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NATHALIE PEREGRINE: Good morning, good afternoon, good evening, everybody. Welcome to the NCSG Policy Committee on the 15th of January 2024 at 11:30 UTC. Attendance will be taken by the Zoom room, and I'd like to remind you all to please remember to state your name before speaking for recording purposes and to keep your phones and microphones on mute when not speaking to avoid any background noise. As a reminder, those who take part in ICANN multistakeholder process are to comply with the expected standards of behavior. And now, let's now turn it to Tomslin Samme Nlar. You may begin.

TOMSLIN SAMME NLAR: Thank you, Nathalie, and happy new year, everyone. And welcome to our first meeting of the year. Looking forward to how the year turns out. But, yeah, we have another council meeting, the first one for this year as well this week regarding to walk through what the agenda looks like, and then look at some other items on our NCSG specific agenda. So, I will start with walking through that council agenda that we'll be using on Thursday. I think on the agenda, there are 2 consent items. And the first is the GNSO guidance process for applicant support. The second is the recommendations report for EPDP on internationalized domain names Phase 1 Final Report.

And for those who are a little new, I just wanted to point out that the recommendation reports, final reports for these 2 WAG tracks, the GNSO guidance process for applicant support and the EPDP on IDNs, was voted and passed by the council in the last council meeting. And, generally, the GNSO procedures recommends that a report be written

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to the Board from the Council about the vote of the recommendations and sent to the Board. And if possible, that report is discussed and voted at the next council meeting.

So, that's what we are doing here. We are voting to consent to that report being to be sent to the Board, basically. So, it's not like we are voting for the final report again. We're just working on the contents of the letter we are sending to the Board. I thought I would just explain that to new members, if there are any on the call.

Next thing we would be discussing next thing is discussion on SubPro small team on non-adopted recommendations. Now I think this doesn't require any explanation. We've been having this on that agenda for a couple of months now. So, I think most people, if not everyone, already know what SubPro is now and what the small team is doing. However, for those non-adopted recommendations, that small team plus because it now includes community members as well, they're writing a clarifying-modifying, I would say, the language of the text or the recommendation. So, I'll call that supplementary recommendations.

And so, the team gives an update at almost each Council meeting now. I think, last time, they presented the text they had written for the applicant support. That's recommendation 17.2, applicant support, and the Council reviewed that. And I think they'll be presenting another one, or rather even just the update of where they are with the other recommendation. So, that's what would be discussed here. I'll pause to see if there are any questions from anyone or comments on this.

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All right. I don't see any. We'll move on then. The next item on the agenda is, and that's Item 5 really, is a discussion that began from the Council's strategic planning session that took place in Washington, DC, in December. There was a small team put together last year by the Council, and that was spun off from the strategic planning session of the previous year as well. The idea was for that small team, which I cheered to look at the GNSO's communication practices, basically. There were sentiments that we don't appear to communicate our successes well to external, to the world, I guess, for those outside of the ICANN community and, generally, outcomes of work that we've done.

And so, the small team came together around April last year and put together some objectives of what their work will be, and I'll quickly go through those. The first was to perform a situation analysis of current communication efforts of the GNSO Council. Clarify overall objectives of the Council's communications. The third was to identify who the target audience of that communication generally is. From that assessment, recommend communications mechanisms that the Council could use and also determine how to measure success for this mechanism.

So, there was a report that was shared, and I presented that report to the Council strategic planning session in December. And basically, the team assessed and looked at practices both within Council and compared that with practices in the Org and other similar institutions, and it just did desk research, basically. Nothing very fancy considering the time that we had and this club. So, we just did a bit of desk research and interviewed a couple of ICANN staff who work in the communications department as well.

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And so, I came forward with a report. And in that discussion in December, Council members thought that further discussion was necessary, and some questions came up, which the Council will be progressing to further discuss them in this meeting as well. And the goal of this, really, is to determine whether any further work is required here or if this is it because there were some recommendations in the report as well. So, yeah, I'll pause there as well to see if anyone has questions. No question. All right. So, proceed then to next item. The next one is--

NATHALIE PEREGRINE: Tomslin, this is Nathalie. Stephanie has her hand up.

TOMSLIM SAMME NLAR: Oh, didn't say it. Stephanie, please go ahead.

STEPHANIE PERRIN: Thanks very much, Tomslin and Nathalie. And I'm not sure this is the right time to raise this, but members may be aware that Jeff Neuman has been raising issues surrounding, basically, some hate speech that happened. And quite frankly, I'm not clear on all the details yet, but I was rather shocked that ICANN has not moved to act if there's any truth at all to what this gentleman was saying. It was completely unacceptable behavior surrounding an ICANN meeting, and Jeff is correct in raising it.

I believe it's going to come up as a topic because ICANN is now reaching out to the community for their response as to whether the individual

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who made the offensive remarks should continue to operate the L-Root. And in my opinion, it would be inappropriate for the Council not to comment. If there's any truth to this, they should write a letter supporting Jeff. They should insist that either the Board or ICANN management act in this matter.

Now, nobody wants to stray into the discussion about the war in Gaza. And that's not what one would want to raise. But I think not naming hate speech and acting is pretty gutless, and it's something that NCSG should care about. However, whether or not we could ever reach consensus on this matter, I'm probably going to raise it at some point during the meeting because I think Council has a responsibility to comment when something like this happens. However, I haven't done all the research into exactly where this activity took place. Thanks.

