Policy & Implementation Working Group Meeting
TRANSCRIPTION
Wednesday 12 November at 20:00 UTC

Note: The following is the output of transcribing from an audio recording of the Policy & Implementation Drafting Team meeting on Wednesday 12 November 2014 at 20:00 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 at: http://audio.icann.org/gnso/gnso-policy-implementation-20141112-en.mp3

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

Attendees:
Cheryl Langdon-Orr – At-Large
Amr Elsadr – NCUC
Avri Doria-NCSG
Olevie Kouami – NPOC
Greg Shatan – IPC
Chuck Gomes – RySG
Alan Greenberg-ALAC
Stephanie Perrin - NCUC

Apologies:
Wolf-Ulrich Knoben – ISPCP
Tom Barrett – RrSG

ICANN staff:
Marika Konings
Mary Wong
Amy Bivins
Berry Cobb
Steve Chan
Terri Agnew

Coordinator: The recordings have started.

Terry Agnew: Thank you, (Tony). Good morning, good afternoon, and good evening. This is the Policy and Implementation working group call on the 12th of November, 2014. On the call today, we have Avri Doria,Cheryl Langdon-Orr, Olevie Kouami, Amr Elsadr, Chuck Gomes, Alan Greenberg, and Greg Shatan.

We have apologies from Wolf-Ulrich Knoben and Thomas Barret). From staff, we have Marika Konings, Mary Wong, Amy Bivins, Steve Chan, Berry Cobb 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, Chuck.

Chuck Gomez: Thank you very much. Looking at the list of people in Adobe, I think I heard (Olivie's) name mentioned. (Olivie), are you - you're on but not in Adobe Connect. Is that correct?

(Olivie): Yes, I'm in front of my computer. I'll try to connect in two minutes.

Chuck Gomez: That's okay. Just, if you want to say something, just speak up and I'll get you in the queue.

(Olivie): Okay.

Chuck Gomez: Okay.

(Olivie): Okay.

(Chuck Gomez): And is there anybody else that's not in Adobe Connect that's on the phone? Okay, not seeing or hearing anybody. I will assume not. So let's go ahead and get started. On this meeting, we - the agenda's over on the right so we - everyone can see that.

Does anybody have an update to their statements of interest? (Greg), a - (Chuck's) still speaking - did - I think you said you had a - one that you were going to put into the GNSO site on statement of interest. Did you get that done?

Greg Shatan: Yes, my statement - this is Greg Shatan - yes, my statement of interest has now been updated. Thank you.

Chuck Gomez: Thank you, Greg; appreciate you following up on that. Anyone else?

Alan Greenberg: It's Alan. I probably need to update my statement saying I'm not a GNSO liaison anymore but I don't think anyone cares.

Chuck Gomez: And let's see, what is it your...

Cheryl Langdon-Orr: Oh, mine says I am so it's alright. (Unintelligible) for the record.
Greg Shatan: You have priority over me all the time.

Chuck Gomez: We will expect both of you to have those updated next - by next week, okay.

Cheryl Langdon-Orr: Hey, mines been updated since the Los Angeles meeting night.

Alan Greenberg: That was Cheryl talking and this is Alan. I'm the slacker.

Chuck Gomez: Okay, slacker, we'll let you take care of it later. Anyway, it's hard to picture you as a slacker, Alan, but please do this. Alright, Chuck speaking again and let's go ahead and get going.

Last week, we reviewed the table that gave information about four IRTs -- the Implementation Review Teams -- that had happened in recent years and talked about those. I don't know that we need to spend too much time on this. But we wanted to, at least, find out whether there's any other thoughts on these elements and any other comments that people want to make.

We noted last week that there's some good information in here that we can use in the ongoing work that we're doing with regard to IRTs. And I won't repeat that here but let me just open it up to see if there are any questions or - any further questions or comments on the table that's on the screen in Adobe.

Yes, I better start watching the chat too. Okay, that - not seeing anyone or hearing anyone, I will...

Marika Konings: Chuck, I have my hand up; it's Marika.

Chuck Gomez: Oh, I - you know what, I've got to scroll. I don't know how that got down. I had - staff in my screen. There we go; I need to scroll up so I can see staff. So I was conveniently ignoring you because I was - only showing participants.

Okay, Marika; your turn.

