

**ICANN
Transcription
GNSO Standing Selection Committee
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Attendees:

Frederic Guilemaut
Maxim Alzoba
Julf Helsingius
Poncelet Illelji
Susan Kawaguchi
Osvaldo Novoa

Apologies:

Lori Schulman
Renate Ribeira Aquino

ICANN staff:

Marika Konings
Emily Barabas
Mary Wong
Glen de Saint Gery
Trang Nguyen
Samantha Eisner
Terri Agnew

Coordinator: Recordings have started.

Terri Agnew: Thank you. Good morning, good afternoon and good evening. And welcome to the GNSO Standing Selection Committee call on Wednesday the 24th of May, 2017.

On the call today we have Julf Helsingius, Maxim Alzoba and Frédéric Guillemaut. We have listed apologies from Renata Ribeiro and Lori Schulman. From staff we have Marika Konings, Emily Barabas, Glen de Saint Géry, Mary Wong, Trang Nguyen, Samantha Eisner, and myself, Terri Agnew. I would like to remind all to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise.

With this, I'll turn it back over to our cochair, Maxim Alzoba. Please begin.

Maxim Alzoba: Maxim Alzoba for the record. Do you hear me?

Marika Konings: Yes, Maxim, we can hear you.

Maxim Alzoba: I think we follow the agenda and I hope that Susan dials in, yes, in a few minutes hopefully. As I understand, nobody expressed changes in their statement of interest. And then we had – we selected cochairs and chair. And it's my turn this time, welcome, Susan. And I think we might go through the presentation and we might have review questions which will follow the presentation. Yes, could we go to the presentation please?

Samantha Eisner: Hello, Maxim, and the rest of the working group. This is Samantha Eisner here from ICANN Legal. I'm Deputy General Counsel. I'm also here with Trang Nguyen from the GDD Department. And we wanted to present to you – we were asked to come present on the role of the empowered community administration, that I understand your group is helping to make a selection for.

And so we wanted to just give you kind of a general overview as we understand it and we thank you guys for reaching out to us because this is something that we actually might to do with the other groups that are also making selections, there's a lot of – there's confusion and also charting into

new waters here within ICANN as we're entering into the time that we now have the empowered community after the transition.

I'm here really not in my role as a lawyer but I worked with all phases of the transition process including the accountability group as well as I was very active in the drafting of the bylaws and I'm also supporting the teams that are working directly with the empowered community now to help make sure that everyone's ready to exercise powers.

So this first slide here is really just the overview of the community powers. We can always refer back to this, but not really necessary for our conversation today.

And so what is the empowered community and the empowered community administration? So you know or you likely know that within the accountability process the community sought ways to have enforceable rights to do things that are listed on the page before including the selection of Board members, and then really the removal of Board members is one of the enforceable rights that was needed because the community already does select the ICANN Board members, as well as having the ability to reject budgets, etcetera.

And so what was formed was in a very technical manner, this thing called unincorporated association under California law that has five members, or five participants in it, and those are the five decisional participants, the ALAC, ASO, ccNSO, the GAC and the GNSO.

And each of you are considered the decisional participant so those five groups are what makes up that empowered community and those are the five groups that the threshold for exercising any power are raised through.

Now one of the issues that happened during the bylaws process, because I want to give you a little bit of background about where this idea of the

empowered community administration came from, was that when you have this collection of five groups there still needs to be some way to understand who actually is responsible to send notices and receive notices and just make sure that there's someone who's actually responsible for representing the groups.

And so what we came up with along with Sidley Austin, which is the law firm that was retained after being selected by the CCWG to provide external counsel to the group, and we worked hand in hand with Sidley as well as Adler and Colvin, which was a separate California law specific group, or firm that was retained, from ICANN side we worked very closely with these firms to make sure that the bylaws were drafted in a manner that were consistent with the proposal.

And so along with the Sidley and Adler attorneys, we agreed that we needed to identify a group of people who actually were responsible for making sure that the papers were sent and so what we came up with was this idea of the empowered community administration.