TOMSLIN SAMMENLAR:

Thanks, Stephanie. It is indeed on the AOB at the bottom of our agenda. So, now that you've brought it up, I suppose we're going to get there anyway. So, what I know is there was a couple of communication letters between Jeff and Tripti. Oh, no. Was it Sally, I think? And that is all posted on the official communication for ICANN. And I think, from what I read, it appears to be not something that-- the statement that you mentioned thereof heads page didn't appear to be in a meeting itself. However, it appears that that statement was linked to what Jeff complained about on the wall that was put in Germany where the flag was drawn. That is what I read from the communication that has happened.

I guess the question remains then is whether if the statement put by an L-Root operator violates expected standards of behavior of ICANN or not. Whether I was in a meeting or not, the fact that they operate an L-Root also is something that needs to be considered, I suppose. But I don't think I have an opinion on this because I think it's a bit fuzzy to me still. I'll need a lot more information to form an opinion around this. So, I see there is a queue that has formed so far. So, I think, Stephanie, if I assume that is an old hand, then the next will be Manju then Bruna.

MANJU CHEN:

Thank you, Tomslin. Well, I didn't do the research about the whole thing what happened. So apparently, it was this guy that just complained about. He went on TV and gave an interview. And then in the interview, he made a comment about the antisemitism thing. It's totally without any ICANN contacts. He wasn't not in a meeting. And, although, of course, the comment he made was totally outrageous, and it's just it's so outrageous. It's kind of like I don't know. It's just made me laugh. But, I mean, it's solely out of ICANN. He didn't bring up anything about ICANN in his comments or in that interview.

So personally, although I don't, of course, endorse anything he said, I think it's weird that ICANN is like, oh, you said things in here, so we are not allowing or we're punishing you for saying things. I mean, if we're doing that, to be honest, all those Chinese saying Taiwan is part of China everywhere in ICANN, even during ICANN meetings, I didn't file any complaints. If we're doing that, then probably we should just-- You know?

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I mean, as hideous as the comment was, I don't think ICANN is in the position to do anything about it because it was not within any ICANN context. It didn't happen in ICANN meeting, and in the interview, ICANN wasn't even brought up. So that that's my opinion based on whatever I read from the whole news and the report about it. Thank you.

TOMSLIN SAMME NLAR: Thanks, Manju. Bruna?

BRUNA MARTIN DOS SANTOS: Thanks, Tomslin, and happy new year, everyone. Same thing as Manju. Statement was done outside ICANN scope, possibly a blog post or something on his personal capacity and so on. And my main concerns with this is that a, it's outside NCSG's scope, might be even outside Council scope as well. And by allowing for such discussion to take place either here or at Council, we might be open the way, opening kind of or paving the way for some sort of extrapolation as Avri was typing in the chat of the standards of behavior and so on.

And my follow-up question is that, As Manju said, like, are we going to police every single speech from everyone across the world? In ICANN community, we've all have heard pretty racist and problematic comments around community about where we come from, the way we behave, and things like that. So, I wouldn't dive into this matter, but maybe there is something else we could discuss around this and whether we, NCSG, would like to suggest any sort of amendments to the Standards of Behavior in any sort of space. That could be

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interesting in a way of kind of like discussing the issue within our own proper scope and actually providing some more contributions to improving the way we deal with each other within community. But once more, I would strongly advise against us saying anything about it. That's all.

TOMSLIN SAMEE NLAR: Thank you, Bruna. So, first of all, I don't see any other hands up. All right. Gopal, I'll get you to speak before I conclude then. Gopal, you're on mute, but I don't hear you speaking. Or rather, you're not on mute. I can see a mic moving, but I can barely hear anything. Maybe we'll come back to you later then.

NATHALIE PEREGRINE: Or maybe Gopal has earphones on, so I don't know. Maybe that's interrupting in the microphone or something like that.

TOMSLIN SAMEE NLAR: Thank you. Your mic is off again, but I can't. Yeah, I think good suggestion from Bruna. If you could type it in chat then, if you're having a challenge with the mic. All right. So, I was going to say that that item is certainly on the AOB. I will be going in to hear what this really is, but I think from what I've heard, it doesn't appear to have that direct correlation to the ICANN meeting itself. So, I think I'll go with what Manju and Bruna have said. Gopal, I still see your hand up. Did you want to try one more time before we go to the next topic? Okay, the hand is down now.

All right. So, we'll get back to the top then where we were. I think the next item was going to be the Council discussion on-- Well, yeah, this was a Council engagement with PDP working group chairs. All right? And that is also another discussion that came from the strategic planning session. This happened to be one of the items that the communications small team also identified that it didn't appear that the Council update webinar that happens during that prep week, it didn't seem to be very effective.

So, the Council members had this conversation whether it can be made better. And I think when the Council probed into why we have this, and they were told that it came out from a place of when the meeting, the ICANN meeting itself was-- the time for ICANN meeting was reduced. This aspect of the Council meeting that used to happen during the walk-in session was put into a webinar. So, Council members suggested that certain questions then need to be asked to this, to PDP chairs to make it a bit more Council focused so that councilors can get a bit more out of the meeting with PDP chairs.