Marika Konings: Thanks for conveniently ignoring me, Chuck. And thanks for recognizing me now. So this is Marika. And just to encourage this, basically what the chart displays is really a thing that - the staff perspective of IRTs and, you know, our experience to-date with these kind of groups.

So if that doesn't align with what some of the IRT members have seen or experienced, I think it would be really good to call that out. And I know that, you know - I think Omar Kaminski and Allen are, I think, active members of the (unintelligible) who is IRT.

And I know that Alan was also involved in the PEDMA IRT. So if there are any elements missing here that, you know, should be called out, I think, from a community perspective, I think that would be, you know, very helpful. And just like to encourage people to do so as - when we get to the next item, this helps inform draft principles that we're working on.

Chuck Gomez: Thanks, Marika. This is Chuck again. And let me ask any of you who do have things you want to add or correct in this chart to please communicate that on our list and staff will update this. And especially, do that before we start using some of this - these lessons learned and so forth as we proceed with our work. Alan, please.

Alan Greenberg: Thank you very much, Chuck. I will look through it. I must have been - I haven't yet and I suspect I will have some changes. They're not likely to get done in the next week and a half, so just giving you the timing.

Chuck Gomez: Thanks, Alan. Chuck again and we understand. In fact, the - you know, through the end of November, in fact, it - we know that a lot of people are going to be very busy. And in the U.S., of course, we have a major holiday. So, we understand that, but if you can do that once you get past the onslaught right now.

And that would be appreciated. And there's time to - we're going to be using lessons learned from this chart. So the more accurate and complete we can make it, the better. So thanks, Alan; I appreciate you doing that.

Alan Greenberg: Yes, and I'll ask Marika, who's far more organized than I will ever be, if I haven't by near the end of the month, if you could send me a reminder, I'd appreciate it.

Chuck Gomez: Okay.

Marika Konings: Will do.

Chuck Gomez: Thanks, Alan; thanks, Marika. Okay, let's go on, then, to the next agenda item, which is the review of the draft IRT prinicples. Okay. And those are now up on the screen. And what I'd like to do is ask (Amy) if she would just, not go

through this, but give us a little background as to how this was created and what it's intended to do.

Anything on a high level, (Amy), that you would like to share would be appreciated for the whole group.

(Amy Bigens): Sure, absolutely. This is (Amy). So, after the call last week, at your request, basically what I did was I went through the document that you guys reviewed last week that reviewed some of the strong points and the weak points and lessons learned from various IRTs.

And went through there and tried to come up with - of some high-level principles related to the recruitment and composition of IRTs and then on the operation of IRTs. And I tried to incorporate as many of the comments as I could from the discussion last week.

So basically, what you see here is just an attempt at summarizing some of the strong points and the lessons learned and some of your input. So please look at these and get back to us with any feedback that you have so that we can improve these based on your recommendations. Does anybody have any questions about these at this point?

I'm not sure if you've had time to review these. Chuck, are you still with us?

Chuck Gomez: I'm sorry. I put myself on mute and I forgot to take it off so I was talking to myself - which I do anyway. So, (Amy), we'll get to the questions in a minute if people have questions.

Hopefully, some of you have had a chance to review this. I did just before the meeting and it actually looks pretty good for me. What I - pretty good to me - what I'd like to suggest as an approach for dealing with this is the following.

And if people don't like this approach, please speak up; we can do it differently. But one of my concerns is is that when we go through items like this word for word, it is extremely slow. And if we do that with everything we create in the next few weeks, we'll never achieve our objective.

So the approach I would like to suggest is that we provide - if people have comments today and questions today, certainly this is good timing for the - but I am not intending to go through each one word for word unless that's what the group wants. Rather, I would like people to - we'll take a - each of the two sections in a block and see if anybody has any comments or questions and take those on this call.

And then, what I'd like you to do is to provide additional input on the list over the next week or two - suggestions for changes. And we can discuss it on the list and follow up in the working group call that follows any discussion on the list. Now, so before we specifically entertain questions and comments, is anybody opposed to that approach?

Does anybody think we should go through it item by item? Anybody opposed to the approach I suggested? Okay, thanks, Omar Kaminski; I appreciate your support there.

Alright, well then, let's go ahead and use that approach and let's start with Section 1 which is the IRT recruitment and compositions section and find out - let me first of all just open it up to questions in that section. And please identify which item you're talking about if you do have a question.

