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BRENDA BREWER: Good day, everyone. Welcome to the NCSG Monthly Policy Call on 16 August, 2021 at 11:30 UTC. This meeting is recorded. Kindly state your name when speaking for the record. Have your phones and microphones on mute when not speaking. Attendance is taken from Zoom participation. And with that, Tomslin, I will turn the call over to you. Thank you.

TOMSLIN SAMME-NLAR: Thank you, Brenda. Welcome to the NCSG Policy Call, which we usually hold before the Council meeting—the Monday before the Council meeting. The agenda is before us. I don't expect us to have a very long one today, considering that the GSNO Council agenda itself is not very packed. And that is also reflected in agenda number two that I'm about to go to. I want to check if anyone would like to add anything to the agenda.

I'd just like to call out that Bruna sends her apologies. So yeah. She will not be able to make it today. She is sick. She happens to be sick, unfortunately.

All right. We'll move to agenda item number two, which is updates from the ADR, or the Action Decision Radar. There's not much on that radar this month, actually. I just had two things I thought were of interest to call out.

The first was just noting that the Council is expecting the EPDP Phase 2A Final Report in September. And I did notice, however, that there is a

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comment from the work package of that group that the remaining items are in red because they might not reach consensus on the guidance issue. I'm not sure if this is the guidance to provide registrars and registries with, who would like to differentiate between legal and natural persons.

So I thought it might be interesting if there is someone from the group to fill us in a little bit about what's happening there. I don't know if there is anyone on the call who could help us understand what's happening.

STEPHANIE PERRIN:

Hi. I don't know whether anybody else is on the call. I actually had to miss one of the meetings last week. Basically, this has been an extremely frustrating time for us because we've just been rearguing everything we've been arguing about for months—start counting—months on the EPDP 2A. But we argued about these issues in Phase 1 before the initial recommendations were made for what seems like an interminable time.

So this issue on guidance is the same wretched issue. We have to be very careful about the wording that appears in the final report. And if we make a recommendation to follow guidance, then that guidance becomes authoritative. And there are several reasons why the Registrars don't want the guidance to be authoritative. It's voluntary.

But as I have tried explain numerous times, if you have ICANN-endorsed policy that says, "Here is how to provide legal certainty in differentiating between a legal person and a natural person," that data commissioners are going to say, "Okay. Right. Those are the instructions." And they are going to check whether somebody followed those instructions or not.

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And there is such a great variance in the types of registrars and registries that there are, that the guidance may or may not be appropriate depending on the situation of the registrars. And this is being written by some of the big registrars—certainly not the tiny ones.

So they don't want to be giving legal advice. And we don't want the differentiation between legal and natural persons to appear easy or routine because it isn't—particularly for our fanbase, our members. And as I've said before, while we don't represent small business, nobody else does at ICANN. So we should have a thought for solo entrepreneurs who are in business and who, more or less, are also part of our people we care about. Does that help, Tomslin?

TOMSLIN SAMME-NLAR: It certainly does. Thank you, Stephanie, because personally, I wasn't sure what it was about because I actually thought you guys had gone past that hurdle at the initial report. And it was interesting to see that that concern was going to potentially delay the report. So yes. It did help. Thank you. I'll pause to see if anyone has any comment to make.

STEPHANIE PERRIN: Just to follow up and say there's no such thing as a hurdle that we've passed when it comes to the EPDP.

TOMSLIN SAMME-NLAR: Thanks, Stephanie. Good to know. I don't see any hands up so I'll carry on. Thank you, Stephanie for that update. I see Majnu posting in the chat that she doesn't think that report will be delayed. Yeah. That was a

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thought I had, too, that the report would just come out without consensus. The work package seemed to suggest that the report might be delayed because of the lack of consensus. I was thinking, “Isn’t that an outcome itself?” Manju, I see your hand up now so please go ahead.

MANJU CHEN:

Yeah. I think last week, we actually had this discussion whether we have to send a request to the Council to say that we are delaying our progress. So we asked for a deferral of our delivery date of the report. But in the end, we didn’t send that request. So that means the report is supposed to be delivered at least on time or maybe a day delay, I guess. So yeah. That’s my impression of our schedule. Thank you.

TOMSLIN SAMME-NLAR:

Thanks, Manju. Thank you. I don’t see any other hands so I’ll move to my next ADR item that I thought was of interest. That is RPM Phase 2, which I think the Council is expecting a policy status report and will potentially ... It’s within the zero to three months range so potentially start—form a charter drafting or scoping team for RPM Phase 2. So just putting it out so that members interested in that should be aware that that’s being set up or coming, rather.