So it's not its own legal entity; it has no other rights other than what it's supposed to do, which is to send and receive notices. And we'll go through some of the more specific what the empowered community administration is and is not later in the slide deck.

And so the other important thing that we looked at was that we didn't want to put the decisional participant in the position of having to select a single representative across them, that would be knowing the diversity of the ICANN community, that in and of itself could be a hard agreement to get to. And so we recognized it was important to make sure that there was one representative from each of the decisional participants to make sure that the messages were carried from their group into the empowered community itself and that any notices that might be required or anything were there.

Then we had five people as opposed to one to protect against any sort of single point of failure. And so this is really just a group, as we'll continue explaining, that is there for the purpose of sending and receiving notices.

One of the things that we did in the bylaws as well is we said the group can appoint anyone they want to be their rep on the EC administration but the default position, just to make sure that there always is someone there, would be the chair. And so there – we wanted to make sure that the line was kept open but that we also had a default position to make sure that someone has a responsibility to be there even if there was no time or choice by the group to reach a different decision about who that representative would be.

And so when we look at the EC administration, this is a listing out of some of the things that we see as being expected of the EC administration and what's not. And then Trang will follow up with some specific examples of situations that are either already occurring or that we expect to occur shortly just to give some ideas of where we see the EC administration reps actually taking action.

So what's expected of the EC administration? The first and foremost thing is they receive and send notifications. They're basically just a conduit. We're actually in the process – and they should be launching tomorrow – of setting up a group of web pages that would allow the whole community to follow what the empowered community is doing. One of the things that would go up is a link to a publicly archived mailing list where you can see the receipt and sending of notifications going back and forth.

Another thing that the EC administration will do will be to moderate the conference call and community forum. Within the empowered community escalation process, there are opportunities for both conference calls amongst the entire community as well as what we call the community forum which is an opportunity for all parts of the community to come together before each of the decisional participants makes their decision about a particular power

that's in their hands. And so the EC administration would be responsible for helping to just make sure that that happens .

Now this of course happens with ICANN support so the ICANN secretariat function would make sure that all the facilities are there, you know, conference calls are scheduled, Adobe Connect, if it's an in person forum that we have the right timeframe. And so those are all things that will take place. And so, you know, the EC administration doesn't have to do that secretariat function.

And, Maxim, I see that your question in there, "Does the EC have a secretariat?" So the EC...

((Crosstalk))

Trang Nguyen: The EC acts through the EC administration...

((Crosstalk))

Samantha Eisner: Yes, so the EC – the EC admin is almost a secretariat function for the EC but the EC administration is actually supported by ICANN. And so we see the empowered community as a total – you'll see Mary Wong on the call. She's working very closely with her policy colleagues to help build out support for the empowered community function to help make sure that we're assisting the empowered community in sending the required notices back and forth.

So the moving on, so the empowered community administration also receives notices of decisions from decisional participants so at the end of the process when each of the groups go back to their own group and vote as to whether or not they want to reject a budget or approve a fundamental bylaw change, each one of the five decisional participants takes their vote or chooses not to votes and sends a notice back to the EC administration.

And then the EC administration essentially tallies those and submits them to ICANN. There's a chart that we can provide later, it's not in our deck today, about the different thresholds that need to be met. And so the EC administration just needs to look at it against that chart and then send a notice to ICANN either the power's been exercised or it hasn't.

The one place where there is some additional power in the bylaws given to the EC administration has to do with a community mediation function. One of the reasons this happened was during the bylaws process, as we were drafting it out, we realized that the CCWG proposal had – basically had a line that said there will be a mediation phase with maybe a couple other lines around it, but there was no design of that phase from the CCWG Accountability. And so we actually built it during the bylaws drafting phase.

And we were using a group of community members to test (unintelligible) off of as we do that, but we provided a specific power to the EC administration that that EC administration would be responsible for designating individuals to represent the empowered community in that community mediation.

However, the EC administration itself have a large caveat in the paragraph that forms the EC administration, which is it may only act based on direction from decisional participants. And so what that means is whomever you, as the selection committee, appoint to be the GNSO rep on the EC administration they have no independent power to act when it comes to this mediation phase.

