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ICANN71 | Virtual Policy Forum – GNSO Council Working Session  
Monday, June 14, 2021 – 14:30 to 16:00 CEST

NATHALIE PEREGRINE: Hello, and welcome to the GNSO Council Working Session. Please note that this session is being recorded and follows the ICANN Expected Standards of Behavior. During this session, questions and comments in the chat will be only read out loud if put in the proper form, as will be noted in the chat shortly. Questions and comments will be read out loud during the time set by the chair and vice-chairs.

If you'd like to ask your question or make your comments verbally, please raise your hand. When called upon, kindly unmute your microphone and take the floor. Please state your name for the record and speak clearly at a reasonable pace. And, obviously, mute your microphone when you are done speaking. Thank you very much.

With that, I'll hand the floor over to Philippe Fouquart, the GNSO chair.

PHILIPPE FOUQUART: Thank you, Natalie. Good morning, good afternoon, good evening, everyone. Hope you're well wherever you are. And welcome to our GNSO Working Session, otherwise known as Community Interactive Session.

Just a few words of introduction before we get to the three topics that we put forward. So, this is essentially the virtual equivalent of what we used to have over the weekend where we sort of went through the ongoing PDPs and the ongoing work in general. Sort of the equivalent.

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We're not going to do this, this time. It's not going to be a lecture, an update.

We expected people to be in sync and familiar with the ongoing work, but in response to some of the feedback that we received during the last ICANN meeting, we put this together to sort of collect the inputs from you, SG and C chairs, but also from the councilors on a couple of overarching questions. So that's not an update. That's the point. That's not an update session.

That being said, you're encouraged to jump in, raise your hand whenever you want. This is meant to be as interactive as possible, given the format that we have. And, obviously, please make sure that you identify yourself and your affiliation during this meeting.

So, we've got three topics. I think we'll come on to the agenda in a minute. You have them—thank you—we have them on the screen now. Status of Implementation of GNSO Topic Recommendations; Future of ICANN Meetings; and Prioritization and Resource Planning.

So, we put this together with the leadership, Pam and Tatiana, and requested some feedback from you. I would just note that late last week there was a suggestion from the CPH to include or discuss the topic of DNS abuse from a particular angle, that of considering how cooperation could be put in place with the DNS Abuse Institute. We did take that into account to some extent. We didn't oversee it.

But we'd like to get in the topic. We don't want to discuss that as an AOB item, but rather have possibly a dedicated session on this and give us

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some time to prepare, given the nature of the topic. That's something that we want to make sure we address appropriately.

So, with this being said, I think we can go to the first of these topics unless there are any comments to what we've got on the table. Okay. Seeing no hands, I'll turn to Pam for the first of our topics and leave you handle the queue and all the rest of it. Thank you, Pam.

PAM LITTLE:

No problem. Thank you, Philippe. Hello, everyone. This is Pam Little, for the record. I will be your moderator for the first topic of the three of today's session. As Philippe said, we are hoping this to be an interactive session for councilors and community members, especially those from the GNSO, to ask questions about the implementation of certain policy recommendations.

As you might have read the briefing paper produced by the GDS, there are a number of implementation efforts that are ongoing or paused or on hold. The purpose of this session isn't to repeat that. But it's for us to be able to have three subject matter experts from GDS who are in charge of the implementation efforts of those GNSO policy recommendations joining us today so we can ask them some questions before ...

I will just briefly introduce the GDS staff. Today, we're really delighted to have Karen Lentz who is the VP of the Policy Research and Stakeholder Program, and also Lars Hoffmann who is the Senior Director of the same department as Karen. And also, we have

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Dennis Chang who is the GDS Services Program Director. Thank you for joining us, Karen, Lars, and Dennis.

So, as I said, the purpose of this session is for you to ask some questions. We were hoping to have pre-submitted questions, but we didn't have any. But I'm sure they will do their best to answer your questions and, if not, come back to you.

And then, of course, the other purpose we thought would be good to focus on is really for us to probably better understand the challenges of these implementation efforts, what they face or maybe potentially foreseeing as well. And also, maybe to understand better what needs to happen to get us to the finish line of these implementation efforts.

So, with that, don't be shy. If you have any questions, please raise your hand or type in the chat and we'll try our best to see if we can get your questions answered or even comments.

So with that, I will open the floor to see if there any hands. Anyone have any questions for the GDS staff who are with us today? Any takers? No one. If there are no questions from the floor, maybe I can start off with a question I have in mind.

So, I was wondering whether, in the course of implementing those policy recommendations that have been adopted by the Board, would staff—Karen, Lars, and Dennis—be prepared to share with us your observations in these efforts or experiences in terms of what GNSO Council or the GNSO can do or do more to make your life easier?

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We know implementation comes to the tail end of the whole policy development and implementation life cycle. I've just read the briefing document the GDS staff prepared. There are listed, I think, about 16 steps, if my count was correct. And the implementation actually came to the last two steps. So, it's a long way to get to this point, and a lot would have happened for a policy recommendation to come to GDS for implementation.

So, would staff be willing to share with us, whether based on your experience or observation, was there anything that the Council could have done better or done more to make this implementation more smoothly and perhaps a bit easier?

Any takers—Karen, Dennis, or Lars—on that question? Oh, Karen. Over to you, Karen.

KAREN LENTZ:

Thank you, Pam. And hello, everybody. So, I think you asked a couple of things. One is sort of in general from our experience. How can the GNSO and how can the Council aid the implementation of policies? And I think that's a really good question. I think some of them, you're already doing.

