
ICANN85 Mumbai | CF – GNSO: NCSG Policy Committee Work Session (1 of 2)
Saturday, March 7, 2026 – 16:30 to 17:30 IST

ANDREA GLANDON

We'll get started in one minute. This session will now begin. Please start the recording. Hello and welcome to the NCSG Policy Committee work session.

Please note that this session is being recorded and is governed by the ICANN Expected Standards of Behavior, the ICANN Community Anti-Harassment Policy, and the ICANN Community Participant Code of Conduct concerning statements of interest.

Please observe the following guidelines to participate in this session. I will also post them in the chat for your reference shortly. Only questions posted in the Zoom chat identified as a question will be read aloud during this session as time permits and when directed by the chair of this session.

If you wish to speak, please raise your hand in Zoom or otherwise as directed. When speaking, please state your name for the record and speak clearly at a moderate pace. I will now hand the floor over to Rafik Dammak. You may begin.

RAFIK DAMMAK

Okay. Thanks, Andrea, and thanks for everyone for joining our first policy committee session for this ICANN meeting in Mumbai. I will

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.

be here mostly in support for Farzaneh, who is the chair of the policy committee, and she will manage the agenda and so on. So I will be just in support of her. Over to you, Farzaneh, if you are ready.

FARZANEH BADI

Yeah. Thank you so much, Rafik, and hello, everybody. I am sorry I could not be there with you.

Okay. So this is the first policy committee session of this Mumbai meeting. We are going to have another one on Tuesday. And today I thought that we should go through what the council is going to do and discuss and what is going on with our board meeting as well. But the board meeting, we are going to discuss it in detail on Tuesday. So just today we are just going to touch upon what is going on in the council and what our positions are. Next slide, Andrea.

So this is what I welcomed you already. So as you know, we are going to talk about DNS Abuse PDP, NCSG parity, and all these issues that we want to discuss with the council. We are going to touch upon SSAD and RDRS next steps. We have talked about this. And then we are going to talk about prioritization and methodology, urgent requests, and remaining council items.

And then we are going to talk about prep for bilaterals. Sorry, there is a mistake. We do not have a bilateral with GAC. So it is just like prep for bilaterals, whatever Rafik has organized those, and we can

discuss them as well if you want. And also we can discuss the other sessions that we have. Next slide.

Okay. So the consent agenda on the council is that they want to appoint Paul McGrady as the chair of DNS Abuse PDP One. And it is very important to say one because the other PDP has not been convened yet. So basically what happened is that there was some sort of delay in the process of appointing the chair, and there was some confusion in how the selection process should work. But I guess we have worked it out. So the consent agenda is to appoint Paul McGrady to the DNS Abuse. But as you see, Paul McGrady is going around and chairing the sessions and stuff. But we are going to formally appoint him on Wednesday.

So we have decided to put forward three topics for the council to discuss. We have been working on including these topics in the council agenda for the past three months. One is NCSG parity in PDP representation. Another is issue report principles, how can we write issue reports, and then commissioning independent studies. These are three topics that are very important to us.

One, NCSG parity. So the problem with that is whenever it comes to... I think I might have slides on this, Andrea, if we could do the next one. Yeah, thank you. So the NCSG parity, every time there is a representative PDP, and specifically the Commercial Stakeholder Group tries to get more representatives than us, arguing that they have more constituencies or they have more experts or whatever. And we have been fighting that for the past gazillion years. Ten

years ago, it happened to the registration data EPDP that they wanted to have more representatives. They wanted to have nine members, and they wanted us to have six members. We pushed back on that. We got what we wanted.

But again, this year, we faced the same issue for the DNS Abuse PDP. So this is an issue that relates to the council because when the staff comes out with the charter and when the council discusses it, the council is in charge of discussing this. So the council gets into a dispute again and again over how the allocation should work, and it is always the CSG that believes that they should get more members than us. So that is one thing that we want to solve because we cannot just fight this all the time. We need the principle of parity.

And so another thing that we want to discuss is the issue report principles. We have slides on that that we have submitted. The issue reports need to address all the comments that they receive. They need to also provide rationale for why they have not incorporated other comments. These are the principles of clarity so that we can have better issue reports as we move forward. Of course, issue reports are okay. They are great, but there is always room for improvement.

