ICANN Transcription
NCSG Policy Meeting
Tuesday, 11 July 2017 at 1300 UTC

Note: The following is the output of transcribing from an audio recording of NCSG Policy Meeting on the Tuesday, 11 July 2017 at 13:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:

Coordinator: Recording has started.

Maryam Bakoshi: Thank you very much, Nicole. Good morning, good afternoon, good evening. This is the NCSG policy meeting on Tuesday, 11th of July, 2017 at 1300 UTC. On the call today, we have Avri Doria, Ayden Ferdeline, Bruna Santos, Elsa Saade, Farzaneh Badii, Fouad Bajwa, Joan Kerr, Juan Manuel Rojas, Malisa Richards, Patrick Lenihan, Poncelet Ileleji, Rafik Dammak, Raoul Plommer, Sarata Omane, Stefania Milan, Stephanie Perrin, Yolanda Mlonzi. We also have Vernatius Ezeama and Olevie Kouami on the phone bridge.

We have apologies from Matthew Shears and Tapani Tarvainen. From staff, we have myself, Maryam Bakoshi. I would like to remind all participants to please state your name before speaking for transaction purposes. Thank you very much and over to you, Rafik.

Rafik Dammak: Thanks, Maryam and thanks everyone for attending today's call. As usual, we have our NCSG policy call prior to GNSO Council Call but this time it's kind of unusual that due to the fact it just happened a few days after Johannesburg meeting and this is related to the fact that the council changes

the date to be able to vote for some motion related to the empowered community decisions.

So that's why we have the call this timing and so the agenda will be -- should be shorter than usual.

So maybe kind of to expand for those attending for the first time, what we are trying here in the call is go through the agenda of the council call, which will happen this Thursday. So it gives the opportunity to members to know more what is going on there and also to get some briefing and also give some input in how the councilor should vote on this motion representing NCSG.

Okay, so let's start by -- with the agenda and Maryam can you please show the NCSG agenda in the Adobe Connect? So as you can see, it's quite detailed but I think many of those motion are quite straightforward. We can see in the first, the content agenda, which means that it doesn't really need to be discussed since it's the constant agenda unless someone wants to take out it from there and to us for more discussion. And for this time, we have the confirmation of James Bladel, who is the currently the chair of the GNSO Council, as the representative of the GNSO to Empowered Community Administration.

So this is basically the recommendation of the GNSO standing selection committee that was approved in the Johannesburg meeting. So this again is quite straightforward. And there was (unintelligible) in that time that the leadership of the GNSO should be representative to the Empowered Community Administration. So I don't think there is any issue here and we will vote yes for this. So any comment or question on this time?

Thanks. So the next item, which is the council vote of the proposal's fundamental bylaw change. So a few weeks ago or a few months ago, there was a public comment initiated by the Board to ask input on a small change in the bylaws, the fundamental bylaws, to move the Board governance

committee reconsideration responsibilities to another Board committee. And at that time, we submitted -- NCSG, we submitted comment supporting the change and understanding -- okay, please if you are not speaking, please mute yourself because otherwise it will create an echo.

So we agreed in that time and we supported the change. And using I'll say that the process of the Empowered Community, we asked here -- there was in the ICANN meeting in Johannesburg the first community forum to discuss that proposal. And so here, this is kind of, I think, one of the steps in the process is to -- GNSO is one of the empowered community members to adopt -- to vote in adopting this fundamental bylaw change.

So from our perspective as the NCSG we supported already the change and I don't think there is any issues related to this bylaw change. And also this is kind of an opportunity to test the mechanism that they were added with the ICANN accountability. So maybe for those more familiar with the mechanism that is coming from the recommendation from the CCWG, maybe they can explain a little bit how it works, maybe just quite briefly.

Okay, don't see anyone who wants to volunteer. Anyway, so it's basic change. It's not controversial. We already supported it and this is just kind of -- to say it's kind of (unintelligible) here. But anyway, it's good to see how the process that was recommended and said by the community how they work in practice and it's good to see them with something kind of straightforward and see maybe if there is a need for change later on or not.

So we have that motion for the GNSO to adopt that fundamental bylaw change. Okay, any question or comment here? Don't see anyone in the queue. Guess we can move to the next item. So the next agenda item, it's a placeholder and it's related to (unintelligible) for ejection action of the fiscal year 2018 operating plan and budget. So as it's labeled, it's a placeholder and it was added here since the GNSO had kind of short time period or period to ask if there is any (unintelligible) from any member, I mean any

group within GNSO to reject the budget. And this is coming from the new Empowered Community roles.