And the first thing that came to mind when you asked that question was providing rationale and an explanation for the recommendations. This is something that the Subsequent Procedures Report did very well. It's tremendously helpful to have the explanation of what the working group was considering, what was driving that recommendation. When

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you look at a recommendation in isolation, it's not always clear. But the commentary in the background to that is tremendously helpful to us when we get to implementation.

There's also the self-evident principle of drafting recommendations as clearly as possible so that it's not a task in implementation to figure out what it means and what's intended.

And then maybe a third thing I would say is to look at how the recommendations hang together. There are times that we looked at recommendations and different parts of the report that were maybe worked on by different groups. It's sort of hard to reconcile, sometimes, some of the work as far as the recommendations.

I talked about providing the background and rationale for each recommendation, but I think there's also kind of an overarching rationale or statement of the policy objectives. That's also really helpful to us. You know, we interpret and plan the implementation around those statements and that thinking that's provided.

So, I'll see if my colleagues want to add anything, and then I'll turn it back to you, Pam.

LARS HOFFMANN: Nothing from my end, Karen. Thank you. I think you covered it well.

NATHALIE PEREGRINE: Pam, you may be muted.

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PAM LITTLE: Sorry, I was muted. Sorry. I'm terrible at that. So, Dennis, I'm sorry. Would you have anything to add to what Karen just said?

DENNIS CHANG: Hello, everyone. This is Dennis Chang speaking. I am primarily responsible for current policy implementation for the Registration Data Policy.

So, to maybe put this in more good context that's easy for everyone to understand, I may want to provide you with an example. We are going to have an IRT session this morning, or this afternoon—today—in about an hour. And we are going to be talking about the interpretation of the policy language recommendation, and it is going to be a difficult discussion because in many cases, in several cases, there is a great divide in how the IRT members interpret the policy language.

And this goes to what Karen brought up as a clarity in drafting. For example, when we talk about response to requests, especially the urgent requests, the recommendation language was pretty clear and we came to rather a quick consensus and agreement on the normal-case request for information.

However, the recommendation language did not provide sufficient language or, rather intentionally, said that the Implementation Team would define the criteria and the timeline for urgent requests. So, the Implementation Team first dealt with what “urgent request” meant,

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and we agreed. And now we are in a discussion of how long the response will take.

No, that's where the difficulty is because there is a big difference in what people feel is an urgent request and the way you parse the language. We also have to interpret what “business days” mean and how that translates to specific requirements in terms of enforcement. And the recommendation language mixes the use of business days and regular days. So, when “business days” is not mentioned and it just said “days,” I am trying to interpret that as calendar days but, of course, there's a debate going on there.

So, I invite you to turn into the IRT session today and you will hear us perhaps struggle with this policy language. Now, we understand that we have a process of turning to the GNSO Council when the recommendation’s language is not clear and we need the support from the GNSO Council. And we will do that. But I have to say that the IRT members that we're working with right now on the policy implementation have been just very, very supportive. And so far, we are managing to come to an agreement and interpretation and requirement that we can go forward.

But that is a specific example, and my wish is that when you are reviewing the recommendations to adopt or not to adopt in specific languages, please think in terms of implementation. Meaning, how well an engineer programmed this into their system so they can automate it as much as possible. And if that was not the intention—because one of



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the arguments, the reason that it wasn't clear, it was intentional—then please make that clear for us so we don't have to struggle. Right?

So, think in terms of 1) implementation universally. There's no definition of what “business days” mean, universally. And me—of course, from my background, having been having done business in the Asian countries and abroad—I know what “business days” means in other places. But, of course, there are people in the community who believe that it's very clear.

So, think in terms of implementation being computer programmers trying to code the requirement to our contractual compliance enforcement, looking at the parties, and looking for those languages and be able to pinpoint where people are compliant or not compliant. That's my request. Thank you.

PAM LITTLE:

Thank you very much, Dennis. Thank you for sharing that observation with us. I also note, in the policy briefing document, there was a reference about one of the focus areas the IRT is working on, which is to consider or deliberate on the conflicting interpretation of some of the recommendations. So, I guess that's sort of a very poignant point you just made there.

And I guess that point you just made about policy recommendation language or lack of clarity is something that probably needs to go far back to the working group or the EPDP Team, rather than the Council because the Council really wasn't involved in that process. In our PDP

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Manual, I believe, there was really this point about the emphasis on implementability. So, the working group needs to look at it from that angle—from a legal, operational, or technical perspective—whether the policy recommendation they are putting forward is actually implementable or implementability level.

So, that was really a very good observation, and we understand the challenge you have. We recently dealt with an issue about ambiguities of intent—the Council, I mean. So, there was really a very long and arduous challenging process for ...

So, I guess, for issues like this, prevention is better than cure. The best solution is to make sure the policy recommendations are clear. And Karen made some very good observations about, for example, the SubPro recommendations—or Final Report—has rationale, and all those good points. Sort of lessons learned, I guess.

So, I have Karen back in the queue to probably add more, and then Stephanie. Karen, over to you.

KAREN LENTZ:

Thank you, Pam. And as Dennis said, you can join the IRT call after this for a real-time example of working out implementation.

But I wanted to also kind of reiterate on this conversation because I think it's a good question, but I think it goes both ways. Meaning that you all as the managers of the policy process, and the Org as accountable for the implementation, we have the same the same interests.

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And so, I sort of shared things that are helpful to us, but I think either here or another time when there's more time, but it would be really interesting, I think, to have a conversation about how we can improve, and more ways that we can help each other. Thanks. Pam, back to you.

PAM LITTLE: Thank you, Karen, definitely. There's always room for improvement. Stephanie.

STEPHANIE PERRIN: Yes, hi. I have rather vivid memories of the debate on this topic at the EPDP, and I think it is a shame that we are re-litigating this. There was a lot of argument about whether it should be three days, as in calendar days, or three business days. And the business days side won, but it looks to me like we're re-litigating this in the IRT.