Another topic that we want to talk about is commissioning independent studies. This past DNS Abuse PDP, we saw that the small team on the council started using external reports that were not holistic. They did not consider all the different angles. Of

course, they were research, so they were not supposed to be. But we felt that there is a need for commissioning independent studies, especially for PDPs that have so many implications for so many people and so many interests. So we are going to talk about that as well.

It is also an operating procedure of the GNSO, but it seems like there are some concerns because it might delay the process, which we have our own arguments. A good independent study can actually help the group work towards this goal, and the PDP can go smoother than not having that and not being clear on different positions. Next slide, Andrea. Sorry, I am going on and on about these things. Okay. Yeah, go ahead, Peter.

TAIWO PETER AKINREMI

Thanks, Farzaneh. Just to touch on those points and some of the pushback that we have been getting from the leadership as also from the staff. Just wanted to touch on that. Can we go back to the first slide, sorry.

Okay, yeah. So on the parity issues, we could see clearly the position of Susan in one of the meetings that we just finished because that has been the pushback. They do not want to have a hardcore number to determine the position of PDP. Then the question I have been asking is who set those numbers? This needs to reflect the structure of the GNSO, but there has been pushback

on that, and I guess we need to start thinking of how we need to better present what the issue is.

On the issue report also, basically what the staff is trying to say is, "What is the issue?" They do not see the issue, and it takes a lot of time for us to also push for this to be on the agenda. And that is the reason why Farzaneh is going to be presenting the slide on the issue that we think the NCSG have and how the council process can be improved.

And also on the commissioning of independent study. However, it is stated in the GNSO operating procedure, but it does not really mandate a commissioning of independent study. Again, the pushback has been what is the benefit of this and the current status quo is not giving us what we wanted and why we are pushing for this. So we are going to see a lot of pushback on this. Just wanted to touch on that. Thanks. That is it.

FARZANEH BADI

Yeah. Great. Thank you so much for this background, Peter. Let us move to the next slide, Andrea.

Okay, so the board is expected to act at ICANN 85 on supplemental recommendation procedure. Am I right about this, Peter? So let me give you a little bit of background. So you remember the registration data disclosure system that they call SSAD? It is the disclosure of domain name registrant data. And they came up with

this whole policy called SSAD, System for Standardized Access and Disclosure.

So basically, those recommendations, the standing committee decided that the board needs to unadopt those recommendations and we need to revisit them and stuff like that. So the council told the board already that they should unadopt, but it is totally up to the board to decide on that. And then so now we are discussing how we should go about it when these recommendations get unadopted. Then they want to do some kind of supplemental recommendations. Yeah. Sorry, Rafik. Go ahead.

RAFIK DAMMAK

Okay. Thanks, Farzaneh. If they were not adopted, so here the board will not adopt them, and that is following the process or procedure to send them back to the GNSO Council and GNSO Council to have a supplementary report, et cetera. So I think that is following the process. But the point I wanted to make here, kind of general, is it is just a disappointing outcome because I was just trying to remember when they were approved, I think six years ago, maybe. And also how much time we spent working on those recommendations when we started EPDP, I believe, in 2018.

So this just raises a lot of questions. How much time it takes the board to review a recommendation and to approve or not, and how we went through kind of an ad hoc approach because we started with this pilot project for the SSAD and waiting for the result, et cetera. And the other point, I think, in terms of the whole PDP,

because if there was a possibility to find that we will have an issue with the recommendation in terms of feasibility, we should have known from the beginning. Instead of having the ODP, that kind of feasibility assessment was done by the ICANN for the board that happened after the recommendation.

The idea is really to have those kind of steps or processes during the PDP discussion in the beginning, that the board expresses or shares their concerns during the PDP discussion in the beginning, not just after we finish it. We send the report that it was approved by the GNSO Council. It takes forever for the board to review and to make a decision, and after the outcome here is to send it back and try to initiate another process, it just shows how much waste of time, because what we are talking about here is not just recommendations, but the work of volunteers. They have to spend like two calls per week in addition to face-to-face meetings and so on, and here we are.

I think this is the point we have to make at the GNSO Council but also at the board. It should not be taken lightly. For me, as someone who spent time, I had to attend, not just late night, it was really in the middle of the night, those calls, and this is the result. It is really disappointing, and I think we should make that clear. In terms of process, it is fine. Just here, what will be the outcome is to recall the EPDP to work again, to initiate another EPDP. That is, I think, more of a concern. Should not GNSO Council try to figure out the

recommendation if they are not adopted? Sorry for rambling for so long. Thanks.

