
MONTREAL – GNSO Working Session 3 of 3
Sunday, November 3, 2019 – 13:30 to 15:00 EDT
ICANN66 | Montréal, Canada

UNIDENTIFIED MALE: It is Sunday, November 3, 2019 at ICANN 66 in Montreal. This is the GNSO Working Session Part 3 of 3 at 1:30 in Hall 511C.

KEITH DRAZEK: All right, everybody, if we could please take your seats. Okay, if we could please start the recording. Okay, thank you. So, welcome back, everyone, to the GNSO Council's working session in ICANN 66 in Montreal. Following our discussion with the ICANN Board, we are now joined by Brian Cute to give us an update on the efforts that he's undertaken with regard to evolving or the evolution of the multi-stakeholder model, some discussion points around the GNSO Council's work around PDP 3.0, and essentially to have an opportunity to preview a little bit of what's to come later this week and to engage with the Council on discussions around next steps with regard to the work plan that was described in the ICANN Board's slides just prior to this session.

So, with that, I'd like to hand it over to Brian.

BRIAN CUTE: Thank you, Keith. And thank you all for having me this afternoon, albeit after lunch, so I'll try to be as engaging as I can. I just want to give you all a preview as Keith said about the presentation of the

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evolving ICANN’s multi-stakeholder model work plan on Thursday. That session, I will walk the community through the work plan that’s been developed through public comment and throughout this process.

So, just a little bit of background for those of you who perhaps haven’t followed it from the beginning. This work had effectively two phases. We began at ICANN 64 in Kobe with a session and then following on public comment asking the community to identify issues that are hampering the effectiveness and the efficiency of the multi-stakeholder model. So, it was an issue identification process in Phase 1, which finished in June.

And with that list of issues, we then pivoted toward developing a work plan. So, the community has identified these specific pain points with respect to work processes, working methods, and culture that are hampering the ability to be more effective. And now we’re putting together a work plan based on public comment.

In the public comment period that just closed, the primary questions to the community were, first, are there any other solutions in the community that could be leveraged to address these issues? The last thing we want to do with what’s on everybody’s plate from a workload perspective is in any way duplicate work.

So, the first question was, “Okay, you’ve identified these issues,” and I’ll walk through the list. The list of issues identified by the community were consensus, that we’re struggling to reach consensus effectively. Prioritization of the work, that there needs to be more effective

prioritization of the work. Representation and inclusivity. I know you're all familiar with this issue because you're working on it. The complexity of the work that we do, culture, trust, and silos, and how they impact efficiencies and effectiveness in the work that we do. Precision in how we scope work. And lastly, roles and responsibilities, clarity around roles and responsibilities within the ICANN community, the Board, and the Org.

So, those were the issues that were identified as being specific pain points. We need solutions. We need improvements. First question of the community was, "Let's make sure there aren't other solutions out there that are addressing these issues." The next question was, "If there aren't, who's the entity within the community who should take the lead on developing a solution here?" So, we received feedback from public comment on those points.

The work plan that you will see on Thursday will reflect back the input from the community. What's the issue? Who's suggested as taking the lead? Who should help develop a solution? What resources are they going to need to do so?

I think with that, I'll pivot to the work that you all are doing in PDP 3.0, for two reasons. It's good work that's being done here and it's addressing a number of the issues that are on this list as you know. And so, it should be no surprise at much of the public comment that came back said, "Hey, the GNSO is doing this work and they should continue doing this work." The question becomes, "How can we

leverage the good work that the GNSO is doing to help provide solutions for other work processes in the community?”

Also, I had the opportunity to have a call with Rafik and with Pam because I was interested in understanding greater detail about the improvements process and the small team structure, and I appreciate very much your feedback on that. It was very helpful and my view is that the work that’s being done here is important and could be a model for other work in developing solutions. I think the way the small team was put together, I think the timeline with which they’ve delivered improvements, I think the way that the GNSO has opened its process to other stakeholders in the community to take their input on board is really critical. And so, I appreciate again the feedback and that it was very helpful to give me those insights.

And I think as we move forward with the work plan and work is ultimately initiated, this again could be both leveraged and be a model for the rest of the community.

So, before I tie off and go to questions, just so you understand the next steps and the process, the work plan will be presented on Thursday in Open Session. We’re looking for feedback, any feedback and reactions, that will be taken on Board and the work plan may be modified based on that. It then will go out for public comment and that will be within the Five-Year Operating Plan package for public comment, so the community will have another opportunity to provide comment on the work plan. Once that’s completed, the work plan will

be finalized and the work streams will become part of the annual operating plan and budget for Fiscal Year 21. So, that's it.

KEITH DRAZEK:

Okay, thanks very much, Brian. So, we will take a few questions for Brian if anybody has them at the moment based on his update, but this session is a combination or a combined session about Brian's efforts and also an update on PDP 3.0. And obviously, there is a bit of overlap or potential integration between the two. Obviously, we don't duplicate efforts, but there is definitely some common ground or commonality there.

So, I'll hand it over to Rafik shortly for the PDP 3.0 update, but let me see if anybody has any questions or feedback or comments for Brian at this point. Paul, go ahead.

PAUL MCGRADY:

Thanks. Thank you for your presentation. Just a couple of things. One, I heard from my own constituency that some of the public comments that they made have either not been taken on Board or not addressed or were misunderstood, so I would encourage you to reach out to folks within the IPC, hopefully, prior to anything else being published just to make sure that everybody is on the same page.

And secondly, I do think it would be helpful to understand how this fits in with all the other reviews. We seemed to have review upon review upon review. How was this different? How will it not overlap? Will it

overlap? Maybe we just have to do duplicate work. I'm not sure. I'd like to understand that just a little bit better. So, that's it. Thank you.

BRIAN CUTE:

Thanks, Paul. I'm happy to connect with the IPC this week. So, this is work that is specifically supporting the strategic plan for 2021 to 2025, and more specifically that supporting the strategic objective on governance. And within the strategic plan, there are five objectives. This one is about improving the multi-stakeholder model of governance within ICANN. And the work is focused, as I mentioned, on work processes, working methods, and culture. And that's the focus.

So, when the community was asked to identify issues that are hampering the more effective functioning of the model, it was within that focus and frame. So, in that way, this is not a review per se. This is the identification of issues on work process, working method, and culture. These are the pain points as described by the community. We need a solution who should go about the business of developing and proposing a solution, and what resources do they need to do so. So, I hope that provides more specificity around the work.

That doesn't mean it's not related in some ways to some of the other work that's ongoing and that has been noted. So, for example, ATRT3 is developing recommendations that may touch on the reviews. They're developing recommendations that may touch on prioritization in some form. Prioritization is an issue in this work stream.

So, you're quite right that there can be a relationship and what we've endeavored to do is in identifying throughout the process ATRT3, Work Stream 2, PDP 3.0. Noting that there's other work that's relevant, making sure that we shape this work so it's not duplicative, and it's adding value. That's been a guideline throughout the work. And there are some dependencies.

So, as this work plan moves forward through public comment and finalization, ATRT3 recommendations will be delivered in the March timeframe. That will be a checkpoint. We want to make sure there's no duplication of work or conflict. When the Board comes forward with whatever it has to offer on Work Stream 2 recommendations, that will be a checkpoint. So, dependencies are identified and built, and they need to be addressed. This work needs to add specific value as described for work processes, working methods, and culture, support the strategic objective, and not duplicate or conflict with other work. Was that clear?

PAUL MCGRADY:

Thanks. Yes, thank you. That's very helpful. And I just want to say thank you for taking this on. I was glad to see that it's somebody from the community that knows us and what comes out of this will be tailored for us as opposed to the work being done by somebody whose only background what domain names is may be registering one for their company. So, thank you for being willing to do this. I appreciate it.

