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MONTREAL – GNSO Council Meeting Part I  
Wednesday, November 6, 2019 – 13:00 to 15:00 EDT  
ICANN66 | Montréal, Canada

KEITH DRAZEK: I think in the interest of time -- all right, everybody. Let's please go ahead and begin the recording. Thank you very much.

Thank you very much. Recording has started.

Good afternoon, everyone. Welcome. This is Keith Drazek. Welcome to the GNSO Council meeting of ICANN 66 in Montreal, the 6th of November, 2019.

Welcome and thank you all for being prompt.

We will go ahead and go through a few administrative matters, go through the agenda. We will review the projects list today. I think it's important as we wrap up here at this annual global meeting -- or general meeting that we take a look at that projects list. And certainly for incoming councillors, it will be an opportunity to note the level of detail and the importance of that list for informing and framing the work that we have on a regular basis.

So with that, I'll note that we have three councillors not with us today: Syed, Elsa, and Darcy. Rafik is proxy for Syed. Sam is here as an alternate for Elsa. And Michele is proxy for Darcy.

So with that, let us go ahead and begin with the roll-call. Nathalie, thank you.

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NATHALIE PEREGRINE: Thank you, Keith. Good morning, good afternoon, good evening. Welcome to the GNSO Council meeting on the 6th of November, 2019.

Could you please acknowledge your name when I call it. Thank you.  
Pam Little.

PAM LITTLE: Here.

NATHALIE PEREGRINE: Rubens Kuhl.

RUBENS KUHL: Here.

NATHALIE PEREGRINE: Maxim Alzoba.

MAXIM ALZOBA: Here.

NATHALIE PEREGRINE: Keith Drazek.

KEITH DRAZEK: Here.

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NATHALIE PEREGRINE: Darcy Southwell is absent and has given her proxy to Michele Neylon.  
Michele Neylon.

MICHELE NEYLON: Present.

NATHALIE PEREGRINE: Carlos Gutierrez.

CARLOS GUTIERREZ: Here. Thank you, Nathalie.

NATHALIE PEREGRINE: Marie Pattullo.

MARIE PATTULLO: Here. Thanks, Nathalie.

NATHALIE PEREGRINE: Scott McCormick.

SCOTT McCORMICK: Here.

NATHALIE PEREGRINE: Paul McGrady.

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PAUL McGRADY: Here.

NATHALIE PEREGRINE: Philippe Fouquart.

PHILIPPE FOUQUART: Here.

NATHALIE PEREGRINE: Rafik Dammak.

RAFIK DAMMAK: Here.

NATHALIE PEREGRINE: Thank you. And Rafik is also proxy for Syed Ismail Shah. Elsa has also sent her apologies. We have Sam Lafranco as a temporary alternate.  
Sam Lafranco.

SAM LANFRANCO: Here.

NATHALIE PEREGRINE: Arsene Tungali.

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ARSENE TUNGALI: I'm here. Thank you.

NATHALIE PEREGRINE: Flip Petillion.

FLIP PETILLION: Here.

NATHALIE PEREGRINE: Osvaldo Novoa. I don't see Osvaldo in the room just yet. Tatiana Tropina.

TATIANA TROPINA: Present.

NATHALIE PEREGRINE: Martin Silva Valent.

MARTIN SILVA VALENT: Present.

NATHALIE PEREGRINE: Ayden Federline.

AYDEN FEDERLINE: Here. Thanks.

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NATHALIE PEREGRINE: Cheryl Langdon-Orr. Cheryl Langdon-Orr was in the room. She will come back soon.

Erika Mann has warned she will be a couple of minutes late to the meeting.

Johan Helsingius.

JOHAN HELSINGIUS: Oui.

NATHALIE PEREGRINE: Maarten Simon.

MAARTEN SIMON: Yes, just in time.

NATHALIE PEREGRINE: We have GNSO policy support staff in the room. I would like to remind you all to please remember to state your name before speaking for recording purposes. Thank you.

Keith, over to you.

KEITH DRAZEK: Thank you very much, Nathalie.

Again, welcome to all.

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I would like to ask at this point if there are any updates to statements of interest. Seeing no hands, we will move on. Thank you.

So I will now go through a review of our agenda for today's part 1 GNSO council meeting. The first is going through administrative matters, which we will wrap up shortly. Then some opening remarks and a review of the project and action list. Third is the consent agenda item. We have three items on our consent agenda today. You should have that in front of you.

Item Number 4 will be a council vote, which will be approval and adoption of the drafting team's new templates and guidelines for the GNSO as a decisional participant in the empowered community. This is the effort that was led by Heather Forrest on our behalf that we discussed quite extensively during our working session. So I think everybody should be fully prepped for that council vote. And that is the one council vote that we have today.

We will then move to Item Number 5, a council discussion on the addendum, the proposed draft addendum, to the RPM charter to incorporate the topic of IGO protections. I think we had also some good discussion about that over the weekend in our working session. We had some further discussion about it in our session with the GAC, and that's an opportunity for us to discuss sort of the path forward.

Item Number 6 is a council discussion on the Board's response related to the EPDP Phase 1 topics, recommendations, that were not adopted in full and specifically Recommendation Number 12. Again, I think we had good discussion over the weekend with that. We had engagement

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with the ICANN Board, and I believe we have a path forward on that as well. But this is an opportunity to further discuss that.

Item Number 7 is a council discussion and an update from our PDP 3.0 small group.

And Item Number 8, any other business.

Is there anyone who'd like to add or make an amendment to the proposed charter -- sorry, the proposed agenda or anything to add to the agenda for today?

Okay. Is there anything further on the agenda, please? Anything to scroll down to? I will note that at the end of today's council meeting, we will be thanking and saying our farewell and adieu to some outgoing council members, six of us. And so we will have an opportunity to thank our outgoing councillors.

And then at the conclusion of this session, of this portion of our agenda today, there will be a photo taking place of the incoming council. And that will take place just before we all break for the break between council meeting part 1 and council meeting part 2. So please make sure that if you're on the council and part of the incoming council that you're here at the conclusion of this meeting for that photo so we don't cut into the break too much. Thank you very much.

I will first note, just to wrap up the administrative items, that the minutes of the GNSO Council meeting from the 19th of September were posted on the 10th of October. And the minutes of the meeting on the

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24th of October will be posted tomorrow -- sorry, Saturday on the 8th of November, as required. Sorry, that's Friday, the 8th of November.

Okay. Let us then move on to some -- I guess, the opening remarks and the review of the project action list.

Just very briefly, I'll note that I think we've had so far a productive session here in Montreal as the GNSO Council. We have the rest of our work this afternoon and some wrapup tomorrow. But I do want to note, I think the engagement that we've had with the various groups and with each other, engagement with the GAC, engagement with the ccNSO Council, engagement with the Board during the preparatory portions of this week I think have all been very constructive and productive. And I feel good as to where we are heading into our formal meeting today.

Would anybody like to add anything at this stage before we move to the project list? Any thoughts or comments? Very good. Let's move on.

So, again -- and one of the things that I really want to point out here with regard to our review of the projects list is it's real easy to open up this document or click this link and see this table essentially that is the summary.