FARZANEH BADII

No, it is great. Do you want to bring that up with the board during our meeting? We can talk about it when we talk about the multi-stakeholder question, which is very broad, and I think we can put that forward. What do you think?

RAFIK DAMMAK

It depends how much we will be grumpy at that time, so.

FARZANEH BADII

Yeah. So I think that we can revisit this on Tuesday when we are preparing for the board meeting. Okay. So Peter, go ahead.

TAIWO PETER AKINREMI

Yeah, thanks, Farzaneh. Rafik actually raises excellent conversations that we can probably have with the board. I was thinking when he was talking that maybe we need to remind the board, send the board a letter stating our position and also the General Counsel, because it is two things. Timely adopting of PDP recommendations, the board sees the need, but because of fiduciary duty and reviewing all these things and not being timely in adopting what they are supposed to adopt.

Another thing is questioning the community, whether the community is actually developing the right solution if they do not

actually produce something that can be adopted by the board. But also know that circumstances changes, things changes, and that is where the community needs to have visibility into all the issues. And I guess that is where also independent study comes in for the community to be able to know what is feasible and what is viable and what is not viable. I guess that is a good argument for the NCSG point. Just wanted to reiterate that. Thanks.

FARZANEH BADI

Thank you. Yeah. So I think that is actually a good point. So I will remember to bring that up during the council. I mean, I am not going to relate it to this unadoption and stuff. But I have to say that some of the recommendations, like you know, I think there was an urgent request and stuff like that, that were a little bit problematic. But I do not think that we should have solved that by unadopting.

So let us go to RDRS continuation. As you know, they approved RDRS. RDRS is that disclosure triage. So you know, the requesters just send a request to this centralized system run by ICANN, which is a pilot project for accessing the domain name registrant private data, like their names, their email. And the registrars, some registrars have opted in, and they receive this, and they decide what to do with the request.

That system was a pilot project. They came up with it because SSAD was so expensive to implement that they said, "Okay, so let us have a temporary measure for now." And then one thing that happened was that the board approved an extension in December 2025. And

we have asked for more transparency, for more data to be made available. What sort of requests are submitted, stuff like that. And we are hoping that by participation in the standing committee, we can actually see better reporting.

And also, I wanted to talk to you a little bit about this authentication of law enforcement. We have been updating you on that, but it is related. But let me just go through all the slides, and then we can come back to it. Yeah, so the next slide, Andrea.

Okay, great. Sorry, this wrong time totally confused me. Okay. So and then we have now the item number eight on the council agenda is the prioritization framework discussion. We have been talking about this, the action decision radar and an updated prioritization document. What we want to push back on is some kind of ranking that they come up with, and they said, "Whatever ranks higher, we are going to prioritize it." We do not want that.

We were actually quite okay with the action decision radar. But they say that they need some process. And now, what could be of interest to us is monitoring whether there are some discussions on prioritization of UDRP review. Because we deferred that and there seems to be some kind of focus on it. Peter, am I right that we are... Yes, go ahead.

TAIWO PETER AKINREMI

Yes, you are right. So we currently deferred it. I guess we still have some months. But currently GAC requested to speak with Susan,

have a meeting with Susan during Mumbai talking about UDRP, and I am sure that they want to discuss the WIPO study. Currently on the leadership, what we agreed to is council currently deferred that, and there is no further work on it until council prioritizes it. So that is what we agree on the leadership for now, but I do not know what GAC wanted to discuss about UDRP and whether they want to push for that prioritization, but we need to keep our eyes on that. Thank you.

FARZANEH BADI

Okay. Yeah. Thank you, Peter. Go ahead, Pedro.

PEDRO LANA

Yeah. Just a question to Peter. Do we have any other info on what and why is GAC commenting about it? The UDRP is something that is very far away from government's interests, so found it very curious that this conversation is happening.

TAIWO PETER AKINREMI

That is a million-dollar question. So we tried to push back because it was not part of what the council wanted to put on the agenda for GAC, but they requested a meeting. We tried to push back, and we do not even know. They were not listening. So they just wanted to have like a kind of side meeting or maybe with Susan just to talk about that. I do not know what they want. But I am sure that whether Jen is going to be in the meeting as well, but currently

since I am not around, maybe I can share some details on the meeting.