No, business days vary from country to country, depending on national holidays. Certainly in Canada, a company would not be expected to keep a full abuse team on Christmas and Boxing Day. There might be totally different business days in an Arab country, etc. This was discussed at length. Furthermore, size of company matters. A small company cannot afford to keep an abuse team over every weekend. That chews up two days right there.

So, we've debated all this at some length. That's the kind of example that doesn't go into a recommendation, but it could go into a clarifying note or something like that. And how do we insist on that being

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captured so that we don't wind up fighting the same battle again at the IRT?

I think it's worth possibly even the GNSO having a discussion about this because what happens ... I hear Dennis's plea for clarity and “think about implementation.” But when we are at a very highly contentious policy group, often there are compromises being made; that those of us who care about these things really, really regret a recommendation that comes out with compromise language that is impossible to implement.

But it gets us over our milestones and gets a product out. And I fear that we are causing ourselves a great deal of grief by doing this .Thank you.

PAM LITTLE: Thank you for the comment, Stephanie. Jeff.

JEFF NEUMAN: Yeah, thanks. So, I think this a great point. And it's not just IRT. Right? It's with all ... Sorry. It's not just with the IRT and the EPDP, but also on every IRT. And I think the best solution for this is early an active involvement from those that are going to be implementing the policy.

So, we certainly had really good involvement from Karen and your team during SubPro, although we still got a lot of feedback towards the end—and you know what I'm talking about, Karen—where it would have been better to have that feedback earlier. And I understand that you chose kind of the Draft Final Report to send that around to the organization,

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and then we got a lot of feedback which would have been appreciated much earlier on in the process.

And weren't able to address all of the feedback we got from ICANN Org. Well, we addressed it, but we said, “Well, pretty much we're going to keep it the way it is in some of the areas.” So, I think early feedback from ICANN (whoever’s going to be responsible for implementing it) and often. So, it's not just the policy people, but it's those that are going to be doing the implementation or the planning for the implementation, if you're moving in that direction.

So, that's the number one thing. So, something like what Dennis said— “days” versus “business days.” You can actually be in the room and you can hear those discussion. And you can have the answers to that in the context.

So, I hope it got better with SubPro, and I hope with other PDPs it continues to have that involvement because that's the only way we're going to answer these. Because the policy process is never going to produce recommendations that answer every single question. But to the extent that you can get answers, the time to ask is at that point in time. Thanks.

PAM LITTLE:

Thank you, Jeff. Point well taken. I suppose, also, the PDP 3.0 efforts or improvements—one of them is really to make sure there’s a Council liaison to the working group.

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But the other aspect of that is having liaisons from ICANN Org to a working group, and that would hopefully also go some way to address these ambiguities or history of the working group and sort of have the firsthand information to inform the implementation, or during implementation if the issue arises.

So, I've got, Stephanie and Jeff, you still have your hands up. Or Karen. So, we'll go to Karen first. Karen.

KAREN LENTZ:

Yep. Thank you. Just briefly. I think Jeff's comments are right on. The role of having somebody either formally or informally engaging and following a particular PDP hasn't always been formulated or formalized, I guess, within the organization. And that's a capacity that we're trying to build out because we have some good experiences with very close involvement in the EPDP from the Org side.

And I think when we're talking about mechanisms to help with alignment and consistency, when we get to implementation, a key mechanism that we have is the ability to engage closely during the during the PDP itself. Thanks.

PAM LITTLE:

Thank you, Karen. I got a question in the chat from Xavier. Should I read that out? "Any views how subject matter experts from ICANN Org participate in the policy development discussions without influencing the direction of the policies being developed (or appearing to do so)?"

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So, Jeff, you've got your hand up. Is there something you would like to respond? Great. Over to you, Jeff.

JEFF NEUMAN:

Yes, please. Thanks. Xavier, that's a great question. I think, first of all, just having them there—number one—is key importance. And I think there's been a lot of concern from ICANN's perspective over the years about seeming to influence policy discussions. And part of that, I think, is coming from ICANN itself. I don't remember people from the community getting mad at ICANN on many occasions for participating. I think a lot of it is almost self-inflicted because it seems to be a concern from within the organization. But there's really not too many people that have criticized, from my recollection, ICANN's participation.

But that being said, you know, asking questions is never a bad thing, especially if you don't understand something or there are ambiguities there. And if, for whatever reason, ICANN Org just doesn't want to ask questions at a particular point in time, asking the leadership of the PDP the questions that you have ...

Leadership now, with every PDP I've been involved with, certainly has a call to prep for the meeting or to debrief from the meeting before. So, bring it up there and the leadership will figure out how to get that into the group. So, I think the first step is to get over the fear of participating and that people will criticize you. Of course, I can never say that nobody's going to criticize because some people just do. But I know, being part of the leadership team of one of the PDPs, any question was great and helped us as well because if you all had a question, chances

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are other people had a similar question or you're thinking about the implementation where we're not.

And so, I would just hope that you lean in to participating, and I'm sure the community will let you know if you've gone too far. Thanks.

PAM LITTLE:

Thank you, Jeff. I've got Thomas. Thomas, over to you. Because of time constraints probably we'll have to draw the line. I've got Thomas, then Teresa after Thomas. Then we'll draw a line after that. Thanks. Thomas, over to you.

THOMAS RICKERT:

Thanks, Pam. Hi, everyone. I think it would make an awful lot of sense for the PDP chairs to ask ICANN staff to come up with something like an implementation preview during certain stages of the policy work. Some of us, or many of us, will remember the IRTPC hiccups, to put it mildly. And I think that those scenarios could have been avoided if somebody had chimed in and alerted the PDP Working Group of the potential consequences if certain recommendations or if a path that the working group pursues would be enacted.

