
MARIA OTANES:

Good morning, good afternoon, good evening. This is the NCSG policy call on Tuesday, 16th of April 2019. In the interest of time, there will be no roll call, and attendance will be taken by the Adobe Connect room and the phone bridge.

I'd like to remind everyone to mute your microphones when not speaking to avoid background noise. With this, I will turn the call over to the NCSG policy chair, Rafik Dammak, to begin. Rafik, please go ahead.

RAFIK DAMMAK:

Okay. Thanks, Maria. Thanks to everyone for attending this NCSG policy call. So this is happening after a few weeks, after the Kobe meeting. So it was a while since we had our last call.

I'd like to give a context. Usually, we have our NCSG policy call on the same week of the GNSO council meeting in order to have discussion with our membership about the agenda that will be covered by the GNSO council, and to share more updates about the discussion there and also to get some input on for example the motions that are tabled for voting.

So this is always a good opportunity to get an update of what's going on in GNSO and the council in general, and also to discuss the policy matters like the public comments, the working groups and so on.

So as usual, for our agenda, we'll start first with agenda item number two, which is GNSO council preparation, and we tried to go through the

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council agenda. So we tried to explain as much as possible and give some insight how it usually goes.

Okay, so the first item is about administrative matters, so it's not really substantive or [inaudible]. The second agenda item is usually we take time to go and do a review of project list and agenda items. So the project list, I think it's quite a useful [document.] I advise everyone to check it on a regular basis, because it lists all the activities, policy development process, committees, everything that's initiated by the GNSO council or it's a committee from the GNSO council or anything that the GNSO joining as a chartering organization. So you can find there about the status and the progress of those activities with all the relevant links to the Wiki space and so on. So it can give you quite a good snapshot of what's going on and also the [kind and] the amount of work done at the GNSO.

Regarding the action items, you can understand that's a way for the council to follow up and track any action agreed during the calls or meetings, so like sending letters to the ICANN Org and so on. So if you have the time, you can check it and see what kind of action agreed by the GNSO council.

Okay, let's move to start more to substantive matters, item number three, which is the consent agenda. So as you can understand, the consent agenda is listing there any motion or confirmation or approval by the GNSO council that it was deemed not necessary to have substantive discussion, because there is expectation there will be consensus. But usually, we ask the councilor to share their thought in the mailing list just in case to check if there is any issue or problem.

And for this consent agenda, we have several items. The first one is a motion to adopt the GNSO council response to the GAC communique. As you know, the GAC issue a communique in every ICANN meeting, kind of giving – not going to say advice, but it's different, but to detail the position from the GAC on several topics and items.

Now it's kind of practice for many years, the GNSO council consider that it's good to give an input to the board with regard to the GAC communique and covering only GNSO-related topics, like policy development process and so on. The GNSO response doesn't cover other items that are not related to GNSO.

And why we have this is to ... usually, after an ICANN meeting, there is a call between the ICANN board and the GAC, based on the GAC communique, and first for the board to hear, to understand from the GAC and also for the board to prepare a kind of score card responding to the GAC communique. So kind of a practice here from the GNSO council is to try to give an input with regard to policy development process topic brought or mentioned by the GAC.

So my understanding here, checking the response, there are two areas covered by the GNSO response. The first is about EPDP phase two, and I think this is a topic of interest for us, and also, the IGO or INGO curative rights. And then we will cover that later in more details in a separate agenda item.

I know that some of our NCSG councilors participated in the drafting team for GNSO also, so probably, they can give a better briefing about

the content of the GNSO response. I see Tatiana in the queue. Yeah, please go ahead.

TATIANA TROPINA:

Hi, everyone. The response to the GAC communique this time is not actually very extensive, because there were only several points where we decided to respond. One of them raised some controversy. Many of you have followed the EPDP, so there was some controversy between us and Commercial Stakeholder Group, namely Intellectual Property Constituency about technical solutions related to access to registration data.

So finally, after some discussions, we were able to find language which was acceptable for everyone about whether the solution could be premature, which us, contracted parties house, registries and registrars were insistent on, but finally, we were able to find compromise language concerning this technical solution.

With regard to the second point on the response to GAC communique, CCT review recommendations, the first thought of the drafting team was that actually, CCT review has nothing to do with the GNSO because it's not PDP, but then we finally decided after consultation with ICANN staff that we're better to address some of the concerns, mainly anything related to new gTLD subsequent procedures PDP, which was actually in contact with CCT review team, and was concerned about the review's recommendations because they were directed at the PDP, policy development process.

So basically, the second point actually covers, [the GNSO, a duty] to consider more general CCT review team recommendations that were [passed to the] GNSO by the ICANN board. So I would say that this time, the review was pretty controversial in terms of the second phase of the EPDP, and with some efforts, we found the language which was acceptable for all the stakeholder groups and constituencies of the GNSO council.

So this is basically it, and if you have any questions, I would be happy to answer.

RAFIK DAMMAK:

Thanks, Tatiana, for the briefing, and sorry, I mistake about the second topic. I confused it with another one. So it's good to hear that it's [a result of] compromise, because I think we [inaudible] the last time, and we had kind of made some amendments to the response and we had to defer the approval.

With regard to the CCT, [then] expect that some work is coming to us, the GNSO council, from the board as they did approve [some recommendations] and they put some other in – I'm not sure how to say it, kind of pending status, and sending them to the related SOs. So we have some that are coming to us and probably to the SubPro. I think that was expected by the SubPro working group in terms of their planning that they have to get the kind of outcome of the CCT review team in their recommendation.

Amr, please go ahead.

AMR ELSADR:

Thanks, Rafik. And thanks, Tatiana, for the briefing. [You did] provide some useful context to how the response to the GAC communique was drafted.

I have one follow-up to that. Maybe it's kind of a [question or clarification] as well on the first item on the EPDP regarding the GAC advice.

The GAC had basically advised the ICANN board to – I don't know what they can do, but I think they want them to take measures to make sure that phase two of the EPDP proceeds in a timeline that is comparable to phase one, which most stakeholders involved believe would be very difficult and challenging to do.

But my question's on the GNSO response to this, or maybe the lack of response, actually, because the GNSO council in its response didn't either confirm or deny what they're going to do with the timeline, they just basically said that the GNSO council is aware of the issue and is going to deal with it in a timely manner, but without really specifying what kind of timeline it's going to basically try to follow.

I ask this not only because of the GAC communique, but also recently, a little over a week ago I think, the [NTIA] sent ICANN a letter basically asking for the same thing, so there's pressure coming in from the US government to ICANN to try to have phase two expedited in a manner similar to phase one, and I was wondering whether there was any additional context on the GNSO response to this and what the thoughts are. Thank you.

TATIANA TROPINA: May I jump in?

RAFIK DAMMAK: Thanks, Amr. Yes, Tatiana, please go ahead.

TATIANA TROPINA: Yes, Amr, thank you very much. I didn't cover this in detail, also because I believe, at least from what I saw on the mailing list, mailing thread discussing the GAC communique, there was not as much discussion on the timeline. So the language is really very neutral, and as you rightly said, sort of lack of response about the timing of the EPDP. I believe that it would be probably right now very hard, if not impossible, to agree on the GNSO level at this moment, just for the purpose of drafting GAC communique what the time [here] would be.

I believe [that what we discussed on GNSO] in Kobe, and I remember the EPDP discussions as well, that it would be absolutely impossible to carry out the EPDP phase two work in the same time and under the same pressure as the phase one was going on. So it is impossible, and many of us admit it, and I believe that even on the GNSO level, the position was rather going to that direction, that the new phase of EPDP will convene, and we'll try to continue to work fast, but not with the same speed as phase one.