But I want to particularly note -- and if I can ask staff to scroll down and down further and down further until we get to the sections where there is actually substantive updates on each issue. I really want to call this out because I know we're all busy and I know there's a lot of documents and a lot of email, but there is a tremendous amount of information included in this projects list. For anybody who's not fully up to speed

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or following a particular issue, as we go through it and as something comes on our agenda, this document, this project list, provides a description of the scope of the issue. It provides a current status. It really does give a rich explanation and overview of sort of where things are in progress, where they are in process. And I really want to make sure that all councillors, both existing and incoming councillors, when we get to, you know, the next couple of meetings recognize that this is a very important resource. A lot of time and effort goes into this by staff to make sure that it's up to date.

And if we ever wanted to have a bit of a tutorial, I'm sure that staff would be happy to contribute to that and help bring us up to speed. I want to make sure we are all aware of the value of this document and make sure we're taking advantage of it.

Rafik, please.

RAFIK DAMMAK:

Thanks, Keith, thank you for highlighting this for the importance of this project list. I just wanted to remind everyone that one of the changes and tweakings result from the work in the PDP 3.0, the small team. And we are here kind of experimenting this in a new format and see if it gives more information and helps the council on its work.

So we are looking for everyone, not just the councils, to look at it and give us some feedback or suggestions.

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KEITH DRAZEK:

Thanks, Rafik. I should have noted this right up front. This is something that's evolving and the PDP 3.0 team have had a lot of input into this.

This will be part of our required reading and homework as we head into our strategic planning session in January. Thank you.

Would anybody else like to comment on this before we go back to the list.

Berry, thank you.

BERRY COBB:

Thank you. Berry Cobb for the record. I would like mostly to draw specific attention, as Keith noted, there was obviously a lot of good content in there. The main design is to try to inform the council about what a group is doing now, what it's planning to do in the next month or two months at most, and at a high level what it's completed. And that's all in the lower half of each one of the projects.

The biggest part is the status and condition codes. Probably, I guess, maybe 3 1/2 4 months ago we had a first generation of that. And it was really just one column on the summary page. Didn't really have a legend or a structure behind it.

But as Rafik mentioned with PDP 3.0, we put in the status and condition code aspect. Green is good. Yellow is less good. Red is not good at all.

And there's a lot of yellow and red.



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mitigation plan to try to keep these things on track. And we'll get into more details but definitely pay attention to those. Thank you.

KEITH DRAZEK:

Thanks very much, berry.

This is Keith.

Thanks for all the work you've put into this -- you and the team have put into this.

And so just again flag one of the things that Berry said and that Rafik pointed out, this is part of our improvement effort and our reform effort in terms of being able to better manage our processes, which means being able to track them, to identify when they're on track or behind schedule. And there's going to be a particular role for our council liaisons to various groups to be the interface essentially; to ensure that, you know, that there's agreement among leadership of the various groups, council, council leadership, staff supporting the efforts to make sure that these are kept up to date, that we have rigor around it. And that will, in turn, allow us to predict where things are going to go, on what time line, and which will really importantly feed into our discussions of prioritization of work that we're going to tackle going into January and beyond.

Part of being able to allocate existing resources to new work is to know when existing work is going to complete. That's -- it's just going to be a really important effort and exercise for us moving forward because as we've all discussed and we all know, 2020 is looking pretty scary. And

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I'll note that at the SPS meeting a couple of years ago, we introduced the concept of a scary spreadsheet. I think we have Heather to thank for that.

And I think what we're faced with now is maybe a scarier spreadsheet or the scariest spreadsheet so far in terms of what's coming down the pike.

So, you know, I'll just leave it at that. Can we go back to the list? Thank you very much.

And we'll go through this line by line relatively quickly, but I want to make sure that we're all level set in terms of the items that are before us.

So phase -- Number 1, issue identification is the GNSO Council actions list. That's what we're talking about today, if I'm not mistaken.

And then we have got expired registration recovery policy, policy review, and policy and implementation recommendations review. I don't know if there's anything specific to be mentioned about any of those at this point.

Berry, feel free. Always welcome.

BERRY COBB:

Thank you. Berry Cobb again. And the reason why these two, you know -- these two are at the top of the list is because they were at the bottom and being ignored on the previous versions. This is really about the concept of the pipeline. We're really trying to understand what's in

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front of us, what we're going to be -- about to work on, what we're working on, and then what has had escape velocity out of the council and beyond. So that's why those are sitting there, to build that pipeline.

KEITH DRAZEK:

Thanks, Berry. That explains why I didn't recognize them immediately, because they were at the bottom of the previous list. So thank you.

Okay. So next two items are in the scoping phase, and I think we both - - we all know that both of these topics are ones where we as the council have basically called for a scoping team effort. One is the transfer policy, following from the policy review and the second is the IDN scoping team. So we know that both of these we've called for volunteers. I know the IDN scoping team has initiated its work, and we're hoping to get some feedback or some guidance or advice from that group in December in time for the discussions that we're going to have in January at SPS.

And the transfer policy scoping team I think is relatively newly, I guess, announced and that we've had some people respond. I don't believe that group has had its first meeting yet, if I'm not mistaken, but should in short order.

Any questions on those two?

Okay. Next two items are in the initiation phase. That's the RPM charter updates for the IGO curative rights work track that we've talked about and is on our agenda for later.

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And then a WHOIS procedure Implementation Advisory Group. Any questions or comments on that?

Pam.

PAM LITTLE: Thank you, Keith. Pam Little for the record.

Keith, I think that one has been on hold because of the ongoing EPDP work. So I guess it remains on hold for now.

KEITH DRAZEK: Thanks, Pam.

It's probably worth noting that if something is on hold, we probably ought to figure out how to call that out explicitly. Yeah, thank you for that.

All right. Next four items are ongoing working groups. So we've got EPDP phase 2. I think we're all familiar with where that is.

The cross-community working group on new gTLD auction proceeds, I know Erika is one of the co-chairs for that group from -- the GNSO co-chair. So I think we're familiar with where that is. If anybody has questions about that, we can circle back to it.

And then, of course, the RPM PDP working group and subsequent procedures. Those are all PDP working groups or CCWGs that are in flight.

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Next item, Council deliberations, that's GNSO -- the rights and obligations under the revised ICANN bylaws drafting team. So that, I believe, is the one that's before us today for a vote. So look forward to moving that one forward today.

And then we've got three that are currently with the Board. And that is the PDP recommendations on curative rights protections for IGOs INGOs which, of course, is the subject of our charter amendment discussion. The Board has indicated on that one, I think in exchange of letters with the GAC, that they're not -- they're sort of waiting to see how the discussions go with the GNSO Council and the GAC and the IGOs in terms of this RPM charter discussion.

And then there is the cross-community working group on enhancing ICANN accountability Work Stream 2. I think we heard from the Board during our working session this week that that was something that was going to be acted on at least in part this week. I don't remember if that happened within the last day or so or if it's going to happen soon. But there was some indication that this week we would see some action on Work Stream 2. That was in response to a question from Tatiana during our session from the Board. So thank you, Tatiana. That was good news to hear.

And then, finally, the last with the board vote is the protection of IGO names and all gTLDs which, as I understand, is also sort of pending a board decision based on the discussions around the IGO curative rights protection question and that they've sort of indicated that they're going to try to deal with that issue as a package.

