
ICANN85 Mumbai | CF – GNSO Work Session (3 of 3)
Sunday, March 8, 2026 – 15:00 to 16:00 IST

TERRI AGNEW

Hello and welcome to the GNSO Working Session 3 of 3. 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. Only questions posted in the Zoom chat identified as a question will be read aloud during the session, as time permits and when directed by the chair of the 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 and at a moderate pace. I will now hand the floor back over to our GNSO Chair, Susan Payne. Please begin.

SUSAN PAYNE

Hello, everyone. Welcome back. This is our final working session of the day, the third working session on this Sunday. Thank you all for being here.

Obviously, it is not the end of our work; we have a number of other things we will be doing during the course of the week. But for this session, we have two main agenda items. The first is a case study

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.

where GNSO support staff and some of their colleagues from Org are going to explain how the broader Org follows along and contributes to the PDP support work. Primarily, they will focus on how they ensure and make an assessment of whether policy recommendations are implementable, whether there are any consensus policies that would be impacted by the recommendations, and whether the recommendations will be enforceable.

This is really a continuation of some of that conversation we were having at the SPS. Steve gave us a sort of introduction to the way there have been some improvements in terms of that engagement on the Org side to help ensure that there are board-ready recommendations. We are going to have this case study here to look into that in a bit more detail. I am not sure who I am passing over to. Steve? Yes, thank you.

STEVE CHAN

Thanks very much, Susan. This is Steve Chan from staff. That was a great intro; that is exactly the purpose of what we are trying to do. We are trying to pull back the curtain a little bit and focus on two pieces of the analysis that are aimed towards trying to make sure that the recommendations at the end of the day are well thought out, durable, implementable, and adoptable by the Board as well.

Karen specifically will be joining me on this journey as we go through these two things. It is going to be looking at two different things specifically. One is related to all the different analyses that

take place related to the global public interest, human rights, impact on existing consensus policies, and data privacy.

The second piece is the contributions of GDS, and sometimes more than just GDS. It is part of the reason why we wanted to share this update with folks, because the faces that you usually see on working group calls are usually GDS, but it is not just GDS that contributes to the initial and final reports at the end of the day. It is an Org-wide effort. Maybe not the entire Org, but a good slice of the organization is looking at the recommendations and helping to make sure that they are implementable, operational, enforceable, and all the good things. Next slide, please.

What you will see here is the number of liaisons that take part in PDPs. The GDS liaisons are involved in the PDP throughout the entire life cycle. They are actively engaged and provide continuous support. At the end of the day, what they are trying to do is flag operational and implementability concerns. Once the recommendations make it through the various steps like Council consideration and Board consideration, they are then involved in the handover and implementation of the recommendations.

You will see a couple of other parties mentioned here on the slide. We will get into that a little bit later, but they are there on a more as-needed basis and then also at a specific checkpoint where Karen will explain better how they take part in the evaluation of the recommendations. Next slide, please.

This is a standard practice for PDPs. It is included in every single charter where, at a minimum, GDS assigns at least one liaison that takes part in the PDP. You can see the language here. I won't dwell on it, but they have dutifully done so in every instance for every PDP, and we appreciate their efforts.

SUSAN PAYNE

Can I ask a question? Do we know who that is? Do they get identified? I should know the answer to this, but I probably haven't been on a PDP since this was the case. I have been doing a lot of IRT work, but there is always a load of staff on. Do we know who the liaisons are, and is it the same person each time, or is it a group effort?

STEVE CHAN

Thanks, Susan. It is a good question, and I am sure Karen will weigh in as necessary. The liaison themselves is invariably a specific person. For the Latin diacritics, which is the better example right now, it is Ariel Liang. She is the GDS liaison to the PDP, but she is not alone. There are a number of different people behind her that also support the PDP. I think Karen will go into detail later on how the other folks get involved in the process.

