**Framework of Operating Principles Cross Community Working Group
TRANSCRIPT
Thursday 11 September 2014 at 1400 UTC
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http://audio.icann.org/gnso/gnso- review20140911-en.mp3

On page: http://gnso.icann.org/calendar/#sep

Attendees:
Cheryl Langdon-Orr
John Berard - (Co-Chair)
Alan MacGillivray
Becky Burr - (Co-Chair)
Avri Doria
Jim Galvin

Apologies:
Alan Greenberg
Anne-Cathrin Marcussen
Annebeth Lange
Ali Hadji Mmadi

ICANN staff:
Mary Wong
Glen de Saint Gery
Bart Boswinkel
Terri Agnew

CT

Terri Agnew: Good morning, good afternoon and good evening. This is the Framework of Operating Principles Cross-Community Working Group call on the 11th of September 2014.

On the call today, we have Cheryl Langdon-Orr, John Berard, Avri Doria, Allan MacGillivray and Becky Burr. We have apologies from Alan Greenberg, Annebeth Lange, Ann-Cathrin Marcussen and Hadji Mmadi. From Staff, we have Glen DeSaintgery, Mary Wong, Bart Boswinkel, and myself, Terri Agnew.

I would like to remind all participants to please state your name before speaking for transcription purposes. Thank you very much and back over to you John.

John Berard: And good morning all or good afternoon or good evening. I think that with the materials that have been forwarded, we should all be in clear understanding of what we're trying to achieve today.

I guess Mary, the first thing I'd like to do is to go through the project - what are we calling it - the work plan, just to make sure that everybody is okay with the glide path to conclusion. So if you could just take a look at that work plan and offer any comment, revision or suggested change that would be great. Or we can just accept it as it's been written.

Anybody have any comments?

Alan, I think you're talking but I cannot here you.

Allan MacGillivray: I didn't think I was talking.

John Berard: Somebody is. Is there back chatter? Can people here that?

Woman: I did.

John Berard: Yes, well anyway. Okay, hearing none, then I would say that we accept the work plan as written and our meeting today on September 11th will be followed by our meeting in LA on the 14th of October. And now it just falls to us to decide how much we get done between now and then.

Mary, is that okay?

Mary Wong: Yes John. And we put in the work request of the meeting request forms for LA so will try to confirm as soon as possible that it is indeed the 14th and the time and the location. We'll try and get that information as soon as possible.

John Berard: Okay, now I know that we've gone from the number one item on the agenda, roll call, my assumption is that there are no changes to any statements of interest. Has anybody taken any job - oh I guess Avri, you've taken some new work on haven't you?

Avri Doria: Yes I did. This is Avri. Sorry, I was twice muted.

I have taken an extra contract to try to set up the secretariat for the Dot NGO Dot ONG secretariat. I'm not really quite sure when one stops telling this; I guess first time in each meeting, but I was thinking that I've already said it enough. But thanks.

John Berard: Well I heard it before but I heard it the first time or the once in every meeting, I guess it is, the first time in every meeting is a good idea.

Okay, so I also then move from number one to number three; we've reviewed the work plan and agree that it's a good approach. And Mary, I know that it had been yours to present; I apologize for stepping on your line.

Let's move back to the work status and the recap. And my assumption, Mary, is that we should be looking at the document outlying for discussion in reviewing the work status and recap.

Bart Boswinkel: Yes, I'll just put up that document right now. And John, Becky and everybody, I don't know if you can see it in the notes part on the right side; I think I've stretched it a little much.

I've actually put in the notations John that you had based on a different process and I don't know if you want to deal with that as we go along or deal with it after Bart goes through the draft document that I've just put on the screen.

John Berard: Why don't we go through the draft document and then I can come back to the notes, because I think that they will help accelerate our journey through this process. So why don't you go ahead and take us through the notes you've got on the screen.

Bart Boswinkel: Okay, I'll do that.