BRIAN CUTE: Thank you for that. And also, note that I am aware this is additional work and I'm very conscious of the fact that the community is saying quite loudly, "We're overburdened," and this is six potential new work streams. So, this isn't being done in a vacuum. This is being done with the consciousness that we have to, as a community, prioritize, and there are questions of prioritization that are coming down the pike in the short term. So, it's going to be within the broader context and how it's managed going forward is important.

KEITH DRAZEK: Great. Thanks, Brian, and thanks, Paul. Any other questions? I don't see any hands in chat and that's okay. I will hand it then off to Rafik for a PDP 3.0 update and there may be some additional questions that are generated about both the aspects of what we're talking about here today, both the evolving the multi-stakeholder model and the PDP 3.0 work. So, Rafik, over to you.

RAFIK DAMMAK: Okay, thanks, Keith. So, today, we want to give an update about the status of the work, the PDP 3.0 implementation team, but also to give what we are planning as next steps until the strategic planning session, and to maybe have that opportunity to highlight some variable we are working on. Next slide, please. And we have an echo here.

Okay. So, as you can see here, this is the categorization on how we split the 14 improvements on five packages. So, we try to see those

who have either trying to tackle the same area or the same theme or there is some dependency, and we are at the level now working on the Package 4, and then we will work on the Package 5 soon. Okay, next slide, please.

So, this is just also a reminder about when we delivered those packages to the GNSO Council. So, as you can see, we already delivered three and we asked for input or comment from the councilor. And now, at ICANN 66, we are working on the Package 4 and afterwards, we will work on the Package 5, but our target is really to finish before the [SPS] Meeting.

Okay. So, let's go quickly through those delivered packages. So, for the first one, it's regarding the expectation, requirements, participation methods for GNSO working groups, members, and leaders.

So, as you can see, they are covering the different participants in the working group. So, we have the statement of participation, something that we experimented with the EPDP, and we tried to see what we can improve there, and we get input from the different working group leadership asking them if they see it as a useful tool or not.

We had also the comparison table of working group models that the idea that we know that in GNSO Operating Procedure and the working group guidelines, we have that opportunity to select different type of a structure. It doesn't need to be working group, but here, it's more likely to be more practical and trying to be more outlined or to be more specific with the different model that we can use, and how they

will look, and to give some guidance maybe where they should be used.

And the rest of the – I'll say for the improvement, this is the third one. It's about the criteria for joining of new members. So, here is to document to give more clarification what are the expectations from a new member, so they can join a working group without creating humps – I'm not going to say creating problem, but what is expected and maybe how to facilitate for them to join the working group. And also, the working group members [inaudible] guide is to be more explicit in terms of resources [inaudible] to help new members to join and to be ready for full participation in the working group.

The last one is about the expectation for working group leaders and that is a tool we implemented for the GNSO Council regarding to the selection of working group leadership and the review of the leadership. And when we talked about the review, it was really important for us to highlight. We are not judging the working group leadership, but to see how we can help them and support. And so, having the review tool is to see what are the areas of improvement, and how we can help them in their task, and creating that also to have the GNSO Council on this front. Okay, next slide, please.

This Package 2, it's about the project management related improvement. It's something we discussed at length in the different [SPS]. And we already, I think, are using some of those improvement as, I think kind of experiment, and also, this idea we have to eat our own dog food.

So, first, the GNSO project work product catalog, which is listing the different work product that can document and guide the process of working group. And I think you can see that to some extent with the EPDP team. I recall that I shared a few days ago the last work product from the EPDP, so you have the fact sheet and so on.

The other one, I think that councilors should be familiar with are the next generation project list. That's what you are already seeing. So, there were several improvements in the project list since it's an important tool for the Council to see – I mean, to have that snapshot of the progress in all activity that's initiated by the Council like PDPs or also any non-PDP activity into to have that opportunity to see the health, the schedule of the task in an easy way.

The other one is the project status and condition that change procedure and flowchart. And this is more about creating a process to help the working group leadership and the council leadership, and to assess and evaluate the state of projects. So, creating the process or I think an outline to help to get more consistent and standardized way to evaluate the situation for project, and then initiating a process or what we described in the flowchart, how, for example, the council leadership can help in this if there is any issues on the Council and so on. So, it goes into details and they ask the councilor to check that one.

The other is project change request form and this is more kind of a template to help when the GNSO working group want to submit to GNSO Council that we need to maybe a change in the timeline or

about the delivery date and so on. And so, having more consistent or standardized form to that change request. It will help us, the Council, to get all the information and also to have a better tracking.

The last one, a checklist of criteria to evaluate request for data gathering, and I think we had the experience before when the RPM asked it for – I mean, using for the first time that process to ask for getting data, and so we can get it at the checklist. It will be a tool to assist the PDP working group in how to perform that data gathering, and before submission the request, what are the different steps that should be checked before. Okay, next one.

So, this one is with regard to the view of the Council liaison and the PDP working group leadership. So, the first improvement ending with two documents, it's about the liaison. There is that idea of handover. So, like now, we are in AGM, and two, we have outgoing councilor and incoming councilor, and we need to, for those who will want to volunteer as a liaison to have that handover. So, to be more explicit about what kind of the different steps or resources and so on that need to be checked.

On the other hand, we have the GNSO Council liaison supplemental guidance and this is more to be based on what we have already as the resources to be more explicit about the job duties or expectation of a GNSO Council liaison. In a way for a GNSO Council liaison to know better about their role, but also for the working group members to know what is the role of the GNSO Council liaison and what he can do, and also, to communicate to the working group leadership.

Okay, this is the second improvement. I think I kind of mixed up to the previous one. So, this is about the regular review of the PDP working group leadership and I know I kind of confused it, but this more about the evaluation of the performance of PDP working group leadership. And again, it's to address any issues or opportunities.

So, again, I want really to stress that it's not about judging the working group leadership, but it's really about how we can improve that and see what are the needs or what is necessary to support them, to improve and to help them in their task. And so, we created, for example, the survey in the leadership performance that will be contacted on a regular basis. So, to get the input from the members. And we were careful in how we design that survey that can be useful, and to be used as an input by the GNSO Council when conducting the review. Next slide, please.

Okay, this is what we are working on now in the consensus building and conflict resolution. So, we have the briefing document on the concept of consensus with the EPDP. I think this is about to be more explicit and clarify what we mean by consensus and having a reference to that. But what we are spending more time now currently is about the clarification to [the compliant process] in GNSO working group guidelines, and this is about the infamous section [30.7].

And based on the last experience we have with that procedure is to be more ... To give more guidance and to be more detailed about the step that should be taken, and which party they should be involved including the liaison, the GNSO Council leadership, or any other party.

And the independent conflict resolution. So, for this one, we discussed at the team level that there was that suggestion maybe we need the kind of independent, I'll say, a pool of volunteers that they can play as a mediator and so on. But based on the discussion from the team, the thinking here may be that that's not feasible, but probably it's better to have a reference guide to all the conflict resolution resource we have already in ICANN, and that we can leverage that, so this is probably an important thing to highlight for the Council in terms of input.

So, the last package that we should work on after [Montreal] meeting is number 17, which is about the resource reporting. And we'll have in our working session tomorrow, too, we will work on that based in discussion paper.

For the consensus playbook, the only one that's not really – it was not a work done by the team, but we only worked on the terms of reference for the work to be conducted by external resources, based on the additional budget request we got. Next slide, please.

Okay. So, taking into consideration that we are working on the implementation for the improvement we need. The GNSO and ICANN community input. So, we have our GNSO community. We sent letters to all the stakeholder groups and constituencies asking them to provide input for the PDP 3.0 implementation. We shared all the implementation with them and we are counting on their representative or the councilor to liaise and to provide the feedback

by the deadline to help the team to work, to review on that and make any necessary revision.

