Request for Reconsideration from the IPC, and I don't think they anticipated this level of pushback. I think most RFRs are denied, and I think I'm speculating a bit, but my read of it is the Board looked at the history of RFRs being dismissed, decided to dismiss this one, and probably is surprised that the community is concerned as it is about that move.

STEVE CROCKER: Thank you very much for that. My guess is that the RFR was prepared by legal department and basically arrived on the Board's desk with "It's perfectly okay to turn this down," phrased in some fashion or implied in some fashion. I would strongly counsel, grab hold of any and all Board members that you can, and most particularly, there is a Non-Contracted Party House officially selected Board member. This is time for a straightforward, informal interaction without the legal department getting in the way saying, "We've got this."

MASON COLE: Yeah. Thank you, Steve. That's an excellent suggestion. This came up on the Council call last night as well, that there was the thought on the part

of some councilors along the lines of, “Can this be handled outside of the formality of an IRP or cooperative engagement process?” Because it’s very difficult to engage ICANN Org at this level, and in essence, go to battle with ICANN. Wouldn’t it be more appropriate or more sane to do it informally? I don’t think anybody arrived at a decision on that. Everybody’s still assessing the process and what’s involved. But your counsel is very welcome. I’m sure it’s on target.

STEVE CROCKER:

The Board would be in the awkward position of being told by Org, “We can win this,” and the Board would still have to understand that even if they won, they would have lost because this is just not a winning position to be in from a public perspective. This is really quite ugly.

MASON COLE:

Yeah. The optics are not good. You’re right. You’re right. Thank you, Steve. Patrick?

PATRICK FLAHERTY:

I think that they were expecting the Board that the IPC was going to withdraw the RFR. And when that happened, they went ahead and issued the decision and thought then that it would just go away, but it hasn’t.

MASON COLE:

You’re probably right, Patrick. The Board and the legal department are not known for being shy about making moves that will sort of cut the

community off if they feel like that's warranted. And I think some people feel like that's the case now. Steve DelBianco?

STEVE DELBIANCO:

Thanks, Mason. I also listened to the discussion last night and have read this over. I think that the Request for Reconsideration included the reason. I've put it into the chat. The reason they gave that has gotten everybody concerned—and this was the discussion on Council last night—is that “The requester failed to sufficiently identify an alleged adverse effect of the challenged conduct on the requester.” So they're suggesting that the IPC didn't argue persuasively that it would be adversely affected. The concern I heard on Council is the plenty of folks worry that's the precedent, is that the standard that ICANN Org wants to use, the Board wants to use, to determine whether a reconsideration can occur. It may not be the same standard they would use in an IRP. But that is one of five reasons given, and it's the reason that is most concerning and that sparks the notion that we can't have that as a precedent.

There is a lot of logic to say that we should ask the Board directly. Are you trying to establish a precedent here? That anytime you're challenged on a decision you made, that the challengers have to show a prior incurred adverse effect as opposed to what we would say is the terrible future effect of an awful precedent. I feel like that is a dialogue that should happen.

Steve Crocker has it right. We need to talk to the Board members we know. I think of Becky and Sarah as being perfect on this comment on

whether the full Board or just the BAMC had this discussion. Did legal come up with that reason? Is that reason being proposed is the way in which they could knock down any challenge in that you can't try to stop ICANN from a terrible precedent, you can only complain about harm that you directly suffered. That is a question we could absolutely glom on to. However, deciding to go down the track of pursuing that could use up the valuable time that is necessary for both the preparation of an IRP challenge, which is expensive and the time it takes for Council to properly consider whether it wants to be a decisional participant in a community IRP. There hasn't been a community IRP or community RFR, Request for Reconsideration. But then we have to market the GNSO's proposal to get either ALAC, ccNSO, they're the most likely two, or even the GAC, to weigh in on this. Because we need a couple of decisional participants in order to pursue a community ICANN-paid IRP. Never been done before, and I think that's the key question. What is the criteria that the Board wants to use to decide that the community has been damaged enough and is worried about precedent? Thank you.

MASON COLE:

Thank you, Steve. Yeah, good point. Speaking for myself, I agree with you about the most troubling reason, given that it was pointed out on the GNSO call last night that there are plenty of consumer protection laws on the books that protect against harm in advance of that harm occurring. I made the analogy that's like saying that you don't need a seatbelt in your car because you haven't been injured in an accident yet. So the logic fails, in my view, but your counsel is well taken.