This is if you go back to - maybe you saw at the bottom-end of the work plan that we started or we as Staff together with the chairs/co-chair discussed how to proceed. And we thought it would be useful to run through every phase of the life cycle model, assuming that - it's a nice way to model the principles for a cross-community working group.

So today what you see is in fact the first stage. And these are more or less framed as preliminary questions that need to be answered before even thinking about a cross-community working group.

So - and one of the first questions we came across - and this is more a (metric) question. Who could be the convener of a cross-community working

group? Could it only be an SO, a single one, or should it be two SOs and/or ACs? Can it be the board, could it be staff?

And this becomes, I think, very - yes - important right now with the whole discussion around the accountability community or cross-community group where it could be a cross-community working group and where they could be launched by staff so convening the process.

Or could it be just the volunteers; a group of volunteers, for example, some ccTLDs. You all now I'm from this say working very closely with the ccTLDs, say ccTLDs from a particularly region.

So that's more a question for the group, and maybe not at this stage. But at least the first step is who is eligible and who just be enabled to call for a cross-community working group.

So once this question is answered, then there are some preliminary questions whether a cross-community working group is the most effective and efficient mechanism to deal with a certain topic and/or issue. Say the questions - you all see the questions in there, and probably it's more a checklist question and/or the group wants to have some more language around it.

But it's all about checking where say a cross-community working group is the best vehicle. And one of the probably most important questions is, is the topic and/or issue that needs to be addressed, is that say within the scope or one of the SOs for a policy development process. Because in my view, that would mean it's out of scope - a cross-community working group is out of scope.

So are there any questions/comments around this first part of say convening a cross-community working group?

Becky Burr: This is Becky.

John Berard: (Unintelligible).

((Crosstalk))

John Berard: Okay Becky, go ahead.

Becky Burr: I'm actually a little confused by that. I mean I think that we have used in the CC community definitely done cross-community working groups in the sense of, you know, trying to have the GAC involved or other parts of the community, even on things that thought were within our scope as a way of developing consensus about where policy should go.

I guess I'm thinking about the fast track and even in some respects the FOIWG.

Bart Boswinkel: Say if you look at the fast track, it was - if you really could go back, and I think it's a good example. If you go back in, say with the fast track, one of the first steps that was actually taken was launching the policy development process.

And it was made very clear from the start that the fast track methodology is not the policy. It would feed into the policy; we made a very clear distinction between, say, the fast track methodology as such and the policy develop or the policy itself.

And because we made that distinction and what will naturally out of it is that the CCs, at the time, was seeking for support for that approach with the, say, other SOs and ACs. That's why if you go back to the IDNC working group, you see it was comprised and had observers and/or participants from the GAC, GNSO and At Large.

So it was, in that sense, it was, say the ccNSO, recognizing it is in scope of the policy development process. In itself said the working group itself was not

producing a policy itself, but it fed into the later policy, say the IDN ccTLD policy. So that was the designed principle at the time.

Becky Burr: Okay so then a friendly amendment on this one is, is the expected work product within the scope of the policy development process?

Bart Boswinkel: Yes.

Avri Doria: I've got my hand up; I'd like to quibble with that a bit.

John Berard: Go ahead Avri.

Avri Doria: Okay yes, this is Avri speaking.

So the way I was hearing this and thinking it is it doesn't matter if it's in scope because it could also be work that is, in some sense, in scope for several groups. What is I think needs to be the point is that you can't produce the PDP doing across community.

So it really doesn't work in mind if the work is in scope for any of the groups, it's just that the cross-community working group isn't the means of producing, you know, the PDP recommendation.

Now that may be the same thing that Becky was saying, but I wasn't quite understanding that.

Also, I just wanted to comment on the previous things about conveners. Maybe I'm being too logical or restricting myself to logic, but it can't be across without more than one. So therefore, I think that, you know, a single SO or a single AC can initiate but can't convene. You got to at least find somebody to do cross with.