But I believe that if we're talking about drafting this GAC communique, already we saw that it was quite – like IPC, they really stood against some of the wording for example about technical solutions and so on. I

believe that drafting anything that would be less neutral is something that would be absolutely impossible for the purpose of drafting this response, especially because I don't see really the clear position of the GNSO on this, because I believe that Commercial Stakeholder Group, majority of it will insist and align with GAC on the very fast completion of the phase two, while contracted parties house and us would be absolutely against this.

So I believe while it's not agreed, yeah, probably there could be [no opposition] that could be [saved] by the drafter of GAC communique per se, because [inaudible] don't have exact timeline, and to me, while I really thought that we rather agreed on the GNSO and EPDP level that the speed wouldn't be the same, the external pressure is just too high, and maybe this would be readjusted, although I personally would fight as long as I can that the second phase of EPDP should not go with the same speed. It's impossible. Thank you.

I know that probably I haven't replied to your question, but I only clarified more. But I don't have exact response. My response is that it was impossible to answer about exact timeline [and the level of [this drafting.] Thank you.

RAFIK DAMMAK:

Thanks, Tatiana, for the response or comment. So, with regard to the GNSO response, I understand about the challenge that drafting team [inaudible] and so I'm not sure how much we can make changes, but if we think that it's needed, it has to be done pretty soon, because it will be really bad to leave such discussion to the council meeting itself. We

had that experience last time, and it's not necessarily effective. So probably, if there is desire to make changes, it should be done as soon as possible. And I thought Julf was in the queue, but he disappeared. Julf, do you still want to speak? Okay, doesn't look like it. Okay.

I guess I don't see any further comment or question on this. [inaudible] first item. Okay, it seems Stephanie wants otadd something. Yes, Stephanie.

STEPHANIE PERRIN:

Hi. I've been typing what I think in the chat. I think Amr's raising a pretty important point here. [People who] signed up for the EPDP, we had a heck of a time last time keeping the reins on and trying to make this a manageable process, and now we have pressure coming from the GAC, we have a former GAC chair as our leader on the EPDP, and a GAC chair who happens to have been in place when a lot of the sort of GAC power was gained during his chairmanship, and we have this ambiguous statement. I think we have to put a strong marker down or we're going to be run ragged.

And what I'm really worried about is all small teams that have figured out exactly what they want to build in the access model volunteering and going ahead and building it. And I have been through this experience on the expert working group. I urge all of you to go back and read that report, because they're building exactly what they talked about back in the old days. So I think we have a real risk here that this thing is going to go off the rails, and we need to put a strong statement in.

And contracted parties allegedly agree with us, unless they've got some kind of deal going on with the business community. So we should try and push this. Thank you.

RAFIK DAMMAK:

Okay. Thanks, Stephanie. I guess if there is no further comment or question here, we can move to the next item, and I understand that probably discussion will continue in the Adobe Connect chat anyway.

So the second item is about the confirmation of recommendation report to the ICANN board. So now there is the public comment because the board on the EPDP recommendation and final report, and the deadline is the 17th of April. I think that's tomorrow, and we have already a draft under review.

But this report is coming from GNSO council and in fact is prepared by the staff., kind of to give additional material and briefing material to the board when they will consider the recommendation coming from the EPDP.

So my understanding, this is a quite recent practice, for staff to prepare some materials for the board, but this is more coming from the GNSO policy staff, and it was under review by the council and there were several edits, and there was discussion in the council list about maybe there is a need to change the format and what kind of information is there.

So this is more just to confirm that report and send it for the board so it will be in time for the board consideration of the final report for the EPDP.

Okay, so is there any question or comment on this one? For some reason, I'm not surprised that Amr is in the queue. Yes, Amr, please go ahead.

AMR ELSADR:

Thanks, Rafik. I just wanted to flag that last time I checked, some of the edits in that report inaccurately reflected the NCSG's position on some of the recommendations, on one specifically, which I think was recommendation 16 on geographic distinction of registrants in terms of how they're treated.

So I don't know what that will mean in terms of that being in the report. I think our position is clear in the EPDP phase one final report, but in terms of the GNSO report to the ICANN board, I think at least [my position,] one of the recommendations inaccurate. So I'm just curious what the impact of that might be and whether we can change it or not. Thank you.

RAFIK DAMMAK:

Okay. Thanks, Amr. I'm not sure if there was a hard deadline on this, but I think it was a few days ago with regard to make any changes to that report. So I guess it will be difficult to do it now, but if one of the councilors can share those edits, maybe I guess it's possible. If it's just maybe specific to the NCSG position or something like that, I think that

would be doable. But other than that, I think it will be difficult to make any substantive edits after the deadline. Amr, is it an old or a new hand?

AMR ELSADR: That's a new hand, Rafik.

RAFIK DAMMAK: Okay.

AMR ELSADR: Even if we're past the deadline for further edits, if I could get an answer from any of our councilors on what the repercussions of this report may be, that would be helpful just to understand what the results might be of the GNSO council sending this report to the ICANN board, and considering that one of the recommendations or one of the – characterization of the NCSG position on one of the recommendations is not correct.

So I'm just wondering what that might mean for us, for the GNSO or for the ICANN board. So if anyone could shed some light on that, I'd be grateful. Thank you.

RAFIK DAMMAK: Thanks, Amr. So this is just more my understanding, just educated guessing. So doesn't mean it's accurate, but I think this kind of report is more additional material for the board consideration among others. So there will be – for example we have the public comment and there will

be the report summarizing all the input received, and I hope the board will read the report itself, the final report from the EPDP itself.

But if we think that maybe there is some risk of confusion about some of our position and how it was related to NCSG, I guess it's better to try to make edits while – I said I'm not sure if it's possible now or not. So there is nothing to lose if we try to do that, so if one of the councilors can carry that to the council list, I think it would be possible, and to try to see what are the reactions. So that's kind of my understanding. I'm not sure if that's helpful.

Okay. Any other question or comment on this one? Okay, I see none. [So again, as I said,] if it's needed, we can try to fix that. Hopefully – it's better to do it today if possible, not waiting until tomorrow.

Okay, the next item is the approval of the appointment of the chair of the EPDP team. That will be for phase two. So [inaudible] process. It was agreed before that the GNSO leadership with the standing selection committee leadership to do the selection and to propose the name to the council, and so there was a call for expression of interest, and it was extended once because we got only one candidate in the first period, and we just added one after the extension.

So you can understand that it really doesn't give a huge pool of candidates, and it's a quite worrying signal about having enough people who want to volunteer to a chair position for PDP working group. So the name that was selected between two candidates, it's Janis – I forget the name [inaudible] a bit hard. Janis, who was former GAC chair, and he's

currently ambassador for Latvia if I'm not mistaken, and the other candidate was Chris LaHatte who is the former ombudsman for ICANN.

So I can share that what we find out is really – these two candidates have qualities in terms of chairing and mediation and so on, facilitation, but I think [it's clear] there is a lack in terms of GNSO operating procedure and the PDP in general. Probably, they have high-level knowledge, but the specifics, and the way for the chair to understand the expectations and to manage the PDP and so on, it can be something that they have to catch up, and also about the knowledge of the EPDP phase one. Maybe it's not kind of critical, but I think it's quite important since there are several items deferred from phase one to phase two.

So [at least] I think this is kind of my understanding, and there is a lot of expectation that the support staff and myself as liaison and acting chair for the EPDP now to support the incoming EPDP chair to catch up and to prepare for phase two.

So I cannot say that he's a perfect candidate or it's optimal, but that's the situation we are now. And I see Stephanie is in the queue. Please go ahead.

