
MONTREAL – GNSO Working Session with ICANN Board 2 of 3
Sunday, November 3, 2019 – 12:15 to 13:15 EDT
ICANN66 | Montréal, Canada

UNIDENTIFIED MALE: It is Sunday, November 3, 2019 at 12:15. This is the GNSO Working Session with ICANN Board 2 of 3 in Hall 511-C at ICANN 66 in Montreal.

KEITH DRAZEK: Good afternoon, everyone, if I could ask everybody to start taking your seats. This will be our one-minute warning. Thank you. If we could please start the recording. Thank you very much.

Good afternoon, everyone. Welcome to the GNSO Council-Board interaction and lunch at ICANN 66 here in Montreal. As always, we very much look forward to the opportunity to engage with the Board to talk about topics of mutual interest. I believe today we have essentially two agenda items, one proposed by Council and one proposed by the Board. The agenda item proposed by the Board has three components to it, so we will get to that momentarily.

But I just wanted to welcome everybody. Thank you for being here and we look forward to a fruitful discussion. Cherine, is there anything that you'd like to say at the beginning?

CHERINE CHALBY: Not really. I think it's good to try this new format, and then at the end, maybe compare whether this is better than just a series of questions

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and answers. I hope this will be much more conducive to a collegial discussion. Thank you.

KEITH DRAZEK:

Thank you very much, Cherine. So, I will kick things off but if I could ask for, since not everybody is in our Zoom room, if anybody would like to get into the queue, either put up your flag or raise your hand and I'll keep the queue to make sure that we have a good and vibrant discussion.

So, I'll kick things off and to note that the topic that the GNSO Council put forward for discussion today focuses on the ongoing exchange that we have had over several months now related to the EPDP Phase 1 recommendation #12, in particular. It was actually Recommendation 1 Purpose 2 and recommendation 12 that were the recommendations that were not accepted in full by the ICANN Board.

And as I think we all understand, there are bylaw requirements and provisions that essentially set out the process by which, we as the policy making body of the GNSO and the GNSO Council responsible for managing that process and the ICANN Board are meant to interact.

And so we as the Council I think in consultation with the EPDP team has essentially identified that there is no concern or no issue with regard to the Board's non-acceptance of Recommendation 1 Purpose 2. That that was pretty straightforward as it was intended to be considered by the EPDP Phase 2 team, anyway. But there is an ongoing I think difference of opinion, or issue, that we need to resolve related to the

treatment of Recommendation 12, which for everybody's benefit and reminder is the treatment of the possible deletion of data in the organization field.

We received your most recent communication. And thank you for responding with the Board's views on that topic. And we have taken to heart the Board's concerns, and we very much appreciate the detail with which the ICANN Board has followed this and tracked this, and raised the question that you did related to possible negative impact, or repercussions as it relates to registrants, if that data were deleted, and it somehow impacted the ability of a registrar to identify the registered name holder, or for the registered name holder to be able to essentially demonstrate that they are the rightful registrant of that particular domain name.

So, following your response, the GNSO Council sent a communication through our Council liaison to the EPDP team, and teed up this question as to is there an opportunity for us to provide some additional implementation guidance that would address the Board's question and concern on this. And we specifically noted that the Board called out the different treatment of the recommendations between the organization field and the administrative field.

And so, the question was posed to the EPDP team this week. There was in that conversation during the meeting yesterday no consensus to change the recommendation. In other words, there was no consensus to make a change to Recommendation 12. But, in the Council's current view and our current discussions, is that providing some additional

implementation guidance, similar to that which the administrative field was treated in a supplemental recommendation might be a path forward to essentially reaffirm the recommendation, provide some additional guidance, and then in the hope that the ICANN Board would be able to then accept that Recommendation.

And so, that's our current discussion, our current thinking. We haven't made any final decisions yet as a council. We have further discussions this week on the topic. But, as the bylaws lay out, this is an important exchange between the Council, as the policymaking body, and the ICANN Board. We have some obligations to have this conversation to the extent that we need to and try to bring this to a satisfactory resolution.

So, I just wanted to tee that up. That was the topic that we, as the Council put forward for discussion today, and I'd like to open that up. Thank you very much. Becky.

BECKY BURR:

Thank you, and we have been following the conversation with the GNSO Council and the EPDP, and we would welcome an approach that provides some clarity. We are obviously looking to get to a place where the recommendation can be accepted, while still addressing the concerns that many members of the Board had, with respect to unanticipated impact of having information disappear, or even in the unlikely, but potential, situation where you create questions about ownership by changing that information.

