

**GAC GNSO Consultation Group
TRANSCRIPT
Monday 3 October 2016 at 1900 UTC**

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On page: <http://gnso.icann.org/calendar/#oct>

Attendees:

Government Advisory Committee

Manal Ismail, Egypt, Co-Chair of Consultation Group
Mark Carvell, UK
Jorge Cancio, Switzerland

GNSO Council

Philip Corwin, Councillor
Carlos Raul Gutierrez, Councillor

GNSO Liaison to the GAC:

Mason Cole

Apology:

Phil Corwin, Councilor
Paul McGrady, Councillor
Ana Neves, Portugal

ICANN Staff:

Olof Nordling
Marika Konings
Glen de St Gery
Fabien Betremieux
Julia Charvolen
Nathalie Peregrine

Coordinator: Recordings are now started.

Nathalie Peregrine: Thank you ever so much, Lance. Good morning, good afternoon, good evening everybody and welcome to the GAC GNSO Consultation Group call on the 3rd of October, 2016.

On the call today we have Carlos Raul Gutierrez, Mason Cole, Jonathan Robinson, Mark Carvell, Jorge Cancio and Manal Ismail. We received apologies from Paul McGrady, Phil Corwin and Ana Neves And from staff we have Marika Konings, Olof Nordling, Fabien Betremieux, Julia Charvolen and myself, Nathalie Peregrine.

I'd like to remind you all to please remember to state your names before speaking for transcription purposes. Thank you ever so much and I will see you.

Manal Ismail: Thank you and...

Jonathan Robinson: Okay, go ahead, Manal.

Manal Ismail: No, no. Please go ahead, Jonathan. You can just start and I can do an introduction to the document later. So please go ahead.

Jonathan Robinson: I think that's a very good way to do it. Why don't you give an introduction to the document and where we are. And then I'll pick up with leading any comments or discussions on it. So set the scene. That will be very helpful.

Manal Ismail: Okay.

Jonathan Robinson: And then I'll lead off from there, Manal. Thanks.

Manal Ismail: Sure. Thank you. Thanks, Jonathan. And I would like to start off by congratulating everyone on the happy ending of the IANA transition process. I really think it's a milestone that marks the transition process and at the same

time marks the beginning of the involvement of the global Internet community so. And special thanks due to Jonathan of course and everyone else who was that deeply involved.

So thank you everyone for joining the call. It's been a while since we last met so allow me, as Jonathan mentioned, to start by a quick introduction of where we stand and the objective of our call today.

In Helsinki we said that we will review the survey results, the next steps and target to complete our work by the next ICANN meeting in Hyderabad.

Looking at the survey results and reviewing where we stand versus the charter of the consultation group, Marika has helped me as ever to work with the staff and the Consultation Group Leadership Team to develop the draft status, update and final recommendations we have at hand.

The draft was shared on the mailing list for comments and feedback by the Consultation Group members on the 14th of September. We have received some soft comments from Jorge, the Swiss GAC representative.

And those helpful comments were considered in the updated version of the draft that was circulated on the mailing list on September 30 for the purpose of this call.

The draft basically provides an overview of the achievements accomplished to date, reviews outstanding items and proposes very final recommendations to address those outstanding items, of course taking into consideration the input received in the survey.

So the objective is to deliver this final status report to the GNSO and the GAC ahead of ICANN's 57 meeting in Hyderabad to allow for its review before the meeting and hopefully for adoption of the recommendations and closure of the Consultation Group during the meeting in Hyderabad.

So it would be perfect if we can try to conclude our comments on the draft on this call or shortly afterwards on the mailing list in order to finalize the report and hopefully manage to include this in the material that is being compiled for Hyderabad.

So before I stop and open for discussion, let me propose something for the purpose of this call. I think as people are already familiar with the report and have their comments ready, maybe, Jonathan, we can proceed directly with hearing what colleagues on the call have to say.

If not, maybe we can review the achievements to date and review each and every recommendation. There are nine recommendations so far. So maybe we can poll at each recommendation and see if we have any feedback or comments. So this is just one way to go about it.

I leave it at this and happy to hear if there are other approaches where we can discuss the report we have at hand.

And one final comment, I have already submitted a few proposals, mainly editorial ones. I'm sorry to have done this at a late stage. It was like a few hours before the call. But I'm happy to bring them up again on the call as we go.