STEPHANIE PERRIN:

Hi. I really don't understand how we – I understand that the selection committee was under pressure, there were only two candidates. I did not read their applications. Obviously, I wasn't on the selection committee. But if it is true that Karklins is on the chair of the standing committee at WIPO, then as far as I'm concerned, that is a conflict of interest that rules him out.

I mean, really, that and being a former GAC chair hardly makes him a neutral party. And we had a neutral candidate in the former ombudsman. I realize that people do not feel that he did a great job as ombudsman. Some do. I can't speak for everybody, but we certainly hear that. But you have to look at the limitations of his powers of ombudsman. And I can't see that he would be a worse chair, but he at least has, if anything, an understanding of the need for privacy, which I doubt that Karklins does, because Karklins was leading the GAC when some of the worst pressure on WHOIS was exerted on ICANN.

So I really can't understand why we would accept this choice and why our councilors wouldn't object to it. Thank you.

RAFIK DAMMAK:

Thanks, Stephanie. So first, I think the selection was based in the application, so I cannot tell that much about that, but I don't think one application really helped, Chris in this case. [As I said,] they're far from being the perfect candidate, so probably – the selection committee [can take the heat] about this, but again, if I can move this a bit backwards, the situation is that there was a problem to get people to apply in the first place, and I hear people that maybe we should have worked harder and so on, but my general feeling here is that it's not just for the EPDP. We'll have a problem in future in trying to find people who want to volunteer as chair and to commit for a long period.

So with regard to NCSG position, if people are really feeling strongly about this, first thing, I would advise that you should not vote or abstain – vote against or abstain for a consent agenda, because that's defeating

the purpose of the consent agenda. If there is a disagreement and a discussion is warranted, it's better to ask to remove that from the consent agenda and to bring it back to the main agenda. So that's my advice in terms of procedure. [I didn't say] it's right or wrong, but just an advice to avoid the previous situation when it happened.

What we [inaudible] impact if we vote against, not sure, because it seems even other group, maybe they understand it's not an optimal solution, but they understand how – that's kind of understanding that they should move on. So I'm just here giving you what [you should have done] in terms of procedure, but I'm not sure about what can be the outcome here. And in the case if, let's say there is enough vote against, what will be the solution? So it's better also to think what kind of council proposal you make in such situation. Okay, Ayden, please go ahead.

AYDEN FÉRDELINÉ:

Thank you, Rafik. I just wanted to echo everything that Stephanie just said there. I'm really quite disappointed with where we're at at the moment where this individual is going to become the chair. And this is not even a comment directed towards that individual, it's more the process.

What I am so frustrated by was the fact that no one from council leadership or the standing selection committee actually [sought out input there.] And we do have, what, three NCSG members on the standing selection committee, and we have one NCSG member who is part of the council leadership team. There was no consultation with the

NCSG's EPDP members who have to work with this individual to see what we [thought] should be an appropriate path forward, and there was no broader consultation with the NCSG. And I'm so frustrated about this because this is not the first time that this happened. It happened with the previous chair as well. But I'm more frustrated actually with council leadership, because [there is] very little communication between the council leadership team and the NCSG councilors, and I think it's entirely unacceptable.

Now, as to that justification you just gave as to why this individual should become the chair – and I understand that's because apparently one of the two applications was lacking in detail. Well, why didn't you go back to the other individual and ask that they expand on their answers? You had two candidates here. Could you not interview them? Could you not seek additional information? How difficult is it, really? We're not talking about having 1000 applications to assess. There were only two.

So I think that is just really not a very compelling reason that you had to make this one individual the chair because apparently the application was more fulsome. [inaudible] except we all have [inaudible] we all have other commitments going on. Not everyone is going to put a great level of detail into these application [inaudible] that had been extended the deadline already once, there hadn't been a huge amount of demand, and I think it's probably not an unreasonable assumption to think that people might have also worked with one of the individuals before and so they could offer some personal anecdotes of what they're like to work with.

So I just wanted to note this, that I don't think it is appropriate, the process that was followed here. I certainly don't think it's appropriate for the council chair to – before we had even voted, to send some kind of communication to essentially say that one person's been chosen, the other rejected, and [inaudible] expected now to rubber stamp the decision that is made.

So I think this is just a really absurd situation that we find ourselves in. As Stephanie indicated in the chat, I think one of the better ways forward would be to hire some kind of independent mediator to be the chair rather than the situation that we find ourselves in now. But what I also want to say – and I keep saying it, and I have to continue saying it, communication between council leadership and NCSG councilors needs to improve, because how things have been happening over the past year is not acceptable. Not one bit. Thank you.

RAFIK DAMMAK:

Okay, so to respond, [first thing,] it's important to understand that the council delegated the task to committee to do the selection, and so I'm not sure how, what kind of input is requested or expected here, because if that's the case, then the selection should be done as a whole committee and it needs a whole GNSO council. [I think] that we fix all the problems and avoid to blame some people if that's the point here.

To GNSO leadership communication, I think if there is a problem with the chair –

MARIA OTANES: Rafik, we can't hear you. It looks like Rafik is not on the call anymore. We'll just wait a few minutes for him to rejoin.

RAFIK DAMMAK: [inaudible] my connection stopped for a few seconds. So again, as I tried to explain, if there is any problem, you can escalate, raise that to the council and ask a question. So if people are not feeling happy or there is any concern, I think that's the solution and I would advise to do so. Amr, please go ahead.

AMR ELSADR: Thanks, Rafik. Not to look back over what has happened, but to try to deal with this moving forward, I would suggest that one [area as we have in] phase one not continue to phase two specifically speaking, I think we need to now separate the leadership role and the council liaison role, specifically again the vice chair and the council liaison role which have both been held by Rafik throughout phase one, which I'm sure was a ton of work on his part.

But moving forward in anticipation of potential disagreements – I think that's a nice word – between some of our members perhaps and the EPDP team's leadership, I think we need to separate leadership from the council liaison role. So I think it would be a good idea that the council change either the vice chair or the council liaison to this team just in the event that there are disagreements that cannot be managed within the EPDP team and need to be elevated to council. I think having a council liaison who is also serving on the leadership team at this point is a potential conflict. Thank you.

RAFIK DAMMAK:

Okay. Thanks, Amr. So for EPDP leadership, for the role of vice chair and liaison, I think it was made already as a comment by the registration, I think maybe the registries, they want to separate between these two roles.

Speaking personally, I'm not looking to be the vice chair, and just for now, end up to be the acting chair for the EPDP for unforeseen reason, but I never planned to do so. So I'm waiting when the new chair will take over, [and just that we] support for a short period of time so he can catch up and start the phase two. So I think that's the expectation.

The question would be here is how you will appoint the vice chairs, or that's what I'm assuming, vice chairs, because the situation in phase one, I think [it was] kind of proposed as a solution because I don't think any group was looking to lose one of their representatives to be the vice chair, but this is the same question that we come back and it's better for the council and the EPDP team to think here how to do for that role. But again, speaking for myself, I'm not looking to be vice chair anyway, just if we'll continue [inaudible] the role and the quality of GNSO council liaison.

Is this an old or a new hand, Amr?

AMR ELSADR:

New hand, Rafik.

RAFIK DAMMAK: Yeah, please go ahead.

AMR ELSADR: You actually kind of answered it with your last comment there, because you said you don't intend on staying on as the council liaison. My comment wasn't directed specifically toward – I had an idea that you were planning on stepping down as vice chair. I wasn't sure if you were planning on stepping down as liaison or not, but again, this was just a path for moving forward. I wouldn't have wanted to see the GNSO council replace you with one person who would serve in both those roles, as an example.

So if you're planning on staying on as council liaison and not staying on as vice chair, I think that would be a potentially great solution. Just hoping that our councilors, when this does come up on the council agenda, just be mindful to avoid having one person serve in both these roles in phase two of the EPDP. Thank you.