KAREN LENTZ

Yes, thanks. I will. But just to your question, Susan, on whether it is a clearly introduced person as the GDS liaison, yes, that is what we aim for. Sometimes it happens that someone goes out on leave or

people switch projects or teams, so you introduce a new liaison. But there should always be one that is clearly identifiable to the PDP working group.

STEVE CHAN

Thank you. If there are any other questions, jump in whenever. Next slide, please. Reminding myself what this slide is trying to tell me. There is a lot going on; the Latin diacritic is throwing me off. What we are trying to show here is that there are a number of different parties that are involved.

I will take one step back. What we were talking about up to this point were generalities, and what we are looking at now is specifically the Latin Diacritics PDP. Susan's question was, "Who is the GDS liaison?" As a single person, it is Ariel, but that does not mean that is the end of it. For this specific PDP, you will see a couple of other roles mentioned. The GTS is GDS Technical Services. Because of the technical nature of this specific PDP, it made sense to identify a person from that team, so that is Francisco Arias's team. He has assigned someone to help this PDP.

Probably quite obvious for this one is the connection to the IDN and UA program. We have folks from that team that have also supported this PDP. They are not formally the GDS liaison, but they are also actively taking part in the ongoing deliberations of the PDP. This is not a static thing; it is actually these three different parts of GDS taking an active role in the PDP.

I touched on what their goal is. It is really about trying to help the deliberations by providing factual information and warnings where the PDP might be going in a way where the outcome could be not implementable or not operationally feasible. They are not there to weigh in on the deliberations; it is really about flagging things that are concerning or problematic.

Just a quick reference to the two parties at the bottom. They are referenced there, and I will get into why, but they are not generally a consistent part of PDPs. For this specific use case, it makes sense to mention them. GSE is Global Stakeholder Engagement. There is a specific reason why they are mentioned here, and it is fundamental to the analyses that I will speak to in a moment. Next slide, please.

All right, you probably can't read this. We are going to go into some of the details of the new things specific to the Latin Diacritics PDP. This is the very first one of its kind where, within the charter, it is required that this PDP examine the global public interest, the human rights impact analysis, and the potential impact on existing consensus policies. It is not specifically called out in this one to also examine data privacy, but it is in DNS Abuse PDP-1. This one did not have that piece.

For the three ones I just mentioned—GPI, HR, and existing consensus policies—this is the first of its kind where these are explicitly called out and it is a requirement for the PDP to perform these analyses. I wanted to pull the curtain back to provide some

of the details of how they were conducted and how we established the framework for how they would be managed. All this is to provide more context and understanding for how they are conducted. It is good for awareness and helpful for identifying ways that we might be able to improve the process, because it is the first time. There is almost always room for improvement when you are doing things for the first time.

For the potential impact on ICANN's consensus policy, this was essentially starting from scratch. The GNSO support staff worked with our GDS liaison to develop a framework which essentially mapped out all the existing consensus policies, tried to lay out some pertinent questions in a worksheet, and then we systematically went through every one of the consensus policies.

We performed an analysis to find out whether or not we thought there might be an impact. In this particular case for Latin diacritics, it is a pretty niche thing and doesn't impact a ton of different things. There are minor impacts on the UDRP and the Transfer Policy, but other than that, the assessment essentially was that there was not much impact on existing consensus policies.

The reason why this analysis is included in the PDP is a direct result of the ePDP Phase 1. There was a very general recommendation that said they needed to be considered against existing consensus policies, and the goal here was to try to be more systematic about it and pull it up much further into the process. If there is potentially an impact, then it is much more explicit about what that impact is,

whether or not it should contravene and supersede it or something else. Karen?

KAREN LENTZ

On the impact on existing consensus policies, I was going to observe that one of the reasons I think this has become more necessary is that at an earlier stage of ICANN, there were not so many consensus policies that existed. There were a handful that were in effect, but because of all the community's work on continuing policies, there are more and more, so there is more potential for overlap and complexity. It is more important to look at those things as early as we can. Thanks.