And some of these suggested questions were things like, are there challenges that the chairs are facing between the last update and the time they're meeting the Council again. And so, in this item, the goal here will be, again, for the Council to discuss or look at these questions to see if these questions, list of questions that have been drafted to ask working group chairs are enough or if there needs to be more to have better engagement with PDP chairs. I should add that there is a proposal to move that out of the prep week as well. I don't know to when but there was a proposal to move it out of the prep week as well.

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So, councilors, I don't know if anyone else has a comment on this or if there were anything to discuss from an NCSG perspective.

No hand. All right. So, it appears that we are all happy with the current list of questions. So, we'll move on to the next item, which was a discussion around registration. Bruna, I just saw your hand.

BRUNA MARTIN DOS SANTOS: Sorry, Tomslin. I said you have choked as well. So sorry. No. Just a question about the interaction. Because I think on the last Council meeting, we had in Hamburg, we discussed the informal with the constituency chairs and community leaders. And maybe that could be one of the meetings that could also benefit from this level of interaction. So I don't know whether moving it outside of the prep week or the current meeting structure would maybe be a good thing, but just maybe posing this alternative of having them attending the informal we have often at the beginning of the meeting. That's all.

TOMSLIN SAMME NLAR: I see, yeah. Well, I guess that is certainly something I was thinking about, but then I thought about the reason why it was itself removed. And if it was removed only because the time was shrunk, I began wondering whether if the informal session just has just enough topics not to have time for the chairs. But, yeah, it's a good idea. Manju?

MANJU CHEN: Yes, sorry. I guess, just to provide some context of why we were discussing this during the SPS. The thing is we started discussing this

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because I remember from Hamburg, we were suddenly requested by our chair that the Council policy-- What was that? GNSO policy briefing thing during the prep week was mandatory for all councilors, and we were all kind of surprised because I personally never knew it's a mandatory thing for the councilors.

So we started asking why during the SPS, and they're like, "Oh, this actually this thing is a thing for councilors." Which it wasn't very clear during the whole prep thing. We all always thought it's a like more community update stuff. So, they were like, "Oh, this was moved from the Council agenda to prep week because of--" Like the thing you mentioned, because of COVID and the shortening of agenda.

We also discussed how most councilors, including me before, we didn't really read the project management thing from Barry before we had our Council meetings. So, as a part time manager, we councilors should be reading that. So, we were suggesting that during San Juan next meeting, we will be doing like going through the project management list thing in person so we are all well aware of where the progress of each project we should be managing. eighteen.

So I was going to suggest during our meeting this week that probably we combine this with that communication with the working group chair thing. But, of course, I think Bruna's suggestion is good too. I guess we can both bring up the ideas and see what kind of options we have and what do we really want from all the communications and all the updates. Thanks.

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TOMSLIN SAMME NLAR: Thanks, Manju. I see Stephanie's hand, then Bruna.

STEPHANIE PERRIN: Thanks very much. Stephanie for the record. Also it escaped my notice that those prep meeting things were mandatory, that policy update. I mean, I would listen to it after hours kind of thing, but not bother trying to attend the meeting. I just want to bring up what I perceive is a problem with burnout. We talk about burnout all the time, but we seem to keep adding more and more things to induce burnout, and prep week is getting to be quite burdensome for those of us who have other matters to wrap up before we come to an ICANN meeting.

It means not only are you out of town for a week at the ICANN meeting now. You've got the week before it when you should be working on other matters. You're burning through a whole pile of material to get ready for the weeklong ICANN meeting. The small teams are, of course, my particular complaint at the moment. If you're on something like the SubPro small team, you're busy ripping through things to get ready for the ICANN meeting and push on and have reports finished and so on.

And similarly, I think that the workload on chairs is we're in danger of as soon as somebody stops chairing something, they run away and retire and never come back. I'm thinking of one lady in particular who has just finished wrapping up a chair, and I hope she still hangs around, but we're putting too much work on people.

I know I complain about this all the time, but I just want to complain about it one more time with respect to prep week. It's making ICANN meetings into a two-week affair. Thanks.

TOMSLIN SAMME NLAR: Thanks, Stef. Bruna?

BRUNA MARTIN DOS SANTOS: Thanks, Tomslin. No. I guess, first of all, the suggestion came more because I was thinking about the feedback we've received after the last Council informal. Right? And it was clear that that is a meeting where it would be more useful if we had it in order to hear community advice instead of just telling community about what we do. Right? So, we had a few comments on how could we improve the model of the meeting and also allow for community speaking instead of just us. So that could be one way of doing so.

And I agree with some points that Stephanie posed just now. That is when we allowed for staff to suggest on the reduction of meetings and community kind of bought this argument, we cut off a lot of spaces for interaction between our own communities and with certain specific areas. So, one example is the fact that we're mostly very limited when it comes to the meeting planning and so on. We often have a 90-minute meeting and a Council one. And if we aim to do something else and we didn't ask for it in advance, it means we're not going to have the infrastructure that's necessary for that. And that applies on the prep week and any kind of prep work related to that being much more lengthy than it should be.

So yeah, maybe that's why. I keep considering that we should, take advantage of every single in-person interaction we have. And if that means adding 30 more minutes to informal, then we could maybe

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suggest it. But it's kind of a more like eye-to-eye interaction that's much more valuable and less exhausting on time zones and the prep work and so on. That's all.

TOMSLIN SAMME NLAR:

Thanks, Bruna. All right. I think we should move on to the next one. I think that's enough discussion on that item. Hopefully, we'll be able to make those suggestions and get something that works for us. And the next item is—Yes. You do have an AOB, Farzi. Thanks for coming—is the discussion on registration data accuracy. And I think this does come up a couple of times.

