MICHELLE DESMYTER:	Good morning, good afternoon, and good evening. Welcome to the At-Large Consolidated Policy Working Group call on Wednesday, the 23rd of February 2022.
	Due to the increased number of attendees and in order to save time, we will not be doing a roll call. However, all attendees both on the Zoom Room as well as on the phone bridge will be noted after today's meeting. I would however, like to note our apologies from Priyatosh Jana, K Mohan Raidu, Maureen Hilyard, and Adrian Schmidt. From staff today, we do have Heidi Ullrich, Evin Erdoǧdu, Claudia Ruiz, Emily Barabas, and myself, Michelle DeSmyter, on call management.
	I would also like to note that we will have real-time transcribing provided for today's meeting. I will be sharing the link in the chat in just a moment. A friendly reminder to please state your name before speaking for transcription purposes and to please keep your mics muted when that speaking to prevent any background noise. And with this, I will turn the meeting back over to Olivier Crépin-Leblond. Please begin, Olivier.
OLIVIER CRÉPIN-LEBLOND:	I have to unmute myself. Thank you very much, Michelle. Welcome to this week's Consolidated Policy Working Group call which is going to be, again, looking at our workgroup updates with all the work that's taking place in the Policy Development Processes of the Generic Name Supporting Organization. Then we'll have after that the policy comment update with the pipeline of policy discussions currently taking place and

the preparation of various statements. And then immediately after this, we will have Any Other Business with call for volunteers and update on the ALAC GNSO Council bilateral session topics, and also the ICANN meeting on the 1st of March. I understand also that Jonathan Zuck at some point—and I'm just wondering if I'm looking at an old version of the agenda—Jonathan is supposedly going to speak to us about discussion topics. Is that correct? Yes, there you go. ICANN73 ALAC/At-Large Talking Points.

So that's what we have on today's agenda. Are there any amendments or additions to be made? I'm not seeing any hands up. So the agenda is adopted as it currently is on our screen, which means we can swiftly look at the action items from last week.

You'll note that the action items—the one that is left here is not competed. Satish Babu and EPDP-IDNs team to present to CPWG on 2nd of March. Obviously, that will be for next week's call. But everything else on that page is completed. I gather we can swiftly move to the next agenda item and that's our workgroup update.

We'll start with the Transfer Policy Review Policy Development Process. And for this, we usually have Steinar Grøtterød and Daniel Nanghaka. Is Steinar with us? I completely zapped whether he has supplied an apology or not.

MICHELLE DESMYTER: No. I do not see him.

OLIVIER CRÉPIN-LEBLOND: He's not with us. Correct, yeah. So Daniel, if you have an update for us, you have the floor.

MICHELLE DESMYTER: Daniel is not on either.

OLIVIER CRÉPIN-LEBLOND: Well, that's wonderful. I was not told about that. Sorry about this. Lutz is on the call, yes. Indeed, now it comes back to my memory, my very weak memory today. Lutz Donnerhacke has got a full update for us. So over to you, Lutz.

LUTZ DONNERHACKE: I hope you can hear me well. The update is very short because we had a meeting yesterday that was very straight on topic. It was a discussion about the reasons why a registrar is allowed to deny a transfer. All these points are currently defined in the rules. So we had a discussion about each of the rules and asking, "Is necessary or not?" There's a lot of pulse but there's no thought outcome. So we had an in-depth discussion about it. But there was no such interesting topic to talk about. So I want to save your time and stop here.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Lutz. I'm not sure whether I should even ask whether there are any questions or comments from anyone. Thanks for the short update. We look forward to a further update next week.

There are some weeks where the work takes a small break of some sort and it's not that much to report.

The next one is the Expedited PDP on the Intergovernmental Organizations. And for this, we usually have our good friend and colleague, Yrjö Lansipuro. Yrjö, you have the floor.

YRJÖ LANSIPURO: Thank you, Olivier. We have the slides here. So the good news is that there is a high level agreement on the process in principle, and I will show the flowchart that has been produced on that. It doesn't mean that we are done because the wordsmithing continues. And of course, the devil is in details so there is a lot of work ahead. But anyway, I think that it is a major achievement, but we now agree on how the process should be run in its entirety. The work plan supposes that we have a stable draft at the end of February. After a month from that time, we should have a final consensus. And the draft could be presented to the GNSO in the beginning of April. Next slide, please.