STEVE CHAN

Thanks, Karen. Regarding the mechanics of how we manage this process, it will sound familiar, but what we did is essentially wait until the recommendations were stable. This meant that we had a set of the full set of preliminary recommendations and they were all stable. That was the point at which we looked at the existing consensus policies. We felt it made sense to have a holistic set so we could better evaluate it.

The initial evaluation of the potential impact was performed by the GNSO support staff, and then we consulted with our friends from GDS to weigh in as well. The output of that exercise was then provided to the working group for their review and feedback. I should add that Seywan added a comment to the Zoom room just

now about a link to the analysis. All of these things are very much public, documented, and captured on the wiki. When I talk about the GPI analysis and HRIA, it is the same thing. They are all captured on the wiki, so you can take a look in detail. I will pause for a moment before I go into GPI and HRIA.

SUSAN PAYNE

I am looking at this chart, and this is really detailed. I am guessing then that you literally go through every consensus policy there is and just do a quick double-check to make sure that there is no impact.

STEVE CHAN

Yes, Susan. The analysis is very thorough, and we owe a huge level of thanks specifically to Seywan, who I know is listening and is up at some insane hour at the moment. It is important to recognize the efforts that she put into all these three analyses because this PDP was the trailblazer for these different things, and she spearheaded all three of these. If she were here, it would be much more appropriate for her to be talking about these things because she knows it better than I do since she performed the work. Volker, please go ahead.

KAREN LENTZ

He is not in the room. I think he may have done that from a different meeting. Sorry about that.

STEVE CHAN

Volker, I don't know if that's a stray hand or if you had a question. Oh, very stray hand. Okay.

All right. I think we can move on to the next one. In the nature of how it was performed, it is very similar. Again, this is the first time that these things were conducted, specifically the Global Public Interest Impact Assessment and then also the Human Rights Impact Assessment. This is a callback to one of the original slides where I said not to pay too much attention to the fact that GSE is referenced. This is now where it's important. They provided some key guidance to us for these frameworks and how we should be looking at them.

Specifically, it's the Public Responsibility and Support team under the GSE group. They were key in helping us to set up the framework and documents, essentially a big worksheet very similar to the one for existing consensus policies. It provides a framework for us to view all the recommendations. Just like for the existing consensus policy analysis, we did something similar: you should keep all these factors in the back of your mind as you're going through the deliberations, but once you get to a set of full, stable recommendations, this is when you perform the detailed, holistic analysis.

I see a hand. Just one quick addition is that there are these resources that we are able to rely on. They are intended to be advisory in nature in the sense that they don't dictate the exact way

in which we need to perform these analyses. In large part, we followed the guidance provided. I think we tailored them a little bit because, in general, the impact from the Latin diacritics PDP is positive. A lot of these things are really intended to be able to identify negative impacts to global public interest or human rights, allowing you to try to mitigate or at least identify controls. But that was not the nature of this PDP; it was more about identifying the positive impacts. Lawrence, please go ahead.

LAWRENCE
ROBERTS

OLAWALE- Thank you. Lawrence for the record. The GSE team is usually regionally based. In terms of the Latin diacritics PDP, can you speak specifically to how their inputs are structured? Are you getting feedback from all the regions or from certain regions, and how does this feed into the work?

STEVE CHAN

Thanks, Lawrence. That is a great question. We hesitate a bit putting a reference to GSE because it is a subset of GSE. That specific team is the Public Responsibility team. They help out with training and impact analyses. It wasn't so much from their outreach aspect; it was really about that Public Responsibility group who helps facilitate impact assessments on global public interest and human rights. I hope that helps. Great question.

The process was very much similar. It was a consideration along the way to make sure that you had in mind global public interest and

human rights impact. But the same thing: we waited until the recommendations were crystallized and stabilized. That is when we did the holistic review against all the recommendations within the context of the framework and guidance. Here again, all of that documentation is available on the wiki.