And I think that it stands to reason that the Board can initiate almost anything so the Board has to sort of be indicated as a convener. They could say, "We want all of you together," whereas we never seem to get all of us together. So the Board could indeed be a convener.

I don't see the others as conveners; I certainly can see them as initiators. And we may want to differentiate those two things.

Who could get the ball rolling? Almost anyone. Who can actually convene something that's a formal SO/AC, you know, cross-community working group would be more restrictive. Thanks.

John Berard: This is John. You know, maybe it's a good point now to take a look at those items that are in the notes column.

                 Becky, you know exactly where these come from; I think you participated in developing them - I think.

Becky Burr: I did.

John Berard: There was a - yes - a ccNSO submission collectively on ICANN's Accountability Plan and embedded in it were some elements that that particular group, which was pretty broad and intelligent I thought, some things you had to say specifically regarding cross-community working groups. So there are one, two, three, four, five bullets there; five sections.

                 So the one that strikes me as important -- or they're all important really -- is that - or the fourth one there, cross-community working group create to selling charter which must be approved by each of the participating SOs and ACs.

So I think that we agree with that, I think that's what we have talked about. That initiating a cross-community working group is one of the most important markers for the legitimacy of the cross-community working group.

My feeling is that anybody can instigate a cross-community working group. Now whether there's a difference between me as an individual trying to instigate a cross-community working group and the board as an entity mandating a cross-community working group, I think that's just a semantic difference. Because neither of them is going to be worth the paper they're printed on if the participating groups, SOs and ACs, have not approved the charter. And that charter needs to come from the deliberations of the membership of the cross-community working group.

What the third item there, or the second item - excuse me - is cross-community working groups almost always permit anyone to participate in all activities except consensus calls and associated polling.

This also speaks to what we have been getting our heads around which is that there ought to be membership as opposed to observers from the participating SOs and ACs. And do we want to put a number on that, that there should be one or three or five? Still could be determined I think.

But there needs to be - I think we've agreed - a specific number of members from the participating SOs and ACs, so that when consensus is called - and again, understanding that we're not looking at anything except consensus or not. We've eliminated in our thinking the various - the 50 shades of consensus, if I may mix my metaphor.

So I think that - and the next bullet that there are no real limits on participation, I think we agree, although we do indicate that in order to assure that a cross-community working group has the full standing that it deserves, that those SOs and ACs that chose not to participate must do so actively.

And so I think that there is much, if not everything, in these notes. There are lines with what we have been thinking. And it makes me feel that our guidelines, and that's really what we're driving for is a set of guidelines, not a specific structure for cross-community working group, will be well received when we deliver it.

Becky, did I misread anything in that report?

Becky Burr: No.

John Berard: Avri, did you participate as well in creating this document?

Avri Doria: No, I wasn't part of creating it. I probably have some caution about it, but I - no, I wasn't part of it at all. I was just informed that people had agreed to things, you know, in a real community way.

John Berard: Well I think it's important that - I mean the increased level or the increased number of cooperative activities that have been taking place across ICANN make me - lead me to conclude that the cross-community working group is, as we thought at the beginning, the dominate future for the decision making and policy development.

And so I think it makes our work - it gives our work even a little bit more importance that we get it right, or at least that we get it so that it's understood. Whether or not it's accepted, whether or not it's followed or beloved is really not the point.

But I do think we owe it to the community to be clear in what we think the limits or the nature or the guidelines for a cross-community working group ought to be so that we don't dissolve into these arguments over can a charter be dictated or much that the initial deliberation of the group.

And I do think that this notion of membership versus this mix of membership and observer status is really important so as to help mitigate the overbalancing of participation that can skew decision-making in a single direction.

So having said all that, I go back-and-forth between - and I see Becky and Avri, you have your hands up. I'm assuming that they're just still up or do you have something else you want to throw in the mix here?

Avri Doria: Something I wanted to say. Okay, I was waiting to see if Becky has something else she wanted to say.