They have to come back to GNSO, and I know that there are other groups within the GNSO drafting rules around this or drafting rules around various powers within the empowered community, they have to come back to the GNSO and receive direction. So in that same instance, they are just a conduit; they are a conduit of the information that the GNSO wants them to take to this role.

So what's not expected of the EC administration? The EC administration is actually not responsible for monitoring any activities of ICANN or the decisional participants; they're not your taskmaster, they're not the ones that will say to the GNSO, now it's time for you to act or to any of the other decisional participants. That should be a role that your leadership takes within the GNSO itself.

The EC administration only acts when there is a notification that comes from ICANN or from a decisional participant. That's the only time that any of their powers come up. And it's not a decision-making body so they can't actually look at something and say no, this is how we wanted to go; they can't second-guess decisions of decisional participants, they can only do what they're told to do.

And with that, I'll turn it over to Trang.

Trang Nguyen: Thanks, Sam. And so Sam had given you sort of an overview and background of the empowered community and empowered community administration. And we wanted to share with you some examples so you can really see how things work in practice.

So there are four examples that we are going to share with you today. The first three relate to either an existing power that is being exercised or an upcoming power and then the fourth example is going to be sort of a hypothetical situation.

Though this first example is the SO/AC or NomComm nomination of a Board seat. In this example, you know, let's take a look at the GNSO recent action which is the nomination of Matthew Shears to Board Seat 14. As per the bylaws, James as the chair of the GNSO notified the EC administration of this selection by the GNSO.

And so really in this case the only action required on the part of the EC administration is to forward that GNSO nomination to the ICANN Secretary. And this action can be performed by the GNSO selected representative to the EC administration. You know, this doesn't require action by all five members of the EC administration.

The important thing to note here is that the EC administration in this case does not evaluate the GNSO nomination of Matthew. The only thing that the EC administration can do in this case is really to forward that nomination on to the ICANN Secretary.

The other thing to also note here is that in this case the EC administration does not need to go back and seek approval or input on the GNSO nominations from any other parts of the community. Again simply the only action provided for under the bylaws is for EC administration to forward the nomination to the ICANN Secretary.

I know there was some confusion around sort of this area recently given the GNSO appointment as well as some of the other SOs and AC making appointments at this point in time, so we wanted to share this example with you.

Are there any questions on this before we move onto the next example? Yes, and as Mary highlighted in the chat, this is just sort of the same process that that ALAC and the ccNSO are currently going through.

Alright so in the second example is ICANN's FY '18 operating plan and budget. It is expected that the ICANN Board will consider this operating plan and budget at the end of June. And if the Board approves it, that will kick off the empowered community's power to veto this Board's decision.

There are four main phases to this process as illustrated on the slide here. During the petition phase, that's the phase where any decisional participant

could petition to veto the ICANN Board for approval of the FY '18 operating plan and budget. That petition support phase is the phase where petitioning decisional participant must obtain the required support from other decisional participants in order for the process to continue on.

And then the third phase, which is the community forum phase, is the phase during which the entire community can get together to discuss the petition. And then the last and final phase, the decision phase, is the phase where the decisional participants will notify the EC administration of the decision – of its decision. And that is also where the EC administration would then tally the decisions from the decisional participants and then notify ICANN.

So in this example again, the EC administration role is primarily around receiving and sending notifications. And then in the final phase, the decision phase, just tallying the decisions of the decisional participants. The EC administration does not have the ability to make any recommendations or make any sort of decisions in this process. It is simply a conduit, you know, to receive and share information.

Any questions before I move onto the next example? Maxim, please go ahead.

Maxim Alzoba: Maxim Alzoba for the record. Do we know the format of the community forum yet? How much time or is it in person or is it in person and Adobe or something? Because to know the initial format of the meeting will allow us to understand which additional qualifications might be required by the – yes, representatives or the EC administration. Thanks.