On the other hand, for the wider ICANN community, we also invited the other SO/AC to provide input on the specific implementation that we believe that they are of interest for them and impacting them like the term of participation or the alternative to a working group model and so on. And for the feedback, it depends for each group what's the best way to get the response for those who have – we have a liaison. We count on the liaison to handle that for others. We just wait. We hope that they will use this e-mail address. Okay. Next slide, please.

This is just a kind of ... I'll say, a slide. We try to categorize our current improvement with mapping them with what the issues described in the multi-stakeholder model evolution. So, you can see how much we try to achieve and the overlap. And as Brian explained, we had that call with him to try to explain how we proceeded and what we try to achieve. Next slide, please.

Okay. So, this is, I think, of interest also for the Council to understand what we are aiming in the coming weeks or month. So, first, we need to complete the Package 4 and 5. Second is that we have the community consultation and we are hoping for the input to use it for our review or revising the implementation. Yes. And third is including that incorporate the feedback. And the same for four. Fourth is revising the working group charter template.

So, we have different improvement and the team saw that we need to update in different section or areas the charter template to be aligned

with the improvement we have, and so we left this task at the end when we finished the work of the improvement to do that, to reflect those changes in the charter template. And, then, trying to ensure the consistency and the linkage between the related improvement because we try to work on parallel having a lead for each improvement, but at the end, we need to just do some sanity check, and to ensure that our work is consistent, and there is no kind of discrepancy between the improvement.

And I think this is quite important one is to do a dry run of selected improvement because all this is continuous improvement. I don't believe that we will end the work when we will deliver those improvements. We need to review them. We need to check if they were effective or not and to discuss later how we can tweak them or maybe we need to work on other areas. So, the dry run is a way to check, to experiment if it's working or not, so we tried, for example, in the EPDP, but we can try to do that for other improvement, too.

So, what the Council should expect from us is that we will deliver the final report at the [SPS] Meeting. So, with all the final document and related work for that, the confirmation of effective dates to deploy the improvements, and also, planning for the next phase of PDP 3.0.

When we started working on different [inaudible], we find out that there are a lot of things that were missed, but since it's about the implementation, we cannot rework the recommendation or create a new one, so we had this parking lot items that we would like to discuss with the Council. And, also, the improvement that they were not

approved in the ICANN 63, so there was no consensus at that time, but since we have them, also, we need to discuss.

So, it's more like, I think, again, it's a continuous improvement and we will share that with the Council and see what should be the next steps after that. And sorry for being long.

KEITH DRAZEK:

Rafik, thank you so much for all of the work that you, and Pam, and the small team have put into this. Clearly, I think it's important for all of us to recognize how much has gone into this and it sounds like we're on our plan to be able to consider this at our face-to-face meeting in January, and that there's potentially an opportunity for a PDP 3.1 or 3.5 for the parking lot items and the future improvements.

So, with that, if we could go back briefly to the previous slide, I think. Yes, this one. And, this is important as we have both Rafik, and the PDP 3.0 team here, and Brian to point out that this is where there is overlap. Not intending to duplicate work, but whether a clear overlap between the work that we, as the GNSO Council have already done on PDP 3.0 and what we've done can help inform other community discussions, and where it may not be a copy and paste, but it could certainly be instructive for other discussions as we look to evolve the multi-stakeholder model.

So, with that, I want to ask Brian, if you have anything else to add at this stage in particular looking at this slide, and then we'll go to Q&A, but we only have about five minutes left, so let's try to be brief.

BRIAN CUTE: Nothing.

KEITH DRAZEK: Okay. Okay, Jeff, over to you, and any specific comments about any of the recommendations? If we could get the standing mic active, please. Thank you. They're working on it, Jeff.

JEFF NEUMAN: There is a light on, but ... Okay, there we go. We've picked up. Cool. Yeah, thanks. I know you know my views on the PDP 3.0, but more specifically, I would ask that as you look at issues of defining consensus and considering alternate models, which I think was on the coming soon slide, I am again going to ask that you invite other members from the community to participate in that. Defining consensus or documenting the concept of consensus in the PDP has an extra special meaning, especially for contracted parties, since things that are capital C, capital P, consensus policies ultimately are enforced in a registry and registrar agreements.

So, that is not ... It's important to do. I think it's a very important thing to do and I think the Council should lead the effort, but it should involve members of the community in it because of its enhanced significance. And I think this is a little bit different than ... Keith, you had mentioned on one of the calls that PDP 3.0 generally involved the Council and its own internal procedures. This is actually something that has a much, much greater impact. So, I would formally ask that

this and the consideration of alternate models be expanded to a wider group as they were for PDP 2.0 who developed the working group guidelines, as well as the ways to measure consensus in that.

So, with the other ones, I understand your view. I don't agree with it, but you made your view known. But these two, I would completely urge you to involve members of the community. Otherwise, that will never get acceptance. Thanks.

KEITH DRAZEK:

Okay. Thanks, Jeff. And, I'll hand it back to Rafik to respond, but just a clarifying question, when you say taking those to a broader part of the community, are you talking about the GNSO community or are you talking about expanding it beyond that? Because as you talk about consensus policies, that's specific to the gTLD space and the contract parties and the G space. And I just want to make sure I'm clearly understanding what you're saying.

I guess, the follow-on is that this has been a Council effort, but it's been informed by the councilors and people participating. I guess my reaction is if this is something that the Registry Stakeholder Group or the Registrar Stakeholder Group has concerns with, then that's probably the right channel to raise the concerns, put them forward, have the councilors come to the table, and focus on the issue. That's just my initial reaction, but I hear what you're saying. Go ahead and respond.

JEFF NEUMAN: Do you want me to just clarify it?

KEITH DRAZEK: Yeah, go ahead and respond, and then I'll hand it to Rafik.

JEFF NEUMAN: Yeah, the GNSO community because it is the GNSO Policy Development Process.

KEITH DRAZEK: Okay, that's a helpful clarification.

JEFF NEUMAN: So, we should involve them. And then I will certainly bring this up with the registries and registrars. I'm not sure that they fully understood that this was the next thing on the plate. So, I will urge them to bring back that feedback as well. Thanks.

KEITH DRAZEK: All right. Thanks, Jeff. Rafik?

RAFIK DAMMAK: Okay. Thanks, Keith. Thanks, Jeff, for the comment. So, I think just for clarification. So, since you talked about the alternate model, we are not creating anything in the existing guideline. They have already that they give the ability to use a different model can be, I think, drafting team, working group, and so on. So, it's more like when we had this

document just to clarify what can be the alternative model and I don't think we are envisioning any changes in the guideline.

With regard to the consultation, I thought that in one of the slide we explained that we are asking, for example, all the groups, for example, for the GNSO stakeholder group and constituency, their input about all the implementation document, and you have a councilor from all the groups there – I mean, in the small team.

On the other hand, for the wider ICANN community, this is one of the improvement we are asking for the feedback and input. Jeff, I know your position and I think we can – sorry, Jeff.

JEFF NEUMAN: Can I respond to that?

RAFIK DAMMAK: Yes. But let me please continue.

JEFF NEUMAN: Sorry. I'm going to be quick.

RAFIK DAMMAK: Yes.

JEFF NEUMAN: Sorry. Thanks.

RAFIK DAMMAK: Jeff, I'm trying to finish.

JEFF NEUMAN: Oh, I'm sorry. Yeah. Sorry.

RAFIK DAMMAK: So, I understand your position and so on, but again, we acknowledge that we need to have the input from the groups and that's why we are saying we will get the input and we will revise. I guess we will be in disagreement on this, and I understand – I acknowledge that – but at the end of the day, we are trying to work on something that is continuous improvement in how to make things more effective and efficient.

And with regard to the consensus, maybe I would ask Steve to follow up and give more details about that work. But maybe we can go with Jeff first. He wanted to add some comment.

