BARCELONA – Fellowship Daily Session
Monday, October 22, 2018 – 13:30 to 15:00 CEST
ICANN63 | Barcelona, Spain

UNIDENTIFIED FEMALE: October 22, 2018, Fellowship Daily Session 1:30 to 3:00, Room 113.

SIRANUSH VARDANYAN: Ladies and gentlemen, please take your seats. Fellows, take your seats. Good day, everyone. Hello, are you here with us? Excellent. I hope you enjoyed your lunch, and those who are not here, hopefully they will come and be able to [pick some].

So, we are starting our week with daily sessions, fellowship daily sessions, and our first, today's daily session, will be devoted to policy development at ICANN. This is one of the important topics here and this is mainly why we all are here, actually. I would like to give the floor with great pleasure and introduce my colleagues in ICANN who are working in policy development, Carlos Reyes and Ozan Sahin. Thank you, guys, for coming. I'm sure that this topic will be interesting for many of you. Please, after the presentation, raise your questions. We will have time for Q&A. We will have time also to talk with our presenters. Those who are remote, please, if you have any questions, post in our remote chat space and I will make sure that our presenters get them. With that, without further ado, please, Carlos, the floor is yours.

CARLOS REYES: Thank you, Siranush, for the warm welcome. Hello, everyone. Welcome to ICANN 63. My names is Carlos Reyes, as Siranush mentioned. I am part of the policy development support department here at ICANN. Ozan, would you like to introduce yourself?

OZAN SAHIN: Hello, everyone. I'm Ozan Sahin, again working for the policy development support team of ICANN. I am based in Istanbul where we have the Middle East, Africa regional office of ICANN. Thank you.

CARLOS REYES: Thanks, Ozan. Today, what Ozan and I will do is provide an overview of the policy development work at ICANN. As Siranush mentioned, this is really why we're all here for the ICANN. Policy development is an activity that's at the core of ICANN's mission and it's driven by the work and the commitment of the community. You will see them throughout the week here in sessions and discussions, of course.

What Ozan and I will do is provide a very high-level overview of how the different communities are structured and how they produce either policy proposals or advice for the ICANN board and the ICANN community. Keep in mind that a lot of this content is actually at a super high level so there are very detailed procedures and policy manuals for how all of this happens. We have colleagues that support each of the different communities that are experts in those procedures.

What Ozan and I are doing today is just giving you an introduction to help you understand what you're seeing this week as the community groups gather to advance their work.

What I always like to do for this session is get a sense of what questions you all have at this point. I know it's a bit unorthodox to start with questions, but that way, Ozan and I know what to specifically address in our presentation. What sort of questions might you have at this point, based on your current understanding of policy development at ICANN? Yes, go ahead. Please state your name and where you're from.

HASHIM NOUMAN: Hashim from Pakistan. The first question that I have is how does policy work start? If I have a recommendation, for example, how the new gTLDs are being given off to whoever is buying them, do I just … Where do I go for telling them that I need this policy changed and they can start working on it? And how do they find those [inaudible]?

CARLOS REYES: That's a good question. We'll talk about how the policy development processes start. Over here.

ALFREDO CALDERON: This is Alfredo Calderon for the record, a fellow for my third time. Once a policy is approved by the board at the end of the cycle of the policy development process, what happens in terms of is it active as soon as it is approved or something else needs to happen? Thank you.

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CARLOS REYES: Okay. So, basically what happens one it's approved. Okay, thanks. Yes?

UNIDENTIFIED FEMALE: My name is [inaudible]. The question that I had was how long does it normally take for a policy to get developed at discussions? Is there a deadline to it? Do you find that they are prolonged [inaudible] for development as well?

CARLOS REYES: So, timing and deadlines. Okay. Any other questions? Yes, go ahead.

MIKHAIL KOMAROV: Mikhail Komaro from Moscow, from Russia. Actually, I have probably a silly question anyway about technical resources or technical tools for the policy development process, which would simplify process itself, which are in use, which you are thinking about for the future. Thank you.

CARLOS REYES: Okay. So, basically, how we support the community to do the work.

MIKHAIL KMAROV: Except mailing lists, okay?

CARLOS REYES: Sure.

JANOS SZURDO: Janos Szurdo, and how to increase the probability of a public comment to be incorporated into policies.

CARLOS REYES: So, one of the things that Ozan and I do apart from supporting difficult community groups, we actually manage the public comment process for ICANN. So, we'll speak to that. Thank you.

MILI SEMLANI: Hi. Mili from India. ICANN fellow. I have two questions. One, are all policy processes open or there are some that are closed-group processes as well? Second, what different stages, if there are any, in the policy making process? Thank you.

CARLOS REYES: Thanks. Our presentation will definitely cover that. Yes?

MOHAMMED YOUSIF: Mohammed Yousif from Sudan. I've come to see something added to the PDP process, like the EPDP. So, are we going to see more of EPDP likes in the future o this is going to be the end of it? Thank you.

CARLOS REYES: Okay. We'll probably get to that toward the end. Remind me if we don't address it. Anything else? Yes, go ahead.

JINHE LIU: My name is Jinhe Liu. I come from China. I'm a fellow. My question is if the PTP has [stirred] for a while, and for a newcomer, is it possible to participate in and how?

CARLOS REYES: I missed the first part. If a PDP has been ongoing for a while, is it possible to then join, basically? Okay, thank you. Great. Well, I think we have a good set of questions. We'll probably address most of them throughout the presentation. If you think we didn't or if you'd like some clarification, feel free to interrupt and we can sort that out throughout the course of the slides.

SIRANUSH VARDANYAN: And just to add that we'll be later sharing this presentation will all of them.

CARLOS REYES: Great. So, yes, the slides are a good resource as well. Okay, we'll go ahead and get started. Thanks. So, just a quick overview of our presentation today. We'll give you an overview of the different policy development processes and we'll highlight some examples of policies that have been developed through the different PDPs. We'll maybe talk about some current PDPs. Then, if we have time, we'll get to describing the work of our department. There's enough there that I think you can

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probably learn on your own, but I really want to focus on the top three agenda items today.