Yesterday, the NCSG had a session on the human rights impact assessment, and I think there is a key learning that we saw from that session which might be something we want to employ for potentially the DNS Abuse PDP-1 and maybe other PDPs in the future. One of the things they had was essentially a checklist for weighing against your recommendations. Something like that allows you to do a more iterative approach.

As you are finalising individual recommendations or blocks of recommendations, you can do assessments along the way instead of waiting until the end. I think what you can do then is build more iterative and durable recommendations along the way. It doesn't obviate the need to still look at all the recommendations at the end because there is interplay potentially between all the separate recommendations, but that checklist approach that you can consider along the way can give you better confidence that once you reach a whole set of stable recommendations, what you have done has properly taken into account global public interest, human rights, etc. That might be something that we examine for DNS Abuse to see if we can do it not only for human rights but also the other analyses that we need to do.

I think that's it for this one. If there are any questions... Seeing none, I think next slide. There is a question from Thomas, but it's not relevant to this. So next slide, please. This goes over to Karen. That was the impact assessment. This is a different aspect: the standard way in which GDS evaluates the recommendations or supports that process. Thanks, Karen.

KAREN LENTZ

Thank you, Steve, and hello, everyone. I think this is our last slide, and I'll cover a few aspects of the number of parts of the organization that might engage with policy recommendations at different points in the process. The GDS liaison may be the most visible at the policy stage, but it's definitely a team effort.

As we've noted above, there are a number of parts of the organization that are involved, but there are some specific points in the process where we now have a standard practice. One of the points that we look for in the process is when the recommendations can be considered stable, so it makes sense to engage on considering some of these questions about recommendations that are in progress. Often, that's at the stage of the initial report. At that point, we're looking with the goal of implementability to be able to flag if we see issues ahead for something being discussed or a direction that seems to be coalescing in the working group.

Several factors go into that. The obvious one is just whether it is clear what the recommendation is or is intending to do. Often when

you've written something and then you step back or start getting questions, you realize what hasn't been made explicit. The first thing that we're aiming at is whether we understand this. One of the questions that we use a lot is, "Who must do what with this recommendation?"

Then we're also looking at things like alignment with the ICANN bylaws or other documents that we need to consider in terms of ICANN's mission. We look at enforceability. Where there are requirements being proposed to be applied to contracted parties, are the recommendations creating the kind of requirements that ICANN could enforce? Then we also start looking at things like cost. Do we foresee some of the recommendations potentially being cost-prohibitive?

Because of the broad scope here, we will often pull in many different parts of the organization depending on what the policy in question is. In the Latin diacritics, you've already heard that this is a highly technical example. That often comes up in policy recommendations. In the last several years, all of the GDPR or data protection-related policies, which are highly legal in nature, relied a lot more on legal resources. That aspect is case-by-case, but we've developed a good rhythm of being able to put plans in place to pull together this cross-functional group when we need to.

To give you a sense of the workflow, when the initial report is published for public comment, we do a cross-functional review spearheaded by the GDS liaison. They are responsible for pulling

together everybody's questions and inputs and trying to make them coherent. This has been completed for the Latin Diacritics PDP. We typically submit that during the public comment period so it can be considered by the working group at the same time as all of the public comments.

Our comments may include general observations about whether the goals of the PDP are clear, whether the recommendations hang together, or if there are gaps. You'll see this in the Latin diacritics as well, where we will give inputs on specific recommendations. This can be a clarifying question, a suggestion on rewording the language, or confirming an assumption. We look at the recommendation and the rationale and surface our understanding so that it doesn't become a misalignment later.

You see the impact analysis on the slide leading into Board preparation. At that point, we're starting to look at what the impact is on ICANN as the organization to support a particular policy. A good example of this is with the Registration Data Policy. These recommendations are all for contracted parties as far as what data can be processed, what can be collected and displayed, and so forth. But we also look at what we need internally to be able to support these new requirements.