That’s all I had for the ADR. I don't know if anyone has any comments or interventions to make. If not, we’ll move on to agenda number three, which happens to be the GNSO Council agenda. Seeing no hands, I’ll give it over to you, Tatiana. Thanks.

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TATIANA TROPINA:

Hi, Tomslin. Hi, everyone. Please wait a second. I want to share my screen for the GNSO Council meeting agenda. Something is going wrong. I'm sorry. Give me just a second. Here we go. So I hope you can see it.

I think Tomslin mentioned this already. The GNSO agenda is not very much packed. There are only a few items we have for this Thursday. However, I do think that some of them do need discussion. So as you know, the GNSO call usually starts with administrative matters, roll call, which is not very much of interest for discussion. Item number two will be opening remarks and review of the projects—actually, something similar to what Tomslin just did.

Item three is the consent agenda. For now, there are no items in it. I don't know if this one or appear or it will go through the mailing list. Maybe you remember that there was a committee of the councilors formed to deal with some of the outstanding issues, Framework for Continuous improvement. So we need to appoint the chair for that one.

Thankfully, there was a volunteer on the GNSO Council mailing list. It was Olga Cavali who volunteered to lead this group. I'm not sure this will go to the consent agenda at the very last minute or it will done on the e-mail, in terms of no objection. But anyway, those of you who attended the meetings of our policy committee, or policy meetings, or GNSO Council meetings remember that this item has been being dragged for too long. So we are happy that somebody volunteered. I will pause here and ask if there are any questions about the Framework for Continuous Improvement and pilot project on this and anything.

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Otherwise, I will go further to the Council vote—EPDP on Specific Curative Rights Protection for IGOs, intergovernmental organizations. This item is allocated 30 minutes of the GNSO Council meeting time. And frankly, I don't know how we are going to go about this. Those of you who saw the exchange on the mailing list might have seen that there were some issues raised.

So let me first speak as the GNSO vice-chair. This group—this work track—was started as a part of the RPM, Rights Protection Mechanisms Working Group, Phase 1. Because GNSO Council didn't approve one of the recommendations on the IGO curative rights, to somehow continue this work and to get it done—and the recommendation wasn't approved so the work wasn't finished—we attached it to the RPM policy development process as an addendum. And now, the group is in full swing. They are working to produce a report. And they have a deadline. They would have produced in August, I believe, but now there is a moratorium on public comments.

And the Phase 1 RPM is finished. The Phase 2 RPM hasn't started yet. So as a part of GNSO leadership, as the GNSO vice-chair, I did have to participate in this discussion and come up with some compromise solution to put it forward, to let this group do its work, because RPM Phase 2 is not here and it will probably not be convened until the group will finish its report. We don't know so it's hanging in the air.

So the group is hanging in its air. And to let it finish its work, there was a proposal to convert it into EPDP and get a charter, strictly from the addendum, with the same scope, with the same mandate, with the same explanations, and just let them do their work.

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On the mailing list, I saw some comments and questions. And I argued against them because the group didn't start the work outside of the RPM. It did start when RPM was still ongoing. So it's not like we started this group out of nowhere. But that's the reason why I thought that the arguments are not valid. However, I do think that we haven't come to any decision. I would say that formally, I would vote for this conversion. However, I think that if our councilors ... And my proposal—this proposal—just because I'm a part of the leadership, is not binding for any of them.

However, I do think that if we want to defer this, fine. If we want to vote against or abstain, it's fine. But I think that we need arguments because just stopping because we don't like the IGOs, it looks a bit like ... It doesn't look good to me because we are saying that many people try to renegotiate what they negotiated before, fine.

But if we are going to stop the work, which we supported ... And we fought a lot for making this addendum right. We fought for every word there, that they could not change anything for composition of the group. So there was a lot of fight from us from this addendum. And right now, stopping this work does, indeed, look like renegotiating to me, on what has already been agreed before. But as I said, I would gladly listen to your opinions.

Here, I feel like I do have a duty as the vice-chair to let this work go. I do not have any substantive argument against this. But as I said, the group can go its own way if you want to. And I will pause here. And I will see if there is any hand up or if anyone wants to say something.

STEPHANIE PERRIN: I [inaudible] early on. And as I explained, I have no content in this matter. So I really don't understand the arguments. If I have your argument correct, Tat, you think it's basically a question of acting in bad faith, trying to stop something that we exhaustively argued. And I take that on board. We certainly are busy complaining about the length of time we're arguing over things in the EPDP. So we can't turn around and say, "Throw that out if we resolved it in the RPMs." It's just very weird to rush ahead when the other group hasn't been started, if you follow. In other words—

TATIANA TROPINA: Yeah, Stephanie.