So, let's talk about the PDPs. First, just to establish a baseline for what you're seeing here today, you'll hear a lot about the ICANN community and the ICANN board and the ICANN organization. What's important to keep in mind is that all three parts together are ICANN. In many ways, the work of the community which selects and appoints certain members of the board and the board then gives direction to the organization. So, all three parts really have to work together to ensure that the perspectives of the community are considered and the development of policies and also in the implementation phase to the question about implementation.

So, keep in mind that there are three distinct parts, but in tandem, they all work toward the same goal. Next slide.

So, within the ICANN ecosystem, we have the community, as I mentioned earlier, and the community is organized into three supporting organizations and four advisory committees. One thing to keep in mind, a distinction between the two. The supporting organizations develop policies and we'll talk about the three supporting organizations shortly. The advisory committees develop advice for the ICANN board, for the community, for other advisory committees, etc., for end users.

So, when we talk about the policy development processes at ICANN, we're talking about how the supporting organizations move through that work.

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Now, the advisory committees are consulted along the process and they can participate in the different steps of the PDPs of the supporting organizations, but the advisory committees do not develop policy. So, it's important to recognize that distinction.

So, let's talk about the three supporting organizations. I'll give a high-level overview of each one here. As I said, there are three. The first is the Address Supporting Organization. And this is just alphabetical, by the way. The first is the Address Supporting Organization. The ASO is the supporting organizations that is charged with developing global policies for Internet number resources. So, IP addresses, autonomous system numbers. There's a lot of regional policy development activity. Some of you may be familiar with that, if you've ever heard of a regional Internet registry. But that is outside the scope of the ASO at ICANN. At ICANN, it's specifically related to global policies.

Moving on to the next supporting organization, we have the Country Code Names Supporting Organization, or ccNSO. This is the supporting organization that develops policies for country code top-level domains. So, dot-BR, dot-UK, etc.

SIRANUSH VARDANYAN: One quick question. Quizzing you. Do you remember those slides? From where? It was in my presentation. But, before that? ICANNLearn. You took that course. Hopefully.

CARLOS REYES:	So, you should be giving this presentation? Thank you, Siranush. Finally, the Generic Names Supporting Organization. This is the supporting organization that develops policies for generic top-level domains. Dot-com and all the new gTLDs, dot-org, etc., dot-edu, dot-berlin, dot-music, etc.

Each supporting organization is a community within itself, of course, and each supporting organization has a council that manages the policy development work and the policy development process when that gets started with a new supporting organization. Any questions about the supporting organizations? Okay, next slide.

So, let's talk about the advisory committees. Again, the advisory committees are part of the multi-stakeholder community and they develop advice. These recommendations come from different perspectives and each advisory committee is organized to provide that voice.

So, the first one is the At-Large Advisory Committee and this is the advisory committee that is the voice for end users. There's an entire community within the At-Large and there's a structure there. We'll talk a little bit about that later.

The next one is the GAC. This is the Governmental Advisory Committee. That's pretty obvious, right? They provide advice and input from governments. Specifically, on public policy implications related to ICANN's mission.

The next advisory committee is the Root Server System Advisory Committee and they provide advice to the ICANN board and community on the root server system as a whole. So, the resiliency of the system, its security, its integrity, its interoperability.

Then, finally, the SSAC. That is the Security and Stability Advisory Committee. It's comprised of security experts and they give advice on the security and integrity of the naming system, naming and address allocation systems. Any questions about the advisory committees?

So, you probably cannot read the slide, but it visually represents the policy development processes of … Actually, I'll do a quick – well, it's up there. It's the supporting organizations. I was going to ask for a pop quiz, but the answers are on the screen.

So, this is how the supporting organizations develop policies. There was a question about different steps. This is, at a very, very high level, what the different steps are generally within the policy development processes of supporting organization.

As I mentioned, every supporting organization has a council that manages this work and each council has a very specific manual for how the policy development process should transpire. So, the steps are actually way more detailed. But, this gives you a very high-level overview to help you navigate the overall process.

Within ICANN, most of the policy development activity is within the Generic Names Supporting Organization (GNSO). Today, we'll focus on the GNSO PDP. The ccNSO policy development process is similar, but

there actually haven't been that many policy development processes within the Country Code Names Supporting Organization.

Then, the ASO, as I mentioned, most of that policy work actually happens at the regional level, so outside of the ICANN ecosystem. They have their own policy development process, but it's rarely triggered at the global level here at ICANN.

So, let's talk about the GNSO. We'll start with the Council. So, the Council is composed of 21 members and they are divided into two houses, the contracted and non-contracted parties. Together, they manage the policy development processes for generic top-level domain name policies. So, that's repeating a lot of what you've heard about the GNSO. Now we're focusing in on the council which is the group that manages the PDP. Next slide.

So, let's talk about the GNSO policy development process. Throughout these slides, you'll see arrows. The arrows highlight areas where you, as individuals, could participate either via public comment or if you wanted to bring an issue to the GNSO Council via the board or an advisory committee. So, just keep that in mind.

The slides also highlight points that are unique to that PDP. So, the first step is really about identifying the issue. Someone was asking about how does a PDP get started? This is generally what happens.

The council or the board or an advisory committee can identify an issue and then the council has to consider whether or not that particular issue will result in a policy that the council can actually develop. If it

does, then they go ahead and start to scope the issue, just to make sure that it is within the remit and the mission of the GNSO.

For example, if someone goes to the GNSO and proposes a policy about a country code, immediately they would say, "No, that's not the GNSO. That goes to the ccNSO."

So, these are just steps that are built into the process to ensure that they are dedicating their resources and their time and their attention to matters that are relevant to the GNSO.

At the next stage, as part of scoping, the council also starts preparing an issue report and part of that scoping process, it's posted for public comment and it essentially explores the issue in-depth and it gives the public an opportunity to provide input through the public comment process.

After the public comment process closes, that final issue report is submitted to the council for consideration. Basically, this allows them to say, "Here are the different questions that related to this topic," and they start moving toward deciding whether or not to actually start the PDP process, because if they determine that they can develop a policy that can address those questions, then they will begin that process.

So, that covers steps one and two. Any questions about steps one and two? Yes? Then we'll go here.

SIRANUSH VARDANYAN: Mili again.