Samantha Eisner: Thanks, Maxim. This is Samantha. So the community forum can take multiple forms. One of the things that the decisional participants get to do – so let's say the GNSO raises a petition for example, on a challenge to the ICANN budget. So the GNSO itself could make a recommendation as to whether or not they believe that a community forum should be in person, should be by

conference call. The GNSO could even say we think that it should happen on May 31. It could be that specific direction from the decisional participant itself.

And so in that instance we would expect the EC administration to follow those directives as closely as they could. Now the community forum can and will look different for different things. The next item that Trang is going to present it on the fundamental bylaws approval. And so we know that right now, this week, the ICANN Board – actually last week the ICANN Board approved the fundamental bylaws amendments that now has to go to the empowered community.

We sent a notice to the chairs of the decisional participants. So James, in his role as the Chair of the GNSO, which is a decisional participant, received that notice as well as the EC admin just for purposes of the administration received it. And so the community forum on that actually will take place during the Johannesburg meeting in a face-to-face session.

Now with the budget here, the one that Trang just discussed, the budget has a different timeframe for how the community forum can happen. And so the community forum cannot be pushed on the budget to an ICANN meeting unless it falls within the timeframe of the community forum allotted time because there is more time sensitivity around the budget. And so we would anticipate that if there is a community forum on the budget that would happen by a conference call or using Adobe Connect or other remote technologies.

So they will look different depending on the timing of when it comes than and whether or not something that happens in an in person forum versus telephonic. But that is one of the things that the decisional participants can consider and make recommendations to the EC administration as they are doing petitions.

Trang Nguyen: Yes, and just to add to what Sam just said, I think the bylaws also provide for the decisional participants to request an additional community forum so there

could be more than one community forum. But in so long as all those community forums take place within the allotted time in the bylaws, in this case as it relates to the veto power, the veto of the ICANN operating plan and budget, as Sam said, it's a 21 day timeframe within which the community forum has to be held.

You know, for other powers, you know, there are different time frames and flexibility built-in. Does that answer your question, Maxim?

Maxim Alzoba: Maxim Alzoba for the record. I think we might add, as one of qualifications, experience in public speech or moderating panels or something because without it if the situation comes to the in person meeting, yes, representative should be able to guide the discussion to follow the I'd say rights of discussion and rules of discussion. And to be sure that the community forum talks about the subject and don't – and doesn't go away in some other fields, yes. That's it. Thanks.

Trang Nguyen: Yes, thank you, Maxim. All right, so we'll move onto the next example here, which is the amendment to the ICANN fundamental bylaws, which Sam just briefly talked about as well. As per the ICANN bylaws, the ICANN Secretary notice went out yesterday which served as a trigger for this power. The EC administration's role within this power primarily consist of moderating the community forum and then tallying the decisions of the decisional participants at the conclusion of the community forum phase, and then sending the required notification.

Again, as with the other examples that we covered, the EC administration really doesn't have any decision-making powers or any ability to make any sort of recommendations to any of the decisional participants or communities or the broader community here. Their job simply is to just moderate the community forum and then to tally votes and provide notification. Any questions?

All right, I will quickly move on to the last example here, hypothetical example in case where the empowered community might initiate a mediation. And mediation may be triggered if the Board refuses or fails to comply with the empowered community decision such as the EC Board recall notice for example.

It's important to note that the EC administration itself cannot initiate mediation. Mediation can only be initiated by one or more of the decisional participants. The role that the EC administration has is that if one of the decisional participants triggers mediation and the EC administration receives notice of that initiation then the EC administration will have to designate individuals to represent the empowered community in mediation.

As Sam talked about earlier, that EC administration Representatives, in this case, should really be going back to their organization and getting direction from their organizations and designating these individuals to represent the EC in mediation. You know, and so that's an important thing to consider as you are developing your procedures in at this representative needs to be someone that, you know, could not only monitor these notices that has the ability to then go back to their organization and facilitate discussions and then carry forward any direction provided by the organization to the EC administration.

After the initiation phase of mediation is the resolution phase. And the EC administration role during this phase is to basically notify the decisional participants of the mediation resolution.