So the budget was adopted by the ICANN board on the 24th of June. I think that was just during the ICANN meeting and that initiated the time period where the different Empowered Community members can act or initiate a process to reject. So we have this placeholder but I don't think any group will be in GNSO submitted any petition yet. So probably there will be none, but at least I think from the NCSG, we don't have -- it isn't expressed specific concerns about the budget, why we didn't have the opportunity to comment on the budget itself. But I don't think as a group, we expressed any concern in the budget for 2018.

So this is just for a placeholder and placeholder in the case. If there is any petition, I guess the council will have to vote and if there is any, probably we should share that with wider NCSG membership at least to ask for input. Any question or comment here?

Yes, Marilia?

Marilia Maciel: Hi Rafik and everyone. Are we aware that any objection has been presented by someone else or any other group?

Rafik Dammak: I don't think so. I didn't see even the motion. I didn't see any motion by the deadline, which was last Monday I think and I didn't (unintelligible) any group is going to do so. So I assume for the time being there is no group that will be summon a petition, but maybe we can know more in the next two days and just before the Council call. Okay, any question or comment here?

So the next agenda item, which is about the council vote to approve GNSO council review for (unintelligible) communique from (transport). So as usual, the GAC work and the communique to cover similar topics and I think advice is to the Board and usually, we have this practice now for many years, GNSO

Council review the communique, regarding any topic related to policy development process from GNSO.

And for this time, we prepared also a (unintelligible) and to cover one topic. So Maryam, if you can share the draft -- this one is from the GNSO. So we prepared -- in fact, it's a group of volunteers from the GNSO prepared that trust and to be adopted. While we are trying to adopt this, also as soon as possible, it's because a the GNSO Council, we would like to provide that as an input to the Board before their discussion with the GAC. So we help them to kind of -- to explain our position regarding the GAC advice.

And the GAC advice for this time, it's, again, kind of maybe not something new as regarding the international governmental organization access to protection rights mechanism and this is a working group that was going for some time and they are scheduled to have their final report by November, which should be by Abu Dhabi meeting this year.

So kind of the thinking and the response we indicate that let's say -- we explain again about -- to seek to the process and we highlight that the ISU are refraining from participating directly in the process while they provided some input through a different process, an ad hoc process maybe to be more accurate here.

So I think with regard to this response, I think as NCSG, we can support that because it is aligned with our previous position regarding the INGO discussion. In fact, there are many aspects of this discussion and there has been for many years since we started with discussing about the Red Cross and the international policy committee.

I understand also that Stephanie expressed her support to this in the council list. Maybe, Stephanie, you can write more here.

Stephanie Perrin: Stephanie Perrin for the record. I express support not that I'm an expert in this particular area, but I am concerned that what has happened on this IGO thing is going to -- how shall I put this -- spread. In fact, it already has. They already have the GAC overruling and coming up with special policy issues and coming up with a report for the IRT on privacy proxy services.

So I think it's important that we respond on this one even if -- in a more broad and general way -- if the board starts doing this for everything the GAC doesn't agree with, we really are going to be in an unsavory position and I defer to all of those of you who have worked on the Work Stream 1, the various debates with the GAC over the power in the new setup. But I think it's pretty important to push back.

Rafik Dammak: Thanks, Stephanie. Yes, and with regard to the specific issues, the GAC was and is vocal for a long time here since it started with the Red Cross, and as you recall, kind of resuming discussion on voted recommendation related to the Red Cross and asking working group to resume activities after the year to review that.

And I think one of the concerns here related to this working group for (unintelligible) is to correct its protection is that the Board has that kind of group with the GAC and also the participation of leadership of the GNSO Council. And so this is the kind of thing about (unintelligible) existing process while the GNSO Council tried for now -- trying for some time now to get the GAC to participate more early in the policy development process and so on. We are still facing this kind of issue and they are keeping pushing more and more.

So I think the (unintelligible) of the GNSO is aligned with the previous response and then other topic. So I think what I can see really kind of continuation of what the GNSO expressed before and I do think that the GNSO Council should be more assertive on those matters with the GAC. I'm

not sure how exactly but we need to be more assertive and to explain that we have a process to be followed.

I don't see Kathy here. She kind of wrote the issues but I see Robin. I think she (unintelligible). She is involved within this working group. So maybe if she has any thoughts on this. But unfortunately, (unintelligible) missed an opportunity to respond to another public comment in implementation of a policy but this kind of may be done by the staff and unfortunately, we missed that to respond.

So there are so many things going on with related to (unintelligible) NGO topics and we'll get to respond better to that. Okay, sorry for being long on this issue but I wanted to highlight how much is kind of -- it's quite important we didn't have enough people involvement in due process and following more closely, but we should try to do better anyway. I am adding here -- let me send to Adobe Connect the public comment I was talking about to just say -- just closed yesterday and my discussion (unintelligible) several concerns about that implementation. It sounded (unintelligible) not following a policy made by the community.