MILI SEMLANI: Can any of these steps happen in the intersessional phase or does it have to be meeting to meeting?

CARLOS REYES: Most of this work happens intersessionally. The meetings are part of the process, but oftentimes the working groups will establish certain milestones for certain meetings, but this work is ongoing. In fact, most of the work happens outside of meetings. Yes?

AHMAD ASADEH: Ahmad Asadeh from Palestine. For step one, it is proposed by DNS Council, ICANN board, or AC? What's AC?

CARLOS REYES: Advisory Committee.

AHMAD ALSADEH: I said it wrong. An individual to propose a new policy from outside ICANN or ICANN [council]? If I have some idea, I can go and propose it?

CARLOS REYES: It would have to go through … The council can bring up, identify an issue, or an advisory committee. Individuals would have to be part of those structures to do that.

AHMAD ALSADEH: Okay, thank you.

UNIDENTIFIED MALE: [inaudible]. The question is on the GNSO. On what basis that a council does not consider the issue today? Like, every issue is considered or some will not be considered? And if they don't consider it, how do they communicate back to the ones who identify the issue?

CARLOS REYES: So, you mean … Basically, if a request comes to the council, they will obviously read it. But, I think, if I understand your question correctly, it's more about after they make a determination on whether or not it's within scope, how do they communicate that and what happens? Is that the question?

Well, as I mentioned, Ozan and I support the policy development work of our communities but we're not GNSO support staff. So, what will happen at this point is, my understanding, the council, there's usually an exchange of letters. You'll see the council making a decision. It will be documented via minutes and a resolution if they decide to proceed with something or not.

So, all of this is very transparent and public. If an advisory committee asks for something or the board asks for something and the council decides otherwise, that will be documented and communicated. Yes?

VIOLET ROSE NINGAKUN: My question is at what point does an issue become a policy?

CARLOS REYES: At what point does an issue become a policy? It would have to go through the policy development process to become a policy. I think your question is more about at what point does it become a working item, right?

VIOLET ROSE NINGAKUN: Yeah. After discussing all the issues, is there a certain point where you come to agreement that, okay, you find out everything and you move towards the drafting of the policy or something like that?

CARLOS REYES: Sure. That's really what the scoping step is for is really ensuring, as I mentioned earlier, that the issue is within remit of the council and the GNSO mission, then identifying what sets of questions are out there about that particular issue that the council can then address via a policy development process to potentially develop policy. Sometimes, it doesn't result in a policy. Sometimes, it does. So, it's a pretty methodical process. Most PDPs these days are in the two-year timeframe, possibly a little longer. That's because there's a very deliberate effort to include different perspectives and voices in that process. Siranush? Two remote questions and then I think I see one, two, three. Oh, my goodness, we're about to keep a queue. Okay, let's go with the remote participants first.

SIRANUSH VARDANYAN: Yeah. Let's start with remote. I have two questions. One is from [Tato] from South Africa. The question is, "How does one facilitate a community comment when there is no responses on the community mailing list?"

CARLOS REYES: Is that the only remote question?

SIRANUSH VARDANYAN: No, we have a second one.

CARLOS REYES: Let's go ahead and listen to that, please.

SIRANUSH VARDANYAN: The second question from [inaudible] from India, he is an ICANN fellow alumni and he is a member of Neo-Brahmi Generation Panel. "On which platform forum we can discuss security concerns like homograph attack, confusing variance of Unicode characters such as caused by IDN, which is International Domain Names, TLD and second-level IDNs at RSSAC or SSAC?"

CARLOS REYES: Thank you.

SIRANUSH VARDANYAN: Thank you.

CARLOS REYES: Okay. So, I'll start with the second question. A lot of those issues, sometimes it isn't specific to one advisory committee or another because those issues are really cross-cutting. The SSAC could consider any of those issues from a security lens. The RSSAC could consider those issues from how they would impact the overall root server system.

So, it's not so much that an issue belongs or is owned by a particular community. It's more about what input does that community have on those issues. I think it's best to just observe the ICANN community and see what conversations are happening and what each group provides as part of those discussions.

To the first question about comments on the mailing list, there are hundreds, if not thousands, of mailing lists at ICANN. I think, in general, what we have to keep in mind is as long as your comment is on the right mailing list, there probably will e discussion. There are not a lot of mailing lists that are completely silent. I think Ozan and I are probably subscribed to scores of mailing lists and there's always dialogue.

So, the issue is in making sure that your comment is in the right setting. I've seen comments that sometimes you realize I don't think the person meant to post it here, etc. Obviously, I can't answer to any specific experience, but something that Ozan and I also do, as I mentioned, is manage public comment. That's a whole separate process. I'll let Ozan explain that a little later.

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But the public comment process is very structured and there are ways for individuals and community groups to provide input either to the organization or to the community on a specific issue. So, I'll stop there with that answer and then I'll come back if there's anything else from the remote participants. I saw I think three questions here. We'll go ahead and take them all and Ozan and I can try and answer them. So, let's start with the first question here.

UNIDENTIFIED MALE: Mine isn't much a fair question, but just a little advice to my colleagues. Before jumping into the details of PDP, first to identify which constituency you want to join and observe. Usually, there are comments [inaudible] flying around. When the mailing comes in, they submit it before jumping to the PDP. When we observe, after a couple of meetings, they understand this process is trying to describe. It becomes more clearer and you follow out this … You see the practicability of what is [inaudible]. It looks [inaudible] now, but if you observe most of the [inaudible] meetings, when the comments are flying around and when it's [inaudible] from comments from [inaudible] now it becomes clear what it's saying. So, that's just a little advice I want to give. Thank you.

CARLOS REYES: Thank you. Question?

CHERIE LAGAKALI: My name is Cherie from Fiji. Coming from a technical background, I'm just curious about – because we're talking about the Internet and the Internet is evolving fast. I'm just curious, in the community, does ICANN find that it's playing any proactive role or a reactive role when issues rise up? Is it something that's foreseen earlier or something that's a problem and it's become a bigger problem before policies start getting developed on it, and if it isn't a bigger issue, how fast or the response time in getting a policy developed around that area? Just out of curiosity.

CARLOS REYES: Okay, thanks. Next question.

