

Standing Committee on GNSO Improvements Implementation (SCI) TRANSCRIPTION

Thursday 09 August 2012 at 19:00 UTC

Note: The following is the output of transcribing from an audio recording of the Standing Committee on GNSO Improvements Implementation on 09 August 2012, at 19:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting but should not be treated as an authoritative record. The audio is also available:

<http://audio.icann.org/gnsso/gnsso-sci-20120809-en.mp3> on page

<http://gnsso.icann.org/calendar/#aug>

Attendees

Ray Fassett - Registry Stakeholder Group - Primary

Angie Graves - Commercial and Business Users Constituency - Alternate

J. Scott Evans - Intellectual Property Constituency – Primary

Anne Aikman-Scalese – IPC Alternate

Ron Andruff - Commercial and Business Users Constituency - Primary

Wolf-Ulrich Knoben – ISPCP – Primary

James Bladel - Registrar Stakeholder Group (RrSG) - Alternate

Apology:

Avri Doria – Non Commercial SG – Primary

Mary Wong – Non-Commercial Users Constituency - Primary

Jonathan Robinson – Registry Stakeholder Group - Alternate

Krista Papac - Registrar Stakeholder Group (RrSG) - Primary

Marika Konings

Staff:

Julie Hedlund

Glen de Saint Gery

Berry Cobb

Nathalie Peregrine

Nathalie Peregrine: Good morning, good afternoon, good evening. This is the SCI call on the 9th of August 2012.

On the call today we have Angie Graves, Wolf-Ulrich Knoblen, James Bladel, Ray Fassett, (Ann Scalezi), Ron Andruff and Jay Scott.

We have apologies from Jonathan Robinson, Carlos Aguirre, Mary Wong, Avri Doria, Krista Papac and Marika Konings.

From staff we have Julie Hedlund, Glen Desaintgery, Berry Cobb and myself Nathalie Peregrine, I like to remind you all to please state your names before speaking for transcription purposes.

Thank you very much and over to you.

Wolf-Ulrich Knoblen: Thank you very much and hello everybody to our session here. So I'm - would like to thank (well) that you did some (well) in-between when I was out for vacation. And I tried all to get updated with what happened in the past.

And there was planned also another meeting in-between which then was deferred because many people were out. So we decided we all to have this meeting today.

And I've just would - goes with the agenda. The second point is for the agenda is statement of interest. Is there anybody who has something to disclose (unintelligible).

((Crosstalk))

Ray Fassett: Hey Wolf this is Ray Fassett, Wolf, Ray Fassett on that point.

Wolf-Ulrich Knoblen: Yes please Ray.

Ray Fassett: Actually Wolf as you know I was part of the GCOT that you are on as well.
And that's where we came up with the whole statement of interest.

And I'm afraid I've just been notified I'm guilty of not updating my - or
submitting a statement of interest online.

And the reason I mention this is because I was recently requested to do so.
But I need a login and password I guess to do that and that - and I have not
received that. So anyway I just wanted to get that out there.

Wolf-Ulrich Knoben: Thank you very much Ray. So that means that but are you on the way in
contact with staff to get the password for...

Ray Fassett: Yes supposedly one was coming my way but that was, you know, a few days
ago, weeks ago maybe and I have not received it. So I'll have to follow-up
and get that.

Wolf-Ulrich Knoben: Okay. That's great.

Glen Desaintgery: Wolf Ulrich this is Glen.

Wolf-Ulrich Knoben: Yes...

((Crosstalk))

Wolf-Ulrich Knoben: Oh hi Glen.

Glen Desaintgery: Sorry to butt in but perhaps it might be useful for other people too about the
statement of interest and the login.

When you guys login you have already in the system Ray got a got a
submission to log into it. And you - your password has probably just been
forgotten by you and not got to you.

So please just click on the Forgot My Password and you'll get another one.

Ray Fassett: Oh okay.

Glen Desaintgery: Simple - it's as simple as that.

Ray Fassett: Great. I will do that Glen. Thank you for that clarification.

Glen Desaintgery: And that applies to anybody else too who likes - wants to update the statements of interest or get into the system because there are a lot of people already in the system that probably don't realize it so just click (unintelligible) on the (inside) forgot password.

Ray Fassett: And where is that Glen?

Wolf-Ulrich Knoben: Okay...

Glen Desaintgery: It's when you log into the URL.

Wolf-Ulrich Knoben: Okay. Thank you. So we'll check that...

Glen Desaintgery: Okay thank you. Sorry for disturbing you.

Wolf-Ulrich Knoben: Yes no problem. No I have another question in this context so with regards to it refers to Adobe Connect as well because I forgot my password as well. And every time I'm logging as guest then so because it has the same password as we...

Glen Desaintgery: It's the same process. You can just ask for forgot your password.

Wolf-Ulrich Knoben: Okay good. I'll do that next time.