With the Registration Data Policy, for example, it involved updating our data escrow processes, updating the ICANN Lookup tool, and just basic things like updating our website FAQs to reflect the correct, current set of requirements. That's the point at which we

start to finalize or firm up what we think the work that is needed on ICANN's internal side is to be able to support the policy once it's in practice.

When we are helping to prepare the Board for making a decision, all of this work that's been happening along the way goes into that. We're looking at that point to flag any remaining concerns. If the process is working correctly, this is not the point where we're discovering new issues. A lot of what the Board is looking at is process: how the public was consulted, what feedback was received, and how it was addressed by the working group. We present the operational aspects as best we can from the organizational side and flag any remaining risks or concerns for the Board. All of this is meant to help smooth the transition as a set of policy recommendations goes from policy development to being considered by the Board and finally to implementation.

The last thing I'll add is that we take very seriously the position that we're in when engaging with the policy work in progress by the community. As Steve said, we're not involved in the deliberations or expressing support or opposition. But we are trying to push to make sure that recommendations are clear and implementable. When we are engaging, our state of mind is not intending to be critical or to poke holes in the work of the community, but really to make sure that we are identifying issues or questions that can tangle us up later. That's the spirit in which we enter into this exercise. Thanks.

STEVE CHAN

Thanks, Karen. I just wanted to maybe expand on one of the things you talked about because I had the advantage of joining the Council for the strategic plan session, which you did not. I want to be a little more specific about the period in which the initial report has been published and all the recommendations are being looked at.

In the framework of what you just said, looking at the operational impact and implementability, it involves the broader Org. I want to put a finer point on who that involves. It depends on the policy recommendations or the scope of the PDP, but invariably, it is going to include compliance and legal. Probably someone technically oriented, depending on the set of recommendations. Finance is potentially a big part of it, too, because determining whether or not the recommendations are feasible requires them to not be cost-prohibitive. That set of functions within Org is much broader than just GNSO support staff and GDS. We pull in the groups that we need to be able to provide the guidance to the PDP that we think it could benefit from. Thanks.

SUSAN PAYNE

Thanks very much, Steve and Karen, for that really good overview. Any questions from anyone that haven't already come up? I'm sure we'll all reflect on this, but I've certainly found it very helpful for us

to all understand that work that goes in behind the scenes that we don't necessarily see. This is something that's developed over time.

It definitely is one of those things that we were talking about during the board readiness work when we were interviewing people from old PDPs. It became apparent to us when we were talking about this, and Steve was mentioning this, that actually some of those suggestions and recommendations we were making in board readiness have maybe been fixed, or at least significant progress has been made to improve the procedure. Thank you very much.

All right. Then we have our next agenda item, which is slightly vaguely titled "PDP Initiation and Early-Stage Issues and Perceived Issues." A number of concerns were raised by Farzaneh in recent times, and we felt that it would be a good opportunity to discuss them. Initially, the idea was we would do this face-to-face. Some of these conversations are preferable if people are all in the room and looking at each other, and unfortunately, not all of us are in the room anymore. But it's a good opportunity for us to hear what those concerns are on the NCSG side and for us to reflect on them and have some discussion.

I am going to turn this over to Farzaneh. We've got about twenty minutes or so for this. I don't know how you want to play it, whether you want to run through the three issues and then open the floor, or take them one by one. Whatever you think is best. Let's kick this off and hopefully we can have a productive conversation. Thank you.

FARZANEH BADI

Thank you very much, Susan. I think that I'm going to go through each topic and then we can have a conversation. Also, I'm sorry if I sent you the wrong slides because we were going to discuss three issues and I think I sent you the updated one, but I might have missed it. We can discuss that after I go through the two topics. We just had some observations that we wanted to bring forward to the Council, and these are just suggestions from us on how to go about it. Next slide, please.