We have a queue. I want to go to Mark first, and then Lawrence to see if he has anything to add as well on the GNSO discussion on this last night, then we'll go to Steve and Ching. Mark?

MARK DATYSGELD:

Thank you, everyone. Essentially, one of the things that I believe were not anticipated around this from our side, let's say, is that there is basically unanimous support within the GNSO for this pushback. What became clear in yesterday's GNSO Council meeting is that there is no actor from the GNSO sphere that is particularly against this, and in fact, most people are in favor. It would be something that we had even the NCSG in favor of the IPC's position. So it's a rare moment where we're actually aligned on something. Something that stood out a lot—I don't believe you guys have referenced this directly—is the fact that the Board somewhere within the response included language along the lines of the fact that the IPC did not have enough standing to support a notion like that to challenge the Board in some way. And that's really hit a lot of stakeholders hard. They took it to heart.

As it stands right now, you would think that for incredibly qualified NCPH Board representative would have reached out to us or something, but of course he hasn't. It's nobody's fault but our own for accepting and capitulating on a compromised candidate. So maybe we reach out to him. But the overall thing is that there is a great amount of support for this I think way beyond what was expected for us to simply create pressure. That's the thing. Maybe the [tool] itself doesn't matter. Maybe it doesn't matter how it goes. Jeff was on the call saying how ineffective it would be to make an IRP, but maybe it's not about that.

Maybe it's about actually challenging the Board and setting a better precedent for how they treat a request. Maybe that's the point. Maybe it's not about winning or losing this one thing. It's more about how do we position ourselves in relation to this. Thank you.

MASON COLE: Thank you, Mark. Do you or Lawrence have any additional color you'd like to add from the GNSO discussion on this last night?

LAWRENCE OLAWALE-ROBERTS: Yes. Thank you, Mason. I believe you can hear me okay.

MASON COLE: Yes. Go ahead, Lawrence.

LAWRENCE OLAWALE-ROBERTS: Thank you. I will want to put off my video so it doesn't impact on the audio feed. But one thing that became clear from our discussion last night is that the most probable part that ICANN Org will go, once we go the path of an IRP, is to refer this to its legal team and this will end up in court. And from what we hear, it's going to take months of back and forth to arrive at a decision. It's also probable that the IPC and those of us, the committee members, that joined have about 60% chance of winning in their favor, which is a good thing.

MASON COLE: Okay. Thank you, Lawrence.

LAWRENCE OLAWALE-ROBERTS: There will also be a lot of unintended outcomes at the end of this. That's the call, should we really go down this path, and maybe involve the Empowered Community to wade in? Council is also looking at next week when we have a call with this as a point of discussion. So possibly, when the precedent is having a discussion with meeting the community and having a discussion with the BC be called, basically chip this concern, which Steve also mentioned about the Board going against an arm of the community.

Now, another thing that we are made to understand is that while there is going to be the possibility of reimbursement, this process itself will have to run its course. It means that the IPC and the rest of the community will have to fund it or seek a legal representative that will want to run this to a probable end. And thereafter, get reimbursed by ICANN, so that also impacts the kind of legal representation that IPC and [inaudible] will need to engage because the process will have to run its course. And if there's going to be reimbursement, it's going to come after the process. With all that said, like we've said, there's really a lot of appetite to see that the Board soft pedals. But we understand that this is usually a standard. When it comes to IRPs, usually ICANN will want to go all out and will want to go defensive. It might not be the best approach. But if we don't have any other options, then we could seek to go in this route. But in the meanwhile, if there are other ways or other mechanisms that can be deployed to bring to the attention of the Board our concerns, that might be our first point of call. Thank you.

MASON COLE: Thank you, Lawrence. Yeah, that was raised again on the Council call last night, that is there an outside of process way to bring this to the Board's attention, either through a CEP, cooperative engagement process, or outside of an IRP, get the Board come around a bit and change their point of view. I don't know if that's possible or not, but it's an option. Ching, go ahead, please.

CHING CHIAO: Thank you, Mason. The very two quick but very different points I like to make here. Point number one, may base on Mark's previous points on the GNSO current pushback for this amendment of the Bylaw. But we should also keep in mind that it's also GNSO's full support. I mean, three or four years ago of the Final Report, that actually made this Recommendation 7 to ask the Board may have the option to change the Bylaw for this grant program. So we should keep in mind that the position changed. We need a better explanation of why this has changed three years ago and now. So that's point number one.