I think we all understand the concern, and the Board is quite open to addressing this in the way that you're pursuing it. So we will look forward to that, and look forward to moving forward.

We were interested – and I think that really goes to the stability and security. We also, of course, noted the role of the public interest considerations and that discussion. And we understand that the bylaws very clearly establish that the public interest is intended to be established and identified through the bottom-up policy development process.

And so, one could reasonably say, “Well, it was a Recommendation of PDP. It must be a statement of the public interest.” We do think – and this is part of why we have teed up the discussion on the framework for identifying the public interest – that is worth sort of being self conscious to address the public interest points, which is there is no intention to signal any change to the process by which the public interest is developed. That's in the bylaws, that's very clear. But it is worth being self-aware and articulating the public interest considerations as part of this process.

KEITH DRAZEK:

Thank you very much, Becky. This is Keith again. If anybody would like to get in queue and speak to this topic, please wave your hand or put up your tent card. But, thank you Becky, for also addressing point number two on the slide in front of us around this. We as the Council did note that there was a reference to the public interest in some of the documentation and rationale and justification. And so, we certainly

welcome this discussion and also the discussion around the public interest framework. We understand that there's another session later this week, and that will be a topic of community discussion.

The GNSO Council did submit comments in terms of our views about the initial draft and paper, and I think that's a very, very important discussion for us as a community to have. And so, we look forward to further engaging on that.

I see Michele. Would anybody else like to get in queue? Michele, go right ahead, thank you.

MICHELE NEYLON:

Thanks. So my understanding of this – and somebody can correct me if I've got it wrong – is so the concern is that if you remove this data, somehow this could put the control as to who holds the license or domain name in jeopardy. Is that a correct understanding of that, Becky?

BECKY BURR:

The most important concern is that the language of the Recommendation is to delete the information. We understand why the EPDP Phase 1 Recommendation was that should not be part of the public WHOIS record. There's no dispute about that.

The concern started from the fact that the language says delete. And if there was ... My assumption is that you might remove that from the registrant data record, but a registrar is likely to retain that data

somewhere, so that if you need to contact somebody and removing that data made it difficult or impossible to find that person, you would still have that information available to you. It's really, I think, there's no debate about removing it from the public WHOIS record, or even removing it from the registrant record, but the notion of deleting data that you might need at some point to actually identify the real registrant, was what concerned the Board.

MICHELE NEYLON:

Okay, thanks. So I was correct. I suppose the issue I have with this is, that it assumes that only the WHOIS record, or the data that goes into a WHOIS record is something that a registrar would use. Whereas, we would have a ton of other information in an account. I mean, we have things like who's paid the bills, whose name the account is in.

BECKY BURR:

So, I think we're in radical agreement, I just kind of want to cut to the chase, because all we were actually looking for was the assurance that you would retain, that you would have other data and retain it. It was simply the fact that you're talking about deleting this information. And I would have thought a very simple explanation would be, yeah, we're taking it out of that record, but we've got it someplace else. What you're saying is exactly what I expected to hear.

MICHELE NEYLON:

Okay. So, even though we disagree on the record, we agree on the record. I am now confused, but okay.

BECKY BURR:

No, we don't. I think we maybe just have been talking past each other. Because I actually did expect ... when we had this initial conversation in the Board, I said, "They're not really going to delete that information. they're going to keep that information. That information will be available if it's needed." But the language and the recommendation says deleted. doesn't say delete from the WHOIS record, whatever. So, if the response had been, "Just to clarify we're not actually eliminating it from our systems, we will have that data if it is needed," would have solved the problem.

MICHELE NEYLON:

I think we're reaching at the same thing, but I think part of the problem is, it's down to the specificity of the language. So, to give you an example, let's say in the organization field you had put Becky Burr, now is Becky Burr an organization? I mean, maybe it is, but I assume it isn't. I mean, I know you're very organized. But if you put that in, or you put in Mickey Mouse as the organization, or randomly pounded keys on a keyboard and put something in, then that data is not of any value, and actually doesn't help anybody.

But if it's more a case of do we have data within our system so that if there's a dispute, and I want to be able to tell the difference between John Murphy and John Murphy, because I have a lot of John Murphys in my system, then yeah we do have that.