STEPHANIE PERRIN: No. Go ahead.

TATIANA TROPINA: So for me, if it was rushing ahead and starting work, this would be a problem for me because this could have waited. But the group is already working. That's the point. They are working. So for me, it is changing the vehicle. And if we want to argue against changing this vehicle, we cannot argue about rush to start the work because the work has already started. This is why I was trying to ask for a better argument to the mailing list because procedurally, they are there. They started already. They are discussing. They are going to produce a report. And they are operating within the framework we argued about and we agreed with.

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So to me, if we don't want this—if we want to pause them for RPM 2 to start—I really would like us to have an argument about this, if you know what I mean, because I cannot find any on my side. Otherwise, I would have argued to the leadership.

STEPHANIE PERRIN:

And I take your point. It makes me uncomfortable but I don't know enough to give you a better argument. It's still very curious that they have a mandate, they're working on it, and yet they don't have a mandate. That's a conundrum that we have a hard time understanding and sets a bad precedent, if that is an accurate representation of what's going on. But I leave it to those who have participated in the RPM to jump in. Thanks.

TATIANA TROPINA:

Thank you very much, Stephanie. Indeed, to me, it's like they have a mandate. They continue having a mandate. They just do not have, as has been argued, an active working group they belong to, although the RPM PDP is not really paused. It's just in between two stages. So the mandate is there but the vehicle is not.

Remember, there was also an argument that they might want to consider changing the scope later. One of the reasons I would support changing it to EPDP, because it is so hard to argue—because scope is something outside of ... Really, as the NCSG, I would be very cautious to even talk about scope. I think that they have to produce a report before we even talk about scope. But I think it is very much harder to change

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the scope of EPDP charter than to change via addendum, RPM Phase 2, and whatever.

So that's another. Yeah. It is quite hard. I don't feel comfortable with the IGOs. I remember how much I fought, how much Rafik fought, and we all fought against—not against this addendum but to getting it right in a way we saw it with various safeguards.

So I would say if we are uncomfortable—if we want to have more time to discuss—I would say Tomslin, Stephanie, please go ahead and defer this motion. I personally am going to bring an issue about the composition because the composition is like in the addendum. But somehow, it also goes to PDP 3.0 rules and now there is SSAC and RSSAC. And I'm going to say either remove or reduce representation. I know that they are not represented. But this is the difference I see with the addendum and I am going to argue against it on the call.

But in terms of the general approach, I have no choice but, as a vice-chair, to support it because we have to get the work done. It's piling up. And this group is effective. This group is working. Nothing that was of concern for me, personally, that IGOs will come there and flout it. Nothing happened. So I'd rather prefer to let to go like this before somebody say, "Oh. By the way, let's go to IGO. We are now happy and free from EPDP, and accuracy, and whatever. Let's go and fight there." This is what I'm afraid of. If we pause it, we will—we can, potentially—cause some resistance. Again, I don't know. I don't have a crystal ball. Tomslin, please go ahead.

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TOMSLIN SAMME-NLAR: Thanks, Tatiana. I just have three things to say about this. The first is that we obviously appointed representatives to that group. So clearly, we, as NCSG, didn't have an issue with the charter and the work that we're going to do. So I personally do not have any objection to give or any reason to object the promotion to a proper PDP or EPDP. And after having spoken to the members of the group as well, they didn't seem like they had any concerns. That is our members to the group. So based on that, I don't have any objection to give.

But you mentioned something I'd like to—if you could clarify. You said you were going to argue about composition. Could you just say that again? I didn't know what—

TATIANA TROPINA: Yeah. The charter should repeat the addendum completely in terms of mandate, scope, and composition. So somehow—and I think that this was a copy-paste mistake—the composition is exactly the same as we agreed. However, in the composition, there is SSAC and RSSAC added. Procedurally, right now, it makes absolutely no difference because the motion is about the conversion of the current group into EPDP.

But the fact that the charter differs from the addendum, and there is RSSAC and SSAC in the composition, maybe it's fine. However, I want to clarify what it means and why we have diverted from the addendum in this regard. I know that, practically, it makes no difference because we have the work track. We are just converting it as it is. But I'm a junkie and I want to get the charter right.

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In terms of our representation there, in terms of Commercial Stakeholder Group and so on and so forth, everything stays the same as we fought for. But I do think that—unless it’s going to be fixed as a typo because I think it’s a typo. It’s probably a copy-paste mistake from somewhere else.