RAFIK DAMMAK: Thanks, Amr. Yes, again, as I said, it's my expectation, I think, and that's the position of different part and the council, is to separate the two roles. So the question is just how, who will be the vice chair, or maybe more than one vice chair. But again, if I [inaudible] continue only as liaison for the council – and this is also a question about the commitment, as I think we might expect that this will [fit] maybe one year or one year and half or two years, so that's more even than phase one in terms of workload and commitment. Yes, Tatiana, please go ahead.

TATIANA TROPINA:

Thank you very much, Rafik. I would say that as a councilor, I would support any decision of yours, whether you want to stay as vice chair or whether you want to go. But what I was going to say in this regard, especially about the vice chairs, I would strongly support on the council level to have vice chairs, several of them, so the stakeholder groups and constituencies could be happy that they're not losing a member in this regard.

My problem with this is that as far as I remember, we already had this discussion, and [I] flagged this issue already when we were discussing the charter for EPDP. I remember Heather who was chair of the GNSO council actually flagged this issue too in support, but then it just went nowhere, we had vice chair [inaudible] and we had ended up with you as a council liaison serving as a vice chair.

My position as a councilor, my suggestion in this regard would be that I would avoid changing the charter, because once we start changing it, there would be too many interests or groups trying to jump in saying, "Look, you said that the charter wasn't changeable, but it is [inaudible]."

I would say that maybe we as a council can recommend to EPDP to decide whether they want to go with one vice chair or several, but again, I don't know how this would align with the charter. So I remember myself flagging this issue during the discussion of the EPDP charter, but it looked like there were some more important issues on the table and this one was completely overlooked, so we had only vice chair as single person there.

So I'm wondering if there would be any suggestions in this regard from any other folks, but I think that maybe we can get on the GNSO council level, just leave it to EPDP for them to decide if they want one or several, but without changing the charter. I would be very much against changing the EPDP charter and opening the door for any further amendments. Thank you.

RAFIK DAMMAK:

Okay. Thanks, Tatiana. I think there was an agreement before the Kobe and during Kobe meeting that we are not going to amend the charter. What GNSO council [gave was] some guidance or instruction, but there is no plan to amend the charter.

The charter already indicates about having a vice chair, so I don't think there is a need to make any changes anyway on that area. The only thing is really how the EPDP team will decide about the selection of one or more vice chairs. So there is already a description about expectation and the role of the vice chair, but just a question here how the EPDP team will envision a leadership team for the EPDP. And in fact, while the chair is appointed by the council, the vice chair appointment or selection is left to the EPDP team itself. So yeah, it will be more discussion at that level.

Tatiana, is that an old or new hand?

TATIANA TROPINA:

Sorry, it's an old hand. Thank you.

RAFIK DAMMAK: Okay. Thanks. Okay, so are there any further question or comment on this one? Again, I just shared with you how you can do in terms of procedure, but again, you need really clear plan here and the rationale to explain why [inaudible] the chair. Yes, Stephanie. Please go ahead.

STEPHANIE PERRIN: So, do we have action items coming out of this discussion for our councilors? What's going to happen? There has to be some action on this in my view, or I'm ready to quit the EPDP. I'm not going through the hell that I can see coming at us. Complete waste of time. We're agreeing to what amounts to a takeover. Why did this person come forward? He hasn't even been active at ICANN recently.

RAFIK DAMMAK: Okay. Stephanie. Not sure what kind of action item we would expect here. Again, if people feel strongly, then they should object or vote against, yes, they can do so. But again, I'm not sure about other groups' position. And if so, even if you get this [done,] what will be the solution here? So I'm not saying there is none, but you need to bring up something – how you would bring another candidate or how you'd select another one and so on. So that's the question.

If it's just a matter of we're not happy with this one and we would prefer the others, maybe, but maybe other group would say the opposite. So I have no idea what can be the solution here.

Yes, Stephanie.

STEPHANIE PERRIN:

Thanks. Let me tell you what I would like as an action item. This is on the agenda. There's a vote, right? It has to get the approval of the GNSO council. So I expect our councilors to raise their objections, that from what they can see there are indications of non-neutrality in the person of this chair, and they'd like a fuller explanation of how he came to be selected.

If we cannot get a new search process or a new option B that I wrote in the chat, one option would be to hire that guy from the mediation company to chair us. I realize it's expensive, but so is having this thing derail. I'm dead serious, I'm not going to waste time on this committee if it's biased. If this is a GAC takeover, I'd like to know now and leave, and just sue somebody and get them into a court of law, because we are having a ridiculous approach to the enforcement of data protection law taken by ICANN and all of its – the lobbies that [inaudible] from its inception backed up by the NTIA [inaudible] and now we've got a former GAC chair who, as head of the EPDP for the most important part, the building of this so-called tiered system, and the determination of who is going to accredit people and how they're going to determine purpose, this turns into a complete waste of all of our time if those of us who have our doubts about this are correct.

So [plus one on a rapid time schedule] according to what everybody has agreed to here, and the GNSO council has waffled in its statements on it. I really think – I wish Milton were here to yell a bit, because I think this is very serious, and we need to either start a new process, find a plan B, appoint Chris as co-chair because at least he will try to tug at this guy's coattails and keep him honest, but you cannot drop back to us. As has been pointed out previously in the chat, there were plenty of the

big players' people on this technical study group, big players being contracted parties. So we have every reason to believe that some sort of solution that the contracted parties can live with is in the works. But that's not going to give us proper data protection in this access model. Thank you.

RAFIK DAMMAK:

Okay. So, first thing, yes, you can bring this from the consent agenda. [I think that's the first step here, how to do it,] if you want to have a discussion. Otherwise, you cannot if it's still in the consent agenda, so you can bring it back to the main agenda.

Second, it will pass with a simple majority. So if you want to defeat it, you need to get enough votes here.

With regard to – I see some solution about having co-chairs or a new vice chair, restarting the process or having a professional mediator to work as a chair and so on, okay, you can bring this, and I'm not sure, I think it maybe matters in terms of timing here. So yeah, you'll have to make your mind in how we want to bring this. I think just maybe leaving it to the council meeting, it will not be received well. If there is any concern, it should be done as soon as possible, and to make proposal earlier, not just wait for the meeting. This is my perspective here.

Okay. I see the queue. I'm not sure, Stephanie, is it an old or a new hand? Okay, it's an old hand. Yes, Amr. Please go ahead.

AMR ELSADR:

Thanks, Rafik. And I kind of agree with you, but I would take it a step further in saying that being reactionary to this right now is not good management of the GNSO's PDP. This process has been ongoing for a while, and there's been trouble trying to recruit a chair for the EPDP right now. There was an extension to the deadline because it was only one option, and I think we are all pretty much in the loop of who the initial candidate was, because he had announced it himself.

So at this point, I think the sensible thing to do would be to work with the choice that the appointing team made, and there are measures within the GNSO operating procedures and working group guidelines to handle a chair that is difficult. It's unfortunate, it's far from ideal. It's nowhere near being perfect. It's far from ideal. It's a pretty bad situation, I think we all agree on that. But I think it would be bad management on part of the council to move backwards on this decision and try to change it in any way.

I think what would have been a better idea was earlier in the process, we could have been a bit more proactive in terms of trying to recruit a chair for the EPDP team. I know Stephanie made an effort on that front. I did as well. We both failed. There were other measures that could have been taken. Having the appointing team [including] the council leadership and possibly the standing selection committee to also proactively go out and try to recruit a potential candidate that might be a more appealing and more effective at the chair job, but right now, when this is all done and after our councilors and other councilors agreed or at least did not object to the process that was being used, to come back and say, "No, we don't like the result of this process that we've all approved or did not object to earlier in our work and now we

want to track back and change things,” I don’t think that’s very good management of the GNSO’s PDP, and I think we need to live with the decision that’s been made now. And like I said, we do have tools at our disposal to deal with difficult situations that might arise. I hope they don’t. I suspect they will. And like I said, it’s a bad situation we’re in, but we need to deal with it. Thank you.