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And then there are five items listed under implementation. I'll run through these quickly. We've got the IRT -- this is the EPDP phase 1 recommendations that IRT is underway. I do want to note that on that particular point there are some recommendations that came from EPDP phase 1 where the board explicitly called out the need for council action to retire or replace an existing consensus policy. And in this particular case thick WHOIS was one that they called out. But there are also discussions going on right now in this EPDP phase 1 IRT where there are changes to -- there is proposed language from the IRT that will change language in other existing consensus policies such as some of the RPM issues related to URS and UDRP. And so there is going to be a question before us as council as to what role the council has to play in affirming or, you know, essentially going on record that we are okay as the policy process managers with the proposed changes from the IRT to other existing consensus policies. And I know this is fairly involved, but I just wanted to put a marker down to say that this is a conversation that we as a council are going to need to have to make sure that, regardless of the substance of the text, that we are performing our duties as the policy process managers and that if there's going to be a change to consensus policy language, that it's not done without our awareness and potential affirmation. We can come back to that another time, but just wanted to mark that down for now.

We've got the geo regions review, IRT on privacy/proxy services, that's the PPSAI that's been put on hold by ICANN org pending further resolution of the GDPR-related EPDP effort. And then similarly, I think the IRT on translation and transliteration of contact information.

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And then finally, we have I guess three items, unless there's more on the next slide. PDP 3.0 which is an internal process. We're going through our implementation phase there. We've got the GNSO standing committee on budget and operations that we need to recast or, you know, have a new call for volunteers on the SCBO, and we have the GNSO standing selection committee. So I think each of those three have -- we have responsibilities as council to make sure that we are on top of those and those are, you know, well positioned for being effective in the coming year. And I'm confident with where we are on the PDP 3.0, but I do think we probably need to take another look at SCBO and SSC. Anything else on the list? Yes, Flip. Thank you.

FLIP PETILLION:

Thank you, Keith. Flip Petillion. I was wondering whether we should add the IRT on the list because the next meeting is going to start today after an inactivity of, as I understand it, something like six months, and maybe we can track that one as well.

KEITH DRAZEK:

This is the IRP IOT.

FLIP PETILLION:

Correct.

KEITH DRAZEK:

Okay. Thanks, Flip. So yeah, so the topic that Flip has mentioned is, you know, adding to the list the IRP IOT, which is the implementation

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oversight team for the IRP effort. Basically one of the big jobs of that group is establishing a standing panel for IRPs. It's not the only work of the group, but that's sort of, I think, you know, the long pole in the tent and I know that there are appointments that are about to be announced, if they haven't been already. If you'll recall, the ICANN Board put out a call for volunteers for the repopulated IRP IOT. It had sort of dwindled in participation, but this is one of the -- the IRP is really essentially the most critical and sort of last resort accountability mechanism that we have, and the requirement for a standing panel is something that was explicitly called out during the IANA transition ICANN accountability work and this is an important effort. So I agree, Flip. Thank you for flagging that. It's worth adding to the list. And the GNSO, if I'm not mistaken, we endorsed seven candidates for -- that, you know, basically were fed into us from our stakeholder groups and constituencies, and to my understanding, I believe they've all been appointed, but we'll see the list shortly. Thank you, Flip. Any other comments or questions on the projects list? Sure. Farzi, go ahead.

FARZANEH BADI:

Farzaneh speaking. I just wanted to make one point about the process of appointing these representative areas on IRT. It was a very -- I don't know if you have discussed it at the council. Sorry, I'm not closely following. I will do so when I -- I should take the position. But one of my concerns was that -- and I hope that this does not set precedent -- was that the board got involved in appointing people to a committee that is in charge of coming up with the -- with the -- like the processes for to hold the board accountable. So it's kind of -- I was surprised that

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the board got involved in the first place and I -- I think that they should have just kept neutral and let the community appoint the IRT members. I don't know if you've raised this point. This is like we can't do anything about it now, but I think that it should not set a precedent. If the board -- if we are coming up with mechanisms to hold the board accountable in the future, then the board should not appoint the members of that committee. Thank you.

KEITH DRAZEK:

Thanks, Farzi. I don't believe it's something that we've discussed in any significant detail at the council level or terms of the appropriateness or whether that was something that should have happened or not, but we did certainly notice or note the call for volunteers or call for appointments and endorsements. And we did receive seven Expressions of Interest from members of the GNSO community and we as the council leadership reviewed those, went through a process, made a recommendation to council, and essentially all seven of the candidates that expressed interest were endorsed.

I understand your point about, you know, was the board's role in sort of stepping in and sort of taking ownership of the process, if you will, through the board accountability mechanisms committee, you know, was that right or wrong, and that's not something that we -- that we really discussed as the council. I think at that point we were sort of reacting to the call for volunteers and wanting to make sure that we identified, from the GNSO community, the, you know, people with the

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appropriate level of expertise. But I take your point, and thank you for flagging that.

Okay. Any other questions or comments on the action item list, before we move on? And thanks again to Berry and staff for all the work in keeping that populated, evolving that document, and making sure that it's a good and solid resource for us moving forward.

Okay. We are now moving to -- let's see, so that was the projects list. This is the action item list. Again, an important resource for us all to refer to as we prepare for our meetings. And you'll note that at the very top there, can we go back? Thank you. We have color-coded the various line items. The blue ones are the items that will be on our agenda for this discussion. In yellow are those that still need to be completed but are not currently on the agenda. And then green is items that have been completed. And typically what I will do, as we go through action items briefly, just to note them, is if they're on the council agenda, I won't spend time discussing them at this moment. If they're not on the agenda, I will spend a couple of minutes going over, you know, what needs to be done and where we are on those, just so we're all aware. So if we could move down the list.

So this is the topic of managing IDN variant TLDs. Again, just to remind everybody, we have an IDN scoping team that's working to develop recommendations for the council to consider in terms of next steps on policy development process or other work that might need to be done, particularly in conjunction with the ccNSO and their works on IDNs. This is not on our agenda for today but we've discussed it quite a bit this

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week already. We've got updates from Edmund, so I think we can move on here.

Next is the topic of the evolution of the MSM model. This is the effort that's been initiated by the board back in Kobe that's being led by Brian Cute and where I believe tomorrow there is a session to basically present the latest version of the findings from the input from the community on this topic, and my understanding is that coming out of Montreal Brian Cute will take the further input that he receives in that engagement session this week, do another draft, and then put something out for public comment in early December. And again, what this effort is designed to do is identify the -- the issues or the categories of issues where the ICANN community needs to take steps to sort of improve our efficiency and effectiveness. We talked about this over the weekend session, that the PDP 3.0 effort is a big part of that and we had a discussion on Sunday about that. So probably more work ahead for us to provide input on this one, but nothing further to discuss today.

Next is an update on our PDPs, and I think on this one the action item is here for me is to follow up with the ccNSO and the subsequent procedures leadership to ensure that we've addressed the topic of string similarity or confusingly similar that we discussed during our working session with the ccNSO council. I think we've covered the discussions about name collisions. We know that we've got work on IDN variants in process, and we took an action item during our session with the ccNSO council to put Jeff Neuman and Cheryl in touch with Giovanni from the ccNSO to make sure that there's discussion going on around that string similarity and confusingly similar topic. Next item.

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Okay. And then these are in blue, so that means they're on our agenda for today so I think we can now move on. Nathalie, how are we doing on time?

NATHALIE PEREGRINE: Three minutes late.

KEITH DRAZEK: Okay, thank you. I feel pretty good about that. So these are done. I think we can move on back to the regular agenda. Thank you.

So with that, we are going to move to our consent agenda, item number 3, and I will note here that we've got three items on our consent agenda today. We have the reconfirmation of Julf Helsingius as the GNSO Council liaison to the GAC. Thank you, Julf, again, for your willingness to stand and serve.

