ICANN85 Mumbai | CF – GNSO: NCPH Work Session
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ANDREA GLANDON

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JOHN MCELWAINE

Okay, well, welcome everyone to this meeting of the Non-Contracted Parties House. I'm glad to see everybody's faces here. I know there's some difficulty getting to this meeting, and I know that we've had some folks that have not been able to make it. And we have people participating online, so welcome and thank you for coming out. Rafik, do you have anything you would like to say to start?

RAFIK DAMAK

Yeah, okay. Thanks, John. Yeah, I think we covered several topics, but I think the most important, just to remind, this is a continuation of something we want to keep doing, when possible, at ICANN meetings to have this interaction between the CSG and NCSG, in addition to have that full day meeting, what we call day zero.

And so, it's always a good opportunity to go through several topics and hope we will try to find out more common ground and things that we can work together while we acknowledge that we have maybe some disagreement or difference, but I think that's normal and expected.

JOHN MCELWAINE

Awesome. Well, we have a full agenda, so I'm very excited that Chris Buckridge, who is our Board member, has been able to attend this meeting, and I hear from him that he's actually been set free for the entire meeting.

So, Chris, welcome. And I'm just going to turn over to you to just provide to the NCPH an update about what's going on in the Board, and we can then perhaps maybe ask a few questions. Thanks. Over to you.

CHRIS BUCKRIDGE

Okay, thank you, John. And yeah, very pleased to be able to be here for the whole session. I hadn't quite realized the Board seat 14 update was a big part of it, so happy to take direction on whether you want me to be an active part of that conversation. I wish I could take credit for being able to be here. It's more to do with the efficiency of the ICANN staff working on the Next Round.

We had actually allocated a whole second session of the workshop for after lunch and managed to get through all of our questions and all of our discussions in the first session prior to lunch, but I think I can report that things are very much on track there and that the Board was very happy to see the updates from that team on progress and on the risk levels that are being considered. And from what we have been led to understand and from our questions and discussions there, it's very much on track for the 30th of April launch and proceeding from there with all of the processing that's going to be required.

I don't really have a sort of solid agenda here of things to update on. I think it's been a very relatively busy period for the Board. Obviously, the Next Round is a big area of interest and concern that we're focused on, but in terms of other work that's going on, there are a few areas that are probably worth touching on and updating on.

We've come out since the last ICANN meeting obviously with the WSIS+20 review, which I think went very well in terms of expectations and hopes that ICANN had going in there. But I think it also highlights that this is a very dynamic period geopolitically and that the engagement that ICANN has with Internet Governance issues is going to be very important for the coming period.

Moving on from that, probably the other key thing we're looking at is starting to review the Strategic Plan. We've had some discussions within the Board on that. The uncertainty in terms of geopolitical and in terms of the global economy I think is something that's an area of interest in that. Are we prepared? Do we have a resilient strategy in relation to that and looking at sort of events as they're unfolding very much in real time? That's of interest.

I think we're also looking there at some of the emerging technology issues that are very much again playing out in real time. So, that's in terms of AI, in terms of what that AI might mean for the unique identifier systems and for the governance of them.

Also looking at things like quantum computing where we're seeing very rapid advances which could have implications for DNSSEC and for the Security and Stability of these identifier systems. But I think we're also very much opening the discussion now to the community to hear back from what you and other stakeholders are feeling is important for ICANN strategy. Looking at the strategy that we agreed as a Board and whether that's requiring of attention, of modulation going forward.

On some of the issues in terms of for instance SSAD, RDRS and DNS Abuse, I think the Board at this point is sort of looking to the work that's going on in the GNSO council. So, I think the really primary focus there for me is to make sure that there is that channel of communication with the council and beyond that with the community to understand how things are progressing.

When it comes to the SSAD recommendations and the question of non-adoption that's been bouncing back and forth a little bit between the Board and the GNSO council, I think my impression or my sense is that we are largely on the same page, that there is sort of consensus on how this should best proceed but that we are also in a space where we need to be a little aware of the impressions that are being given and particularly not the impression that non-adoption equates to de-prioritization of any of these issues or throwing out the recommendations or the principles that underpin them in relation to that.

Likewise with the DNS Abuse PDP, I think the Board is watching with interest and maintaining a sort of running brief on how that's proceeding within the GNSO council. That's obviously something that will come to the Board at some point and we certainly share the sort of priority and the need for that to proceed in a timely fashion. I think the council is managing that and so we're looking forward to seeing that hopefully on our desk in not-too-distant future.

The final point I guess is in relation to Review of Reviews, and again, this is something that is an ongoing process. The Board has its two formal liaisons to that CCG in Jim and Leon. As chair of the organizational effectiveness committee, I'm also following that discussion very closely.

We will have a workshop session this afternoon in the Board so this is making sure that we're as a Board fully understanding where those discussions are at, where our sort of bright lines is as a Board in terms of what we hope to see coming out of this process. But yeah, I think there is confidence in the Board that it is proceeding as we had hoped and that we will see a positive outcome from that in a timely way.

So, pardon me, on that and I hope I'm not forgetting any key issues here but certainly very happy to have them raised by others and to answer any questions that you might have at the moment.

JOHN MCELWAINE So, I'll kind of take a queue. Anybody have any questions for Chris? There's got to be some. Okay, yeah, we just need somebody to kick it off.