JEFF NEUMAN: Yeah, thanks. I'll be real brief. This community is one of the first ones of GNSO community to raise wholly you know what, when the ICANN Board creates a committee and then says that we'll satisfy developing policy or developing things by having a Board paper and then people can just provide feedback from the community. I think the community wants to be involved in the process of doing it before they get a near final paper and final thinking from Council members. So, there's a very big difference.

This is not a substitute for bottom-up development of even policy, but especially, definition of consensus. And, just as a point of history, 2009, when we were going over models, we actually did look at the IETF model and concluded wholeheartedly that that was not a model we can use. So, I don't know why we're revisiting it 10 years later, but I'd be happy to explain why the group that I chaired for PDP 2.0 rejected outright the IETF model. Thanks.

KEITH DRAZEK:

Thanks, Jeff. And, just to clarify for everybody else's benefit that what we're doing right now is implementation of recommendations that were approved, I think, a year ago at the annual global meeting if I'm not mistaken. And, so, I just want to clarify that what we're doing today is not the development of policy and it is not the finalization or approval phase of recommendations. These are recommendations that we've had now for a year and this is the implementation phase. Just so we understand the difference.

Jeff, thanks for your input. Brian, you had a question and then we need to wrap up. So, over to you.

BRIAN CUTE:

I'm just following up on this particular process where you've opened up the input from other stakeholder groups. And I'm hearing this is implementation. Is the intention there to get feedback in the form of impact analysis? Is it in the form of how can we improve these

improvements? What exactly are you getting from that feedback?
What's the target?

RAFIK DAMMAK:

Okay. Thanks, Brian. Yes. I mean, first is as we spent the time in the last six months, I think, to work on those improvements and we tried in several of them to have input from the liaison and so on. So, we are open to any kind of comments. We are not to be specific in impact analysis and so on, but probably we expect people [inaudible] change in the language or they are some area they think maybe are not clear or those kinds of things.

At the end, the team will have to discuss in how we need to tackle those input and then to do the planning for that. And, I think Pam wanted to add a comment. I'm sorry.

PAM LITTLE:

Just very quickly. I'm agreeing with Rafik, but I also want to point out that some of these improvements actually have been tried in the EPDP, the Council charter last year. So, for example, one of the improvements about the [inaudible] model to the open model, Jeff, you raised, and that is one that is very close to my heart as well. I think that is a quite major change in the working group composition. If not, the most to me, really one of the major changes that would have a very large impact on the community.

In the past, we're used to the notion, the PDPs are open to everybody, but as you can see in the EPDP team, it is the so-called representative

model where each stakeholder group or constituency appointed their representative to be on the team. And it remained to be seen. I guess we should do a review when the EPDP at some point wrapped up to see whether that model actually work, what worked, what didn't work, because to me, that is a huge departure from what we're used to as an open model.

But, Jeff, just maybe some comfort or consolation as Rafik has mentioned, nothing is set on concrete with this and we should really build in a review process to see whether those implementation steps what worked, what didn't work. Otherwise, things are changing. Our times are changing and evolving. We should not feel like once this is set, the Council said these are the new process or whatever improvements. It cannot be unwound or change. So, I hope that that will be helpful. Thanks.

KEITH DRAZEK: Okay. Thanks, Pam. Steve, over to you for last word and then we do need to move on. Thanks.

UNIDENTIFIED MALE: I see Paul waving his flag frantically.

KEITH DRAZEK: Oh, sorry, Paul. Out of my line of sight. So, Steve, and then Paul, and then we need to move on.

STEVE:

Thanks, Keith. This is Steve from staff. I just want to talk briefly about the consensus building playbook, but first, I guess, by way of clarification, the intention for that playbook and the PDP 3.0 effort is not to try to redefine the definition of the consensus. The playbook is really about trying to give tips, and tricks, and a toolkit to working group leaders to be able to, I guess, better tackle the process to build consensus.

So, it's not about going into the operating procedures and changing those definitions. That has nothing to do with that at all. But it's really about process and tips. So, the source for that playbook is actually from an additional budget request that the GNSO filed and was agreed to. The approval that was contingent on it actually being broader rather than just the GNSO being able to use this playbook. It's actually intended to be used by the entire community, which is probably why it fits pretty well with the – and evolve the multi-stakeholder model as well.

It's in the process of being developed right now. We're contracting with a third party to help us develop that material. Yeah. So, it's in the works right now. Thanks.

KEITH DRAZEK:

Okay. Thanks, Steve. Paul, over to you.

PAUL MCGRADY:

Thanks. Very briefly. Just to counterpoint Jeff a bit, lest we all lose [inaudible]. I do think that there is enormous appetite in this

community to land this jet. I don't think another three or four swirls around the airport before we put it down is going to help us. Landing gear is down. Why don't we land this and then evaluate it and see if it worked?

Three, four, five-year PDPs are just not sustainable. People lose interest. We've had examples, so I don't have to go through them. Everybody around the table knows what happens when attrition is a strategy in the PDP. It turns out with bad outcomes. So, we do have to fix it. We can't keep talking about it forever, and I do hope that even though I won't be around Council when it's finally done, I do hope that we stick with it because this is great work. Thank you.

KEITH DRAZEK:

Okay. Thanks, Paul. All right, we need to move on. So, we will switch gears now. Thank you to Rafik and to Brian for joining us, and for all the good discussion. And, Jeff, thank you for, again, sharing your views. Always welcome.

So, with that, let's move then to invite Heather Forrest and the bylaws drafting team to join us, and thank you all very much for your patience as we run a little bit over. So, I'll just pause for a moment while Heather joins us. And if other members of the drafting team would like to join us at the table, feel free to take a seat. Up to you.

HEATHER FORREST:

Hi there, everyone. Lovely to be with you. So, as promised based on the discussions that we had during your October meeting, this is the

promised update for you on the work of the – the short name is the bylaws drafting team. Of course, we’re not in the business of drafting bylaws. The bylaws drafting team was the precursor to this group. That group went through the new bylaws that were established after the transition to identify areas of possible inconsistency, let’s say, for how the GNSO goes about carrying out its responsibilities under the bylaws, any bylaws amendments that needed to happen.

You might remember in particular that the one change, the key change was the voting threshold on those empowered community actions was elevated to super majority.

So, out of that work came this work, which I introduced to you in your October meeting. What you have in front of you for your meeting this week is a set of what we’re calling guidelines and motion templates. And if I can just offer a general explanation for that.

We see here on this first slide the empowered community powers. They are numerous and I will say, having met with the members of the drafting team and our two fabulous staff members, Julie and Ariel last night for a very stiff drink for what we’re calling the Annex D Survivor’s Club. Anyone who’s familiar with Annex D knows it is no fun. We need special stickers on our badges.

These powers ... So, unfortunately, if I can summarize where the drafting team landed on this at a high level, the bylaws were drafted in a hurry for a reason. The bylaws, if you like, I’m going to make a very poor analogy – a painful analogy – that I know we can all relate to. If you like, the bylaws are a bit like policy and the implementation was

really lacking. So, there were all sorts of things that we were supposed to do as the GNSO, but the mechanics of that, how you actually do that and do it within quite tight deadlines for each of these actions or responsibilities – what you did on day zero. How much time did you have until the next action? What did you have to do at that next point? When was that supposed to be? What did that kick off? It's so much a decision tree on each of these things. And, in fact, the bylaws drafters, of course, they were under a great deal of pressure, but they didn't think through the actual mechanics of how possible this was.

So, I applaud the work of the bylaws drafting team that suggested that we actually sit down and put together what we are calling guidelines, but if you like, it's a how to. How does the GNSO carry out its responsibilities? And, of course, in those amendments to the bylaws that the bylaws drafting team developed for us, one of the main recommendations is it's really the Council that carries a lot of that responsibility, the Council in conjunction with the GNSO representative on the empowered community.