So, certainly, this nothing that would fit for each and every PDP, but I think putting that at the disposal of the PDP chairs to reach out to staff to give such an insight on what an implementation would look like. I think that would be beneficial and it would probably go down better within the eyes of the community than what we're currently seeing with the debate of this Operational Design Phase because that's only after



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the adoption of the recommendations and this would be before the recommendations get to the consensus call or are reviewed by the GNSO Council or even the Board.

PAM LITTLE: Thank you, Thomas, for that suggestion. It's certainly worth considering. Thanks. Teresa.

THERESA SWINEHART: Yeah, thank you. I just wanted to add on. This is a really good discussion. As you know, GDS is now a year old, so to speak, if you want to put it that way, and I really welcome the evolution of this conversation and the partnership that we can have with regards to good policy recommendations coming out. So, this is a very good conversation for us, and I certainly support any opportunities that we can be working together in a really good and constructive way. So, thank you for that.

PAM LITTLE: Thank you, Teresa. Yes, I agree. This is only just the beginning of a conversation. It certainly, to me, sounds like something it's worth our while to explore and discuss further. So, maybe that's something we can all keep in mind and then continue the conversation.

Okay, with that, I would hand it back to Philippe to moderate the second topic today, which is the future of ICANN meetings. Philippe.

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PHILIPPE FOUQUART: Thank you, Pam. And thanks, everyone, for the discussion we've just had. That's typically the sort of interaction that we were looking for, bearing in mind that this, as you said, is the first step. But if there's a bit of capacity being built up within GDS, that's very timely. And although, obviously, this is not meant to be a decision-making meeting, but this the sort of exchanges that we're looking for at this meeting. So, thanks, everyone. And the Council will bear in mind, also, the next steps for the PDP 3.0, etc., so [we'll have] to bear that in mind moving forward.

So, a completely different topic now. The second topic that we thought would be good to have a discussion on is something that we'll be discussing later this week. I think it's on Thursday. There's a session on future ICANN meetings. You would recall that there was a strategy document that was developed late December or early this year which we contributed on with your help.

And as we move along and the opportunity for hybrid meetings emerge, we thought it might be good to have a discussion within the GNSO on this input in particular and see whether we might have a consolidated approach to put forward, or not for that matter. But at least to raise the question.

So, with this introduction, I'll turn to staff to elaborate. There was a survey, as you would recall, in parallel to that strategy document. So, I'd like the staff to maybe help us go through this, what we have on the table, what might be for discussion later this week and for the weeks to come, and have a discussion among ourselves as to how we may want to approach this.

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So, from staff, who would like to take us forward with this?

NICK TOMASSO: This is Nick Tomasso.

PHILIPPE FOUQUART: Yeah. Nick, if you would help us this? Yes?

NICK TOMASSO: It would be my pleasure to do that. Yes.

PHILIPPE FOUQUART: Please do, Nick. Thank you.

NICK TOMASSO: So, we engaged in a survey a couple of weeks ago basically to think about the community's appetite for returning to face-to-face meetings. It was conducted to investigate the possibility of organizing ICANN72 is a hybrid meeting with virtual and in-person attendance in Seattle. The target audience was current virtual attendees and previous in-person attendees from the last three years.

We also opened up the survey on the ICANN meeting website so that anyone who was interested in providing feedback could. We've had 665 respondents. The Board will use the results of the survey to consider whether or not we should have a face-to-face element in Seattle in October. They'll be making that decision around mid-July.

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I believe I mentioned that we had 665 respondents to the survey, and the survey was a very broad cross section of geographic representation. I won't take you through the entire survey, but I'll look at some highlights.

One of the questions we asked was, “Do agree with ICANN [having] an in-person meeting under the following conditions”— one of them being reduced global diversity. And this a key point right now. When we do realize that the pandemic continues, there are geographies and countries around the world with more or less capacity to travel. There continues to be a travel ban in the United States for the EU, for China, Brazil, if I'm not mistaken, Iran. Or I should say the Schengen region, not EU.

So, that's one of the things that we need to consider very, very broadly. Is it okay to have an in-person element to this hybrid meeting, should we not have a very good global representation from the community? So, that's one of the points of this discussion.

The other point to consider is that the SOs and ACs have memberships and leadership teams, and if some of them were unable to attend, how would you go about your work? How would those SO/AC leaders go about their work in this virtual environment?

So, those are two key points I think this group ought to think about and consider. And I'm happy to go into further detail, but I'll stop there and answer any questions you may have.

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PHILIPPE FOUQUART: Thank you, Nick. Well, maybe that's us opportunity for us to take questions even at this at this preliminary point. Any questions from the floor for at least the approach to the way forward? So, I see Bruna first and then Stephanie. Bruna.

BRUNA MARTINS DOS SANTOS: Hi, everyone. Good morning or afternoon or evening. [Here in] Brazil, it's still morning. Just about the survey. As I was going through the options and the discussions that are put there, I just have the feeling that any idea of a hybrid meeting that we decide to move forward for these exact moments, my impression is that it will continue to reemphasize the inequalities in between this community.

I mean, of course, we can start to have a plan into moving back to normal, but considering the current state of vaccines and so on, I don't feel that half of the community would feel just as safe going back. And even the ones who did, we would end up at a meeting with the majority of, let's say, people coming from the U.S. or any other areas where the vaccinations are way more advanced.