Keep in mind, I understand that some of you may not have had time to look through this in detail and will review it after this call. And that's okay. And please provide your questions and comments on the list once you do that.

But anybody at this point have any questions on Section 1 that's on the screen right there? Okay, not hearing anyone or seeing anyone. Now, let's talk about any suggested edits.

And Omar Kaminski, your hand's up; go ahead.

Omar Kaminski: Thanks, Chuck. This is Omar. I have one question and I believe it's been brought up before on the - when there's a call for volunteers for IRT on trying to especially attract the recruit experts whose participation may be warranted in an IRT.I was just wondering to what extent some sort of effort could be made to make sure these experts are very well-informed on what the policy is - I mean, the PP working group file - how important the recommendations that have been adopted by, for example, GNSO council and the ICANN Board to sort of just try to prevent re-opening of policy issues during the course of the work of IRT.

I was just wondering if this was something that was discussed before and considered at all. Thanks.

Chuck Gomez: I think it is. And let me - this jumps down into the operating principles if you can scroll down - oh, I guess we can all scroll down. If you scroll down to the IRT operating principles, look at Principle B there. The IRT is not a forum for opening or re-visiting policy discussions.

Where issues emerge that may require policy discussions, these will be escalated using the designated procedure to be defined. Marika, would you like to comment? Are you on mute like I was?

Marika Konings: I didn't - I was - actually took me some time to get off mute because I first had to type in my passcode and then find the right button. But here I am. No, just maybe one suggestion to address Omar's concern, which I think is also one that is shared by staff.

Maybe we could add something under that the IRT recruitment where, you know, we basically make sure that any call for volunteers would clearly, you know, link or provide guidance on the original policy recommendations and make sure the people understand that that is a requirement or participation. People, at least, have reviewed that information and are aware of what the basis is for the consideration for the discussions that will be had.

I don't know if that is somewhat - we - I think it talks about, like, the call for volunteers. So maybe we can be more specific there in what information needs to be provided there. So, just a suggestion.

Chuck Gomez: Thanks, Marika. And I see that Omar likes that. That sounds good to me too. So we'll let you guys work on that offline in terms of modifying that and then we can doctor it up further later, once we see what's done. For the sake of making it easy to see changes that are made between now and our next call - and subsequent calls - if we could do that and red-line that'd be great.

So, thanks, (Amy); appreciate that. Okay, and Marika, did you want to say more or is that your full (unintelligible). Okay, thanks. So I had a few edits that I want to throw out for the group and see if there's agreement or not.

In C - 1C - the second sentence says, "however, if deemed desirable, in order to attract additional volunteers or ensure broad participation in the call for volunteers may also reach beyond the working group members". My inclination is to change the word may to should.

Understand that there might be some cases when it's not necessary, but I think we always - on Implementation Review Team - should reach out beyond the working group. In some cases, it might not be as necessary, but may makes it sound like they're - that it's an optional thing. And I think it should be done rather than may be done.

Any disagreement with that. Alan, please.

Alan Greenberg: Yes, I'm not sure I disagree. But I'm a little worried that that may be taken as a message saying not only outside of the working group members, but outside of the GNSO. And it's not clear that - or at least, you know, the regular suspects. And I'm not sure we're trying to send that message.

Chuck Gomez: So - thanks, Alan. This is Chuck. Before I turn it back to Marika, think about how you might change it to deal with your concern while I give it to Marika. Go ahead, Marika.

Marika Konings: Yes, this is Marika. I - maybe first commenting on Alan and I think I'm less concerned about reaching outside of the GNSO if there are specific communities that are deemed to be impacted by the recommendation. So I think it shouldn't necessarily be restricted to the GNSO as such.

But I think, as well, partly building on our previous conversation, I think, you know, part of the reason why we've always focused on the original PDP working group was specifically for the reason that we were concerned by going broader, there's a greater risk of moving into, you know, policy - or policy discussions as people weren't involved are privy to the original debate or maybe less familiar with the policy recommendation.

So maybe by, indeed, enhancing that part and really making sure that, you know, any communication or call for volunteers are specifically called out that the requirement is to be familiar with the recommendations. And maybe that is as well something that, you know, a first meeting of the IRT, you know, significant time is dedicated to that, or at least those that weren't involved in the PDP working group have a chance to get briefed on that.