So, if we can go to the next slide, I think we'll use this just as a final bit of introduction. You see here the seven core steps in the escalation process. So, a number of these responsibilities are kicked off in the new accountable environment by way of a petition. I can illustrate the challenge that we have just in looking at number one that says, "A petition is initiated in an SO/AC." So, for us, let's reread that. A petition is initiated in the GNSO.

Well, that's great. But what does that mean? Is that the GNSO Council? Is that a stakeholder group? Is that a constituency? What does the petition look like? To whom does it actually get submitted? What happens after it's submitted? The gap between one and two, again, illustrates the sort of problems, questions that we had to deal with. Number two, the petition is accepted by the SO or AC. For us, the petition is accepted by the GNSO. What on earth does that mean?

So, that's what we've done. In a nutshell, that's what we've done. I can take you through the specifics of each of the documents and we can look at each of these responsibilities in turn, and then I'd like to highlight one as an example to give that to you as an overarching on where we are. So, if we can turn to the next slide.

So, this slide, it's simply a repeat of the one that I showed you in your October meeting. You'll see here the six primary responsibilities, if you like. One having to do with the Approval Action Community Forum and the decision whether to approve an approval action. The second one, the petition process for specific actions and Rejection Action Community Forum. The next three all have to do with removing a Board member. So, 3.1 is removing the NomCom appointee, 3.2 is removing our two seats, the contracted house and the non-contracted house, and then the full Board Recall process, and then, finally, the IRP.

And, then, on the next slide is the particular next level of complication, if you like, which is us having to work with the ccNSO as per Article 18, which requires this joint consultation. So, with the help of Julie and

Ariel, we've prepared some slides on each of these as an opportunity to give you the gist of them. You can ask any questions. And we'll start with approval action.

So, you can see here that the approval action is enlivened by any of the three activities in the dot points that you see there. For anyone who was in the room this morning, our decisional participants, our representatives on the empowered community were called together this morning at 8:00 AM, I think, we were Keith, to discuss a proposed fundamental bylaw amendment by the ccNSO in regards to its appointees – its three appointees – to an IRT, and how that needs to work.

Apparently, the bylaws as they're currently drafted say that there need to be three representatives of the ccNSO, and they need to come from three different geographic regions, and the ccNSO is finding it difficult to achieve that. So, hence, they put forward a suggested bylaw amendment, this is given Keith's participation this morning as GNSO rep on the EC. This is something that you, folks, in the Council will have to deal with straight away.

The guidelines that we've prepared for you in this regard on this particular provision of the bylaws deals with how the GNSO community needs to provide feedback. So, the community forum was this morning, and to the extent that the GNSO community wishes to offer any input to that, we have some suggestions for how that might happen naturally given away that the GNSO is structured. It involves

the input of the SG & Cs through their members. How does that find its way to the Council? What happens from there?

And, then, secondly, the Council, in terms of its decision to support, object, or abstain from the approval action, of course, that requires a vote that enlivens that higher voting threshold, the timing of that, how the Council meeting might actually be scheduled. Those sorts of mechanics are handled there and there's a draft motion provided for Council leadership for the decision to support, object, or abstain.

So, that's approval action. Before I move any further, any questions on that one? No. Apologies, my throat is dry. Canadian air. It was 30 degrees when I left home. I mean, centigrade.

The next one is rejection action. So, rejection action, again, a product of Annex D, this one Article 2, and it deals with the escalation procedures. So, to the extent that some sort of action has taken place, this idea of rejecting that action. The guidance document for this particular issue sets out a number of things. Now, interestingly enough, it deals with an individual, so an individual, the bylaws say, may submit a rejection action petition to a decisional participant – in our case, the GNSO, and in our case based on the work of the bylaws Drafting Team, the GNSO Council.

We had some extensive discussions about what individual means. Does that mean an SG or C? Does that mean an individual who was a member of an SG or C? Does that mean any individual? And based on some advice we received from legal and at confirming our own discussions, we understand individual means any individual, so

including someone who's not specifically a member of the GNSO community.

Again, there's this opportunity for the GNSO community to provide feedback on that petition, so how that actually happens, how do people within the GNSO get that advice, that feedback, to the GNSO Council, which is the body that needs to act here. To the third point, the Council decides to accept or reject a petition or support the petition that's made by another decisional participant. So, for example, let's say the ccNSO were to file a rejection action. The Council will be asked to opine on that. How do we get to that decision? How do we, as a GNSO community, get to that decision?

The next point that GNSO community provides feedback before and after a community forum, so very much like the community forum that was held this morning for an approval action, a similar thing would happen for a rejection action. And, then, again, there is that Council decision to accept, reject, or abstain. So, a template motion provided for both of those Council decisions that happen here.

I have to say this one in particular was very, very challenging and it took us a great deal of time. Happily, it was a bit further later in our work and we were able to gain some knowledge from attempting some of the previous exercises.

You see the reference of the flowchart at the end. What I'd like to do is – and I think is this the one, Ariel? No. Okay. We've got another one to use as an example. Yeah, good. Okay. That's right, indeed. It's 3.2.

The next one has to do with Board, the NomCom director removal that's seats one through eight, and you see here, broadly speaking, the process. Again, we have this idea of an individual who submits a petition. That petition comes to the GNSO Council. Great deal of discussion around that as well in terms of the impact of the timing. So, the timing on each of these things is incredibly precise and the clock starts from the time that the decisional participant receives the petition. We've spent a lot of time on each of these discussing the impacts of how do we actually get the petition to the Council? How do we get – thank you. Oh, thank you, Julie. You're a savior. Oh. Thank you. Everybody is tired of hearing me croak. Super. Thank you. I'm surrounded now. Okay.

This idea of the timeline starting, given that the decisional participant is the one that needs to take action. The bylaws say that the clock starts from the time the decisional participant receives it. What happens if it's lodged to one of the stakeholder groups? What happens if it's lodged to one of the constituencies? How do we then get that to the Council? Whose responsibility is that?

To that point, Keith, and Pam, and Rafik, what I'd like to do is highlight. I've suggested to the drafting team and I think we'll put together a proposal for you. We'd like to suggest an application to be made for ICANN 67 for a high-interest topic directed at the SGs and Cs within the GNSO because in terms of our briefing council, that's great. But as you can tell here, there are a number of steps that need to happen before something even gets to Council. And I can only imagine in my own constituency – and I say that even knowing that I'm about

to take on the head role in that constituency – if one of these petitions were to land in one of our inbox, we would know what to do at all. So, I think to the extent that in the 67 prep session, Council would be willing to put a bid in for that. That would be helpful.

KEITH DRAZEK:

Yeah. Thanks very much, Heather. That’s really helpful and a great suggestion. I think that if it’s a session of GNSO community or constituency, it’s much easier to get a dedicated session than doing the whole cross-community plenary high-interest topic stuff. So, I think we can absolutely commit to doing that. I think you’re spot on in terms of that being a very valuable communication.

HEATHER FORREST:

Yeah. Thanks, Keith. And I’ve used the name and Lord knows what we call them now anyway. Yeah, cross community, whatever, but it is, indeed. It’s really just of interest to the SGs and Cs and GNSO.

Back then to the Board director removal, you see the steps that flow on from this. There’s a dialog. This is all directed by the bylaws. There are some notes here. We need some support from at least one other decisional participant to escalate the petition to a community forum, which is interesting. Again, we’re removing a NomCom director.

If we can turn to the next one, by contrast, there’s also an interesting question that come up here with the Board director removal process for seats 13 and 14. Of course, these are the directors that we appoint through our own houses. For now, that’s Becky and Matthew. Again,

there's this idea of an individual submitting a removal petition. There's this idea of a dialog, the community feedback from the GNSO, this idea of a community forum, and of course, it makes good sense.

You'll see in the note there that the GNSO does not need support from another decisional participant escalate the petition. The reason why I say I think that makes good sense is we're dealing with our own appointed Board members. We're not really seeking the input of, for example, the ccNSO, as to whether or not we should remove someone from seats 13 and 14.