So, just to put this on the record, I just have this main concern about us enhancing the inequalities in between our community, and anyone coming from high-risk areas such as mine wouldn't be able to come to these meetings in the near future. So, yeah, maybe just thinking for the future, it's good for us to really take some thought into this part and these difficulties. So, that's it. Thank you very much, Philippe.

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PHILIPPE FOUQUART: Thank you, Bruna. And I think what you said would apply largely to the GNSO community. And what you said, Nick, obviously beyond. But the point being that the GNSO is no exception to it. All constituencies and stakeholder groups would have that risk of divide. Obviously, there are specifics around those groups, but I think the concern also lies within the GNSO.

Nick, maybe some feedback on this response? The action?

NICK TOMASSO: Oh, yeah. I'd be happy to take you through a little bit of the feedback. So, on to the question of, "Do you agree with ICANN holding an in-person meeting under the following conditions?"

Reduced global diversity. We had a 54% yes, 25% neutral, and 23% no.

Limited attendance by SO/AC members. 55% yes, 22% neutral, 23% no.

We also asked a question about vaccines. And as it has been brought up in the chat here, vaccines are—some are more broadly recognized as effective. Some are not. Some governments have accepted some. Some have not. And, of course, there are some countries in the world that don't have good access to vaccines right now.

So, we did ask that question and said, "If we required vaccines, do you agree with ICANN holding the in-person meeting?" And 64% said yes.

And the question of global diversity, when we asked that question, we got a 54% total yes, as I mentioned earlier. But then we also looked at it by geography. In Africa it was 55% yes, Asian Pacific 49%, Europe 51%,

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Latin America 49%. And, of course, North America 63%. So, you can see that it's very hard to draw any conclusions from that.

And then, limited attendance by SO/AC membership: the total was yes at 55%. Africa came in at 56%, AP at 63%, Europe 47%, Latin America at 45%, and North America at 58%.

And then, as far as vaccines are concerned, the total was 64%. Africa was at 52%, Asian Pacific at 59%, Europe at 66%, LAC at 53%, and North America at 73%. So, those are the salient points of the survey results.

PHILIPPE FOUQUART:

Thank you, Nick. [inaudible] going to be to this point, so I'll turn to the next in the queue. Stephanie, you're next.

STEPHANIE PERRIN:

Thanks very much. And thank you, Nick, for going through those survey results. And I'm not here to nitpick on survey design, but I did find it hard to figure out the direction the questions were taking. It seems to me that it might help, if you're doing a follow up, to pull out the different risks to ICANN and to its community of holding face-to-face meetings or hybrid meetings and the different mitigations.

Because it was hard to tell if you're asking people, "How do you feel about coming to a hybrid meeting? How do you feel about this or that mitigation?" It wasn't clear.

Overall, I think it's unfair, for instance, to hold meetings that half the community can't attend because of borders and vaccines or whatever.

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How would I rate that on a scale of 1 to 10? That might be a good question.

On the other hand, how do I feel about personal safety in attending? Well, there are a bunch of medications that would make me feel better, you know. The question about decreased global participation, some people might have interpreted that as, “Oh, okay. I’ll feel safer if you don’t allow, for instance, India to come, given that there’s a wild outbreak in India at the moment.”

Or even, let’s pick on Brazil. Wherever a country’s out of control, people are going to be uncomfortable with folks from that country coming. That’s human nature.

So, I think a little bit better differentiation of where you’re heading with the questions would have possibly come up with better results. The in-person hubs definitely needed to be pulled out as a whole separate set of risks and mitigations, in my opinion. Thanks. I guess it did turn out to be nitpicking about survey design. Sorry.

NICK TOMASSO:

Well, Stephanie, I don’t hold any problem in your comments. I appreciate them. I like hearing them.

Let me ask you all a question. A number of people have mentioned hubs, but I don’t see hubs that ... Now, this a personal view. I think hubs would present the same kind of challenges in travel that everyone going to Seattle would hold.



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So, if we had a hub in Africa, for instance, where would we put it and who would be able to get there? The same question for Latin America. Same question for Europe. Some of the risks that are inherent in people going en masse to Seattle. We'd be presented with the same sort of issues with hub locations around the world. Just a personal view.

PHILIPPE FOUQUART:

Thanks. Thanks, Nick, too. And then it's going to be difficult to go beyond personal views on this, I think, or personal experience, for that matter, for what we know at this point. Maybe it also depends on the regions. I mean, I'm stating the obvious, but having one in Europe, for instance, might not be a bad idea traveling wise, whilst the other regions, maybe there's no regional coherent consistent traveling policies.

I don't know, but it seems that maybe having a few, couple, three hubs might be feasible whilst having five major hubs with the expectation that this will be ... The mass of ICANN participants would be out of reach. That's just my ...

It's going to be hybrid in many ways, I think. Hybrid in the hubs, hybrid in virtual versus in-person, etc. But if what you're saying is that, for some regions, it's going to be difficult to have hubs, for what it's worth I personally would agree with that.

I saw hands raised, and I would assume, with your patience, Rafik. Maybe it's to this point, but, well, I'll take the queue as it was presented. So, Rafik, you're next. Hi and congratulations, for that matter. Rafik.

RAFIK DAMMAK:

Thanks, Philippe. So, to be brief, I think, as many commented, it won't be fair if we go with the hybrid model when the situation is still as it is currently with many countries being slow in terms of vaccine rollout. And even in terms of logistics, the travel is not that straightforward with tests and quarantine and so on.

So, what I want just to maybe stress is that if we talk about an ICANN community, that means we need some solidarity and we cannot leave anyone behind. It can be tempting to go ahead if some can make it, but I don't think we will gain a lot here. And it will raise a problem that we are always worried about within ICANN. Even also for ICANN Organization, it's about legitimacy.