So, I'm not sure how to exactly resolve that, because I think we have the data, and we will continue to have the data in order to resolve those kinds of issues, but it might not be the exact data elements that the recommendations speak to, if that makes sense.

BECKY BURR:

It totally makes sense, and that is why I think the Board, while we haven't seen the final details, was comfortable with the approach that was suggested to be taken in the guidance that some steps be taken to make sure that information necessary to identify the registrant was available.

KEITH DRAZEK:

Thank you both very much, Becky and Michele. I've got Erica I think in queue. Erica, did you want to speak? No? Okay, Danko is next. Okay, all right. So, we'll come back to you next as soon as we wrap up this topic. Danko, one moment.

I think, just to summarize that point is that there is data There is other data that will identify the registrant, right? And it is not necessarily the organization field data. And just as a reminder this deletion option is essentially only after a long process of reaching out to registrants to validate and confirm and all of that.

So I think we have a path forward on this one in terms of process, in terms of exchange – the next exchange that we need to have, the Council is still discussing this topic in terms of reaching a final decision about is this the right path forward and is this the direction we need to

go? We need to follow our own process, but this has been a very helpful conversation so far. Danko?

DANKO JEVTOVIC:

Thank you, Danko Jevtovic, Board. So, on the process, this is very good that we actually do have this conversation and I think this is a good example how it should work. But we started to go into a bit of technical weeds and details and I have a short comment.

I used to run a registry and a registrar in a CC environment, but from technical side there are some similarities. And it was some years ago, as Michele knows, into more details. But yesterday on the Board, we had interesting presentation from registry and registrar stakeholder groups. And from the registrar side, I understand that there are retail registrars and there are ones that are more oriented towards wholesale. So, I can imagine that such environment that the data is actually transferred from a reseller towards the wholesale registrar leads to the situation where that kind of registrar doesn't have much additional data, in addition to what is in the WHOIS record.

For example, a domain name that the registrant is my company, has in the org. field the name of the company, and in the name field, my name. So if you delete in that case the org field it will actually change the registrant for a legal entity to me personally, so it is a material change.

So I understand everything that is said about it should be considered in everything, but the language as we read it at the time when we received

the document, was that in some cases, it actually could lead to the change of the registrant.

So, I still believe that in similar situations where data is coming from resellers, it can happen. So, we need a bit more specificity. Thank you.

KEITH DRAZEK:

Thank you very much, Danko. I think, to your point – and that’s a very helpful illustration or example of the concerns. So, I think that’s very helpful. And I think that the approach that we are currently considering would provide the safeguards needed to address that in a similar way to the treatment of the administrative contact field that had been treated a bit differently coming out of the recommendations. So, I hope that’s a satisfactory path forward and we will continue our discussions on that. Anybody else on this topic?

Okay. Well, thank you, all, very much. We will advise as soon we have concluded our own GNSO Council conversation and look forward to further engagement on this if needed. So, with that, let’s move on to the next item. Oh, I’m sorry. Yes, Erika. Thanks, Cherine.

ERIKA MANN:

Thank you, Cherine and Keith. But it’s a different topic, so if you would love to have it now or at the very, very end, any other point. It’s not related to these two items, so maybe at the end?

KEITH DRAZEK:

Yeah, let’s do that. So, let’s move to the discussion of the Board topics.

ERIKA MANN: Yeah. I think so, too.

KEITH DRAZEK: Perfect. Thank you so much, Erika. So, the discussion topics that were submitted by the ICANN Board for this conversation are a discussion about the community, the Board, and ICANN Org’s readiness to implement the following three critical plans that will shape ICANN’s future. And of course we have the five-year strategic plan, the operating and financial plan, and the work plan to improve the effectiveness of the multi-stakeholder model. And with that, perhaps, Cherine, I could hand it over to you and we look forward to the conversation.

CHERINE CHALABY: Becky, I’m not sure. Did you agree you will take that or do you want me to take it? Yeah?

BECKY BARR: You can start. I’ll follow on.

CHERINE CHALABY: All right. Thank you. Thank you very much. So, the previous strategic plan was developed but then the implementation of it was left entirely into the hands of ICANN Org with frankly very little monitoring and review of the plan throughout the five years of its life.

This time, the strategic plan is, I would say, quite bold and decisive and it really requests, requires that the five objectives in that plan need all of us working together hand in hand to implement them because they are objective around security, around governance, around unique identifiers, around geo-politics, and around financials.

I don't think that, collectively, we can just leave the responsibility to the CEO to implement all of those because all of those effect all of us.