And maybe that is a way, then, as well to take away that concern and, you know, broader participation becomes less of an issue if, indeed, everyone starts from the same starting point, basically.

Chuck Gomez: Thanks, Marika. This is Chuck again. Alan, go ahead.

Alan Greenberg: Yes, I'm just trying to read the full sentence. I was going to add something but it may already be covered. However, if deemed desirable in order to attract additional volunteers or ensure broad coverage, call for volunteers may also reach beyond work group members.

I think we've already covered what we're saying. I might have worded it may need to reach beyond, but the phrase at the beginning - in order to attract additional volunteers - I think that's less important. Or ensure broad participation - you could be more targeted and say to ensure participation by all parties who will be impacted by the - you know, or may have input into the implementation process.

You may want to be more targeted who we're looking at. We're not just trying to get broad participation in this one like they are in a working group. We're trying to make sure the implementation is done properly.

So we need people who have the perspective of a PDP working group, but we may, as in the case of (unintelligible) who is, need to help - need to get involved with the actual people who will be, you know, implementing it along with ICANN, you know, in the registries and registrars, in this case.

So I'm not sure we want to say must, but I think that sentence may need a little bit of more restructuring to say exactly what it is we're trying to accomplish with an additional call.

Chuck Gomez: Thanks, Alan. This is Chuck. By the way, I'm okay with changing it to may need. But I really like what you said regarding the lead-in clause in that sentence because really what we're - we're not - I think you're absolutely right that we're not trying to get this really broad, multi-stakeholder participation necessarily.

What we need to get are some people who are directly impacted and have the right expertise with regard to how - it will be implemented. So I'll let staff - I think it's pretty clear what you're saying; if it's not, we'll ask staff to speak up right now and then let them take a stab at that.

Alan Greenberg: Yes, thank you, Chuck. I - looking at, in particular, the attract of additional volunteers, I think is sending a wrong message there. But I would enhance the ensure broad participation part. So...

Chuck Gomez: Thanks, Alan. That's a good clarification. And I'm not seeing anything from staff members, so I think they understand that. The next suggested edit I had was in 1D. Notice where it - so I'll just read the first sentence.

Where there's a lag time between PDP working groups, adoption of consensus policy recommendation from the launch of an IRT, staff efforts to recruit IRT members should include components to support education and awareness. Now, the part that I'm functioning on - it says staff efforts. I think it should say staff and community efforts.

Like Omar illustrated when he said, just a few minutes ago, all of the - all of us who are involved - not just staff - should be recruiting the right people for this. It's a GNSO responsibility, not just the staff's responsibility. So I would just add - I would just make that staff and community efforts to recruit, and so on.

Any - thanks, Omar, for the support there and Cheryl. Okay. Anybody opposed to that change? Okay. Then going down to F, in the same section - and if your screen's like mine, you may have to scroll just a little bit to see all of it.

But the very last sentence says, "to the extent feasible, composition of the IRT should be balanced among stakeholders". I would add there - and this, I

guess, kind of ties in to the same concern that Alan expressed up above on C. And that is, I would say, "To the extent feasible and applicable".

You know, you don't always need to have a balance among stakeholders in an IRT. It should always be welcomed and the opportunity should be there. But take, for example, the inter-registrar transfer policy - the IRTP.

That was one of the first IRTs that was ever done going back to - I don't know, the 2004 timeframe. It may not have been a call of an IRT, but there was one form to implement the policy. And it was mostly registrars because they were the ones that had to do it.

Now there were some registry participation because registries were the first level of dispute providers. But we didn't need a lot of other people, understanding, though, that the opportunity for others to participate was always made available.

And then, of course, once the final implementation plans were made - or proposed - the whole community got a chance to look at it. So an easy fix, to me, on that is just, "To the extent feasible and applicable, composition of the IRT should be balanced among stakeholders". And somebody may want to check - change it even more than that.

But I would be okay with that change. Any discussion? Anybody think that's not a good idea? Feel free to speak up if so. Okay. Moving right along - and by the way, I'm not doing a very good job of watching the chat because I'm looking at a printed document here.

So if something comes up there that I need to speak on, please call my attention to that. Anything else on Section 1 -- the IRT Recruitment and Composition? Okay, let's go to Section 2.