PHILIPPE FOUQUART Yeah, thanks, John. Just being curious on the first point that you referred to; this is Philippe Fouquart speaking for the record. The sort of risk assessment and the risk matrix beyond the sort of process more on the substance, can you share in advance the sort of external risks that may be considered possibly in relation to the strategic plan that you referred to as well?

JOHN MCELWAINE And maybe more specifically just being curious, and again, in the spirit of kick-starting this, to the global trends of the two that you mentioned, AI and quantum computing. From what we're hearing, it seems that by and large, they are interpreted as threats rather than opportunities. I'd be curious to know whether you've identified any opportunities in these two areas.

CHRIS BUCKRIDGE So, well I'll start by saying in relation to the strategic plan, it's very early days. It's sort of it is bringing issues onto the table at this point rather than sort of reaching any solid conclusions. In relation to AI and certainly in relation to AI it's absolutely seen as a double-edged sword there that there are absolutely opportunities for positive input or positive development in relation to AI.

One area that I've been sort of talking a little bit about in these discussions and sort of very interested in is the possibility for using LLMs to make ICANN processes more accessible, more inclusive, being able to you know draw on information which currently is in a very dense and distributed way and then I think that makes it very difficult for newcomers to the process.

And so, if there's an opportunity for AI to be used in that sort of a productive sense, I think it will be very positive. At the same time in relation to those community discussions, community processes, I think AI has the possibility of simply allowing people to flood the zone and make those processes even more resource intensive in terms of going through everything that's been submitted.

So, I think this is where the element of strategy comes in is that we need to be maintaining awareness of what these very rapidly changing technologies are making possible and the impacts they're having on what we're doing.

More broadly in terms of external threats or risks, I think we recognize that the Next Round is, there are a lot of question marks in relation to that. Not in terms of the operationalization, not in terms of what ICANN is doing, but in terms of the market itself and what that will mean and I think whether we see a significant uptake in IDNs and applications for IDNs in this process, I think it's going to be whether we -- what we see in terms of brand, dot brand names there.

Yeah, we need to be ready to be agile and to respond to what the market throws at us essentially in this space. So, maintaining that agility, maintaining that awareness I think is a real area that we need to prioritize in the strategy.

JOHN MCELWAINE Okay, I see that Farzi has her hand up. Farzi, over to you.

FARZANEH BADIEI Thank you. Hi, Chris. Any issue of interest that the Board has discussed that NCSG is following, has weighed in on and cares about, such as like human rights or access to domains and how did you come up -- like why did the Board decide to pick up the AI conversation?

And as Philippe said, the framing of AI conversation is most of the time very negative, while AI has actually -- like the use of AI can help with like cyber security mitigation. So, I just want to know what prompted the Board to pick up this topic. And there are other topics that we have discussed in this community. And it's a little bit like, okay, so if this is like an emerging thing, that's okay to look into. But considering that we have also like brought up many other topics and the Board has not touched, I'm just curious to know why the Board decided to pick this AI.

And also like the topic of AI is such a broad thing and quantum computing is such a broad thing that if you say that we are looking at AI domain names, like we are looking at the regulation of some general-purpose technology in domain names. So, being more specific would be good.

CHRIS BUCKRIDGE

So, in terms of why or how the Board picked this up, I think the answer to that would just simply be a very organic sense that various Board members had of this is something that is affecting business across the spectrum, organizations across the spectrum. And so, it's coming from the individual Board members. I think the organization itself is also looking at what AI is going to mean in terms of operational impact, in terms of risks, et cetera.

That said, I certainly don't, and I repeat, I don't want to give the impression that we're purely viewing this as a negative or as a risk. I think we are also very much aware that there is the possibility of using AI to increase inclusivity, to increase accessibility, and in security terms to also use it to increase the security of various technical aspects of what we do. I mean, it is a very broad issue. It touches on a lot of different aspects of the work that we're doing.

And so, I think that's probably why it sort of rises to the top in some of these discussions about the Strategic Plan. I think whether the community agrees and sees this as something that should be prioritized, something that we need to be considering is very much what we're looking for in the community discussions that happened this week and beyond that. But absolutely, there are opportunities there for the way that we work and the way that this community works and works together.

FARZANEH BADIEI I had my first question as well. You touched upon DNS Abuse and stuff like that. How about, I mean, of course, we care about mitigation of DNS Abuse as long as it's human rights respecting. But anything that you want to cover that addresses some of the issues that NCSG has raised throughout this past year?

CHRIS BUCKRIDGE I mean, I think I raise issues like DNS Abuse and like RDRS because those are decisional processes and policy processes that are currently ongoing. And I think the Board is absolutely aware of the sort of importance of privacy, of human rights in respect to these processes and these policy questions. But as I said, we're also looking at the moment at ongoing policy discussions and processes that are happening in council.

So, I think we're not looking to steer those. We're looking to sort of work with the community and listen to what's going on. But the processes themselves are playing out. And I think that's something that we need to be ready to step in and work with when we see the output of those processes.

JOHN MCELWAINE

All right. I switched here because I'll ask a quick question. So, you mentioned with respect to the non-adoption of the SSAD recommendations, the concept of, I guess, putting it back to the GNSO council. And I think that's through the supplemental policy process. And I don't know if you can talk about how the Board intends to handle this. But if you can, that's fine. But maybe just comment how you personally think that that decision should be communicated back to the GNSO council. And what involvement should the Board have in that supplemental process?

And what I'm getting at is it's just all non-adopted without, I think, any sort of message or leadership or involvement. We run the risk of a lot of re-litigating of issues and delay. And curious to see if there's any discussion, again, at the Board level or just you personally about how that should happen in a little bit more detail. Thanks.