Okay, Maryam, can you go back to the agenda please? Okay, so any question or comment on this item? If you have any questions, so I will try to share later on some of this material, particularly the GNSO (unintelligible) so you can read through it, and the mailing list. Okay, so the next agenda item, which is council vote this time, finally, with regard to the charter for the cross community working group on internet governance.

So this topic was in the agenda of the GNSO Council I think since Copenhagen meeting, so almost like three months and this as an agenda item in every call. And at Johannesburg meeting, there was kind of agreement that it's time to act and to make a decision. So there were several concerns from different person or different group regarding the cross community working group on internet governance. The first one is that kind

of questioning if the cross community working group was the right format or structure for such working group.

And so kind of the request here is to maybe to come up with a new structure that it's more appropriate and feeds the need of such working group. The other comment or concern is regarding accountability mechanism and reporting for the working group. As the co-chair of that working group, I can understand this and that maybe we didn't do a better job in informing our chartering organization, and in particular the GNSO. But I can expand that also that we didn't have the resources in term of staffing. So we didn't really have a staff supporting our activities. Just we kind of didn't have the right resourcing for that.

So just to kind of element (unintelligible) and the motion that was submitted by representatives from the registry stakeholder group is to ask the working group to come up with a new structural proposal in how we can -- what can be a new format for the working group that should not be a cross community working group but responding to several requirements and waiting for that proposal. So the GNSO will throw out the (unintelligible) organization and then starting a new process maybe to set up that working group.

I asked a kind of a question or maybe there is some question here regarding the (unintelligible) because doesn't explain how we would do a post-withdrawal, how that process will be conducted exactly, while the GNSO wait for proposal and I think that proposed by the (unintelligible) is Abu Dhabi meeting but there was a concern arose that maybe it's too short for the working group to really have the ability to propose something and maybe should just postpone to the ICANN Meeting 61, which I think should be, if I'm not mistaken, (unintelligible). So this is the kind of now things to be clarified.

Okay, I see Farzaneh is in the queue. Yes, Farzaneh, please go ahead.

Farzaneh Badii: Hi, Rafik. Thank you. I have a special interest in this (unintelligible) WGIG because I actually represent NCSG in the group and so I can see that -- so if Keith Drazek (unintelligible) comments, I just think a motion to withdraw GNSO as a chartering organization is a bit out of (unintelligible) right.

Rafik Dammak: To withdraw after we submit a proposal for a new structure. So it's kind of -- my understanding is they want to withdraw and then can join with the new setting. But this is still I think to be clarified how it will work in practice.

Farzaneh Badii: Okay, so I just wanted to ask the group on what is going on in this WGIG as I said it on the mailing list. The group reviewed its charter and its recognition (unintelligible) review it and we tried to improve it, but still the Council and Donna specifically criticized the group, and they argued that they are vague and they don't know if this can happen like the other, you know, why do we need structures such as CCWG. Some consistencies of OUG, some say that we can have like a formal group to the absolute branch about the performance of the group and as you see, I do not have much to report on is that it has turned into some kind of, you know, that we submit proposals to have sessions with various, like for example, for like, IGS but the collaboration among the members of the group and the participants, although there is a lot of people on the mailing list, the collaboration is as the bare minimum.

So, whatever we do, we have to improve this collaboration and we have to come up with some objectives on issuing statements related to various subjects and we have to be very, very careful with wording it when we want to send it to (Jim) or council and so that our mandate is very clear.

So, I just wanted to tell the participants in this meeting what I think about it and that I still don't know the pros and cons from moving group from a CCWG format to a less formal format, so, thank you.

Rafik Dammak: Okay, thanks Farzaneh, my understanding in this position, the concern about cross community working group format, I don't think it's really specific to get the group, but I think there is a concern that the cross community working group format becomes kind of the rule and even, you know, for any kind of topic and I think that maybe I'm not, I hope I'm not mistaken but I think, like, for example, some people wanted that the discussion about GMSO should be done within cross community working groups.

So, I think several parties within GMSO are kind of concerned about such trend and so, they may not understand the need of discussing about Internet governance, but maybe with a different thing, should not be cross community, maybe a working group can be a working party or whatever name we can come up with or a new structure that ensures that all the community participated. But they don't want to see a cross community working group, so, this is the kind of, I think that's what I understand from the council.

Another evidence that we need to have in mind and this I think is for discussion, the council call is how would we deal with other certain organizations? Why the GMSO had discussion with the CNNSO, the CNNSO, they don't have really, I don't think they have some position on the matter, but we don't have any discussion with that and so, we need to kind of coordinate with them on any action to be taken regarding the working group.

So, I think there are some questions to be clarified before we support this or not, this motion. I think what is positive is that it gives us some time to work a new proposal but, it needs to be clarified about the process after and how it will be done so we don't be anticipation that the GNSO will withdraw but doesn't join whatever new format is later, so.