RAFIK DAMMAK:

Thanks, Amr. Just one clarification about the committee. We didn't know the names until after the deadline for the call of expressions of interest, so there's no way kind of to know about that and to do recruitment. But point taken.

I think it was not expected from that group, but if it was, I guess next time we need to be clear about that outreach effort as maybe is expected from the NomCom. Point taken. Yes, Ayden.

AYDEN FÉRDELIN:

Thank you, Rafik. I wanted to change the subject slightly, because there's no point in me rehashing the same argument about who’s going to be the chair or not, because really, the decision has been made there, and I don't think that we ourselves have enough votes to be able to change that now, which is unfortunate, especially because I do disagree with something that Amr said, that we do have tools at our disposal to be able to sort of rein in the chair if necessary. I don’t think we do. I wish I was enough of an optimist to think that we would be in a position where we could hold them accountable.

What I wanted to talk about just briefly was resourcing for the EPDP. There was an e-mail that arrived to my inbox a few hours ago regarding the ATRT3 review. [It was talking about the] resources that they were being allocated. And it's really quite extraordinary on how much money they're receiving as part of this review team.

So they're talking about doing a three-day f2f meeting in August in either Beijing, Hong Kong or Singapore. So they have almost unlimited resources [at their disposal,] and yet at the GNSO level, when we're talking about resourcing for EPDP, recently, we've seen even transcripts are being delayed now. So transcripts now take 72 hours versus 24 hours.

I appreciate there is a modest cost saving there, but is that not something that is just fundamental to our work, to have transfers available in a timely manner? At an ICANN meeting for instance, we can't be everywhere. I would like to be able to go to a meeting and to be able to quickly skim the transcripts ahead of time, particularly when they're meeting two or three times across an ICANN meeting. We won't be able to do that if transcripts are taking 72 hours.

So I'm really disappointed by that. As for comments in the chat, "Check the working group guidelines [inaudible] 3.7," yeah, that's not going to be helpful. I appreciate that's in there, but I've certainly raised issues with the council liaison to the EPDP before and nothing's come of them.

So I don't think that is actually something that we can rely on, unfortunately. But I hope that I'm proven wrong and I hope that we have no issues whatsoever in phase two of the EPDP, and that should

any issues arise, we will be able to rely on that mechanism and council leadership will take a more responsive approach than happened in phase one where we could not even get accurate updates on the council mailing list. We were getting sort of these [fluffy newsletters] that resembled none of the meetings that I was in.

Anyway, on resources, other parts of the ICANN community seem to have an abundance of resources. Our EPDP for the phase two of its work seems to be relying on very little. So I think that's really disappointing, but something that we need to pay more attention to, [why this does not] receive the same priority from ICANN Org as other projects are.

RAFIK DAMMAK:

There were several comments here, so I'll respond to them. First, in terms of resource, I think that was discussed at the EPDP team level mailing list, but [Maureen posed them] during Kobe meeting [in several sessions.]

And regarding the transcript, it was in fact discussed in Thursday's meeting, but maybe I understand that Ayden, you were not there, so maybe you missed that. But you can check [the transcript and find] what the EPDP team agreed on.

With regard to the existing mechanism, Amr is right, [so I] advise people to read the GNSO operating procedure [in terms of what exists here,] a mechanism to keep the chair on track. And about the council liaison – which is myself here, so I'm hearing some comments. I do disagree about what is expected in terms of reporting regarding the activities of

the EPDP team, and I think [that's what was] done in terms of explaining the program. But in the end, the EPDP delivered its final report, so probably, that's a response to what was said before.

In terms of escalating, again, I advise to [read in this] operating procedure in which situation EPDP team members can use the liaison with regard to the issues. So there are some areas that the liaison might discuss with the chair and regarding some action, but there is, how to say, different area where the team can ask the liaison to act and to work with the council in those matters.

So, okay. Stephanie, I think you're in the queue. And since we're already past the first hour of our call and we still have several topics that we still want to cover – so, okay, I guess it was an old hand.

Is there any further comment or question here?

AYDEN FÉRDELINE: Yes, Rafik, I want [inaudible]

RAFIK DAMMAK: I don't see any.

AYDEN FÉRDELINE: [inaudible].

RAFIK DAMMAK: [inaudible] please be brief, we need to move on.

AYDEN FÉRDELINÉ:

I appreciate that you – I'm [simply] responding to the comment that you made a few moments ago within which you addressed me. So you said that because I was absent on the Thursday meeting of the EPDP, that I was unaware of the change to the transcript. Yeah, I wasn't at that meeting. I had [inaudible] at that particular time. And of course, that is not the issue. I understand this decision was made. This decision was made to save money. What I was flagging was that other parts of the community do not have the same pressures. They have resources that are made available.

As to the other comment that you made about what is the role of the liaisons, I appreciate that. However, I don't think that the council liaison to the EPDP actually fulfilled their role. That is my concern. So I do hope that that is something that will change in the second phase of the EPDP.

RAFIK DAMMAK:

Ayden, I think you are entitled to your opinion, [whether they're right or accurate] anyway. So let's move on here. The next item is about approval of suggested amendments to the GNSO [chair] selection criteria, and there was a document shared on the council list, it was drafted by Heather, who is GNSO representative to the fellowship selection committee, and there was several input, and [it is] on that document, so basically, we will approve that list of criteria, and hopefully we can get a clean version of that. So I don't think there was any specific concern as the comments were already taken into consideration for [inaudible].

Okay, any question or comment on this one? Okay. I don't see any comment here or anybody in the queue, so we can move to the next agenda item, which is about the vote on the IGO INGO access to curative rights protection mechanism. This topic was in the council consideration for a long time now, since last year, August since we received the final report and recommendation from the working group, and it was kind of put on hold because there were concerns expressed by the GAC, and in particular the IGOs there, about the recommendation and how [inaudible] process and so on.

So, it was considered that we should take time here to see what are the best options and how to proceed, and the GNSO council leadership with the staff tried to make some proposal [that was] presented, if I'm not mistaken, at least in Kobe meeting and prior to that, and to target to have something to vote by [April meeting,] and we are at this level with the proposal.

So there are five recommendations, so the proposal is – there are different options, but the proposal here for the motion is to vote for recommendation number one to four, as they are not expected to make any changes to any existing consensus policy. But for recommendation five, to not approve it, and to send it to – for what is proposed now to the motion to the RPM [inaudible] review, but I understand that maybe RPM is not the right place for that. But just to clarify, what is suggested is to send it in phase two [and the] RPMs in phase one. So this is still open.

There was also a discussion maybe we need an EPDP just to cover kind of specific scope about the recommendation five, and there were some kind of questions or items to cover. So that's what we have now.

[Personally, is it] kind of the best option? Not necessarily, but it's something that was proposed because we know about the position from the GAC, and they are clearly making that clear to the board and they wanted the board to be involved [within the way] to kind of having a dialog between the GAC and the GNSO council. But I think we avoided that and the way we discussed it with them during our joint meetings, the GNSO council and the GAC, so we are trying here to propose something that keeps the sanctity of the PDP, because we want to avoid the situation that every time a group, including the GAC, is not happy with an outcome of PDP to try to redo the work in one way or another. So that's what we have on the table, and we'll see if it's the best option for now.