No, I guess, you know, we're really treading perhaps a semantic, you know, barrier here. So - and I understand, and sometimes, you know, falling back on when you try to create general guidelines that are motivated by a particular ongoing angst, sometimes you have to be careful that you don't make guidelines that are malformed or overly formed or something.

So we seem to be going, you know, that - and I understand that these five points were, you know, made to assert a certain point of view and it's one I don't disagree with.

And then - so we look at, you know, what's the topic or issue here; the board coming up with a community working group. Now we can quite properly say, "Ha-ha, that will not be a proper ICANN ACSO cross-community working group," and that's fine. You know, so we can define it that way.

And then we leave open a situation where when the Board wants to do a community working group, which of course it can whenever it wants too, it doesn't need to consult on charters, it doesn't need to do anything. It can do as it pleases because it's a community working group, not a cross-community working group.

On the other hand if while we're thinking about cross-community working groups, and we say that no matter who is convening it, if the Board convening it because it really wants to apply a certain amount of influence on bringing everyone together, or it's just something that just two groups themselves are deciding they want to do, they (unintelligible) principles; they still have the same guidelines.

So whether the Board initiates it and convenes it and calls us all together in a group, or whether we do it on our own, we still have to approve the charters.

If we define things more, you know, in a more sort of - I don't know if it's ambiguous, but a more open manner. On the hand, if (unintelligible) it we can define it quite strictly and say, "No, it's only cross-community working group when we started and when we're the only (unintelligible)."

And so, you know, I'm lost kind of in that particular (unintelligible); the current situation with all its stresses and anxieties and such, and at a set of general guidelines. Thanks.

John Berard: Let me see if I can pull you in off the ledge.

The points that I drew from that document, I drew not because of the issue. But because I thought they showed insight to what the communities already thinks about cross-community working groups.

If I had to suggest that there was one thing that this thing which is a cross-community working group, regardless of who initiates it, regardless of who convenes it, regardless of how it is managed, regardless of what it produces, it is the single and simple point that the charter must be approved by the SO and AC that are participating. And that that charter must be the same charter, that we can't have different charters.

That is really, in my view, the single biggest hurdle for producing work that will be accepted at the end. I mean truthfully if there was one thing that came out of all this discussion, it would be that for me.

Cheryl? Oh I see. Do you have something you want to say Cheryl?

Cheryl Langdon-Orr: No, I'm just agreeing with what you just said, that's all; a big green check from me.

John Berard: Okay, excellent. And I see we have a green check from Jim as well; that's cool.

So I think what I'd like - let's have Bart continue through this document. Let's talk about what additional questions. But this notion of creating a Socratic method for the development or for the guide, the Socratic Method, the questions or guidelines for the cross-community working group, I think is really where we want to go. And I don't think we're very far from actually producing something that we can credibly throw up on a screen when we get to LA.

So Bart, can I turn it back to you?

Bart Boswinkel: Yes. So yes, I can see it if I - so I'm going to the next page.

There's more, again, in the convening phase. So this is more questions aimed at the initiator or the convening SOs and ACs, so it's in the formation stage. So the question is who should be invited?

And it's more a checklist than anything else and including a way to invite them. So I just threw the chairs of SOs and ACs, so that's more the competition of the cross-community working group.

And the next phase, and this goes back to one of your points John, and this is more homework for the SOs and ACs, is that there is a process or procedure in place, that if invited, they have a mechanism to deal with these invitations. So one of the observations that was made is when does an SO or AC know if the other or the invited SOs and ACs accept the invitation to participate or do not, and how to deal with it and how to document it?

So going back to, yes, building some documentation around the process or the creation of a cross-community working group, so that's the final set of questions checkbox.

Any questions/remarks around that part of it?

John Berard: Bart, I do have one point. It may be that it's not just who should be invited to participate, but should there not be a formal mechanism for announcing or alerting to the possibility of a cross-community working group no matter who initiates it or convenes it. And then should there not be a formal mechanism for recruiting people to that cross-community working group because it will be that formal, as you say, "Well you've got the initial invitation maxed." The formal invitation that then will allow us to know, not just who wants to participate, but who actively decides not to participate.

