

---

ICANN74 | Policy Forum – GNSO Council Wrap-Up  
Thursday, June 16, 2022 – 15:00 to 16:00 AMS

DEVAN REED: Thank you. Hello, and welcome to the GNSO wrap up. Please note that this session is being recorded and is governed by the ICANN expected standards of behavior. This is a session for GNSO councilors. However, observers are very welcome to type comments in the chat. Verbal interventions will be reserved for GNSO councilors as a priority. For the benefit of other participants, please state your name for the record and speak at a reasonable pace. You may access all available features for this session in the Zoom toolbar. With that, I will hand the floor over to Philippe Fouquart.

PHILIPPE FOUQUART: Thank you, Devan. And hi, everyone. So this is the—I'm hesitant saying usual—Council wrap up that we have at face-to-face meetings that's meant to be as informed as it can get. We'll do our best for this. So the agenda, this is essentially meant to cover the action items moving forward. So it translates into the agenda that we've got on the screen here. Anything you'd like to add, please do under six.

And maybe, but before we go through this, I'll note that Thomas, you mentioned that you had an AOB item. I don't know if Thomas

---

**Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.**

---

is around, but maybe that'd be good, if we could know that. Where are you? Just arriving. Anyway, we'll leave Thomas some time to sit down.

So why not start? So let's go to one. That's the Council commitments document which was put together by Sebastien and Marika and Paul. I think there was some inspiration taken from what you shared after the strategic planning session. So if, Sebastien, you would help us go through this.

SEBASTIEN DUCOS:

Hi, thank you Philippe. So during the SPS session that we had in November, in particular, there was a double session with two halves of the Council where we had a number of discussions and that's where the inspiration of the commitments came.

Essentially, having limited experience in policy development [inaudible] long experience with an IRT where I felt there was a number of things that were being rediscussed, and thanks to the great work of the IRT team, I have to say that most of the problem is actually resolved within the IRT and things are flowing now fast. But anyway, that was back then.

I felt that there was a need to sort of rediscuss, remind ourselves, reassimilate what consensus meant, what it meant in terms of effort to reach it, what it meant in terms of effort to up our own IQs on the subjects to be able to understand what we meant and

---

then what the others meant, all these things to reach consensus. And I was thinking for myself that there was probably a need to sort of reiterate these things.

And then came other ideas. This, my thought process was before the SPS, I was invited at an IPC session where Paul presented the IPC—I don't want to misquote the name of the paper, I had it a second ago in front of me, a civility pledge is the way Paul called it, and ensuring that interaction within the IPC and outside the IPC with the rest of the community was done in the way that remained civil.

This is not to say that we have to agree with everybody on everything. On the contrary, this is a forum for discussion very often on opposing views. But there was no reason to do that without proper level of decorum and civility and understanding each other. And again, the same idea. Be there to also listen and not just say what you have to say. Be there to understand. It often I find helps me understand what I mean by being able to explain it clearly to somebody else. But it also helps better form a judgment altogether.

And then the last leg of this was a reminder. I think it's all understood by councilors that we don't arrive here just to vote, we don't arrive here just to repeat what we've been told in our groups. This is not even mentioning the fact that some of us councilors vote on our own opinion and are not directed and that

---

there's homework to be done. We're responsible and we should be knowledgeable about what we talk. And there's not only just to know what we're talking about, which is just reasonable, but also to encourage participation. Very often, people will stay quiet, either because they have nothing to say on the topic but very often because the homework hasn't been done or has been done a bit too quickly and they don't feel like they have the authority to speak about a topic. I think it's our responsibility to gain the authority if we don't have it, not [inaudible] but to gain it by upping our IQ and knowing what we're talking about, etc.

And one last leg of this intro, I wanted to make sure that I wasn't repeating something that didn't exist somewhere else. I wanted to make sure that I wasn't paraphrasing, or as little as possible that I was using. Obviously, I've plagiarized heavily Paul's work. But apart from that, I wanted to make sure that I wasn't paraphrasing existing texts on the record, just because one, it makes no sense, and two, because I don't think I'm particularly gifted and I probably would have badly paraphrased, so didn't want to do that.

And so having said that, reminding what our roles are in the GNSO one on one roles and responsibilities of the Council members, remembering what our expected standards of behaviors are as members of this community, I wanted to add a few commitments that are in three groups, and if somebody can [inaudible] that are in three groups, as I just described.

---

So what are responsibilities about coming to the meetings, coming to the small groups, participating in PDPs and other activities as Councilors, we need to know what we're talking about and to make sure that we are able to do so in a knowledgeable fashion and be able to [inaudible] one. Two, in terms of consensus, so supporting the consensus, building the consensus and maintaining it. And to me, that last part is almost the most important in the sense that it is hard enough, there's enough efforts put into ensuring that we reach that consensus.