So Tomslin, I’m going to clarify with the staff, with Steve Chang, this—if this is a mistake or not. And depending on whether it’s a typo, copy-pasting mistake or intention. I’m going to bring this on the call if it’s not corrected before. So I feel like at least follow the discussions on the mailing list. I spent a lot of time going through the documents and trying to figure out if our members raise concerns, should they follow and find something to argue against? I didn’t. However, I noticed a couple of things that I want bring, just in case, so we get it right to fulfill my duty for the NCSG, at least. I hope that this is clear now, no? Feel free to—

TOMSLIN SAMME-NLAR: It is clear to me.

TATIANA TROPINA: Thank you very much, Tomslin. Anybody else want to speak, or ask a question, or anything? So I would say unless there is any drastic change, I have not heard objections from Tomslin and Stephanie for now. And I also think that neither Ioana nor Juan voiced any concerns. I think Juan actually didn’t speak against the conversion. So pending any last-moment changes, I would say let’s see. If anything raises—if anything pops up—we might want to defer. We might want to vote against. But for now, I suggest that we will take it as provisionally no

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objection. But let's see. Would this way be okay for you all, especially Council members?

STEPHANIE PERRIN: It sounds okay to me. My only question, I have no clue what I am getting myself in for on this Continuous Improvement Committee. Yeah. You talked me into it. You will roast in hell for this, Tat. I'm sure. But if there's something procedural that is not clear enough, that we could fix, perhaps that is something that could be referred to that committee. I'm still scratching my head over it. I follow your arguments here. But how can a committee be working on something that they haven't had the mandate?

TATIANA TROPINA: Wait. Are we talking about IGOs or are we talking about Continuous Improvement Framework? They're two different issues?

STEPHANIE PERRIN: No, IGOs. We're talking about this whole problem with the IGOs thing.

TATIANA TROPINA: Okay. So the problems with the IGOs is one thing. The Continuous Improvement Framework is another thing. So let me separate these two. The IGOs is conversion of existing work track, where we have Ioana and Juan on the work track already.

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And the Continuous Improvement Framework for which, as you say, I will burn in hell—and I know this—Stephanie, this is something else. So this is a pile of projects with various councilors. And this is where, probably, Olga Cavali is going to be chair, to volunteer. This is a pile of projects, as I said, to deal with the outstanding items.

And this is where you put as much work or little work as you want if you are busy. The first tasks, the only thing I would stay, Stephanie, try to identify the least ... When the group is going to talk about tasks, try to identify the least time-consuming tasks because I think there are some work group reviews, and maybe amendments, and how we review them post, when they finish the work track—what to do with the questionnaires.

This is not a lot to discuss. But at least we can see if the format is working because maybe it doesn't work and then we are going to say ... Or you are going to say because I'm going to leave the Council soon. You're going to say, "Okay. It's not working. Let's just forget about these items." So it's not something that would be very time-consuming. It can be as light as you wish. But I would say try to identify the least time-consuming work there. And this might be a good way to start. I don't know if this is clear now. An IGO is something very different.

STEPHANIE PERRIN:

Yeah. No. All I was suggesting was if there are any issues in terms of GNSO procedures that need to be clarified—nice, tiny ones that we can fix—we could add it to the list.

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TATIANA TROPINA: Yeah. Actually, that's a good point as well.

STEPHANIE PERRIN: If she didn't have a little work list of things that they want to accomplish, I'm quite concerned about it. Otherwise, I wouldn't have let you talk me into it.

TATIANA TROPINA: Yeah. I know.

STEPHANIE PERRIN: So I just think if there's some nice, innocuous things that we could fix, as opposed to ... God knows what's going to be brought up. Yes, there's some outstanding issues but they're as big as the kitchen sink. So you could fit anything in there, right?

TATIANA TROPINA: Yeah. Absolutely. So yeah, Stephanie. If you want to, I think that any idea about this committee—Framework for Continuous Improvement—I think they would welcome any suggestion as to what to do in terms of what's in the charter. And I think that there were, indeed, some issues which should be fixed procedurally. So please do bring them up if you think it's appropriate. But otherwise, if you are busy, just go with the flow and go with the ones that can be fixed quickly.

STEPHANIE PERRIN: All right. Thanks.

TATIANA TROPINA: It's up to you, totally and absolutely. Now, Tomslin, your hand is up.