Oh yeah, I can do it. I'm new to this technology. Actually, we have three agenda items: commissioning independent studies before a PDP is convened, principles for issue reports, and parity. I just lost the slides. It might be that we didn't update all the slides and we just added the parity issue at the end. It might be that this is the correct slide. You can just put that on.

SUSAN PAYNE

Farzaneh, I'll just let you know—you can't see—but I think because they both had the same title, probably there wasn't a realization, and I hadn't made it clear that there was a new one. So here are the new ones.

FARZANEH BADI

Great. Thank you. Perfect. You see now we have three topics. We want to talk about parity, structural representation, ensuring participation reflects the structural balance of the GNSO, and

Council representation. We only want to talk about NCSG, CSG, and the NCPH. Whatever the CPH wants to take away from this conversation, we don't want to touch that. These are the three topics. Let's go to the next slide.

What is the current situation about commissioning independent studies? Basically, what we have noticed throughout these processes is that we keep relying on external studies that are very useful but they are not done holistically. The method is not inclusive of all the stakeholders' concerns, and sometimes the method doesn't consider their comments or is not very holistic. It can consider technical issues, but it might not consider other issues related to that topic.

Let me just not be vague. Specifically, for example, when we got to the DNS Abuse drafting team, rightly so, we only had access to research and the informal report, which was just a research study that was commissioned. It was not an independent study that we asked for as the Council. We used other external reports, mainly NetBeacon and others, and they were also mentioned in our issue report.

We think that we can reform that process. Of course, those are very useful research reports, but maybe we might be able to do an independent study before we convene a PDP. It should not take long and it should not delay the process of convening. We just wanted to raise this: the current situation is that methodologies are

not designed by the scope of ICANN's policy work, or their methodology is limited.

We are proposing that the Council formally—I mean, you don't have to formally do that—revisit our operating procedure. As Susan told us, there is a recommendation that you can commission an independent study before a PDP is convened. Maybe we can remind ourselves that there is this opportunity to do that and see if we want to do it for future PDPs. If we use external reports, we need to specifically talk about the shortcomings of these reports and commission the studies so that they can be ICANN-specific, focusing on diverse stakeholders and all of these things. Do we want to discuss this? Are there any comments? You have three minutes. Does the Council like this idea? Did you know that you can actually ask for an independent study before a PDP is convened? Sorry, Susan, I didn't want to interrupt; you're the Chair. Go ahead.

SUSAN PAYNE

I'm going to put myself in the queue. It's not to ask a question so much, but I just thought it was worth just flagging. I think everyone is familiar with this, particularly as we've just done the SPS and we all had some reading materials to do our homework. Annex 2 of the operating procedures for the GNSO, the PDP manual, Section 3 talks about planning and initiation of a PDP. I won't read the whole thing, but it talks about how GNSO and staff are encouraged to provide advice in advance of the vote on the request for an issue report, specifying any additional research, discussion, or outreach

that should be conducted as part of the development of the issue report.

That is one area. There's also talk in that same section about scheduling of workshops that the GNSO is encouraged to do or gathering of other information. Separately in Section 10, which deals with PDP outcomes and processes, it talks about how once the PDP team is formed, they can also engage in the collection of information. They can solicit opinions from outside advisors, experts, or members of the public.

Obviously, they are asked to carefully consider budgetary impacts, implementability, and feasibility when doing that. There are at least those two, and probably other, provisions that do envisage that there may be situations where outside expertise, studies, or information gathering might be appropriate. I think it's worth our while to remind us all of that.

FARZANEH BADI

Thank you so much; that's very helpful. Lawrence, I'm sorry if I was not clear. We need independent studies that can do a holistic review. Go ahead.

LAWRENCE
ROBERTS

OLAWALE- Thank you. Lawrence for the record. I put my question in the chat asking about what the end goal is. Let's take the last process as an example, and I am glad that there was a mention of the informal report. There was NetBeacon and a whole lot of reports that were

cascaded; it's even in the draft charter. Where we go ahead to get an ICANN-accredited study done, I basically presume that it might not give us anything outside the information that is already in those reports.