And then we need to be very careful regardless of the outcome and the fact that we might not be fully happy with the outcome, not to destroy ours and everybody else's work by not respecting it, essentially, by finding ways out of it inside the ICANN community [or outside]. And I think that's very important on many levels. Again, I don't have to say the obvious, but we're all volunteers in some way or form here. Some of us are volunteers that have an employer paying our time, some others are volunteers that just spend our own personal time on this. This should be respected. And again, the outcome of our discussions may not be all pleasing, but this is the way we build this community from the ground up, from bottom-up approach. And it is maybe my view, but probably the most respectable aspect of this community, that the way it's shaped and the way decision making is [inaudible]. And we have to respect that.

---

The other reason, apart from the fact that it's an enormous waste of time for all the people that have put the efforts not to respect it, I think it also plays badly in the image that we have towards the outside. And we all know how much pressure there is from the outside, how much pressure there is on us on the fact that we may not operate as fast as expected or wanted, that we have our quirks, but the more we keep on relitigating, reassessing, rehashing the same thing, the less we're proving ourselves to the outside world to be efficient and to be organized, and to be mature about what we do. And I think that's wrong. So this is my proposition, obviously, it's not the end all be all, [inaudible] to put a lot more effort in that.

And the last item, and again, I'm happy to recognize how much I plagiarized Paul here. He won't properly recognize the sentence [inaudible] but the theme is definitely there and the ideas were there. [inaudible] once the clock is off and once after hours kicks in, and we're able to meet at restaurants and bars and other locations around the city to have a civil and amicable—we're all mostly friends in some way, shape, or form, at least we enjoy being with each other. And I absolutely today absolutely miss all of you. And this week has been hard. But we need to make sure that [that's kept also in] the way we interact with each other. Again, we won't agree on everything and we don't have to and that's exactly why we're here, not to agree on everything. But that

---

doesn't mean that we have to be discordial and aggressive and etc.

I don't want to spend too much time discussing what happened yesterday, for example, on the call. But that's certainly a good demonstration of the last two of both the consensus building and the behavior. Now I've put this for everybody to look at and correct and comment and [label and better.] This is not my document anymore. It's there on the table. I promised I'd put this together. It only took me six months to do so. So you can imagine how happy I am to [disown] myself of it. And I just wanted to propose it to the group. Thank you.

PHILIPPE FOUQUART: Thank you, Sebastien. Any comment on this? Not so much on the content, you'll have the opportunity to have a look at that—in my mailbox, that was posted on June the 6<sup>th</sup>—but also on the intent, if you like, noting the—I don't know if Rafik's comment in the chat was tongue in cheek, but how we can make it useful and not wishful, if you see what I mean. Whether you think that that's something that we can take, we will take forward, but what can we do to make it effective rather than wishful? That'd be interesting to see. Any comments on this as an output of the SPS? Paul.

---

PAUL MCGRADY: Thanks, Paul McGrady here. Just to note on the document itself, he very kindly gave me authorship credit. But it was drafted by a small team consisting of Cynthia King, Brian King, Damon Ashcroft and myself, and then was put through a review process in the IPC. So I think maybe four or five words in there might be mine. But it was a group effort. Just for the record. Thank you.

PHILIPPE FOUQUART: Thanks, Paul. And maybe moving forward, I think it'd be good if we could hear from the from the IPC as to how—that there might be some inspiration there as well and maybe you could come back to us at some point. We'll have the opportunity to discuss this later on. So again, it's in your mailbox. You've got the pointer in the chat, and we'll take that forward. Thanks, Sebastien.

Next item is on the next steps of the tracker, and possibly more generally on the item that we had yesterday on our agenda on GNSO PDP improvements. As you would recall and know, there's a number of parallel threads that are ongoing since PDP 3.0. There's a discussion paper developed by staff. And I'm sure, like me, over the course of this week, you've heard about the need to sort of improve the post Council improvement process and trying to help with this. That's the whole purpose of this.

So I just want to point at the document that we discussed, both the paper developed by staff on this where we can find the various threads, as well as the tracker, which was put together



---

after the May call from Council. So this scene being set, maybe Marika, you can help us go through this and describe how we'll take that forward.

MARIKA KONINGS:

Yeah, thanks very much, Philippe, I think you introduced this very well. Hopefully everyone had a chance to look at this document that we shared, I believe, last week, which is basically our first attempt to translate what we put in the discussion paper into the form of a tracker. And of course, this wouldn't be the final product, I think we're still basically in conversation with you all to determine what information is helpful here, what should this look like?