Maybe somebody can slide in and just understand what they wanted to talk about. They just want to discuss about UDRP. I guess they wanted to get a feel of where the council is currently on the work of UDRP. So I guess that is basically the whole thing, but other than that, I cannot really go into any agenda or hidden agenda they want to push. Thanks.

PEDRO LANA

Probably just WIPO talking directly with...

TAIWO PETER AKINREMI

Exactly. Yeah. I am sure that there is something cooking or maybe some people lobbying the GAC to push some string. Yep. Over to you, Farzaneh.

FARZANEH BADI

Yeah. Thank you, Peter. This is a really concerning issue. I mean, having like a one-on-one chat with the GNSO Council chair, it is just not a good look. And obviously we know why they are suddenly interested. It is just that also we are going to talk about this a little bit during our Tuesday meeting. There is this external report on UDRP that is totally one-sided, done by the industry and some of our friends in GAC.

So this kind of having bilaterals, it might lead to us again taking on that report and looking at it and then say, "Hey, we should do a PDP." So we should monitor this then and look at it. But also we need to... So maybe our GAC liaison, this is Sébastien Ducos' job to kind of talk to GAC, so maybe we can suggest that they meet with Susan and him. But we do not want to... Yeah. That would be great. Yeah, let us just tell him so that he is aware of the issue and yeah.

Okay. So in this prioritization, as Tapani has always said, we are not going to do... Oh, okay, perfect. So we can just suggest that then. So as Tapani mentioned, we cannot rely on ranking because it will get gamed. And the thing is that everybody wants their own issue to be the priority. So one thing that if they really insist that we need a prioritization mechanism, we might want to put this on the record that the prioritization should account for human rights and access considerations. But this is just like a preliminary suggestion. It is not well thought out. It is just like something I thought maybe we can discuss. Go ahead, Peter.

TAIWO PETER AKINREMI

Yeah. Thanks, Farzaneh. So just a quick update on the prioritization. Staff put the pros and cons of different options that have been considered. I am sure that that is going to guide the conversation that was shared with the leadership just to know the pros and cons. But Susan is also suggesting if we could use the current prioritization that is being used by the planning

prioritization for ICANN. There is a tool that they currently use for prioritizing the community work that they want to implement.

So she is currently suggesting that. I am sure that that is going to also be part of the conversation during the call. So just wanted to share that as a recent update of what she also was considering. Because obviously the options that are currently on the table, I am sure is not going to get consensus, but like looking at other options. But I shared with them like we need to just go back to the de facto, what we currently use without using any ranking system, because that is our favorite, right? Over to you.

FARZANEH BADI

Great. So then we have the review of reviews that... So I need a volunteer to follow this. Manju was following it for us and she got busy with something else. So I need somebody who could volunteer to follow review of review. There is a bylaws change for the review of review that the board is going to do. There is a public comment period on that one that we need to work on. But generally, this review of reviews is that they had a lot of... Oh, great. Rafik's hand is up. Go ahead, Rafik.

RAFIK DAMMAK

Thanks, Farzaneh. I do not want to kill your joy, but I am not volunteering. Okay. So about this review of reviews, it is an important topic, and I think we got some today during the Non-Contracted Party House meeting with an update from Sophie. So

we could see what they are thinking, and even there is an ad hoc review that is possible. She will come to NCSG on Tuesday at our first session. I thought that would be a good opportunity maybe to go further and to ask some questions about the work from the cross-community working group on review of reviews.

And we still have a chance to share our input till April. So it is open. We can participate in the plenary session on Thursday, so someone can go to the mic and speak. But it is also better if we draft some comment about what they got now. That is one way to participate and share our concerns if we have. So just I wanted to flag this and expect that we will have more discussion on the topic on Tuesday morning.

FARZANEH BADI

Oh, I just remembered Avery told me that she is willing to brief us on this. So I think that we can invite Avery, and we can get the sense of what is going on and then write a brief comment or on Thursday talk about it. It is just like something that I prioritize things, and the review of reviews was based on my prioritization and also, of course, what NCSG is really interested in. Unfortunately, it did not get the attention that it needs to get. So I think I will talk to Avery and see if she can come and brief us. Rafik, your hand is still up. Do you want to...? Okay. So let us go to the next slide.