Bart Boswinkel: Yes, that's what I meant with say the procedure for response to invitation. And that, in my view and from what I've seen, is say - take for example the ccNSO again; I know I'm biased. But - we reasonably are good at dealing with invitations internally; we're not very good at responding.

So that means from a ccNSO perspective that the Council and/or community need to have at least developed mechanisms to respond. And my guess is it's across all the SOs and ACs within ICANN. It's most of the time is done on a person-to-person basis.

But there is not assurance or say no procedure in place that, if for example, the ccNSO would invite the GNSO or At Large, that there will be a response back within a certain timeframe. And you need mechanisms on both sides to deal with it. That's what I meant for say with the process management aspects.

John Berard: All right, I understand. Thank you.

Bart Boswinkel: Alan has his hand up.

John Berard: Alan?

Allan MacGillivray: Yes, thank you Bart.

I just wanted to point out that while I certainly agree with everything you say, and a formal invitation is necessary to get the formal engagement of the other SO or AC, I think we have to put in some notion of some informal contact, I guess, to be part of the template. Because we don't want to leave the impression that, you know, the first time the other SO or AC hear about this is on when the formal invitation comes in. So I think we have to build in some reference to informal contact amongst the groups to determine, you know, receptiveness, contribution, etcetera. That's all.

Bart Boswinkel: And this is Bart again. That's what we try to capture, let's say, if you see the process management aspect, that's one, but more the composition. It's the informal sensing whether it's, say if for example, the cross-community working group will fly at all. So that's more of the level of the SO and AC leadership exchanges.

John Berard: Bart, this is John if I might. There is this emerging reliance on the part of Fadi and the Staff on this SO/AC leadership group.

Bart Boswinkel: Yes.

John Berard: My assumption is that there's probably a mailing list to that. Is it possible that we could just piggyback across working group notifications on that SO/AC mailing list and consider that to be a way to make a formal invitation or provide formal notice?

Bart Boswinkel: My advice would be not to do it. Say that you - there is a lot of opportunity for informal communication. One is the SO and AC list, there are others and probably informal exchanges between the different chairs as well. Is that for the cross-community working group itself and the invitation not to use the SO and AC list because it's already very unclear for what purposes it can be used.

                 And a lot of people are on that list and do not react. And it's probably sometimes - I'm subscribed to it as well. It's sometimes overwhelming; it's used a lot for informational purposes as well.

                 And just to pick out this invitation, I would suggest that it will be an invitation directly to the SOs and ACs from chair to chair. And documented and say maybe including Staff to ensure that's on agendas, etcetera.

John Berard: I totally get it. I see in the chat Alan's point about possibly using the liaisons. I haven't really mapped the liaisons, but are there enough? Is that a complete network?

Bart Boswinkel: No it isn't.

John Berard: Bart, do you know off the top of your head?

Bart Boswinkel: Yes, I know, for example, there is no liaison between the ASO and the ccNSO. There is one - I don't know about the GNSO. There is no real liaison, for example, between the GAC and the ccNSO. There is a working group, but that is done - say that's a bit in hibernation currently.

So it's not a complete list of coverage. It doesn't cover all the relations.

John Berard: It's clear it would be great for us to be able to piggyback on an existing network, but it's also clear that there really aren't any existing network that we could effectively tap into. So I guess it falls to us to suggest that a specific cross-community working group channel needs to be created.

Bart Boswinkel: Yes, in combination with, let's say, internal mechanisms to respond to it as well because it's, as I said going back to the experience I had with the ccNSO, is we receive invitations. We're good at handling the invitations but we're not very good at responding to it, so you need to have both ends of that communication channel.

John Berard: Right.

Bart Boswinkel: Or create both channels of communication.

John Berard: Okay. Mary, you've got your hand up.