Before we get to the substantive review and conversation on the items that are in here, we did already update kind of the substance, because there have already been some follow up conversations that have taken place. In the meantime, for example, the other brainstorming sessions that we had with the SGC chairs, as well as Becky and Matthew, looking at what could potentially be improved in the end, post-Council adoption phase of work.

So as mentioned, it currently covers five different strands of conversations that are also in different stages of work. So there are a number of items from the Council strategic planning session. And I just mentioned here the brainstorming session that

---

took place as part of that line of conversation. There's the operational design phase, which is a bit in a holding pattern at the moment. A formal review will take place after two ODPs have been completed. But I think we are suggesting that there might be an interest or desire of the Council to really start looking at potential areas that it may want to comment on, or basically document as well the experience with the existing ODPs. So that is ready and available when that review starts.

The modifying consensus policies is another paper that was received by the Council. Again, a number of specific suggestions were made in that paper that we've also included in the tracker. There are a couple of PDP 3.0 parking lot items. And then there's a review of the policy and implementation recommendations, which is one of the items on the Council's project list that is currently on hold.

So what we did for the tracker design itself is basically first of all include a description of the proposed improvement, what is specifically being suggested. And then we've documented the proposed next steps. And in some cases, these proposed next steps basically have come either from a paper or from the conversation that the Council has had, or they may be specific suggestions that the staff support team has identified as next steps to consider. Again, that is all open for review and discussion. So if Council believes that those are not the appropriate next steps, that is something that then can be updated or changed.

We've added a column for the consideration status. So it's also clear for anyone reviewing this document and where the item stands. To be considered basically means the Council hasn't had a substantive look at that yet, and still needs to do so. Agreement to move forward basically means that the Council has agreed to that proposed improvement and the specific next steps identified either in original form or as it has been modified.

No agreement to move forward. It's of course also possible that there is a proposed improvement where the Council doesn't see the value of and agrees not to move forward with the next steps identified. And there may also be improvements where the Council decides to put those on hold so that they can be considered at a later date. Because there may be further conversation needed or other items that are dependencies. So again, it's just to put a marker there that the Council would need to come back to that at a later stage.

We also included a column for comments. There may be additional information related to the proposed improvement, that's just helpful for the Council to know as it considers these items. And there's an assigned to column. We also want to make sure that it's clear who is responsible for implementing the proposed improvement once there was agreement to move forward.

---

We added a column for impact. And I think that's a specific question we've identified. I think this was done on the suggestion, I believe it was Kurt who suggested that there should also be a review of the impactfulness. And I think we would like to have a bit further input from the Council on what that means and who would be responsible for basically making that assessment.

And then we've already included as well a kind of percentage complete tracker so we can also demonstrate where things stand. We do anticipate that for some of these improvements depending on the size of them, they would turn into kind of their own projects with their own project plan and timelines. But again, for the purpose of the tracker, would be a more high level percentage complete and a potential reference to where detailed information can be found.

So we then identified as well a couple of specific questions, if we can go to the next page. And maybe just a reminder for everyone that we did already subdivide these improvements as well in the three categories that I think Philippe spoke about earlier. And the kind of easy to implement and not requiring any changes to existing processes or procedures. Category two, there's some effort required to implement, but it's not expected to require any changes to existing processes and procedures. And category three improvements where a higher level of effort is expected. And it likely will require changes to existing processes and procedures. And again, the hope is that that will kind of help the

---

Council as well plan for these items, because those that fall into category one and are expected to be helpful, there's no need to wait with those for all the items to move that may require further planning or slotting into the Council's ADR because they just require more work and potentially broader involvement from the community.

So in going through this, we did identify a couple of specific questions. Once we are of the view that the tracker is in kind of in the right space, I think then we want to do a substantive review of the items in there and the proposed next steps. But before doing so, I think we just want to get a sense if in its current form, is that helpful? Will that facilitate the conversation?

So the first question that we basically identified is, does it provide the expected information for the Council to consider and keep track of these different proposed improvements? If it doesn't, what is missing? As I mentioned, we included the category of impact, but it will be helpful to identify who or how we would identify this impactfulness of each proposed improvement, and is that referring to the impact on the PDP process? Is it referring to the impact on resources? Or maybe it's a combination of both? Or maybe it's something completely else.

Something as well, I think, we flagged previously, not all these improvements are solely within the remit of Council. There are some that, for example, updating of the charter template that is

---

within the Council's remit, because that's the tool that the Council uses to manage its PDPs. But other items in here, for example, looking at implementation review teams, those were originally also developed through broader community efforts. So it's likely that others will also have an interest in that or at least would like to be part of that conversation. So the question here is as well, what is the best way to consult with the broader GNSO community and possibly beyond that about this approach and how to enable regular consultation and input?

