ICANN74 | Policy Forum – GNSO: NCSG Policy Committee
Tuesday, June 14, 2022 – 16:30 to 17:30 AMS

ANDREA GLANDON: Hello and welcome to the NCSG Policy Committee meeting. Please note that this session is being recorded and is governed by the ICANN expected standards of behavior. During this session, questions or comments submitted in chat will be read aloud if they are put in the proper form which I will note shortly.

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With that, I will hand it over to Tomslin. You may begin.

TOMSLIN SAMME-NLAR: Thank you, Andrea. Nice to see you all, those inside at The Hague and those online. I don't know how this is going to go with the

hybrid while I remotely chair the meeting while you all are on site, but let's see how it goes. And moreover, it's midnight my time, so bear with me if I'm falling asleep as well.

So welcome to our pol   icy session at ICANN74 again. Today we'll look at the GNSO Council agenda as we usually every month. But because we are in the policy meeting I thought we will change things a little bit and look at some NCSG topics of interest like I suggested on the mailing list. So I don't know if, Andrea, you could…sorry, Brenda, if you could bring that up, and we can look at those.

While we're looking at the topics of interest, I might call on the leads for those topics to give an update if they have any. So if I call on you, please do not…I hope you don't mind me putting you on the spot. So can we go to the next slide, please? Awesome.

So I think the first…that's not the first one, I think. Yeah, that's the first one. Yeah, the first topic of interest on this slide [deck] is the closed generics one. And like I said on the document, I added some background information on each of these topics so that folks can also read them outside the meeting.

But for this one, like some of you would know, the ICANN Board sent a letter to both the GNSO and the GAC asking them to explore a mutually agreeable way forward on closed generics. At the start, we did as a stakeholder group send a letter to the council rejecting this idea, suggest that it should be a GNSO policy

discussion not a GAC creating the policy or coming up with the policy framework with the GAC.

That was to the Board when the council responded to the Board's letter accepting the invitation but also noting that the NCSG was not in support of the idea.

So long story short, the council went ahead to set up a small team to which Manju and myself went to participate. And certain issues or points had to be discussed in this small team. One of them was the issue of the ALAC participation because ALAC mentioned that they wanted to be part of this as well. And that was okay. I think the small group agreed that that was fine.

Then there was the issue of a neutral facilitator which I think it was agreed that that facilitator should not have any financial interest in the topic. But the Board will identify that facilitator.

And then there was the issue of who should make up the team that goes to meet with the GAC. And that is the contentious issue which we've not yet come to—well, at least from our perspective as the NCSG participants—we've not come to…we've not agreed on the suggestions that the small group was recommending to the council.

Because we wanted that the participants have no financial interest as well in the future on this topic at all. But that was not included in the recommendation. So we'll be taking that to the

council tomorrow. Is it tomorrow? Yeah, to the council meeting again tomorrow.

But I'll stop there and see if Manju has anything to add on this. Kathy has been following this too very, very closely. So, Kathy, if you would like to speak to this as well, please do.

KATHY KLEIMAN: Sure. Although, I'm happy to wait until after Manju says something because she was on the small group.

MANJU CHEN: Well, yeah, I guess. I didn't raise my hand. Sorry about that. Yeah, I think Tomslin has perfectly summarized what has been happening. But I guess, I mean, yes, NCSG was against this dialogue. But I mean, now the dialogue is happening. And we weren't against it because we're against solving this issue, right? We were against it because it's creating process. It's like unprecedented kind of thing.

So now that dialogue, well, it's happening so we're trying to get more involved in how we're going to carry out this dialogue. And actually, although we were against this dialogue for procedural reasons, it is actually highly possible that in this issue we are actually more in line with the GAC than several of our GNSO colleagues.

So I think it would be nice if we could try to have independent conversations with the GAC or ALAC. Because the ALAC liaison to GNSO Council, Justine Chew, was on this small group too. And she was basically saying that she thinks, she didn't get confirmed yet, but she thinks that ALAC is more or less in line with the GAC's position which is that closed generics should serve a public interest goal.

And so like Tomslin said, there were several problems we have with the recommendations of the composition of this future dialogue group now delivered to the council.