Okay. All right. So this is urgent request. They are going to talk about urgent request at the council. For us, urgent request, first of all, it should be limited to law enforcement. We do not want any

other requester to submit urgent requests. And so this is urgent request to people's private personal data. So the fewer requester types we have, the better we protect privacy. We also want due process, proportionality, all those things because it could have human rights implications.

You should remember that for urgent request in some jurisdictions and some registrars just voluntarily, if they receive a request from the law enforcement and they say that it is urgent, law enforcement does not have to show a subpoena or anything like that. So they kind of get that kind of... So they need due process. And urgent requests can actually potentially be very dangerous for activists and uprisings and stuff like that.

And there is a practitioner group that I mentioned that we are actively involved with, and we also had a meeting with the law enforcement. So they are coming up with some kind of authentication mechanism for law enforcement. But what we need to be careful about is that this kind of authentication does not lead to legitimizing urgent requests just because you are authenticated. So we need to be careful about how they are going to feed these urgent requests into RDRS and kind of facilitate law enforcement access.

So that is one thing that we are monitoring. Another thing is the accuracy small team, that was like educational materials for registrants, why you should keep your data accurate. Because if they do not keep their domain name data accurate, they are going

to lose their domain, and that is it. This was one of our recommendations. And when we made that recommendation, we did not mean to come up with like a pamphlet for registrants that nobody is going to read. What we meant was that when the registrar is reminding the registrants, like has these kind of reminders, just nudges that, "Have you updated your information? It is important that you update your information because otherwise you are going to lose your domain if you do not," and you know stuff like that.

So we are going to discuss that. And we had a meeting with SSAC, which I think was discussed there as well. And then we talked about the unadoption. So now for the unadoption of the recommendation of SSAD and that EPDP, that is a new process. That is kind of like a process that we have come up with, and we also submitted a comment.

So if there are any concerns about that, about kind of like an unadoption process, how you want the board to go about it, and I think like Rafik mentioned a few things, but this is about the process itself. So what sorts of guardrails do we need when the board wants to unadopt recommendations? Because this is very serious. Like the multi-stakeholder community comes up with a policy after years of working on it, and then suddenly the board wants to say, "Oh no, we need to unadopt and then go and do supplemental procedures by the council," which could make the council a policymaking body in a way. So that is something that we

need to be careful about, and we have already submitted a comment on that one.

And then there is the Latin diacritics initial report published. We submitted a comment. It was late because I am bad at converting the time for public comments these days, so I have missed all the deadlines, but I kept submitting it like an hour later. So, Tapani... Is Tapani in the room? Tapani follows this group. Okay, perfect. Tapani, do you want to update us a bit?

TAPANI TARVAINEN

Sure. Today's meeting went through the comments, but only got about halfway through the first one, which was on ICANN Org, going through all kinds of minor details in the wordings. So our comment did not come up yet. It should come in the next meeting or the one after that. Most of the comments were much shorter than ICANN Org's, surprisingly.

FARZANEH BADI

What are their concerns?

TAPANI TARVAINEN

Mostly just minor details to make sure the wording aligns with EPDP on IDNs and some concerns about some things that are different, that diacritic domains are treated differently than variants. But mostly real trivia, nothing substantive really.

Maybe pointing out some examples that there is a proposal that if somebody applies for an ASCII domain and matching diacritical domain and then decides to pull out the ASCII version, can they still get the only diacritical domain? Which would be fine if they applied only for that to begin with, so we figured that they might as well do it that way, but ICANN Org is concerned that, hey, this is a little out of whack.

But we will see. But that is about really nothing that I consider really significant, mostly just wording changes. But the points that I am most interested in will come up later, like our submission.

FARZANEH BADI

Yeah. Okay, great. And also, this was the first PDP that did the human rights check, and we helped them with that, and they did a really good job. We did submit some comments on the human rights because it is never perfect. So but it was an interesting exercise. That is great, Pedro. Pedro found me a volunteer. Okay. Now next slide. We are kind of on time.

Okay, so SSAC meeting, we had it before. These were like the bilateral meetings that Rafik has prepared. But we need to talk about board bilateral framing. There is going to be a detailed conversation on Tuesday. But I do suggest that you read the kind of human rights impact assessment that I did on their resolution and give us feedback because we are planning... Well, we are going

to discuss it in details on Tuesday, and then if we are happy with it, we are going to bring it up during the board meeting.