Glen Desaintgery: And you can reset your password.

Wolf-Ulrich Knoben: Yes. Okay thank you very much.

Approval of the agenda, any amendments, any additions, any questions to the agenda?

Hearing none, so now the next point so we go to the same - well I put the same agenda on the - which was suggested the last time when the meeting was deferred. I put it - all these items on the agenda.

And so the next one would be then the status of the update on community review with regards to that what have been done already and have been sent out for public comment and so on.

And Julie sent us a short update. Julie could you just explain that briefly what the status is please?

Julie Hedlund: Yes, so thank you Wolf. Well this is Julie Hedlund. And so the status is that the initial comment period has ended. And that was on the 30th of July. And now we are in the reply period which goes until August 20.

We received one comment in the initial period and that was from the registry stakeholder group from David Maher. And that was in support of the proposed changes.

So we will leave of course the period open through the 20 August at which point we staff will gather up the comments.

There is a Comment Analysis Tool that we can use and present them to the SCI members for consideration.

Wolf-Ulrich Knoben: Okay thank you very much Julie. By the way to be fully clear about this process what do we expect from normally from the reply period? Is that we should reply in case there are comments?

Julie Hedlund: No. And this is Julie Hedlund. So the reply period as I understand it is the opportunity for someone to reply to comments that were received in the initial comment period.

So for instance someone could conceivably take issue with the support of the registry stakeholder group as expressed in its initial comment and could reply either, you know, in - you know, also in support of that comment or, you know, in, you know, in any sort of way.

So really these are replies to comments that are in the comment. It also is an option. Of course someone can register a comment in the reply comment period that might still be an initial comment and not in response to a comment that was received in the initial comment period.

Wolf-Ulrich Knoben: Okay so this is a comment on comment period isn't it?

Julie Hedlund: Yes essentially, exactly.

Wolf-Ulrich Knoben: Okay fully understood so that means that for example let me say, in this case we only have just one comment. But if you have more comments and there are replies as well.

Julie Hedlund: So the group itself who puts - which put something out for public comment is waiting the - is waiting for the end of the whole period and then may then react on all the comments, see the comments as well as the comments to the comments. So this is the process of how I understand. Is that correct?

Julie Hedlund: This is Julie Hedlund. As I understand it that is correct. And there is actually an analysis tool that staff now use to gather up the comments and present them in a way that is easy for the SCI members to go through.

And then it's the SCI numbers who would consider those comments and replies and determine whether not there are any changes to, you know, that are warranted because of them.

Wolf-Ulrich Knoen: Okay. So let's just talk about that a little about this point because of the consequences of that. So you mentioned the 20th of August shall be the end of that, the full comment period.

And so what was going to be done then? So do we have to because I understand this point content agenda.

We drafted a - an addition, an amendment of the rules, the council or the procedure. So then if there is no opposition to that so then we are going or staff is going to provide the implementation and to the rules. Is that the way how it works?

Julie Hedlund: So this is Julie. I think that what has to happen once the - once the FPM members have had the opportunity to review the comments and if the SCI members have decided that, you know, for example if they were all positive and there were no need to change say either the consent agenda item or the voting thresholds table item then the council would, I think that the SCI would then ask the council for a motion to, you know, indicating that period as closed.

They, you know, this is the final version of the exchanges to the operating procedure and that the council, you know, proves these changes, you know, at which point they would go into, you know, a revised version of the GNSO council operating procedures.

Wolf-Ulrich Knoben: Okay, okay fully understand. So we shall wait till 20 August and then we can get in contact on the list by a meeting for the next meeting and then go that way which you just outlined.

Is there any question and a comment to this? No so I think that is - that seems to be clear.

So that is both council or agenda and voting, councilor voting the results table.

So then point Number 5 item we have the discussion on the proxy voting procedure.

And the question was yeah, okay there I see that more or less it was - the question to have no change to the procedure other than a kind of slight modification of the of the application by the secretariat.

So that's if I'm correct or Julie you could just briefly explain that and then I think we could discuss if there's some point to discuss.

Julie Hedlund: Thank you Wolf. This is Julie Hedlund. So the proposal was that the GNSO council procedures would not be changed.

But the staff were asked to explore whether not when a person councilmember puts in a notification of, you know, of absence or of a proxy I should say, that at the same time that that notification is sent to the secretariat it would also be sent to the GNSO council list.

And I did check with our information technology staff and they have confirmed that it is possible to have a dual notification so that those two things can happen simultaneously. And the council then would be notified immediately upon someone registering a proxy.

Wolf-Ulrich Knoben: Okay, thank you Julie. I have to excuse myself because until now I don't have an Adobe Connect connection with me so I have a problem here with connecting. so I can't see if anybody is waiting hands or not so...