So one of the important points I wanted to raise is that in the recommendation it actually says that we don't want this future dialogue group to be a representative model. Which means, well, they have several kinds of explanations for it, but ultimately they're saying that this future dialogue group and people in this group should not be bound by their stakeholder groups or their constituencies. So they're not envisioning this kind of like a council thing where we are representing our stakeholder groups but more like a Board thing where you actually serve a public interest you're trying to solve the issue, that kind of narrative.

And I think Tomslin has mentioned it too, it's very important we stress that we don't want the future group members to have financial interests or direct or indirect financial ties with the future closed generics applications, but we failed, or I failed. I

failed to put it into the recommendations. But we will fight to bring it up tomorrow in the council meeting again. I hope at least if it's not serving as a whole recommendation, it should be noted at least that there is this criteria that we are suggesting and it shouldn't be just ignored.

And that's about it. Thanks.

KATHY KLEIMAN: Tomslin, would you like me to add a few words?

TOMSLIN SAMME-NLAR: Yes, Kathy, please. Yes.

KATHY KLEIMAN: Okay, great. And I do see some of the chat. So anyone who has been on some of the NCSG policy calls for the last few months has seen the slides that we gave of the history of objection to closed generics. I was part of it. Registrar Stakeholder Group was part of it. Public interest groups from all over the world were part of it. Because the idea is that Amazon wanted to own every domain name in .book. Google wanted to own as be both the registry and registrar of everything in .search, .blog, and .app. And as a community we rejected this in 2012. It actually took until about early 2015 for the Board to act.

And so now the issue is back again. Why? Because there's a lot of money to be made. And I apologize for the yardwork that just started in the adjacent area next to me. Tomslin, can you hear me? Let me just check because it's loud behind me.

TOMSLIN SAMME-NLAR: I can hear you, and the noise is manageable. I don't think it's loud. Thanks.

KATHY KLEIMAN: Okay. Again, sorry about the noise. Okay, great. Thank you. So I want to thank Manju and Tomslin for doing an enormous amount of work in the small group, really pushing. Small groups are hard. They move fast. There's a lot of material. And they're doing an enormous amount of work.

To back up what Manju said, it's not enough that participants in this future meeting from the GNSO to the GAC not have a financial interest. They can't have a conflict of interest. If they're not representing their stakeholder groups, they may well be representing their clients. And they may be consultants, both attorneys and consultants, paid to represent frankly Amazon and others who really want these closed generics. In the past, both the Board and other groups, have established conflict of interest rules. We really need that here.

But let me tell you why we might be similar to the GAC, and then I'll turn this over. What the GAC said in the Beijing advice of 2013 is they listed off a whole bunch of closed generics that they were really upset about: .baby, .beauty, .blog, .search, .app, .cloud. And they said that for strings representing generic terms exclusive registry access, meaning the registry owning all the domain names, should serve a public interest goal. So for this purpose, we don't have to define public interest. We do have to define serving a public interest goal.

I was on SubPro. We spent thousands of hours debating this in SubPro working group. Couldn't come to a common definition of this because some people think anything they want is in the public interest. So it is completely possible that if we are pushed into doing this, we will have more in common with the GAC and ALAC than others. But we really do need to bar people who are being paid to represent their clients and perhaps not telling us who their clients are.

Thanks so much, Tomslin and Manju. Amazing work.

TOMSLIN SAMME-NLAR: Thanks, Kathy. Bruna, I think you're next in the queue.

BRUNA SANTOS: Thank you, Tomslin. Yeah, just a note as a short remark that with regards to the GAC we have tried to schedule a meeting with them

and also to produce on the record. We tried to schedule a meeting with them, and the problem was that they had kind of a busy agenda for this meeting. So we will continue to follow up on that and request for a further dialogue with them even despite of the initial response that was that this matter would only be discussed with the GNSO Council and not with the NCSG. So just wanted to make that remark. Thank you so much.

TOMSLIN SAMME-NLAR: Thank you, Bruna. Milton, you're next.

MILTON MUELLER: Yeah, I know that I haven't been up on the most recent permutations of this issue. But again, I want to make it clear that from a free speech and generally free Internet perspective, the NCSG was maybe ten years ago totally against the reaction against closed generics and viewed it as frankly a business strategy by registrars.