Point number two. I'm just thinking out loud here. If, let's say, the IRP goes on, it moves forward, it seems that the Board will be in a lose-lose situation. Pretty much on one hand is that if they see the IRP is being filed, that means it would put more risk on the future applicant of the grant. And if the Board say, on the other hand, they would like to make a pause on the grant program itself, it also makes them look very bad. So I would say that the IRP seems to be a really little or very useful weapon that put actually ICANN in general in a kind of a publicity risk. So, let me stop here.

MASON COLE:

Thank you, Ching. Excellent point that you raised about the precedent. Again, speaking for myself, I agree with you. And you're just talking back to what Steve Crocker said a moment ago, which is, by the time you filed an IRP, Board has already sort of lost. Whether or not they win the case, they've lost credibility with the community, they've lost some PR points in the public. So it's difficult position to put them in.

Okay. We are coming up on the bottom of the hour and we need to move on with our agenda. As I pointed out my e-mail, the ExCom is paying close attention to this. Obviously, the ExCom is going to keep the BC updated on where things stand. There are many representatives of the IPC who are going to be attending the INTA meeting very shortly and that sort of blocks out the sun for many of them. So I don't expect any particular update for the next few days, but certainly by Kigali we'll know more. All right, thanks, everybody, for that helpful discussion.

All right, let's move on to item three. Steve, policy calendar review. Over to you, please.

STEVE DELBIANCO:

All right, I'll display the screen if I'm able to. Hopefully, you can see that now. It'll bring up a list. Anybody just raise their hand if you have any questions.

Only one comment been filed since our last BC meeting. We commented on the proposed renewal of the Registry Agreement for .xxx. That was filed on the 29th of April. I want to say a big thank you to

Margie Milam for doing the drafting work on that. I think it was strong comment and there were very few filed. But as most of you know, when ICANN has done a bilateral negotiation with the contracted party or with the contracted parties at large, when they put out a new contract for comment, they never change what they've negotiated based on the comments that come in. So, window dressing exercise without any opportunity to change. So when your leaders, Mason, Tim, Lawrence, and I had a call with Sally Costerton last week, it's our quarterly call with ICANN leadership, we hit on this pretty hard, that ICANN need to ask the community what are our priorities before they go in and do a negotiation, particularly for a new base agreement. But it's really frustrating to ask for our comments on something you've already negotiated, and then ignore in terms of revision. So we made that point clear and I don't think it's going to change. Again, thanks to Margie.

Scrolling down to what's open right now, we have one open public comment which closes on May 21st, next week, and it's a comment on the Phase 2 Report, just the Initial Report of a new EPDP on IDNs or Internationalized Domain Names. So I'm going to turn to Ching in a moment to talk a little bit more about that. Hafiz, if you're on the call, and I believe you are, Hafiz can feel free to comment on it as well. But we had leaned on our volunteer, Ching, to do the first draft. Ching also did our comment on Phase 1 Final Report for the EPDP, and he knows the IDN space so well. We're blessed to have both Ching who understands the Asian languages scripts but also Hafiz who can help us with Arabic scripts. Both of them are ones that fall into this notion of IDNs.

So the draft was circulated to you at the beginning of the week. It's attached to the policy calendar that I e-mailed. And what I did was summarize the key parts of the argument there on the screen in front of you. I'll let Ching talk us through that. The ultimate bottom line here is that we say that a variant is effectively the same domain name and therefore should not be forced to pay another registration fee on the registrant. So think about the BC's perspective here. We are registrants, businesses that register domain names and customers of businesses who use domain names. Both the businesses that registered and the customers that use them in non-Latin scripts, non-English languages benefit from having the ability to use whichever traditional or modified scripts they want. In other words, variants help the registrants. Variants help the users of those business sites. So sticking with that perspective, I think what Ching has come up with is an excellent concern. Ching, do you want to walk us through that?