And we've looked at this a couple of times where we've had to deferred whether to start this work again or not, and this surrounded the fact that ICANN couldn't determine whether they were able to access the data for the scoping team to do a data accuracy, whether they had a legitimate reason to or not. So, it is still unclear whether ICANN can provide this data. And we kicked the can six months ago in the Council in the form of deferment. But yeah, it's come up in our project plan, if you will again. So, now the Council needs to sit again and decide whether we need to or rather what we need to do with this, whether we're going to defer it again, or what we should do with it.

Stephanie, I know you did quite a bit on this, and happy to hear your thoughts on this.

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STEPHANIE PERRIN:

Thanks, Tomslin. Stephanie Perrin for the record. I was on that accuracy scoping team effort, and it was certainly not a small team. That was a bit of a joke. In my opinion, the purpose of this group is to keep alive that clause that we allowed into the RDS final report about the sort of evergreen study nature of the SSAD and what we were looking at and/or the registration data access service, whatever the heck we've renamed it to.

Personally, I would love to have this particular can not kicked down the road for another six months, but killed off, because I was never in support of this continual revision of the data accuracy. It's just a push to get more data and more accurate data, and it seems like an evergreen process.

Members who weren't around a few years ago will have forgotten or not be aware that we had a never-ending series of basically ICANN staff-led efforts to improve data accuracy, to study it, etcetera, etcetera. And all kinds of money was spent on WHOIS data accuracy. Nothing was done on the privacy side. So, this seems to be the latest incarnation of all of those accuracy studies. And, personally, I'd like it killed off until there's evidence that we have a problem, which we don't really have. Just my thoughts. Thanks.

TOMSLIN SAMME NLAR:

Thanks, Stef. I'll wait to see if anyone else has thoughts on this or questions. Because what we expect and what the Council is really looking for here is waiting for a significant event, and one of that is that I think the-- Was it the data privacy agreement negotiations to come

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through the informal study or something like that? Of which none of has happened. Yes. So, we're either going to defer this again. I don't think there's anything that can happen now. They don't have the data to do the study. So, either it's deferred, or it's killed.

But I don't see any other hand ups, so perhaps move on. Was that the last one? So, yes, that was the last one. In the OAB, we will look at planning for ICANN79, and also, there will be an update from the SO/AC roundtable that also happened. I think that happened, was it in January? I can't remember. Well, I think, Greg will be giving an update from that, he attended. And then the diacritic study request that was discussed in Hamburg. I think an update will also be given on this from staff who've put that request together. I think Steve will be giving an update on that.

And then staff, ICANN staff from GDS will be giving an update on the PPSAI. Don't ask me to tell you what that means. I know it's a privacy and proxy thing, but I cannot tell you the full name, what it stands for. And yes, we've already discussed the expected standards of behavior on the AOB. I think that's it about the agenda. If there are no other questions, we perhaps will go back to our agenda.

Next on agenda was an update on the NCSG representative to the GNSO Standing Committee, but I would like Farzi-- Because I was meant to put her item on this agenda, but she wasn't sure if she'll attend. But since she's here, I think I like her to give an update on what she like to talk about before I proceed. Farzi.

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FARZANEH BADI: Yeah. Hi, everybody. Sorry. Can you hear me?

TOMSLIN SAMME NLAR: Yes.

FARZANEH BADI: Oh, perfect. Sorry. This is a new device. I didn't know. So, basically, we as the Contracted Party House, which is the registries and registrars, as you know, they have done these bilateral negotiations with the GNSO Council on a few issues about DNS abuse. We made a few comments about the nature of the negotiations, how it could undermine the multistakeholder model, and we should prevent that. And also, we discussed in our public comments, the fact that they changed the term from security threat to DNS abuse in the contract was worrying for us under a few other issues.

But now, this year, every new year brings some exciting topic on DNS abuse. And so, they reached out, the Contracted Party House reached out to various groups, and they want to continue the conversations on DNS abuse. And I am the contact point for NCSG. What does the contact point mean? A contact point means that I am supposed so they come to me and they say, we want to talk to NCSG about this issue. I get us together and put our positions together and then discuss with them. So, it's kind of like a cat herder. I'm not representing NCSG's whatever consensus views that we have come up with, I can't relay it. I'm just saying that I'm not a formal representative. Everybody else is welcome to join these meetings.

Now, Contracted Party House has reached out to us and want to have a meeting about DNS abuse, and the meeting is going to happen tomorrow. Some of the stuff that they want to discuss is the public comment that we made under bilateral negotiations. And I have sent the calendar invitations to everybody. I invite the Council members especially to attend. I'm sorry it's bad timing. It's like the timeframe that they had given me was like around 11 UTC. So, we had to go with that.

But some of the things that tomorrow that we are going to discuss, as I relayed is on the mailing list, it's about the scope. Like why do they want to talk to us? What is the scope? Because we want to prevent this kind of like they talk to us, they talk to us, they converse with us. And then they kind of make us feel included, and then later on, go and do another set of bilateral negotiations and not respond to our comments. So, some of the things that we are going to raise tomorrow, and some of our members have a sent me very, very good points off list, but some of the things that we are going to raise tomorrow is what is the scope of this activity that they are doing? How can we provide feedback that they actually take into account?