Mary Wong: Yes, thanks John, thanks Bart.

And it's (unintelligible) that must (differ) from what you and Bart just said. But you know, in terms of the liaison, I would suggest that that's probably one of the informal channels that Alan and others have talked about because what we're talking about here, about relying primarily on a single mechanism, doesn't preclude any of the others. So for example, you know, informational announcements.

And the liaison point, it is awfully difficult for some groups to have liaisons for various reasons.

And I know Jim is on the call, and so for SSAC for example, you know, you have to be a member of the (unintelligible) and there are technical and other requirements that therefore make it very difficult. And of course we know with the GAC, there are other requirements and preferences. So I would suggest therefore the liaison part, that that be one of the informal channels.

And you know, backing Bart up in terms of just observation and experience, looking at a chair-to-chair direct invitation may well be the most direct and effective. Thanks.

John Berard: Okay. And Alan, is your hand still up?

Allan MacGillivray: Yes. I have another subject but I think it's best nested here. Because Bart has done kind of a workflow approach to things, which I think is good, but I think we have to somehow reflect the fact that there may be capacity issues in some of the SOs or ACs as well as ICANN Staff, okay.

So I think that this has to be a built-in. In other words, one SO or AC feels that there should be a group. Another might say, "Yes, that's an important issue but really we don't have the capacity to deal with that now." So I think that that has to be factored in just as one of the questions to be asked at the outset of this process.

And then obviously, you know, the other obvious question is where it's cross-community, there's the issue of which ICANN Staff are going to support a cross-community group given that it's not led by one or the other.

And that's just a question I think that has to be put down. It's something to be remembered to be talked about. Thanks.

John Berard: Thank you Alan.

The - what's interesting here of course is - and I think it's totally appropriate - that while there are, I think, five elements to the life cycle of a working group - is that what we settled on Bart? Five?

Bart Boswinkel: Yes, I believe so. Maybe - it's on, say, it's under workflow.

John Berard: So we're spending an inordinate amount of time on the single element of convening because in my view, this is where the hard part is. The next hard part is the discussion about voting members and observers and active participation and active non-participation. I mean I think those are the areas we need to go too.

What I would suggest for our next step, and I would hope that we could handle this next step via email, is if Bart, you could remind us all of the elements of the life cycle. And for each of us, either in the Wiki or in email, begin to frame out the questions that need to be asked within each of those elements.

Mary, I will admit to not having been to the Wiki in a couple of weeks. If I were to go there now, would I find all this there already?

Mary Wong: Yes John. These documents have been uploaded in document format.

If it would be easier, and if folks would like to use the approach you suggested, we can probably create a Wiki page or a separate Wiki page for each of the five phases. And you know, maybe start it with some sectional subheading for people to populate with either their suggestions or questions that we can then try and consolidate into a document.

And maybe one way to do this and to lead up to LA is for folks to focus on, you know, the mix aspect according to the work plan. Although it shouldn't stop people from, you know, populating all five if they want. But maybe we

can highlight that the priority for LA would be the next phase once we're done with this one.

Would that work?

John Berard: Yes it would, I think it would. I promised myself that I will be a lot more active on this leading into LA. I would like us actually to have some things to decide when we have our meeting in LA so that we can quickly move along to the complete, you know - I want to meet that work project that we've set.

So I think that would be the - if that alone could be an outcome of our session this morning, I'd be very happy with that.

Anybody else have a comment on how we should proceed between now and LA?

You know, Jim, I appreciate you joining us. It's an opportunity to spend some time with you having spent more than enough time with Cheryl, Avri, Alan and Becky. And I think that there may be something to familiarity that reads a little speed in our work.

In fact, unless somebody has something that they want to throw on the table, we're 45 minutes into our call and I'm not sure that we need to belabor it beyond what we've already done.

Avri, Becky, Cheryl, Jim, Alan, any comments, any additional items that you'd like to put on the agenda?

Becky Burr: No, I think this has been productive and I think having a way to proceed is a good outcome.