So that essentially is the overview or a description of the EC administration's required action, you know, for the specific situations that are either occurring or will be occurring in the near future in the case of the ICANN operating plan and budget.

Are the rules of mediation fully formed? Okay so Maxim, Sam has provided you with a link to answer your question there. Are there any other questions at this point? Okay, if there is any other information that you think would be helpful to you in developing your procedures, please do not hesitate to let us know. We're more than happy to provide whatever information that you may need in order to inform your work.

Samantha Eisner: Great. With that, Maxim, we'll turn it back over to you.

Maxim Alzoba: Maxim Alzoba for the record. I assume we ask all participants if they have additional questions or have notes or some considerations. Please speak up if you have anything to add to the notes of the meeting. Thanks. I think it seems that we do not have additional questions or notices for the presentation provided.

I think we need to follow the agenda and is it 4, about continuation of deliberations on questions identified. And, yes, finding new questions. So which – do you have a list of questions in agenda or notes yet?

Marika Konings: Maxim, this is Marika.

Maxim Alzoba: Yes please.

Marika Konings: Just to note that indeed the agenda includes a number of questions that were identified in the background paper that staff provided ahead of the last meeting so those are the ones at least you know, from a staff perspective, are probably ones that the SSC needs to consider. However, as noted in the agenda items, there may be other questions that may help the formulation of the process and criteria by the SSC.

So the ones that staff identified as part of that paper are four questions. And some of those we did cover or started discussing during last week's meeting. The first question is the GNSO Chair, I think as we pointed out, the bylaws

provided the GNSO Chair, or another person may be designated. So the question is, you know, what criteria should be used to decide when another person should be designated? Is the GNSO Chair considered to be the default designation or is the fallback choice if no other person can be designated. And at least get a sense on the call, but from my perspective, the bylaws seem to be silent on that whether the chair is considered the default or the fallback option.

Another issue we identified was in relation to qualifying criteria. If another person should be designated, you know, what are then the qualifying criteria that the applicants need to meet? What kind of process should be in place to review and evaluate qualified candidates?

You know, who should be qualified? Should – and as something we discussed briefly on the last call as well, should the call for volunteers be limited? For example, only GNSO councilors would be eligible to apply. Or should it concern an open call, you know, anyone interested can put in their application. And is there a way to have a general process for appointments and nominations that could be followed here?

Then we also identified the question of an alternate representative and again, Sam, if you have any perspectives on that, the question is, is it possible, you know, should the representative not be available to temporarily appoint an alternate, to already identify an alternate that is available to step in as needed. You know, how have other groups dealt with that?

And then there's also the question of the term and renewal of the representative. There is an annual certification that is required by the ICANN bylaws, but obviously that doesn't necessarily need to align with the term that the GNSO is the decisional participant decides, you know, should that be a term limit? What should be the renewal requirement? Is it an automatic renewal or does that need to be reconfirmed through a certain process, on a

yearly basis? And what is the timeline that should be in place for the selection and the approval process?

Because of course if we're looking at for example, an annual certification or renewal process there will need to be a certain timeline by which the call for applications needs to be made if there's an open call for volunteers or even if there isn't, they're in a situation where for example if the SSC would decide that it's the GNSO Chair that is the designated representative if he or she suddenly indicates that they are not available and not willing to do this job, that there still may need to be a call for applications.

So again, the SSC would also need to think about the timeline that would need to be in place to make sure that at least on an annual basis that certification can take place and there's no situation where there's no representative confirmed.

So those were some of the questions that we identified from a staff side. As said, you know, there may be others that need to be addressed but we hope at least that this is a potential starting point for you to consider your response.

Maxim Alzoba: Thanks, Marika. I think we need to give microphone to Susan. She's waiting. Susan, please, I see your hand up. We do not hear you. Susan, could you please use chat?

Terri Agnew: And, Susan, this is Terri. I see that you're typing. I also see that your microphone is active. Oh, got it. And if a dial-out is needed on the telephone, please just let me know.

Maxim Alzoba: Could you...