Get it - all - there we go; I've got all of 2 on my screen now. So my first suggested edit is in 2B. The IRT is not a forum for opening or revisiting policy discussions. Where issues emerge that may require policy discussion and so on, I think it might be helpful to say that may require possible policy discussion.

We're not going to always know right off whether it really is policy discussion or not. But if that is a possibility, then we're, obviously, going to develop methods for doing that. So I would just add possible in front of policy discussion in that - so that we don't get into an argument of whether it is policy or not.

If there's the possibility - if somebody thinks it is, then let's kickoff whatever we need to do to deal with that. And we've talked about mechanisms for that in this working group. Any disagreement with that edit? Okay.

Let's go then to D. And D says staff must provide regular updates. So my first question is to whom? And I'll let (Amy) answer this as soon as I finish here. And conduct appropriate outreach to the IRT. I'm not sure outreach is the right word there, but I'll let (Amy) respond there.

And updates - another question was regard to updates about what? Is this updates of the implementation process or so forth? And let me stop there and let (Amy) respond - and of course, anybody else can respond too. (Amy).

(Amy Bigens):   Sure. This is (Amy). I agree; this language could definitely cleaned up a little bit. The intent of this was to make sure that staff was communicating with the IRT. And so, should - at the beginning of the sentence, it really should say, "Staff must provide regular updates to the IRT" and then "conduct appropriate outreach to the IRT".

And in terms of updates, what we were thinking about here was in addition to talking to the IRT about, you know, pushing out proposed language and

discussing language in detail surrounding the implementation was also, you know, keeping the IRT up-to-date, you know, if there's a lag in time or something's taking a long time - letting the IRT know what's going on.

And you know, when more information is going to be coming out. So, that was really the intent.

Chuck Gomez: This is Chuck again. Thanks, (Amy). That's very helpful and I suspected something like that. And I'll just leave it to staff to go ahead and beef this up a little bit. And then we'll see the red-line of that next week.

So - unless anybody wants to make any further comments on that. Okay. Then, I think E is a very simple little thing that needs to be fixed. E says, "Staff must set clear deadlines for IRT feedback on documents and implementation plans and send documents in a timely manner to ensure sufficient time for IRT to - I would just say, okay, "Send documents to whom".

Okay, just - I mean, it probably should be clearer who they're going to be sent to in that, otherwise I didn't have any problem with it. And that's the end of my comments on this. Does anybody else have any - or additional questions?

Okay, so for those that haven't had a chance to go through it in detail, please do so. It's just - as you can see, just slightly over a page long. And if you would do that and then provide your - or questions to our list. And if that requires some discussion in our next meeting, we can do that.

And then, we'll shoot for, I don't know - the sooner you can get it in there, the better. But understanding the business of everyone's schedule in the next couple weeks, we'll give people at least a couple weeks to respond to that before we, at least temporary - temporarily, close this off and assume that we have a document that's in pretty good shape - understanding that we can always make changes later on.

Any questions or comments on that? Okay, the next agenda item is to continue our review and discussion on the - of charter Questions 3, 4, and 5. And they're actually kind of lumped together right into the agenda.

So if you don't have the agenda up, you can go up to the beginning of the agenda and you'll - beginning - the top of the agenda there in Adobe, and you'll see it there. And you'll see that under Item 4 of the agenda, that there are a bunch of bullets. And we're just going to take a look at those bullets, many of which, we've kind of had discussions about already.

And we will continue. In fact, is it possible to bring the agenda up in Adobe, then we can look at the specific bullets as we go through them. If that's - easy to do, that would be helpful. Marika, go ahead.

Marika Konings: Yes, this is Marika. Just to note that it's not visible here in Adobe Connect as - I think we didn't get - the blue line was in there. But we did add a couple of questions based on those that we had identified in the IRGB - IRT review chart. And those were in the agenda plan in blue.

So I just wanted to note that. And as well, of course, if there are any questions that we missed or if there are any additional questions that should be considered, that if people should, unfortunately, to suggest those.

Chuck Gomez: Thanks. I printed off a copy of the agenda, so I readily see the blue. It's very helpful. So that's good. So the first bullet there is a question that we've talked about several times in the past, including last week. And that is should the IRT be mandatory?