JANOS SZURDI: A comment and a question. So, the Tech Day, after this session, there is a discussion of IDN [inaudible]. So, just information to the previous question. And the question I have is about policy proposals rejected at the beginning of development. Is there data on which ones are rejected, who proposed it, which advisory committee, and why it was rejected? Is there historical data on that to see what are the main reasons these are rejected and which advisory committees are more likely to be rejected maybe for different supporting organizations?

CARLOS REYES: Thank you. Next question.

UNIDENTIFIED MALE: Thanks, Carlos. First, I'd like to second Adetola in the comment. That's a very important remark. It's also something that catches me. I've been concentrating on it for some time. I'm [inaudible] NCSG policy committee and I would like to pay attention to that last arrow that you have over there about call for volunteers to form the policy development processes working groups because I feel that we have not been paying attention to the importance of working groups, especially when fellows come because you think – you start thinking about getting engaged with the community and joining a constituency. That's the normal path. You will end up joining a constituency.

But, the working group is in fact the place from which you start contributing in a persona capacity. The constituency works like a constituency. You heard Olivier talking about making a public comment through a constituency, what improves in terms of legitimacy, what improves to you in terms of collective work that has your fellows give you context. But, the working group is exactly the place [inaudible] start contributing in a personal capacity. So, you're joining a constituency. Yes. How do you start working? In a working group, whether it be inside a constituency or a cross-community. This was a bit blurred to me in my first meeting here. I had the clear idea of a constituency because we look at them in the flow charts. There are graphics and we can look at the organization from an [organagram] point of view. But we do not see working groups there in a graphic. There's no graphic expression of a working group. The truth is that is the place where you start working on a personal capacity.

So, just to highlight that point and maybe it's much more important than you have there on that line.

CARLOS REYES: Thank you. That's a good point. I think you had a question as well. Go ahead.

MILI SEMLANI: I understand that the staff prepares the preliminary report. I just was curious to know what did they take into account and how did they collect the information. Thank you.

CARLOS REYES: I'll start with that and then we'll go into these questions. Really, it's almost like a temperature check. What I think my colleagues on the GNSO support team, what they do is they get a sense of what issues another already out there, what work may have been done about this particular topic in the past or what is the current status of that particular issue. It's just capturing in that moment what the issue is, what the questions are. There's really no … There's no template for it, meaning it really is driven by the issue and what questions or topics are confusion or goals there are around that particular topic. So, it varies by the questions and it varies by the issue and who's interested in it and who could be impacted by it as well.

There was a question about timeliness and looking forward. I think you'll find that a lot of the supporting organizations and advisory

committees are starting to take into account their current workload and recognizing that there are emerging issues. It ultimately comes down to a question of prioritization and every group has some sort of mechanism for that, how they choose an issue based on the current resources, how many working groups can they have running at the same time before burning out volunteers? How many working groups can run at the same time that staff can support?

So, there are a lot of issues at play. Also, just tracking the overall conversation of, for example, what the board is thinking about, what the different advisory committees are advising them on, etc.

So, it's fairly organic. There's no overall coordination mechanism because these groups very much take on what they would like to address.

SIRANUSH VARDANYAN: There is one more remote question I will add and then, Ozan, you will [inaudible] as well. The question is from [Sarata Omani]. She is asking, "Are operational policies subject to the PDP processes? If not, what are the differences?" Operational policies.

CARLOS REYES: So, operational policies re about the operations of the ICANN Organization. Oftentimes, if it's a topic that the ICANN Organization determines they would like some community input, then they will be posted for public comment. Often, it's in the implementation stages. For example, there was a remote participant who was from one of the

generation panels. Basically, the generation panels are implementing policies that were developed. So, the ICANN Organization will post a particular procedure or report if they want input to help the organization implement something.

So, it's really at the discretion of the organization whether or not they – we – decide that we want more input at that stage. But, the distinction there is operational policies are about how the ICANN organization is moving ahead with implementation or its own operations. That's a good question.

Okay, so let's move onto the next slide, Ozan. These were all very good questions and I'm glad we're spending some time here. As we move ahead, [Claudio], I think you had that good point about working groups.

This is where most of the work happens. When you're watching a PDP, a policy development process, take place here at an ICANN meeting, it's often at the working group level and that's because the council has decided to take on an issue, to take on a work item, to take on some very important questions and they have called for a working group to start looking into this.

There's a call for volunteers and the different constituencies will provide volunteers. Individuals can join working groups. This is where most of the deliberations happen.

What ultimately comes out of the working group is some sort of report about what answers they were able to find, what questions emerged throughout the process, and that report then is submitted to the

council. Sometimes the report, if it's moving toward a policy recommendation, they will have specific recommendations for policies. If they didn't find agreement, then there's no policy coming out that. So, it's all very dynamic. It's all driven by the discussions. It's all driven by the debate.

But, to [Claudio's] point, I think it is important to recognize that the bulk of the work, when I said two years earlier, it's at the working group level. That has serious implications for the council and how it manages its work and also volunteers. Do you have the time to dedicate two years of your free time to a working group?

Of course, you try your best to track everything, but it's a challenge right now within the ICANN community and it's something that the organization is trying to help the community with with these questions because it's a serious effort and of course the organization benefits from that input. We cannot do our jobs without guidance and the input and advice of our communities.

So, I'll stop there to talk about working groups because I saw a few hands go up. Yes?

ALFREDO CALDERON: This is Alfredo Calderon again for the record, a fellow and also from Puerto Rico. Keep in mind – this is for the newcomers, for the first-time fellows also – within the working groups and the SO, the support organization, even if you want to be an observer, in some working

groups you can, and when you feel comfortable, then you can become an active member and contribute with your comments.

So, don't be afraid to subscribe to a working group as an observer. You read all the discussions that's going on and when you feel comfortable within that working group, you can change your privileges from observer to active participant. Thank you.

CARLOS REYES: Thank you, Alfredo.