And the last one is about DNS abuse conversations and third-party vendors. I think this this is something that we need to discuss with the Contracted Party House and the larger ICANN community. Third-party vendors have a commercial interest when it comes to DNS abuse. So, what is important for us to know is to kind of like have those accountability structures in place so that we have a good understanding of when we are talking about DNS abuse, we are very objective, and we are not talking about-- and our business model is not really dependent

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on DNS abuse and the increasing DNS abuse. So that's something that I think we should bring up.

And the other things that the Contracted Party House wants to bring up is how can they-- like they want us to explain a few of the issues that we raised in our public comment, which I'm going to share on the mailing list again. And then they also want to know what success looks like in terms of DNS abuse and tackling DNS abuse and the bilateral negotiation for NCSG. And I'm going to put a few bullet points, in an email and let you know what I think. Well, feel free to add to that.

Tomorrow is going to be a conversation that it's only going to be an hour conversation. I suggest that we focus more on scoping and kind of understanding what they want from us and why they want to continue talking about this. And, of course, we need to have the guardrails, DNS abuse mitigation should not-- ICANN should not lead to content moderation. DNS abuse definition should be technical. And also, another thing is mitigating DNS abuse should not infringe privacy of the domain name registrants. So, these are the guardrails that we always have, and we always say them.

And we go there prepared, and hopefully, have a good conversation. But we'd be very clear to the Contracted Party House that we need to be careful about any other initiative at ICANN that could potentially lead to bilateral negotiations that would remove the multistakeholder community from the conversations and also actions that are taken that are political in nature and not objective based on data. DNS abuse has not been increasing even after and during COVID, but because of the political pressure on the Contracted Party House, the bilateral

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negotiation start. So, we also need to have this conversation upfront and very frank with them that how can we make sure that we actually take action based on objective goals.

Thank you. That's it. See you tomorrow. I hope you have signed up. This is not a capacity building session. If we want to have more conversation, have a better and basic understanding of what is going on, I am more than happy to have a conversation with NCSG, NPOC, NCUC, and we'll get them together, all the members. But this meeting is kind of like front meeting that we have our position already. We are going there to have a conversation with the party house. So, we are not-- We are technically and policy-wise prepared. Thank you.

How do we sign up? So, I have sent the calendar invitation a few times. I'm going to refrain from spamming you with that, to be honest. Oh, yeah. If you can find the invitation, great. If not, please off list. Just send me an email. I will send you the invitation. No. The calendar invite, you just say yes under the Zoom link in it. And I will send that Zoom link every few hours before the meeting tomorrow. Thanks.

TOMSLIN SAMME NLAR:

Thank you, Farzi, and thanks for clarifying on that last point there about what this is about. It's not a session for capacity development because I think there was a bit of-- Clarity was required in that area. Thanks for doing that. I see Kathy's hand.

KATHRYN KLEIMAN:

Good morning, Tomslin, and everyone. Can you hear me?

TOMSLIN SAMME NLAR: Yes, I can.

KATHRYN KLEIMAN: Okay. I wanted to thank Farzi for what she's doing. Farzi, this is incredible that you've set this up, that you've given us this briefing. Thank you for your efforts. I will be there tomorrow, and thank you for putting it in context of where we are right now on this. For everyone else, I wanted to amplify what you're saying and provide a little more context. We really, really should be at this meeting.

So, traditionally, in ICANN, we have defined DNS abuse. DNS abuse can be anything. And just so you know, it's very, very-- It's a huge problem for our community because DNS abuse can be any speech you don't like on the Internet. And our groups and the groups we work with put out a lot of political, ethnic, racial, minority speech that people don't like. That's not DNS abuse. That's free speech and free expression. But if you let DNS abuse go too far, it becomes everything our organizations oppose and lots of other organizations too. It becomes anything competitive that people don't like.

So, we've defined in ICANN we used to call it DAAR, and we define DNS abuse in the context of the DNS system, what can harm the DNS system as a whole, and what can you look out outside of the words of the website itself. And this became phishing, farming, malware, botnets, and spam. Spam's kind of borderline, but there were a lot of arguments about spam, but it's on the list. So let me repeat the list of DNS abuse as we understand it in the Internet system from a technical perspective.

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We have agreed on phishing, farming, malware, botnets, and spam. But it's not copyright and trademark infringement or copyright and trademark allegations that somehow, you've infringed something.

DNS abuse is not anything anyone wants to put in it. But the Contracted Party House has good financial reasons to want to expand the definition of DNS abuse. It gets them lots more money as lawyers. It gives them lots more to do. If they can show that ICANN can regulate copyright and trademark infringement in a much bigger way, they're big heroes to their clients and to their law firms. They have a real financial incentive to push it, which is why they're doing it all the time.

So, a question for Farzi. Farzi, these new contracts have gone into effect, and they just passed. Right? The registrars have agreed to monitor DNS abuse as we understand it, the DNS abuse in context that we've agreed to as part of their contract. And I think that was just decided at the end of December. Can we just wait on anything else till we see what happens when those contracts go into effect? Can we just argue that we've done enough for now? Sorry for the long comment. Back to you, Tomslin. Thanks.

TOMSLIN SAMME NLAR: Thanks. And I'll give it back straight away to Farzi.