And the people who talk about conflicts of interest and clients should bear this in mind that the registrars who basically their business model based on selling lots of domains at very small margins are interested in forcing every domain to be open to their registration.

And we went through this debate, and from our point of view in terms of competition and diversity the idea of a closed generic is

perfectly fine. If I want to create an ordered namespace for books and I want to create a categorization of books within a top-level domain, I think that's a perfectly fine idea.

And this idea that you're owning all books is just a crazy distortion of the policy dialogue about this issue. There is a books.com. How many of you even know about it? Owning a generic term at the second level or the top level doesn't give you any magical powers over an entire category of commerce.

And it was agreed actually in the first round of the new gTLD process that there would be encouraging of diversity of business models. And this again is another one of those things where people changed the rules in the middle of the game and suddenly decided that they didn't want, certain vocal interests decided they didn't want this to happen. So I think this is an issue of which we probably haven't reached consensus as a stakeholder group.

But I think the idea that we're taking our policy lead from the GAC on this is making me roll my eyes in disgust because it's just another example of how the GAC is intervening and substituting itself for the GNSO as the policymaker. And we should be resisting that. And if we're not going along with this on policy grounds, we certainly should be objecting on procedural grounds.

TOMSLIN SAMME-NLAR: Thanks, Milton. And that was our primary reason for objecting the approach of developing a framework with GAC. It was procedural. But I think we've lost that battle there because that meeting was agreed in council that it will go ahead. So now we find ourselves developing the parameters of that meeting. So that's where we are now. The parameters of how we meet with the GAC because the council has decided it's going forward.

I don't see any other hands up. So we might go to the next topic. Farzaneh's hand is up now. So please go, Farzaneh, before we go to the next topic.

FARZANEH BADIEI: Thank you, Tomslin. I just wanted to mention, I had mentioned this in chat, and there are two aspects to this in closed generics. One is procedural that if that we need to…I supported and got involved with the objection to GAC trying to do an informal dialogue. And we need to also tell the Board that they came up with this ad hoc informal process to reopen an issue.

The other thing is that if they reopen the issue and then come up with a working group or whatever informal thing that they want to come up with, that is when we have to discuss how we want to deal with it and what position we want to take. And personally, I think that our position should be that, no, we should not reopen this issue and we shouldn't even take part.

TOMSLIN SAMME-NLAR: Thank you, Farzaneh. And, yes, you're correct. I think the suggestion that has been floated at this time is that we'll use the GNSO guidance process. That hasn't been agreed yet, but that idea began floating since ICANN74 began. So it will be interesting to see how we object to that process as well if it goes forward.

Well, let's move to the next topic so that we have time to go through the agenda. I think the next topic is the SSAD Light. Currently, the discussion on SSAD Light is [impacting] on other work, and I think I've narrowed it to this because the council is….

A quick background first on this topic for those who haven't followed this is that there was an operational design assessment report delivered to the community on the system for standardized access and disclosure. And it was found that it's very expensive to do. But moreover, there was a lot of information that was lacking in that report that would enable the council to make a decision whether they are going with this or not.

And so a small group, again, was put together to assess this document. And I think the group—there is objection from NCSG, again—but the group is going ahead with a lighter version of this to 1) collect more data and 2) try if a lighter, cheaper version could work, I guess. And that small group has been in conversations with Org, and they have proposed designing this SSAD light. And

I think the proposal was that that design might take about six weeks.

And what came out of that at the back of that was the fact that that would affect other work within the GNSO. And one of such work is SubPro. And so the council was to decide whether to move forward with this noting the impact on SubPro or to let the impact on SubPro move forward. I understand there's been additional information that has come that SubPro will not be frozen. The SubPro work will continue but might have some delay. I don't think that delay has been quantified yet.

I don't know if Stephanie is online and she could give any additional information she has because she is a member of the SSAD small group in the council.

STEPHANIE PERRIN: Yes, hi. Thanks for a good rundown on what's going on here. I mean, it looks like this thing is going to go ahead. It has support from the registrars. We have objected to the lack of costing in this model rather strenuously all along. And that's a very key factor. I mean, testing volume when you're not charging—and we heard some, in my view, spurious allegations that if you actually charged the requesters, they wouldn't use it. Well, my question back would be, why the heck are we doing all of this work to cater to them if they can't be bothered to pay for a service?