One approach the Council could think of is that that substantive review would maybe be done as part of a dedicated meeting at which maybe stakeholder group and constituency chairs are also invited, or there is a clear feedback loop that all of you have with your respective groups to solicit that input. So again, I think that's really a question for you to consider how to do that best.

How often should review and updates be planned for? Again, the first review will probably be a bit lengthy because of course, there are quite a number of items in there. But our expectation is, as you know, we've kind of done that, then there may be monthly, quarterly, maybe linked to ICANN meetings that a review is done. Practical question, where should this information be housed? The GNSO wiki is one place. The ICANN GNSO website is of course another. Of course, other mechanisms as well through which it could be promoted, like the community digest, for example.

---

And I think the last question is really—because I don't think we'll be able to cover this all during this meeting, it's really how much time do you need to consider these questions before we can commence that substantive review, and of course, make any updates that may result from your consideration of these questions. And if you scroll to the next page, you see it's very small, I think the link is also in the chat room. But this is practically what it would look like. It's something that we developed, I think, in Smartsheet, but it's a PDF representation of that so that we would basically use that as an approach to track that information. So I'll pause there and happy to answer any questions you may have.

PHILIPPE FOUQUART: Thank you. Thanks, Marika. And maybe we could go back to the previous page and seek inputs either now or later, but certainly an opportunity for you, if you had a look at this, and both on the template, the information we need is there. Any suggestion on that notion of impact, how we should make it as transparent as possible, I would add to the list that you gave, Marika, maybe just a thought. But I know that the PMT is also something—or at least the information that's in there is also something that's quite widely distributed. And maybe that's a thought. But it's certainly important that we be as transparent as possible. Any comment on the tracker? Thomas?

---

THOMAS RICKERT: Yeah, just to say that I very much like what's in the document. But I've asked for an AOB to be discussed later. And I think that would probably also fit into the same document. So I will reserve that for later, but just wanted to make sure that you know that it's related to this.

PHILIPPE FOUQUART: Brilliant. Thanks. And that at least gives me an excuse for missing the hands in the queue. Jeff.

JEFF NEUMAN: Yeah, thanks. I like the idea of tracking these things. But I kind of want to bring us back a level. I'm not sure—we keep trying different things. And I'm not sure which of any of these “improvements” are officially in the PDP manual, if you will. My fear is that some of these things like ODP or other stuff, it's just now de facto the procedure going forward.

So I don't mind tracking new ideas. I just think that in a very relatively short amount of time, we've tried a lot of things. And now all of a sudden, they become part of the policy manual. And they're automatically implemented. I'm concerned that we haven't taken a step back to see okay, now, this is our existing policy manual. These are the changes we want to now make. I don't know if I'm being clear enough, because it's still a little



---

jumbled in my head. I don't understand what we have formally adopted now as part of the PDP process. I feel like ICANN staff and others have put all these suggestions for improvements. But in my mind, there's not one cohesive document. "Okay, this is the PDP process going forward." Does that make any sense? Because I'm just so confused that some of these things that we did on a trial basis are now automatically included in the PDP process without some sort of stamp of approval.

PHILIPPE FOUQUART:

Thanks, Jeff. I think you're being clear. I just my take on this. I think this is meant to be taking that step backward that you were alluding to. As Marika said, not all of these are formally intended to be PDP improvements. Some of those, if we look at the list, are really specific actions that we're taking, for example, just off the top of my head, things that we do with board members in their individual capacity in making sure that the information is conveyed both ways. So that's part of—the PDP improvements are maybe an output of this in the—what was that? The third category, most difficult. But that's meant to be sort of an informal, overarching list of what we should do to make things be better than they are today. Coming back to the number of comments that have been made along those lines over the course of this week. Am I making sense, Jeff? It's not intended to be—to me, the PDP improvement very much lies in the—it's on the screen, category three improvements. Those that would probably

---

require some time to consider. But the other elements that are more lightweight wouldn't change the policy development process. Jeff, just a follow up.

JEFF NEUMAN:

Yeah, I guess, maybe my thinking is a little bit—these things are being called improvements. And I'm not sure they are actually improvements. I don't think we've made that assessment. So labeling them as improvements is sort of predetermining that they are accomplishing what they're supposed to be accomplishing. And I just don't want—like I said, it's great to track these new things that we try and figure out whether they should be put into the process. But the more that we document, the more that we just kind of let these—track these things, the more that they automatically become part of a process whether we think they're improving things or not. Maybe we call it something other than improvements until we've actually determined that it does improve the process. Just a thought.

PHILIPPE FOUQUART:

Okay, thanks. Thanks, Jeff. So I see Marika, you have your hand up.