((Crosstalk))

Maxim Alzoba: Yes, I think we need to go to the suggestion of use about asking bylaws drafting team about the initial intents for the representation of GNSO by GNSO Chair. If I understood it right. Julf, please, speak up.

Julf Helsingius: Okay, this is Julf speaking. I mean, I already pretty much typed what I wanted to say that if it's unclear we might want to go back to the drafting team. But if it's clear that – if the intent is clear and we just need to make a decision, fair enough. Thanks.

Maxim Alzoba: Okay, Susan, do you think you could try to speak up using the new or fixed mic? Oh, Susan is...

Marika Konings: Maxim, this is Marika. While we're dialing out to Susan, I know that Sam has her hand up as well.

Maxim Alzoba: Okay, then microphone goes to Samantha.

Samantha Eisner: Thanks, Maxim. This is Samantha Eisner again. To Julf's question about the intent of the drafting team, as I noted at the beginning of my remarks, the whole purpose of the development of the EC administration itself was just to make sure that there were people responsible for sending and receiving the notices. And so we thought that it was important to make sure that was equal balance among the decisional participants and that each decisional participant had a representative on there.

And so we developed in the bylaws essentially what was suggested here, a default position, that if the groups did not choose to identify a different representative to the EC administration, that the Chair would serve in that default role just to make sure that there was a place for each decisional participant on the EC administration. So it is a default. You could choose to keep it at the default position if you wish to; you could choose to move it to another person if you wish to. But the important part is there should be someone there and so the default was put in place just so there was an

assurance that there would be someone there because there's always a chair of the group.

In terms of the alternate question that was raised one of the things that happens with the EC administration is we have a mailing list and requirements and there are certifications, rights, so it's actually identified on the ICANN website who's serving as that EC administration rep so there would be some other internal administration things that we'd need to do if there was this idea of a representative but there's nothing in the bylaws that bars it.

I don't know if would be a recommended practice around it, again, because there are no powers afforded to the group that would – I don't know how someone stepping in and out of an alternate role would work but it's something that we could always figure out with the group if that was desired.

Susan Kawaguchi: Hello, this is Susan. Can you hear me?

Maxim Alzoba: Yes, Susan, we hear you.

Susan Kawaguchi: Oops, okay. And I apologize for being late, having microphone problems. I am in Barcelona at the INTA meeting and time zone challenge. So, Maxim, did you have – you have your hand up, did you want to add something to Samantha's comment?

Maxim Alzoba: Yes. It's like small question. How often GNSO can replace the person? Is there a special process in bylaws saying that, for example, GNSO before the meeting of EC administration has to, yes, provide new person or, yes, with the old one? Because if it's the process is not (unintelligible) it could be a good idea to suggest to GNSO that they have I'd say second in command. The person appointed by GNSO Council who acts in cases of (unintelligible) of GNSO Chair or maybe sickness leave or some other collision of (unintelligible) which cannot be avoided. Thanks.

Samantha Eisner: Maxim, this is Samantha. The only requirement that's in the bylaws is that there is an annual certification of who each decisional participant selects as their representative to the EC administration. If there are changes in who that selection is during the year you would just provide a certification at any point. So certifications can happen more often but they have to happen at least annually. But also the requirement that there be an annual certification also makes no requirement on any of the decisional participants that they must reevaluate or appoint someone new on that annual basis.

So you could agree for example, among your group that you wanted to appoint someone to serve in it for five years and every year you would just send the annual certification. That's one example. You might want to say we only want someone there for five months, and then in five months we're going to send a new certification. There's nothing in the bylaws that would preclude either one of those situations.

Maxim Alzoba: Thanks. Susan, do you want to add something?

Susan Kawaguchi: Yes, I do have a question about the certification. Is that simply a, you know, like a statement from the GNSO Council or the chair saying, you know, we certify this is our representative? Or is there more detail to that?

Samantha Eisner: Susan, this is Sam. It's just a note that says like for example, this year it just said James Bladel is the interim GNSO rep on the EC administration, it's as simple as that.

Susan Kawaguchi: Okay. Okay, thank you. All right, were there any other questions?