This is not a right. You don't have a right to get personal information as a result of a request. It's entirely—as Thomas Rickert pointed out in the discussion yesterday—it's entirely within the discretion of registrars and registries to do the balancing test under GDPR and decide they're not going to release anything to these guys. Different story under a subpoena to government agencies. They have a right. The others do not.

So it's been frustrating. I mean, honestly, I have to admit that I'm getting a bit sick of this because nobody's listening. But that's nothing new. So maybe, I just attended the GAC abuse meeting, and it looks like we'll get at least some accurate stats on abuse once Graeme Bunton's organization gets going with these forms. I think that will be a very useful initiative to puncture the tires on some of these extravagant claims of abuse. But I'm not sure that this particular endeavor is going to give us good stats.

Anyway, that's enough from me. Thanks.

TOMSLIN SAMME-NLAR: Thank you, Stephanie. I see Milton's hand up.

MILTON MUELLER: Yeah, I don't understand why we're being so negative, and I think we risk being perceived as somewhat petulant naysayers for no good reason and losing a lot of credibility in this process. So there are problems with SSAD Light, and I think the main problem is

simply that they have to charge. They can't have a freebie going. They will not get an accurate sense of what the actual demand for these disclosures is unless they charge. And they didn't say they wouldn't charge and they didn't say they couldn't charge. They simply said that this initial model didn't include it. So I think we should be pushing for some kind of fee structure for this. But other than that, I think SSAD Light is pretty darn good in terms of what we've been fighting for. Number one, the decision is entirely in the hands of the registrar, which is what we agreed to as part of the policy process. Number two, the information that is disclosed goes outside the ICANN channels and is not incorporated into some automated process. So essentially, one of the key consensus points which was hard fought and which the business constituency and the trademark owners and the law enforcement interests still do not accept is that the decision for disclosure would be in the hands of the registrars. Not in the hands of ICANN and not as part of some automated process. So SSAD Light does that. It simply provides a centralized point for requesting and then sends it to the registrar to decide whether to disclose or not. What's wrong with that? There are two things that are wrong with it. They're not charging, and they need to keep logs of who made the requests for accountability purposes for some period of time. And I think the door is open for both of those reforms to be made. So let's be more positive in our approach to this instead of saying we don't approve of starting a process of

unknown cost and benefit. We certainly don't want to put in something that will become a de facto end state. This is why we have to insist on charging and why keeping some information about the requesters. But I think we should be much more positive and say this is a good model because it's the model that we fought for in the EPDP which is a decentralized decision-making, centralized request.

TOMSLIN SAMME-NLAR: Thank you, Milton. I see Farzaneh's hand then Stephanie.

FARZANEH BADIEI: Thank you. So what I'm not really clear about because they kept saying yesterday that this was a purely technical tool, and what I would like to know a little bit more is how because they designed this based on the policies that were made, the recommendations. So I want to, I think what we need to do is to check—I mean, probably Stephanie has—that at least in a light way they have followed the recommendations.

The other thing that I am not clear on and it worries me is that, are they going to operationalize this without having any idea how we are going to do the accreditation of the requesters? I didn't get that part. Because the GAC is not going to get involved with accreditation. And is it going to be like individual governments that are going to accredit themselves?

So these are the things that I'm not so sure how it's going to be dealt with. And I'm sorry I did not [inaudible], so if anybody has an answer either now or later, that would be great.

TOMSLIN SAMME-NLAR: Thanks, Farzaneh. Can I suggest that we attempt to answer all those questions later so that we have time to go through these topics today? Then we can continue following up on this conversation. But, Stephanie, please go ahead.

STEPHANIE PERRIN: I'll try to be brief, Tomslin. I mean, basically, that's the other issue I didn't mention is the one useful thing that I have always thought since BWG days back in 2013 that ICANN could build is a centralized system for accrediting the requesters because that's where there's a weak link. It's okay for the big guys. They can recognize, for instance, a bogus government agency or a crook, but the small guys can't. And the response, well, they can't spend the energy trying to find out who these people are, so there might be a kneejerk response to release that data. And that's a concern from the registered name holder's perspective.