We're not going to cover that one today, mainly because staff is still in the process of working on a document that'll kind of pull together all the discussion that we've had on this topic. And as soon as that's ready, we'll come back to this question. Certainly, if anybody wants to throw anything out on that right now, you're welcome to.

But we'll actually try and zero-in on an answer to that question after we see the work that staff is doing in terms of compiling all the discussions we've had on this in the past. The next bullet is - it has this question - or statement. How is the IRT expected to operate? What is its decision-making methodology?

This relates to Charter Question 5. And we've had some discussions a little bit about this but I want to open it up right now so that we start to collect thoughts on how - what kind of decision-making methodology should IRTs have. Should they have one? Should it be flexible in terms of the specific need?

What are your thoughts on that? Marika.

Marika Konings: It is Marika. No specific thoughts on that specific question, but looking at the document that we saw up on the screen, I think we may want to consider doing something similar as what we did with the document where I think the current IRT operating principles, they maybe relate to how, I think, staff is expected to deal with the IRT.

Although, there are some - there are other aspects in there as well. So maybe the idea would be building on - through the comments received today or during the next meeting, that we actually can try to expand on that and have, indeed, as well, operating principles that relate to any decision-making methodology, you know, how is the IRT organized?

You know, how is it expected to be run? Again, I think, taking into account and that may be something that needs to be called out somewhere as well then, I think. On one of the previous calls, we also agreed that there probably needs to be flexibility in this regard as not, you know, every IRT maybe - not every IRT is identical and maybe different ways in which different IRTs would operate.

But I think, at least, you know, some guidance or principles may be helpful in that regard.

Chuck Gomez: This is Chuck again. Thanks, Marika. Are you suggesting that maybe - looking at the document on the screen - so, we possibly add a Section 3 or wherever we want to put it, that would be - have some principles with regard to decision-making methodology and flexibility and so forth. And I see your - the checkmark there - that's what you're talking about. Okay.

Marika Konings: Yes, and then, this is Markika. Because, I think, as well - at least, how I would see it is that, you know, eventually this document would become kind of the working group's recommendation for operating principles that then, presumably, would be there, you know, integrated as part of maybe the PDP manuals or as a standalone document, I think is something to be discussed.

But I think, ideally, we'd - maybe that all of that is available in one place as a kind of, you know, manual for people to understand their - how IRTs are dealt with. I think, both from the staff perspective, but also from their internal IRT operational. And as well, maybe something comes in there eventually as well.

And for example, IRT reporting to the GNSO council.

Chuck Gomez: Thanks. This is Chuck again and thanks, Omar, for the agreement in the Adobe there. I'm not seeing anybody disagreeing. If you disagree, please speak up. That sounds like a reasonable approach to me.

Okay. So with regard to what should go into that, I think Marika already indicated that - and like we talked in previous calls - there needs to be quite a bit of flexibility with regard to IRTs because they will very tremendously, depending on the specific policies that are being implemented. But how should we go about the identifying and creating the principles that would help guide and IRT with regard to decision-making methodology?

Is it possible that we've kind of hit on those over our work so far and those just need to be collected and listed? Is it something that we want to brainstorm ourselves? Let's think about that and talk about that a little bit. And Marika, you're first.

Marika Konings: Yes, this is Marika. As I don't see anyone yet in the queue, I thought I could take advantage here because I do recall that we spoke, I think, briefly about this - briefly, we spoke about it I think at the first meeting where we went through the questions. And if I recall well, I think we may need to look back in the notes. There may be some things we can already derive from there.

But, you know, one specific suggestion I recall, and I think I may have even been the one putting it forward, could be, you know, every IRT has a council liaison. And in cases where that is needed, the council liaison will serve as, you know, a kind of chair or coordinator for the IRT taking into account GNSO working group principles or relation to decision-making.

So, I think that could basically, then, refer to the fact that if - should there be a need in an IRT to make certain decisions or if, indeed, there is disagreement, for example, over, you know, either a document provided by staff or certain language, then maybe the council liaisons could take on the role of, you know, gathering the IRT and saying okay, so tell me your positions.

Well, based on what I've heard, I believe we have, you know, consensus to go ahead, or, you know, there is disagreement so we actually need to discuss this further as we don't have any consensus to move forward. So that may be a principle why you - where - you know, why you do create a kind of mechanism, although it 's not a standing one; but only in case we need, basically, the big liaison would serve an important should formal decisions or an assessment of the level of consensus on certain items need to be made.