Maxim Alzoba: Maxim. Yes, I have a suggestion which we might need to discuss in the group. And I think we have, yes, 10 minutes, it might be enough. The question about term, I think it's reasonable to suggest to GNSO Council that the term of the certified person, yes, who send certification approved by

GNSO Council, is not longer than his or her participation in GNSO Council.
That's it, so the person appointed is still in GNSO Council at end of time of –
yes.

Who has any questions about it or maybe suggestions or is not happy with it?
Please speak up.

Samantha Eisner: So, Maxim, what you're recommending – this is Susan for the record. So
what you're recommending is that this – the criteria for selection of a
candidate for the decisional participant – or the EC rep would have to be on
the GNSO Council, is that what you're recommending?

Maxim Alzoba: Only if we decide that the persons should be limited to GNSO Council. Only
in this case, because if we go to some other conclusion like the person
should be affiliated by GNSO and must be supported by GNSO Council. So
my suggestion related on the situation where we decide that the participants
should be limited to quite these persons from GNSO Council. That's why I
think we need to ask them if they find it feasible to be, yes, to add additional
burden or if they decide to support someone who is – who has more time for
that.

Susan Kawaguchi: Okay. And how do others feel about that? You know, currently we have
James as our sort of default rep. And, you know, there was some discussion
last call about it – the role being extended to maybe a former GNSO Council,
obviously this position has – requires very good knowledge and full
knowledge of the GNSO Council and its work. So – but that may or may not
be limited to somebody currently on the GNSO Council. I mean, there's lots
of ways we could do this. We could say only the leadership of the GNSO
Council, any GNSO councilor or any former GNSO councilor.

And I'm sure there's more variations. But I was wondering what your – all of
your viewpoints are on, you know, where we should limit the criteria on that.
And it looks like Osvaldo – that the representative should have experience in

the GNSO Council, a former member, not an actual member. Okay, so Osvaldo wants the – wants to not burden the current councilors. And Julf is former or current. And then Marika is making the point that you would have a closer connection to the decisions, and those that would need to be passed on with someone who was actually on the Council.

So I think we agreed that it either has to be a former or a current. And, Maxim, you have your hand up, would you like to make a comment?

Maxim Alzoba: I think we need to add to the former wording that it should be supported – that this person should be supported by the current GNSO Council. And the third option of having someone elected by GNSO bodies, and supported by GNSO Council, I think it's just the third option hypothetical in case nobody decides to step in for some reason. So we might add it as like third option, so we give more choice like the first selection beyond current GNSO Council members, then former GNSO Council members, because of deeper understanding of the processes of the format of information exchange and so on.

And only if they decided not to volunteer for this position then we suggest that the additional gathering notifications supported by GNSO legal – by GNSO bodies is conducted. And then the candidate – ultimate candidate needs to be supported by GNSO Council itself. Thanks. So the idea is whoever is selected he might – he must have support of GNSO Council. Thanks.

Susan Kawaguchi: Okay. That's good. And, you know, one – your statement sort of brings up the question, obviously the GNSO Council would have to endorse and support this candidate. But to be fully informed of the Council activities and viewpoints, if this was not a councilor and was a former councilor, then Marika, this is actually a question for you I think, or Samantha, I'm not sure, would there be travel support for this person to attend all the Council meetings because if they're not already going to be there, they would need to be there to stay in the loop.

Marika Konings: This is Marika. As far I know, this is not a new position that is envisioned to be part of the Council or for which travel support would be provided. Having said that as well, you know, all Council meetings are recorded and transcribed. It's not a role where someone has to actively participate in the decision as I think, you know, Trang and Sam made clear. It's someone that passes on communications.

So, you know, unless of course you know, the Council or stakeholder groups or constituencies decide that whoever is chosen in that position that they allocate one of their existing slots to provide support for the person serving in that role, but I don't think at this stage it's foreseen as a role that would require presence in meetings. As said, it's someone who just passes on communications and, you know, may participate in any calls or mail discussions that take place.