TOMSLIN SAMME-NLAR: Yes. It is. And I think it was a response to the point that Stephanie brought up about the procedural issue that might have originated from the IGO issue that we were discussing. And I suspect she raised that point because she still hasn't understood why they group—the work party—was started before the Phase 2 began. So if I understand well, Stephanie, you're wondering whether there could be a procedural issue that we could fix in the new group that you put your hand up in or if we can refer it to be fixed in that group. Is that correct? Stephanie, the questions was for you but you might not be on. But, Tatiana, I was just thinking.

STEPHANIE PERRIN: Can you hear me now?

TOMSLIN SAMME-NLAR: Yes.

STEPHANIE PERRIN: Sorry. First time doing one of these meetings on my phone and I'm really confused with my phone. Yes. You have it exactly. That's exactly what I was thinking, is it might give us a procedural fix—refer it to this committee to fix the procedure but don't slow down the work so that



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we could solve what I still see as a bit of a problem. I still haven't got my head around how this is happening. Whilst not slowing down the work or appearing to be acting in bad faith. Does that make sense?

STEPHANIE PERRIN:

Yes, Stephanie. It does. So if I may reply to what you just said, the work didn't start outside of the RPM Phase 2. It did start when Phase 1 was still ongoing. So it's not like we started to work outside of anything. So the group was left in between the phases because it just started during Phase 1. Why did we do this? God knows. I think it would have started earlier but there was a search for a chair, and then they found the chair, and then they formed the group. And it was a bit slower than perhaps could have been expected. So it started when the RPM Phase 1 was going on but it was caught in between, in this limbo.

As to fixing in the Framework for Continuous Improvement, this is not the mandate of Framework for Continuous Improvement, unfortunately or fortunately, because honestly, I don't want to create a precedent where a small group of councilors is going to fix this major issue. I think this issue is for the Council to get fixed.

And the rechartering or conversion into EPDP ... And I do understand. If I see the acronym IGO, it's like a red rag for me, because we fought about this so much. So yeah. This can be fixed only by the Council because we have a threshold of two thirds for such procedural issues.

So we are stuck here. The choice is between three. The first choice is we vote for this conversion. The second choice, we vote against and argue against it properly. And then, the second choice consists of two choices.

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We can pause it or we can covert it to PDP, which is like, “So what? We reject EPDP but convert it to PDP? What the heck?” I don’t understand it. They’re more or less the same. EPDP is even better because it’s a narrow-focused issue.

But we can argue against and pause. But I just—as Tomslin said and I said before—I’m trying to find substantive arguments and I cannot. And I don’t know if we want to waste the capital here and argue against something that was agreed before in this mandate on this addendum and renegotiate the issues. We could easily be accused of that. I hope that answered your question. A bit of a long answer, though.

STEPHANIE PERRIN: Yes. It does, if it can’t be solved in the Continuous Improvement. It was just a thought.

TATIANA TROPINA: Yes. And it was a great thought. I liked it. Unfortunately, the mandate is different and will have not [inaudible].

STEPHANIE PERRIN: Right. Okay. Well, I think it’s a no-brainer. We have enough to worry about without fussing over this [inaudible]. Okay.

TATIANA TROPINA: Thank you, Steph. Sorry. You made me laugh. I’ll pause here and ask if anybody has anything to say. I would say let’s provisionally put it as yes

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unless something comes up because I still am not putting my guard down, to be honest.

And I see no hands for now. And I'm going to the agenda item number ... Was it number four? So the Council agenda item number five, Customer Standing Committee Effectiveness Review terms of reference. I do not see any controllers here. As you might know, the Customer Standing Committee Effectiveness Review is this operational oversight performed by GNSO and ccNSO representatives. The Customer Standing Committee itself are the operational oversight which was previously performed by NTIA on IANA functions, if everything goes okay. So now, we have to review this operational oversight. Sorry. That was a big complex. ICANN structures are not easy, are they?

So previously, we did have this review in 2018–2019. I think there was a report. They came out with template and various metrics on how they are going to assess the effectiveness of the Customer Standing Committee. So we, together with the ccNSO, have to launch this review again. So the item number five is to confirm the terms of reference for that review.

And also, as far as I know, the Registries Stakeholder Group, these are the most concerned by this review and by the performance. There are Donna Austin and Jonathan Robinson stepping up for that one. And I think that last time, it was Philippe Fouquart and maybe also Donna. But I don't remember, to be honest. So I don't think there is any controllers here but I will pause and ask if anybody has anything to say.

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I see no hands and I know that on the Customer Standing Committee—correct me if I’m wrong—we used to have James Gannon serving from us, from the GNSO. And now it’s Milton Mueller. So I think if nobody raised anything here, we’re safe to just launch it, just to make things go in time. No hands so far, as far as I see.