Rafik Dammak: Okay, any question or comments here? Yes, Marilia.

Marilia Maciel: Hi, Rafik, my only doubt with regards to that, I can accept the facts like others in our community accept the fact that maybe the GWGED is not the best

format to work on Internet governance issues. What I find strange is that the guidelines for cross community working groups, they were approved after this working group existed, so, it seems to me that it would be reasonable from the start of the GNSO not withdraw support from the working group, but to wait and to give it a time for the group to adapt itself and to find another format.

I think that just withdrawing the support sends a strong signal to the rest of the community, which is a negative one, in spite of the fact that they tried to make the point that it's important that the topic itself is important, so, in my opinion, I think there is value to look for other formats, we should do that, but personally I have problems in fully supporting this motion because I don't think this is the right way to proceed. I think that the issue should have been handled differently, the GNSO never made clear that they wanted to see from the CWG a change in format being presented in Johannesburg and due to the lack of clarity and due to the fact that the topic is important, I think that more time should have been given without withdrawing the support, so, I find it a bit strange.

Rafik Dammak: Thanks Marilia. I think the kind of concern about how the withdrawal will be perceived was really kind of emphasized during the council meeting in Johannesburg, and the kind of disconnect from the other side of GNSO council, I don't think they really get that whatever they put as nice message or in the motion about they support the work and so on, it sends the wrong message. So, the problem also even for us in the working group, when we were tasked at high level to kind of align the charter with the cross community working group framework, we did that work, we reviewed the charter, we added the missing piece, we tried to get, I mean, we follow what's given the template and we provided the comparison to highlight where we made advancements, and to be honest, I don't think that many counselors really at the end reviewed that charter.

So, the concern remains that small group, and I think that to really, they don't want the cross community working group format. So, we can try to respond to that coming with something different, but having all the requirements of the cross community involvement and also, it's better to improve on the mechanisms for reporting accountability because there was concern that how, if we have a position and we are submitting comments, how that should be done with the support of charting organization and the group should not like submit any or make a statement without coming back to the charting organization to get their endorsement.

So, this is the kind of thing that was raised in the last weeks and we have any way to respond to them within the working group. Okay, yes, Renata; please go ahead.

Renata Ribeiro: Hi, Renata here, yes, in the meeting at item 59, too, and I am a bit confused as well as to with the idea of withdrawing support because I counted at least three or four board members in the meeting of the working group and if the group is meant to be in a dialogue with the board working group, they actually are quite closed in working together from the exchanges of ideas that I saw in the meeting.

So, I am a bit concerned about this notion as well, and I would try and re-focus of the CWGIG, I asked about other formats during the meeting including our working party idea and some members of the group are really adamant that it should stay as a cross community workgroup, but I'm not really sure if it's only a problem of format. It seems like a problem of scope, the group keeps discussing the UN event calendar, there are so many other events that involve Internet governance and it's strange the action the group is taking in viewing Internet governance.

So, I would definitely take that reviewing the scope is important, it has been done and it should continue to be, should be a work in progress and the cross

community working group status confuses me when its already working in parallel with the board working group.

Rafik Dammak: Okay, thanks Renata, Farzaneh, go ahead.

Farzaneh Badii: I'm going to be brief, so, there is one thing I can see the council members here have strong opinions about in not supporting the motion, we need to consider in this group is that the members and the participants of this group are inactive most of the time. We don't get things done, I don't know if this is the trouble with the format or if it's the problem with the topics, do we have enough topics to work on, do we know how to work with them? I mean, of course, there are Internet governance issues that are related to ICANN and we should react to them and do we work with the staff well enough? I do not see a lot of interaction other than a few people, (Richard) and (Nigel Hinsman) and a couple of others on this mailing list.

So, what we need to really work on is where the problem is, why we are not using this group successfully and then think about format, thank you.

Rafik Dammak: Great, thanks Farzaneh, I guess we should try to fix one problem at a time. I think with regard to motion, if we are not happy maybe with the text there is ability to propose amendments, so, I think there is something that we can volunteer to work on and make it better before the council calls so we can have discussion with other counselors. So, I think we need to clarify maybe some elements about the withdrawal and how it will work. So, in the way that we ensure that there is no gap in adopting quickly maybe the charter for the new structure replacing the cross community working group.

With regard to activities and engagements, I think maybe working on a new structure, new work on the mission and what we want to achieve, that's a good opportunity to re-engage the members and also to get the new ones, I think just getting this, what we have now, it's maybe explain why we are not

kind of getting much more, I'll say more structure. So, maybe with the new structure it can be a time for rejuvenation and new start for the working group.