CHING CHIAO:

Thank you, Steve. Very quickly, building on what you just described, the very fundamental point which the EPDP team failed to address in their 20 recommendations this time even with a much shortened timeline that they put together those recommendations, but without this comment that we made here, those 20 other comments would pretty much be useless, because we're telling them at this stage because the nature of the IDN variant domain should be exactly equivalent to the source domain. I mean, the registrant itself shouldn't be charged twice. I think this is the right time for us to make this comment here just at least to lead the registries and registrars who is going to offer the IDN, the variant in the future that making an IDN available to the user that

needs it, it's pretty much I would say that it's just like you watch a movie on your streaming platform, and then you get to choose different voice dub in different languages, different subtitles without paying extra. So that's the point we'd like to make here. So let me stop here. And maybe for Hafiz, he also has some other points. But if not, back to you, Steve.

STEVE DELBIANCO:

I'll watch to see if Hafiz put his hand up. But I think the example that you provided, which is right there on the screen, is between two variants on Chinese, the traditional Chinese and simplified Chinese. It means the same thing but there are different ways to express it in Chinese scripts and IDNs. The same is going to be true of other non-Latin scripts. The cost of registering may not be all that substantial, but I think it's an important principle for us to establish.

CHING CHIAO:

Sorry, Steve. I would like to make one additional point. Sorry to cut you out. But one additional point is that in the recommendation in this Initial Report, the EPDP group actually suggests to have the registry itself to make their own decision, whether it's chargeable or not. So what we are saying, let's keep this rule like just across all the new TLD in the future or at least in the launch phase or in the near term, it should be just across different TLDs should be in the same rule that the variant domain name should not be charged additionally to the user.

STEVE DELBIANCO: Let me ask you this. For a new TLD operator, if the new TLD operator applies for both the variant in traditional and simplified Chinese, then they will have two TLDs that they're operating, but it's really one TLD with two variants. So the TLD operators have the same sort of duality considerations that registrants do. Is that correct?

CHING CHIAO: That is correct. Yes.

STEVE DELBIANCO: Hafiz? Helmut, please, your hand is up. Go ahead.

HELMUTS MESKONIS: A quick question to Ching Chiao, are you talking about variants or two different dialects? I understand that you are talking about two different dialects, Chinese dialects. And maybe in this case, these are two languages. So those are two different domain names. Just my thoughts. Thank you.

CHING CHIAO: A very quick answer on this one. It's a great question, by the way, but the definition of the IDN variant that we're talking about here, either what you're describing as two different scripts or different dialects, but if we're in the policy, we're making them consider as the variants and then they will be treated as the same domain to each other.

STEVE DELBIANCO: Other questions? You guys have until May 20th, that's Monday, to come back with further questions, clarifications. And again, if we can put the example into the draft, I think that will be helpful as well. We'll be filing it next week on the 21st. Thanks again, Ching and Hafiz.

On NIS2, we typically take some notes from BC members that are following closely the transposition of the NIS2 Directives on domain names into the individual member state law, which is due to happen by October 2024. So, at that point, I want to turn to Marie and Sven if you have anything to share on the current process.

MARIE PATTULLO: Thanks, Steve. Mason also knows a lot about this as well. But briefly, Germany has published its draft law. My German member tells me they haven't had time to analyze it. But it seems to be a straightforward transposition of the wording of Article 28, which is good and bad, because, of course, it doesn't go into some of the issues we need, like the definition of these [inaudible]. There's an open consultation in Sweden, and I really think that Mason should talk about that because he knows more. If I can call on Mason.

MASON COLE: Thanks, Marie. Sweden does have an open consultation until May 28. Sweden has not taken a stance as strong as other members of the European Union have in terms of transposing Article 28. Sweden has called into question the legitimacy of requesters for registration data if they're not, for example, law enforcement. So the transposition from Article 28 into proposed Swedish law is weak. There are a number of

organizations, businesses, others that intend to push back on that. I would suggest that the BC consider pushing back on that as well. The difficulty, of course, is that contracted parties would feel compelled to align themselves with the weakest jurisdiction in Europe in order to sort of evade a robust implementation of Article 28. And we don't want to see that happen, that would be not much improvement over the current situation right now. So, an opportunity to contribute if you're interested to the Swedish consultation. If you want, you can e-mail me and I'll send you the link. I may very well propose to BC to put in a comment on this. Marie, back to you.

MARIE PATTULLO:

Thank you, Mason. I really don't have anything else by national level. I'm still continuing to try to push this at the European side. And by that I mean with the EU IPO of European observatory, anytime I'm talking to any national regulators on the European issue. But unfortunately, I have nothing more at the moment. Thanks.