So, the question is what will we do about it? The strategic plan was adopted by the Board. There were comments on it – public comment – and it was adopted by the Board.

By December, you will get two further plans: the operating and financial plan, which is really an implementation plan of the strategic plan. We just happen to call it operating plan. It shows how we will implement the plans. I know it's pretty much developed and it demonstrates that the strategic plan is actually affordable and realistic. So, that's a good thing.

The operating plan has five strands in it, which are the five objectives. But one of those, the decision was that the community would lead the development of that fifth strand, which is how do we improve the effectiveness of our multi-stakeholder model?

So, for the clarity of the discussion, we just classify them as three plans, but in reality, by December, the third plan will be integrated within the second one because it's part of it.

So, in Kobe, we raised the question to the community and said, okay, if you believe – all of us, the community, ICANN Org, and the Board – ought to be working together to implement these plans, which the bylaws says are going to be effective first of July next year. What do you think? Give us your ideas, your input, as to what should the Board do, what should the community do, what should ICANN Org do?

We synthesized all of those and sent them to you. I don't know, Keith, whether we have them on slides are not. You got the material, right?

KEITH DRAZEK:

Yes, thank you, Cherine. We did receive the material and we can see if we can get the slides pulled up here momentarily. Thank you.

CHERINE CHALABY:

We just need three slides and each one of them has five points, one for each one of us.

The purpose of this discussion is: do you guys agree? Do you agree with the responsibilities that have been outlined in earlier discussions? And what are we going to do about it? That is the question.

So, I can begin reading those responsibilities by the time they put them. So, in terms of what you told the Board what the Board should be doing in preparation for the implementation of this successfully, you said, well, you've adopted a new vision. We've adopted collectively a new vision to be the champion of the single, open, and interoperable Internet. So, the Board has to demonstrate that it is championing that

ICANN vision. You tell us how you're going to do it, but your responsibility is to really lead from the top, per se, in demonstrating that this is the vision we've all adopted.

Secondly, you've asked the Board that the Board has to align its work, everything it does, with the strategic objectives that were mentioned in the strategic plan.

Thirdly, you said that the Board has to engage everyone. The Board, Org, community in getting ready for successful implementation which is partly the work we're doing here and will be doing in ICANN 66.

Number four, the Board has to provide oversight of the implementation of these three plans. It isn't just good enough to kick it off. You have a responsibility to provide oversight.

Then, finally, you must ensure that the strategic plan is a living document and not forgotten in a drawer. The Board must engage the community in review of the strategic plan at regular intervals and adjust it, if necessary.

So, those are the requirements you've asked, the responsibility you said, we want the Board to be responsible for those.

As for ICANN Org, the suggestions you have said is the following. One, you said we want ICANN Org to be the implementation manager. We need a manager to implement all this. So, ICANN Org has to develop detailed plans and these plans have to be transparent.

ICANN Org also must align each work with the strategic plan. No point the Board goes in one direction, the strategic plan goes another direction, and ICANN Org goes in a completely different direction. Could you please scroll forward?

UNIDENTIFIED FEMALE: It's slide six that he's on now.

CHERINE CHALABY: Right. So, those were the Board's suggested actions. The next one are ICANN Org. I was talking about the first point. The second point, you said, ICANN Org has to tightly control operating expenses, because one of the strategies objectives is to ensure ICANN financial sustainability. So, not only the community, the Board – everybody has to tighten their belts and it's your responsibility to ensure that operating expenses are under control.

The third one was we ask ICANN Org or you ask ICANN Org to engage with appropriate partners – IRRs, root servers, and IETF – in order to achieve, particularly, one particular goal around security issue because we can't achieve it on our own, ICANN. We need to partner with the technical community.

Number four, you said that ICANN Org has to provide the resources needed to anticipate and understand and respond changes in the global, legislative, and regulatory environment, i.e. we started late on GDPR. We don't want to be late again. We want to anticipate that and therefore ICANN Org needs to allocate resources, so that throughout

the life of the strategic plan. We can anticipate any changes and react to it.

Number five, ensure that the yearly operating plan and budget is consistent with the five-year strategic plan. So, that's a very simple thing. We have a five-year plan but every year, the budget has to be a subset of that five-year plan.

Then, finally, you've asked, which I think is a very good thing, for ICANN Org to provide the community and everyone with progress reports on the implementation of the three plans.

Now, I move on to the last slide which is the suggestions that you have suggested for yourself. Can you move to the next slide, please?