FARZANEH BADII: Thank you, Tomslin. Thank you, Kathy. That was very helpful. And absolutely, that's what we should do. We should tell them, okay, so you now have done the bilateral negotiation, you voted on it, and now you

are going to have this in your contract. So, this is why I'm also insisting that we should get the cope right tomorrow when we go to the meeting. And we should ask them, why are you having these outreach sessions with us again.

And so, some of the things that they have asked, like there's the agenda that I shared with you. Their questions is actually about, how do you actually define success? What do you want to see? How do you actually call this contractual amendment successful? What do you want to see as a result of this contractual amendment? And to be honest, this is my personal view, I think that this contractual amendment was just due to political pressure. So, I don't think it's going to make a huge difference in the DNS abuse landscape. However, that's my personal opinion. It's not recent data, yet.

But another thing that we should look at and monitor to see how this has actually affected the multistakeholder model. And this is what worries me to a huge extent. So, like the Government Advisory Committee with the help of the Intellectual Property and the Commercial Stakeholder Group, they think that's something that DNS abuse should be tackled. And then they come to ICANN, and they put pressure, and they succeed in doing this kind of amendments.

So, I think that what Kathy said is very important. We should go to the meeting and tell them, okay, so you did these amendments. Shouldn't we wait and see what sort of extraordinary changes this brings to the ecosystem? And then we talk.

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We also need to also be clear to them that okay. Well, when you do these outreach and engagements and we provide you feedback, we want to know what's being done with our feedback, because we can provide feedback until the end of the world, but if the feedback is not even responded to, we probably give up at some point. I don't personally give up, but we have to frame it better than this, and we should ask them like, what are the structures that are in place that we actually can provide them with feedback that they consider. Thank you.

TOMSLIN SAMME NLAR: Thank you, Farzi. And I agree that they need to tell us what's the point if they couldn't even consider our feedback during the public comment process they had in terms of in relation to the contractual agreements they were having. Why did they ask for one, and why are they asking for one now? So yeah. Kunle, you're next.

KUNLE OLORUNDARE: All right. Thank you very much, Mr. Chairman. I appreciate you, and I also appreciate those speakers that spoke before me. So just to add one or two things to the definition, which I think it was a fantastic definition. And sometimes I think that there is a way to push out the ambiguities. And from my knowledge of research, when you make a definition like that, after you have specified that DNS abuse is this, is that, I think it's also important that in the definition you include it is not this, it is not that so that by the time your audience or the person you are speaking to is reading it, he or she has a holistic view of what your definition is all about. And the peradventure, if there is one or two

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things that have not been mentioned in the exclusivity or inclusivity, that can easily be trashed out. So that's just what I want to suggest. Thank you, Mr. Chair.

TOMSLIN SAMME NLAR: Thanks. Thank you, Kunle. I think having that clarity is definitely helpful. I noticed Stephanie had a question regarding this, but I cannot find it anymore. So, my apologies if I missed your question, Stephanie. We'll move on to the update on the NCSG representatives to the GNSO Standing Selection Committee. Like I shared on email, we have two positions open for this.

We usually send three representatives. Only Arsene is still our representative. And the last day to receive those expressions of interest is today. After today, I'll work with PC to review them, and we'll have to select two representatives, active representatives to represent our interest in the SSC. I understand that the SSC needs to come together by the end of this month to review some candidates. So, we'll try to be quick on that.

The next one is an update on our response to the public comment period for the PICs and RVCs. I had sent an email on the mailing list that the comment is ready for review incorrectly, but we are still accepting contributions to it, and we have up to the 23rd of February. So, if you would like to look at what has been put there and also add to that, that will be helpful. We still have some time before we submit that.

I would like to pass the mic now to Julf to see if he would like to give us an update on his conversation with the CEO and also about the ICANN79 travel slot.

JULF HELSINGIUS:

Sure. Thanks, Tomslin, and happy new year to everybody. Yeah. I had my usual sort one-to-one with Sally. And it's a slightly misleading term because, yes, well, pretty much it's Sally and me talking, there's a bunch of staff in the room. So, it's not purely Sally and me discussing things.

I also want to thank everybody for submitting a lot of questions this time. So, we actually run over time in our discussions, which usually doesn't happen. Usually, we forget to discuss things like gardening and other interesting stuff. But this time, actually, our factual questions were so many and so complicated that it took the whole time plus a little bit more.

So, the first one was actually about the grant program and especially the timing of the bylaw amendment. So, whether there was a commitment from the ICANN Board and the executives at the ICANN Board, bylaw amendment will be done in parallel to the launch of the grant program despite it not being a dependency. And the answer was a little bit hand waving about how the timing usually seems to make it a nonissue, but it is a priority and so on and so on. So, kind of issue is recognized and as we know, Avri brought it up in the Board before she left the Board. It is a concern, but basically, staff is saying it's not really a concern because of the timing, and it will all work out.

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Then we had a very interesting discussion about the contractual amendment negotiations between ICANN and the contracted parties about the DNS abuse that we just discussed. So, we asked what the plans are to consider public comment feedback including so far our comments and what would come out of the process. And here I was told, and this is important for us to realize, that the negotiations between ICANN and contracted parties are really, really viewed as a success story, and it's kind of an example of how the multistakeholder model really works and solves problems. So, questioning that will not be very popular.

We might not entirely agree with that view, but the official ICANN view is that it's a great success that you can actually solve problems this way in a dynamic way we would say by bypassing the community but yes. So, Sally emphasized the fact that everybody from their side has been involved, so the CTO, Chief of Compliance, everybody, but that doesn't really help our side of the story. So that's just where we stand on that one. When I also really expressed concerns about that, I was told that there will be a lot of monitoring programs and so there will, of course, be feedback to listen to and so on. We'll have to keep tracking that and giving feedback on it.