So I leave it at this. I'll hand it over to you, Jonathan, if we have someone on the queue or we have any comments or feedback on any of the parts of the report. Thank you.

Jonathan Robinson: Thanks. That's a very helpful and thorough introduction. And thanks for the good words about the transition.

You wouldn't have seen -- I put in the chat -- but of course I've been somewhat focused on that over the last two weeks so I haven't given this the

attention it probably reasonably deserved. That said, it does seem to be a pretty thorough reflection of where we are.

So my suggestion of the two options you offered -- which is, you know, a systematic going through things step by step or just taking comments on specific areas -- I would prefer, I think, to take the document as read and ask people for an underlying document or on recent comments that have been made.

In addition, I think it would be useful if we could agree on a deadline during which time the document remains open and thereafter to close it, lock it down for distribution and hopefully adoption in Hyderabad so at ICANN 57.

So I guess doing things in the reverse order, how about we agree on a target date? And, Manal, I think that's driven by both the GAC requirements -- which you and others will be familiar with -- and Marika or perhaps someone else can tell us about GNSO requirements.

Now my understanding is from recent meeting is the GNSO is due to meet once more before Hyderabad. And so it might be good to be getting this document to them in final form for that meeting.

But again, please let me know if there are concrete suggestions about when this document should be completed.

And Marika pointed out that the deadline for the October 13th meeting of the GSNO document deadline is today.

Manal Ismail: And for the GAC, if I may, and I stand to be corrected by any of my colleagues or all of - I understand that the initial deadline for submitting documents to be compiled within the GAC pack as we call it was the 23rd of September.

But I also understand that every - that there are some others who are also struggling to meet - they struggle to meet that deadline.

And I already conveyed this. We haven't finalized our document yet and they told me please pass it as soon as you finish it and we'll try to put it within the GAC material.

So we've already missed the initial deadline. I hope there is an extension. I'm not sure yet. But again I've been promised that whenever we submit our document, they will try to include it in the GAC pack hopefully. Thank you.

Jonathan Robinson: Okay. So thanks, Manal. And Marika, maybe you could - okay so, yes, I think that - Marika suggested in the chat that the 23rd of October is the document deadline for the GNSO Council meeting in October.

So we could put a final version in for the October 13th meeting with GNSO with a view for adoption in Hyderabad. That seems - that makes a lot of sense, Marika. And then the proposed deadline for comments from all of us would be Friday this week. Friday this week would...

Mark, you were going to suggest the 20th of October for GAC. We can distribute the final version on Monday the 10th. That could work.

How do others feel about that? Is there any - so we would have the whole of this week. That's the remaining four working days of this week or four and a half depending on your time zone. And then distribute a final version early the following week, Monday the 10th or thereabouts. Carlos?

Carlos Raul Gutierrez: Yes, thank you Jonathan. This is Carlos for the record. I just want to ask for a clarification. We are submitting it for the council to comment. Is that right? It's not a public consultation. It's not a consultation of constituencies. It's just to the council. Is that right?

Jonathan Robinson: Marika has (unintelligible) so I'll leave her to describe the sequence.

Marika Konings: Yes, this is Marika. So the idea would be that the document is submitted to the GNSO Council but the assumption is that of course council members will take this back to their respective stakeholder groups and constituencies for review and discussion because - as it contains recommendations. The idea is that it would need to be adopted by the GNSO Council which - with council members of course taking input from their respective groups.

One thing to consider as well in the current time frame, you know, if the council is able to have an initial discussion the 13th of October, should there be any questions or comments, it would be able to bring those to the table during the joint session that is scheduled with the GAC in Hyderabad.

And then the council meeting which follows after that meeting, at that meeting provided there are no, you know, concerns or issues, it could be formally adopted presuming -- and then I see (Olaf) has his hand up -- and maybe that would work similarly from the perspective of the GAC.

(Olaf Millilink): If I can latch onto that. Of course for the GAC, the earlier, the better. But also it's better to send an early draft that's not totally finalized yet early on than something that's finalized but very, very close to the meeting.

So I would suggest to do both -- share the draft with comments or anything at some point fairly soon and then hope to have something that's much more - really the final version and append at the later stage.

That would make it adjustable for the GAC although it's - I mean, we passed the deadlines of course from a former perspective but things have a tendency to happen. And later documents are not unheard of. Thanks.