Agenda item number six is the Council discussion planning for the Virtual AGM, ICANN 72. I think that this is pretty much straightforward. We are going to discuss how is it going to go. And this is when I’m going to leave the Council, going to say goodbye to my fellow councilors and wish them good luck, and welcome Manju as the NCSG councilor newly-elected. Very happy to. So I don’t even know what I’m going to cover here and share with you on the agenda item number six. It’s just a planning.

And agenda item number seven, any other business. So strategic planning session—planning of that. Again, this has to be planned by the GNSO leadership, although two of us, Pam and I, are not going to be on the GNSO anymore. The expressions of interest process for the expectant SubPro ODP Phase liaison, which is going to be quite an interesting selection, I guess. But there’s still no formal process starting so we are going to discuss this. And then, EPDP Phase 2A status update, which I think Stephanie and Manju has updated us on previously on this call. Anybody has anything to ask or to add?

So I’m seeing no hands. Thanks to everyone for your questions, comments, and listening to me. And Tomslin, back to you.

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TOMSLIN SAMME-NLAR: Thank you, Tatiana. Looks like everyone understood very well the rest of the agenda. So no questions. We'll head back to our agenda, which will be ... Once it comes up, it will be agenda number four, which is admin update. I did mention that Bruna was meant to cover this but she is sick.

However, she asked if I could ask the folks on the call if anyone has any additional talking points for her meeting with Göran. If anyone has something for her, please send her an email. Or if you would like to discuss it now, or bring it up right now, that's also fine. We have time for that. But yes. That's regarding the meeting between Bruna and Göran, which I believe it's in a couple of days, or rather she's meant to pass those talking points in a couple of days' time. So I'll pause.

STEPHANIE PERRIN: Hi. Sorry to be so noisy at this meeting. I don't mean to cut anybody else off if they have their hand up. But is it time to ask whether there's any blessed point to talking to Göran? Have we ever had anything come out of these fireside chats, other than him getting really mad at us? I'm speaking for myself. I should never have volunteered to speak for Farsi but did observe the effect of Farsi's conversations with him and they weren't any better. I just think it's a waste of time.

TOMSLIN SAMME-NLAR: Rafik says, "No. We've never had anything come out of it." All right. It doesn't look like it's one of our most favorite meetings. Well, yeah.

DOROTHY GORDON: Can I ask if we've got any new information from those meetings?

TOMSLIN SAMME-NLAR: Stephanie, you could better answer that.

STEPHANIE PERRIN: I don't think so. I have witnessed him practicing his talking points, things that show up in a blog. But usually, the blog's already happened by the time we have the conversation. So short answer, no. I don't think so.

DOROTHY GORDON: I think there's no point in having useless meetings, and especially, nobody is interested in preparing for a useless meeting. So the question would be what would we really liked to have got out of those meetings so that we can make an explicit request. We can note that we're not finding these meeting are advancing anyone's agenda and we are asking that they be reformatted in this way so that we can come up with a purposeful reason for the meeting. Otherwise, all it means is they tick off on a box that they're engaging with the stakeholder groups. That's all.

STEPHANIE PERRIN: Exactly.

DOROTHY GORDON: So is there any way we can imagine making it better?

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STEPHANIE PERRIN: I think can certainly challenge them. We can say, “We’ve done a review of our chats over the last two years and we find that they’re not productive. Could we work with staff to figure out a way that these chats would be productive? If not, then let’s stop doing them because it’s a waste of everybody’s time and we’re overburdened.”

DOROTHY GORDON: I think we can put it a little more diplomatically. We can say something like, “We conducted a review because we realized that, in this COVID era, people are under increasing time stress. And we regret that the findings were that there was no significant outcome from these meetings. Therefore, we would like to work with staff, blah, blah, blah.” Massage it a bit. But I think we don’t have to go for useless meetings. So either we fix it or we drop it.

STEPHANIE PERRIN: Well said, Dorothy. Thank you.

TOMSLIN SAMME-NLAR: Thank you, Dorothy. I’ll take note of this and pass it on to Bruna. Definitely, I will do that. Thanks.

DOROTHY GORDON: When is the next meeting scheduled for?

TOMSLIN SAMME-NLAR: I don’t have it, top of my head.

DOROTHY GORDON: But we have enough time to try and sort that out?

TOMSLIN SAMME-NLAR: I'm not sure.

STEPHANIE PERRIN: I don't think so. I think the talking points are due this week, possibly.

TOMSLIN SAMME-NLAR: Yes.

STEPHANIE PERRIN: So that means only a few days.