There are two decision points here as well. Again, the Council decides whether to accept or reject a petition and then that step six, the Council decides the level of support to remove. These are, of course, nuclear situations. This is like worst-case scenario. Am I right, Ariel, this is the one we have to show as an example? It's the next one. Sorry. Oh, I'm anticipating [inaudible].

I want to make two points here on the decision making. So, one of the interesting topics that we had to talk about or questions that we had in relation to this one was on that step four, the GNSO Council decides whether to accept or reject the petition. Remember, we're removing someone from one or the other house and the question then is what's the role of the other house in these votes?

The interesting point, the bylaws give as quite of a guidance here. You'll note in the notes there that the voting threshold for step four and step six are different. The voting threshold is still high. It's higher than it would otherwise be, but in step four, the decision whether to

accept or reject the petition under the bylaws, it's only actually the relevant houses' votes that count. We took a decision that the whole Council should vote.

I'll say I was a strong advocate for that position despite the fact of being chair and trying not to advocate for things, but I think it sets up based on my previous experience, it sets up a dangerous precedent having only part of the Council vote on anything. I think the Council should vote in full. So, that is a higher threshold, but it's only the one house. Six is that super majority threshold.

So, I'm assuming someone will ... And, Rafik, you've got your flag up. Do you want to wait until the end? Yes, wait until the end. Okay. So, we'll carry on.

Board recall. Here, we have a very similar process. A bit easier, a bit less complicated insofar as it's not just the GNSO, but of course, here we have well and truly the nuclear option, the recall of the entire Board. Again, starting with the individual submitting a petition to the GNSO Council, how that happens, what the Council actually has to do, what the petition looks like. We've provided guidance on that.

Again, you see a similar pattern here. And, again, this is based on the bylaws. The community provides feedback. The Council decides whether or not to accept. Then, we go through this community forum – again, much like this morning's community forum – and the Council decides as to whether to take action on that Board recall whether to approve it, object, or abstain.

You'll see in the notes there the GNSO, of course, makes good sense given this isn't just GNSO-specific, has the opportunity to decide whether or not to support a petition from another decisional participant. I see I've run overtime. I'm going to look to Ariel. We'll go to the next one.

So, community IRP is the last one of this bunch and then we have the ccNSO one. Of course, we have other work going on in the community around IRPs, but this is the notion of a community IRP. It comes to us from Article 4 of Annex D.

And, as I think, we're all fairly familiar with the IRP, allows for that third-party review. The guidance that we've provided deals with how the Council goes about deciding whether or not to approve a petition, to initiate that community IRP, how it supports the community IRP, how it becomes with the bylaws call and reconsideration request requester, and this idea of filing an IRP claim as a claimant.

So, the last one is the one that involves the consultation with the ccNSO. As I flagged to you in your October meeting, we did meet to finalize with the ccNSO these guidelines and I'm sorry I wasn't with you this morning, but I know it was on your agenda for discussion for preparing for your discussions with the ccNSO. We've worked out a way of working with the ccNSO to carry out our joint responsibilities there, largely through the establishment of what you see here in the dots under guidance, that special IFR coordination team.

How the GNSO goes about – and the ccNSO, indeed – goes about consulting with the other SOs and ACs on that. So, this is very much a

GNSO and ccNSO-led process and it ends with a vote by both of those two Councils. This is the document you did not have prior to your meeting in October. It's the one we submitted for this meeting. With that submission, you now have the whole package. Ariel, we can—

Keith, I'm mindful of time. Do you mind if I take three more minutes to get us to 35 past?

KEITH DRAZEK: So, thank you very much, Heather. I don't mind at all.

HEATHER FORREST: Great.

KEITH DRAZEK: We started late and so you're fine.

HEATHER FORREST: Good. Super.

KEITH DRAZEK: We do need to get to some other business, but we have a few minutes. Let me just also note that, for the Council, we actually didn't get to talking about this this morning because we run overtime. So, please, as everybody understands this topic, particularly the engagement with the ccNSO, it's something that we will probably discuss with the ccNSO when we get to it. And thank you for flagging that, Heather.

HEATHER FORREST: Great.

KEITH DRAZEK: So, back to you.

HEATHER FORREST: Good. Thanks, Keith. And good to know that you started late. I don't feel so badly. Here's an example of what one of these documents that we've prepared looks like. It deals with that NomCom director removal. I was right then. Good. It was 3.1. Okay.

So, just by way of example of what this thing looks like, I've asked Ariel to put this on the screen. The other thing that I would like to flag to you is this. So, having put together this huge package of documents – some of them run to 20 plus pages and properly did our heads in – we asked legal to review everything that we've done and we've only just Friday, as in two days ago, received some feedback from legal on our documents. The excellent news is legal is quite satisfied that we've interpreted the bylaws correctly, which I will say is no small thing. There are some suggestions that legal has made to help us in providing clarity to our advice to you, the GNSO Council. And those three specific points, I think, are pretty well illustrated by this particular document.

The first one I'll mention is generally what legal has advised that we do is provide some way to signal that the guidelines apply only to taking

action within the GNSO. So, to the extent that this individual wish to submit a petition to action any of these responsibilities in another SO or AC or through another decisional participant, they could do so.

Now, I'm afraid the drafting team found that blindingly obvious given that these were guidelines directed only at the GNSO Council. Why anyone would assume from this that they were somehow barred from doing something elsewhere, we weren't entirely sure, but we'll add in a clarifying note here to say these are the processes that only apply to dealing with this within the GNSO Council.

So, to the extent that, for example, it says that a petition must be filed to the GNSO Council, that means that an individual seeking to file through the GNSO as a decisional participant must file through Council, not a petition must only be submitted through Council. So, that's one point.

Second comment that we received from legal was a suggestion that we clarify that all mentions of the GNSO representative on the empowered community should specify that that person does not have any independent power to act, that they act purely on the direction of the GNSO community, which again, makes plain sense to us in the drafting team, and I see heads nodding around the Council table it makes sense, but to the extent that that needs to be clarified or it's helpful to clarify. We'll add a clarifying note.

Thirdly, where we've outlined steps to follow arising from the bylaws requirement. At times, it's necessary for us to augment what the bylaws have to say by adding in some specifics, the actual mechanics

of things. So, if we can scroll through this document, I'll show an example of what that means.

So, again, the format is the same throughout the documents. You'll recognize those two graphics that we showed in the beginning. There's some introductory material, and then, the headings are largely led in a Q&A-type format. For example, here, who is eligible to submit the Nominating Committee director removal petition to the Council.

There's this idea of an individual. We've tried to take the language directly from the bylaws rather than summarize it, rather than give some interpretation of it. Off the bat, we think it's useful for Council to have this information all in one place rather than have to have the bylaws open and also have this document open as well.

I've talked about this business of submitting to the Council. You'll see here the nuts and bolts. When the period begins, there's this notion of days. I think this timing sort of stuff is very helpfully dealt with in the timeline at the end.

But on this point 4.2.2 that you see on the screen here. So, here's an example of the third instance where legal has suggested that we provide some clarification. You see those various dot points, name and affiliation of petitioner, name and term of the affected director, the rationale, and the confirmation that the affected director has not been previously subject to a NomCom director removal petition.

To the extent that we have had to add in any specific directive here, for example, that something is submitted to an SG or C and how it gets

to Council or something like this that isn't expressly in the bylaws. While we have headed this paragraph in accordance with Annex D, Legal's concern that it could be interpreted that all of these points explicitly come from Annex D, which is not, of course, the case. This is what we need to do mechanically to fill our responsibilities in Annex D. So, they've asked for a clarifying note there.

So, those are the three points that we've received from legal. If we carry on, I think, if we go straight to the timeline, it's probably the easiest thing and most time considerate.

So, you'll see here each of these guidelines has a timeline that uses this format of the absolute maximum date, this idea of when the clock starts, and then everything that flows from that.