So, we need to have that in mind. I understand that everyone wants to have face-to-face meetings as soon as possible, but we should take the time required to have it and to not hurry just because part of the world is doing well in terms of vaccination or in terms of cases. It's still complicated, and it's not just about developing countries. Even many developed countries like here in Asia Pacific, the vaccination is not going quickly. So, I think we need to wait the time that's required to have everyone on board when we will have the face-to-face meeting. Thanks.

PHILIPPE FOUQUART:

Thank you, Rafik. And then that risk of divide is very much along Bruna's observation earlier, I think. And I think, yes indeed, you'll take that with

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you, I think, Nick. It's something he will hear again on Thursday. It's not so much about who can meet, but make sure that we do not leave anyone on the side of the road as we move along.

Maybe a follow up, Nick, on this?

NICK TOMASSO:

I think that the survey results will speak for themselves. You'll see them shortly. I think, Sally Newell Cohen just mentioned that they'll be published later today. We're looking forward to the discussion on Thursday, and I'm sure the Board will be—and Göran—will be listening intently to what you propose and what your opinions and concerns are, clearly. And hopefully, we'll come away from that meeting on Thursday—where I'll do a deeper dive on the survey data, by the way—with perhaps a clearer direction as to how to move forward.

Now, I think what we have to remember, and it's been stated a couple of times in the chat, is that ICANN meetings have always been hybrid. It's just fashionable to call them hybrid now. We've always had remote participation for ICANN meeting. And we have really refined the virtual participation model over the last few ICANN meetings where it is a very effective way to participate in ICANN meetings.

So, I'm not as much concerned of the hybrid element of the meeting because I think we have the tools to do that properly. But it's the health and safety of all attendees, and it's the equitable distribution of attendees, in-house, in Seattle.

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PHILIPPE FOUQUART: Thanks, Nick. And before I go to Jeff, we've talked a lot about ICANN meetings. There's certainly some thought to be given about the working groups as well. Well, we all know that some of them have suffered or could have benefited from face-to-face meetings, at least hybrid, at some point. And it may be something that is somewhat specific to the GNSO, but also something for which—well, constraints—for which some opportunity for having hybrid meetings could be considered.

So, Jeff, you're next in the queue.

JEFF NEUMAN: Yeah, thanks. I wanted to address a comment that Nick had mentioned. How do we decide where the hubs are and what makes that fair? And all sorts of other questions. And I agree that they're legitimate questions. But I look back to 2010 which a number of people from the United States were not allowed to travel to Nairobi. We were not allowed to travel because of a threat that was a terrorist threat that had been made on the site, actually, and some of our insurance companies wouldn't cover us to travel.

And so, ICANN never thought once about canceling the meeting, nor did we expect ICANN to cancel the meeting. And I've got to tell you, the virtual tools back then were nothing compared to what we have now. So, what happened at that point in time is that one of the companies decided to step up in the United States and decided to host the first actual ICANN hub in northern Virginia, and it worked out really well.

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So, I guess the point I'm trying to make is that it may not be necessarily that ICANN has to determine where the hubs are. But ICANN could let the hubs self-form, and if they can do that by a certain time, they could be eligible to get certain resources from ICANN. If not, then they'll have to be the ones to figure out how to connect to ICANN via a hub, if it's later on.

But I'm not sure it needs to be ICANN that must dictate where those hubs are. That's just another approach. Thanks.

NICK TOMASSO: Philippe, if I may respond to Jeff.

PHILIPPE FOUQUART: Sure. Please, Nick.

NICK TOMASSO: Thank you so much. A suggestion worthy of further research. Thank you for your feedback.

PHILIPPE FOUQUART: Thanks. Thanks, Nick. And that might also be a way to sort of accommodate the unknowns that we'll still have at this point. I'm sure that you talked about 62. That's just about ... We're in June. These are late days as it were, so this will have to be decided quite quickly.

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And just a final thought and word from you since we're running out of time. But in terms of next steps for this., could you just outline what those are, Nick?

NICK TOMASSO:

Philippe, I'd be happy to. We're going to have our meeting, our session, on Thursday where I'm sure a lot of issues will be surfaced across the community. Göran and the Board will assimilate all of that information along with everything we know that's happening in the world today when it comes to travel, along with everything that we know that is happening in Seattle when it comes to the health and safety of our delegates. And they will consider all of those issues. And we're targeting mid-July for a go/no-go decision on Seattle.

And mid-July is a key point in time because, well, first of all, we need to plan. And we've already done the lion's share. When planning for a meeting, you don't do that three months before the meeting happens. But we also have [the] travelers to consider and how they get their travel plans made and how they acquire their visas. Visas are, I see as a particularly difficult thing right now because so many embassies and consulates around the world are either shut down or have very limited staff and are processing visas very slowly.

So, that's another consideration as we move into mid-July, as that improves worldwide, etc. So just some final comments. Thank you, Philippe.

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PHILIPPE FOUQUART: Thank you. Thanks, Nick. That’s really useful. And I hope that this, as a preview of what's going to happen on Thursday, has been useful both to you, Nick, and to the GNSO community. I know that we’re slightly ahead of the actual discussion, but working virtually, sometimes we have some difficulty catching up with the various working tracks. And I know people are very, very busy. So, I hope this has been useful for each and every one of you. And thanks, again, Nick, for taking part in this meeting and hope to speak to you—

NICK TOMASSO: Thank you so much, Philippe, for inviting me to do that. I found all of this very interesting and useful in formulating some further opinions on this, and perhaps tactics.