DOROTHY GORDON: I just want to suggest that if they're asking you for the talking points, that it's the right time to send that message and to suggest that until we've figured out how to make the meetings more substantive, you would prefer to postpone that meeting. There's no point in us going for a meeting where we're going to be talked at because that's what it sounds like, that we go there and they tell us stuff that they've already told everyone else and it's not helping. So if the meeting is soon, I suggest we don't go for it. Bottom line, we say that we want time to sort out how to improve the format.



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STEPHANIE PERRIN:

I would normally agree. I agree with your thoughts. I'm a little worried that our participation as NCSG seems to be not as vigorous. It's partly because, of course, everything is virtual and we don't seem to ... It's much harder to have an impact when things are virtual. But generally speaking, I worry about backing out of a meeting that everybody else just gayly continues to have and tick the box. I hate to put poor Bruna through this but I think it might not be wise to cancel the meeting. Just a thought.

DOROTHY GORDON:

I have no feel for this at all. So if, politically, it makes sense to go, no problem. But we have to do something. It's not helpful to ... Let me put it this way. One of the things that worries me a lot—and I think it worries all of us—is that fact that it's really difficult to get members to be active in the group. So meeting with—how could I put?—the leader and not having any outcomes doesn't reassure the members of the group. It just makes it seem as if the people who go there went there for networking purposes but there's nothing substantive.

So I want us to bear that in mind as we figure out a strategy for it because getting people more active on the group ... I think if people felt that if they sent a concern, that something would happen when we meet with the leadership, I think that would motivate them more. So this is where I'm coming from but I do accept that we don't need to cancel the meeting if it would send the wrong message and not keep the dialog open. Whatever happens, we want to keep dialog open.

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STEPHANIE PERRIN: Thanks for that, Dorothy. I agree with your point. As far as I'm concerned, these things are looking a bit like fake press conferences. Perhaps I'm speaking like an old government person, where all the bureaucrats know better than what's going on and everybody rolls their eyes. That's what it feels like to me. Our job is to make these things meaningful. So I think we can offer a speaking point to Bruna that says ... I wish I had some ideas for formatting that with some constructive, "Why don't we do this? Why don't we do that?" Because if we just throw it to Göran and staff, it's unlikely to improve.

DOROTHY GORDON: Stephanie, I'm reading what's in the chat. And we have a couple of people, Nadira and—I think, is it Rafael?—who are saying these meetings are not intended to have any outcomes. They're just informal meetings.

STEPHANIE PERRIN: But they're a waste of time. Actually, we are supposed to be having a dialog on meaningful points. And we're not. It's like letting some air out of the balloon that is about to explode. That's what it's serving as, I would argue. Or ticking the box that there's a casual conversation happening between NCSG.

Now, I'm looking back over my years at ICANN, which are not as many as several others who are probably on the call. I can remember when our meetings with the Board were shouting matches. And things have improved [inaudible] a more constructive [inaudible] these things to continue on in a non-productive way because I do think it letting some

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air out of the exploding balloon and performing those functions of a press conference. So if others feel this is fine ... But speaking as someone who has to blessed-well prepare the points, it's really aggravating. And I'm pretty sure Bruna feels the same way.

TOMSLIN SAMME-NLAR: Thanks, Stephanie. Yes. I do see Nadira saying maybe in the future, the meetings can be more productive. And I was wondering how we can make them productive in the future without starting now to propose a better way for it to be done. But to Rafael's point, too, that if the meeting is not meant to have any outcome, I wonder if there is any point, then, unless we are trying to change it to start having outcomes.

STEPHANIE PERRIN: Well, I think it's pretty clear that there are desirable outcomes for Göran. And that's Management 101. You don't have a meeting unless you have a goal. And it would appear that Göran is achieving his goals, however limited those goals might be. But there's a lot of staff chewed up in preparing for these meetings, and massaging the points, and then preparing answers for Göran for our questions, or comments, or whatever. And there's often a whole slew of staff on the call.

I feel like I never had enough time, when I was chair of NCSG, to manage these calls effectively because we were in the thick of EPDP fights at the time and this was always an afterthought. But it is an opportunity to engage with the head of policy, David Olive, because he's running this thing. So if we could change this—if we could just indicate that we'd like this to be more than just a little fireside chat with something a little

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more effective and engaging some of our concerns—that would be a step forward. But you don't have a meeting if you don't want an outcome. It's not like we're having a cocktail.

TOMSLIN SAMME-NLAR: Thanks, Steph. I see Rafik's and Tatiana's hands up. I'm not sure whose hand came up first but—

TATIANA TROPINA: Rafik's.