STEVE DELBIANCO:

Thank you, Marie. Mason, if BC were to do a comment in the Swedish consultation and it's due the 28th, we need to be circulating that draft on the 21st, next Tuesday.

MASON COLE:

Not a problem.

STEVE DELBIANCO: Given that Marie's cautions to us as an expert at dealing with European affairs, even if we drafted in our typical American way, we're going to want to have Marie and others who do business in Europe and any of you who have particular relationships in Sweden to be able to achieve the right tone through your editing. So perhaps, Mason, drafted in a bullet form so that we can quickly get some help on the right way to present this to the European audience.

MASON COLE: I'll make sure that happens. Thanks, Steve.

STEVE DELBIANCO: Sven is part of the group in Germany that has been working on their transposition. And he was the one who informed us that Germany thought they would be late. So, I'm fascinated to note that they're not going to be late. But as you say, they may have just simply translated Article 28 without any specificity in it. It will all be open to interpretation. I wonder whether they intend to follow up with regs to clarify what they're putting into the law. Any idea on that, Marie?

MARIE PATTULLO: I don't. Unfortunately, I don't speak German. I will drop the link to the German text into the chat. As expected, it's transposing two separate pieces of legislation about cybersecurity, so it's a long, confused thing. But let me go back in to my notes and then I can also put out the Article numbers for those that can read German. I'll do that right now.

STEVE DELBIANCO: An e-mail would be better than chat for those BC members who are not on the call. And I really appreciate that, Marie. Thank you.

Lawrence and Mark, turning to you next on Council. The Council meeting that I have put in the policy calendar, one that occurred several hours ago, Wednesday night for some of you, Thursday morning for others, I put in four items that were highlights. We've already covered the IPC requests on item seven, but I'll leave it to you to report on what else occurred at Council today.

MARK DATYSGELD: Sure. Thank you, Steve. It was an active meeting in a lot of ways. Go into some of the topics, let's say. The thing that we expected to happen in relation to the IRP did happen. So, it is being moved forward, it is being reconsidered—not the IRP, the PSR, the Policy Status Report. Sorry about that—on expiration policies. It was considered to be not actionable right now. They moved two years into the future. So that is a concern for later now. The perennial Council committee—yes?

LAWRENCE OLAWALE-ROBERTS: Sorry to interject, Mark. There is most likely going to be a vote at the next Council meeting if the deferral for two years should happen. And if the deferral for two years shouldn't happen, the question was, what will be the next line of action? And there is rough consensus in the thinking that if the two-year deferral is not granted, then the next action should be for staff, which is ICANN Org, to kick-start the process of the PSR. The thinking is that while we had staff tell us that the policy as it is achieved its purpose in the sense that the concern of the IPC we're trying to bring

up in terms of domains expiring, what happens? The policy itself was not meant to address that. So if any member of the community will want to take a closer look at the lifetime of a domain and what happens after it expires, does it drop into the aftermarket? Do everyone in the community, so to say, or in the marketplace have equal access to such domains, then it will have to be a different mechanism. It's a brewing topic that I think should be of interest to the BC. My thinking at this point will be to vote no for a deferral such that the process to take a closer look at the policy can kick-start maybe in another six months to a year. Please go on, Mark, if there are no questions.

MARK DATYSGELD:

Thank you for being way more eloquent than me, my friend. So that one is covered. We have the now question of the Council of Improvement, the CCOICI, they came back with a survey. Apparently, we don't know what's going to happen with the SOI question. Even though this is wrapping up to some degree, we still don't know what's going to happen with that. So, stay tuned.

The question formerly known as .quebec, now known as Latin diacritics. As you know, I've been leading that one for a bit. It is moving forward as an Issues Report. This might turn hopefully not into a PDP, but into something, because there is a certain amount of difficulty in people understanding that Latin is a language that can be used for anything. It's been difficult communicating this to the Council. Now, apparently, some people are starting to understand this, that Latin, the way it was implemented by the Review Panel, the Root Zone Label Generation Panel, is just wrong. Latin can be both a variant and not depending on

what language you're using it for, a lot of which there's literally hundreds in the planet. So, we're going to move ahead with that Issue Report from staff and see where that lands. I think that's it from my side. Lawrence, do you have anything on your plate?