PHILIPPE FOUQUART: Thanks, Nick. So, moving on with our third and last topic of the day of this interactive working session. And for this, I’ll hand over to Tatiana. This is the ongoing work on our framework, and we have some discussion planned at our Council meeting. But more broadly, we decided that we would approach the question of the resources through our last topic, since it’s slightly related, and move forward with the work on prioritization and resource planning as we head towards the completion of Phase 2A, the next steps on the IGO work track.

And as you realized, one of the next steps of the pilot is indeed to manage those things that have been standing in the project list for a

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while and make sure that we address this prioritization and resource planning in due manner.

So with this, Tatiana, would you like to [help us go through this?]

TATIANA TROPINA:

Thank you, Philippe. I would. I absolutely would. It's my pleasure to see you all in this room. Welcome to this GNSO working session, yet again now, from me.

And moving from the future of hybrid/non-hybrid/on-site meetings to the very pressing issue of prioritization and resources. And this not the first conversation we have, and I do hope for strong participation here from the stakeholder groups and constituencies chair because, partially, I do consider this conversation as a very important overlap with what we talked in terms of a framework for continued improvement. Because, as you know, during the GNSO Council meeting, we will have a motion on this and launching this framework. But I know that was a contentious issue, and the first argument against it was resources.

So, let us discuss here. And as a way of introduction, a bit of recap here. So, as you are probably aware, the GNSO Council does have in place, since quite a few months, a number of tools which are supposed to facilitate, to plan, our projects like Program Management Tool an Action Decision Radar which is ADR. Probably you know it by this acronym. And, of course, it does help us greatly to, first of all, visualize



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the tasks. Secondly, see when they're coming and how we can plan our work.

But these tools do not address one very important point. They do not address the component of resourcing. So, for example, we have a number of projects which, really, they're coming up on the Action Decision Radar and they're clearly seen on the horizon, zero to three months. And they are the community recommendations. Right? So, Work Stream 2, ATRT3, SSR2. A lot of stuff is coming but, clearly, either we do not have enough resources or we are not organizing them properly.

So, we would like to hear from you. What can/what should be done to better factor these resource components? For example, should PDP Working Groups be required, with the assistance of ICANN Org, to quantify the expected resources needed? But mostly because perhaps this conversation can get either too broad or too granular, I would really like to see it in more kind of nuance issues, what are your main concerns about challenges? Workloads? Priority issues? What can we do with some of the items—because Work Stream 2 has been here for already, I think, three years, and some other recommendations, so, what do we do with this?

And I'm very much looking forward to any hands up. Now I'm going to look at the chat. Oh, no. I see that it is still about travel. Please do move to the resources now. I do hope that you will have something to say because I remember your comments during the Framework for Continuous Improvement.

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So, who is going to go first? Otherwise, I'm just going to call up on chairs and make you speak like a roundtable. All right, Maxim. Go ahead.

MAXIM ALZOBA:

Speaking about parallel efforts, first of all, sometimes we need to make it more linear and less parallel because we're in situations where the same set of persons ...

Basically, each constituency doesn't have a lot of volunteers who are capable of participating in the policy work and is supported by their organizations to do so instead of just usual work to be done. And also, there should be some reasonable limits to how many items, at the same time, we're trying to do because it's not possible to focus on more than seven items. Our human brain doesn't work better than that.

And having more than that, you just miss important bits because you don't remember things. And switching too fast between different tasks also doesn't help to focus or to properly do the work which is required.

Also, I have a small question about the Framework for Continuous Improvement. Is there going to be some measure ensuring that the framework is not used for circumvention of how the voting process is organized from the point of view of houses in the GNSO and persons, etc.? Thanks.

TATIANA TROPINA:

Thank you, Maxim. I will go first about Framework for Continuous Improvement. And please, Pam and Philippe, correct me if I'm wrong. I

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do understand that there might be the issues of voting and using of this Framework for Continuous Improvement to circumvent the process. And we at the NCSG, which I represent, are more than ever always concerned about our representation and balance between two houses. Because frequently, we see that the Non-Contracted Parties House Commercial Stakeholder Group has a presentation from three constituencies, and we are kind of like non-commercial sometimes ... getting them balanced.

So, the safeguards here in the Framework for Continuous Improvement and how we're launching it is that it's going to be on the pilot and then we can reconsider this. Perhaps the best way to protect against such abuse would be to move to full consensus. So, we do consider this as one of the possibilities.

I will say that perhaps it does lack stronger safeguards for now, but taking into account that this a pilot project which we as—you, I mean, I will be out of the GNSO Council then—which you as the GNSO Council will have to reassess and continue with these or not. I think it's up to the Council how we are going to address anything because I think that the problems that can come up from the pilot are not only related to balance of voting or consensus decisions. There could be plenty of them which we cannot foresee. Hence, the pilot and then decisions. Pilot on the less controversial project, I mean.

Philippe, please go ahead.

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PHILIPPE FOUQUART:

Thanks, Tatiana. I will just, well, pretty much repeat maybe what you said but add an element that is of interest in this particular discussion. As you said, we hope that the question is more about the consensus call rather than how the team is formed and how many people we have in the working group, in the team that oversees the work tracks.

We've all seen in the pilot, bearing in mind that, depending—these sort of issues would probably depend on the task forces, the issues that are at hand. So, you might not have the problem for one particular task, but the problem would emerge for a different one. The pilot being limited in remit, hopefully that will not be a problem for the pilot. If there's a need for a caveat in the motion, Maxim, I think everyone would accept that this can be changed, and that's a valid concern. And that's pretty much, I think, what you said, Tatiana.

What I would like to add is that by using the ways that the consensus is called rather than counting the numbers, I think we're hopeful that people will understand that it's more a matter of how the views are represented and presented than the numbers.