So they dumped accreditation because basically ICANN didn't want, I'm sure, the liability and responsibility. Once you are accrediting a requester, you are a data controller or at least a co-controller. So they won't go near that, and they got criticism from

the business community for not grasping that nettle. So I understand that there could be a benefit in having a proper structure, a proper formatting of requests. There's educational purposes, but the registrars already have that up. They have best practices up.

So to build a system that just funnels things through and the reason they weren't keeping the data about the requesters, I'm sure, was their fear of liability. Well, you know, somebody has to do that. They're [now] processers of the data at least even if they're not making a decision. So I just feel it's woefully inadequate as a concept and may pave the way to this incremental automation that we've all been worried about for the last four years. Thank you. Sorry to be so long winded.

TOMSLIN SAMME-NLAR: Thanks, Stephanie. Milton, I see your hand up, but is it a quick response so that we can move to another topic?

MILTON MUELLER: Yeah, just quick, I think I missed the last sentence of what Stephanie said. She said it may pave the way for something. Something bad. I don't know what it was.

STEPHANIE PERRIN: Automation. Automation.

MILTON MUELLER: Automation. No, but that I think is just wrong. This is the opposite of automation. This is just a very lightweight system that sends the request to the registrar and the registrar makes a decision. How does this pave the way for automation? I don't get that.

And frankly, I'm more afraid of accreditation than I am of somehow this morphing into automation. Because this accreditation system is, number one, a hugely costly part of it and, number two, it's putting ICANN in the position of becoming a highly official gatekeeper for governments and other potentially authoritarian sources and saying, "Yeah, you're legitimate." I'm very happy to see that go.

As much as I understand, Stephanie, your concerns about letting anyone make a request, again, I think in some ways that's a fair and equal thing to let anybody have the same status. And this accreditation process was fraught with kinds of dangers of becoming something much worse.

TOMSLIN SAMME-NLAR: Thank you, Milton. Let's quickly look at…we'll continue this discussion hopefully on the mailing list and during next month's and subsequent policy calls. Let's quickly look at the other topics. I want to give five minutes. We only have about 22 minutes left, so

I want to give at least five minutes for an update on transfer policy as well. So let's quickly go through the remaining topics.

There is the SubPro GNSO guidance process that the council has proposed to address the issue of applicant support. And I think the council will be discussing this idea of the fact that applicant support is not really a policy implementation still requires a lot of work to be done. So the way to go about that will be to use the GNSO guidance process to kind of get that work going and whatever they come…without making any policy recommendation but rather fleshing out what was already recommended by SubPro. So the council has yet to agree on this, so this is an ongoing discussion in the council.

I'll just quickly go through all the other topics. Then we might, if we have some time, we'll have a discussion at the end. The next one, please.

GNSO PDP improvements. So if you have been following or listening too, there is a lot of talk about improvements in the PDP and mostly coming out from the fact that the community is not happy with the fact that policies are agreed and passed, voted in the GNSO Council but they take forever to be implemented or for the Board to approve them.

So there have been conversations going on how this can be improved. On the other hand, Org have concerns about policies that modify existing policies and how that can be made better. So

this is what has been lumped under this topic about PDP improvements.

And if you attend the GNSO Council meeting tomorrow, you will see a tool which has been developed to sort of monitor these discussions or proposals as well. But in a nutshell that tool sort of classifies these proposals into three categories. One for very simple things to do like simply asking, allowing for PDPs or policy working groups to discuss impact on existing policies.

Then second category is not so easy to do but doesn't require any change in the current tools or procedures. Which one such is, if I remember well, it's like coming up with a report template that allows for PDP groups to also identify policies that affect existing policies and [properly] consider the relationship of the Board liaison into PDP groups so that they can make it more efficient or not.

And then the final category are those that have a higher effort and likely change to the existing process. And one of those was a potential update to the CPIF, consensus policy implementation framework, I think. But in a nutshell, that's what this is about. I thought I'd just give an update there. If we have time at the end, we'll probably take questions on this as well.