LAWRENCE OLAWALE-ROBERTS: There'll be nothing more to add at this point. I don't know if there are questions that you might want to take.

STEVE DELBIANCO: Any questions for our councilors? All right, 13 minutes left. We're going to race through this. The Transfer Policy Working Group, Zak, Arinola, anything to update on?

ZAK MUSCOVITCH: Thank you, Steve. Arinola and I have no update to provide this week. Thank you.

STEVE DELBIANCO: Thank you. Nenad, any updates on Continuous Improvement? Good. Moving to number three, which is the RDRS. Steve Crocker and I represent the BC on that. We have a call Monday, which is another opportunity for us to talk about the significant fall off in interest from the requester community. It's partly due to the lack of participating registrars, but also that some of the participating registrars are not responding with disclosures. We're going to try to avoid putting one registrar in a tough spot. But we are going to be happy to talk about

registrars that are responding. We're going to talk about on the Monday's call the brand-new report that just came out on metrics for April. We're going to talk about the idea that we're holding an event, a session in Kigali, similar to what Steve Crocker hosted in San Juan. And we are inviting a couple of registrars who are participants to be at the table. We'll have to manage the queue carefully so that it doesn't turn into a debate, but we do want to give them an opportunity to be heard and have them ask us questions about how we can better form our requests. Steve, Mason, anything you would like to add? Steve Crocker's hand's up. Please go ahead.

STEVE CROCKER: I'm going to be at the INTA meeting in Atlanta on Monday, so I'm not sure whether I can be on the call.

STEVE DELBIANCO: I'll be on, Steve. I'll let you know how that goes. Anything particular you want me to convey? Please let me know.

STEVE CROCKER: I trust you completely.

STEVE DELBIANCO: All right. Any questions from BC members? Okay. Now, Subsequent Rounds. Again, Ching, your ball. Here's an alternate and Imran is our rep. Is there anything to report to the members today?

CHING CHIAO: Actually, nothing from me for this topic.

STEVE DELBIANCO: Okay. Marie, back to you for CSG.

MARIE PATTULLO: Thanks, Steve. The only thing that I will call out, in the interest of time, is that we have an hour and a half meeting with our dear friends, the NCSG. During our meeting in Kigali, we are putting together the agenda. At the moment, it has two things. One, welcome to Team 14. I'm assuming we should suggest that we put the RFR IRP, whatever we're going to call it, on the agenda because I know it's also of interest to the NCSG. If anybody has any ideas of what they think we should be discussing, bearing in mind, we are trying to build bridges with the NCSG, please let me know. Thank you.

STEVE DELBIANCO: Marie, I strongly encourage you to listen to the recording on item seven on last night's agenda. There's some great comments made by members of the NCSG. And again, we won't necessarily try to draw them into some commitment to do community IRP. It may well be that they are just as concerned as we are with the implications of the Board's denial of the reconsideration.

MARIE PATTULLO: Absolutely. Which is why I I think we should suggest it's on the agenda for our house meeting in Kigali.

STEVE DELBIANCO: I completely agree. I agree.

MARIE PATTULLO: Thank you.

STEVE DELBIANCO: IPC may be disappointed that we didn't step up with an open checkbook on this, but it's not at all clear that pursuing an IRP is really the best path to take. I take Steve Crocker's advice on this pretty seriously. Back to you, Mason.

MASON COLE: Thank you, Steve. Excellent work. Any follow-up questions for Steve, please? All right, Tim Smith, over to you.

TIM SMITH: Thanks very much. Hi. Hello, everyone. I'll give you a little bit of an update on Finance and Operations, starting more with Operations. We are at May 16. As you all know, there has been a nominating period that has been open for the past week and a half or so for GNSO Council representative and small and large business NomCom delegates. Today is the end of that nomination period. We do have a nomination, so I'm very happy with that. We have nominations in all three of those

positions. But the nomination period does not close until 23:59 tonight, so there could be more nominations. So we'll see. We'll do the count once we're past the deadline.

Next step in that process is that the nominees will have an opportunity to submit or will submit their candidate statements by Monday, May 27th. And then on Thursday, May 30th, there will be the Candidates call where each of the nominees will be able to make their presentation and take questions from the BC Membership, which will lead us to the actual voting period from May 31st to June 6th. Then I guess there'll be an announcement of the people in those seats on June 7th. So that's just to give you that piece of information.