Yes, Kathy, please go ahead.

KATHY KLEIMAN:

Okay. As everybody knows, I'm one of the co-chairs of the rights protection mechanism working group, which has already, in stage one, been in the process for three years. So people are getting tired.

But one of the things we talked about in the midst of phase one is how much our charter had in it. We were given a lot of things. A lot of stuff was really punted to us, and not very focused. So we were hoping for phase two to be more narrowly tailored and more focused, and kind of get to – phase two is the UDRP review.

Bringing in the IGO/INGO issue [inaudible] they're tough and they require a lot of expertise. And I'm afraid bringing it into phase two of a group that's really noncommercial – and this is really the noncontracted parties houses. There are some registries and registrars, but it's really a group that knows commercial law and noncommercial rights, doesn't know a lot about IGOs and INGOs.

I think it's going to wind up sentencing us to many more years of work, and I don't think it's a good idea. I'm not crazy about another EPDP, but I'm not crazy about a phase two that is as large as the phase one. We did hear objections from me and I believe from Brian in Kobe when we were asked about this. Somebody on the GNSO council, I think it was Maxim, asked us about this and we expressed our concerns.

So let me express them again. Let's not put too much in. I don't think this is a good idea. Thank you.

RAFIK DAMMAK:

Okay. Thanks, Kathy. I think regarding the RPM, we'll have – there is an agenda item later on about this in terms of progress and so on and the timeline. So we have the two option, either to send the RPM, [I know there was] already some opposition from I think the IPC and BC, they didn't want really to go – that to be sent there. I don't know [inaudible] their reason. Probably, they are not necessarily the same that we might have.

So I think in general, the solution proposed here is to approve four recommendations and send the fifth or to work on kind of the follow-up on the fifth either RPM or in EPDP, or to create another PDP. I don't

think creating another PDP would be good in any manner. EPDP is possible, and I think that's what we discussed in the council meeting in Kobe.

So yeah, we can bring this back, I think it's possible. In terms of proposal, I participate in the leadership team, so that's kind of – we are working as a team, but from NCSG position, we can bring back other option if needed.

With regard to approving this, the scenario is clear, what will happen if we approve, and we know the GAC's not happy with it, they will issue an advice to the board and the board will make a decision on that. But also, we need to be careful here. It depends, for approval we are not sure if it will get enough vote in the first place, because there [are some groups, and understanding the content, they] may not be keen to vote or to approve this one. So it might not even go to that stage.

Okay. So, any question or comment on this one?

KATHY KLEIMAN:

What's our position? Are we supporting it or not supporting it? [I don't] understand.

RAFIK DAMMAK:

Okay. Thanks, Kathy. I cannot speak for others, because I was involved in a different way on this discussion as the council leadership team working with the staff about the different proposal and what can be the best option. But at the end, if this is an NCSG position, [other councilors should make our mind] here and explain what the best path on this. So

from my perspective, I think approving the four recommendations and finding better vehicle for the fifth. If we don't, we are worried that it will put a lot of pressure on RPM.

But if you read the motion, it's talking about phase two, and in fact, it's kind of sending it back, [how to say, sending it to later] to make a proper decision, because even if we [talk of] phase two for RPM, it means the charter needs to be amended. So it's still possible, even after then, to kind of decide to use another vehicle for that one. What is proposed here is just to avoid the controversy about that recommendation, knowing the [inaudible]. But at the end, again, we have two others to share their thoughts and position on this one.

Okay. Any comment or question here? Okay, I don't see any. Okay. So the next agenda item just for discussion, and this is about managing IDN variant TLDs. So this is coming for the board, asking the GNSO and the ccNSO to work on the policy for the IDN variants, so I tried really to understand [what the issue is, the variances.] When the work of the IDN was mostly technical and so on [inaudible], but policy issues were left to some extent. I think the SubPro worked also on the IDN in terms of the review, but for this one, we are expecting to do some work, so the discussion here is to see how the GNSO, probably working with the ccNSO, how we should proceed on this and how we [can policy] with regard to – in terms of policy.

So I'm not too familiar. I got some briefing about it, but I cannot really speak as an expert on this issue, and this is one, we really need people familiar with IDN and having some expertise, because this case is, I think, specific for some language, like for Arabic script or the Chinese

script and so on where you might have – it might be used by different language, and so there are some TLD that look similar, and so what kind of policy we'll set in those cases. Okay. Any question or comment on this one?

Okay, I see none. The next agenda item is a council update about the status of EPDP phase one informal implementation review team, and this will be done by GDD staff, and that will be Dennis Chang. As the board didn't approve yet the EPDP phase one final report, we had this idea of having kind of informal implementation review team that was proposed by the EPDP team, and so kind of to do the prep or groundwork when the IRT becomes official. [And my understanding is that] pre-IRT already starting its first call. If I'm not mistaken, it was last week. I hope there are some NCSG members there and maybe they can give us some update as far as what's going on.

So, we will get an update and see what's happened, what's the progress and what are the next steps for the implementation. I don't want to kind of volunteer someone, but I think Amr, you are in that pre-IRT, so do you have any update that you want to share?

AMR ELSADR:

Okay. Thanks, Rafik. We had one call for the pre-IRT last week. It was one of these really "Let's all be friends" introductory calls where no substance at all was discussed.

I think there were a couple of issues, I guess you could say, that were kind of flagged, but not necessarily acted on. Maybe one was. One was that IRTs are run by GDD staff, so there's a project lead or a project

manager responsible, Dennis Chang, and he's part of what they call an IPT, an implementation project team, which is basically the staff members responsible for implementing the policy recommendations adopted by the ICANN board, and the IRT, the implementation review team, they're the community members that support and advise the staff members and try to work with them to make sure that the consensus policy language that is drafted is consistent with the intent of the policy recommendations.

So one of the things was that the pre-IRT doesn't have a council liaison. A number of the IRT members suggested that it would be a good idea for a council liaison to be appointed to the pre-IRT, and that way, if for any reason a liaison is required, he or she would be available. Also, in terms of continuity, when the pre-IRT switches over to a regular IRT, having a liaison that was part of the earlier discussions might be a good idea just for continuity purposes.

The other issue was on membership of the pre-IRT. In my understanding, and several other members of the pre-IRT, we believe that only folks who were directly involved in phase one of the EPDP would be allowed to participate in the pre-IRT, but I think there are at least two members of the pre-IRT who are not involved with the EPDP [team,] and this question did come up.

One of them was on the call. The other was not. It didn't look like there was a standing action item to deal with this, but several members of the pre-IRT did raise this as an issue, kind of a procedural issue more than anything. If people who weren't involved in phase one were allowed to join the pre-IRT, then this should have been made clear, and anyone

who wanted to join could join at that point. But since there was a rule on restricting membership at this time, that should probably be applied universally. So that is still, I think, an open question on why these two members – might have been more, but I remember two of them, why these two members of the pre-IRT are there at all. That’s really all that is for now. [inaudible]. Thanks.

RAFIK DAMMAK:

Okay. Thanks, Amr. So yeah, the IRT membership is open. I think the issue was not raised before because there were few people really – they joined the IRT, it was mostly [to do with] operational experience or interest, like the registrars. But this case is different. And I think the issue we’re expecting is when the IRT will start – it’s not just a pre-IRT, it will be in parallel with phase two, so it’s kind of – if there is overlap of membership, there will be some workload here.

With regard to the council liaison, in fact, there is a call on the council list about people who put their names as council liaison to the pre-IRT, but I don’t think anyone put his or her name to be in that role. And I expect that it will be probably maybe someone from the contracted parties to be interested, but just in terms of procedure, there was a call for interest on the mailing list, and I think I may maybe suggest to send a reminder to the list, [inaudible] other threads there. Yes, Amr. Want to add something?