So here's the first part of the flowchart. I apologize if the text is rather small. But anyway, this shows how the process should go. So an IGO complainant, an IGO that is unhappy with a registration of its abbreviation by someone starts the UDRP URS procedure. Two things here. The complainant, that is the IGO, is exempt from submitting to the mutual jurisdiction, which, of course, usually is a sort of obligatory feature here. And also that the IGO shall agree to a binding arbitration if there is a challenge to the panel determination. After that, the process starts. The respondent, that is to say the registrant is informed of two

things that they have a right to challenge the UDRP decision in court. But the IGO complainant may assert privileges and immunities. So, the UDRP panel carries out the review, and then in this case, of course, they find in favor of the complainant, that is to say the registrant loses. Next slide, please.

Here, there's a fork in the road for the registrant. There are two possibilities that the registrant agrees to arbitration. The second is that the registrant goes to court, which is their right. But if the court declines to hear the merits of the case, that is to say if the court upholds the immunities and privileges of the IGO respondent, then there is a further decision point. If the registrant agrees to arbitration, that's possible, and we go to this arbitration path, or if not, that means that the UDRP decision stands and the decision is carried out by the registrant accordingly. Of course, there is a third possibility that there is no response. In that case, of course the UDRP decision will stand.

So, as I said, we have now agreed on this procedure, on this process. The actual text of the recommendations will be fairly long and complicated, and that is now the task of the IGO EPDP to put that together. But the feeling is very good in the group and I think that we can find the solution. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Yrjö. Now I open the floor for any comments and questions. Thank you for your presentation. I'm not seeing any hands at the moment on this. So it's good to see that the group is proceeding quite swiftly and looking forward to the first draft to come out of the

group pretty soon. February is a short month and it's great to see that the process has moved on. I see Christopher Wilkinson has put his hand up. So, Christopher, you have the floor.

MICHELLE DESMYTER: Christopher, if you're speaking, we're not able to hear you and your line is muted.

CHRISTOPHER WILKINSON: I'm trying to unmute.

MICHELLE DESMYTER: There we go.

OLIVIER CRÉPIN-LEBLOND: We can hear you.

CHRISTOPHER WILKINSON: First of all, I'd like to congratulate and thank Yrjö and his colleagues for their determination and persistence in finding an agreed solution. I know from long experience how difficult this one is. I think if this result turns out to be functional and to work, the panel should be thanked and congratulated, and particularly the ALAC representatives. I say that we're feeling because there's so many other things going on where we don't reach a conclusion and it takes forever. This one has already taken forever, and I'm grateful and appreciate that a conclusion has been reached.

Just a note about arbitration, I think it's extremely important that arbitration panels should be balanced and independent and disinterested. In the past, reviewing the outcomes and results of some arbitrations, it seems to me that, first of all, on matters of international importance and interest, the competition of arbitration panels gave undue weight to the American legal system, and that should be monitored and corrected when necessary. Thank you, Yrjö.

YRJÖ LANSIPURO: Thank you, Christopher. Thank you very much. What you just mentioned is one of the details that we still have to work out. But thank you for your words because this is an important point and I'm certainly going to relay that to the group. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Yrjö, and thanks for the comments, Christopher. There are a couple of questions in the chat. The first one is should the IGO be liable for the respondent's cost if the IGO loses the action? That's a question from John McCormac.

YRJÖ LANSIPURO: Again, I will say that this is something that we still have to grapple among so many other details. Thank you.

OLIVIER CRÉPIN-LEBLOND: The other one, Yrjö, is from Alfredo Calderon. How long will the process take for an IGO to go through the flowchart in case of an arbitration required? Has that been already calculated or evaluated?

YRJÖ LANSIPURO: No, not really. In these, I would say, fairly rare cases that we have to go through this procedure, I think that things will happen without undue delay. Because, obviously, it's a question of something that the IGOs want to have get solved quickly. Jeffrey?

OLIVIER CRÉPIN-LEBLOND: Thanks for this. I know that Jeff Neuman has written a response but he's also on the call. So, Jeff, you have the floor.