We also have approval of the amended IANA naming function service level agreement regarding IDN tables and label generation rule sets in the IDN practices repository. This is something we discussed during our weekend session in prep for this session. And we also have the approval of Tomslin Samme-Nlar to serve as the GNSO co-chair for the IANA naming functions review. And again, I'd like to thank Tomslin for being willing to stand and serve as a co-chair with the ccNSO co-chair in this effort. So would anybody like to move any of these off the consent agenda for discussion, or can we move forward? Seeing no hands, Nathalie.

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NATHALIE PEREGRINE: Thank you. Would anyone like to abstain from this motion, please raise your hand. Seeing no one, would anyone like to object to this motion? Seeing no one, would all those in favorite of the motion, please raise your hand? Thank you very much. Would proxy holders Rafik Dammak and Michele Neylon, please raise your hand. Thank you. With no abstention, no objection, the motion passes.

KEITH DRAZEK: Excellent. Thank you very much, Nathalie. Congratulations to Julf and Tomslin for their appointment to these important positions. We very much appreciate your work.

UNKNOWN SPEAKER: Thank you, I guess.

KEITH DRAZEK: Exactly. All right. Thanks, everybody. We will then move on to item number 4 which is our council vote on the approval and adoption of the drafting team's new templates and guidelines for the GNSO as a decisional participant in the empowered community. We do have a vote scheduled here. And Nathalie, can you remind me who the maker of the motion was?

NATHALIE PEREGRINE: The maker was Rafik, and seconder was Tatiana.

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KEITH DRAZEK: Thank you. Nathalie. Rafik, could you ask you to read the resolved clauses?

RAFIK DAMMAK: Rafik speaking. Okay, let's start. Resolved first, GNSO Council adopts the guidelines and motion templates to ensure preparedness as well as facilitate the ability for the GNSO Council to act in relation to the new roles and responsibilities outlined in the post-transition ICANN bylaws.

Two, the GNSO Council recognizes that as a consequence of the review by ICANN legal, non-substantive technical updates or corrections may be provided for the guidelines and motion templates after adoption.

Three, the GNSO Council instructs ICANN staff to post the guidelines and motion templates on the GNSO's website effective immediately after the technical update has been completed.

4, the GNSO Council requests that after an action of the GNSO as a decisional participant has been completed, the GNSO Council shall review the respective guidelines and motion templates relating to that action, or on an annual basis if no action is initiated, for all guidelines and motions.

KEITH DRAZEK: Thank you very much, Rafik.

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I will just remind everybody what this is about and then I will see if anybody would like to have any discussion points, any council discussion on this. But I just want to note that taking this action is within the GNSO's remit to ensure that the GNSO as a decisional participant in the empowered community is able to exercise its rights and perform its obligations under ICANN's article of incorporation in these bylaws.

And I think it's really important -- and I would just like to again thank the efforts -- I thank Heather for her efforts and the efforts of the drafting team on this. As we discussed over the weekend, this interpretation of the bylaws as it relates to these obligations and responsibilities is a critical thing for us to be prepared in the event that we are faced with a moment where we have to act as a decisional participant in some fairly nuanced area. And I think having these guidelines and this framework for action is going to be and prove down the road to be very, very valuable. I just wanted to note that and to thank everyone for their efforts on this.

So with that, would anybody else like to discuss this before we move on?

Tatiana, thank you.

TATIANA TROPINA:

Thank you very much. Tatiana Tropina for the record.

I know that Keith already thanked Heather and members of the drafting team. But as a drafting team member, I want to thank Ariel and Julie

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because without their absolutely tremendous work and effort, this would be absolutely impossible. Thank you.

KEITH DRAZEK: Thank you very much, Tatiana. Well said.

Would anybody else like to speak to this issue before we move to a vote? Seeing no hands, Nathalie, please.

NATHALIE PEREGRINE: Thank you.

Would anyone like to abstain from voting on this motion? Seeing no one, does anyone object to this motion? Please raise your hand.

Seeing no one, would all those in favor of the motion, please raise your hand.

Thank you very much.

Would those who hold proxies, Rafik Dammak and Michele Neylon, please hold your hand. Thank you very much.

With no abstention, no objection, the motion passes.

KEITH DRAZEK: Excellent. Thank you very much, Nathalie. Thanks to everybody.

We will then move on to Item Number 5 on our agenda, which is a council discussion on the RPM charter addendum for the IGO protections issue.

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I think for all those who were here and for the benefit of those who were not during the Sunday Council working session, we had a discussion on this point. We discussed the fact that over the course of the last couple of months, the GNSO Council had developed a draft charter amendment for the RPM PDP charter.

And I would like to take this opportunity to thank Paul McGrady as the GNSO Council liaison to the RPM PDP for helping to coordinate that small team or small group effort on developing that initial draft.

We then shared that draft as we'd all agreed with the GAC leadership and the IGOs to seek their feedback. They did -- on the Friday prior to ICANN66 did respond to the GNSO Council with some proposed edits and a red-line. We had the opportunity over the weekend to discuss that. And then we had further discussions on Sunday with the GAC and the IGOs on this topic.

And I think there was -- as we went into our session with the GAC, I think we were able to thank them for their input and their feedback to indicate that we as a GNSO Council were still considering their input and feedback and then flagged a couple of areas of possible concern with the proposed edits that came back to us.

But at the same time, we recognized that the GNSO Council recognizes that in order for this group to be chartered and to be able to be positioned to do its work and to be productive, that we recognize it's critical to have the engagement of the IGOs in that discussion and that we would seriously take on a review of that.

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So where we are today is we have the opportunity here within a brief period of time to discuss any of that discussion and to essentially position ourselves for a further substantive review of those suggested edits and to come up with a response.

So as we begin our conversation here today, my proposal will be to basically reform or repopulate our own drafting team.

Unfortunately, Paul will be leaving us at the end of this meeting from Council. So we're going to need somebody to step up and help coordinate that effort. But I think the next step is for us to take a careful and methodical review of the proposed edits that we received from the GAC and to try to find a middle ground where we can ensure that the group can be chartered in short order and be able to incorporate and include the IGOs in that effort.

So I have a queue. I see Tatiana. Anybody else like to get in?

Tatiana, please, thank you.

TATIANA TROPINA:

Thank you very much. Tatiana Tropina for the record.

So, Keith, before I start my intervention -- because basically I will probably reiterate what already you said. Could you please -- because I'm a bit lost in your three-minutes update, which rather looks to me like we are where we are. Anything taken with regard to all those points we flagged? Any agreement, disagreement with the GAC? Or we only said that, Okay, we have a problem? You're nodding.

KEITH DRAZEK:

Thanks, Tatiana.

So if I understand your question correctly, we've had just that interaction with the GAC during our public session. There have been no other discussions as we had in Marrakech. So I recognize your point, your question. We've had no other substantive discussions with the GAC or the IGOs.

All we did during that session, just to make sure that we're all on the same page, was to thank them for their input, to indicate that we'd received it, that we've had a very brief opportunity to consider it, that we as a council have not come to any concrete positions or decisions or even been able to be in a position to react but that the initial discussion indicated that we had concerns about the inclusion of the language that we had previously removed on Recommendations 1 through 4 and that we noted their questions about the composition and the numerical breakdown of the group.

I did take the opportunity very briefly in that session with the GAC to explain that's, in part, a result of our structure and the way that we are designed as the GNSO; and noted that they were interested in having some additional representation from the IGOs, in particular, which I think on the grand scheme of things is probably not a bad thing.

But that was not something that we communicated. That was a little editorializing from me.

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So no other conversations or commitments have been made. This is entirely up to us as the GNSO Council to figure out how to move forward.