Jonathan Robinson: Thanks (Olaf). But, I mean, given where we are now, there's really - it sounds like our current proposal on the table is to send essentially a final version to both GNSO and GAC on Monday next week or thereabouts.

So that would be useful for discussion at the GNSO. It will be on the agenda and discussed at the next GNSO meeting although not voted on. And it could be available to the GAC in final form.

So are you saying you'd like to see a - this version -- which may or may not be any different from the final version -- circulated ASAP in the next day or two to the GAC or do you think we're better off waiting until we - the ink dries on the final version Monday/Tuesday of next week? It seems to me we may be better off just sending one version.

(Olaf Millilink): I mean, if we're talking about Monday/Tuesday next week, it's fine. It's only if it drags on further. I'd rather send something early on and then append the final version which probably would be 95% similar.

So I would go with that proposal, to have whatever we have early next week and send that -- even if it wouldn't be the final, final, final version -- to the GAC for their information and for further deliberations and discussion in the GAC GNSO session in Hyderabad.

Jonathan Robinson: Okay. So Mark Carvell says he agrees with you that earlier is better this week. But I understood you to be saying that you felt it was okay to send a single version next week. So Mark, I think what's proposed is that we send something Monday/Tuesday next week to both GAC and GNSO.

It could in principle be modified further by the time that it goes there but I think our target was to complete all work on the document this week and send what we believe to be the final version Monday/Tuesday next week. Mark, your hand is up. Go ahead.

Mark Carvell: Yes, thank you, Jonathan. And hello everybody. Well, okay I wasn't sure exactly what more needs to be done this week. We've got some proposals, I think primarily from Jorge if I understand correctly. I'm catching up too actually. Forgive me.

But, you know, every - as we count down now to Hyderabad, every day counts. And I'm just very mindful of the escalating volume of work that's going on that has to come into the GAC plenary ahead of the Hyderabad meeting. So that's why I'm urging as early as possible.

But if I stand to be corrected and there is quite a bit more to be done in order to get ready for early next week transmission, well, fine. Of course I wouldn't want any unnecessary corners to be cut. I'm just anxious about volume of work that we need to run past the GAC ahead of the plenary meeting in Hyderabad. Thanks.

Jonathan Robinson: So Mark and Manal, tell me if you feel differently, my sense is that -- or Marika in fact as a lead author from the staff side -- my sense is that little is likely to change over the course of this week.

But we just wanted to give it a final review, in particular given some changes have come in fairly close to this call. So it's a relatively stable version of the document but it hasn't been finalized.

So that's the issue. And there's a note from Jorge that we should send only the final Consultation Group version.

So I think on balance we look like we're heading towards sending it out as soon as possible -- which is likely to be Monday/Tuesday next week - and generally mindful of that volume of work that Mark and others are referring to.

If - are there any concerns about the substance of the document at this stage? Are there any specific concerns that others would like to raise about the current substance or comments that have been made in recent revisions?

I wonder if others like me have had a limited time to review these. And so that may help to have the next few days to just review and either sign off on this or make any other proposed revisions. Carlos? Come in.

Carlos Raul Gutierrez: Yes, thank you, Jonathan. This is Carlos. As you said, the document has been around, has not changed drastically. I - it's only in defense of the other members of the group that I would accept that we should wait a few days.

But I tend to agree with you, I don't expect anything great. I don't expect the text to change a lot. It's just kind of (unintelligible) and deferring to all the other group members who are not today in the call.

And we should be just very strict with the deadline and ask them for comment by Friday just in case there is work to do over the weekend so we can really be on time on Monday.

I agree with you, I don't expect anything major to happen to the text. Thank you.

Jonathan Robinson: Thanks, Carlos. Any other comments on either process or substance at this stage? Manal?

Manal Ismail: Yes, thank you, Jonathan. I understand where my GAC colleagues are coming from and (Olaf) of course but again as you said, I'm sure not everyone had the time to go through the document word by word.

So maybe we can try to set a deadline by the end of this week unless we hear specific requests for moving it until early next week because are people going to review the document over the weekend? Is - I mean?

As you and Carlos said, I'm also not expecting much to happen in the document. So if we can conclude by the end of this week, this would be perfect.

If not, again, Monday would be equally fine. I don't think much would happen either way from any of the sides over the weekend. So if we're not able to conclude this week, then Monday would be fine. Thank you.