JEFF NEUMAN: Thank you. Thanks, everyone. Yrjö has done a fantastic job, and Justine as well and all the other ALAC members. The answer, John, is that if you think back as to what the purpose of the arbitration is, it's supposed to be a substitute for what happens now, which is the registrant loses now, they have the option of going to court. But because of all the privileges and immunities issues that were all discussed, we had to create this arbitration. So an arbitration—and this is not the best answer—will take as long as it takes, just like a court case would take as long as it takes.

That part of it is not really a huge concern for the working group because, again, it's to substitute for what otherwise would be a court action. As also said, it's going to be so rare, number one, that an IGO brings a UDRP wins. First of all, a registrant only responds in about

10-15% of the cases. Now, you're talking about a registrant, when they do respond, does end up winning in 40% but they lose about 60%. So now you're talking about 60% of the cases of which only 10% are responded to. It's a very low number. All that is to say it's going to be very rare that it happens where a registrant wants to have its case reheard.

So in a way, in reality, we're designing a process that is probably not going to be used, or if used, it'll be very rare. But that's okay because at the end of the day, we're giving comfort to IGOs and the ability to IGOs to file these UDRP cases in the first place. So regardless of whether the arbitration is ever used, it will still be a success. Thanks.

YRJÖ LANSIPURO: Thank you, Jeff. I agree completely that this is going to be rare, but it's good that is there. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much. Next is Sivasubramanian Muthasamy.

SIVASUBRAMANIAN MUTHASAMY: Jeff, you were saying about situations that a registrant does not even respond. Do you imply that when a registrant does not respond, the dispute does not progress?

YRJÖ LANSIPURO: No. Can we have the third slide again? So, you see here that the no response means that the UDRP decision stands and the decision will be carried out by the registrar. Thank you.

SIVASUBRAMANIAN MUTHASAMY: Thank you.

JEFF NEUMAN: Can I just jump in? Sorry. I think when I was talking about no response, I was talking about no response in the original UDRP action. So 90% of the UDRP cases that are filed, you do not have a response by the registrant. In those 10% of cases where a registrant does respond, the complainant still wins about 60% of the time, but the registrant win about 40% of the time. So it is a fairly substantial portion when there is a response that the respondent wins. In this chart where it says "no response," Yrjö is correct.

So let's say a registrant loses the UDRP, then the decision is going to be a default in favor of the complainant, most likely if the complainant proved his case, and then a normal registrant has 10 days to file with a court of competent jurisdiction. In this case, the registrant will have 10 days to either file a court action or in our arbitration. And we talked about the court action likely not succeeding because of the privileges and immunities that IGOs have. So I hope that clears things up. It is a little complex and sometimes a little in the weeds to understand, but I'm happy to answer any questions as well.

YRJÖ LANSIPURO: Thank you. Justine, please.

JUSTINE CHEW: Thank you. Thanks, Yrjö, for the update and all the work that you've been doing in the EPDP. I just want to mention a couple of things. Some of this has sort of been mentioned earlier in passing. The first thing is the ALAC did put in their statement to the initial report—and these were raised possibly if we go in the chat—and the concerns have got to do with the fact that if a UDRP proceeds and the registrant wins, well, all along the UDRP prior to the decision, the domain name in question is locked but it's still functional, right? And up to the end of the proceedings of the UDRP where decision is made, then it depends on what the decision is. If the decision is in the favor of the IGO then we have to wait 10 days. If the decision is in favor of the IGO and there is no response to the UDRP which is decision by the registrant, then after 10 days, that decision is acted upon, implemented by the registrar. In which case, the domain name probably gets a block or transfer depending on what the complainant asked for. So there is a time lag in terms of what happens with domain. And that's something that's built into UDRP. So we can't really do much about that.

Now, if the losing registrant then files a court claim to review the UDRP decision then the court process will take precedence, and as mentioned, by somebody before the court takes however long it takes. If the court decides that it wouldn't hear the matter because of the immunities and privileges issue, then the losing registrant has an option to go to arbitration. So that's an extra amount of time.

Now, we appreciate the fact that the domain name at that point in time would still be functional, it may be still locked but it's still functional, and we were concerned about the possible harm that's being done through the domain name to end users. So there's something that we did consider. We have to weigh the balance, I suppose. The thing is, many of these cases—to begin with, UDRP can only be filed if there is certain elements in place and things like bad registration and bad use of the domain name. So there's certain elements to be satisfied before you can even win the UDRP case.