LOUISE MARIE: Hi, Louise Marie for the record. It's just a comment on the comment. My experience, at least, what I can say from NCUC, the Non-Commercial Users Constituency – and I think that's across the board, actually. It takes time and I think one of the things is that many of the newcomers, many of the people that start at working groups start to engage in policy development processes, it can be a really tough process because it's a learning curve. At the very basic level, it's a learning curve. Sometimes, you might have, for example, the privacy or data protection expertise, but when you're in these settings, it's a particular language. You're interacting with different stakeholder groups. So, there's also this cultural aspect of communication, of you know they're battling for each other's point of views in a certain way. So, there's also these dynamics that you learn a lot.

But also, do not rush. Have your own pace. I think that is one of the things that I've learned a lot. You keep pushing yourself. "Oh no, I have

to know everything already." But these people have been discussing these things for a lot of years, so when you enter, don't feel pressured to just start talking. Listen. Take your time. Just absorb what they're saying. Little by little, you feel comfortable or you find your ways of engaging, be it in a public comment which might be an interesting way also of engaging in policy processes.

So, I just wanted to add to that. Just don't rush through things. Take your time. Listen and understand the culture of that working group which is very important also to have in mind. Thank you.

CARLOS REYES: Thank you. I don't think we could have said that better. I think these are very important points. Just to quickly go over steps five and six, after the working group concludes its work, it delivers a report to the council and the council starts deliberating the actual contents of the final report. And if the council decides to adopt the board, if they approve it, as a recommended consensus policy, it then goes to the board and then the board also deliberates and makes a decision.

There is a step there where the board specifically consults the community and the GAC. That's specific to the GNSO policy development process. Then, finally, if the board votes, then the organization starts implementing that policy.

Alfredo had a question earlier about what that looks like. Ozan and I work for the department that helps develop all the policies. We have an entire department, the Global Domains Division, actually, that is

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charged with implementing. So, this division of labor basically means that, at this point, the ICANN board will then hand off the policy and a whole separate team takes over planning for how to implement it, the communications around it, and then putting in the different systems and processes to implement that policy.

So, from policy adoption to implementation, it takes some time because you have to prepare. I don't think there's one set period of time, but it's very driven by the specific policy. But we work really hard as an organization to inform who will be impacted by that to make sure that they're aware.

I also wanted to go back to the question about the resources and what tools the different working groups use. Obviously, mailing lists. But there's a lot of resources that, as an organization, we provide to the community. Each working group makes its own decisions about what works for that particular working group. There was a comment about each working group has its own culture. Some working groups, for example, they really like using our confluence Wiki system and that's where they organize all of their agendas, post minutes, records, etc. We provide obviously teleconference services. If they need data or research, we have departments that can help with those types of questions. Sometimes, if we don't have the resources internally, we'll work with them to find an external resource, but it's all very dynamic. We're really there to help the community as much as possible in their work.

So, it's all driven by the requirements of each working group. We have a basic suite of services, if you will, that's standard. Obviously, we provide facilities if they need them at ICANN meetings and recordings, etc. But it's all very much driven by the leadership of the working group and what they think is best to deliver their report and also assist their working group members. Any questions about GNSO?

SIRANUSH VARDANYAN: There is one more remote question, if you can.

CARLOS REYES: Yes. We'll do that and then we'll go over here.

SIRANUSH VARDANYAN: Yes. It's again from [Jay Paudia] from India. When a policy draft releases for public comment at icann.org, what happens to those comments? I mean, how seriously ICANN PDP team takes it? And another subsequent question is how do you tackle a situation where almost everybody in public comments is against the policy? Thank you.

CARLOS REYES: So, I will talk to two specific points in that question and then I'm going to ask Ozan to give an overview of public comment. It's important to recognize the distinction if the ICANN Organization is calling for public comment on a policy that's in the process of implementation planning or if it's a community group asking for input on a policy they are developing, because if it's the former, then that input is evaluated by

the working group itself and staff assists in the analysis, but the working group ultimately makes the decision about how to incorporate the public comment into their discussions and into their report.

If it's implementation, then the ICANN Organization, the staff, the departments, will work on incorporating that input into developing the best implementation approach or strategy for that particular policy. So, it's important to recognize a distinction there, because one, the staff is involved, and in the other it's actually driven by the community and what they're hearing from the public about a particular policy. So, just keep that in mind. It's the ever-present distinction between probably implementation and policy development. They're separate.

So, Ozan, if you can maybe give an overview of public comment. Ozan and I were talking that we should probably develop some slides for this because we haven't, but I'll allow Ozan to give an overview of public comments since that is an opportunity for all of you to participate before you join any constituency or working group.

OZAN SAHIL: Thank you, Carlos. I still note that you have a question, the gentleman on my left, but let me briefly give this overview about the public comment and then we'll come to your question. It's also good that it kind of relates to the question that we have in the Adobe Connect room.

So, public comment is a process by which the constituencies, stakeholder groups, and advisory committees participate in the policy development process but not limited to those that I mentioned. And

any individuals or groups that are not constituencies of ICANN can also participate in the policy development process by submitting their comments through public comments.

So, when you enter icann.org, you will see a tab dedicated for the public comments and by clicking on this tab, you'll be able to see all the public comment proceedings that are open for comments. They're also archived, so if you want to go back to [all the] public comments and see [the other] proceedings and the comments related to those proceedings, you can also do that.

There will also be a page dedicated to upcoming public comment proceedings, the working groups or icann.org departments that are planning to seek public consultation in the coming future, so you can also do that.

What I really like about public comments is that it's very transparent. Your comments will be recorded. So, when you select a public comment and go there, you can click on new comments and see all the comments that have been submitted, and once you submit your comments, it will stay there.

So, in relation to the question that we received online, when you submit your comment, there will be a report when the proceeding is closed which we call summary report. And all the comments that are submitted are addressed in this report, so you'll be able to see your comment on the report and the response from either the working group or ICANN Org department your comment.

Carlos and I are trying to improve the public comment process at ICANN. We have done some improvements so far. For instance, we are trying to make sure [inaudible] has enough time to respond because we all know this is a voluntary job that you're doing and you have your other daily jobs and we'd like to provide at least 40 days for you to comment and incorporate all the ICANN public meetings and some major holidays.

So, we are trying to provide an internal oversight to our ICANN Org colleagues as well to make it a structured process so that it's easier for the community to digest all the reports that I mentioned.

I'll be happy to answer if you have any questions with respect to public comment, otherwise, thank you. Carlos, shall we take first the question that we had and then go to public comment related? Okay.