MARIKA KONINGS:

Yeah, thanks, Philippe. I just wanted to respond to Jeff's comment specifically on the ODP. That is definitely still in the

---

pilot phase and has not been incorporated in any shape or form in any of the procedures. And as I understand, there's going to be a formal review after I think the second ODP—which I presume is the SubPro ODP—completes so that it can be determined whether or not it's helpful and whether or not operating procedures or bylaws need to be modified to do that. And there is an item included on the ODP. But again, it's really focused on helping the Council and the community and the GNSO community prepare for that conversation, what could already be done now from the perspective of thinking about that. So when the time for review comes, it's possible to provide a quick response to that.

And even though in this document, they are, I think, as part of the conversations, they are intended to be improvements, but as said before as well, if any of the things on the list are not deemed helpful, the Council and community can decide not to move forward.

And I think Jeff does make a good point, because there are, of course, a number of things that through EPDP 3.0, we have started doing in the way we support groups or kind of how they're formed. And at some point, the Council may want to have a conversation or a closer look, and maybe that's together with the policy implementation review, to see, are there any things that need to be institutionalized? Because we are doing them, they are deemed helpful, versus just doing them without documenting

---

that. So that is something where the Council at some point may want to think about that. But of course, any formal changes always need to go through a formal process, and especially changes to the PDP manual or operating procedures need to go through public comments and formal approval. So it's not something that can just happen like that.

PHILIPPE FOUQUART: Thanks, Marika. That's really useful. Kurt.

KURT PRITZ: Thanks. Thanks, Marika and team, for doing this. I had some more specific questions about the meaning of some of these. For example, in the second category, including the final report, a template, a section to address any direct or indirect implications for existing policies by the PDP working group. So I wanted to check and see what that meant. And does it mean that we're now asking the PDP working groups or PDP teams as part of their work to complete the effects of their policy recommendations on other policies and have them make those determinations? As part of the EPDP on registration data, that affected many other consensus policies and that policy development team had no energy or oxygen for going on to the task of considering the effects of this work on the subsequent policies, nor is there necessarily the right people in the room to consider the effects on other policies. They might not be experts in those policies. So I'm

---

wondering if this item means to flag that other policies may be affected or to make a recommendation on changes to other consensus policies based on their work, which is a lot harder thing to do. Was that clear?

PHILIPPE FOUQUART: Yeah, thank you. It seems to be the former. But Marika.

MARIKA KONINGS: Yeah, thanks, Philippe. Kurt, I think this one needs to be read in conjunction with some of the other ones I think that are identified above, because I think there's also one that says that the liaison to the group is expected to flag which consensus policies are impacted. So then as part of the report, the group is expected to at least acknowledge that and either indicate what they expect to do or clearly identify how that is expected to happen. I think indeed, this is kind of a result of the phase one.

And I don't dispute that people were out of energy, but I think it was probably as a result of being out of time, because we didn't have more than that one-year clock to get everything done. So I think the group was clear that there was an impact, but just didn't have the time to actually go through that, or identify specific process for doing that, apart from saying deal with that during implementation. So I hope that helps as well.

---

And again, I think on the substance of these items, I think that's definitely [foreseen] to have further conversations on that, because again, maybe it's not helpful how it's currently phrased, maybe Council wants to think about it differently. Maybe it's also a follow up conversation to have with the GDS colleagues who I think originally made this suggestion. So I think those are all very good questions. But I think on the substance, we'll definitely have more time to kind of dive into that. But again, flag any items that you have, because it's something that we can of course already follow up on as well with our colleagues to see what was intended.

PHILIPPE FOUQUART: So very much reminiscent of the Rec 27 learnings probably. Kurt, you wanted to follow up?

KURT PRITZ: Yeah, so the rewording might just be to make it very clear what the impact of this improvement would have on the PDP so that it can be debated. I would not be for further burdening PDP groups with additional work that could affect the policy. Anyway, that's the substantive discussion, but I want to make it clear in the recommendation whether we're requiring PDP working groups to make specific recommendations for other policies or whether it's something more lightweight. Thanks.

---

PHILIPPE FOUQUART: Thanks, Kurt. So I take it that Marika, you're taking notes for this. Thanks. Maxim, you're next.

MAXIM ALZOBA: I think I see here at least two serious bureaucratic problems. First of all, we're speaking about improvements for a few years now. But we need to understand that aging more and more formal processes doesn't make things shorter, because formal process takes time. So also the situation where the ODP which is still a pilot, not long ago, we were talking about the time at which we say no, we don't need this ODP anymore because it makes things longer and not necessarily better. And we have no transparency around ODP. And most probably we shouldn't because the ODP is the initial assessment of the, I'd say, resources and persons time evaluation around some particular problem. And for example, implementation of some particular policy. And we will not be able to review it properly without all the information around. So asking us to review it, we can just say if it was a good assessment or not, in our opinion. We shouldn't review things, because when you have no control over something, you cannot guide it or cannot be responsible for something happening to it. And ODP is purely on ICANN org site. We can give advice but we cannot review. Thanks.