Then there was a topic of WSIS Global Digital Compact Process, and especially we were asking about what the plans are and what level engagement is expected from the ICANN community. And the answer was, again, a very procedural one from staff point of view in that, it is now one of the CEO goals to address. So, it will kind of show up in or staff does. There will be a communications and outreach campaign. So,

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I'm not quite sure how our engagement is a part of that. It sounds more like a propaganda exercise plus some support, but that's it.

One thing we did discuss in that context was really development of a playbook to mobilize the oldest of different organizations who are so involved in the space. So, IRRs, ISOC, and so on. And that's clearly an area that needs a lot of work.

Right. Then we also asked question about expanded assistance for New gTLD applicants. And we actually basically just thanked all for their work. So that went down very well. But then we had a question about revolving doors and the optics about that. So how senior ICANN staff go and work for registries and other people like that, and whether that could be prevented. And the answer was very formal, so as a private sector organization, ICANN is eliminated even its ability to place restrictions of future employment. But, of course, they will do whatever they can. And they are aware of the rather bad optics. They'll try to make sure as it doesn't happen. Again, their hands are a little bit tied.

So that was kind of a very quick summary of my rather long discussion with Sally. So, I'm happy to answer questions about that.

TOMSLIN SAMME NLAR: Oh, sorry. I was just looking if there are any hands up. Yeah. I see Farzi's.

FARZANEH BADI: Thank you, Julf. Did she mention anything about this hunt for the Sydney CEO, or are we going to do that like in 10 years' time?

JULF HELSINGIUS: Well, it wasn't on our list of questions. And as I said, we were already running out of time.

FARZANEH BADI: Okay. And did they have any kind of question from us?

JULF HELSINGIUS: No, actually. I don't think so this time.

FARZANEH BADI: Okay. So, the thing is that the point of these one-on-one meetings were set up by your end. And the point I liked them at the time when I was the chair because you could get something like NCSG to get together and talk about the issues that they wanted to raise and also, like the CEO would have a better understanding of what the issues are and what each stakeholder is actually working on. But then it has become, the answers that we get in these meetings to answer the questions are very now very structured, very answers that we always expect. So, I don't know if it's a good use of your time.

So maybe next when you talk to them, of course, in more diplomatic way than I always frame, but maybe ask them, so what are the purposes of these meetings that we are having? Because if they're going to just say, okay, well, we think that the bilateral negotiations are really amazing and great. We know that already. So, what is the purpose of

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this? What's the purpose of your time? What goal are we achieving?  
So maybe you can ask that next time you meet with her.

And also, you can take some of the people that you want to those meetings. So, unless they have changed the format, if you feel lonely, you can take us.

JULF HELSINGIUS:

Thank you. And that that's actually good feedback. Yes, I will definitely discuss the whole purpose of it, but actually having other people join in would actually be a good idea probably. I was going to say, going back to the original purpose of the meetings, I was so looking forward to actually having meetings with Goran because we could switch to Swedish and totally confuse the staff. But, unfortunately, that never happened.

TOMSLIN SAMME NLAR:

I see Gopal's hand, then Bruna.

GOPAL TADEPALLI:

Thank you very much. I hope now I am audible.

TOMSLIN SAMME NLAR:

You certainly are. Thanks.

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**GOPAL TADEPALLI:** Thank you so much. You see, the uniqueness about ICANN's multistakeholder model is the DNS is not difficult, but a lot of it is hidden. So, the stakeholders are not seeing it as straight and then stake. So, there is a bit of a trick involved, and that's a challenge. Thank you.

**TOMSLIN SAMME NLAR:** Thank you. Bruna, you're next.

**BRUNA MARTIN DOS SANTOS:** Thanks. Thanks, Samme. No. Just a few comments, actually. I've always enjoyed these meetings as well. They are kind of like somehow an interesting interaction. But I think it's the good old comment about engagement with the Board as well. At some point, it gets a little bit too scripted, right? When we submit the questions then-- I always like submitting the questions because it helps both community and the CEO to prepare for whatever it is that we're asking, and they bring in a lot of information. Her staff is always amazing in that sense.

But at the same time, same point as Farzi, it really made me question why the interaction wasn't like an email, right, where she just submitted the input or maybe questions and so on. At least with Goran, there was always some space for rediscussing some of his answers or even pushing forward or a little more on some of the things he would comment. So, it's not a fully lost kind of interaction, but nevertheless interesting.

My comment about the agreements is that we should not confuse whatever is going on with the broader multistakeholder community as in kind of like a prohibition to criticism. Because I think it's a fair and legitimate comment for us to say that the agreements might not be okay or we would like to improve them. It is some sort of a mistake to me that this is being pushed as a kind of a success solution because it closes the way to criticism and discussion of things and presenting further suggestions. So, we really shouldn't go down that avenue, that as long as the multistakeholder model is under risk, we should not comment on this or that. And this is somehow problematic.

My second point is about the campaign. Sally needs or needed to communicate with community better. It's not just asking for help once all of the materials are done. I think whatever kind of campaign or education attempts she wants to perform in this also needs to bring in the perspective from community and not just ensure ICANN staff or ICANN Org itself as a lot of us are doing the kind of on-site interactions with the missions and member states and a lot a lot of things like that.