So, we talked about your suggestion for action for the Board, suggestion actions for ICANN Org, and now those are the suggested actions for the community. This is what you said.

You said that ensure that the community has a buy-in into the new vision and the strategic plan. I think this is a very important responsibility because if I were to ask anyone in this room today do you remember the five objectives of the previous strategic plan, probably no one would remember. If I even said do you remember the five objectives of this current strategic plan, which I just listed about five minutes ago, you will remember them. But by tomorrow or the end of the week, we forget about them. Do you remember the vision? Can you articulate the vision? And can we walk the talk?

So, I think if we don't do that across all levels of our organization, our community, it's going to be very hard to implement this successfully.

Secondly, you did say that ICANN Org and the Board have to align their work with the strategic objectives, the five. And you suggested that the same should happen to the SOs and ACs. Of course, there are things you do that are not all tied in with the strategic objective, necessarily. But, by large, you have to demonstrate that there's a lot of work there that is consistent with the strategic objective and achieving the goals stated in the plan.

Three, striving to commit and successfully execute on the work plan to improve the effectiveness of the multi-stakeholder model. This is, after all, the work plan that the community is working on and developing with an external facilitator, Brian Cote. Is it going to be just a paper exercise or are we really going to make changes in the future?

That is a very tough one. There's a lot of, always, resistance, when we try and change things that affect our DNA. But you have said we need to make that commitment and successfully execute on the work plan. We can elaborate a little bit more about that later on.

Four and five is reviewing community processes to remain current with external trends. So, this is related to the fact that we can't just put the strategic plan in a drawer and forget about it. We need to all be current of changes in the marketplace [inaudible]. And then see periodically if we need to adjust the direction and the course we are taking with the strategic plan.

Finally, you said that we, as a community, need to be more productive in the implementation of this plan. We need to increase the pool of volunteers, actually do the work by engaging new and diverse volunteers. we need to deliver timely and effective recommendation policies and advice and we need to foster awareness about efficiency of the limited ICANN resources.

So, those are the three sets of suggestions that the community had done. We're going to leave it now open for discussion. Do you agree with those? Should we put more? And how do we actually make it happen?

KEITH DRAZEK:

Thanks very much, Chérine. If anybody would like to get in queue, please put up your card. I will just note – and apologies to Council – you have in your inbox these slides. I apologize for not getting that to you sooner. I thought it had gone to the list but it had not. Again, that's my responsibility.

MICHELE NEYLON:

May I ask Becky, do you want to add to what I said, to put some more context into it?

BECKY BURR:

You've gone through the synthesis, what we took away and synthesized from the input that we got from the community. I think the question here is we've got these responsibilities, these proposed responsibilities, what's the process? What is a good process for the community to

internalize those and figure out how to apply them and how to make them a reality?

They're called suggested actions but they're really responsibilities. We can think of one thing which is just as you do your work, you say, "Is this aligned with the strategic plan?" But what I think the pivot we need to make here is to take these outlined responsibilities and say, "Okay, how do you take them up, community? The Board will have to say to itself, "How do we take those things on?" And we've been talking a lot about ways in which we will hold our committees accountable for the strategic plan, the ways we will align this.

We are not saying to the community, "Here's how you do it." I think the conversation is how are you going to take this up? How are you going to implement it?

KEITH DRAZEK:

Thanks very much, Becky. Tatiana, you're next in queue. I just want to say I think from a GNSO Council perspective, we've certainly been aware of and following and our GNSO community has been contributing to the evolving the multi-stakeholder model discussions and the work that Brian Cote has been shepherding and we will continue to do so.

I think from a GNSO Council perspective, we identified as a council several years ago, the need to take on some additional improvements or reforms and that took the form of our PDP 3.0 improvements. And we're currently in the implementation phase of that. Rafik and Pam, as

the Council vice chairs, have been helping to shepherd that within the council and we have been doing a tremendous – or I should say they and the small team have been doing a tremendous amount of work. And I see Heather is in the room here with us as well, so thank you for your kicking this off a couple of years ago.

I think, at the end of the day, we’ve identified that there are these challenges and opportunities for us as a community to take on some responsibility to make our own improvements.

So, in a sense, at least in the regard to those recommendations that are now being implemented, I think we’re a bit ahead of the game in terms of our own thinking and our own work, and we hope certainly that what we’ve done could be informative to other parts of the community in their consideration and the community broadly, as a whole, as we look together not operating only in silos but how we engage together, that we as a community have some obligation to help continually improve our multi-stakeholder model, bottom-up consensus policy making.