So in this situation, we're pretty confident that the IGO would only file cases that there's high certainty of them winning the UDRP anyway. In which case, the chances of the registrant actually responding to UDRP that decided in the favor of the IGO would be very slim, which means that in the end, the domain name will be transferred or blocked. There are certain cases that that Jeff has said before, where the registrant has a good case to appeal against UDRP, then we have to take that in consideration. That's the whole point about this EPDP that we have to balance the rights of IGO versus good faith rights of the registrant. So in that case, the court case will take however long one it needs and the arbitration will take however long it needs. It's different with the URS because the URS built into the rules of URS is once the decision of the URS is made, the domain name gets suspended immediately. So the harm to the end users is taken care of that way. All right. So I just wanted to clarify that. Thank you.

YRJÖ LANSIPURO: Thank you, Justine. Siva, please. Your hand is still up.

SIVASUBRAMANIAN MUTHASAMY: Yeah. Jeff was referring to the absence of response, the start of the UDRP process. Just as there is a process to award in absentia, in favor of the IGO, the domain name during the arbitration process when the registrant does not respond to arbitration proceedings. Even at the start of the process there, as Jeff said, 90% of the registrants do not respond at all. Provided there is an earnest effort to reach the registrant about the IGO's claim and there is no response to the registrant at all, can the same arbitration logic be applied pre-arbitration? Even at the start of the UDRP process and say there is a claim from an IGO, and you're the registrant, the domain name is in dispute, you did not even respond. So by default, the name is suspended and will take a week or two to decide if it really goes to the IGO. Can we say that?

JEFF NEUMAN: Can I respond to that?

YRJÖ LANSIPURO: Jeff, yes, please.

JEFF NEUMAN: So two things. It's an excellent question. The first thing is if a registrant doesn't respond to a UDRP, then it's not automatic that the complainant wins. The panelist—and I know this because I'm a panelist for a provider and I've done a number of cases—still has to make sure that the complainant prove this case. So there are a percentage of cases where the registrant does not respond but the registrant ends up winning

because the complainant never proved its case. So that's important to recognize that in the UDRP, a complainant doesn't win by default, it has to still prove its case.

The second thing I wanted to bring up with this issue is the issue you bring up, it's a good issue, but it applies to all UDRP cases and not just in cases that involve an IGO. So for those types of issues which apply to any complainant, those should be pushed until the UDRP review. Because we wouldn't want to have a separate policy for IGOs than for regular complainants for non-specific IGO issues, right? The only reason we have this special procedure that we're developing is it's because of IGO's privileges and immunities. But everything else the group is sticking to the concept that if it is a UDRP issue in general, we can discuss that during the UDRP review. Only if it's very specific to IGOs will we address it in this EPDP. Thanks.

SIVASUBRAMANIAN MUTHASAMY: But doing this for IGOs would eventually lead to the same benefits for all general registrants who have a true grievance. And you are talking about the complainant having to prove this case. That could also happen at the start of the UDRP process itself. Even the submission to the UDRP could be like a case, which establishes that there is a true basis for the domain name to be taken down and given back to the IGO. And in that case, it could happen that way. But same could by extension after a UDRP review could apply to all resistance, all commercial resistance and all people. Thanks.

JEFF NEUMAN:	Thanks. Again, great point. But I think that this group has taken the position and the GNSO has charged the group with the position of only addressing the very specific IGO issues. And then during the full UDRP review, if in that review, we agree with your position and make that change, it would apply to both. So yeah, that's just the approach that the group is taking. Thanks.
YRJÖ LANSIPURO:	Thank you, Jeff, for pointing out that our terms of reference are really very, very narrow. Christopher, you're still—
CHRISTOPHER WILKINSON:	Jeff, I am sure that from the point of view of the legal aspects of GNSO, you may have some arguments. But may I just say that the tone of what you've just said sounds to me very much like an attempt to bring [inaudible] and reduce and control the interests of the IGOs in this field. May I please recommend that GNSO, so far as your spokesman for GNSO in this context, that GNSO recognize that GNSO is by the bylaws—and sometimes I think, unfortunately—but by the bylaws managing a process but it is not the determining the policy. The policy is determined by the community and by the Board. I think this is very important and I think you and some of your colleagues in GNSO could tone down your tone because you are not deciding in GNSO. You're managing a process. Thank you.
YRJÖ LANSIPURO:	Okay. Siva, your hand is still up.