HASHIM NOUMAN: So, my question is related to policy implementation. What's the role of ICANN staff in policy implementation? Is it the same support role that they have in policy development process or is it different? And what are IRTs (Implementation Recommendation Teams)? What are those?

CARLOS REYES: Good question. As I mentioned, there are different departments involved in implementing policies. After the policy development support team and the community help community reach some sort of PDP recommendation and then that's adopted by the board, other departments get involved.

It's all about operations, right? If you think about it, a law. If your legislature passes some sort of law, legislation, it has to go somewhere and someone has to start working on it, on implementing it. In the Anglo Saxon tradition, we have law enforcement. That's part of the executive department, usually, in most governments. At ICANN, it's the staff. The staff work on taking a policy, interpreting it, and putting in the resources within the organization to make sure that policy is implemented and effected and complied with.

What's important about the GNSO policies is that, ultimately, they are binding to the contracted parties to ICANN. So, that's usually the community that is impacted by policies developed by the GNSO.

There was a second part to your question. Can you repeat it, please?

HASHIM NOUMAN: IRTs.

CARLOS REYES: Right. Earlier I talked about the distinction between public comment when the organization is asking for guidance on implementation and the distinction between when a working group is asking for input. IRTs are basically groups that are comprised of community members. Some of them may have been involved in developing the policies, but they are there to advise the ICANN staff that's working on implementing them how they should be doing it. They basically help the ICANN staff interpret the policy. But it's ultimately implemented by the ICANN Organization. There's another question here.

SHAILA SHARMIN: Hi. Shaila from Bangladesh, ICANN 63 fellow. My question is a little bit silly. The thing is you already said that it takes usually almost two years to develop a full policy. So, suppose there is a policy which is already published, and after publishing it and after working it for two years and it got published, there is a minor edit. Maybe somebody has commented or I have seen this policy but I want a minor edit on that policy, like something. So, does it have to go through the full process of the working group and everything and the voting, everything? What is the next step?

CARLOS REYES: Typically … This has happened. I think that's a situation where the staff would go to the council and ask for the council for guidance, how the council would like to proceed because what is a minor issue to someone could be a bigger issue to someone else. So, really, at that point, the staff allows the community to give that guidance about how to proceed. It's all on a case-by-case basis.

We recently reopened a PDP to help clarify somethings, but there's no pre-described or pre-determined process for that. It's really dynamic between the staff and the community at that point. Question here?

NAHUM CONSTANT: Hello. Nahum from Haiti. I would like to know what kind of vote the board has on the policy or the final report? Because there's a lot of effort by the community, by the council, to do a lot of [inaudible] and the last

step is the vote by ICANN board. I would like to know what kind of vote is accepted or rejected. If accepted, everything is good. If it's rejected, a lot of effort is a waste of time. I would like to know what kind of [inaudible]. Thank you.

CARLOS REYES: That's a good question. The bylaws specify very specific thresholds that the board vote must meet to move forward with a consensus policy recommendation. I don't know those things off the top of my head. They're in the ICANN bylaws. Ultimately, what's important, the reason the board is involved is that is what gives the ICANN Organization direction. So, once they approve something, they'll say, "Yes, please implement this policy developed by the GNSO, developed by the ccNSO, developed by the ASO." It's part of the process. Like I said, board votes are specified, different thresholds are identified in the bylaws. I don't know them by heart. But that's sort of the motivation behind that. Does that help? Yes, no, we can clarify later. Okay. Thanks.

UNIDENTIFIED FEMALE: [inaudible] for the record. I'll be speaking as a member of NCUC. First, on a personal note, we hear a lot about the process [inaudible] important, but in my opinion, policy is extremely exciting. It's very useful in technical issues and perhaps otherwise bad policy is better than no policy, but good policy helps us all function, right?

If you are interested in starting this policy on this very hands-on approach tomorrow at half past 10:00 to 11:00, we will have public

comment session where we will do a short writing exercise and just, in very informal atmosphere, see how this work would be done within the NCUC and otherwise.

So, you are all very welcome and I am glad you're all here. Thank you.

CARLOS REYES: Thank you. Question here.

VIOLET ROSE NINGAKUN: Thank you. It's Violet here from Papa New Guinea. I was just curious about becoming a member of a stakeholder group, like it's on a volunteer basis. So, if in the event someone becomes a member and members are expected to participate actively in the discussions and if they are not participating actively, are there any consequences? Are there any consequences to their membership? Do they get deactivated or something?

CARLOS REYES: Good questions. Ultimately, that's up to the individual stakeholder group or the constituency or the advisory committee. They all have different membership processes, application processes, I guess, expectations. It's not something that we, as an organization, track or monitor because you're right, it is a volunteer commitment and it's up to that community and that individual volunteered to decide how they want to participate in the work of the community or another effort.

I can't comment specifically about how each group handles these situations, but they all have, as I mentioned, membership processes and expectations. Some groups have reviews of their members. For example, I think the SSAC has reviews of their members every three years. So, every group does its own housekeeping, so to speak, in administration. There's a question here.

LOUISE MARIE HUREL: It's just a comment on that. I can see more of the Non-Commercial Stakeholder Group or Non-Commercial Users Constituency where, no, there's no obligation for you to engage in policy. Obviously, we want all of our members to be active, but the idea is to give you also time to onboard and to understand what are the things that we normally advocate for. And I say that just for the Non-Commercial Users Constituency. So, you have time to process the whole ICANN and how to engage in policy and to have people that can support you inside the constituency and help you to engage in policy if you wish to, but there are different ways of engaging, as they have been pointing out. I just wanted to bring this more experience from one constituency.

So, we don't, "You're not engaging! Sorry, bye!" No, it's not. At least, what I can say, it's not like that. Thank you.

ALFREDO CALDERON: From the At-Large point of view, I agree on her comments. So, it's a comment on her comment. You can be a member of any working group you want to. That doesn't mean that if you don't say, "Hi, I'm here,"

you're going to be excluded or they're going to say, "Well, you're not active, so you can't be in this group." As long as you are in the group and you contribute positively to a process – and when I say positively, it doesn't mean that you just agree, but that you contribute with an idea that probably nobody in the working group thought of. That's engaging. That's contribution. And it probably happens in one instance during the whole process, in the policy process development.