CHRIS BUCKRIDGE

I think, let me praise this because I don't want to get ahead of the Board itself here in terms of the decision and the resolution to un-adopt the recommendations. As I say, I think we are very aware of the impressions that it might give to make such a decision. But also understanding that this is an ongoing discussion between the council and the Board and broader community.

And that this is a legitimate part of the process to refine and improve these recommendations through that supplemental process. I was obviously very happy to be part of the GNSO council strategic planning session that took place in Barcelona last month or a couple of months ago. And sort of here, some of the discussions that were going on there about a small team or a small team plus or how the council is going to address this.

I think the Board is not looking to jump in in a very active way in a process that is still forming within the council. But at the same time, the discussions we've had about Board readiness, about having that sort of open channel of communication, I think are very much at play here. We want to see what comes out of that process as something that the Board is able to hopefully approve and pass through in a very timely fashion.

JOHN MCELWAINE Thanks. We have about three minutes if anybody else has another question. If not, we can move on in the agenda. I don't see any hands up. Grilled Chris enough. All right. Chris, thank you.

LAWRENCE OLAWALE-ROBERTS Sorry, this is Lawrence for the record. So, we are all anticipating work starting on the DNS Abuse, the first PDP for DNS Abuse. And there is also expectation that the Board will be following this closely. More reason why there is a liaison role to the Board.

I don't know if it's filled now because that record hasn't been made public. But there is that belief that where there is a liaison who is actively following, the Board is also going to be able to provide some kind of feedback to that process. Just a note to please keep an eye on that and to see that that liaison role is filled up. Thank you.

CHRIS BUCKRIDGE Yeah, it's not filled yet. I think there is some discussion. We're having some discussion about that. Possibly we'll make a decision in the coming days. But absolutely, I think that role of liaison from the Board to the PDP is essential. And I think we're very much aware of that as fundamental to, as I say, Board readiness and the sort of, yeah, where we want to be with it.

JOHN MCELWAINE Okay. Thank you for that question, Lawrence. All right. Looks like we can probably move on to agenda point number three. And Rafik is going to cover that. And Chris, by the way, is not going to be at a discussion of anything.

RAFIK DAMAK

Okay. Thanks, John. So, this is about the update regarding Board Seat 14 since we need to make a decision soon to be within the timeline to submit the candidate or here to be the selected Board member for that seat. So, we divided it in three parts. I think if we can get an update maybe from Paul if he's here about the search committee. Thanks.

PAUL MCGRADY

So, we're done. That's the update on the search committee. We worked well together. We had a great group of candidates come in. I was surprised by the volume of the candidates. We're a search committee, not a nominating committee. And so, we had some members that had some NomCom experience, but everybody adapted quickly to the idea that we wouldn't be picking anybody.

Our goals were modest. We wanted to get the expressions of interest document out, receive back applicants. We did that, had a good group. And then we went on to develop and ask a uniform set of questions to those applicants. We gave them to them in writing, and they engaged in a monologue at us back so that no one search committee member could steer the conversation through tough questions or softballs and that kind of thing. And that was an act of self-governance that I really thought was an interesting experiment, and it worked out well, and everybody was on Board with that.

So, based upon uniform questions, we got responses back through that kind of monologuing interview and from there did rankings. The purpose of the rankings was to go back to all y'all and give you a data set. So, if there were candidates that everybody kind of ranked low, you may be able to not have to interview them. But if there were candidates that were ranked high, maybe that would affect who you chose to interview, all with the goal of reaching a consensus candidate before the deadline, which hopefully we'll hear from you guys about where you are.

In the rankings themselves, we captured the -- without naming, without putting names, we put like, you know, NCSG1, NCSG2, those kinds of things, so that you could see how the large ranking score was calculated. We think there's some interesting data in there, because if somebody is a 3, but they got a 1 from half the house and a 5 from the other half the house, then you know that they are a divisive candidate.

If somebody is a 3 because everybody in the house gave them a 3, then you know they're not a divisive candidate, but they may not be the most exciting candidate. So, there's data there within the rankings that we encourage you all to look at.

Going forward, we don't have any continuing purpose or life, and other than as individual team members, if you want to reach out to individual team members as part of your processes to ask, you know, what they thought of the candidates during those interviews, and how they ranked who, and if they're willing to share that, all that's fine.

As a neutral, I won't be doing any of that, because it's not my place to put, I didn't rank, and so it's not my place now after the fact to put my thumbs on top of the ranking, but the team members, I think, will be very happy to hear from anybody that wants to reach out to any of them.

Stuff that I'm unwilling to help is just inappropriate. That's what neutral means, and I'm looking forward to hearing how it's going now that we've handed it off to you, and as you guys get down to the end of this, if you think it would be helpful for me to re-engage at the stakeholder group level again in a neutral capacity, I'm happy to do that.

It won't be part of the team or that process, but I'm willing to do that if it would be helpful to anybody. So, any questions for me? All right; it's part of our first time through. I do think that once the dust settles, the team will get itself back together and do a post-mortem on how it went, and if we added value, what we could maybe suggest if anything changes to the recently created process document, but I think where the plan is to not start to gaze inward while we're still trying to get a candidate out the door. Thanks.

RAFIK DAMAK

Thanks, Paul, for the update. Yeah, it was the first time to put in practice what came up from the Small Team for this process, and I believe we can have post-mortem retrospective later on, but we need to probably finish the whole process to see how we will end up and to see if there is any update or tweaking till the next time.