Julie Hedlund: Yes this is Julie Hedlund. And Wolf Ulrich I'll be happy to monitor that for you. And I should note that Ron Andruff does have his hand up.

Wolf-Ulrich Knoben: Okay thank you. Excuse me Ron, I couldn't see that. Please go ahead. Ron can you hear us?

Ron Andruff: I beg your pardon. I was just getting off mute.

Wolf-Ulrich Knoben: Sure.

Ron Andruff: No problem Wolf Ulrich I just raised my hand as you were finishing speaking so you were not insulting me in the least my friend.

I think that as we've spoken on several occasions here within the SEI the idea of having a lighter touch and not trying to start creating new processes and policies within our body rather try to streamline and knock edges off of things that don't work is this happens to be a perfect example of that.

I think that the position that we've come to within the SCI the idea of no change to procedure but improving on the methodology of notification and having heard from Julie just now is that but the Tech Team believes that's not a problem, I think that's an excellent solution and fully support this way forward. Thank you.

Man: And I was flabbergasted, you know...

Julie Hedlund: Could just whoever it is who's got - could you mute if you have a conversation going on in your office because it's - we can...

Ron Andruff: Yes unfortunately that's my office so I will go back on mute. Thank you.

Wolf-Ulrich Knoen: Okay thanks Ron. So we have this proposal of the modification. And so how shall we deal with right now because it seems to be that we have here in agreement on that?

So is it that the - the way that we should put it forward to the council as well as a recommendation for the - an amendment or an addition to the rules deal with that - and okay (the), that's what - how we would like to see that.

Is that the way and then this motion the council could accept it? So I think that could be a way right there. Any other idea or any other opinion on that?

Julie Hedlund: And Wolf Ulrich I see that Ron Andruff has his hand up...

((Crosstalk))

Wolf-Ulrich Knoen: Do we still have your hand up? Now I can see him.

Ron Andruff: Apologies. I - that was too late. I will take my hand down. Thank you.

Wolf-Ulrich Knoen: Okay thank you.

Julie Hedlund: Wolf Ulrich this is Julie Hedlund. This actually does not - this change does not require a change to the GNSO council operating procedures...

Wolf-Ulrich Knoen: Okay.

Julie Hedlund: ...because it's simply a change to essentially the technology the, you know, the - what happens, you know, when the proxy is submitted.

The GNSO council operating procedures are silent as to how many notifications are met be other than that the notification would go to the secretariat which it does indeed.

Wolf-Ulrich Knoben: Yes.

Julie Hedlund: So I think we determined there would not be a need for a change to the procedures. So I imagine if the SCI members agreed that they could simply recommend to the council that this change be made so that the council at least understands what's happening.

I don't know if it would even need to be dealt with in the form of a motion.

Wolf-Ulrich Knoben: Yes.

Julie Hedlund: Perhaps Ron would know since it doesn't actually require a change to the procedures.

Wolf-Ulrich Knoben: Yes okay. Thank you very much Julie. What I think we should be done because okay, it was ordered by the council so - and so we have to let me say to refer to the council at least well explaining what we have discussed and why we came to that decision, what was discussed or what kind of alternatives have been discussed with (unintelligible) to proxy voting the pros and cons of modification.

And it just a short summary of that discussion and to bring it - to put it forward to the council, that's what I'm thinking we should do I think. And the council is waiting for that. And then okay that's the results, what - what - how we came up.

My question is for that who could do that Julie? Is that possible that's you because everything is well for the content agenda there is some points bulletin points that have been put together to explain what was done. And

would that be possible from your side to just to put some bullet points together?

Julie Hedlund: Wolf Ulrich yes. This is Julie Hedlund. I'd be happy to do that. I imagine that it would probably be best that it came from you to the council but I'm more than happy to provide you with some bullet points and text to consider.

Wolf-Ulrich Knoben: Yes. Just some bullet points and I will put it forward to council that we shall have the next council meeting in September.

So and I will put it on the agenda and explain what is, where we are and why we came to that result.

Okay it is that accepted by or any other comment from anybody here? I don't see so I think that's - that we have agreement as well so thank you very much.

So next point is a more contentious one, it's deferral of motions. I saw also from the list that it was discussed last time and there was discussion in the - on the wiki.

So and to my knowledge or if I'm right there was - because there was a discussion on pros and cons of differing how to do that that there was a suggestion or (okay) an item that I have invited Margie and Marika would come up or would try to come up with some suggested language to that.

I think Marika is on vacation right now. And is that possible? How can we continue with that? Is somebody here in the (round) to either can explain that please?

Julie Hedlund: This is Julie Hedlund, Wolf Ulrich. So let me make sure that I have the right item up. The actual - the language that Marika provided actually has to do

with delaying a PDP as opposed to a deferral of motions which I think let me bring that up also.