Regardless what format any working party, discussion group or whatever, anything we suggest will have to work on that format and then explain how it can function anyway, so, I guess, I mean, we can work on some amendments at least for now and try to see how the process will work. Yes, Elsa, go ahead.

Elsa Saade: Can you hear me? Hello, not sure if you can hear me. Yes, okay, I would suggest, I would endorse what Farzaneh said in terms of how to engage more people in the communication, I think we should review how every single thing is done in this working group so this working group can actually participate further before we can actually change what the charter is because the level of participation and we should definitely endorse having the working group say, right, so I think we should study as a small group maybe, as a sub-group what kind of level of engagements we need from every single party and then get into the details of the charter.

And I support the fact that we should not support the motion of withdrawing from the CPWG because I think it's really unfair to say that for several reasons given also the current developments in CPGR and those are issues that are widening.

Rafik Dammak: Thanks Elsa, maybe try to explain before, in terms of the engagement or getting the group active, that's kind of, we need more deep discussion and to see how we can get people to be more active, so, and maybe about the mission or what issue is going there and this is also related to discussing the charter. But since we have a motion that if it's adopted, we still say it will have impact in the working group automatically at least by our meeting and this I think less than formal. So, we need to kind of focus on this for now, I'm not sure even if we had a group involved again, we don't support, I'm not sure about the rest of the GNSO council and it's enough and the appointee vote

yes and also the contracted party, we are going to lose and the motion will be adopted.

So, we have for now to focus on this is how we can at least if we cannot defeat the motion, at least to work beforehand to amend it, to make suggestions for amendments that can come from us at least to give the opportunity to the working group to work on the new structure, the new proposal structure, maybe also using the amendment, a charter and use it for this, the new structure.

Also, taking in account the comments that were made in that amended charter to make change, because there were some questions about the mission and there was a kind of request to clarify more, to elaborate more on that area. So, okay, some, yes, that's what I really propose, I think in the time of now kind of technical aspect, we have to do, to suggest amendments, just trying to defeat, I don't think it's going to really work, so, at least making amendments to let's say to leave the chance for the working group in the coming months to maybe propose something new.

Yes, I think we can make on that and propose that to the remaining list, so, we need to think on what can be the options here. Okay, so yes, we have short time to do, so, we have less than two days.

Okay, any comments on this? So, should we proceed with this to propose amendments? And if that is to discuss and draft those amendments, I don't have something specific now in mind, I had some questions to Keith Drazek who submitted the motion to clarify some areas, so, I will send him the question again and thinking about what kind of amendments we can suggest for this motion.

Alright, any questions, comments? Yes, Stephanie, please go ahead.

Stephanie Perrin: Okay, Stephanie Perrin for the record, I'm unclear as to what our decision is on this, I mean, are these friendly amendments, the discussion on the chat about submitting amendments, a, we don't have them and b, are they friendly amendments because it's too late for amendments in there on Monday I believe, what's going to happen if we stall this thing? I mean, what are, that's question number one, and if we don't stall it, what are our opportunities to fix it later? I'm unclear, so, in other words, I'm not sure how to vote yet, thanks.

Rafik Dammak: Okay, thanks Stephanie, I think amendments can be submitted until, even when we are discussing the motion at the council meeting, so how to be considered friendly or unfriendly, that's up to the, to whoever submitted the motion.   I think it's not seconded yet, so, that's up to them to decide if it's friendly. If it's friendly so, that will be applied, if not then we vote for that.

So, yes, I mean, we are discussing about proposing amendments but we don't have that yet because we need to understand what it's like to change the motion, what we don't see as acceptable from our side that is related to the withdrawal, so, we would like to find a way that maybe if there is withdrawal that would ensure that the GNSO to continue as a charting organization somehow and whatever will come up to replace the cross community working group.

So, I think in the term of that's what we have for now, so, in terms of support or not, I'm not sure. I understand from the discussion that several cannot support the motion as it is now and that's why we need to work on that. Yes, Stephanie, is that an old hand or do you want to talk some more? Alright, any other questions or comments on this?

Okay, so, what I would suggest as an action item to kind of move forward here, so, with the council we will work on some proposals, amendments and send them so maybe with Marilia, I think you expressed interest on this and can work on amendments and then we send them to the council in due time.

Actually, probably maybe before so we can have discussion with them, not just surprising them during the council, okay?

We'll see how we will move with this, okay? Here it seems that there is no one in the queue, so, I assume we can move to the next agenda item, which is about possible change to the name of the GNSO, that's where in the previous, let's say, I think public for the meeting and just this was kind of proposal of changing the name GNSO from generic to global, so, we will have an introduction of that topic by Paul McGrady who proposed this, I mean, personally I don't see any need to change the name for now, it's an internal branding of outreach and we are using that already, so, changing it now can maybe add more confusion.