AMR ELSADR:

Yeah. Thanks, Rafik. Very quickly, just in case folks are not following, the reason this is a pre-IRT and not an IRT, because IRTs are typically formed

after the ICANN board adopts GNSO recommendations, and then they direct staff to [launch the] implementation review team. In this case, the pre-IRT was launched prior to the board's vote on the GNSO recommendations, and once the board does vote, assuming they adopt the recommendations, then the pre-IRT will change into a regular IRT, and membership will be opened up at that point.

So the membership issue is only a temporary one, just for – I think just a few more weeks until the board votes on the GNSO recommendations on phase one of the EPDP.

One thing I forgot to mention that I was not aware of previously is that whether you are involved with the EPDP team or not, you may at this point subscribe as an observer to the pre-IRT mailing list, so if you want to do that, you can go ahead and do that, see how that could be done if people are interested.

There are a number of – or at least [inaudible] there were a number of observers already subscribed to the pre-IRT's mailing list, which so far is rather quiet, but none of them were from NCSG. So I just wanted to flag that in case anybody does want to subscribe as an observer. Thank you.

RAFIK DAMMAK:

Okay. Thanks, Amr. Thanks for this. Is there any question or comment on this one? Okay, I don't see any, so we can move to the next agenda item, and for time check, we have 30 minutes on the call. Okay, so the next one is about updated timeline for the PDP or the RPM, and so probably, this will be changed a little bit as we are not going to get right now the updated timeline for the PDP. That will come later, I think

within one week. But it will be more to get an update here from the RPM about the progress and so on, so to give an idea what's going on there. So we get updates, I think, in Kobe meeting and prior, but this is just really, again, an update about the RPM.

And since we are here, if someone wants to share anything regarding the RPM, I think it's a good time to do so. But again, kind of the topic was really about a detailed timeline from the co-chairs of the RPM and the way to give insight by when the team, the RPM will deliver its final report for phase one. I see Martin is in the queue. Yes, martin, please go ahead.

MARTIN SILVA VALENT:

Thank you very much, Rafik. I don't have a lot of information to share on this. For those who don't know, I am the co-chair right now of the subgroups that are going on at the working group.

We were aiming originally to end this phase one in October. I really cannot vouch – I don't know exactly the leadership or the co-chairs have in mind. And I know that we had for the completion of the [inaudible] February of 2020.

I understand that co-chairs will ask or have asked for an extension of this deadline. I really don't have exact knowledge of how long or how much longer to get to [inaudible]. It has been challenging for the working group, mainly because we aimed to answer data, so it wasn't only about getting a consensus idea of that, it's also about every recommendation we are making has to have [a data aiding.] We say

that this is not working and we say this might solve this problem, because this data says so.

So we have to gather data that didn't exist, data that wasn't gathered from the operations. A lot of that data wasn't structured, a lot of it was anecdotal. We have to be very creative and [inaudible] universities, go to [inaudible]. It has been very challenging [inaudible] and that's why I think [inaudible] the process longer and longer, the fact that it was very thorough work of looking into data, debating the data, and the data just wasn't there, we had to do the whole process of collecting it, structuring, debating it, and then arriving to a consensus idea of what the data said, what data was relevant, and eventually, like we are doing now, trying to sort out a recommendation on whether the mechanisms we're working on and what we think has to be improved. [I hope this gives some heads up. That's the basics I know.]

RAFIK DAMMAK:

Okay. Thanks, Martin. Any question or comment here? I don't see any – okay, so what is left is just Any Other Business, and this is more a kind of reminder for funded travelers to book for their travel for ICANN 65, and [inaudible] administrative matter.

So, I guess with that, we can move back to our main agenda, and as usual, it's about giving some policy update. I think we covered to some extent some of the policy discussion, but maybe first is about the public comment status. What really matters for us in terms of the public comment is the one on the EPDP final report for board consideration. We have the draft, it's under review, so today is really your last chance

if you wanted to comment or suggest an edit since it's under review and for approval by the NCSG policy committee.

Other than that, there are several public comments, but they are about several TLD agreements. So [we usually didn't] respond for similar agreements in a consistent manner, but if people feel that we need to respond to some of them, I think there is still a possibility to do so. But I don't think it's a high priority for us.

Other than those public comment, there's something I put in the others in agenda item number four, but it's something that we probably need to cover, is there was kind of – it's not [inaudible] problem, it was not kind of a formal public comment [and] independent review process standing panel, but it was kind of shared by a blog post, and so probably many in the community missed it and they already expressed concerns [and that was the] approach followed here. So this is something that we should cover, and I wanted to highlight it. We need to comment on that one, but it's not under public comment.

So, that's it about the opportunities for public consultation and sharing input with regard to the policy topics. So we have the PDP working group and review teams. I think for PDPs, we already heard about the RPM, but if there is anything to be added, feel free to do so. Okay, Amr, please go ahead.

AMR ELSADR:

Thanks, Rafik. I just want to address the topic of the EPDP again, with two questions, if I may. First, you mentioned earlier in the call the public comment that is open right now [inaudible] the board's consideration of

the EPDP recommendations. I was wondering if there's anything required of the drafting team between today and tomorrow for the NCSG comment before the policy committee adopts this as an NCSG comment or not. If there is, please let us know. As you pointed out, the deadline is tomorrow.

And my second question is on appointing an alternate. One of our alternate members has stepped down and we're still missing a replacement. I'm wondering when the NCSG policy committee is going to appoint a replacement to the alternate. I think we're running short on time if we want the alternate to participate as phase two kicks off. Thank you.

RAFIK DAMMAK:

Thanks, Amr. So for the first question or comment, I think drafting team can help to resolve the edits and comments in a way that will be really close to final or clean version for the policy committee consideration. I send reminders to the policy committee for review. This is quite urgent to do so and to get this on time. I don't think there is any way to get any extension because [inaudible] the kind of time constraints. So I think that if you can help on that, it will be great.

With regard to the replacement for the alternate, I can take a little bit the blame here. It's in the pipeline of the policy committee. I raised it before in March. But kind of I think we'll resume on that and get it quickly. So we only have one slot to replace, and that's for Collin. So I think it's easier than if we had to replace several members of the EPDP team. So we'll do so in the coming days and to get that closed.

Okay. Any other question here or comment? Okay. So that was the EPDP, and I think for the EPDP, there is also the phase two. I cannot speak that much here, but I think there is some expectation for the NCSG members to give input on what was shared as update in the EPDP list. And you will expect other opportunity for input on some material, because it's all kind of needed to work on the work plan. So different working items for the work plan.

But just I want to highlight if it was missed, there was an update shared in the EPDP list, I think almost two weeks ago, [inaudible] the input shared by different representatives about the mind map. So we are using a mind map to list all of the issues from the charter and what was deferred from phase one. And again, we really urge our representatives, they should maybe respond to the status updates at least.

In fact, I don't think there is so much [traffic] unfortunately in the EPDP list. Many people expressed interest and they wanted that we start phase two as soon as possible, but there is not so much traffic, strangely, here. Yes, Amr, please go ahead.

AMR ELSADR:

Thanks. And speaking for myself, I am really enjoying the break from the EPDP mailing list the past month or so. But I did want to raise a question on the mind map, the work plan, and also, there's been an issue of collecting – an early stage collecting questions that may require a legal counsel to answer, and I just wanted to – I know we're past the deadline on this, by the way, way past the deadline, so apologies for bringing this

up so late. But I was wondering, because in phase one, a lot of us had spoken about a data protection impact assessment, I believe there's an article in the GDPR as well as some other points where I believe may – or may not, but they may require ICANN to conduct a data protection impact assessment. So I was wondering if this is something we want to bake into the work plan and the mind map at an early stage right now or not, and whether we wanted to seek legal guidance on whether it might be required of ICANN to conduct a DPIA or not.