SIVASUBRAMANIAN MUTHASAMY: I'm sorry. Old hand. Sorry.

YRJÖ LANSIPURO: Okay. Back to you, Olivier.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Yrjö. That was a good session here, a good set of questions and discussion around this. And no doubt, we'll have future updates in future calls.

Now, the next one is the Expedited PDP on IDNs. And as you have read in the action items, the next update on this will be during the next week's call. We can also look at the RDA Scoping Team. Alan Greenberg has mentioned in the chat earlier that there was no update on that either. So that means we can swiftly move on and go to our next agenda item very efficiently. Just thanking everyone who has provided some updates on the different working groups. I see Abdulkarim Oloyede has put his hand up. He might wish to just add something. Abdulkarim, you have the floor.

ABDULKARIM OLOYEDE: Thank you very much, Olivier. Yes, I just want to quickly have something about EPDP and IDN. We do not have a presentation for today. But next week, we hope to have a presentation. Because what's going on at the moment is we have some areas in the draft documents that we want to come and discuss with the CPWG. Probably I think it's better to wait

because I was supposed to give an update. I think Satish and others are not on this call so I would rather wait until next week where we will be able to have a good discussion on that. Thank you very much.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Abdulkarim, for this. Are there any comments or questions? Okay. You're not on this. Let's then continue. The next part in our agenda then is the policy comment updates. For this, we have Jonathan Zuck and Evin Erdoğdu. Over to you.

EVIN ERDOĞDU: Thank you, Olivier. You'll see on the agenda there, the recently ratified by the ALAC, one that was developed with the CPWG where the ALAC responses to ICANN Board clarifying questions regarding to ALAC advice on Subsequent Procedures. The ALAC had a consensus call and endorsed this and it proceeded to the Board AAR team. So we'll be providing updates on next steps for this. The other recently ratified by the ALAC was a statement through the Operations, Finance and Budget Working Group on ICANN Financial Plans and Budgets.

There are several upcoming public comment proceedings. Two in February. One newly lined up on UDRP which was just mentioned during the discussion on the EPDP and IGOs. So this may be of interest. There's also two in March and one in August. So please stay tuned for those. We can invite some subject matter experts to present to the group of interest.

There are currently no public comments for decision, but there are two ALAC statements in development: one through the Operations, Finance and Budget Working Group and one through this group, the CPWG, on the NCAP Study 2 document. With that, I'll just turn it over to Jonathan who's also volunteered for that CPWG statement, unless there are any other questions. Thank you.

JONATHAN ZUCK: Thanks, Evin. Justine, do you want to—I only see my name on the NCAP Study 2 documents. Justine and Olivier, you had a little bit of discussion about where we should fall down on these. So I wanted to give you a little bit of airtime to bring that up. Olivier, do you want to start that off maybe? Olivier?

OLIVIER CRÉPIN-LEBLOND: Sorry, Jonathan. I just got another call. I had to stop for a second. Hello?

JONATHAN ZUCK: Do you need to take the other call?

OLIVIER CRÉPIN-LEBLOND: Could you repeat the question, please?

JONATHAN ZUCK: This is about the NCAP Study 2 documents and what if any comment we need to make about them. You and Justine had a conversation on the list

about the tone of our comments. I just wanted to surface that here if you wanted some airtime for that discussion.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Jonathan. So I had indeed, last week, suggested some text, which you can find on our wiki page. But Justine did mention that perhaps we have to mitigate this with something less supportive and perhaps more cautious and a bit more balanced perhaps. We did ask people to have a look into, chime in on this discussion and bring their input into it. But so far, it doesn't appear like anyone has either on the list or on the wiki page itself. So perhaps now would be the time to solicit any comments or suggestions from anyone who has heard this last week and would like to say something about it this week. Which way should we go? Should we have something along the full support that the text has in the wiki or something else effectively? I see Justine has put her hand up, so maybe she can explain something else, or even nothing could be—

JONATHAN ZUCK: Thanks, Olivier. Go ahead, Justine.