John Berard: I see Jim you've got your hand up, go ahead.

Jim Galvin: Yes, I, you know, just want to apologize for joining you a late and just comment that the only thing that struck me about this document overall - so I missed a bunch of the conversation at the beginning so I, you know, if this has been covered I apologize.

And I really liked your comment earlier, John, about the thing which makes a cross-community working group is, you know, the fact that it's charter is approved and created and wants to be succeeded - wants to see success by multiple, you know, SOs or ACs.

Other than that, what struck me about, you know, this document is, are we really in need of new processes? I mean what is it that distinguishes a cross-working group from processes that already exist for creating working groups to do things? That's what I was looking for. And I kind of felt like the set of questions here was asking questions that have known answers in particular groups already.

So I was expecting to see highlights of the distinctions; what makes cross-working groups unique with respect to answering those questions.

And I apologize for dropping this on at the end and I hope that makes a little bit of sense. But since you gave me the opportunity and we're coming to a close, I just figured I'd toss it out there.

John Berard: No, you know, your questions are important and I think they're on all of our minds.

The cross-community working group or this effort, I think, was instigated by what seemed to be a rather half-hazard approach to a growing demand within this community. In fact, if you think about the community initiating and staff mandating, you know, that alone became a question. And I think many people wanted some time to focus on.

I would say that the differences or the things that we have said we want to focus on are in fact the things that distinguish a cross-community working group as we are talking about it from a normal working group; the fact that the charter should built up from the participants; the fact that the same charter ought to be approved by the participating SOs and ACs; that there is a member observer participation distinction so that there can be balance in the deliberations.

And then something we haven't talked about. Once the work product is imported back to the chartering organization, how do we manage differences? So if one SO or AC says, "We like item 1 through 6 but we hate 7." If one says, "We like item 2 through 7 but we hate 1," then what is the role and approach that the cross-community working group then should/could undertake in order to resolve the differences?

So those are the three areas that strike me. And I see Jim, your hand, is it still up or back up?

Jim Galvin: I guess it's still up because I was listening to you talk and I wanted to reply directly to what you were saying.

I think that the only comment I'll make here, and then we'll wait to see where the discussion goes and how things come up, is I generally try to fall on the side of, you know, less process is better process. You know, less rules are better rules and allow us to move forward.

So my concern here is that the work product of this group is to create yet another set of rules and process for how working groups work. So operationally, you know, that's kind of what struck me about this.

I think you raise a bunch of important and necessary questions. But, you know, I observe that even this is not a perfect solution, but the thing that occurs to me is, you know, why couldn't part of the convening process, if you

will, be to make the decision about which set of rules one is going to use given that different groups have different rules and different procedures, and you know, highlighting the important things.

So I don't know but I am struck by that. I'm struck by the idea that we might be creating yet another set of rules for working groups, and I'm trying to watch and think and dwell on the idea that do we really need to do that? I don't have an answer just yet but that's the question I put before us. Thank you.

John Berard: Thank you. Avri?

Avri Doria: Yes, Avri speaking and having a coughing fit at the same time.

Actually a couple of things. One is I thought we were creating guidelines and not rules. And in fact, one of the guidelines could be what Jim just said. You know, one of the rules says that one of your groups follows. What we have I think seen is that when we start doing that, there's parts of rules with that.

So while I'm not looking for creating another set of rules, I'm wondering whether a sort of minimal list base-set of rules, guidelines rather, can be created for the group that sort of says, "Well gee, there's five different sets of processes here. You know, do we want to spend the next two months coming up with a compromise of which we're going to use? No, I don't want to use your rules, I want to use my rules," conversations.

Or can there be a minimal set of criteria that are sort of compatible with all that are sort of put on the table as "Or you could do it this way." So a guidelines, not a rule set.