And I think that probably will factor in as well when we get to kind of the conversation around how does an IRT refer issues back to the councils?

Presumably, that would also involve a kind of assessment of, you know, whether that is the consensus position of the IRT or whether it's, you know, one person that just disagrees and then, you know, tries to get it back to the council where everyone else has actually (unintelligible) moving forward.

Chuck Gomez: Thanks, Marika. Chuck again. For those that haven't had time to look at this - the principles document thoroughly, note that Principle 1E talks about the - having a GNSO council liaison. So adding something with regard to decision-making methodology relating to that fits right in to the recruitment and composition section already.

So, let me - is it reasonable to ask staff to kind of pull together from previous discussions on this a first cut of some decision-making principles, including the one that you just mentioned, Marika, for a future meeting? That doable.

Marika Konings: I think - so I'm acting to work with (Amy) on that.

Chuck Gomez: And - that's why I said staff is you can involve whoever you like. You can even involve some of us if you need to. So that would be great. Okay. Any other things that people want to put out for Marika and the rest of staff's benefit with regard to decision-making methodologies at this point?

Okay. Welcome, (Stephanie). Alright, so let's then go on to the next question.

Marika Konings: Chuck, Omar has his hand...

Omar Kaminski: Chuck, this is Omar.

Chuck Gomez: I had just looked down as you raised your hand; sorry about that. Go ahead, Omar.

Omar Kaminski: Thanks, Chuck; this is Omar. Just an initial thought on the idea of the council liaison playing the - even if it's just a temporary role - to sort of convene a

process to - for decision-making methodology. My initial thought on this is somehow that this is not really the council liaison's role on the IRT.

I'm not sure if the council liaison would be the appropriate person to do this or not. For some reason - and I really can't put my finger on it right now - but I somehow feel that it would - I would be more comfortable with staff actually carrying out this role. But I'd like to think about this a little bit more and maybe come back to the group with more reasoning.

But I just thought I'd mention it right now. Thanks.

Chuck Gomez: Thanks, Omar; Chuck again. And I didn't understand it the same way you did. So maybe we can ask Marika to clarify what she meant. I didn't think that the council liaison was going to have any responsibility with regard to how decisions are made. But the council liaison is a communication channel back and forth between the council and the IRT.

And not having any special responsibility with decision-making but maybe I misunderstood. Marika.

Marika Konings: Yes, this is Marika. No, I think - that exactly right. I think the - or at least, how I would see it - is that the liaison could step up as needed just to facilitate that process as, you know, it doesn't seem to make any sense that when an IRT starts out to have a kind of formal structure or by a chair is appointed or a vice-chair as, you know, the IRT basically starts out as a kind of, you know, consulting mechanism for staff to work through implementation and just check in from time to time whether, you know, things are moving along on the specific question.

So the idea is like only if needed, you know, someone will need to step up, you know, to kind of lead an IRT discussion if they believe that, you know, certain decisions need to be taken or there is a concern. And the idea is as the liaison is already in place, that person may be the appropriate vehicle to

do so also as that is the - direct link with the GNSO council, which, should an IRT, you know, reach consensus that, you know, what staff is proposing is really not acceptable and not on - according - the intent of the policy recommendation.

The liaison is also that direct link to go back to the council saying, "Hey, you know, we have an issue here and this is what has been discussed". So I think that is a little bit the idea of maybe having the liaison possibly function in that role, although, of course, you know, the hope is that that will hardly ever be necessary as, you know, this is a - you know, an effort to work through issues.

And it's an idea of, you know, staff versus the IRT and, you know, let's get as many things through to the council. So, I think that the idea of this as kind of a fallback mechanism in case there is a conflict or an issue that needs further conversation, that there is someone that is able to step up and serve or facilitate for those kind of conversations.

Chuck Gomez: Thank you, Marika. This is Chuck again. And thanks for the agreement from Cheryl and (Aubrey) in Adobe. Let's go to Alan.

Alan Greenberg: Thank you very much. I'm just addressing some of Omar's comments in the chat asking why couldn't staff do it or some other working group member? I think the issue is you don't want to put staff in an awkward position because the message that is being conveyed may well be that staff is being obstreperous and, you know, not listening to us or, you know.