And what I'd like to do is to suggest in the coming weeks we pull together a small team, reconstituted small team, to really go through those charter -- those proposed amendments carefully and then come up with a response to send back to them.

So, Tatiana, follow-up. Then Rafik.

TATIANA TROPINA:

Yeah. So follow-up, I will not touch the composition because I think this is the point where we might have less problematic discussions because you already laid out the issue that this is connected to the GNSO structure itself.

I would like to reiterate and have it on the record yet again, for me the no-go would be to have those edits which we removed before and which GAC reinserted there.

I do not believe that we can have these edits while the issue is still being considered by the Board. And we are already opening the door, saying that those four recommendations can be changed. If the group will decide to change them, fine. But we would not steal the pot and open cans of worms here. This would be my no-go.

Also, in the general scheme of things, I would like to state again that I do believe that early involvement of the GAC here is very important for

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-- (audio dropped) -- to be problem but better to take (indiscernible) and making this as my way or highway negotiations would be no-go for me and for more councillors here either.

And on the small group I believe that we have at least two people who will join -- probably me. I will not be able to lead this effort. My plate is full. But I'm going to volunteer someone from us. Thank you.

KEITH DRAZEK:

Thanks very much, Tatiana.

So what we will do is we will just send an email to the list and anybody who wants to participate in that small group can volunteer. Thank you for that.

Tatiana, to respond to your substantive points, I completely understood -- during the session with the GAC and the IGOs, I made clear that we had concerns with the reinsertion of that language, that it had been negotiated out during the council discussions and that we felt that it was unnecessary because of the reasons that you described in that, of course, any future consensus policy can replace an existing consensus policy or even recommendations. But your point is well-noted. Thank you.

Rafik, you were next and then Pam and then Michele.

RAFIK DAMMAK:

Okay. Thanks, Keith. This is Rafik speaking.

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So I think it's okay to have this reconstituted small team so to review again the draft. And I think we can count on that team to take into consideration all the input that was shared in the last days. So I think the way that when we get a new version, we don't have to spend that much time at the Council level to rehash the same topics.

So, also, I think we can clearly -- I mean, I think we try to clearly respond to the GAC that we are -- that we work on their input, their feedback, and we will consider that, too.

So to maintain that level, I think of engagement from them and we try to have the IGOs to participate this time in the process. But, again, we also need to manage the expectation about the possible outcomes. I mean, it doesn't make sense that we put what should be at the end. But we -- the charter is about scoping, what kind of issues that should be resolved in the deliverable, and the time line and all this detail which doesn't mandate what will be the result.

I think that's something we always need to communicate with the GAC because at the end, again -- maybe it's a broken record, I think that's the keyword of every meeting is that it's -- we don't want to set precedent. We don't want to redo the work because it's -- if we take into consideration the whole discussion about the strategic plan, planning, or being effective and efficient, one thing is not to redo the work because one party doesn't like the result I think this is something we should have in mind.

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KEITH DRAZEK: Thanks very much, Rafik. I agree.

Pam and then Michele.

PAM LITTLE: Thank you, Keith. Pam Little for the record. I just wanted to support Keith's suggestion as a path forward to reconstitute the small team. I'd like to understand how many are on the small team. Do you have the -  
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PAUL McGRADY: Thanks. Paul McGrady. Yeah. It was Martin and me and Elsa came in and out of the process and, therefore, does not consider herself a formal part of the small team. So I do think, you know, not to be sour grapey about it, but if people feel strongly about this topic and don't think the small team got it right the first time, they may want to join it for the second round. Thanks.

PAM LITTLE: Thanks, Paul.

So, yes, we will put out a call. And I was just wondering then in terms of time line, we should put some marker down so we don't drag these out unnecessarily, just to be efficient and effective. So we will get that ball rolling. And hopefully by next council meeting -- because we are in November. December will be our last meeting this year. Hopefully, we would have a motion to move this forward. Thanks.

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KEITH DRAZEK: Thank you, Pam. And thanks for trying to put some guardrails in terms of deadline around it. I think that's very helpful.

Yeah, I think if we could go -- have a goal of finalizing our -- the draft charter and any feedback that we have in response to the GAC and the IGOs, you know, for a decision on December 19th, which is our next meeting, I think that would be helpful. So perhaps we could look to have sometime in the next two weeks the small team produce something back to council that would give us time. Let's see. 19th. We're looking at the 9th for document disclosure.

Yes, Tatiana.

TATIANA TROPINA: I have a question about the process here. So will this team get only this feedback we got from GAC this time, or will there be engagement with the GAC through leadership or GAC liaison? Because that would be also important because if we draft something and GAC says no again, I mean, I would be advocating strongly for voting for it anyway. But, you know, it wouldn't probably be good optics.

KEITH DRAZEK: Thanks, Tatiana. Good question. I have got a queue.

But good question. And I expect that -- I had a very brief chat with Brian Beckham from WIPO at the end of that meeting.

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Is Brian here? Hey, Brian, welcome.

And we basically agreed to have further conversation about this over the next week or so to help inform the work of our small groups. So, yeah, thank you for asking that.

Okay. I've got Michele and Marie and then Martin.

MICHELE NEYLON:

Thanks, Keith. Michele for the record.

Just a couple of quick points. Generally supportive of pretty much everything Tatiana was saying. I think it's important that we recognize the input of the GAC/the IGOs and all that but it's input. We are the GNSO. It is, therefore, within our remit to do all of these things.

So I think just because you don't like an answer doesn't mean you can keep on asking the same question time and time and time again.

And I think the other thing that we were able to concede a little on was around the composition of whatever that group looks like. I think that's perfectly reasonable. But we can't just keep -- this topic really needs to die, come to a natural conclusion, be resolved. I mean, it's been on our project list for an eternity as far as I can see. I mean, looking at Internet time, it's -- I don't know how long it's been there.

KEITH DRAZEK:

Thanks, Michele. The composition is definitely one of the topics for the small group to consider.

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Okay, Marie and then Martin and then we need to move on.

MARIE PATTULLO:

Thanks, Keith. Yes, Marie from the BC. I will be brief.

I completely understand Michele and other's perspectives that we just want this to be dealt with. And I come back to the fact that the best way to deal with this is to ensure that the IGOs are involved from the beginning. As the policy manager, we want to do it right and well. And if we keep circling around in our little silos and not talking to each other, it's going to be neither right or good.

So thank you very much to Paul for all the work he did in drafting this. And, of course, to Martin. And let's get the IGOs in there from day one. Thanks.

KEITH DRAZEK:

Thanks very much, Marie. Okay, Martin, last word.

MARTIN SILVA VALENT:

Just to thank -- Martin Valent for the record. Just to thank Paul. He really pulled the weight there in the group, to recognize it. So, thank you, Paul.

Two short things. First of all, the feedback that we are supposed to gather is not only the IGOs and the GAC, I also put as part of the process as a must that we had to consult the chairs of the RPMs and the chairs

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that serve in the IGO working group. I don't want us to forget that special step.

I think their input could be vital towards the dynamics and the experience they bring since this is an issue that has been already debated and is going to at some level be part of RPM world from now on.

So let's not forget that feedback step. Maybe we can start that now and not wait until or after we have GAC, can start gathering their feedback now. For the new small group to work on that as well.

I don't know if it's proper to comment on the actual provisions of the document addendum now or we'll just let that for the small group?

KEITH DRAZEK:

Thanks, Martin.