Jonathan Robinson: Thanks, Manal. I think the working - the assumption that we're working with now is that we will conclude this during the course of this week. We will take edits and comments during the course of this week and then freeze that as of Friday. And then ask staff to incorporate those as soon as possible either over the weekend or on Monday for on distribution later on Monday. I think that's the current sort of the proposal on the table.

So we should probably formalize that by saying that the deadline for any comments or edits or input from the group will be 23:59 UTC on Friday.

And then that will be - can be taken over by staff to deal with as early as possible on Monday and distributed later on Monday.

Manal Ismail: Okay, fair enough. Thank you.

Jonathan Robinson: I think that's - any other comments or questions on process or substance? Or have we done what we needed for today? I'm feeling like there's - you know, I don't want to string this out unnecessarily. If we feel we've covered what we need do...

I think we have a pretty clear idea of the next steps as well. I mean, effectively we've dealt with item three in the sense that we'll complete the document this week from the Consultation Group. We'll circulate it next week. We understand that we'll give the GNSO time to at least eyeball at the next meeting and hopefully vote to support it at the next meeting. And although not perfectly timed for the GAC, should be sufficient time there. Mark?

Mark Carvell: Yes, thank you, Jonathan. Perhaps mainly for Manal's benefit because she hasn't seen what I've written in the chat, but the - we have the challenge really for the GAC to really engage and connect with - transversely with policy development. And that is what we need to address in Hyderabad.

And secondly, we need to ensure that the GAC leadership has some effective oversight of the transversal working, the early engagement in PDPs and so on so that this process beds down with predictability and commitment and outcome-orientated (sic) approach. What I - I flag it up really just to remind ourselves of that challenge.

I fear a lot of GAC members really still do not understand what we're doing and what it means in terms of resourcing and capacity building for GAC members.

And I'm sure the GNSO would be -- with your leadership Jonathan -- would be able to help us address that. I don't know - it's just inadvertent lack of recognition of what we're doing. And the fact that GAC representatives have got to commit to engage and make this work. We still have to break through on that.

We've all I think tried, you know, in various sessions at GAC meetings in the past to communicate this.

So I just flag it to remind ourselves of that challenge. And perhaps those of us on the call can think about how we approach the physical presentation in

Hyderabad with a view to really firing up the GAC on this against a context of a lot of other pressures, you know, working out how we're going to ask governments to commit to the community empowerment mechanisms and so on.

There's a lot happening that's going to change the GAC. But this is a long-running track. We're there with a final set of proposals and we must ensure that we don't fail, you know, in order to get this bedded down as a GAC methodology.

And as -- I don't know, if Manal or Jorge may have seen it yet -- but I have in a communication to the GAC about our operating principles that active management of how we engage early in policy development has got to be worked out and the operating principles reviewed -- as being undertaken now -- should take note of that one particular aspect. I've just gone to the GAC list to that effect. Thanks.

I'm - sorry, I don't mean to sound gloomy. I'm sure we will crack it but it's a challenge I think still. Thank you.

Well, I think it's a very practical and realistic point to make. And what you flagged there is that we can deliver this. But what we need to do at the same time is get the message across very firmly that there is effort to work with this. And we can - we've worked hard to produce a framework.

And we almost need - it's interesting, maybe what - we need a champion, a least one champion within the GAC, whether that's one of the vice chairs or someone. And maybe that's what we want.

We want to ask the GAC - and maybe that's a key request and something we can put into this document for - to pass this - the baton on to someone within the GAC who will pick this up.

Because we really need to explain and remind that the role of the GNSO liaison to the GAC is precisely that. It is to create an appropriate channel to provide all of the necessary early information, ongoing detail and updates and so on. But it's not to do the GAC's work for the GAC. And someone needs to be the ongoing champion and standard bearer for this.

And so it feels to me like you actually effectively make a suggestion for something that needs to go into this, even if it's possibly even another recommendation or at least - maybe it's not as hard as a recommendation for the group but a suggestion, a proposal or something like that. So that feels to me like a good idea.

And we'll - I see that that's being noted in the record of the meeting which is helpful. And maybe that's something we should consider then for...

Just wondering how we capture that even as an action. So let's say action at least on the co-chairs really to consider editing the document to have some form of suggestion for a - how the GAC might take this going forward.