Again, don't feel intimidated by belonging to a working group and probably not saying anything in three or four months, but the aha moment might come where they recognize that you are an active participant.

CARLOS REYES: Thank you for both of those comments. I've never been part of an ICANN community. I joined as staff. I think those perspectives, those personal perspectives, are really important at this particular setting.

There was a question early on about the EPDP, so I'll talk a little bit about that because it brings together a few things that we discussed.

So, the EPDP is an Expedited Policy Development Process. It's a version of the GNSO PDP, but as the name states, it's expedited. The reason it's expedited – can you go back a slide, Ozan, please?

The first step is somewhat compressed in terms of … Well, the first two steps, really. That really jumpstarts the process, basically just directly to the working group.

The reason the EPDP is currently underway and you're hearing a lot about it this week, in May, the European Union General Data Protection Regulation went into effect and the GDPR has implications on existing ICANN policies that were developed by the community. So, the board, in order to be compliant with GDPR, the board took action on a temporary specification that, as I said, has implications on existing policies.

So, when the board did that, it triggered the expedited policy development process within the GNSO. Is it something that will happen fairly often? It's a little too early to say. I don't think so. It's one of those situations where this is very unique, very special circumstances that led to GDPR and the EPDP and every other alphabet soup that you've been hearing.

So, in general, the PDP process is something that is understood and it's respected and it's worked for many years. There are tweaks over time. The GNSO is currently engaged in an effort to revise the PDP and evolve it and that's something that all communities do. There are things that work well, things that don't work well and it's part of the culture of ICANN. We have reviews. We have reviews on policies, we have reviews of organizations, we have reviews of processes. I think that's unique about ICANN in that there's a self-reflecting sort of culture within the organization, the community, just to make sure that our policies and our communities and our processes are very much in line with what is happening on the Internet and with end users.

You'll hear a lot about the EPDP, actually, at 3:15 there's a session, a high-interest topic session on the EPDP. That's the team, the working group, that was put together for this. They'll be giving the community an update on their work since they started in August roughly. Question there?

MILI SEMLANI: Hi, I'm Mili from India. My question was – you discussed the GNSO PDP process. Is the ccNSO and the ASO process any different?

CARLOS REYES: They are. The reason I wanted to go into detail with the GNSO PDP is that it's most common. Why don't we quickly go through the ccNSO PDP? It's very similar to the GNSO PDP. There's a step where you're identifying the issue. Obviously, you scope the issue. Then you initiate the PDP and then you have some sort of working group on this particular topic.

Again, the working group phase is probably the longest. There is a specific step where the ccNSO Council asks the GAC for input. And if you think about it, that makes sense because the ccNSO is designed, is set up, to develop policies around country code top-level domains, so you want to make sure you have the input of governments. So, that's a unique step within the ccNSO PDP.

The approval process is slightly different and that simply reflects the structure of the ccNSO community. The council deliberates, but the ccNSO members also deliberate and vote on it as well, because if you

remember back to where we started, I said there's a council that manages a policy development process for every supporting organization. But in this case, the ccNSO wants to hear from the members and then also the council. Then it goes to the board for consideration. So, some slight variations but largely parallel. Let's go to the ASO PDP. Thank you.

So, the ASO is different compared to the ccNSO and the GNSO. Next slide, please. That's partly because, as I mentioned, most of the policy work of the numbers community happens at the regional level. The ASO Address Council really only gets involved when all of the five regions agree on an issue and agree on a policy and then that goes to the Address Council. There's a lot of different steps that lead to the policy development process within the ASO to be triggered.

And the five RIRS, the Regional Internet Registries, have to agree on the same exact proposal. And if you think about it, that makes sense, because the global policy has to be implemented by the IANA functions and that has implications for all the five RIRs, so it has to be the same and there cannot be any regional variation.

So, this hasn't happened in a long time. The last time there was global policy from the ASO was 2012, which in Internet time, is forever. In our daily lives, it's a long time ago. It really speaks more to the robust activity that happens at the regional level and how much of that is really handled at that particular stage. Next slide. Then, ultimately it goes to the board as well.

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So, I think I'll pause here. Ozan is going to give an overview of what he and I do. We'll take your questions. I want to be mindful of time as well.

SIRANUSH VARDANYAN: Just a reminder, we have 15 minutes left.

CARLOS REYES: Thank you. So, I'll let Ozan give an overview of the department and then we'll take your questions again. Sorry.

LOUISE MARIE HURAL: It's just a thing that I didn't hear very well. Did you say that the last policy development process at the ASO was in 2012? I didn't understand.

CARLOS REYES: That's when the policy was approved.

LOUISE MARIE HURAL: Okay, when it approved, yeah.

CARLOS REYES: So, the process probably started beforehand.

LOUISE MARIE HURAL: Okay. Sorry. What would you say is the routine activity within the ASO in terms of policy?

CARLOS REYES: Someone else asked me this on Saturday. They said if they haven't approved anything, what have they been doing? There's a lot of work. There's the IANA stewardship transition that took two years. The numbers community participated in that. There's reviews. Every supporting organization has a review of itself. There is other work happening.

Increasingly, you're seeing a lot of cross-community efforts. Cross-community working groups, even though they're common now, or several of them running, they actually don't develop policy because we have to go back to what I said at the very beginning. Only supporting organizations develop policy. So CCWGs are basically a mechanism to give different groups an opportunity to work on a common issue, but ultimately, those have to go back to the supporting organizations – or the chartering organizations, excuse me – for approval. And then it goes to the board. But CCWGs themselves do not develop policy. There's other work happening. I saw another hand before we go to Ozan. Okay, two more. So, we'll do one and then two there.

UNIDENTIFIED MALE: [inaudible], ICANN fellow. My question is related to the final report, working group submit to the ICANN [inaudible]. So, in this final report, [inaudible] classified by category to apply the technical issue and [inaudible] is my question.

EN

CARLOS REYES: So, I think it's less about how the reports are categorized and it's more about the issue itself. There are different – every report, every policy recommendation, every PDP considers a lot of different issues from different perspectives. If you think about the new gTLD program, obviously, they needed input from security experts, from the root server operators, from registries, etc.