With that said, so as Paul shared, yeah, now it's with each group. I think we went through our internal process, and so we need to discuss the next steps, and first we can get maybe update from CSG, and that will be with John.

JOHN MCELWAINE

Thanks, Rafik. John McElwaine for the record. So, the CSG decided to interview the top four highest ranked candidates from the composite ranking by the Board seat 14 team. We did that in two sets of interviews last week. We invited all of our membership to attend those and had leadership ask questions during an interview, and we got a good turnout, and what I felt like was a good step in that is really having membership be more involved in hearing from these candidates and for the candidates to see that, yeah, they have -- you know, it's a big group of people that they end up representing.

So, we had those interviews, and then we solicited, at least IPC did, we kind of left it up to the individual constituencies, but we solicited feedback from the members that had attended the interviews or they were recorded so that they could have gone back and looked at the video recordings or the transcript, and we assembled those opinions, and at least with the IPC, we kind of developed a list of our top candidates, and we now have discussed that at the CSG level.

I'll pause there to see if Philippe or Mason, you want to add to the process? Okay, good. Turn back over to you, Rafik.

RAFIK DAMAK

Okay, thanks, John. I don't think there was so, maybe too much difference in how we proceeded at NCSG, maybe there are small things, but yes, we went first, not with the four, but the five top candidates, maybe to give more chance based on that ranking or scoring we got from the search committee, and I think also it was the same timeline like you because of the time constraint, so we finished it maybe, the last interview, the last Monday, and in terms of the cost was because internally, in terms of appointment and all, following NCSG charter is done by the policy committee.

So, that's the group of people who made the interview, and we, yeah, we tried to see for all those candidates going through kind of some question, maybe with some tweaking depending on the candidate, but following the same logical order, and so now it's more like we have a short list of who we think that can be good names for the Board seat 14, and this is really the time for us as groups to see how we will handle that, because I think in terms of procedure, it's really left.

I mean, there is nothing prescriptive there in how we do it, like we will share or how we will find agreement, there is only, I think, part like if we don't agree, how we can break the tie there, so it will be good really just to confirm, maybe to get reminder from Andrea about the timeline, and by when really we need to agree and then send the name, I guess, for the council, or there is background check before, but I'm not sure, just we need to confirm those steps, and it's really tight schedule, yeah.

Okay, that was the update here, and so maybe we can open the queue for discussion, a question or a comment.

PHILIPPE FOUQUART

Yes, Philippe. Again, just trying to kick this off, just from a procedural standpoint, and to some extent to pause question, I think procedurally this is crunch time, if that means something, as to whether the process converges to a name, I think we're hopeful that we can meet the deadline, but whether there needs to be some tweaking on the process itself, I suspect there will need to, even if we meet the deadline, that's my own personal view, but yeah, this is, as you're saying, Rafik, that part has not been specified, so we're eager to see whether that works.

RAFIK DAMAK

Yeah, thanks, Philippe, yeah, I think that's really was the only way, is to learn by doing, we know from previous experience what were the challenges, but I believe we are in different situation this time, and I think the outcome of how we'll end up will be that the input and how we can improve the procedure.

I hope that we won't need to make too much changes, but it's always good to keep improving based on the learnings. Okay, and Andrea shared in the chat the timeline, so, okay, so six weeks before the deadline, by 11 March, sorry, can you clarify, I'm not sure to understand, by when we need to send the name here, 25th of March?

ANDREA GLANDON I'm sorry, I didn't hear you, Rafik.

RAFIK DAMAK Just to clarify, because we need to send to the council by 25th of March, the selected.

ANDREA GLANDON Correct, the GNSO secretary will report the results on the 25th of March, and then the GNSO council confirmation meeting is on the 16th of April.

RAFIK DAMAK Okay, and then what's the meaning of the 11th of March, exactly, it's because the vetting or background check?

ANDREA GLANDON

Yes, that's when the tentative selection would be made, hopefully, so that they can start the vetting to make sure that everything is good and the name gets to the GNSO secretariat so that they can report it on the 25th of March.

RAFIK DAMAK

Okay, just as a reminder, 11 of March, that means next week. I can check if that's doable, since we are here, probably it will have a chance at least for the leadership of the NCPH to discuss and to see how we'll agree on the name and understand we need us to check internally that we will have support from each side. Otherwise, if we cannot make it, but still, we have to submit the name by the 25th of March, and I'm not sure about the vetting and the background check, because that's something we don't control, but we'll ask ICANN and we'll ask third party to do it. Okay, John, any comment on this?

JOHN MCELWAINE

I think that was a good update, and if there's no further questions or comments on the Board Seat 14, I think we can move on in the agenda.

RAFIK DAMAK

Thanks, it means that we will go with the Review of Reviews.

JOHN MCELWAINE

Yeah, all right, so we're very happy to have Sophie Hey here joining us to provide an update on the Review of Reviews. So, Sophie, I'll turn it over to you, and feel free to start at any time.

SOPHIE HEY

Thank you very much, John, and thank you very much for the invite to come into your meeting and give you an update. I'll also like to call out, Osvaldo is here, he's also on the Review of Reviews, sitting here, and I can also see in the back, Avri, one of our co-chairs, and I also see Chris managed to sneak in the door as well. So, you've got two co-chairs as well. So, lots of people here.