The next agenda item is the cross community working group on the country and 338, there was kind of update in Johannesburg we think in that regard and the working group couldn't reach a kind of consensus regarding its final report and so, this is just kind of here I think to clog the working group and just giving let's say, giving updates to the charting organization which is the GNSO and to see what will be the next steps for this working group. Okay, any comments or questions here? Alright, so, the next agenda item is about planning for ICANN meeting in Abudabi, I think the process already started in fact with the planning committee from the different SO and ACs and I think we have representative from NCSG, NCUC and folk on that group and they started already the work at the end of Johannesburg meeting.

So I guess we will get some updates about the planning and so on and so on, but this is just kind of really the – they just initiated the process here and probably you hear from them about how they've – how it will – how the schedule will work and the – all the planning and so on, okay?

Other than that I don't see other - and other agenda item unless – except any other business and there's an update on the – from the New gTLD

Subsequent Procedure Working Group regarding I would say how to collaborate with the community to address geographic names at top level.

And as you recall there were I think two cross-community session regarding geo names in Johannesburg and this is kind of I think briefing and discuss on next step of those session. Yes Poncelet, please go…

Poncelet Ileleji: (Unintelligible). Poncelet speaking for the record. On that AOB I would like to find out if we are not going to select a third person for the SSC because, you know, the member sets where it was top line and (Matthew) and then (Sherry) becoming to - for the last member on the NCSG to join the SSC.

So I just wanted to find out because, you know, Renata asked those questions and I know – and (Niels) have reported to Tapani so what do you think is going to happen? Thank you.

Rafik Dammak: Okay thanks Poncelet. Regarding the NextGen Standing Committee and a representative for their business from NCSG, I think that in the kind of in to do list because we have kind of – I submitted a proposal to the Policy Committee regarding working on several like procedure and the process including that one.

So that's among the to do list so we will resume as soon as possible the discussion about this process, and we can work on the one related to the selection for the SSC representative so something more kind of long-term and not ad hoc process.

Yes. So yes it's in the to do list. I think it's above line with many other things to do and we will resume the discussion at the Policy Committee. Yes Farzaneh, please go ahead.

Farzaneh Badii: Thank you. I really think I have two points to make. I can see Marilia - that she says in the chat that if the charter gets changed to a new format, which answer the concerns of GNSO, they would not need to withdraw.

I mean, there's no obligation to withdraw from the charter, just access or not access its update. So I saw Marilia at the council. What they are raising is that they first raised the issue that this does not – the charter of our CCWG does not live up to the guidelines that GNSO came up with.

So we did a whole review of the charter and we tried to – and there was a review team, the CCWG-IG, to do this review and if we want to change anything in the charter again we have to go through that review team.

Of course anyone is welcome to join that review team. We really need help there. But – so what we need to do is to address these additional concerns. It seems like - that they are not convinced with the changes.

So we have to add to that but still I believe that they have serious – and it is very likely that they might – even if we change it they might say no but we can still try it.

But I think what should happen is that it should happen at the CCWG-IG, and all the members and as many members as possible should get together and review this charter based on the GNSO comments, which we have done but we should work on it more.

Now there is other thing that I would like to raise and I think the Policy Committee mailing list is a - very much only people on this like the steel people post to this Policy Committee mailing list.

And unfortunately engagement of our June agenda - so council members – some of them is very, very low. We had a - very important public comments

on GDPR, which Ayden kindly drafted and everyone commented at the NCSG level.

People got engaged and commented but it – when it came to the Policy Committee there was silence from many and only their like usual suspects were active on the mailing list.

I think this should really change. If some council members cannot be active on really important public comments or for example when we have the policy meeting of ICANN60, I requested that the Policy Committee members become more active in arranging the NCSG outreach.

And the only people that really responded - and thank you very much Rafik and Stephanie and I'm sorry if I'm forgetting anyone else, but really council members should step up on the Policy Committee and really help us.

Observers talked more than some of the council members on this Policy Committee. Thank you.

Rafik Dammak: Okay thanks Farzaneh. Responding to the first comment and just maybe because I see a lot of comments about the charter, I don't think it's any more about the charter.

The work and the revision in essence was – were done already in the charter. It's really now kind of about the future of the participation on the GNSO – the working group and that's why they are pushing for a new structure.

So it's - for our case it's kind of to see – propose the kind of transition to ensure that we move from CCWG to another format and then we continue the participation.

I think that's what it should be. It will be a new charter probably or we can use what we did before in the amended charter, but to be honest it's not really about the charter any more.

With regarding to the Policy Committee, talking here as the Policy Committee Chair what we are trying to do is really to get more volunteers so that's – well that's why we try to cover every time to see what we have in the pipeline on the backlog, and so for example maybe that we will jump a little bit here.