The other thing I wanted to comment on was the notion of the rules, the charters, burbling up from virgin ground from some sort of primordial bottom-up mechanism, and while I agree 100% that the SOs have to agree with

charters and with all outcomes, and what they agree on has to be identical, in some sense I think I may also have quibbles about, you know, being able to add other statements while agreeing in general.

I don't know that we need to insist that all charters be created from this primordial burble. And that charters can be shaped and put forward for discussion, destruction, building on what have you, and that that is not an illegitimate way to proceed.

We've seen people like Bart, like Marika, like - I forget who does it in SSAC when there was a joint group with them - put on the table various, you know, early drafts of a charter. Basically have done the initial creation work and we built on it and we ripped at it.

So I would like to separate the notion of how a charter is created to who has the ultimate approval, and you know, can it be improved by multiple entities and so on, but accepting the notion that at the very least, a cross-community working group needs to have the buy-in of all the ACs/SOs that are participating. Thanks.

John Berard: All right, Bart, before I turn it over to you, Avri I totally agree. I do think that even among this small group of people who have talked to and with each other for quite awhile, there can still be some semantic differences. I don't think - by my definition, I have not said anything that is different than you have just said.

The key element here is approval of the charter by the SO and participating SO and ACs. How that charter gets developed, you know, it could be the eleventh commandment that we, you know, have been missing all these years from the mount. I have no idea where it comes from. But unless it is approved, then it does not help the work of the cross-community working group.

So Bart, I'll turn it over to you.

Avri Doria: And - yes.

John Berard: I'm sorry.

Bart Boswinkel: Yes, this is Bart again. So just going back to Jim's question and to the - if you look at the deliverables in the work plan, etcetera, say this bit about convening a working group is just to assist - and that was in the back of our minds when we started drafting - assist people on the community to think about cross-community working groups.

The second deliverable is, if you look at it, is CWG formation. I think everybody on this call and the broader community will agree say at adopting and/or supporting the charter is the first commandment. And that will be the second deliverable; that will be fairly simple.

So this is not meant as a further addition and more process. It's merely meant as assisting groups. So what do you need to think of in creating a cross-community working group charter or initiating that process?

Say the second deliverable and probably what has already been raised at this call, say close your cross-community working group; that's decision-making on the output. That's where you see the real cross-community nature of these working groups. That's where the SOs and ACs will participate and that's where you might have very strong recommendations in fact.

And the rest is just assistance. Thank you.

John Berard: All right, thank you Bart.

I think we have reached the hour. Mary, is there anything from your end before we ring off? And then Becky, I would like to know from your perspective as well, is there anything we should know before we ring off?

So Mary first.

Mary Wong: John, Becky, this is Mary. Not particularly. I think just following the last few conversations of threads.

You know, we are looking at the five phases, and it may well be that some of those phases are fairly well understood because of things that happen between the chartering of our group and now. But it may also be that some of the other phases are less well developed or understood.

So even just having the documentation of what is the bubbling up as Avri says, and a set of fairly minimal guidelines or checklists or questions, whichever it is, hopefully it will be helpful going forward.

So from the Staff perspective as we said earlier, we will create those Wiki pages and send out a note, and like we said, start populating it with maybe some preliminary questions or subheadings. And hopefully folks can then add on and contribute. So that's it from us; thanks.

John Berard: Becky, final word?

Becky Burr: I just think that, you know, there are still developments given that ICANN has extended the comment period on this accountability track. And I expect we may hear some more from the community on the cross-community working group versus cross-community group issues. So we may have more insights or refinements to consider from that.

John Berard: All right, well thanks very much.

Well thank you all for participating; I do appreciate it. I can't decide if this is heavy lifting or not; some days it seems like it's fairly easy to sort out and some days it seems like it's not. But I do appreciate your participation.

And I will talk to you, see you online, and then see you in LA. Thanks very much. Bye-bye.

Bart Boswinkel: Bye-bye.

Jim Galvin: Bye.

Allan MacGillivray: Bye.

Mary Wong: Thank you everybody. Thanks John, thanks Becky, thanks Bart.

END