This update, I'm going to keep it relatively high level, because there are a couple of other sessions this week where there'll be opportunities to go into greater detail. So, tomorrow in the second GNSO working session, I understand that there's dedicated 60-minute block on this, and then also Thursday morning, there's a Review of Reviews session for the whole community. So, this is very much a, please read things, please be prepared to give us feedback this week. Now is the time.

Okay, can we go to the next slide, please, Andrea? Okay. So, I'll quickly refresh everyone on what this is and where we're at. The main flag I want to give to people here is that we have a draft proposal that we've got out for public input this week. We're actually on track for our original schedule, which was set out.

So, we had our purpose of reviews discussion at ICANN84, and we've delivered an initial design. For people to provide input on at this meeting. Now, in terms of what the proposal actually is and why it exists, the aim of this Review of Reviews group is to try and provide a refreshed system of reviews to make sure that it reflects the governance system and works well post IANA transition. So, where we're at now is getting feedback on do you agree with this.

Next slide, please. Okay, so this is the first iteration. And the proposal is also available on our wiki. So, what we've got is we're proposing, at the moment, this draft has five different reviews that could change. And what we've done is we've helpfully pulled together, well, I say helpfully, I might be biased in that, a table which sets out the focus for each of the proposed reviews, the methodology, the cadence, what prompts it, what initiates it, the parameters, who does the review, any outputs and conclusions and recommendations go to, if there's any historical context. For why that review might exist. So, does it exist under the current bylaws? Is it something a bit different? So, we've tried to set it out that way.

Next slide, please. Okay, so this is a very pretty, colourful slide. I like the colours on this. So, these are the five different reviews that we're proposing. So, the first one is accountability and transparency. So, this is not identical to what is currently set out in the bylaws. But the idea is that it's looking at those same kinds of themes, just from a more refined perspective.

So, how is ICANN actually executing on its commitments? And you'll see there, referring to the articles of incorporation, bylaws, strategic, financial and operational plans as well. So, very high level at the top.

The next one is an assessment of continuous improvement. So, in the GNSO, we have the PSI. I know Manju's in the back of the room, so make sure to pronounce that right. So, we've got that one as a potential review. The other one, big issue, popular topic in the NCPH, a structural review of ICANN. As you can see there in the box, overall structure and components of ICANN and whether they're still fit for purpose.

We move down onto the bottom row, and this is where there's a bit of, maybe it'll be four, maybe it'll be five. There's an idea that maybe we want to have a standing mechanism to make sure that the reviews program remains fit for purpose moving forward. So, that's the one marked D. And then also, off on the side, we're sort of floating between Ad Hoc on-demand reviews, so basically a mechanism to initiate reviews that aren't otherwise covered by the rest of the reviews program or can't be addressed anywhere else in the existing mechanisms for ICANN. So, potentially, the reviewer reviews could end up into this Ad Hoc on-demand review.

In terms of what you all can do, please look at the document. I'll put a link in the chat as well so you've all got access. The main kinds of questions I'd encourage you to keep in mind are, you know, is anything missing from the table? Is anything included in the table that you don't think should be? Do you like what's in there or not like it? So, again, it's those questions about how you think about it because the idea is and the hope, and assuming we stay on schedule, is to have a more final version to present to the community for discussion at ICANN86. I'll stop there.

If any of the other reviewer reviews people would like to jump to a microphone and add anything that I've missed, please do so. Otherwise, happy to take any questions.

PAUL MCGRADY

Sorry, Sophie, but I had to step out for a bio break. I've not had a chance. So you probably already addressed this, but this seems to me like it's starting to calcify, right? Like it's coming together, you know, it looks stable. Are we, like, at our, like, is it time to speak now or forever hold your peace? Is that where we're landing?

SOPHIE HEY

Yes, please, speak now. Obviously, this is ICANN, there's always more opportunities, but now is the time where you definitely want to be providing input. It's all starting to stabilize. So, if you don't like something now and you've got, no, no, no, now is the time to say that. There are multiple sessions this week.

So, please, Osvaldo and I, when we send out, kind of, regular updates, we try and be diligent about it on what's going on. We do include links and mentions on how you can provide input to the mailing list. That input to the mailing list is discussed in meetings to the extent it's sent, so it is considered by the group. I know the ISPs have provided some recently, for instance. So, please do that.

Also, I hope Chris is standing up to tell me I'm wrong. We do have a flexible observer policy as well for people being able to chime in and engage. This is a we want input, we want to hear it. Chris, please correct me.

CHRIS DISSPAIN

No, not at all. Everything you said is right. I just wanted to say that there are multiple opportunities. The ISPCP has, for example, put in written comments, which is fantastic. And if you want to put in written comments, that's very welcome too, but we've got the plenary session coming up on Thursday and so on.

The reason I came to the microphone was just to say, yes, you're right, in that it is beginning to, I'm not sure that I think calcifies it sounds like whether I think that's a good thing or a bad thing, but leaving that aside for a minute. But there is still a lot of stuff that we haven't gotten to yet. For example, it came up this morning in our discussion about how do we feel about the jumbling, making sure that they don't crash into each other, the reviews.

We haven't got to that point yet, because until we've decided how many there are going to be and so on. But there's a lot of work to be done. These are the sort of principles. And just to be absolutely clear, there will be opportunity post this meeting. It's not like it's closed for comment. There will be plenty of opportunity to have more input as we slide in towards Seville. It's in Seville that we think we should be able to deliver a full package. Thanks.

SOPHIE HEY

Anyone else? Philippe?