Is the goal here trying to get an ICANN-branded report for us to work on, or is the goal to solve an issue that is identified? I don't see any extra value in getting a twenty-seven, twenty-eight, or forty-page document put together, possibly by ICANN, to start a process that we already know requires some further work to do. For instance, we have UDRP down the line. There is a lot of work that has been done. By going in this direction, we're basically saying we shall expend time and resources getting possibly ICANN staff to take a second look at what has been done to add some additional work that should be done and brand this ready to go before we sit on it.

It's just going to be an extra layer of work and an extra layer of cost, and it might not possibly change the outcomes, except for tailoring what needs to be done. Secondly, I'm not also comfortable personally—I haven't consulted the BC on this—I'm also personally not so comfortable with this idea because it could create a straitjacket of what should be looked at outside the general issues that bubble up from the current mechanism used. I think that when we are considering reports, we look at credible sources, industry-related sources, sources that are relevant to ICANN, and sources

that help us get the job done, and we should continue to do this.
Thank you.

FARZANEH BADII

I'm going to answer that very briefly. We are not here to convince the Council right now; we are here to get feedback. However, as you said, the informal report in our opinion was a research report. First of all, this research is not going to be done by ICANN staff. It's an independent study, and as I said, it's going to be the independent study that is ordered by the Council, which is more holistic and considers all aspects. If I may, I have to go to the other two issues, otherwise we are not going to have time. Vivek, go ahead.

VIVEK GOYAL

Farzaneh, just help me understand. When you say independent, that means nobody from the ICANN community, specifically the Council or the SOACs and their members, will be involved in this study so that it's truly independent?

FARZANEH BADII

Yes. Basically, I don't know word for word what the PDP manual says, but that's how I think it works. If you're interested in this issue, we will look further into those aspects and get back to you. Michael, if we are using external reports, an independent study might actually help us with the process much more. But let's go to the second issue.

The second issue is talking about principles for issue reports. Issue reports set the framework for the entire PDP; what they assert or omit shapes everything downstream. There should be evidential standards and it should be identifiable evidence clearly flagged, or if it's a hypothesis, it should be clearly flagged. Also, if there are contested empirical claims, they should be presented as such. This is another reason why we might need an actual independent study, because some of the stuff that we say are hypotheses are not, and we should reflect it as such.

It should be responsive to public comments. Public comments exist to improve the quality of issue reports, and issue reports should address these comments as much as possible; if they are not incorporated, they should explain why. Regarding the scope and community input, reports should clearly distinguish what is established and what is disputed. I think to a certain extent, issue reports do that at the moment. The PDP working group will need to investigate to avoid the premature closure of questions or ignoring dissent or criticism that happens. These are a bunch of principles that would be good to consider when issue reports are being prepared and discussed. How much time do I have?

SUSAN PAYNE

Seven minutes, Farzaneh. It may be that this is also something we can continue. I am throwing a few things into the informal meeting that we have on Monday, but this may be something we can pick up on Monday if time permits.

FARZANEH BADI

Okay, great. So let me go to the other issue and then we can discuss it. The other issue is the thorniest one. The current situation with parity is that the GNSO Council structure already provides equal seats for NCSG and CSG. For the representative PDPs, usually this kind of equal representation of CSG and NCSG is contested and sometimes disregarded, not in the issue report, but in the chartering. We have to relitigate this and get into disagreement about it.

In practice, representative PDPs often attract uneven participation, but you can disagree with us. This is only about NCSG and CSG. It is a Council issue because the conversation and disagreements happen in drafting teams of the Council. Questions that we can discuss include: What are the arguments against and for unequal representations of NCSG and CSG?

Maybe we can introduce a checklist for Council to assess whether representation across NCPH is balanced and aligned with structural parity. When reviewing PDP charters, the drafting team should explicitly note any representation gaps and risks and ensure PDP memberships are designed and aligned with the ICANN multi-stakeholder model. That's about it. Susan, do you want to add a bit?