I guess my understanding is that we as the small group initially and then with council sort of came to an agreement on the draft addendum, the draft changes to the charter -- or the draft addendum. And then we shared that with the GAC and the IGOs seeking their input. I think the focus of the small team should considering the feedback we received from the IGOs. And I think that really needs to be the focus of the small group.

But if there is a significant or substantive change that, of course, would then have a knock-on impact with RPM PDP leadership, then perhaps we should consider sort of that next "does this look okay?"

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I think we really ought to limit the focus or narrow the focus of the work that needs to take place in the next couple of weeks to considering and reacting to the GAC and the IGO change, if that makes sense. Okay.

Okay. I think we are good to go on that one then.

Any final comments, questions? Brian, would you like to speak? Feel free. Join us.

BRIAN BECKHAM:

Thank you, Keith. Hello, everyone. Brian Beckham for the record.

I wanted to pick up on a point that Marie made and just sort of to help move the ball forward because I think we're all keen to see this resolved maybe for different reasons.

But maybe just to the point that Rafik made about some of the language that was suggested to be added back by the GAC and the IGOs gave the appearance of sort of presupposing a certain result. I would encourage the small team and the Council, indeed, to look at some of the language that was in the original text that in our view did exactly that. So this is a language which said not to, for example, revisit Recommendations 1 through 4.

Of course, we've all heard and we all understand that a PDP working group can revisit existing consensus policy.

But I would just encourage you on a sort of practical drafting level to be mindful of language in the proposed charter that may go towards this issue. Thanks.

KEITH DRAZEK:

Thanks very much, Brian. Duly noted and I think, you know, to the extent we're going to not include explicit language about what can be, we also shouldn't include explicit language about what can't be. And I think that covers the point that you made.

So thank you for that. Very good.

Let's move on in our agenda then to the next item. Thank you all for that.

Okay. So Item Number 6 on our Council agenda is discussing the Board's response to our Council letter on the EPDP Phase 1 Recommendation 1 -- sorry, yeah, 1, Purpose 2 and Recommendation 12.

Again, just to recap our weekend discussions but to bring others in the room up to speed, the GNSO Council asked the Board for its further thoughts -- in writing, for its further thoughts on the status of the two recommendations from EPDP Phase 1 that were not accepted in full, that being Recommendation 1, Purpose 2 and Recommendation 12.

I think there's agreement that the Recommendation 1, Purpose 2 is the subject of work for the EPDP Phase 2 and, therefore, agreement that the Board's nonacceptance of that particular recommendation of purpose is okay, that there's really no concern or no issue with that fact because it was explicitly called out as the subject of future work for the Phase 2 effort.

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Recommendation 12 was a bit different in that it did not accept in full the recommendations. It cited concerns, stability and security concerns, about potential negative impact to registrants if certain data fields were deleted.

It then asked questions. In the Board's response, they asked questions as to why the organization field deletion was treated differently in the Phase 1 recommendations than the administrative field deletions.

And as such, I think in our conversations with the EPDP team this week, we raised this issue and there was no consensus within the EPDP team to make a change to this consensus policy recommendation and, therefore, in conversations with the Board, in conversations with the EPDP team, it appears that the path forward for us on this is to reaffirm the recommendations that were approved by the EPDP Phase 1, approved by the Council and delivered to the Board but provide -- or augment that recommendation with a supplemental recommendation that includes implementation guidance that would provide for protections or safeguards around the deletion of that data in the organization field to make sure that it doesn't negatively impact a registrant or negatively impact the ability of a registrar to identify a registrant as the rightful name holder or to allow the registrant to identify themselves as the rightful name holder.

And so I believe right now the path forward is for us to take on a vote, and it will require a vote of a supplemental recommendation that reaffirms the EPDP Phase 1 and Council recommendations on this

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particular topic of Recommendation 12 but also provide that implementation guidance.

And we can now have a discussion on that. Michele.

MICHELE NEYLON:

Thanks, Keith. Michele for the record.

So I suppose the action item for us is to come up with that language somehow.

So as a kind of process question, is that something that we as Council are meant to do, and if so, maybe we should just get a couple of volunteers to do this. And you can shove my name down there. That's fine. I think it's something which we can probably do, if that is the case, by working with our members in the EPDP team. I think from the exchanges we had with the board, we're really down to tweaking language rather than anything of actual substance. I think we're in pretty much violent agreement. So it's just a matter of coming up with the language that makes the board a little bit happier.

KEITH DRAZEK:

Thanks, Michele. I will respond to that and I have an idea, but I want to defer to Rafik as our GNSO Council liaison to the EPDP. So Rafik, you're up.

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RAFIK DAMMAK:

Thanks, Keith. Rafik speaking. I don't think I have an answer about this procedural matter. I think my understanding is we need to come up with a supplementary report. But I guess maybe start, and probably Marika will either support me or correct me, is that we can check the implementation advice that exists already in the report, that we can start with that. So maybe if Marika can elaborate more. And she can -- yeah. So I think that's a good start to give that implementation guidance.

KEITH DRAZEK:

Thank, Rafik. And Marika, you're welcome to jump in here. But just to reiterate what Rafik said, I think because the board in its question to us sort of cited the administrative con -- sorry, the administrative field and the fact that it appeared that the EPDP made a recommendation associated with the admin contact field that was acceptable to them, that if we base our response very closely on that, that hopefully it will address the issue. But again, I think the next step is for probably, you know, leadership team working with Marika to come up with some proposed language for the council's consideration. I think at this point the EPDP team, you know, we asked them, there was not consensus to change the recommendation, so now it's essentially on us to try to figure out the right path forward. So Marika, please go.

MERIKE KAE0:

Yeah, thanks, Keith. This is Marika. Just to confirm that indeed the language that is currently in the report in relation to administrative contact is pretty straightforward and could be fairly easy -- easily

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modeled. Of course, if the members believe that more is needed than what is there, that can then be further discussed.

I do want to note as well, and I think it has been pointed out before, that actually if you look at recommendation 12, although it's all listed as recommendation, the part that actually talks about -- the (indiscernible) part falls under implementation advice, so I think the recommendation, as it was originally structured by the EPDP team, had, you know, the kind of policy part and implementation advice on how that would look or could look or should look in implementation. So in that sense, you know, I think that the added clarification there is still part of that implementation advice part. In the report is part of the policy recommendation, but I think the intent there was to have, you know, the implementation advice as a contributing factor to the policy recommendation part.

KEITH DRAZEK:

And Marika, before you leave, just so everybody is level set in terms of the supplemental recommendation that we would be required to vote on going back to the board to respond to their non-acceptance, procedurally it still would require a supermajority vote; is that right?

MARIKA KONINGS:

Correct.

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KEITH DRAZEK: Okay. Thank you. Just so everybody understands what we're looking at ideally during our next meeting.

MARIKA KONINGS: And just to clarify, the council could adopt it with lower voting threshold, but I think that also then triggers a lower voting threshold on the board, and it also means that it wouldn't meet the threshold of a consensus policy.

KEITH DRAZEK: Great. Thanks very much, Marika. Any further discussion on this one? Would anybody like to get in the queue? No? Michele? Please.

MICHELE NEYLON: Michele, for the record. I was going to say something but now I'm not sure if I want to. Keith is giving me that kind of look.

I suppose the -- the concern I'd have is if -- okay, so this thing from Marika on the voting thresholds and everything else, I mean, we on the contracted parties side -- I feel fairly confident saying this, we just want to get past this. So I just hope that representatives of the other stakeholder groups and constituencies understand that we just want to get this done. And that we don't end up getting into some kind of iterative process of votes and more votes and things that are on something like this, which should really just be an administrative matter. Thanks.