---

PHILIPPE FOUQUART: Thank you, Maxim. And just to follow up to what you said, I appreciate what you're saying about the ODP. Now there's also a sort of external interface that we have for Council, the way we conduct our liaison with the ODP, for example. And the discussion we had yesterday on whether we want to do that through a small team or something. Maybe that's something that we could—Well, that's definitely something that relates to the ODP and is specific to us. Not so much about the ODP itself that we may want to review moving forward.

So taking your point about maybe some alleged lack of transparency of that process and the fact that it's a pilot. But nonetheless, as far as we are concerned, I think there could be some thinking on the way we built our interface with that process and whether it's fit for purpose. Just a personal note. Any other comment? Marika.

MARIKA KONINGS: Yeah, thanks, Philippe. And as said, I think people may need a bit more time to kind of think about these questions, and hopefully consult as well with their respective groups, because as said, I don't think this is only a Council effort, this is really a GNSO effort. So I think we should endeavor to get input from other groups as well. So I think the question really is, when will be a good moment to come back to this and get your input?



---

Of course, any input you may have via the mailing list is always welcome. But it would be good to get a kind of final, “Okay, we're happy with the kind of general looks and approach on this,” so we can actually plan for that substantive conversation where we'll dive into each of these and kind of determine, are the next steps appropriate and should we move forward with those?

PHILIPPE FOUQUART: Thanks, Marika. So we'll think about the timeline. And tentatively, the next Council call will be the right time just to take that forward, obviously. Okay, mindful of time. Going back to our agenda, and it seems the AOB item was slightly related to this. Thomas, you're next.

THOMAS RICKERT: Thanks so much, Philippe. Hi everyone. Some of you have heard me mentioning this idea before, but I think that it's probably a good time to bring it up again. And if you think it's not good, I will keep my mouth shut. But if you add up the time that the community has spent only during this week talking about prioritization, talking about the analysis of ODPs and ODAs, talking about recommendations going to the Board and waiting for too long in the community's perception to get a get feedback from the board And all that, we seem to have an issue with the recommendations also. So it's not only the Board that might potentially be too slow in their response or the Board just

---

checking things afterwards. But it's also that, I guess, we are at times sending recommendations that are difficult to implement to the Board or that we're sending too many recommendations to the Board.

And I do plead guilty for being part of that. Some of you might remember that I've been one of the co-chairs of the CCWG and at the time, different parts of the community had their pet projects that they wanted to get recommendations on. And so that group produced an awful lot of recommendations that the Org is still struggling with implementing years after the fact.

And that led me to think hard about how we can probably improve the situation. And I guess the best idea that I could come up with is that we try to fix things before the consensus call in the working group is done. That means that for those who have chaired working groups, or participated in working groups, when the working group starts, the views are all over the place. But at some point, as a chair, you can sense that the group is converging to consensus. And sometimes the working group chairs test the water to see whether a proposal will probably enjoy full consensus or rough consensus.

And maybe at that point, it would be a good opportunity for the working group to send its recommendations to the Org via the liaison or whatever and have something done which I would call the implementation preview, so that the Org will not spend too

---

much time on it, because it's not yet final. But they will say, “Okay, if you proceed with that set of recommendations, if Council should approve that, that means this and that in terms of money, it will likely mean this and that in terms of timing, and it will have this and that impact on what the community does.”

And the value of that, I think everyone who remembers the [IPTC] issues that we had, I think some sort of vetting at the operational financial and organizational level would make an awful lot of sense. And that would give the working group the opportunity to take that feedback into account before it does the consensus call.

So these pre-checked recommendations would then go to the consensus call and subsequently to the GNSO Council, and then it would go to the Board. And what the Board typically does is send that stuff to the Org for exactly that check, which is now enshrined in the ODP. But maybe we can anticipate some, if not all of that work, expedite the process after the GNSO Council has done its deliberation and taken the vote, reduce the chances of the Board being unhappy with the recommendations and forcing the GNSO Council to either find alternative solutions, as we see with SSAD pilot now, or even being forced to reconvene the PDP working group to revisit its recommendations. And we would also limit the chances of the Org finding unexpected difficulties in terms of budget or technical implementation at a later stage. So it will improve accountability on both sides of the decision making by the GNSO Council.

And I think that it would probably be too early—if you guys chose to support this idea—to make this a change that would change the operating principles. But maybe we can do this by way of a test drive to see whether that would actually help expedite things and improve the quality of the recommendations out of the GNSO, and then maybe at a later stage, we could then say okay, this is something worth considering for a change of the PDP manual. I think that the idea hopefully came through. I could elaborate more, but I should stop here, I guess, and turn it back over to you, Philippe.