JUSTINE CHEW: Thank you, Jonathan and Olivier. Let me make some corrections there. I did not say "no support." I did not talk about toning down anything. And to be honest, I've not looked at anything in the workspace for this particular NCAP public comment. So I apologize for that. I've been busy with other things.

I did say that I thought that the ALAC didn't need to actually participate in this public comment per se, and the rationale for that is because these two documents fit into the NCAP Study 2. And we would probably want to concentrate on just commenting on the NCAP Study 2 report when that comes out. Not so much preparatory documents but the conclusions from these two documents are drawn and used in the NCAP Study 2. That's why, personally, I'm opting to just focus on the NCAP Study 2 report.

Then someone suggested that we should just probably have a short statement to thank the NCAP DG and the NCAP admin people for the diligent work that they put into in coming up with these two documents. We do acknowledge that Matt Thomas, in particular, put a huge amount of work in coming up with the stuff in the two documents. We left it as that. And then last week, Jeff said he wanted to make some comments. I guess I'm waiting on what Jeff has to say before I make further comments. Thanks.

JONATHAN ZUCK: Jeff, go ahead.

JEFF NEUMAN: Thanks. Justine, thanks. You summed it up right. I think these documents that were published were amazing work. It was a lot of data gathering and not much really to disagree with there. It's literally just the data. Some of the cool things that they found, the next report that comes out shortly, the Study 2 report, will be the conclusions that the group is making as a result of that data. And I can tell you while I think

the data is fantastic and it is what it is, I mean, there's nothing wrong with that data, I personally disagree with what I think or the way I see the comments coming out and the recommendations that they're making.

Long story short, it's agree with the approach that we basically thank them for all the hard work that they've done. It's amazing work. I wish every group had this kind of analysis or this kind of data. But then just to reserve our thoughts to the report when it comes out about the analysis and conclusions. Thanks.

JONATHAN ZUCK: Thanks, Jeff. Justine, do you have a sense of why these documents were put out for public comment?

JUSTINE CHEW: The policy is that everything a particular PDP—and in this case, the NCAP Discussion Group—produces goes to public comment. So that's just the way it is.

JONATHAN ZUCK: I wouldn't have thought that that was the policy. Interesting. There weren't any questions associated with it or things that they were particularly seeking feedback on. You think this is just a matter of public comment and they're not even really expecting comments.

JUSTINE CHEW: I'm sure that they're expecting comments. I can't tell you what the comments might be. It just depends on who's submitting comments. But my personal opinion is I don't think we need to comment on the substance of what's in the report per se because they are mostly technical and you really need a technical understanding to get into the details of report. It's just a question of whether we agree with the conclusions that's in the report or not. That's probably something not so technical in nature. But as Jeff says, there's really nothing to disagree with in the two documents itself. So I still think we should just reserve our more substantive comments and discussions, in fact, on the NCAP Study 2 report which is coming up pretty soon. Thank you.

JONATHAN ZUCK: All right. That makes sense. Any other questions or comments? Okay. I think that's it, Olivier. I think that's back to you for Any Other Business.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Jonathan. We are indeed going into Any Other Business, starting with the ICANN73 ALAC and At-Large talking points. Back to you, Jonathan.

JONATHAN ZUCK: Thanks. I didn't realize that was the next thing in there. As most of you know, before every ICANN meeting, we try to develop some talking points for that meeting that are just a little bit of background and then summary of the positions that we've taken on some of the topics that might be discussed in the upcoming meeting. We'll be circulating those

on the list. Meanwhile, those that are involved in active processes, I'd be very interested in getting two or three concise talking points for the group in the next few days, if you're able, for the ongoing workgroup participants. Evin and I will reach out to you individually on this. But we'll publish these and make them available for comment and then they'll be presented and made available in the opening session for ICANN73. That's really it on that topic, Olivier.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks very much for this, Jonathan. Now the next topic in Any Other Business is the ALAC and GNSO Council bilateral session. We had a call for suggestions on topics. There's indeed a wiki page for this. Justine, did you want to take this and take us along with this one, please? Justin Chew?

JUSTINE CHEW: Sure. Thanks, Olivier. As I reported last week, I believe—I can't remember now. Anyway, the list of topics that you see on the wiki page now, it's preliminarily settled the list and some one-liner explanatory text or introductory text has been submitted to the GNSO Council for consideration. Sorry. Michelle, I think if you're controlling the screen, can you scroll down to what has been submitted rather than the suggested topics? Thank you.