From a high level, we’ve identified this as an issue. We identified it several years ago. We’re going through the work and we look forward to continuing to engage with Org, Board, and the rest of the community to try to do this, recognizing that the five-year strategic plan goes into effect July 1st of next year.

So, with that, Tatiana, you’re next.

TATIANA TROPINA:

Thank you very much. I want to follow-up on Cherine’s words about paper exercise and resistance to the changes of DNA. Honestly, I feel a bit like [inaudible] because this is not the first time when I’m going to bring up this issue because I didn’t see much of the follow-up.

First of all, I did read the strategic plan and I did read the vision and I liked it, and I liked the slides and I like the documents. It looks super fancy to me.

I have a question about this work plan, on improvement and effectiveness of the ICANN stakeholder model and other exercises that we had before. Cherine and the Board, you told us that you were sending us the plans and the visions and you expect us to respond to this and to include ourselves into this work.

But there are documents and plans and visions that we community sent to you – and yes, I am talking about work stream 2 accountability. When I look at the vision in this strategic plan, I see that one of the points in the vision is to evolve ICANN model, make it transparent and accountable. Those work stream 2 recommendations, they are basically cornerstone for ICANN to championship its role in accountability and transparency and legitimacy of this multi-stakeholder model.

It is almost one-and-a-half years when those recommendations were sent to you. I know that it sounds like a broken record. But look at these multi-stakeholder model Brian Cute exercise, which I think is important. We came to it last year, I think at the end of last year, and we already had to respond to this. We already had to see how it overlaps

with PDP. We chunked into pieces. We said that something was already covered and [inaudible].

But we are doing something new. We are putting our resources there while this big pile of work that community sent to you and which would be absolutely crucial – essential – for this plan, for this vision, for Brian Cute exercise. I am wondering are you going to build it into this new evolving DNA? Is it another paper exercise which got resistance somewhere or got delayed?

I know that some parts of the community are already tired of reminding this, so I'm channeling those who are not here on the table who probably will maybe tweet it to you but their voice will not be heard. But there was a lot of work done there.

So, I know that probably I will not get response to my question but I just want to warn you that once you – I'm sorry, I wrote all my comments on a napkin. I just want to tell you that it is important. It is important to build those into your exercise, otherwise it would be just another big pile of work of the community lost somewhere and shouldn't be. Thank you.

KEITH DRAZEK:

Thank you, Tatiana. Cherine, would you like to respond or any other board members? Then, I think I have Erika in queue next. Is that right?

CHERINE CHALABY: Yeah. Thank you. On the same subject? So, thank you. Very important point. But I think it is not as bad as you think. I think we have a resolution next Thursday at the public Board meeting to move forward with WS2. I don't want to get into the details now but I think we will make progress. That's for sure.

KEITH DRAZEK: Thank you very much, Cherine and Tatiana for the question. And that's great news, being able to move forward with the work stream 2 accountability and transparency recommendations I think is critical. And thank you, again, for flagging that.

I do want to touch briefly before I move to Erika. I'm sorry, go ahead, Martin on WS2.

MAARTEN BOTTERMAN: And thank you, Tatiana, for also your question and your prepared response. Just to point out that in the strategic plan, there's actually a lot of points that are already underway and happening, including transparency and accountability. So it's not necessarily something new. Actually, they'll be surprised if most things in the strategic plan would be really new. It helps us to focus on where we need to put our focus towards the future and it makes clear that we need to do that together. Nobody can do that alone.

It even makes clear that we can't do it with only the ICANN community as you know. We need to go beyond that. I hope that's well-understood.

TATIANA TROPINA: Exactly. So why I brought this up again, not because I just wanted to make my point yet again, but because I saw a lot of points and vision in strategic plan which actually stem from that. But while that is not approved, I'm just wondering about all this geometry of these moving dots and how they're coming together. Thank you.

KEITH DRAZEK: Thanks very much to you both, Martin and Tatiana. Just one observation and I think carrying on something that Tatiana referenced is the work stream 2 work is work that was concluded by the community and we have since had more work to do on the multi-stakeholder model evolution effort. Now we're talking about here in Montreal issues of DNS abuse and security threats. We've also got discussions around the public interest framework. And all very important, but I think it's a question of being able to complete the work that's been done and then be able to move on to the next work and it comes down to a point of prioritization.