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KEITH DRAZEK:

Thanks, Michele.

Anybody else? Okay. Thank you very much. Let's move on. All right.

This next is a Council discussion on PDP 3.0. This is the update from the small group and discussion for Council.

I'm going to hand this to Rafik next. Again, I just want to reiterate that this is really important stuff for our own efficiency and effectiveness improvements and as we head into the strategic planning session in January.

So, Rafik, thank you.

RAFIK DAMMAK:

Hey. Thanks, Keith. This is Rafik speaking again.

So I think we already gave an update in the joint working session. So after that, we had the working session on Monday and we spent most of our time to work on the improvement number, (indiscernible) the clarification to complaint process in GNSO working group guidelines, trying to work on some language. For example, moving from "dispute" to the word "disagreement," if I'm not mistaken. And also -- it was mostly really working on some of the language. And I think we are reaching close to finalize that improvement.

And also we worked on review of Number 15. So I think those are -- those two improvements are in good shape.

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Our next steps will be to just finalize them, to make the consensus call and when we get the clean version with some new language, then to work on the -- I think it's been quite critical and a lot of discussion will be there about the scope and starting really to understand what this is supposed to do with Improvement Number 17 regarding the resource reporting. Because one of the concerns is what we are -- is to understand what you are trying to achieve there and to, for example, understand what we mean by "resource." We use that word but we need to be more specific on how maybe to categorize it and how we will track that.

So we will start that after Montreal meeting.

And I think those are the next steps we have also between now and 27 and also looking for input from the GNSO stakeholder group and constituency and other SOs and ACs, I think we tried when we had a meeting with them to share that messaging that we are looking for their comment.

So I think we are following our current work plan and we keep the council updated when we have any change.

And so we really want to finish our work prior to the strategic planning session next year so we can then use that as input and to keep the opportunity for the new GNSO Council to start using those tools and also to have a discussion about possible next steps since we should also provide to the Council kind of at least parking lot of items we think we need to discuss further.

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And, yeah, so we are basically following our plan. And I think we made substantive -- substantial and substantive progress during this meeting.

So maybe, Pam, if you want to add something here.

PAM LITTLE:

Pam Little for the record.

Briefly, I would just like to remind councillors to maybe remind your stakeholder group or constituency to provide input by the 22nd of November. A letter has gone to each SG/C leader. So I think we actually have a representative from each stakeholder group or constituency in the small team. But in case you feel the need to further update your group, I think the slide that staff prepared and Rafik used during our Sunday working session will be helpful at a high level to share with your group as well. And, also, the small team or Council's comments on the project that Brian Cote is leading on evolving ICANN's multistakeholder model where it maps out what we see as kind of an overlap or common themes between his effort and this effort. Thanks.

Oh, the other thing is for new councillors, if you are interested in this work or like to know more, please let Rafik or me and staff know or even if you want to jump in the last phase of our work, you are most welcome. Thank you.

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RAFIK DAMMAK:

Before I give the mic, I will keep it. Okay. So I guess maybe I can see if there's any question or even from the audience. Happy to clarify.

But I think we just -- probably we need to reiterate we will have a public Webinar this weekend, really go through all the improvement and present them. For now we are giving kind of a progress update or status update.

KEITH DRAZEK:

Thank you very much, Rafik and Pam and everybody that contributed to -- and continues to contribute to the PDP 3.0 work.

As I noted, critically important for our own internal operations. I think it's been recognized -- this work has been recognized by the broader community in some places as being very helpful and potentially instructive for the overall multistakeholder model evolution work that's going on. So I just really want to thank Rafik and Pam for really shouldering the load on this effort this calendar year. And thanks to everybody who's contributed and will contribute in the future.

So any final questions on PDP 3.0 before we move on? Okay. That takes us to any other business.

And we are well ahead of schedule. So there are three items on our AOB. The first is to discuss the GNSO approval action related to the fundamental bylaws amendment that we will talk about in a moment. And then we will have an open mic. And I'm pleased to note that while in meetings past we have not always had a lot of time or sometimes any time for an open microphone, we do have that today. So if you have

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questions for Council or councillors, feel free to prepare those. We have a standing microphone in the room, and anybody is welcome.

And then we will have our thank yous to our outgoing councillors.

So I will move then to 8.1 on our agenda, which is just a note really. I'm flagging this for everybody's awareness, is that this week there was a community action forum that essentially triggered an obligation that we have as a decisional participant in the empowered community as the GNSO to vote to approve a change to the fundamental bylaws. And that change was proposed by and coordinated by the ccNSO as it relates to the appointment of members to the IANA function review team.

Just so everybody remembers, this was the situation where the ccNSO was having difficulty identifying a non-ccNSO ccTLD manager as required by the bylaws coming out of the IANA transition. And noting that that was likely to be a challenge going forward, because the ccNSO has grown and they're in a sense a victim of their own success, they really have had a difficult time identifying a non-ccNSO ccTLD manager to perform some of these functions.

So they proposed this amendment to the fundamental bylaws. It was approved by the ICANN Board. But because it's a change to the fundamental bylaws under the current bylaws, the GNSO as a decisional participant in the empowered community has to approve it. Or I think they need at least three decisional participants to approve.

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And so we are now on the clock -- or we'll soon be on the clock with a 21-day time line to essentially submit our affirmative approval. This is not a situation where we can just sit back and say no or say nothing. We actually have to affirmatively vote yes.

I think we've had several and many interactions with the ccNSO Council on this. This has been flagged on our agenda for many meetings. I don't see this as something that is contentious in any way. And we will be conducting an email vote sometime in the next couple of weeks to essentially close this one out.

So just wanted to flag that we will be doing an email vote because the 21-day time line and the clock concludes before our next Council meeting, which is on December 19th.

So with that, I will open up for discussion. Michele.

MICHELE NEYLON:

Yeah, thanks. Michele for the record. I think this is a nice one in some respects in that it shows that where we were able to work with a different supporting organization to resolve an issue. I mean, this -- this is one of those times where we actually got something done at ICANN.

KEITH DRAZEK:

Thanks, Michele.

Okay. Any other discussion? Any other comments on this one? Okay. Very good. All right. Then we will move on to our open microphone. So if anybody would like to come to the mic, please do so. We're available

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to answer any questions that you may have or at least try to. So, please, join us.

Come on, Jeff, I know you want to.

[ Laughter ]

All right. I'm going to count down from five. Five --

MICHELE NEYLON: Is this just for Jeff or for everybody?

[ Laughter ]

KEITH DRAZEK: When was the last time you came to an ICANN meeting and there was nobody wanting to go to the open mic, right?

Four.

MICHELE NEYLON: In that case -- this is Michele speaking. As there is nobody going up on to any other business, maybe it's time for us to spend a couple of minutes roasting the outgoing GNSO Councillors or something. I mean, I don't know. I don't know if that's allowed or if there's some kind of community standard, which would forbid me from doing that. But I would look upon relatively as a complete lack of sense of humor on behalf of the organization if such a rule were to exist.

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Now, I'm sure that my learned friend, Mr. McGrady, would be deeply, deeply offended if he were allowed to sit at this table for one last time and get away without at least one little sideswipe.

PAUL McGRADY: Would it even be the GNSO Council without at least one little sideswipe. I can't seem to say slide-swipe. What is that?

MICHELE NEYLON: Are we having a situation where Mr. McGrady is lost for words?