I - hold on. Deferral of motions, let me bring up the right document here. Okay so here is the - some of the discussion on the wiki on deferral of motions as Marika had captured it for the meeting on July 12.

And that was a sub team that had Ron Andruff, Angie Graves, Wolf Ulrich yourself, Krista, Avri and Carlos.

I think that is the item that you're discussing at this point but others may correct me if I'm wrong.

Wolf-Ulrich Knoben: Yes it's - your right Julie. So what I was referring to right now is because was the minutes or something, the minute of your last meeting with Avri so in July.

So based on this point deferral of motions there was - she was writing - there was a discussion of the work in the wiki pages.

As a possible solution might involve crafting some definitions to mark the difference between a delay or a change to the charter timeline and an indefinite delay or suspension.

Margie offered that she and Marika will look into adjusting some language. So that's where I came from on the last - on the minutes of the last meeting.

So and that is my question how to deal with that. And I see Ron here and would like to ask him. Ron please?

Ron Andruff: Yes thank you Wolf Ulrich. The - again we talked about a light touch deferral of motions. The real issue that was coming out in - from the BC point of view was the situation where we would have a - not enough information available

to come out to the community for the community to actually have a conversation about it.

And as we have talked before a motion could come on the table really at the last minute because people will - are scrambling within their constituency to get that motion together.

And then it gets presented to the council really at the last minute. So we talked again about this idea of socializing a motion, something that was maybe not fully baked cake but something that was in the works within the constituency that could have been circulated earlier in advance for the various communities to at least have a heads up that it was coming.

So when it happens that a deferral situation should arise I think we all were in agreement that if a situation like that were to arise it would be best that to say okay a deferral is possible.

However it's only until the very next council meeting and then it's right at the top of the agenda that it gets dealt with.

And then that way we would not have anything to gain in the system by pushing off and deferring, deferring, deferring. It would only be one deferral perhaps two.

I've seen the list of suggestions that two might be possible. I'm, you know, agnostic on that. One or two would be fine.

I think one would be probably better just to keep it a little - keep it tight, a tight leash on that concept about deferrals.

But clearly we shouldn't allow for a deferral because there could be all manner of reason why one constituency or support group needs to have that extra time.

But once it is deferred it needs to be on the very next agenda and be discussed as quickly as possible.

So I think if we can find a way to do this again with a light touch that would be my recommendation. Thank you.

Wolf-Ulrich Knoblen: Okay Ron. Well I saw - now we have on the Adobe as well as on the wiki and just before there was this paper from Marika which I saw right now the first time.

So was that sent out? It seems to be but I'm missing that. So could somebody maybe Julie, send it to me again or also to the group if you didn't receive that please?

Julie Hedlund: Yes Wolf Ulrich I'll send it around. I should note that however that I think there might have been an error in the minutes from the last meeting that - or the notes that the language that was requested from staff from Margie and Marika...

Wolf-Ulrich Knoblen: Yes.

Julie Hedlund: ...relates to the suspending of a PDP.

Wolf-Ulrich Knoblen: Okay, okay.

Julie Hedlund: They're down in our agenda.

Wolf-Ulrich Knoblen: Okay.

Julie Hedlund: Marika did send that language around to the list. And I'll send it around again so that everybody has in front of them.

And I also have the same email here in Adobe Connect which I'm happy to bring up as well.

Wolf-Ulrich Knoben: Okay thank you very much. So yes, so the - sorry, question is right now is how further on the deal with that either to leave obviously this (to be) the deferral motions to leave it as it is or - in that way like Ron was suggesting.

Ron do you have an additional comment or is it...

Ron Andruff: Yes I do if I may?

Wolf-Ulrich Knoben: Oh yes please. Yes.

Ron Andruff: I'm just, you know, looking at the very last post of Avri...

Wolf-Ulrich Knoben: Yes.

Ron Andruff: ...at the very bottom of this what we're looking at on the Adobe Connect.

And, you know, her comments are, you know, are kind of the way I see it as well. You know, do we leave it is a practice or do we leave it as it is? I'm sorry do we leave it is a practice or create a rule?

If we leave it at the practice do we monitor and check back in a year? This refers back to my comment about a light touch.

We all agree that it has not been abused in the past and it's gone along quite well. There's been a - an appropriate use of this despite the fact that there's not been a rule in place.

So it were to come to a vote from my point of view I would say we come back and monitor it in a year and see if the numbers that we seen at the very top of this document where it's noted the number of deferrals there was very, very

few over the course of time and whether if those numbers change radically that we need to step in and do something.

So I would certainly vote to just leave it as it is and monitor it and see where it goes. Thank you.

Wolf-Ulrich Knoben: Okay thanks. Thanks Ron. Do we have - if we would go that way, so let me just ask in this way, do we have to - it is necessary well to have some criteria for monitoring?

So you mentioned okay the number of cases, you know, one time, two time request for deferral and these things.