Of course, one of the things that bound us up was if you look at the timeline on this 3.1, if we go all the way to the end of the timeline. Again, this is absolute maximum, but we get quite lengthy in time. We get to day 29. This is pretty serious stuff and to the extent that it takes 29 days because actually some of these other processes that take more like 50 or 70 days or more. So, really, these are offered as absolute maximum to the extent that the Council can move more quickly. It's very much encouraged to do so. I think that's facilitated frankly by having these guidelines because it would not have surprised me at all.

Keith, when I was sitting where you were if I had to do this without guidelines, it would have taken me 72 days just to understand what

was going on. Never mind action step number one. So, hopefully, that will be of help.

So, that's what these documents look like. You'll find at the end of the document – Ariel, if we can scroll to the draft motions. As I mentioned, we've got some draft motion template that Council leadership can simply snag, and, of course, modify and amend as they see fit.

I will end by saying this is, of course, guidelines. These are not mandatory. This is for Council's use as it sees fit. I am under no illusions that these are not perfect. I would like to suggest that we're going to need some in vivo experience along the way. I don't think there's any tragedy. We've had confirmation from legal that they're consistent with the bylaws, so I know I can confidently say we can follow these steps and still meet our bylaws responsibilities.

What I'm not 100% sure of is, as with all things, for example, the GNSO Operating Procedures – and I'll call on my beloved 3.7 – in practice sometimes those things don't work out as we quite drafted. So, I think we need to be open-minded in the GNSO to go back in any time one of these gets used or if it hasn't been used recently, I think we ought to have a think, have an opportunity to review.

So, with that, in view of the time, I've taken more than I requested. We have the 18.12 slide. Yes, we showed that slide. Yeah, we're good. I think we're good on the slides, are we, Ariel? Yeah. Good. Okay. So, that's all the slides. Keith, back to you.

KEITH DRAZEK:

Thank you so much, Heather for this update, but also for the tremendous amount of work that you've put into this along with the members of the drafting team, so thanks to you all. We really do appreciate this. In particular, in the event we have to use any of these, I very much appreciate you figuring it out for me, so I don't have to spend 72 days doing it. So, thanks very much.

I have Rafik and then Michele in queue. And, if anybody else would like to get in queue, do so now. Otherwise, we're going to need to move on. So, Rafik first.

RAFIK DAMMAK:

Thanks, Keith. Thanks, Heather and to all the drafting team members for the work. I tried to review the document. I can confess that it's quite a dry reading and I think we need to be careful when we're applying them because they tend to look similar or there are some recurrent steps, so we have to pay attention when we use them. But I think having the templates at the end and also that the timeline and what I really like in the beginning, maybe the first introduction, which is explaining quickly the different steps and I think that where we can see the difference.

So, I advise all councilors to review and when we have to apply those guidelines, we need to be careful about the different steps. I think it's really a different nature from what we have, for example, as GNSO Operating Procedure. They go in more into details and there are different steps and expectations, and so we have to pay attention. Yeah. Thanks.

KEITH DRAZEK: Thanks, Rafik. Michele and then we need to move on.

MICHELE NEYLON: Thanks. First off, it's great to see Madam Former Chair back at the table again. As much as I love you, Keith, it's not the same. Though her addiction to tea is still rather disturbing. That's okay.

Okay. So, I think we've all come in to know the body work and all that. I suppose the very practical question I have – because I like to keep breaking things down to stuff I can wrap my little brain around – how do we formally adapt these? Because it's all well and good having a bunch of documents, but if they're not actually formally adapted that if you actually follow the process, then you're going to hit a brick wall of some kind, either real or imagined, but I suspect because this is ICANN and people like to argue over the position of commas.

KEITH DRAZEK: So, Michele, question. Clarify. You're talking about adapting this package or these documents.

MICHELE NEYLON: Yes.

KEITH DRAZEK: The answer is it's on our agenda for a vote this week.

MICHELE NEYLON: So, you're saying I need to read my e-mails more carefully?

KEITH DRAZEK: Yeah. So, just for everybody's benefit, it's the one vote that we have on our agenda on Wednesday. Again, we had a preview of this during our last Council meeting. The only thing that, I think, needed to be updated for a complete package was, I guess, it was 18.12. One of the components had to be finalized. I think that was based on the review of ICANN legal and all that, but we're basically ready to vote on this package. If anybody has any concerns, let me know.

MICHELE NEYLON Okay. So, two things I've learned from this. One, I need to read my e-mails a bit more carefully, but secondly, so we are actually voting to accept that. So, just to understand this, what exactly are we voting to do? I'm sorry if this is a really stupid question, but I'm just trying to understand because this is like a set of guidelines. Is this incorporated into something else? Heather might be able to speak to that more clearly possibly.

KEITH DRAZEK: So, the answer is it's guidelines and templates essentially, and it will basically form the basis for future work. And maybe we can turn – I don't know. Heather, if you want to respond or Julie. Go ahead, Heather. Thanks.

HEATHER FORREST:

Thanks, Keith. So, just a quick response to your question, Michele. The benefit – we did, of course, have the option of either adding this in or somehow incorporating this or changing the GNSO Operating Procedures. The disadvantage to that is the GNSO Operating Procedures form part of the bylaws and there's a really difficult process for amending them. It's actually quite a [inaudible] goes out to public comment to the whole community and so on and so forth.

This isn't to the level ... These are entirely consistent with what little in the operating procedures is really relevant to this situation. It's not inconsistent with those. So, these are standalone documents. We've expressly taken the decision not to make them part of the [ops] procedures.

So, these are standalone guidelines for the Council's exclusive use in terms of carrying these out. They are not binding. They are there for Council's use. We'll have to come back after this meeting to add in the three comments from legal. I'm not going to try and change the documents based on those who have read them before this meeting, but I need to make three clarifications in the documents based on legal's feedback. But you will have them at your disposal to use if you want to or not.

KEITH DRAZEK:

Okay. Thanks very much. With that, we do need to move on. So, Heather, thank you again, and to the drafting team for all of your hard work. We very much appreciate it.

All right, everybody, we have just 15 minutes left in our scheduled working session and there are two things yet to get to. The first is a Q&A with Julf, who is our current and a candidate for future GNSO Council liaison to the GAC. And, then, we will come to any questions for me as the chair candidate.

So, Julf, I'd like to hand it over to you. Thank you for the written report that you provided the Council and if there's any opening statements that you'd like to make as it relates to the GNSO Council engagement with GAC, generally speaking, and then we'll open it up to Q&A. Thank you.

JULF HELSINGIUS:

Thank you. I'll try to keep it really, really short. Even those of the two years I've been doing this job, the job has changed and I see that going forward. It is this is something that is very dynamic and we had to figure out as we go on as the situation moves because the chemistry between GNSO and GAC keeps changing as well, and both organizations also changed, and so that is reflected in [inaudible] of work in trying to keep things going between the two.

A lot of this effort is still education and we have to ... Again, I keep reminding people of how much the turnover is in the GAC that they have lots of new people all the time who are not familiar with our

procedures. And, just this morning, there was a comment in the session about how does the policy briefings we put out are actually really useful for them. But they require people to understand how ICANN works and that seems to be, for some people, an unreasonable to ask. Right. I think, to save time, I'm open to questions.

KEITH DRAZEK: Okay. Thank you very much, Julf. [inaudible] from Michele. Would anybody like to get in queue? Very good. Michele, over to you.

MICHELE NEYLON: Thanks, Julf. I don't actually have a question. I just want to say I think it's important that somebody holds that position and that if there's something that any of us can do to help whoever holds that position, which happens to be you, and I'm happy to support you for a further year of servitude, and then, so be it.