PHILIPPE FOUQUART: Thank you, Thomas. Mindful of time that this is a really important discussion that we need to have and quite reminiscent of what we discussed during the first ODP basically and the need to sort of have those sort of information in advance. Some of them might relate to implementation or not, for that matter.

We have two other items on the agenda. But I don't want to cut this discussion. So first is Mark.

MARK DATYSGELD: Thank you very much. I will attempt to be brief. I think that what Thomas is saying in spirit is very good. Something that I would support. I have two main concerns over it, which do not stop it. First one is, do we know what procedures would be necessary for

---

us to do that? So do we have any mechanism in place to do this? Is this a [ladder?] Is this a meeting? So how would that take place? Not something for us to solve today, but something for us to think about.

And second, indeed, the GNSO Council does not defer to the Board in that sense. We were not here to—our objective is to make good policy, not to make their job easy. So how do we scope that in a way that this does not thwart our work? So fully in agreement, just two considerations for us to have as we evolve this idea. Thank you.

PHILIPPE FOUQUART: Thank you, Mark. Next is Jeff.

JEFF NEUMAN: Yeah, thanks. I think Mark's questions kind of illustrate the issues with the proposal. So way back when—we've been discussing this for so long. Everyone agreed that ICANN should play a more active role in the work of the working group. And I think building in yet another process that formalizes the time in which ICANN should do an operational preview is going to lead to more bureaucracy, kind of like the ODP afterwards. I think initially when we have these discussions, what worked well was—in SubPro, which I was one of the co-chairs, was ICANN Org's participation in the actual PDP so that on a rolling basis, they would provide comments as

---

to the implementation or feasibility of implementation of certain things.

I think the issue with SubPro was that that didn't really start occurring till after the draft final report. But ICANN Org did file some very useful comments during the draft final report phase. I think rather than formalizing an operational preview phase, we just stand by the principle that ICANN Org at the time that recommendations are developed, provide comments as another participant in the working group, not to advocate whether the policy is good or bad or provide its view, but on a rolling basis, it should kind of come back to the group and say, "Hey, guys, what you're proposing to do can't be implemented." That's what we need, not a step that's formalized and that as Mark said, has to have new processes and procedures. What we need is just involvement in the group. Thanks.

PHILIPPE FOUQUART: Thanks, Jeff. And in all fairness, that's what I was about to say exactly. But what the PDP improvement track or the initiative was meant to be was sort of a lightweight hand on trying those incremental changes. Paul, you're next.

PAUL MCCRADY: Thanks. And mindful of time, I think that this is something we should keep talking about. I think I didn't hear anybody say that

---

they love surprise ODP and ODAs. And I didn't hear anybody say that it's inappropriate for staff to be giving feedback as they go along. Obviously, we want to maintain the independence of our process so that staff isn't dictating policy, but no one's really talking about that.

We don't have time to get to the end of this conversation. So I'd like, if we can, if we can add it as a discussion item so that we keep it going. Because I don't think we're really talking about a process. I think what we're talking about is improving our relationship with the staff. It's more of a relationship and a process. It doesn't have to be a milestone. It can be something that we do organically. We can decide what's the right point in time. Is it as we're congealing around consensus, is it earlier stages? There's all kinds of options and permutations. I think it's an idea that we should grab hold up, and maybe we end up with something out of it. Maybe we don't. But today, we don't have time. Thanks.

PHILIPPE FOUQUART: Thanks, Paul. And just to this one, and to pick up on not only your intervention but also Maxim in the chat. I don't think it's a question with the GNSO being the reason for things being slow. I think the idea is to sort of get the input as early as possible to make sure that once the job is pretty much done on our end, it's

---

as quick as possible on the other. And we're not talking about major changes here, hopefully. Stephanie. Hi, you're next.

STEPAHNEI PERRIN:

Thank you very much. I think this is an excellent suggestion. I know that the small group grappled with it for the RDS PDP. And respectfully, I would suggest that Jeff's impressions from his PDP might not be the same as the impressions from the RDS PDP. That whole effort, the EPDP, suffered from a lack of timely legal advice. When we finally got a legal firm contracted to answer our legal questions, we made significant improvements. That would be part of an impact assessment.

I like Thomas's term for this implementation preview. But let's be honest, it is really an impact assessment of the recommendations, and budget impact and time and feasibility, and I would put legal analysis in there. We needed outside counsel for this, to basically get the facts on the table as to what was involved.

So I think it would be very good to have a procedure. I'm not happy with the concept of just having a great working relationship with staff. That puts them in a very unfortunate position. Because quite frankly, ICANN Org has a horse in this race, particularly when it came to the issue of controllership and liability, and staff should not be put in the position that they're the ones to opine on some of these things. We need a more formal



---

structure, and a more formal impact analysis, in my view. And I agree with everyone that says let's have another session on this, because there's a lot of issues to unpack. Thank you.