Would it necessary though to establish a more or to come up with more criteria along that way or would that be enough?

Because I'm thinking about what is going to happen then after one year if you have this statistic.

So, you know, that people are sensitive to numbers. That means one is more sensitive, one less sensitive. So it remains okay, so we would be high for somebody, five would be not as high for somebody else.

And so I'm just thinking about is that enough for us to have those criteria in case we go that way? Is there any opinion on that or of - or any opposition or any other comments what Ron was saying or (relation)? Ron is coming up again please.

Ron Andruff: I'm sorry Wolf. I feel like this conversation is happening between the two of us and our colleagues are watching a tennis match.

But I just wanted to respond to what you just said in guiding the numbers. This is the - as we've seen so far today it has not been abused.

But if a rule were to be put in place I think let's do something that makes common sense. If people are starting to abuse it then we say okay one deferral that's it, one and done.

And so I don't think it's a question of whether or not we think one isn't too few, three is too many. Just right now it's not being abused. If it gets...

Wolf-Ulrich Knoblen: Yes.

Ron Andruff: ...abused we still kill you at one deferral. And...

Wolf-Ulrich Knoblen: Yes.

Ron Andruff: ...I think this is - for me this is very clear cut. I don't think we need to start trying to define the thinking of people in advance.

Right now we're seeing very little abuse of this. But the reason it got brought to our attention is because there is no rule.

And I think that many of us in this group I don't see any violent disagreement to what we're discussing hear from any corner within our team saying that we should not allow it.

I think what we might want to do is just, you know, kind of put it to a vote of the SEI, you know, put it on list so that everyone can comment on it whether or not we should just wait and watch or if we should take action.

But if we take action my part, you know, one deferral is plenty. Because there's enough time in between the two council meetings where whoever needed that extra time would have the time. And they would know they have to take advantage of that short window.

Wolf-Ulrich Knoben: Yes.

Ron Andruff: They don't have a long time.

Wolf-Ulrich Knoben: Okay good. So Ron may I ask you because you was okay also in that group or let - one of the leading members of the - of that group or coordinating members of that group that you could put that together which I thought.

I think we have right now in our meeting no opposition but Avri's not here, others are also not here.

So if we have this very clear from us as a suggestion of - with - well leaving as it is as practical and monitoring it in this and that way that would be a proposal. And then we put it to the list and then so maybe there's another honest discussion about that and then we could forward it to the council if agreed to.

Ron Andruff: Sure. I'll be happy to do that. And if Julie would agree to work with me we could make sure that it's covered off, you know, from the ICANN perspective that what we're putting forward is something that's actionable.

So happy to - I mean as I see it it's just a very short couple of lines. And...

Wolf-Ulrich Knoben: Yes.

Ron Andruff: ...if Julie you're in agreement with that then perhaps you and I can take this off line and I can send you a draft and you can turn it around and we can send it into the chair for his approval before we then send it to the list.

Wolf-Ulrich Knoben: Yes. Okay that would be great yes.

Ron Andruff: Very good thank you.

Julie Hedlund: And this is Julie Hedlund and I'll be happy to work with you on that Ron.
Thank you.

Wolf-Ulrich Knoben: Okay.

Ron Andruff: Okay.

Wolf-Ulrich Knoben: Thank you both. Thank you both.

So well it's good to have a tennis match I think so we make progress here.

The next point is of discussion is a PDP the delay, voting threshold for delaying a PDP.

I wonder whether we can discuss it right now if our opinion is I didn't see that paper. I'm just seeing that the first time. And but looking to the minutes of the last time there's also the question on leaving it as it is or monitoring?

It - was it different? No it - was it because that was under that point. I'm just a little bit confused whether this might have been put under the point for deferral of motions yes?

I think the (level) was, you know, it was changes. You know, if you look to the minutes of the last meeting I think that was changed. There was a discussion of the work in the wiki pages solution and then a suggestion of language that is what right now came up for Marika.

And I think that is what we are talking about and what Marika was asking for comments on that. Is there any comments, general comment or else I see Julie please?

Julie Hedlund: Oh I was simply going to agree with you Wolf Ulrich. (That's right).

Wolf-Ulrich Knoben: Okay. Well I personally I didn't have a chance or I didn't read that and see that. So I would like to if I could comment on that put on the list and further on.

Is there something else at the time being for this meeting any comment from somebody? Of course Marika is not here so she cannot talk about that but if there's any...

(Ann Scalesi): Wolf Ulrich this is Ann and...

Wolf-Ulrich Knoben: Oh yes Ann please.

(Ann Scalesi): Regarding the language that is up in front of us with respect to Paragraph 2 changing circumstances I'm seeing I guess what is in addition in bold language says or warranting a suspension.

Wolf-Ulrich Knoben: Yes?