And I think this is something that you'll hear from us as the GNSO Council generally speaking about the work before us as the GNSO Council, as the GNSO community, and the ICANN community broadly is the need to prioritize our work so we can actually get things done and get done in a quality fashion. That's going to be the focus of our Council strategic planning session in January, to ensure that we're able to take on the work and prioritize it appropriately.

CHERINE CHALABY: Avri is our liaison. Avri, would you like to please comment and give your views on that? We'd appreciate it.

AVRI DORIA: Sure. Thank you, Cherine. First of all, I want to actually give some indication of why it took so long because that was part of your question. Part of the reason it took so long is it was huge. It took a long time to come up with the analysis, the beginning of the implementation. We've spent a little bit of time now working it through with the implementation team.

It didn't quite take as long to respond as it took to build but perhaps almost. So I think that that's part of it. But I think that there really is a recognition and such that it needs to get done, that it needs to get pushed forward towards approval. And I think the work with the WS2 implementation team has been really important over the last weeks to basically tighten it up and make sure that what we're thinking of makes sense to them, who are representing those that did the work.

So, I'm actually getting to the point where I'm really quite happy that we're getting to where we need to go. Hopefully, you will be, too, at the end of the week.

KEITH DRAZEK: Thanks very much, Avri. I have a queue, as long as it's on the same topic, generally speaking. I have Rafik, Erika, and then Chris.

RAFIK DAMMAK:

Thanks, Keith. First, I want to thank the Board for this presentation. I think there is some ... We need some time maybe to digest all those actions and they how they will categorize it. But they want to focus on those suggested action for the Board and if we can be maybe more practical here how we will implement them.

For example, when you talk about the strategy as a living document and you will do a review, but how we envision you can trigger a process to make changes and how maybe that will happen and how you really expect the community to be involved because I guess it won't be that light in practice.

The other question is, now, the Board is highlighting that it's doing the oversight about the implementation and so on. Thinking here if you did have any kind of discussion about if you will set some metrics, KPI, goal started that it will also help the community to assess the Board effectiveness in terms of approving what's coming from the community in terms of a recommendation and kicking off the implementation themselves. So, I'm not going to go back to previous work that needed to ... It was provided by the community and it's on the table for the Board to approve, to review, and to start the process.

So, how the Board is envisioning to improve on that area and how the community can really assess and evaluate any progress on that area.

KEITH DRAZEK: Thanks, Rafik, and we've gone back to the Board suggested action slide for everybody's benefit. So, I don't know if anybody would like to respond. Any thoughts in terms of Rafik's question? And I think specifically, how do you expect some of this to take place and at what point along the process does the community provide input? And everything else that Rafik said.

CHERINE CHALABY: Matthew, you want to respond? Go ahead.

MATTHEW: Actually, Cherine, I'm going to respond to Rafik's first question about the strategic plan review. We're kicking off our discussion in the Board now about what the process and mechanism is going to be for looking at the strategic plan. We're kind of anticipating it will be a yearly, once a year, process. We're not anticipating that it will be a wholesale change of the strategic plan but rather it will be a process for identifying what are the major issues that we're being faced with. That should or could change the direction of the organization and therefore should be taken into account in the strategic plan. So, that's just to give you a sense as to where that is at that point in time but we'll have more. We'll come back to you with more information as that evolves. Cherine, maybe back to you on the other part.

CHERINE CHALABY: I don't think we began putting all these into action, where like yourself and like everybody else, we need to get ready by July next year to have

these in place. So, we began some of these actions. For example, aligning our work through the Board Governance Committee. We have discussed it was all of the committees that we have and each one of them, aligning their work was a strategic plan.

We're doing, for example – and the Board priorities are also consistent with that. We began also working on getting the community ready, partly through discussion. But the oversight, we haven't yet. But I understand and I take your point on KPIs. The best way to do that is when we see the actual implementation plan, then you can start setting KPIs against implementation plan because the strategic document, just give you a direction, whereas implementation plan is the reactions that need to be monitored. Sorry?

RAFIK DAMMAK:

Thanks, Cherine. Just wanted to clarify here, because at the end of the day, I think, the whole work, when we start any – the community starts work that it's kind of a pipeline here. So, the community tries to deliver on time and then go to the Board and after the ICANN Org. So, as you already described, the three parties, but also in their participation in that pipeline.