Because these board meetings have turned into some kind of... It is not even conversation. Unfortunately, it is just like back and forth, and then as soon as we get out of the room, we forgot what we talked about. And it is just so obvious from the resolution that they issued in October, in December. No, in October, and then we wrote a letter in December, and they responded in February. Andrea, is it possible to find that link I sent? Or I can see if I can send it. Oh yeah, that is it. Okay, I found it.

All right then. So I am just going to share it here, and we are going to go through this on Tuesday. And then key lines, like there are some messages. We have like three questions, but we are going to talk about all this on Tuesday.

Let us go to the human rights conversation. We put it for the GAC conversation. And the topic lead is Bruna, and Bruna is not in Mumbai, but she has said that she can make it and she can come in remote, which is great. But if that changes, then somebody has to take over. Okay. And let us go to the next slide.

ANDREA GLANDON

That is all of the slides.

FARZANEH BADI

Oh, really? That is great. So we have fifteen minutes now that we do not know what to do with. Oh no, I know what to do. Fifteen

minutes of your time. So basically what we need to... I want us to...
Oh, Pedro, go ahead.

PEDRO LANA No, just so we can go back to the RDRS and SSAD thing. I think we
did not see slide three.

ANDREA GLANDON One moment. Sorry.

PEDRO LANA While we are getting the slides back up, just to check, if I
understand correctly, we are going without any new suggestions to
those two?

FARZANEH BADI For RDRS?

PEDRO LANA And SSAD.

FARZANEH BADI So basically what we are going to say is that we agreed to suggest
to the board to unadopt these recommendations. Sorry, was that
your question?

PEDRO LANA

No, my question was, we are not adding any new conditions to that one or to the RDRS? Like we already said before related to the RDRS, the ask for more transparency, more data, et cetera. Is there anything new?

FARZANEH BADI

Yeah. So one of the problems that we have with the supplemental recommendation procedure is that we do not like small team and small team plus to make policy. But we are in a tricky situation because the council coming up with supplemental procedure is actually predicted in the bylaws. And please, proceduralists, correct me if I am wrong, but when we raised it, they kept saying that, "Oh no, it is in the bylaws, and that is it."

And now they want to come up with different ways. This is where we should be careful, and we should actually discuss this. They were talking about different ways on how the council will come up with this supplementary recommendation. One way was this small team plus, which was an idea, an invention of Paul McGrady. And it worked really well for the new gTLD. They had some problems with some recommendation and it worked really well for that, but we are not so sure that it will work well for SSAD and for these 18 recommendations.

So we want to be very careful, and we do not want to call it small team plus. And as much as possible, we want to have a good participation in the group. We do not want to limit it to the council only or just get like two or three experts and the council. We want

to think about this hard on how to do it, and we pushed back on small team plus during the SPS. To be honest, we do not really have a suggestion, so if there are alternatives, if there are procedures that we do not know about that you know about and you can say that, "Well, you can use this or that," Rafik, I am looking at you. Maybe we can take those.

And yeah, but that is with SSAD and the unadoption. So our conditions attached to it is that whatever group that wants to come up with these supplemental recommendations should be diverse, their work should be transparent, and you know all this jazz. Anything you want to add, Peter, about this? Peter, go ahead.

TAIWO PETER AKINREMI

Yeah, thanks, Farzaneh. You have actually touched on everything because the concern has been looking at different options, and we do not buy the idea of relying on small team. But that is a de facto of the council for now in trying to resolve whatever things that they want to resolve, especially now relying on supplemental procedures enshrined in the bylaw. So it is hard for us to actually kick against that.

Then how then do we...? One of the things I advise the leadership now is we do not even know the mechanism to use now, irrespective of whether the small team is a de facto. We need to listen to the community on how they want to address this, not the council suggesting, saying, "We want to rely on the mechanisms that work for us." But I am sure that we will be one of the few voices

going against using small team plus. So it will really be a hard push and a kind of a tricky situation for us.

So I was speaking with Kathy Kleiman on this. Then Kathy was also suggesting maybe we could recommend to the council for small teams to make suggestions or ideas, not recommendations. Because when small teams actually make recommendations, then the council, when they see that it is appropriate, then they kind of adopt it, and it becomes policy. Just in that line. So maybe we will need to technically change what the small team is actually recommending, not recommendation per se, maybe like ideas or suggestions, but I do not know how that will work.