TOMSLIN SAMME-NLAR: Okay. Rafik, please.

RAFIK DAMMAK: Thanks, Tomslin. I'm not sure that how or if we need to make any meeting with outcomes. I'm not sure what kind of outcome we can expect. But maybe we can have some context here. Either Göran or the Board, they are trying to control or manage how they interact with the community. And the joint meeting with the Board, they ask us for questions before—also the chair, their questions. And they try to work on that many times [inaudible]. I can understand they don't want to be surprised by some question. There is that always kind of situation. They want to control the messaging—even more, I think, for Göran.

And at the end, it's just three calls per year with all leaders of the SO/ACs, stakeholder groups and constituencies. Most of the time, it was

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my experience—either as GNSO council, or also chair of NCUC or NCSG—is he has things he wants to share, give heads up, or I think maybe trying to test the water beforehand. So there is maybe some merit in that. It probably is not the best way, I guess. It's trying to share that at leadership's level first. But I can see what he's trying to do.

So from our side, I guess it's more like we need to prepare what kind of talking point or question we want to respond. Again, it's also what we want to get from this kind of question. So I think that's why I have not really supported what we discussed doing in our meeting with the Board, for example.

Something more is [homework] now, if we decide to do so. I don't think I have the answer. I don't think I have the answer right now, how to do that. But probably we need to think of, long-term what kind of issue we care about that we think that we need to interact with Göran, who is representing that staff and the Board, and what kind of information we want—what kind of commitment.

That's the most [inaudible] all the time because what happens in many occasions, is we are getting some [resolution] or also just the explanation because we didn't get it in the first place or the same kind of talking point or messaging. But there's really few times that we can get any [inaudible] very specific commitment.

So that's just for us. We need maybe to choose strong words. We need [inaudible] here, in terms of all our interaction, either with the staff, Göran, or the Board—what we want to get. That maybe comes back to the question about [inaudible]. But at the end of the day, for those

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meetings with Göran, I don't think we should worry about [inaudible] [what we share]. And if we have something really urgent or specific that we can ask Göran. I'm not going to hold my breath about that. So thanks.

TOMSLIN SAMME-NLAR: Thank you, Rafik. Like you said, we need to strategize in terms of what we'll hope to get out of them. Tatiana, you did drop your hand. I am guessing you—

TATIANA TROPINA: I did. I think Rafik said it all. I was going just to say that ... I wanted to say that we need to think about some strategy for the future. I also wanted to say that it's not a reason to drop this meeting because sometimes we have more questions. Sometimes we have less questions.

I would say I would have left this decision, for now, ultimately to Bruna. If it's more like what Stephanie says, that it's very hard to prepare those notes, and these meetings bear no sense, and whatever, then of course it's up to Bruna to say, "Okay. Maybe we should postpone it or cancel," and she will have our support. But I also think that if she thinks, as the NCSG chair, that it would be strategically right to go there and talk to Göran informally, I think that she should go and talk and we can think about handling this in the future.

TOMSLIN SAMME-NLAR: Thank you. Poncelet, I see your hand up. Please.

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PONCELET ILELEJ:

Thank you. I just wanted to add that I support all that has been said in continuing the meeting, as what Rafik just said. And I think it's very important that everyone, in looking forward at the productivity of the meetings, we should be able to come back with evidence based that, "In the last four years, we came up with this. Zero. Nada happened." And in moving onwards, we will be very appreciative of the fact that things we feel should happen. We shouldn't be looking at it as a boxing match or [inaudible] very productive. [inaudible] like what happened in two years or three years backwards. That's what I just wanted to add in moving forward. Thank you.

TOMSLIN SAMME-NLAR:

Thanks, Poncelet. Definitely, if we were to put any sort of arguments forward, it only makes sense to use data to back it up. So good point. I don't see any other hands on this point so we'll move on, if no other hand is up. I'll let Bruna know we had a thorough discussion about this. Unfortunately, she missed but luckily, it's been recorded so she can listen to it.

That's all I had on the agenda. We can move now to any other business. If anyone has anything else to bring up, now is the time for that. Otherwise, I have nothing else. I'll pause, then, and see if anyone raises their hand to add something or bring anything up.

Seeing no hands, still. All right. It doesn't look like we have any other business. I will not want to keep you all any longer. Thank you for coming, joining the call today. And thanks for the contributions and the

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discussions. Thank you, Tatiana, for walking us through the Council agenda. You have a few more to do before you leave us—you leave the Council. So thank you. See you all again or talk to you all again next month. And see you at the GNSO Council meeting. Bye.

**[END OF TRANSCRIPT]**