PHILIPPE FOUQUART

Thank you, Sophie. And just to put everyone on the same page, as far as our input is concerned, maybe I should say this first. Implicitly, our input meant that sort of this structure is fit for purpose from our standpoint. There might be overlaps, but minimal ones. So, as a method, that seems to make sense.

Now, more on the substance, and although our input was quite comprehensive, just to put the emphasis on the importance that we see in the structural review bucket, otherwise known as bucket C, and the fact that from our standpoint, given its very nature, this should happen first before any other reviews, given that those reviews may be impacted by that structural review, A, and B, that this structural review, but the clues in the name, should consider the overall ecosystem of the internet and whether the structure of our community is relevant for that ecosystem.

So, that's sort of the gist of the input that you will see, that you have seen in writing, but I think there will be a new input that will just focus on this. Thank you.

SOPHIE HEY

Thank you, and thank you for providing a great summary of that. Sorry, John, do you want me to run the queue, or do you? Okay, I've got Susan and Margie, one of you is in the room, and one of them is in person. Do you want to rock, paper, scissors?

SUSAN PAYNE

It's just a quick one about the feedback process. Sometimes when we have sessions at ICANN meetings, people discuss a particular topic, and then we're told, you've got feedback, make sure you submit it in writing, it's got to go through the Public Comment portal to be considered.

So, I'm just trying to establish whether that's the case here, or to the extent that people come to the plenary or to the GNSO session tomorrow, is the feedback that gets given there, will that get taken on Board, or should it really be given in writing, either as well or instead?

SOPHIE HEY

I see Avri's come to the table, so I'm going to let her speak.

AVRI DORIA

Thanks. Yes, and yes. Basically, staff and especially Alice, but all of them, have been really good at capturing what we think we heard. And they put out a report for the group that is, this is what we think we heard.

Is this what we heard? But there is also the sometimes where you want to be so very specific about the words you use and make sure that indeed submitting something in writing to make sure that it's reinforced is a good idea also. So, it is almost a belt and suspenders to use that old idiom of trying to collect it all, you can never be sure you got it all, so keep trying.

SUSAN PAYNE

Thank you.

SOPHIE HEY

And just to add on that point before I go to Margie, just to remind everyone of how diligent Karen and Alice and that whole team are, there's a Google doc from all the feedback from the prep week session that was received there to keep track of it. And I'm pretty sure Karen's in the room, but she might be hiding. Yes, she's waving to take notes on your thoughts as well. So, we are actively making sure that we do capture it as best we can. Thank you. Margie?

MARGIE MILAM

Hi, it's Margie Milam. So, is the E, the Ad Hoc/on-demand review, tell me a little more about how topics, you know, get considered for that because from what I understand from this, you're basically getting rid of the registration, the whatever, the who is review, the security review, and the antitrust review, right? The consumer choice and trust review. So, those were built into the bylaws before this process. And so, are those considered as part of that or what's the thinking with respect to the ones that aren't mentioned here?

SOPHIE HEY

Great question. So, you know that means I'm going to not have an answer for you by saying that. That's all under development. Now, when you go into and actually look at the proposal there and the reference to historical, so there is some reference and it's anticipated that potentially if there is a desire for an FSR or a CCT or an RDS review, that that would happen through this mechanism. In terms of the detail of that, under development, under construction, Chris has come to the table if he would like to add anything.

CHRIS DISSPAIN

Thanks, Sophie. Yes, Margie, it is that they sit in that box. I think that's sort of building on what was, if I remember correctly, a recommendation from ATRT3. We haven't yet worked on the details of a threshold, but clearly there, obviously there is a threshold. What that is, you know, we'll work on it.

Clearly, it's got to be an SO/AC threshold across the community, but we don't yet have them got into detail on that. But yes, in fact, in the table, as opposed to this slide in the actual table, which is available on the website, it's mentioned, specifically mentioned in Box E as being part of the things that you would, you might consider putting into that Ad Hoc review. So, they do crack a mention.

SOPHIE HEY

Okay, anyone else? I see John's put a question in chat when our written comments feedback due. We don't have a deadline. The sooner the better. The sooner it's provided, the sooner we can consider it. But ideally, before we finish our work overall would be great. Is that helpful?

JOHN MCELWAINE

It sounded like it might have, you need it before Seville though, correct?

SOPHIE HEY

Absolutely. Yeah, I would say probably aim ideally for the end of April would be my soft goal for getting written feedback in, appreciating that there's still major discussions to evolve, but soft deadline, building in some delays, I would say end of April.

JOHN MCELWAINE

Any other questions for Sophie?

CHRIS DISSPAIN

Yeah, I'm not sure if Sophie covered it or not, but just to be clear, there will be a Public Comment, proper open public comment thing. I'm just not quite sure when, but it will be relatively soon.

JOHN MCELWAINE

Okay. Sophie, thank you for coming out and thank you for the other part of the Review of Reviews team for coming out here and providing us information. So, I think we can go back to the agenda and I'm going to turn it over to Rafik.

RAFIK DAMAK

Thanks, John. I think the next topic is about the representation parity. So, I'm here to share the coming from, I mean, as background is coming from the discussion that happened in the PDP abuse, sorry, DNS Abuse PDP drafting. And this is not a new topic. It's something that happened at when we try to initiate a Working Group. And we do believe it's a good opportunity maybe to clarify some points, to find the common ground here.

We explain about our position here, yours regarding how you see the representation should be done. And this one of the topics, if we can work together to agree on some modus operandi that we can both side, we can live with that and to not have this happen at each or every time we are doing that drafting for a Working Group.