VIVEK GOYAL

Can you go back a slide, please? Regarding the first one, I just want to point out a general comment. I think when somebody puts out a report or works on a substantial piece of work, they are doing it based on the research they have done. Maybe they are not able to put everything in the report because, given how much work there is to do, reading a five-page report is work enough. Reading a fifty-page report just to understand the whole context is even more difficult.

Somewhere down the line, the reader needs to take some accountability for what they are reading and believe if what they're reading is a hypothesis or a fact, and should take some judgment call on what they're reading and how they should interpret the data. There is a flat Earth society, and a large percentage of people across the world believe the Earth is flat, but that's what they believe.

When you read something, you decide what is right and what is wrong. Let's not put the whole onus on somebody else to convince us what they're saying is right. We are all adults. Take a look at the data, make your own inference, and make your position based on that. Thank you.

FARZANEH BADI

Great. Thank you for your feedback. Anything else?

SUSAN PAYNE

I'm not seeing any hands in the room at the moment, Farzaneh.

FARZANEH BADI

Okay. Thank you for including our issues in the Council conversation. We appreciate it.

SUSAN PAYNE

Thank you. All right. Then I think we... Did we have any other business? I don't think so. Then I think we are letting go. Oh. We don't have an open mic, but I'm going to kindly allow Thomas to speak. Thomas is a former councillor. I will say we do have an open mic for anyone at the end of our Council meeting on Wednesday. So for those who aren't councillors and have issues they would like to raise before Council, do come on Wednesday. Carry on, Thomas.

THOMAS RICKERT

Thank you so much for being gracious and letting me speak briefly. I just wanted to flag that I think you should talk about the timeline for the DNS Abuse PDP again. I'm not saying this because I want to create difficulties for the chair. For full disclosure, I ran for it, I put myself forward, and I didn't make it. So I'm not disgruntled, just the opposite. I'm pretty happy that I didn't get the job.

I think that Paul is going to be great, and he can work with whatever timeline you ask him to work on. But we presented this PDP as a narrowly tailored, low-hanging fruit, expeditious thing, and then we say one and a half years? That means if we work on all the tasks that came out of the DNS Abuse small team, we're talking about 2035 or something, and I'm happy if I'm still alive at that point.

This is what I've experienced over many years in this community. If you put the resources at the fingertips of any group, it will use those resources. ICANN staff or the financials have been put aside to support this group for one and a half years. The group will exhaust that, even though you say you don't have to. If any one of the component parts of these communities don't get their will, they will say, "We have more time, we can deliberate more." This group works best under pressure, so they need a deadline.

I wouldn't have given in on limiting from two meetings to one meeting per week. Do it two hours, two meetings per week, three months of deliberations, then you put together the initial report and throw it out. The more time you give, the more expectations there will be that you can broaden the scope, so that is a recipe for disaster and mission creep.

This was meant to mirror the practice that some of the registrars are already engaging in to basically get the players that are not good up to speed with what others are doing already, as was done with the contract amendments, not to create something entirely new and reinvent the wheel. I think this can be done in a shorter period of time. Also, having four or six months to analyze public comment—you won't get that much public comment.

I mentioned to Vivek in the hallways that I much appreciated that he stepped forward and asked for revisiting the timeline. You already got the heat from the GAC friends. Three of them spoke up and said that they were unhappy with this. I think you can do better

than this, and this community can do better if you don't give it that much time. Thank you.

SUSAN PAYNE

Thank you, Thomas. Look, I know I've got four hands in the queue, but we are already one minute over, and I'm getting told to cut this off, unfortunately. We are here for days. We have lots of opportunity to talk about this, so I'm not trying to stifle discussion. But the session is over, and I have to let the tech team go. Thank you so much. You can stop the recording.

[END OF TRANSCRIPTION]