Next topic is DNS abuse. So the council, for those who are following this, know that the council created a small team to go answer the question of, is there anything that the community is

talking about DNS abuse that warrants a GNSO policy? And that small team is working on this. As far as I know, what the small team is leaning on making a recommendation to the council in their report is to improve on the RA and RAA clauses in the contract to make it a bit more predictable. That would be their recommendation I think, but they are still doing the work. And I see Farzaneh's hand on this. Is it a really quick one on DNS abuse?

FARZANEH BADIEI: Yes. Also, I see Stephanie's hand is up. I don't know if this is an old hand, but I'm going to make my intervention. So I see that in this very helpful document—by the way, thank you so much, Tomslin, to put NCSG position on each issue. It's very helpful.

It's just that while I agree that NCSG does not believe there are any problems discussed in the community that require policy development, I think that we need to have a conversation about a common definition of DNS abuse which is in alignment with ICANN's bylaws and technical remit first needs to be adopted by the community. So I totally agree, and we've been discussing that. A definition has to be limited and technical.

The problem is that if we want to reopen that definition issue, then we are going to be in a lot of trouble. And I don't think that…as a position I think we need to talk about it a little bit more to see if this is the position that we want to take or not.

TOMSLIN SAMME-NLAR: Thank you, Farzaneh. Absolutely. And I think the good news is that that small team decided to stick only to the technical definition. But I agree with you. That was my personal position as well, that we need to come with a common definition on DNS abuse in the community. Next topic, please. Farzaneh, I think for the transfer policy, I'll just hand it over to you to give an update here.

FARZANEH BADIEI: Thank you. So the transfer policy phase one has finished and they are going to publish the report in…I think there's going to be a public comment opportunity that, of course, I'm going to volunteer to be the penholder for. And there were a few issues that we discussed during this working group that I think NCSG might be interested in.

One was they wanted to have DNS abuse and when the denial of transfer, they wanted to have one of the reasons to be DNS abuse. And we had a lot of conversation around the wording and the framing and whether even we should mention DNS abuse. But then in the end we came to consensus that we should have certain…like not to mention DNS abuse but mention a violation of registration agreement. And we discussed this on the mailing list on NCSG.

The other thing that they did not really discuss and we really need to pay attention to is the transfer fee. There have been reports and they are anecdotal that some registrars wanted to charge a hefty fee when the registrant wanted to transfer. And I think that we need to discuss this a little bit more. The registrars argue that they have heard about this issue but we don't have stats on it so it doesn't happen all the time so it's not an issue. And they didn't put it in the report.

So I think that in our public comment—because when I also raised this on NCSG mailing list there was some interest in the transfer fee—so I think in our public comment it's good to mention that at least the group needs to consider and address the problem of a hefty transfer fee. And address means that whether they think that problem actually exists and if it exists, if the group should address it or not.

I also raised the issue of sanctions in the transfer because when a sanctioned domain name registrant, and by sanctioned I mean ordinary people who live or are nationals of sanctioned countries, they can't transfer their domain name sometimes and the registrars don't allow them and that can lead to losing their domain name. But there was some discussion about that, and they didn't think that that was within the scope of the PDP. And I did not [inaudible] for that issue, but maybe I should have. But I didn't so they just said that it's not within scope.

The last thing is that, as I informed you, unfortunately they hold these meetings…they hold meetings every week for the past year, and they hold it exactly when I have other obligations. And I think this is a procedural issue that I raised with them as well that they need to make policy decisions on the mailing list and they can't just do it during meetings. And this is some kind of accessibility as well that I think we need to address.

So that was it. Thank you.

TOMSLIN SAMME-NLAR: Thank you, Farzaneh. In the interest of time, we'll move to the next topic, UDRP review. And, Kathy, could you please quickly introduce this before we just quickly look at what items are remaining on the council agenda?

KATHY KLEIMAN: Sure, I'd be happy to. So Tomslin may actually have many more details than I do on this, but for everybody, of course, the UDRP is the uniform dispute resolution policy. This is the original domain name dispute, the first consensus policy of ICANN adopted in 1999 over the objections of what was then the early Non-Commercial Users Constituency. And we wrote in a whole bunch of changes into the final rules that allowed domain name disputes to work on protecting non-commercial speech and other types of things.

So the review is coming up, and the question is, what's the working group going to look like? Who's allowed to be on it? How many people, and who in our group is interested in this issue? And also, how we bring in trademark law experts who care about free speech and fair use. And perhaps other people, other types of experts that should be part of this.