(Ann Scalesi): And I gather that relates back to the significant cause that's required to terminate or suspend. But I think that that language is far too general because it - it's rather circular.

You're trying to make a standard for the determination of when you suspend or terminate and you repeat or warranting a suspension.

I don't think it helps to find the standard. I'm trying to think of something that's constructive to suggest but it's - I apologize it's the first time I've considered this language.

Wolf-Ulrich Knoben: Okay.

(Ann Scalesi): But it seems quite vague.

Wolf-Ulrich Knoben: Julie we have a comment?

Julie Hedlund: Yes just that I want to clarify that my understanding is that the language that Marika had suggested was - had to do with the definition of suspend. And then that is the (unintelligible) information that is down below.

I think that - she's not here to mention this but I don't think we're warranting a suspension with language that came from staff. But it is language I think that that subgroup had put forward for consideration.

And I'm sensing, you know, as (Angie) mentioned that there needs to be more discussion of all of the suggested language with respect to suspending a PDP in addition to the definitional language that was requested from staff.

Wolf-Ulrich Knoben: Yes. You're right. So I'm looking do we have here also people from the group who developed a new PDP?

Yes we have so I myself I was also on that group. I'm just thinking about so what - whether we should wait for some written comments on that or we can also discuss it here. I see Ron.

Ron Andruff: Wolf could someone just - well just confirm to me - what my understanding on this was the reasons that this has come up was until now there was never a - most PDPs that were initiated went through without issue.

But there was the issue that VeriSign was negotiating a contract and there was discussion about PDP on thick Whois and for some reason the thing got sidetracked and got postponed and that as I understand it was where this came from.

So if we look back we can get clarifications, in fact I'm correct with my - what I'm suggesting here that that's what initiated this at least you could analyze something in real terms.

Because the right now we're when we look at from my point of view the full organization recent restructure based on the concept of PDP development and workgroups and so forth and no longer is council debating and dialoguing (unintelligible) different groups to debate and...

((Crosstalk))

Ron Andruff: ...(unintelligible) solution that would fit those (unintelligible) those PDPs.

And so for PDPs to be stopped or to be postponed is really in my view a very dangerous thing for us to have happen as an organization.

And once the trains started the train starts down the tracks there will be nothing that can stop that unless it's an extraordinary circumstance.

And that's what we need to (unintelligible). I am for myself I am (unintelligible)...

((Crosstalk))

Ron Andruff: ...ignorance. I'm not nearly as familiar with all the circumstances around that.

So I'm wondering if someone could from staff or someone else could come forward and clarify exactly what happened, what specific example that caused it to come to our table.

Wolf-Ulrich Knoben: Thanks Ron. I see James. James please.

James Bladel: Just to - thanks Wolf, James speaking just to follow-up with Ron's comment.

You know, I think that when we originally discussed this way back on the PPNs or PPSO or I can't even remember the acronym anymore but the group that was doing the PDP improvements we were trying to think of a symmetrical process management where, you know, the different - that some point in the history that there would be the desire to shut off a PDP whether, you know, whether there was no longer a need for it, whether the situation that it was meant to address had fundamentally changed or something along those lines.

We felt that there should be some metric mechanism formally defined so that the same chartering organization that initiated the PDP could then shut it off.

I don't think it was intended to be a routine at least to my knowledge it was not supposed to be something that was routine or common but was designed to be used in those extraordinarily rare or exceptional circumstances and to prevent various groups or chartering organizations from kind of making that up as they went along and put it through a formally defined process.

So I think that was the - at least my recommendation of my intentions when we are participating in that group.

I think others could have maybe had different memories as well. So thanks.

Wolf-Ulrich Knoben: Yes okay thanks James. Well it's good well to reflect on that. So this is - I think that that's - you're right with that.

So I understand right now if (Ann)'s comment to the second point also maybe to the other additions here amendments is well to - that we are uncertain or that the new formulation, the new sentence writing would be to (wake) and not to be too clear, clear enough.

So what we then should discuss or think about is now what from our point of view in case is such a phrasing, what could be the consequence of that and how it touches the PDP itself.

So I'm personally I'm just brainstorming about that so I'm not very clear. I don't have a specific idea on that. But I'm also looking for a clear language on that so that everybody could agree to that so I would then we have a (wake) one. (Ann) please?

(Ann Scalezi): Yes this is (Ann Scalezi) Wolf Ulrich. And I had just a procedural question about folks who were involved in the PDP process.

Was the issue of suspension considered in the PDP process previously at all or is it just now a late breaking issue in relation to suspension? Because I would have thought there was, you know, this long involved process with the PDP manual and a study by the group.

Is suspension a question that's just now arisen? This is further onto Ron's questions really of how this all came up.

Because there were so many changes made in connection with the new PDP process and the new manual. And so is this an add-on or what - I don't understand the procedural context?