So, it's just kind of this to initiate or start this discussion and looking forward to hear from the CSG what you are thinking or if there is anything that we can work out, but also asking from NCSG if anyone want to add more here. Checking the queue. Okay, I see Lawrence. Yeah, please go ahead.

LAWRENCE OLAWALE-ROBERTS: I was actually thinking that someone from the NCSG wanted to start on this. But in the last exercise we had, basically, there was a charge, I would say a request that and don't forget that this PDP is a representative one. But however, there was a request that the NCSG should have equal number of seats as the CSG.

And some of us basically approach this from the view that one, there is multiple, there's going to be multiple DNS Abuse working groups, PDPs that will emerge in future dealing with specific issues. For this particular issue, the registrar block made a request for extra representative seats based on their business model and based on the fact that they wanted to be able to deal with this from different lenses.

And so, the registrar block was allocated four rather than the usual two seats. There was actually an uncomfortable occurrence that brewed up where NCSG representatives kept demanding that they should have equal seats with the CSG. Well, we believe that for certain reasons unknown to CSG, we weren't the ones who reallocated seats.

Two seats were allocated to NCSG, while the BC-IPC and ISPCP had two seats each. And so, some of us felt that yes, the NCSG should be allocated seats according to stakeholder groups like we were, constituencies rather like we were, but that again brought up some issues.

Well, the take of a number of us is that each of the PDPs coming up will have to be looked at from the lens of the experts need to deal with issues around that PDP. It shouldn't just be about block allocation of seats and where it's going to be about block allocation of seats and where you really talk about wanting to have balance, then it's not going to be balanced to have equal seats in terms of CSG constituencies where we don't have equal constituencies.

So, I think that we should focus more on getting the right experts at the table for each PDP, trying to ensure that we have enough manpower to deal with each issue that come up. And this shouldn't be about having the same thing that the CSG has. For so many reasons, even in this particular PDP, I for once brought up reasons why the BC should not have just two seats.

We have businesses. The BC is where you also today find domain resellers, for instance, because they don't have contracts with ICANN, they cannot be represented at the contracted party side. But for the second level domain providers, there is actually a lot of abuse going on in that ecosystem.

And if we are providing just two seats to the BC, I don't think you are doing enough justice in terms of representation. We took that so that we can have the PDP engaged moving forward. But we find out that that isn't the interest of a lot of people. We just want to have equal seats. And I don't think that helps the case. Thank you.

RAFIK DAMAK: Okay. Thanks, Lawrence. Before moving to Farzaneh and Brunner, I would like to make a point. I don't think the intention here is not really to reallocate what was discussed in the drafting team, but really to think ahead, to try to find something that we can agree on. If we will go again to reallocate what you had in the drafting team, maybe we are not going to end up with a better outcome. So, with that said, maybe first we go Farzaneh and then Bruna.

FARZANEH BADIEI

Yeah, thank you. The reason we are discussing this is actually because this issue keeps coming back. We had this issue 10 years ago when it was about representative of, and it keeps coming back when it's like a representative model. We have no problem with CSG having like 9 or 18 members on the working group. But we think that because these Working Groups are the places to bring the issues and the interest, it's not just a matter of expertise.

And if it's a matter of expertise, there are so many non-commercial issues that we frankly should have so many representatives. But if it's a matter of bringing different issues to the table and time and time again, when we discussed the chartering of the working representative Working Group, that is kind of like closed off.

So, the CSG tries to have more seats than NCSG. And I understand that like you might want to have more seats, but you need to have, but it should not be at the NCSG expense. We should not be like fighting this among each other. If you want, you can advocate for more seats. And time and time again, it's brought up that we have more constituencies.

Our internal structure and governance of NCSG is its own, like it's based on how we function, how civil society functions in digital governance space. We decided that constituency-based representation of interest might not be enough. So, we have NCSG as like a general membership and we have our own constituencies, but that is our own decision.

Just because we don't have as many constituencies as you have doesn't mean that we don't have as many experts and we don't have as many concerns. And quite frankly, the non-commercials always should be, because they don't have the resources, because this is more of like a voluntary thing for them to do, they usually are given more chances to contribute, but this is not the case in ICANN and we are not even asking for that.

What we are asking is parity. If you think that we are equals, then it would be great to just like, if you want to ask for more experts, for more representative, go for it. But we don't want to discuss how ICANN constituency and stakeholder group works and how you need to like get more representatives. And we want to discuss this once and for all, so that not every few years we get somebody to advocate for more representatives for CSG. And then maybe some of us would be dead by then and we cannot go and argue against it and not be represented equally. Thank you.

RAFIK DAMAK Yeah, thanks, Farzaneh. Next is Bruna.

BRUNA SANTOS

Thanks, Rafik, and hi everyone, good afternoon. I think Farzi just tackled most of the issues here, but I would maybe just kind of like to reinforce the point on the governance kind of structures, because whenever these discussions they show up, it seems like we're always forced to agree with the discussion, with a suggestion actually, that gives us only one seat or two seats per constituency, when it's a non-fact that NCSG organizes itself in three groups at least, you know.

So, I think it's beyond time that we start acknowledging this structure and it's not a secret to anyone in the community and it's just, you know, upsetting to see this being the suggestion given by other parts of the community.

And again, no need to revisit the past, but it would be very nice as Farzaneh suggested that we just had an internal agreement, just so when we come to the next chartering exercise, we don't keep arguing against each other and asking and pointing out that, you know, NCSG should have just four seats or BC should have these seats and so on.