So this text has been submitted to the GNSO Council and they considered it at the Council meeting last week. I believe the approach is that so there is no objection to these topics, and the Council has got the small team leaders or the leaders for each subtopic. I believe Council will

ensure that the topic leads will be attending this bilateral. And there is a prep call sometime next week, I believe, just to settle the agenda, and also the format, I believe, of the bilateral itself. That's pretty much it. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this update. Does anyone have comments or questions for Justine? I'm not seeing any hands up at the moment. So it's all fine. Thank you for the update.

Now, the third item on AOB is the fact that the next ALAC meeting that will take place on the 1st of March will feature Philippe Fouquart, who is chair of the GNSO Council. He'll be the guest speaker. I must say I feel guilty of having not checked the ALAC agenda. So I gather he's going to be speaking about the GNSO Council. Jonathan, do you know any further details? Or Justine, any further details or what he'll be focusing on specifically, if any? Heidi is telling us that the ALAC agenda will be updated shortly. So even if I had looked, I probably would not have found the topic for discussion. Or is he just going to go on a social visit? Jonathan? Justine? Anyone?

JUSTINE CHEW: I have no idea because I'm not responsible for the ALAC monthly meeting agenda. And I certainly wasn't aware that Philippe had been invited to be a speaker then. So I don't know.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you. Heidi does mention that it will be GNSO issues, which I hope it will be GNSO issues. But not sure.

JUSTINE CHEW: It could be anything else.

OLIVIER CRÉPIN-LEBLOND: It could be. Whatever other problems in the world at the moment. So that will be the ALAC meeting. Obviously, as you know, there is the first ALAC GNSO Council meeting for quite a number of years now. So it might be in prelude, of course, to these topics that Justin Chew has taken us through just a moment ago. In any case, for those people that are not aware, the ALAC meetings are open to everyone. Everyone is very welcome to actually go and get on the ALAC meeting. That will be on the 1st of March. I'll ask staff to put perhaps details of when it will take place in the chat. Then we get a good number of people joining. I see Christopher Wilkinson put his hand up. You have the floor, Christopher.

CHRISTOPHER WILKINSON: Thank you, Olivier. And thank you, Justine, for your advice and comments and work on these topics. I have a rather general point. But since we're in AOB, I hope the chair will allow it. Several of our issues extend over several months and sometimes years. And there's a tendency for ICANN to create layers upon layers of comments and questions and answers that sometimes risk losing the focus on the main point.

I think ALAC would be advised to make quite clear, for example, in Subsequent Procedures, that answers to questions from the Board, which are valid and necessary, but are without prejudice to the basic position adopted in the ALAC advice. Similarly—and I speak personally here—in a PDP report on Subsequent Procedures, I would like to say that I stick by my dissenting opinions, which are part of the report. And I think it's important for me or anybody else in the future who wishes to make a formal comment on a PDP report. It's important to establish that such comments survived the whole life of the document and do not risk disappearing at any subsequent stage in the procedure.

All I would say from a formal point of view to ALAC is that when you send documents, comments, advice, there shouldn't be a clause which says this is without prejudice to the underlying and approved advice from ALAC. Otherwise, we get lost in the in the fog of Subsequent Procedures. For example, the Operational Design Procedure for Subsequent Procedures, which I'm sure is necessary because there's so much wrong with this current procedures report. But the Operational Design Procedure must take full account of the advice of the community. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Christopher. Next is Justine Chew.

JUSTINE CHEW: Thanks, Olivier. Christopher, I appreciate what you're saying. There are things that we have to grapple with, obviously. The ALAC's positions are of great importance and great significance for this community, really,

yes, I agree. But we are also just one part of the community. So there's always that balance of multistakeholder tension, I would say, or cooperation that needs to be considered. Having said that, at least personally, I don't think we are dropping the ball on Subsequent Procedures. There is the ODP going on. I'm monitoring that on a personal basis because I have been the Subsequent Procedure's lead for ALAC and I'm also the GNSO Council liaison for ALAC so that comes through GNSO as well. So I can assure you that I'm actually monitoring that.