Wolf-Ulrich Knoben: Yes well I don't have an answer not yet immediately. I - we - I should have to go back and also think and dig into the history, you know, to find out what really happened there.

The - what I - what is your question behind that I would like to understand and in case it just came out now or...

(Ann Scalezi): My question relates to some of the questions I raised in the email that I sent about where the authority comes from for GNSO to terminate.

And in this case I guess suspend in particular if the - if the ICANN board asks GNSO council to initiate a PDP then what's the background on the authority here for either for termination or suspension?

And I figured that those who were involved in the whole PDP process, you know, may have looked at that issue at the time and may have discussed the authority for termination overall and talked about - and I don't know whether they did or did not talk about suspension at the time.

So it's just more or less trying to understand the background of - or the authority to terminate and the authority to suspend and where that comes from? For example if the board itself has requested the PDP be undertaken.

Wolf-Ulrich Knoben: All right. I (unintelligible) can't answer the other. I'm asking James whether he has some better understanding of the history of that. James please.

James Bladel: Well I'm dusting off some old memories here but I think that what we didn't - we weren't specific to GNSO.

I think we did try to identify a concept called the chartering organization or whichever organization started the - or initiated the PDP should also be the organization that was vested with the authority to suspend or terminate PDP.

Wolf-Ulrich Knoben: Yes.

James Bladel: So I don't think that we were specific to GNSO unless the PDP originated with the GNSO.

Now why I'm confusing myself just by even trying to remember this is that I believe even in the case where the board initiates the PDP it still has to go

through the GNSO at some point on its path then. And maybe staff can tell me I'm getting into the weeds here little bit.

But a thought that the board can initiate a PDP but it still is causing the GNSO to initiate the PDP.

So where even in those situations I think that, you know, we made a distinction between the body that may have managed the policy development process versus the body that initiated that process.

So but this is now going back almost two years and I'm getting pretty hazy on that on the detail. So thanks.

Wolf-Ulrich Knoben: Yes okay, thank you. Thank you James. But it helps to. Thanks so for understanding. (Ann) do you still have your hands on up?

(Ann Scaletzi): Oh I'm sorry. No I'm sorry.

Wolf-Ulrich Knoben: Okay thank you. So well what you came with James was okay that is principle to discuss that means but just pension or any kind of termination or suspension is - should be referred to the body who initiated which - who initiated over the PDP.

And this is the question. Is that also reflected here in Marika's statement? I was wondering because maybe it is also.

But the question is then how if you have this principle then how we handle or how the GNSO council may handle that process of termination or suspension.

So I wonder I think from - we have some arguments and some pros and cons here. And I understand you have already sent your comments on that in the past so we could look to the wiki as well.

And the question is then I think for this time maybe too early to summarize here. But we could put some arguments again to the list and then discuss it further on the list, this question and the question of definition of suspension and termination and the pros and cons for that so that we have a more clear understanding of the different positions for the next time.

I see okay (Ann) is also agreeing to that. Let's do it this way, so and then for this point then leave for this time.

Okay because we are short five minutes. We have still five minutes or six minutes to go. And we have still the other point is okay raising an issue.

Raising an issue that is oh yes that's - we have also a suggestion had from the last time that Mary would come up with a suggestion on that but she could not participate this time.

And she promised well to come up with some suggestions together with Jay Scott or I'm afraid so we do not have are here in the meeting.

I'm going to ask her again because maybe she could provide some ideas or some suggestions for them to the list. And then we have something to discuss because otherwise for my point of view I cannot add anything at the time being.

And I don't see anybody (obviously) and...

(Ann Scalezi): Yes Wolf Ulrich this is (Ann). I had understood from comments that Mary made that she and Jay Scott were drafting a letter to the board to ask for - or excuse me to the GNSO council to ask for a clarification on this issue. Was that where we were...

Jay Scott: That's correct (Ann). That's correct and she was going to draft a letter and I was going to serve as her editor and I have not seen anything.

(Ann Scazezi): Okay.

Wolf-Ulrich Knoben: Okay Scott hello oh thank you. Okay those are the - the understanding is that there should be drafted a letter to the GNSO council asking for that or for clarification on that point and then come back with that.

I - well personally let me just comment on that because I was not last time not available in the meeting.

I think the this point didn't come up from the - with the council raising an issue. But, you know, it's just in the charter of the SCI but it didn't come up from the council.

It came up because somebody I think from ALAC was at every level which it came up with a question with regards to the statement of interest if I recall that correctly.

And he was suggesting some small amendments, some kind of amendments to the SOI or the process of the SOI. So that is - that was my understanding.

And then that was the question then in our group here, can we accept this as a question to the SCI because our charter is just admitting that we accept proposals coming directly from the council or from any group, not from individuals so that's how I call this, what happened that time.

So I'm afraid if you send a letter to the council there will not be any reaction because the council didn't ask us.