PAUL McGRADY: Or maybe I have just run out of words.

No, Michele, I will say this. One of the great joys around this table the last four years has been the sense of humor that you've brought, that other people have brought, that there have been times when we could laugh at ourselves. We can even laugh at each other a little bit, too.

And I think that humor is a great way to advance thinking. And so I've really appreciated that, and I've appreciated developing a friendship with you through this process, even though we weren't always on the same side of something.

MICHELE NEYLON: And that would be an understatement.

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KEITH DRAZEK: Thanks, Michele. And thanks, Paul. I take those words very seriously. And I think to your point, humor is important. But so is respect for ICANN's standards of behavior, right?

[ Laughter ]

MICHELE NEYLON: This is Michele speaking. See, I think the standards of behavior, you know, they should evolve with us. I mean, if the standards of behavior are such that we are unable to have a little bit of fun from time to time, then I think some of us would just not bother showing up.

KEITH DRAZEK: Agreed, Michele. Thank you.

Okay. Well, I don't hear anybody or see anybody interested in coming to the microphone.

So I think I will take this opportunity to move us to the last item on our agenda for this Council -- for this Council meeting, part 1, which is to thank our outgoing councillors. And we do have some time on the agenda. So if any of our outgoing councillors would like to make remarks, we have time for that. If not, I completely understand. It's been a long week already.

But I want to note that -- let me just first start by saying that the work here that we do here at Council is important work. It's time consuming. We are often engaged at sort of odd hours depending where you live and what time the meetings are scheduled for. But it really, really is

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important work. And I am very, very grateful to everybody who has volunteered their time and committed to contribute to this work and to the work of the Council in particular over the last year. I consider every one of you important and valued colleagues. And I just want to note that this is -- this is important work that we're doing here on behalf of the GNSO.

And so with that, I'd like to acknowledge our outgoing Councillors: Ayden Federline, Carlos Gutierrez, Rubens Kuhl, Paul McGrady, Syed Ismail Shah, and Arsene Tungali.

Please join me in thanking them for their service.

[ Applause ]

So thank you. Would anybody like to speak? Either our outgoing councillors or anyone else -- you have the floor. Okay. Carlos. Thank you very much.

CARLOS GUTIERREZ:

Thank you. Thank you, Keith. Thank you, everybody. I don't know why you said four years. I have been here five years. Did I do something wrong?

[ Laughter ]

No. It has been a great pleasure. I have served under four leaders: Jonathan Robinson, James Bladel, Heather and Keith and their respective vice chairs. You have done a great job. This place has a work rhythm that is amazing. I have learned a lot.

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I have learned about ICANN more than before. I was in the GAC. That is understandable.

If you -- I'm very, very happy to be able to continue to follow your work. I hope to be able to contribute as a volunteer to the IGO issue. So I'm not leaving at all. I hope I can finish that.

But the greatest pleasure is that the NomCom has chosen somebody who apparently is not here. He's always late, but he's from my region. Costa Rica has the great history that we have had a great influx from people from the Caribbean, from Jamaica. We call it Chumaica. And I have worked with him before. He's kind of a mentor.

I just want to warn you to make sure of Carlton Samuels' humor with Michele can be dangerous.

And I hope it all goes well. So thank you very much.

KEITH DRAZEK: Thank you very much, Carlos.

Michele.

MICHELE NEYLON: Since my name was used there, thank you, Carlos.

I'm not sure it's going to be a question of humorous but more to do with vocabulary. Carlton -- Carlton has a way with words which should lead to some interesting exchanges.

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CARLOS GUTIERREZ: Ask Jamie Hedlund.

[ Laughter ]

MICHELE NEYLON: I think it's great that we've -- we have had some different voices coming to the table and, you know, coming from the Latin America region as well. I think it's great to see yourself and others actively engaging.

KEITH DRAZEK: Thanks, Carlos. And thanks, Michele.

I think it's worth noting that we as a Council, like our GNSO community, are a pretty diverse group. I think we come from a lot of different places and a lot of different experiences. And that's made us, I think, a better group and a better body as a result. So I really do appreciate that.

Would anybody else like to speak? Yes, Pam. Thank you.

PAM LITTLE: Thank you. Just like to echo Keith's point about how diverse we are. Not only do we represent different groups within the GNSO, we come from different places, speak different languages, have different cultures. But it's amazing to me how well we work together as a council.

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It's been a privilege, an honor to work with each one of us. And all the best to the outgoing councillors. Whether you stay within ICANN or you go and do something more exciting, more interesting, wish you all the very best. Thank you.

KEITH DRAZEK:

Thanks, Pam.

I will just note this is probably not the last time we're going to see our colleagues, even on Council, right?

[ Laughter ]

There's the possibility of always coming back. So, Arsene.

ARSENE TUNGALI:

Thank you very much, Keith. I would say it has been a very privilege for me and an honor to be part of this group for the last three years. It has been a great learning journey for me personally. And thanks to all of you, fellow councillors.

I've benefited from the support of my own stakeholder group. And I would like to thank all the colleagues from the NCSG for all their mentorship and guidance and support that I was able to benefit from for the past two years. And so, of course, I will miss the Council but I will remember -- I will remain a member of the GNSO so we'll hopefully meet once again. So thank you very much. Yeah, thank you.

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KEITH DRAZEK: Thank you very much, Arsene.

Rafik, you're next.

RAFIK DAMMAK: Okay. Okay, thanks, Keith.

Yes, I think I join others to thank our outgoing councillors and to work on those who will join us.

My feeling that the council is kind of like a sports team. I mean, we have to work together but all these people are leaving and others are coming and we have to (indiscernible) that team in order to function, to work, and to get results. And when we see the season that took so long and we are already done many things, so I won't say it's like a councillor group. We are like a team, and I think that's what we should remember at the end.

KEITH DRAZEK: Thank you very much, Rafik. That's a great analogy.

All right. I don't see any other hands up. If anybody else would like to speak, feel free to do so.

I would like to take this opportunity in addition to thanking the outgoing councillors is to note where we are end now is at the end of a cycle. And at the end of every cycle, I think it's worth reflecting on our colleagues, each other. But we could not do -- as I said at our dinner the other night, we could not do what we do without the support of our

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colleagues on ICANN staff. And so I want to make sure that we all as a council -- as an outgoing council at the end of this cycle acknowledge their work, their sacrifice, and their collegiality. And they really are part of the team. So as Rafik said, the team.

So join me in thanking our ICANN staff colleagues.

[ Applause ]

Thank you very much. With that, I am going to say one last call for open mic. We have half an hour left on our agenda.

So this is really unheard of. I feel like I'm failing you.

[ Laughter ]

Welcome back, Cheryl. All right.

Well, thank you, everybody. We won't belabor it then. You have some extra time left on our schedule today.

We do have a photo taking place in here in approximately 30 minutes - - is that right, Nathalie? So in approximately 30 minutes of the incoming Council -- so if you are on Council, continuing on Council, or an incoming councillor, make sure you are back here in 25 minutes. Thank you. With that, we will conclude the meeting.

UNKNOWN SPEAKER: (off microphone).

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KEITH DRAZEK: The part 2 meeting will begin immediately after the photo. Help me out. I've lost control of myself.

NATHALIE PEREGRINE: The photo is at the beginning of the coffee break, so at 3:00. And part 2 starts at 3:15.

KEITH DRAZEK: Thank you very much. Thanks for the clarification.

**[END OF TRANSCRIPTION]**