And even if one party doing [inaudible] try to speed up and deliver on time but the other are not responding to that. So, can we have maybe more kind of setting some targets, some metrics, and KPIs, so we can assess and avoid a situation, pointing fingers or blaming each other but to see where maybe there are the issues and we can identify how we can improve. So, that's why maybe that image of pipeline that we can—

CHERINE CHALABY: Thank you and point taken. Thank you.

KEITH DRAZEK: Thank you, Rafik, and thank you, Cherine. So, I have in queue Erika and Chris, and then we're probably going to need to wrap up. I think we're running short on time.

ERIKA MANN: Thank you so much, Keith. I do have one question and probably very simple, Cherine, and the incoming chair, Martin, and the rest of the board members to answer to it, and that's related to the page which was talking about ICANN Org suggestions and where Board implementation is, of course, needed, and it was related to the topic about legislative and regulatory actions. You remember we had many times a discussion about this.

I wonder where we are. So, how concrete is this discussion which we had? Are you already from the Board receiving monthly reports or quarterly reports? How is the schedule and when is the GNSO receiving duplicates of these kinds of documents so that we can have a chance to see if we have a divergence of views there? Because, I mean, just looking at the EU and the US and part of China, which I follow, there's a bunch of legislation coming out and at least, I would say, one-fourth, one-fifth – I did a quick overview – is impacting this environment. So, where are we?

CHERINE CHALABY: Who would like to take that question? I think Goran was discussing yesterday. He knows that this is one. We've put this as one of the top priorities. I don't think we're getting regular reports yet. But my understanding is Goran is putting in place a small team that will look after that and will provide regular reports but it hasn't happened yet.

MAARTEN BOTTERMAN: I can add a bit to that. Basically, what we're looking is for an effective mechanism that makes this possible, effective, and affordable and in that we also look to see how we can include the community in playing a roll in that. It's clear that the tracking of legislation, which has been reflected in lists of legislation happening, it's a first phase and we're now trying to make it meaningful.

It's also clear we're very much committed to not fall in the same trap again and have learned a little bit from the GDPR experience, for instance. So, we're committed to that. Matthew, do you want to add to that?

ERIKA MANN: Can I just maybe follow up? Is there an internal deadline which you have and we will see from the Board to ICANN Org where we will see the first report? Is there something debated like this?

MAARTEN BOTTERMAN: It's on the table in development right now. As soon as we [inaudible] that line, we'll communicate that. But it's a top priority so it's not something that will disappear off the table.

KEITH DRAZEK: Thank you. Matthew, over to you.

MATTHEW: Thanks. I think the way that we understand this will happen is that there will be a proposal that will, as Martin said, probably come this week as to how Org and community and Board can work more closely on this. So, I think hopefully we will see something this week, at least that's kind of the indication we've had.

Just to add to something else, because I think it's important, one of the Board priorities is also to set up a mechanism whereby we will be able to track and understand and anticipate from a more forward-looking perspective what trends and impact may be coming down the line. So, it won't be so much of a legislative tracking approach but more of an understanding the landscape and what's happening in the ecosystem. So that's something else that we have as a priority. Thanks.

KEITH DRAZEK: Thanks very much, Matthew. So, Chris took himself out of queue. Sara, and then I'm going to come back to Erika. Erika, you had another topic from earlier that you wanted to speak to?

ERIKA MANN: Exactly this topic. I wasn't expecting to see it on the slides. Thank you.

KEITH DRAZEK: Perfect. Thank you very much, Erika. Okay, Sara, you have the last word.

SARA: Thanks, Keith. Erika, you raised a really important issue. I would just add that we do need a way to formalize knowing what all these, I would say, legislation is probably too narrow. We need to know policy issues, risks that are percolating, things that may not seem like they could impact this space but could. So, it's an effort that really will involve the full community and as many eyes and ears that we can have.

I don't think we're doing nothing now. We're trying as best we can from both the board members and Org and from what we hear from the community to share this information, but having a more formalized way to assess what's happening when would be super valuable. Thanks.

KEITH DRAZEK: Thanks very much, Sara. With that, I'm going to take a moment to thank Cherine and thank all outgoing board members for your engagement with us as a GNSO community over the years. As I said, we have very much valued and continue to value these engagements and I just wanted to take a moment for the GNSO Council and the GNSO

community to acknowledge your service, Cherine, and the outgoing board members. Thank you very much.

And with that, we will wrap up the session. Thanks, everybody.

[END OF TRANSCRIPTION]