The other thing is the SubPro ODP work done by the ICANN team goes through a number of updates. Just like with the SSAD ODP, they have webinars. So I would recommend everyone who has an interest in Subsequent Procedures to join that to be familiar with the ALAC statement and the ALAC position and ask questions wherever they see something being dropped.

We also have this process that is ongoing with the Board where the Board is considering our advice. I believe we have just verified or submitted our questions to the Board. So that is an ongoing process. It is following the process. And I would say that it is incumbent upon At-Large representatives who are appointed to each PDP to carry the banner of ALAC statements and ALAC positions as they are developed through CPWG and endorsed by the ALAC.

Christopher, I invite you to be part of that process and help make sure that balls aren't dropped. And in terms of your personal dissent, I have to say that that's personal to you, and obviously you have every right to do what you think is best. But as far as I'm concerned, being the ALAC

rep, I have to carry the ALAC positions and not my personal own positions. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Justine.

CHIRSTOPHER WILKINSON: That's a new hand. Just a very short comment. The time involved, I don't need to make any apologies for the time I've spent on certain subjects on behalf of the At-Large community. But it becomes impossible, personally, to follow all the ramifications all the time. I do think it is very important that the time we spend on some of these issues does finally results in a document. We're not expected to spend even more time defending it in all the subsequent discussions. That being said, I take Justine's points and I'm very interested indeed to discover how the Operational Design Procedure has obviously been invented by the Board to recover some of the power that they ought to have to correct the PDP outcomes. I will try and follow that up. For reasons of age and health and other obligations, I'd prefer to work on new things rather than to go back over and over again over things that we have worked on before. Thank you. And thank you, Justine, for your advice and comments, which I support fully.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Christopher. I noticed in the chat several people mentioning that you're not alone in terms of time investment. It's a

common challenge for many of us in the At-Large community. Sivasubramian Muthsamy, you're next.

SIVASUBRAMANIAN MUTHASAMY: Christopher, you and a few ICANN participants who have attended more than 50 ICANN meetings, who have been with ICANN since the beginning, rather than be tired, maybe you should do one important contribution to ICANN that are coming together to take a complete look at the design of ICANN processes to make it swifter, to meet the needs of the Internet, to meet the needs of the DNS, and give all your thoughts. It's quite unlike an accountability exercise but more of organizational design exercise that would require thoughts of those like you. I think this is beyond the agenda items. Just responding to what you said that it has been tiring, about the time investment and the frustration and so on. That is what needs to be addressed. Thank you.

CHRISTOPHER WILKINSON: Thank you for that. I shall reflect. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Siva. And thank you, Christopher. Okay. I think we can move on. I'm not seeing any other hands up at the moment. So with no other "Any Other Business," it looks as though we are reaching the end of this call. So the next meeting is going to take place next week, of course, rotating time. Could I please ask staff, Claudia or Michelle, when our next meeting will be?

MICHELLE DESMYTER: Hi, Olivier. Next meeting will be next Wednesday, the 2nd of March at 13:00 UTC. And we will only have Spanish interpretation available. Thank you.

OLIVIER CRÉPIN-LEBLOND: All right. Thank you for this. We will have a little bit of challenging times in the forthcoming weeks with regards to interpretation because, of course, we've got the ICANN week as well. This week is Prep Week. So there's a whole number of activities that are out there. The e-mails that have been sent out to the mailing list, mentioning the different discussions and preparations that are taking place this week. If you don't have enough conf calls to follow, then you can certainly find some more in that list. Of course, we'll have less chances to have our interpreters in the next couple of weeks. Jonathan, anything else to add on this?

JONATHAN ZUCK: Thanks, Olivier. Check out the Policy session that's coming up, particularly tomorrow as part of Prep Week. Let's have a good meeting.

OLIVIER CRÉPIN-LEBLOND: Fantastic. Thank you very much. We are half an hour early on our usual closing time. So at this point, I'd like to thank our interpreters, staff and the real-time text transcription for the great work and the great support, and of course, all of you who have provided both updates and also discussions and have attended this call. See you either later on this week on another call or see you at the next CPWG call next week,

Consolidated Policy Working Group. Until then, have a very good morning, afternoon, evening or night, wherever you are. Goodbye.

MICHELLE DESMYTER: Thank you, Olivier. And thank you so much, everyone, for joining today's CPWG meeting. Have a great rest of your day.

[END OF TRANSCRIPTION]