And that, hopefully, a limited number of people would be just enough for those views to be carried across, provided that there's ... Or even a diversity of views to be carried across—if you see what I mean—to make sure that, if possible, the resources are evenly split, ideally, but that at least if there are, as you said, Maxim, parallel tracks, they can sort of be accommodated.

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So, I think, ideally, we would like to see the way the consensus is called as a way to arbitrate, to address the problem, the valid concern, that you raised.

Thanks, Maxim. Thanks, Tatiana.

TATIANA TROPINA:

Thank you, Philippe. And I do hope that we'll have more interventions, but I also would like to bring your attention to one of the questions. Or if you go ahead, and then I will bring the attention to one of the questions.

RAFIK DAMMAK:

Okay. Thanks, Tatiana. I cannot miss to intervene about this topic of project management, or program management, in this case. So, I think the GNSO Council made progress in terms of identifying the work and to plan ahead. So, I think we have progress there.

So, in terms of resource planning, it will be always challenging because we're not talking here about ... And probably we should avoid talking about resources, per se. We are volunteers, so the question here is how we can count that or make the calculation. So, I assume, and I know that Berry worked on some ideas to try maybe to make some estimation that should be quite conservative and maybe based on the previous participation.

So, I think that will help, but it will be probably a pilot project to try to do some estimation on what's needed in terms of volunteers and also

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in terms of ICANN staff, either from the Policy Team or also from GDS, as we want them to be involved more and more in the PDP.

So, I think we should try that. I have no idea, really, how we can do it, but probably we need to think about maybe some proposal how we can do the estimation. And that will be one of the inputs to be used by the GNSO Council when doing the prioritization and the planning.

The last thing. I do agree with Maxim. It's common sense. This is also best practices, to limit the work in parallel. It's always tempting to think that if we can push many things in parallel, by some wishful thinking they will make progress. It doesn't work like that. We will spend more time and more, and that will impact those who are already volunteering. So we need to avoid the burnout. And that's first by trying to minimize the work items in parallel.

Maybe you can agree on some rules to ensure like no more than three or two PDPs in parallel. And trying, as what was discussed and agreed in PDP3, to have a kind of term limited in time for PDPs—no more than a year.

So, with this practice, I think we can start to improve things in terms of program management. But, again, I think the challenge will be about how we estimate the resources because it's also related, to some extent, to the different groups. So, we will be impacted by those who have less volunteers, or there is a pressure on those volunteers to join different work tracks. And so, I think we need to find the balance here.

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So, I think this needs some discussion and to think how we can first identify those volunteers. Of course, we need to expand the pool of volunteers, but I don't think it's something as simple or it can happen as soon as possible. So, I will stop here. Thanks.

TATIANA TROPINA:

Thank you, Rafik. Very much appreciated. And, indeed, about the pilot. We will just see, but the point about understanding the requirement for resources can probably greatly be communicated to the pilot as one of the possible tests. Which, again, increases the workload.

What I also wanted to bring your attention to—and I'm staying on the track—is that we think a lot about PDPs. And as Rafik said, no more than three PDPs. Maxim highlighted that the human brain cannot deal with more than seven tasks. For me, it's already superhuman. I won't be able to do with more than three or four. But whatever. I'm no superhuman.

So, I think that where we have not looked at the greater detail here is the fact that many of these tasks are actually not somehow, or only partially are the GNSO tasks. For example, Work Stream 2 or ATRT3 Review. The recommendations are produced by the community. The GNSO can be greatly impacted by something like this.

But this is a cross-community effort, and when we look at everything we have—at resources, at priorities, and all that—we somehow think a lot about the GNSO, the GNSO role, what we are doing exactly in the GNSO Council here as well. But this is maybe—if I don't have any more interventions, it's fine. Although I think that we would greatly, really

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greatly, benefit from actually hearing your concerns about all of this because these concerns coming out there. They're coming to us when we discuss this work, when we discuss priorities. If you don't want to voice them now, fine. However.

So, back to these resources So, are we not able to deal with these projects which are not launched by GNSO but impacting us? Then what do we do? How do we participate? Are we a sort of separate entity? Because at the end, we will be affected.

So, this is just something that I would like to have maybe for you as a takeaway if you have no other comments because everything that we're trying to do here together with you, because this Framework for Continuous Improvement and the compromise pilot projects were decided together with you because we as a Council are trying to address these items. They are on our radar and we have to deal with them. And they're scary, and they're on the top of the list.

So, I just want you to be aware of these. If you do not want to ask questions or make comments, I wanted you to be aware of the current situation at least.

So, we'll wait to see if there are any more interventions on the chat or any hands raised. And if not ... Well, Philippe, I'm sorry, but I will probably have to hand back to you. Perhaps we will save eight minutes of people's lives.



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PHILIPPE FOUQUART: Thank you. Thanks, Tatiana. And I think they will be somewhat grateful for this, I suppose.

I think we've used pretty much all the time that we alluded to it. And at least I'm hopeful that our last discussion was useful in the context of the discussion that we will have on a motion at our next Council call. As you said, Tatiana, those are things that we'll have to deal with, those being within our responsibilities.

I just want to thank you for taking part in this interactive session. It's not quite like the face-to-face flavor. I think we all appreciate that. But mindful of the late hour for some of you and the early hour for others, I think we can stop here. I hope this has been useful for you just as much as it was for us. And with this, I hope you will have an efficient and effective ICANN71 meeting, and at the very latest, speak to you at the Council call. But, certainly, much before that.

So with this, the call is adjourned. As a conclusion, we didn't oversee the late topic that was put forward to us. We'll come back to you on that one for a dedicated session. With this, thanks, everyone, and speak to you soon. Bye.

**[END OF TRANSCRIPTION]**