There are like three ingoing public comment. We have already volunteers for two and so the idea is to get the draft as soon as possible to be shared with the NCSG membership for input and review so we can get their feedback and comment there, so this is really depending of how early we can get the draft.

For the case of the WHOIS and the local laws, thanks to Ayden we can get that at really early stage and so we had several iteration and so on so it's kind of easy thing to review at the end because we even had a specific call.

So we will try to improve that and then – on that matter to get I think the public comment draft and the draft shared with the NCSG. So then the Policy Committee should only kind of review based on the comment from the membership, but also there is an expectation that the member of the Policy Committee review, make a comment and so on and to support or not the endorsement of a comment on the – for NCSG.

So I – the participation of all is quite critical and important if we want to have NCSG comment submitted as much as possible. Okay. Any other question or comment here?

Okay. Okay so no comment. I think I covered quickly the public comment so currently there are only three. I think two – let me find the link – two are already kind of covered.

We have volunteers for them. It's one about GNSO operating procedure and ICANN bylaws. We discussed that in Johannesburg and (Matt) volunteered to draft that so he's working on it.

And we have the draft framework for – just to operate and to respond to security threats and we find out at that time that it's quite critical and important to cover and we have (James), (Niels) yes and I think (Dina) working on that public comment.

The other one is label generation rules for rules on Version 2. We don't have any volunteer for this. It's kind of technical for anybody interested by internationalized the domain.

Maybe he or she can – that one but that's all what we have as public comment. On the other hand, I mean, we don't have that much updates in term of policy since it's just a few days – Johannesburg meeting but I think maybe probably the main update is related to the (GDBR) discussion.

And I see that we have Ayden and Stephanie in the call and I guess you – dissipated in the first call for that task force or group or whatever, so if you have any update or you want to share something please do so. Who wants to volunteer for us? Ayden, Stephanie? Stephanie, Ayden?

Stephanie Perrin: Hi this is Stephanie for the record. Ayden took excellent notes so he's probably better placed to talk about the meeting. Basically for those who haven't been following this the registrars and registries are getting quite concerned about GDPR compliance and the fact that the WHOIS conflicts with law policy doesn't work, and that they are forced to escrow their data in the United States and post-SHRMs that's a problem.

So in other words they have been - since the GDD meeting in Spain which I believe was in May they have been more or less telling ICANN that if they

don't let them out of their contractual obligations vis-à-vis WHOIS they will make it go dark.

So this is unprecedented in my review of the WHOIS history so ICANN has struck a committee to study this, the GDPR Committee or whatever they're calling it.

The registrars did not want the entire community involved. They would like to keep this as their contract and between them and ICANN. However ICANN broadened it and it is a - fivefold isn't the word I'm looking for.

It's a dual approach. A, what is ICANN responsible for, you know, like virtual data for instance; and B, what are they responsible for as the controller of the WHOIS and the RAA or the Registrar's Accreditation Agreement?

So long overdue, not likely to get fixed by May of 2018 so that's – and we are tasked with coming up with a list of how people use WHOIS data. They will be attempting of course to list the existing uses regardless of the fact that they have been told over at least 17 years that that was violating European data protection laws.

So that's the process at the moment and then they will weed those out according to legal advice obtained. I would like to emphasize that Board member Becky Burr, who is the Privacy Officer for I guess it's Afilias and who's quite aware of privacy law, is a key player on this and she knows what she's talking about.

So we had a panel in Johannesburg that basically went over things in a pretty factual manner, so that's what I've got to say. (Wendy), Ayden and I are on this and I'm trying to keep quiet so that they appreciate our interventions and don't really, really resent us.

However I did point out at the meeting that there's a little known clause at least I think it's little known – know about it that individuals can now sue their data protection commissioners for failure to protect their rights – very interest – society perspective because of course those who are fed up with this standoff could sue the whole lot: ICANN, the registrars and the data commissioners who have written repeatedly but failed to take any enforcement actions. Thanks.

I don't know whether they were grateful to hear that or not. I know some registrars were grateful to hear it. Thanks. That's it for me.

Rafik Dammak: Thanks Stephanie and I see that Ayden is in the queue. Yes Ayden please go ahead.

Ayden Ferdeline: Thanks for that Rafik. Hi everyone. Ayden Ferdeline speaking and thank you for the – that was great. So just to summarize really quickly where we are at with this GDPR Task Force, our first task is we're compete – we're gathering some basic information that will help us to be able to obtain a legal analysis about whether there are potential compliance issues under ICANN agreements with registries/registrars because of the GDPR.

And the deadline that we have for that for the first task ahead of us is this Friday on July 15. So we're currently gathering user stories to understand how individual end users and non-commercial Internet users use WHOIS if at all, and we're compiling both what we consider to be legitimate uses of WHOIS and also illegitimate uses of WHOIS, for instance using it to dox someone or to bully or to shame someone.