But I don't think this is going to be constituted the same way that a review of the uniform rapid suspension was. As everyone knows, I was co-chair of that. I think it's going to be structured differently under PDP 3.0, and there are more experts than me on that in this group.

Tomslin, is that what you were looking for?

TOMSLIN SAMME-NLAR: Yes, thank you, Kathy. So the call here is clear. We need some volunteers to come forth and help with this. Brenda, if you could please put up the council agenda. And I just wanted to point out that most of the topics we've discussed today except for a few like the UDRP review are on the council agenda tomorrow.

So we don't have much to look at in the council agenda in addition to what we've gone through because most of those topics are on the agenda except for one. There is a council vote on the IGO final report. The [inaudible] [recommendations] from

the EPDP on specific curative rights protection for IGOs. So there will be a vote on that. Scroll down please, Brenda.

We've already looked at the impact on SSAD Light. And I think, yeah, that there is nothing else that is…that we haven't discussed on the council agenda.

So noting that we have five minutes left on our time, I'd like to open it up now for discussion or questions on any of those topics that we've quickly looked at. Or if anyone wants to bring up another question on any other topic which we haven't looked at today as well, that should be fine too. Stephanie, I see your hand.

STEPHANIE PERRIN: Thanks, Tomslin. I attended that How ICANN Sets Its Priorities and, to be honest, I haven't been focused on the work of that group, the small group. I thought it was interesting. I'm a little concerned because some of the things that we don't think are priorities are moving ahead. SSAD Light, for instance, I still don't think is a priority. And we're short of resources that are being burned on these things. I also would note that one of the earliest recommendations on setting priorities was to find a way to prevent volunteer burnout. And at least in my view, I don't think we've made any progress on that.

So what are the group's feelings on that prioritization initiative? I see Rafik is on the call. He was on that group. Not to tag him or anything, but probably he has more to say on it than I do.

TOMSLIN SAMME-NLAR: Rafik, please go ahead. Rafik?

UNIDENTIFIED FEMALE: Rafik, your line is not open. It was for a second, but then it closed. Okay, your mic is now open, Rafik.

RAFIK DAMMAK: Hello. No? Okay, can you hear me now? Sorry.

TOMSLIN SAMME-NLAR: Yes.

UNIDENTIFIED FEMALE: Yes, thank you.

TOMSLIN SAMME-NLAR: Okay, yeah, just to go quickly. Yeah, I was in the pilot project for prioritization, and the scope I think was quite limited. So we went through or reviewed the recommendation related to [all] kind of reviews like ATRT and—sorry—so I was in that group and we went review through all those recommendations.

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But my take from that process, and I have several concerns, is that I think one point that will be difficult is about how we define consensus or decision-making regarding prioritization or priority because we have a different representative from the community. And if we find ourselves like in minority, it's really hard to have any influence. And so I have a feeling it's more like a rule of majority at the end.

On the other hand, I think one concern arises, unfortunately, we could not test. It's that when we did the prioritization it was based on a kind of initial assessment or evaluation from staff and also what came from the review teams. I suggested that we test without such input to see how it works, but that was not taken in consideration and kind of there was pushback in such an idea while we are in kind of pilot project. So we are experimenting the process.

So I—that's not an actual [inaudible]. Sorry for the interruption. It was not I think quite something that I would support. I have several concerns. And I think it's like we find out at least how the decision will be made. And they are saying that such input will be used later on when the ICANN Org will make the budget and operating plan for the fiscal year.

So I will be happy to develop maybe more on the list to elaborate more, but I have really ambivalent thoughts about the process. And I don't think we've really find a solution in how to do

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prioritization. So I'm not sure that responds to the question, and I didn't attend the whole session today. But in just a few words, I am kind of concerned how we as a group can have really influence in such prioritization process. And that's it. Sorry.

TOMSLIN SAMME-NLAR: Thanks, Rafik. Sorry that we've actually run out of time, and I think we had a hard stop at the end of this because another group is coming to have a meeting here. So thank you all for the meeting, and I hope you enjoy your time at The Hague. And I will see you some other time. Thanks.

[END OF TRANSCRIPTION]

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