I suppose the question really is around this issue around the turnover of GAC members, the general lack of understanding. Is there something that at Council can do to improve on that or is this something that ICANN as an organization can work on? I'm just trying to understand how can we improve this because it's pretty evident that the situation is not getting much better.

JULF HELSINGIUS: Thank you. Yeah. Something that has actually helped a lot is [inaudible] of our policy briefings, which are actually very good and do

help [inaudible] a lot. But I do think we should maybe think about once a year running a session with the GAC where we really just go through and tell them what we actually are and what we do and what our place in the universe is.

KEITH DRAZEK:

Okay. Thanks, Julf. Thanks, Michele. Any other questions? I think as Michele has noted and you've noted, that it is an ongoing challenge, and part of that's because there's constant turnover within the GAC. They have new members, new representatives coming in all the time. It's just a very, I think, foreign concept compared to the way they operate and then it's just a constant reminder. I think examples around work track 5, for example, of an experience and an engagement will help them understand. They may not like it better but help them understand because there are people then in the GAC that have that first-hand engagement. And, hopefully, on the IGO protection's issue and the RPM updates, we can continue to engage and to invite them and welcome their participation. But I think this is just going to be a constant thing, but I do like the idea of having as part of our more formal session or maybe even an additional session that we coordinate with them that we really have that focused discussion, like a tutorial almost.

Any other comments? Any other questions for Julf? I'm looking around the room. I'm not looking in Zoom. All right, very good. Julf, thank you very much for your service and we look forward to supporting you.

JULF HELSINGIUS: Thank you.

KEITH DRAZEK: All right. So, we will then move to Q&A with me. So, I'm going to hand that off to Rafik. Rafik, if you don't mind.

RAFIK DAMMAK: Okay. Thanks, Keith. Be careful of what you wish here. Okay. So, this is the opportunity to have the Q&A with the sole candidate for the GNSO chair. I think, Keith, you already shared your statements, so if you all maybe to make brief highlights if you want to hear and then we can go to Q&A from councilor.

KEITH DRAZEK: Sounds good. Thanks, Rafik. And, yeah, as you noted, I did circulate just by the deadline ... So, I did circulate just by the deadline my candidate statement. My SOI is unchanged, but my candidate statement has been circulated to the list. I would encourage anybody and everybody to review that. Any questions generated from that, I'm happy to entertain them now or even over dinner tonight.

Look, I think we've done a lot of work this year as a Council and we have a lot of work yet to do going in to 2020 as we've discussed all day today in various sessions. And the key of ideally trying to bring in for a smooth landing a couple of the ongoing longstanding PDPs that we've had underway, specifically subsequent procedures and the EPDP Phase 2 in 2020 is certainly a goal of mine and I think a goal of all of

ours. And, then, of course, there's the RPM Phase 1 work, which is due to hit our inbox or our agenda sometime in Q1, Q2 of 2020.

So, there's a lot of work left to do, but this question of prioritization of work, I think, is what is really critical for us as the GNSO community, GNSO Council, working with the broader community of really ... We've been flagging the issues of volunteer burnout and this is something that Pam and Rafik and I have talked quite extensively about as a leadership team.

As you know, we've been talking about the issues of volunteer burnout, of overload. Through the PDP 3.0 work, we've identified some potential improvements that I hope will help us in the coming year and years. But that question of prioritization, it's like what do we do about it now? Like we've identified the problem, how are we going to address it? So, I think between PDP 3.0 and a very, very careful prioritization of work based on data in terms of understanding how long a new PDP will take for example. Can it be targeted? Can it be very focused? Very, very specific questions to be answered from a policy perspective level.

I think that's going to be really important for us going into 2020 and I look forward to helping us move down that path and achieve some goals next year. And, so, I'll stop there. Any questions, I'm happy to take them. Tatiana, I think you are next. Rafik, you can—

RAFIK DAMMAK:

So, I think we have Tatiana and then Pam. Yeah.

TATIANA TROPINA: Thank you very much. Keith, thank you for this year of serving as a chair. I have a question to you. We talked so much about GAC today during this session. And I know that, of course, we have Julf who is managing all this day-to-day stuff. But can you elaborate a bit on your strategic region of this relationship? Are you going to take more care of this? So, do you have anything on a meta level? What would you like to do together with the leadership to solve all these problems which are popping up? Well, maybe not to solve, but to contribute to solving them. Thank you.

KEITH DRAZEK: Yeah. Thanks, Tatiana. That's a great question. So, I think at a meta level, at the highest level, my view of the GAC's involvement and engagement at ICANN is that part of ICANN's legitimacy and part of the ICANN multi-stakeholder model and bottom-up consensus policy making is derived from the participation of governments. I think without the GAC and without government's participating here at ICANN that this model would be a terrible risk. This experiment that we have without governments involved and finding some benefit and some value and some return on investment, I think without that, we would have been a much more difficult place in terms of defending and promoting the multi-stakeholder model.

So, my world view or my meta view is while we have our GNSO processes and we have to protect them because that is where our bottom-up consensus-based policy making takes place, we have to

find a way to make sure that the GAC can engage or individual government, however they do it to participate, contribute, and ensure that their voices are at least heard and considered during the consensus-making process.

So, I guess at a very high level, that's my view. And I guess maybe now that you've heard me say that, you'll understand maybe where I'm coming from in terms of some of the – encouraging us to be inclusive and to reach out and to understand their concerns and their views while still respecting our operating procedures and still respecting the fact that the GNSO and the GNSO Council manage our processes, and we can't ignore that and we certainly can't disregard our obligations in that regard.

So, I guess I'm looking to find the right balance and we're probably not there today and we may never get a full and proper balance, but that's what I'm striving for.

In terms of specifics, I don't know that I have anything concrete to point to at this point, but it's just going to be, I think, as we talked about in terms of keeping them educated about us, it will be a continual process, and there will be times where they are unhappy. But I think at some point, there should be an opportunity to make sure that they're feeling some value and return for their participation in ICANN.

RAFIK DAMMAK:

Okay, Pam?

PAM LITTLE: I'll let Julf go first because I think he's responding to the GAC question, right?

JULF HELSINGIUS: Yeah. I would like to respond to that. That's a one thing that [inaudible] we all should also realize that stuff. Very often, we can't talk about stuff the opinion GAC has or if GAC is happy or not [inaudible] individual GAC members might be happy or unhappy, and there will always be unhappy GAC members, and we have to address that.

PAM LITTLE: So, in the interest of time, I just want to be very brief. One comment is to thank Keith for leading the GNSO Council superbly over the last year. Thank you, Keith. It's been a great honor and pleasure working with you. Thank you.

But also a question, this is a Q&A. So, given Keith is the only one candidate, I just have one simple question. Would you commit to singing a song or do a dance at every ICANN meeting?

KEITH DRAZEK: So, you asked me that before the vote has taken place, so I better say yes, right? So, thank you, Pam. Thank you for your kind words. I do want to also – if there are other questions, I'm happy to take them. But I do want to also thank both the Contracted Party House and the Non-

Contracted Party House for returning both Pam and Rafik as vice chairs. They have been incredibly supportive and fantastic as part of the leadership team. I think the three of us have hit our stride now in terms of working together and I look forward to carrying that into the coming year. So, thanks to you both very much and thanks to the houses.

RAFIK DAMMAK: Okay. Thanks, Keith. I think we are doing a good job in terms of time. We reached the 3:00 PM. And if there is no further question or comment, I think we can close this session.

UNIDENTIFIED FEMALE: Thank you.

KEITH DRAZEK: Okay. Thank you very much, Rafik. So, with that, thanks as always to ICANN staff for everything that you all do in support of these meetings. I know this is just the first of our gatherings here this week, but none of this would happen without you as you know. And thanks to our technical support for everything today. Much appreciated. And, with that, we will conclude the session. Thanks.

Oh, also, everybody, remember that we do have a meeting with the GAC this afternoon, so we're not completely done.

[END OF TRANSCRIPTION]