From a Finance standpoint, we'll just move along, I'll tell you that at the end of April, our bank balance was \$113,000, which sounds, of course, very nice. But, of course, we also have expenses that we pay. And you may recall that our expense budget from last year was \$69,000. So, we're sort of chipping away at a reserve that has been there for a few years. And while the \$113,000 may sound great, our income from BC member dues runs around just under \$30,000. So as you can see, the reserve gets chipped away with the expenses every year. I'll be providing more detail on this and have been sharing a bit of this with the ExCom, but we'll be having more formal presentation to make in the weeks to come. So that's just to give you a little bit of an overview.

There is a bit of income coming in right at the moment because the invoices for FY25 have been sent out. So probably all of you have those invoices in your inbox somewhere. So they have been getting paid. But if you have not yet received an invoice for FY25 and you are a current

member, please let me know. You can actually do that directly at tim.smith@cipa.com. So, I look forward to hearing from you.

Of course, here we are, less than a month from the Kigali meeting. I hope to see many of you there. We have an outreach that is being put together. Thanks to Tola and Segunfunmi and Segun, Lawrence and Brenda, for being part of weekly meetings that we've had in order to organize this event. We will have a morning event from 9 until noon offsite from the convention center on Tuesday, June 11th. I hope to see many of you there. We have created a registration form and attendance form that I will be circulating. Certainly, we're working on the agenda right at the moment and should have it finalized in the next day or two. And I'm hoping to have members of the ExCom there, of course, but also BC members are invited. And because it's an outreach, there will be people from Rwanda, ICT, and from AfICTA. And we're hoping for all together about 50 people to join us. It will conclude around 11:30 in the morning with a light lunch, just so you know, if you're interested in eating. So it should be a good event. I'll keep you posted by e-mail as it develops. In addition to that, we'll be sharing a table in the exhibition area at the convention center to be able to do more outreach onsite with attendees and to be able to communicate the message and the benefits of being a BC member. So, look for that. Stop by, say hi.

Beyond that, I guess with every ICANN meeting, we also have a newsletter. We're sort of coming up to the deadline for the BC newsletter. I encourage anybody who has a good story to tell about their businesses and about the role, ideally, what the role BC or the benefit of BC membership, I invite you to submit an article. We don't need a lot of articles, but three or four would be terrific. And because

we are based in Rwanda, it would be great to have some participation from the African region and some articles from the African region. So, I strongly encourage you. This is always, I think, perhaps one of the hardest parts of this role is pulling together the BC newsletter with great content. So, I look forward to your participation.

That basically is it for me at this point. I'll take any questions from anybody. If not, I'm an old broadcaster, I try to bring things to time. So, enough time for a commercial break at the top of the hour. Thank you.

MASON COLE:

Thanks, Tim. I appreciate the update. All right, excellent work. We have some work to do before we get to Kigali. We're hoping everybody can jump on that and we wrap everything up before we get to Central Africa.

All right, a couple of minutes left. Any other business for the BC, please? Okay. I don't see any hands. Brenda, our next meeting is at a different time, correct?

BRENDA BREWER:

That is correct, Mason. I've listed it here on the agenda.

MASON COLE:

Okay, 13:45 UTC. It'll be an hour and 15 minutes, I believe, to accommodate our normal agenda and to accommodate questions for candidates for NomCom in the GNSO Council. So we built a little extra time in. We're going to start earlier than we usually do. So please make

sure that you've got that on your calendar. You should by now because I believe Brenda sent the update. That'll be on Thursday, the 30th of May. And that'll be our last meeting before we go to Kigali. All right. Anything else before we wrap it up for today?

BRENDA BREWER:

Mason, this is Brenda. I just want to note that the meeting on May 30th is one hour and 15 minutes earlier than our normal session, and that's because it is Prep Week. The Policy Prep Week session is at the same time as our usual time of BC Membership meeting. That's the reason we moved it an hour and 15 minutes earlier. So I just wanted to give you a heads up. Prep Week is coming up the week of May 28th through the 30th. Thank you.

MASON COLE:

Great. Thanks, Brenda. Thanks for that update on why we moved the meeting time. All right, everybody. Thanks very much. We came in right at the top of the hour and we had a very healthy discussion. Lots to do before we get to Kigali. And we will see you in two weeks' time. Thanks, everybody. BC is adjourned.

[END OF TRANSCRIPTION]