So the only question is, you know, and we look to the - our charter so do we open to the - are we going to open a charter also admitting individuals to

come with these proposals for any items which the SCI should kill this? So that was the only question about that.

And this is the (behind) of that. I would - okay I see Ann please yes?

(Ann Scazezi): Yes Wolf Ulrich. To me even though I did not - I wasn't able to participate in that session the letter to the council makes a great deal of sense because it's that's asking for a clarification with respect to the meaning of the charter. And since...

Wolf-Ulrich Knoblen: Okay.

(Ann Scazezi): ...the charter itself comes from the council it's perfectly appropriate to write to the council to clarify the scope of the charter.

Wolf-Ulrich Knoblen: Okay.

(Ann Scazezi): So I think it's a very good procedure to follow.

Wolf-Ulrich Knoblen: Okay sorry. I misunderstood. So that's that way. So then if it's that way that the council should be asked with regard to the charter because he puts the charter on us so then that's okay. So that means some explanation why they're asking that and what is the way.

But shouldn't we, this is my question when are going to ask the council what should be asked of the council?

Should be asked for the council whether we on the right of raising the issue should be handled more flexible in the future if - and opened to individuals?

Is that the way how it should be asked or is it just that we are waiting for a proposal made by Mary and then we send it out to council just for my understanding? Ron please.

Ron Andruff: Thank you Wolf. I'm not sure the - what rationale we have or if it's been heard by the SCI with regard to why we would not take anyone's issues up.

Why would it have to come from the council from the working group? Why could it not come from a - one of the sporting organizations or one of the constituencies?

I could see that perhaps not taking it from just an individual who happens to show up at ICANN meetings not happy with something and wants to bring something to our table.

We would expect that individual to go through a constituency or supporting organization. But I don't see why would we want to constrain ourselves?

Our job as an SCI is again just to knock rough edges of the various policies that were discussed and reviewed by work teams and now are in place.

And when they are not functioning to the best of the hoped for design our job is just to try to round those corners off so that they do.

So what's the argument for not taking that when we have a constituency or a supporting group that's uncomfortable with something or feels that we need to review it? I don't see why we couldn't take it up.

We may well say that, you know, there is a particular reason that we feel that this constituency or that supporting group is pushing for this because they would like, you know, not to see this formulated in a certain way because if for some reason it doesn't benefit them is much as they would hope or some such light.

But my point here is simply to say that I think we should be a little broader in our approach and allow any recognized organization within the ICANN community to bring something forward that they feel is not quite right.

We look at it and we determine whether we feel that's correct or incorrect but at least, you know, it gives people, it's a more holistic approach as opposed to an exclusionary approach. Thank you.

Wolf-Ulrich Knochen: Okay. Thank you Ron and Julie please?

Julie Hedlund: Yes just quickly. I think that the question was with respect to what you said Ron is it's - it is because the charter for the SCI limits and how a request may be made I think that we are considering going back to the council to say whether or not the council has some guidance as far as the recommendation to broaden where requests can come from.

Because right now the charter for the SCI says such requests can be made by either the GNSO council or a group chartered by the GNSO council.

And so I think one of the questions is whether or not the SCI would want to ask the council to change its charter. And the council would be the one that would have to do that being the chartering organization.

Wolf-Ulrich Knochen: Yes okay thank you for clarification. And I think this is a way we should go in. Mary as I understand is going to draft this and they'll send the first draft for the outline to Jay Scott for coordination.

If I can refer to Mary again so and ask her because, you know, she couldn't participate and she cannot participate in August at all.

So and then we can - we will continue with that item. Julie still hands up?

Julie Hedlund: No sorry.

Wolf-Ulrich Knoben: No thank you. Thank you. Okay thank you very much.

I think for today so we have covered this point. So with regards to the Working Group's survey there was something I think also Marika was sending out.

And I would propose that it will come to that point the next time. Time is over right now.

I have asked with regards to the next meeting. is it - I think we have - to do the poll until the end of August is that correct? Julie do you know that or Natalie do you know that?

Julie Hedlund: This is Julie. I'll defer to Natalie on that. I think the poll went through August. Natalie do you know offhand?

Wolf-Ulrich Knoben: Do we have a - I'm sorry in 14 days in two weeks I personally do not have time. I have an overlap with others - with other duties. That would be then the - this is the 24th. But the week after that 31st of August would that be feasible?

Julie Hedlund: This is Julie. I will check with Natalie and with Glen to see...

Wolf-Ulrich Knoben: Yes just asking here the participants here if they are anything against from your point of view the next meeting in three weeks from now?

So let's fix it. Let's put it for 31st of August on that date Thursday same time.

And okay we'll send out an invitation for that. Okay?

Yes so thank you very much and also for the next - then we have the 20th of August over and then we can decide from the first item on content agenda.

And so thank you very much and see you next time. Thank you.

END