I should probably send an e-mail about this, but I figured I would just float that idea on the call and see what folks think at this point. I know some of our members were pushing hard for this in phase one. We didn't make much headway on it. It's something we want to add to the agenda [in early phase in phase two or not.] Thank you.

RAFIK DAMMAK:

Okay. Thanks, Amr. So that was for EPDP, so for SubPro, if there isn't any update or any question here, I can read the comment from Kathy. So just [here] maybe for sharing information, I reached the co-chairs of SubPro working group because my understanding, they had some question for NCSG, and I asked them if they can kind of compile them and send to us so we can respond to them. But I'm still waiting for that. So I understand that the working group is now – I think they reviewed the comments or they're reviewing them, so that means they are going to work on that final recommendation if there is no – probably if they're not planning to add an extra public comment period. But I'm not in that working group anyway, so that's my understanding. If there are any

members of the working group from NCSG, he or she can give some update, that would be welcome.

Okay, I don't see any. So I think that's it for PDP working group in terms of review team. So now there is the ATRT, the accountability and transparency review team [inaudible] and I think they have face-to-face meeting this month, they start to work on the terms of reference, the scope and so on, and we can expect they will reach the chartering organization to share with them what they have now [as terms of reference and scope] and asking for input.

I don't think we have NCSG members in that review team here, but I guess we can ask them in the mailing list if they can share with us more information. Other review teams, there is SSR2, that's security and stability. I don't think I heard from them in a while, and they had an issue before, but that was solved a few months ago, and they kind of resumed their work with partly a new composition.

The other review team is the RDS review team, and I think they should have their final report. And since Stephanie is here, I will ask her about kind of the updates on that part. I know they're working on their final report, but Stephanie, what is the update from the RDS review team?

STEPHANIE PERRIN:

Hi. The final report was ready just prior to the previous meeting in Kobe, but they want to translate it into the official languages. So they – I beg your pardon, it always happens that the phone rings when you're on speaker. Just a moment, I'll get rid of this one.

So as soon as it's translated, I guess we will see the final report. I've put in a dissenting statement that I believe I circulated, but I'm happy to recirculate that if anybody's interested, basically complaining that we had blown an unlimited amount of money on this review team while the entire ecosystem theoretically is going to change because of the EPDP. Although I'm not so sure it's going to change now. Thanks. Happy to answer questions.

RAFIK DAMMAK:

Thanks, Stephanie. Let's see if there is any question or comment on this, about the RDS review team. Okay. I don't see any here. I think that's it for all the PDP and review teams, so we can move to the others. So we already covered the IRP standing panel, and again, we need people to work on responding to the question that they were asked here. So the new deadline is the 15th of May. That's one month. And my understanding that we need here people who worked on the first Work Stream 1 if I'm not mistaken, and also the IANA stewardship transition, and familiar with the implementation discussion.

So this is like the systemic panel discussion is kind of now on hold for quite a long time and needs to be done. So one of the concerns is that there is push for some direction on how it's implemented. So we need to share our input here, and in particular, [those who were] involved in the Work Stream 1 to participate here. So I'm thinking [inaudible] this.

Other than that – so Stephanie, I'm now going to cover the ICANN 65 planning for now, but I think [you] want to provide some items for discussion, if I'm not mistaken.

STEPHANIE PERRIN: Yes. Hi. I really think we're kind of [inaudible]. I would love to hear what members feel we should be doing for the ICANN policy meeting. We have very little time. I think Maryam says we've got one slot of 90 minutes, which is not very long at all. So we're going to have to work [inaudible].

RAFIK DAMMAK: Sorry, Stephanie, cannot hear you at all, so we lost the audio.

STEPHANIE PERRIN: Hello, can you hear me now?

RAFIK DAMMAK: Yeah, we can hear you. Please speak closer to the mic. I think you were away, that's why.

STEPHANIE PERRIN: Yeah, I think that was the problem. We have only 90 minutes in Marrakech for the meeting. Maryam's trying to find more time, but time is extremely tight. I am on that leaders planning group. There's a ridiculous number of high-interest sessions, so I do think that maybe we should try and cut back on the number of high-interest sessions, but if others feel differently, I'd appreciate them letting me know. I think there are nine at the moment, and we're still in the planning phases for that.

Secondly, I'm trying to find someone to join the GNSO bylaws drafting group, because I'm holding the fort there, but this is for the IANA transition bylaws, and frankly, I wasn't on the IANA transition CCWG, so there are others who were who would know more about this.

This speaks to the need for people to be following things closely, even if they're not active members, because the work doesn't stop at the end of the activity. There's the implementation and the subsequent drafting and things like that. And we have a problem with volunteer burnout. I'm burnt out, I can't do any more. So we need to come up with a strategy to get more people who are maybe reluctant to be the official reps following things and learning, because quite frankly, I think if we lost two or three people, if they just decided one day they had it and left, we would be in serious trouble, because we don't have enough backup.

So anyway, I'm imploring somebody who knows what they're talking about to join that group. Secondly, the other issue is I am still your rep on the auction proceeds [though there was a] conflict practically every meeting with the EPDP, so I haven't been participating. [Joke] was our other rep, but the problem is I'm the official rep, so I've got the vote. So we need the policy committee to name [Joke] as the official rep.

So those are two of the things I wanted to bring up. Thanks.

RAFIK DAMMAK:

Thanks, Stephanie. So for the drafting team, I think we need some experience to some extent with the changes that happened with Work Stream 1 and like the empowered community and so on, and also some understanding of the GNSO operating procedure.

We had several members [also in] the first drafting team, but many of them left. So I can volunteer someone -and I hope she doesn't get mad. So I'm thinking maybe if Tatiana wants to volunteer for this drafting team, but no pressure, just if you think it's worthy to do so.

In my understanding, the work plan for that drafting team is kind of by – they are going to finish work within a few months, they're not envisioning to spend too long time.

With regard to appointing [Julf,] so that was in my to-do list for a while, but yeah, we can do that pretty quickly, just to confirm at NCSG policy committee to make it formal, and send it to the GNSO council to make it by the next council meeting in May. So I think we can have that as a deadline.

In fact, there was an action item for the council, and in fact, for the councilor, it's to kind of remind their corresponding stakeholder group, constituency and so on about the participation in the auction proceeds. But I think the one problem there is there was low participation now for the last month, and the co-chairs of that cross-community working group were expressing concern because they want to finish and to get the final report as soon as possible.

So, okay, we can give that as an action item, and hopefully we can close this. So just as a reminder, we have about the replacement for alternate for EPDP, appointing another representative to the auction proceeds, and having another member to the drafting team for the council with regard to its quite long name about the template and so on related to the ICANN accountability.

Okay. So I think that's it in terms of issues and topics, and in fact, we have only one minute left on the call, so I think we [did well in terms of] time management at the end.

So, any question or comment or anything you want to bring now? Okay, I don't see any, so thanks again, everyone, for attending this call, and I hope that you get enough information and so on. Please feel free to ask and to follow up, because I know that sometimes it's not that clear or maybe doesn't make sense if you don't know all the information, but I'm happy to respond and to follow up in the list if needed. And again, you can go to the council agenda. In fact, the background, the description, it's quite good [in trying to explain] what we are going to discuss, and also send to many links in particular also the motion, so you can get a sense of what we are going to discuss. So we have, I think, several topics to follow up in terms of how we will proceed during our call, and we will keep you updated in the list afterwards.

So, thanks again, and see you soon. Bye.

[END OF TRANSCRIPTION]