We've got to be careful because we don't want to do the GAC's work for them and even presume to do so. But at the same time we need to present that that is some requirement there.

Carlos, do you have any thoughts on this or?

Carlos Raul Gutierrez: No. Exactly on this -- this is Carlos for the record -- listening to Mark, it sounded like the introduction we need to write to distribute the document to the GAC and to the GNSO Council.

So the only risk, Mark, is not a lack of recognition. The only risk I see is that the people don't see the difference between the formal policy process and they're banning cross-community working groups and - but that's not our problem.

I mean, I think we have to be very strong in the terms that you said. This is the formality of the policy process. Luckily, we're looking forward to a very orderly world of three main PDPs, at least in the short term.

I don't know if you want to introduce that into this letter because that's the only message that we can give as our group. We're not competing with all the other things that get more attraction or distract GAC people.

We have to make a very strong emphasis on what this is about. This is about PDPs and we have a big one so please focus on that. It sounds very good as an introduction to send out next Monday. Thank you.

Jonathan Robinson: Okay. That's a useful suggestion. That might be the best way to handle it. I like that idea that it's part of our communication as we send it out.

Any other thoughts or comments or items that are incomplete? Or do you think we've done what we can for this evening -- at least evening my time -- for this meeting?

Manal Ismail: Jonathan, this is Manal.

Jonathan Robinson: Go ahead, Manal.

Manal Ismail: Okay. Just to support what Mark has said. I mean, he nailed it down very appropriately and also to support Carlos' idea to - on the way we present it to the GAC, I think this is a good idea to put forward and may move things in the direction we would like to see. Thank you.

Jonathan Robinson: Okay. And that may need some - even some (unintelligible) off the way. But another way we could that is, does anyone know -- Marika or (Olaf), you may be able to help here -- is there a planned preparation meeting between the GAC and the GNSO leadership ahead of the meeting, the meeting in

ICANN 57? Because if there is, we could put this on the agenda. It's, you know, passing the Consultation Group to the respective groups.

And we know that from the GNSO point of view -- because the group established the GSNO liaison to the GAC -- we have a single point where that can be dealt with as well as all of the GNSO work. And maybe we could have that as part of the agenda.

(Olaf Millilink): I'm afraid we already had that call. Did you hear that?

Jonathan Robinson: Yes, I did, Marika, thank you. Oh no, that was (Olaf).

(Olaf Millilink): Well, it would be an additional communication then.

Marika Konings: Yes this is Marika. To add to that...

Jonathan Robinson: That's, I mean...

Marika Konings: Staff was asked to prepare like an initial draft of the agenda, proposed agenda, for the joint session. So I think that may be another opportunity to flag that, you know, this report is about to be submitted. And as well the specific question of that may also be a conversation point for the joint session on how both groups expect indeed to carry this forward now that the Consultation Group considers its work complete.

Jonathan Robinson: Thanks, (Olaf) and thanks, Marika. That's a good point. Then that makes a lot of sense. If we miss the joint leadership meeting, it's - it makes sense to put it on the agenda of the joint meeting as part of that. So that sounds like we have a plan then. That's good.

Marika, is that a new hand?

Marika Konings: No, sorry, old hand.

Jonathan Robinson: No problem. Good.

Okay. So it sounds like we have a plan. We have the rest of this week to provide any edits or thoughts on this document. In addition there will be a communication to go on top of the document which covers some of these key points we've discussed in the meeting today. And this will be the subject of the joint meeting in - at ICANN 57 and we aim to send out the final version of the document early next week.

Manal, any last words from you?

Manal Ismail: Thank you, Jonathan. I'm good, thanks. And thank you for chairing on such a short notice. Thank you.

Jonathan Robinson: No problem. I hope I've been useful. Let's hear if there's anything else from - anyone else would like to raise any final other business. And if not, then we can call the meeting to a close.

Okay good. Well thanks everyone on behalf of myself and Manal as co-chairs although really Manal's been the active one of late.

So it sounds like we have a plan going forward. Good. We'll be in touch on the e-mail list and of course look forward to seeing one another in the not too distant future in ICANN 57, at least for those of you who can make it. Thanks again and talk soon.

Manal Ismail: Thank you.

Nathalie Peregrine: Thanks very much. (Laz), you may now stop the recording. This concludes today's call.

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