So if you have any stories like that that you can share with us we would be really, really grateful to hear from you. That would help us a great deal. Now that we have these – you might've seen on the mailing list that Rafik has created some smaller mailing lists for us.

One of them is on GDPR so after each meeting what I will try to do is I'll try or (Wendy) or Stephanie will send a brief update to that smaller mailing list just to let you know what has happened in this call.

One thing that I wanted to put out there – this is more a question for Rafik and the – for others on this call if it is possible that this mailing list cannot have it publicly archived at least in the first 90 days.

I absolutely think that there should be a record of all our conversations on there, but equally I – I'm also aware that we're not the only people who read our mailing list.

And so it might be quite helpful at least in the short-term to have closed archives viewable only to list subscriber at least for 90 days with a view to then becoming accessible to all stakeholders, and I see there is a question in the chat as to why.

I think we don't need to have Alan tie a hand on display for everyone but I – I'm open to hearing alternative perspectives on that. One other thing that I wanted to bring up was the – in one of the working groups, generation registration directory that's post-redevelopment process working group – so in the past few days a survey has been circulated to the working – and with the ask to respond to it.

And basically it is a series of around 40 data elements, everything from social media handles for G names, virtual addresses and others. And we're taking what is supposedly an informal call over whether we believe each of these data elements should be in the next generation registry service now.

But supposedly it is not binding in any way but all the same I – I'm wondering if we might find it beneficial to come up with more of a coordinated response.

Now if you do not feel comfortable to use that - some of us taking that's fine. You can vote your own way in this poll. But equally if we have any other NCSG members on this call who might be interested in helping us come up with some more uniform response to some of these data elements that are being proposed, I think that could be a good path forward for us because some of the questions, everything from including the (regant) social media handle and their alternative social media handle through to very open-end questions where you can list whether - any other data element that you want to be in the RDS.

And I find that problematic myself and I think it would be a lot stronger if we were to - rather than only one or two people from the NCSG just agreeing with it, it would have a larger number of their members who are active or at least a part of this working group responding. That would be very useful.

The poll for this closes on the 18th of July, I believe next Monday. Anyway I think I'll leave it there. So just the two things that I wanted to bring up were do we want to coordinate a response for this poll for the RDS Working Group, and the commitment that I've made to send updates on the GDPR Task Force to the smaller mailing list, so if you're not on it already please feel free to join it. Thanks.

Rafik Dammak: Okay thanks Ayden. With regard to the mailing list I think I have access to the admin part. I will double check. I think that it's possible to make the archive not public for some time, but I'm not sure if you can set like a date but – a period but I think we can make it open later because we have that kind of requirement.

So we can open the archive later on I guess since this ad hoc, I mean, the (GDBR) has – closes for a time limited. I will check that with regard to the archive.

And maybe to clarify about the idea behind those ad hoc group, sorry, I mean, it doesn't mean that we are moving the discussion from the main NCSG list.

But my understanding from Johannesburg – there was kind of discussion agreement between several members that we need to coordinate our efforts and to work on specific topics.

So we experimented that before - with regard to the IANA stewardship transition and the CCWG is to have a space where people - that they are following that issue or participating in the working group to have their own space where they can coordinate and discuss.

But anyway that can be then later on brought to the main NCSG list to share that with the wider membership. So – but okay I will check for the settings so - regarding the archive, see what this is – looks like, kind of the concern to not expose our position, okay.

Yes so also please that's the – also the idea behind this ad hoc group is really to - kind of to work on specific topic, to allow people to focus on that and to discuss.

It doesn't prevent from discussing in the NCSG mail list but I think it's kind of important to have a space where – to work and to probably elaborate a proposal for NCSG position.

Okay. And in the other hand Ayden can you please send the link or more information about the poll that you talked about? I had no idea about this so if you want to kind of mention how – follow up from NCSG can you send this to the mail list and to the Policy Committee?

Okay. Yes okay, I think we've covered most of the topics. Any other comment or if you have any other business or a topic that you would like to discuss now? Yes Renata, please go ahead.

Renata Aquino: Hi. I just wanted to note that we have a Latin American/Caribbean NCSG members call on the 26th of July and thank (Niels) and Poncelet. We're talking about human rights and Bruna Santos who will be talking about the same presentation she did in ICANN59. That would be it for now. Thanks.

Rafik Dammak: Okay thanks Renata. Okay any other business, any other topic that you would like to discuss? Okay seeing none I can assume that we can adjourn the call for today and thanks folks for attending.

And we'll try to follow up later on for this call to continue discussion about the motion and with regard to CCWG-(IE) and also as you heard to – we will share other information like the one about (GDBR) and so on. Okay so thanks all and see you soon. Bye-bye.

END