It's more about what holistically is being addressed by that particular report. It's not immediately categorized in one particular area. Question here.

JANOS SZURDI: Is it common that ccNSO takes into account public comments, especially compared to GNSO since they are mostly governed by regional [inaudible] and their government?

CARLOS REYES: I think Ozan mentioned this and I covered it in an answer to another question, but it's all very related. Every working group, every community, if they initiate some sort of public comment process, it's really at their discretion how they incorporate that into their work. Do we have the data about how over time that has been addressed by different groups? I don't think so. It's probably there is a way to categorize things and then analyze the data, but I don't think we've done that. So, it would be hard to generalize. But every group does consider the input.

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OZAN SAHIL: Thanks, Carlos. I note that we have ten minutes before the end of this session. Let me go over the policy development support department and provide an overview on our department.

Currently, we do have 34 members from this department who are either subject matter experts or facilitating in the work of support organizations and advisory committees.

This is really widely spread department. We are supporting you from eleven countries and we are kind of diverse in the sense in covering eleven languages and this gives us the flexibility to support your work from different time zones and respond to our community's needs better.

What we really do is classified into three categories here: support communities, manage processes, inform stakeholders. So, we do have a facilitation piece of our work where we really support communities in their work. As I said, we have subject matter experts who are engaging in research and drafting work. You can recall from the slides that Carlos showed in the policy development process that there are reports being drafted and released. Our team really supports that process.

When a working group is formed, we have staff supporting the formation of the working group, so you're using mailing lists. We do support those mailing lists. And as we already discussed, the majority of the work goes out of ICANN meetings, on teleconferences. So, we do support these teleconferences. There are a lot of materials from telephonic calls and our voluntary committee members may not be able to join the calls and they would like to view the materials later on

when they are available, so we are handling such post-meeting materials, posting them, making them available, so that you can go through the recordings.

Lastly, through the relationship that we build with the committee members, we make them aware of any announcements, any happenings at ICANN so that this is a more [inaudible] role that we play.

Of course, we do follow some rules while conducting our job. There will be a balanced and impartial approach that we maintain. We would like to ensure the open and transparent processes. It's important for us to build trust with our community, and therefore be engaged with you and also try to promote a strategic [inaudible].

So, that was the overview of the department. If you have any questions that relate to policy development, support department, or the rest of the presentation, then we still have seven minutes to go. Please, go ahead.

ALFREDO CALDERON: I was wondering, does each working group have a policy staff member helping them out in developing the proposed policy or is that done at another stage? Thank you.

CARLOS REYES: So, the three supporting organizations and the four advisory committees, they have policy support staff. Then, within that, every team decides how to support the different efforts of each advisory

committee and each supporting organization. It's all really driven by prioritization and available resources. Other questions? Was this helpful? Is there anything we can clarify? Yes?

JOSE RODRIGEZ: Hello. Jose from Cuba. You say that the average time to take from the policy start to the final implementation of the policy is two years. My question is, because the time to take the process – I don't know. Maybe the availability of the ideas, the issues, the reports, maybe because it passes the time is lost or [inaudible] because, I don't know, maybe some issues pass away and maybe [inaudible] issues that was analyzed pass away because of the time to take from implementation.

CARLOS REYES: I think that's always a tension within our work. As an organization and as a community, I think we're trying to strike a balance between open and transparent and inclusive and accessible, while also adhering to the requirements of our mission and our mandate. It's a very, I guess, fine line. But, ultimately, the way I look at it, the legitimacy of policies that are developed are ICANN, the legitimacy comes from the fact that we have a multi-stakeholder community that is providing input and making those policies robust and implementable. So, in many ways, the process is both a means and an end because the work is really happening there and it's up to the organization to ensure that process is followed and that, when it's implemented, it's in line with the expectations of the community. And if we rush through any of that, things get lost and that's where you end up in a situation where a

community is upset or ICANN organization misinterprets something or someone is in trouble, etc.

So, I think the fact that we are very methodical and deliberate ensures that, at the end, the result is legitimate for everyone involved. So, yes, it is frustrating I think to a lot of people how long it takes, but when you think about if you've ever been in a group project at school or at work, you know how that goes. Trying to get everyone just to agree on when to meet and then doing the work and then reviewing the work and then moving forward, it's easier if you do it by yourself. But, it's the process of getting everyone involved that leads to a better outcome.

SIRANUSH VARDANYAN: Thank you very much. I think we may take the last question. Okay.

CHERI LAGAKALI: It's Cherie from Fiji. Just on your point about this process is taking long, I was just wondering, because I was at an At-Large meeting yesterday where they're developing the hot topics for the different RALOs and the comment was that this was taking them two years to create this report and they're almost close to having to create the next report. So, when you're talking about processes and [inaudible] process, I was just wondering, what is ICANN doing to improve the problem like this or are there things in place for a better process or something like that? Because we're talking about technology, again, evolving faster.

CARLOS REYES: Yes. There are a lot of conversations ongoing right now. For example, I mentioned that GNSO is evolving the PDP, its own PDP. So, I think there is a recognition that change happens quickly and that the processes and the community both have to adapt. But, there's also a lot of value in the fact that this has worked for 20 years and making sure that we don't lose the ethos and the mission of some of the original intentions behind why ICANN was founded and why the community functions.

So, it's to the comment I made earlier about that fine line, but yes, there is a recognition that the Internet is evolving and that there has to be an ongoing conversation.

Ozan alluded to how public comment anticipates issues with upcoming public comment proceedings. So, we do try to anticipate the workload for the community, so that we can help the community prioritize and work more efficiently.

SIRANUSH VARDANYAN: Thank you very much. I think we should adjourn the meeting very soon. But, before that, I would like to thank Carlos, you; and Ozan, you for a great presentation and for the interesting discussion. I think it was very interactive and very informative. Thank you, all, for your participation and the meeting is adjourned.

CARLOS REYES: Thank you.

SIRANUSH VARDANYAN: Thanks to our interpreters. Thank you very much. I will send you a couple of information including the PowerPoint from today's presentation. See you all tonight and tomorrow at our daily session.

[END OF TRANSCRIPTION]