PHILIPPE FOUQUART: Thank you. And to this, we'll certainly have that at our next call, if not earlier, if we can, but I think everyone agrees that this is really important. Thank you, Stephanie. Farrell.

FARRELL FOLLY: Thank you. I think this is a nice idea, as I've just written in the chat. First of all, it will be done by the members of the working group who have conduct all the job. The issue here, or we have to think about it, how should it be done procedurally so that it takes into account what we intend to put inside? And if we have, for instance, to put in the charter, in which way should it be inside the charter so that we know that this process is happening according to what we intend to get out of it at the end as an outcome. And maybe my suggestion would be to put it in the PDP improvement tracker so that it will be a subject that we can continuously analyze for the next [inaudible] Thank you.

PHILIPPE FOUQUART: Thank you, Farrell. We'll [inaudible] that suggestion during our Council call at some point. So with this, we'll then close item two and three altogether, and move on. We're now at the top of the

hour. Number four is essentially just a reminder that we'll again put together the small team for review of the GAC communique. I assume that those who were on that team for the ICANN 73 review will be carried forward. If anyone is interested in joining, I think they'll be welcome. This will happen within the next couple of weeks.

We'll probably run five minutes over, if you would bear with me. I think it's good that we take a few minutes to get your impressions—and I'm also thinking about our remote participants here—of the way we conducted the hybrid meeting here. So from the chair's perspective, I think this is an interesting set. I have to say that I really appreciated the way the remote participants could intervene, albeit the fact that they remain remote. But any views on this? Sebastien.

SEBASTIEN DUCOS:

Hi. So as a remote participant who thought until the last moment that he was going to be an in-person participant but had to come to terms with staying at home, I think it went really spectacularly well. Now, I'll put two caveats. One, this is a policy meeting and most of it—for policy, I think that the framework works a lot better than it would be for other aspects of ICANN, [business-]related, etc. where face-to-face is a lot more important.

I think that—sorry, I had two ideas, but the other one slipped. Doesn't matter. I think it went really well. I did participate in

---

ICANN meetings remotely before and before we all learned how to use Zoom and all learned to be listening to each other through the system and etc. I applaud the discipline in the room, because obviously, it wasn't all that simple and miking and double miking and etc. and raising your hand and being conscious of the queue of people outside. I think that was main problem before. And yeah, overall, it's completely workable to work like that remotely. Thanks.

PHILIPPE FOUQUART: Thank you. Stephanie.

STEPHANIE PERRIN: Yes, hi. I totally agree with Sebastien. It worked very well, apart from some of us being groggy at our time zones. But that's life. I appreciated the flexibility that ICANN travel took to accommodate those of us who suddenly felt they weren't going to pass a temperature check getting on planes. And I would like us to really try to keep this in place for the fall, because I think it's very naive to think that we're not going to have a new COVID variant in the fall and probably henceforth. So I think we should warmly endorse this approach. And I know it takes an awful lot of work. So those of us who were stuck being remote really appreciate it. Thank you.

---

PHILIPPE FOUQUART: Thank you, Stephanie. And thanks for the reminder, as well as Jeff's, that in all likelihood, the next meeting will be hybrid too. Anything else on this? Any suggestion even after the meeting would be welcome for us to take on with the next organization, which will come very soon, given the timeframe. Jeff.

JEFF NEUMAN: Yeah, I just want to remind everyone a couple things. Please read SubPro ODP question set four. We were supposed to have comments by the end of this meeting but agreed to extend that. I think I would just like to ask—because some people talked about wanting to have a call. So if we can have an action item for ICANN staff to just look for availability to have a call on question set four within the next two weeks. That would be fantastic.

And then last would be just to get some sort of indication or more clarity around the ODP pause that was being talked about just to get much more specifics on that and not just on the six-week or whatever pause but what would be pauses required in the future. So during the six weeks when ICANN is doing the work on this revising the SSAD Light, please see if we can just please send a reminder to them to make sure they include what the build out and others would take and what effect it would have on other projects.

---

PHILIPPE FOUQUART: Thanks. On the first point, I seem to remember that there was a couple of interested councilors on set number four. If others are, please say so on the list and we'll try and put together a call by the next couple of weeks. With this, just want to thank you for turning up. Apologies for being late. And hoping that we're going to have this sort of meeting next time with the benefit of having those who could not make this meeting with us on site. Okay, thanks very much. Meeting adjourned.

DEVAN REED: Thank you all for joining. Once again, this meeting is adjourned. I hope you all have a wonderful rest of your day.

**[END OF TRANSCRIPTION]**