So, if in a future opportunity, we get a chance of discussing with her that it would be really good to get community's input above anything. And before she kind of sets forth a mission based on what Vennie is facing at the UN, it would be really interesting to get our discussion going in any kind of arena. So, these were the comments on Julf, but thanks for the reporting as well.

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JULF HELSINGIUS: Thank you, Bruno. Those were really good points, and I totally agree with them. Yeah. We definitely push back when we feel there's a need for pushback. And I think so. I think a lot of what we're seeing right now with the one on ones is really more sort of Sally being an interim CEO and not really having established her own style of doing things throughout. So, it's kind of carrying on with what you're already starting just to keep carrying it on until it can be rethought of what it should be. So, I think that's situation we are in right now.

Anything else? So, Tomslin, I think we ran out of questions on this one. Should we move on to--

TOMSLIN SAMME NLAR: Yes.

JULF HELSINGIUS: Yeah, I don't know how much we can-- The travel slots. I mean, the background to this is, of course, for those who don't know that because Stephanie won't be able to travel to ICANN79, we have one travel slot available. We have emailed a request for motivational statements. We have received eight applications or statements. So, we are going through them. And I think, Tomslin, we will probably have a decision fairly soon, don't you think?

TOMSLIN SAMME NLAR: We certainly will. Yes.

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JULF HELSINGIUS: So, I don't know if there's much to head off.

TOMSLIN SAMME NLAR: I don't think there's much, but I see Farzi's hand up.

FARZANEH BADII: Yeah. I just wanted to mention that for the travel slot allocation, this has been constant problem at NCSG that when it comes to traveling, we have a lot of volunteers but when it comes to actually working on issues, we don't have as many volunteers. So, one of the solutions that we thought that it could solve this was to ask the applicants to show some sort of activities such as having attended NCSG meetings in the past, being interested in some PDP, helping with drafting some comments and stuff.

It's just that I think that, and this is my personal opinion, but I think that when we are allocating travel slot, the priority should go to-- And we don't have a mentor and mentee program yet at NCSG. So, I think that prioritization should be with people who have been active and not necessarily travel slots that go to people who want to build capacity and stuff like that. We can have programs for that, but I just wanted to mention that we have failed in attracting people and maintaining their active participation at ICANN through just allocating travel slot to them.

And I know that you know this, Julf, and others, I just wanted to point that out really bluntly so that everybody else knows that. I think that our approach to travel allocation should be that people who are already

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active or show some kind of tendency to be active because we have failed in sustaining activities after the travel slot been allocated.

JULF HELSINGIUS: Thank you, Farzi. And I totally agree. And I appreciate you actually being direct about this topic. It's something Tomslin and I have been discussing a lot, and it's definitely something we take into account when considering this travel slot allocation. Thanks.

TOMSLIN SAMME NLAR: Thanks. I agree. Manju?

MAJU CHEN: So sorry, I thought we are done with the travel slot topic. I actually raised my hand to raise another thing. So, during our last policy call, Kathy has brought up this thing that we--well, Kathy and some of our NCSG members are going to organize a webinar with the ICANN Org to come and explain how the new RDRS works. I guess they were saying they were planning to do the webinar during January. So, I was wondering, is there any update on this? Thanks.

TOMSLIN SAMME NLAR: I actually don't have any update on that, to be honest. But, Kathy.

KATHRYN KLEIMAN: Sure. Manju, thanks for asking. Good point. If I might, we have a presentation that the ICANN staff has been giving on the RDS on this

new WHOIS system. They've been going around to other groups. And when we ask, they're like, "Of course, we'd be happy to come to you." The problem's mine. What happened was PICs and RVCs dropped in December as well. I don't know if you remember the surprise, and I'll just give everybody the timeline on that for anybody who's interested in public interest commitments and registry voluntary commitments.

Suddenly, there was an announcement of a big high-level discussion with Becky Burr, and so we had to prepare for that as well. There's going to be we have these comments that are due, very extensive, very good questions, guys. There's a lot of work that's going into this comment. Milton drafted the first version. I'll be following up. Other people have been inserting, but really, really important issue. Let me know if we need to have a webinar discussion about PICs and RVCs as we prepare for the community meeting in in San Juan at the next ICANN meeting. There's going to be a big, big discussion on this.

So sorry, Manju. We need more volunteers, and I think Ken and Wisdom are going to be helping me organize this. But we have the staff, and they've got the slides, and they're ready to do a presentation on the WHOIS RDRS. And we also have some wonderful people from Tucows, Sarah Wyld in particular, who will talk with us, who want to talk with us at least about how Tucows works with law enforcement and help us kind of think about some of the law enforcement questions that Farzi and others have been raising. Can law enforcement really do an anonymous request? Should they be allowed to? Can they be allowed to enter the system? Things like that. We're going to have one or two meetings coming up, but we don't have them. Sorry about the delay.

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TOMSLIN SAMME NLAR: Thank you, Kathy. I hope that answered your question, Manju. All right. I think we just have one minute left on our time. So, if there is no urgent AOB, I'm happy to say we've come to the end of our call and to thank everyone for coming. I think this was a really big turnout for the first one of the year. So, thank you very much and hope to see you in the rest of the calls in the year. Thank you so much. Have a good morning, afternoon, and evening.

**[END OF TRANSCRIPTION]**