So, just maybe that, let's please, it would be nice to acknowledge the governance structure of NCSG and that we leave, or at least try to come up with an agreement within all of the groups in NCPH. Thanks.

RAFIK DAMAK

Thanks, Bruna. Okay, let's see if there are any comments or questions.

SUSAN PAYNE

Hi, Susan Payne here. So, I think we can probably agree that we don't need to keep having that conversation about the constituencies as such. We understand that your group, or I'm saying we, I mean, I understand that your group is organized differently to the way the CSG is organized. But I think a kind of blanket insistence on there always being parity doesn't take into consideration the actual subject matter of whatever the PDP is.

And I'm trying to think of an example that maybe will be less triggering, but supposing we're doing a PDP and the most impacted parties in that would be the ISPs, then it would be perfectly reasonable for the ISPs to have that kind of conversation in the context of chartering that the registrars just had about we need, you know, we need more seats at the table because we are the most impacted and we have different business models. I don't know how they operate. We need more.

Now, just because the ISPs have more, that shouldn't then mean that, you know, everyone else's numbers get upped because that is completely contrary to the whole argument that the ISPs just raised. So, parity is okay and, you know, it can be a starting point, but we have to think about the actual PDP and what the subject matter is and what's most impactful or who it's most impactful on and what makes sense in order to get the right level of representation in the room rather than just parity for parity's sake.

RAFIK DAMAK

Okay, so we have run out of the Q&A. Bruna then.

BRUNA SANTOS

Yeah, maybe just give a question back to you guys. So, are we really saying that any users don't get affected by PDPs? Because, I mean, it is what Farzaneh said at the beginning of her intervention, like we don't object BC or any groups having slightly more seats if it feels represented, but at the same time, I don't really get this argument that's about the expertise around the issues and topics because, again, you guys need to acknowledge that NCSG also has expertise in many topics and not just that, we're doing our best in trying to represent the views of any users.

So what maybe makes me feel uncomfortable about this conversation is this repeated statement that we don't have the expertise or maybe end users are not the expert subject in this. And I think if we're saying that, then it's a failure of our processes because even in the multi-stakeholder model, we aim to have the end users' perspective represented in the room and we just keep ignoring and sidetracking that.

So, maybe a question back, is that what I understood? Are we really saying that in some cases, end users or human rights expertise won't be the needed expertise? Do we really think that already?

RAFIK DAMAK

Sorry, Susan. So, we have maybe Jan, and then Susan, and then Michaela.

SUSAN PAYNE

So, thanks for asking that, Bruna. I don't think I came anywhere close to saying that, but just to be clear, I wasn't saying you have no voice, you have no space in the room. What I was saying was there can be subject matters where it may be that there's a particular group that is able to persuade everyone else that they need a few more seats at the table than others do, just as the registrars did in the last one.

That was literally all I was saying and that's not at your expense. It doesn't mean you don't get to be in the room at all because I just gave Philippe's group extra seats on that particular PDP. Quite the reverse. I was simply trying to float an argument where there might be a group within the CSG or indeed it could be a situation where it's within the NCSG, but I was just coming up with an example of a CSG group who might be able to persuade the wider community that they need more seats at the table for that particular PDP and just by virtue of them having more, that doesn't mean you are being disadvantaged or removed from the room.

RAFIK DAMAK

Thanks. Okay, yeah, sure. Jan and then Michaela.

JAN JANSSEN

Thank you, Rafik. I want to echo everything Susan has just said and also refer to one of the commitments of ICANN in the bylaws. It is to ensure that those entities most affected can assist in the policy development process. That is an ICANN commitment.

If you have a part of the community that is consistently being ignored but that part of the community happens to be the entity most affected by a certain policy, can you still say that ICANN is ensuring that that entity is assisting in a policy development process simply because it's there? That's a rhetoric question, but I think that the answer is obvious and that is something that needs to be assessed on a case-by-case basis.

And so, I really want to echo what Susan was saying on that parity should not, it could be the default option, but it should absolutely not be the case for every policy development process.

RAFIK DAMAK

So, I hear from Michaela, I think we are running over time, so Michaela then, yeah.

MICHAELA SHAPIRO

Yeah, thank you so much, Rafik. Now just to respond to a couple of points. I also agree with what others have said, that the question of exact numbering is a, to me personally, it feels more like a distraction from the issue at hand, which seems to be about whether the importance of expertise in the room.

And I would just like to say, at least from the NCSG side, there's always been an effort as far as, you know, I've been involved in the NCSG, there's always been an effort to ensure that expertise on the topic is still heavily required for the ability to engage in these spaces. But at the same time, we also have to acknowledge that the potential impact on these policy decisions may not seem obvious, but without NCSG's voice there, that doesn't get raised.

So, just to say, I think I would gently push back on the idea that, you know, end users, or in our case, the non-commercial entities are not as impacted by these, but I also just want to end with the note that the ability of our, the request to have the six members of the NCSG shouldn't preclude the ability for the CSG side to have, you know, to ask for more members, but I'll leave it at that. Thank you so much for the time.

RAFIK DAMAK

Thanks, Michaela. Okay, I think, I mean, we're not reaching any consensus today. Hopefully it will be next time, but I think, yeah, it's a good time maybe to wrap up, and that's over to you, John.

JOHN MCELWAINE

I think that we're at time, and appreciate everybody's discussion here, and yeah, thanks, and I think we end the recording.

ANDREA GLANDON Thank you. Please stop the recording.

[END OF TRANSCRIPTION]