Susan Kawaguchi: Okay thank you. That is – I wasn't thinking about that, I was just thinking it was somebody fully engaged. So and you're right, they could do that remotely. And maybe I just didn't get this in the presentation, there's – all of the EC work the rep would do would just – would be virtual, it wouldn't – they wouldn't be required to travel anywhere for a meeting then at all? You know, ICANN meeting or other – does the EC – empowered community have actual meetings outside of the ICANN meetings?

Samantha Eisner: Susan, this is Sam. There is no travel expected around this. There is a possibility of community forums happening during ICANN meetings, but there will also always be remote facilities available so there's actually no travel requirements or funding associated around that participation in the empowered community either at the empowered community level or at the empowered community administration level.

Susan Kawaguchi: Okay. Thank you. And I'm sorry I'm just so focused on meetings and travel, but I think it's good to understand this. So Maxim, you have your hand up.

Maxim Alzoba: My concern is that we are on the top of the hour and we might need to provide additional recommendations to the GNSO Council to consider travel support from GNSO Council slots. In cases of public meetings where the public forum – the public forum but the forum they need to moderate is going to be, because remote moderation is something extremely troublesome. And it just doesn't work. To moderate a panel you need to be there to understand what's going on. And it's not possible with remote participation. Thanks.

And I think we need to ask Marika if we still have – if we still have time for the next meeting and when do we need to form the pool of recommendations by which date? Thanks.

Susan Kawaguchi: Marika, can you provide...

((Crosstalk))

Susan Kawaguchi: Yes.

Marika Konings: Yes, we don't have a call – a next call scheduled yet. One proposal would be to have a call at the same time next week if that works for everyone, and maybe people can put some checkmarks in the Adobe Connect to see if that's possible. Noting Julf's comment though, we actually set – we had scheduled this for 60 minutes and several of us actually need to get onto other calls at the moment.

I do note that we're moving on – or immediately focusing on, you know, who should be the person, but maybe a step back would be helpful as well to look at what should be the requirements or criteria and that may help then as well define you know, should it indeed be a Council member or former Council member? If it's a former Council member indeed what is needed? Because I noted Maxim's point too that it's really important to be up to date and be engaged, but I think as Sam and Trang are trying to explain the role of the

rep is purely to pass on notifications, there's no further interpretation or discussion or opinioning or opining on what is being provided.

So there may be less need for that being informed and being part of all the conversations then at first sight may seem appropriate. So it may be helpful to take a step back and look again at, you know, what is the role, so what should be the criteria and requirements and deduct from that, you know, what would be an obvious fit for this role.

Something I suggested as well on the last call is that maybe we want to have a look as well and see what is the expected workload. You know, we know now there's a lot of activity because this is all, you know, very new. There are a number of elements that will come back probably on a yearly basis. And of course there's some unknowns that are really dependent on whether someone submits something or not. But maybe that will also give an idea of indeed, you know, how much could this potentially add in a worst case scenario, you know, average scenario and a very low scenario to also give an idea indeed, is it something that an existing Council member or a GNSO chair is likely able to take on or would that really be asking for too much.

And it would indeed be necessary to see if someone else would be willing to take on that role. So that may also be something to consider as part of the conversation.

Susan Kawaguchi: Okay those are good recommendations, Marika. And in – and since we're already over our hour, what I will do is I will go through the transcript of this and pull out all the suggested points to consider for criteria, add a few questions to that and as you've suggested, and then send that out to the whole group. And hopefully we can make some headway on an email thread. And it looks like there may be consensus on just going ahead and scheduling this call for next Wednesday at the same time. So we'll llano on that unless somebody objects.

And I'll get an email out to you in the next 24 hours and let's see if we can get some of the discussion done there and make some decisions or at least bring – coalesce some of our ideas. So thank you all and once again I apologize for being late and not having my microphone working. But have a good week and we'll get this work done.

Maxim Alzoba: Bye-bye.

Terri Agnew: Thank you. Once again, the meeting has been adjourned. (Franz), the operator, if you could please stop all recordings? To everyone else, please remember to disconnect all remaining lines and have a wonderful rest of your day.

END