Maybe we need to figure out how to bring that into the conversation. But with the idea of going back and reconvening PDP, to be honest with you, I do not know how that will work because this PDP has been disbanded for how many years now? And like bringing all of them together, it is going to either delay the process, add more timing, costings, and different things. I guess we need to be open to conversation around this, and also we do our own work and see which route.

Because one of the things that I have observed when we are bringing conversations, it was like, "Oh, you are just reacting to situation. Give us a solution." And I guess that is a good approach that we need to take now, look at it and see how we can... And if we think reconvening PDP is going to be helpful in this situation, then we should stand our ground. Hold on. I see Rafik's hand up.

FARZANEH BADI

Yeah. Thank you. Rafik, go ahead.

RAFIK DAMMAK

Okay. Thanks, Peter, for this background. So I am not sure where it stands because it creates an issue and precedent we try to avoid for a long time. And also, yes, we cannot really concretely on practice reconvene the PDP, since it was a long time ago, and many people already moved on. But and then to use that as argument to have some small team, which is basically an ad hoc structure that is not having so much maybe rules or procedure, I do believe this is something we should try to avoid.

If it is about coming out with new recommendations, I guess the simple approach to fall within the process will be maybe to initiate another EPDP, and then you will go through the proper process of drafting. Narrow scope, quite simple what you try to achieve, and to do this properly. I do not see how going with a small team... I do not know what will be the composition? Who will be there? What will be the charter, and so on.

Why we try to reinvent the wheel when we have an existing process, EPDP? It is a process to let us work on policy recommendation when we do not need an issue report because we defined it with the issue. So go with another EPDP, and do not really go with what you will hear about the argument that we do not have time and so on. We already wasted a lot of time. So do it right, follow the

process, and do not go with this approach of small team plus, or small team plus plus plus, or whatever the name.

Because people like this ad hoc approach, and with that, we could risk some result. But I really advise against because they will follow this every time, using the same argument. So I am not really convinced that it is because we cannot reconvene because people probably moved on and there is not a lot of willingness to rejoin. But just follow the process, and that is it.

FARZANEH BADI

Yeah, that is absolutely right, Rafik. Actually, we unknowingly advocated for your position during SPS, which was not received warmly. So but I think that you have a point that we gotta see what this group is going to do. If it is going to come up with new recommendations. And I think supplemental recommendations are new recommendations. But if there are new recommendations, then we should do a PDP.

And I am totally with you on the fact that these small team plus and small team and stuff like that, they are just like inventions, and we should not use them all the time. And we do not know what it means. Pedro, go ahead.

PEDRO LANA

We are close to the time, but if we need an argument to request that this does not go to small teams because it is not just supplemental recommendations, I wrote there in the chat a little bit before the

Omnibus Directive just came up. I think a few days ago, and it kind of changes substantially the whole data protection scenario of the European Union, which was what caused the whole problem with data protection in the WHOIS, et cetera, et cetera. So there is a big difference of scenarios from before.

FARZANEH BADI

Oh yeah, that is true. Yeah. But also, did they not weaken a little bit these data protection stuff?

PEDRO LANA

Yeah, that is the issue. If they are just supplemental recommendations, they would be, "Oh, we can get this, get this, get this," and there we go.

FARZANEH BADI

Dear God. Okay. Peter, we are at time, so just quickly.

TAIWO PETER AKINREMI

Yeah. Just a quick one. You raise a valid point because when you look at it, the argument we have been getting is these are not new recommendations, so there is no need of initiating PDP or reconvening. It is just looking at the whole recommendation and addresses the concerns that the RDRS team actually came about and address those concerns. I guess we have that argument to make in this point and see which ones are new recommendations

and which ones are old recommendations that they are arguing against. So thank you.

FARZANEH BADI

Yeah. We need to kind of tabulate. Yes. So the action item is to tabulate these recommendations, see what sort of potential changes could happen and what we cannot agree on, and we cannot agree on whole new recommendations.

Okay, everybody. It was a great session. Of course it was a great session. Thank you so much. I see you on Tuesday for the rest of the meetings. And I think my last slide was about the human rights impact assessment and new gTLD applications, which we are going to have. It is a session on Thursday.

And we have a human rights town hall where we are going to have four blocks of fifteen minutes where people can come and discuss their concerns about human rights issues at ICANN. It can be about anything. And thank you very much and enjoy the rest of your day.

ANDREA GLANDON

Thank you. You can stop the recording.

[END OF TRANSCRIPTION]