In a different world, you know, the policy staff on there - are reporting that something different happened in the PDP than really happened. It's really got to be the volunteer part of the organization - the GNSO that does that - that conveys that message. It can't be staff and the liaison is the only guaranteed person involved with the IRT that is a council member and has speaking rights in council.

So I think designating a liaison, it's a harmless position. The person doesn't have to attend the meetings if they choose not to. So I think what we have there is quite reasonable.

Chuck Gomez: Thanks, Alan; Chuck again. And let me give an example of where the liaison could be very helpful. We talked earlier about the fact that an IRT may not need to be representative of every constituency and stakeholder group in the GNSO, or the community for that matter. It may be fairly narrow in terms of those who have the right operational expertise to deal with implementation issues.

But the IRT may come up with a question or an idea where broader input is needed that may not be represented on the IRT itself. And using the liaison to go back to the council and ask the counselors to go back to their respective groups to ask the question or test the idea would be a very useful way to do it. That your previous hand, Alan.

Alan Greenberg: Yes, it is.

Chuck Gomez: Thanks. Okay, the next question in the agenda there under Item 4, is what additional mechanisms, if any, should be foreseen for implementation-related discussions. And what's really being asked here, are there any additional mechanisms that might be helpful beyond what takes place in the IRT? And then, let me go ahead and add the question in blue that was added.

How should feedback be a public comments on proposed policy language be handled where attempts to changes - where attempts to changing the consensus recommendation are evident? So, I think - and maybe I need some staff help on this - on the blue question. You can't see the blue in Adobe.

But how - so is the second added question there - if public comments are trying to change policy - making suggestions that would change the policy recommendations, is the question how should we handle those kind of attempts on the public comments? Marika, go ahead.

Marika Konings: Yes, this is Marika. I think, probably, it comes from recent experience we had on the locking of the domain name subject to UDRP proceeding IRT. And there we had a situation where as part of the public comments on the implementation - how is implementation plan or language. Several comments were submitted that, you know, didn't really go - well, they went to the implementation but basically suggesting that certain changes should be made, which there would be changes to the policy recommendations.

And in fact, those were actually issues that had already been discussed and debated. So I think, in those cases, it's - you know, for staff only to basically say, well, you know, think this is irrelevant or, you know, not acceptable or may not be, you know, as authoritative or may be viewed with suspicion. Well, I think in this case, or at least, you know, from my personal experience being involved in that IRT, I think it was really helpful to have the IRT there to tell us and basically walk with us through the comments.

And they say look, this is what we discussed and this is why, you know, we decided this, that or the other. And we basically used that as part of our analysis of - on the public comment to say, well, we consulted with the IRT and they actually provided us with the feedback that, you know, these, and these, and these recommendations that were made were actually also submitted as part of the public comment on the policy recommendations.

And for these and these reasons and, you know, they weren't grounded or, you know, the working group didn't agree with it. so I think it really gave staff the additional ammunition to say look, you know, we did seriously consider what you submitted but, you know, after having consulted with the IRT, this is what we found.

So I think that goes basically to that point, you know, should it be a requirement of the IRTs involved? Is it, again, you know, based on staff discretion where we do see certain comments coming in that specifically go to the consensus on the policy recommendations and not necessarily the implementation language. And how, you know - is there any guidance that should be included here with that regard?

And I think that's where that part comes back from. And, you know, maybe - if I got that wrong, (Amy), please feel free to speak up because I know some of this - those also probably come through to some of your colleagues that participated in IRT.

Chuck Gomez: Thanks, Marika. This is Chuck again. (Amy), did you have anything to add there? You've agreed; okay, thanks. Now, the question I have, Marika - or anybody else who wants to respond - is I'm not sure the IRT is the right group to - for staff to consult with in responding to comments with regard to whether something is a change to policy.

Because if we had a very limited IRT membership that is mainly operational and not policy-oriented, we may need to go back to someone from the actual working group to do that. I see your hand up Markia; go ahead.

Marika Konings: Yes, this is Marika. And I think that's something - and it's something that we, you know, haven't maybe spelled out here but I think it is - some, I think, in our - in the framework where this is a handover between, you know, the policy and the GDV staff. But as well as part of the handover, policy staff typically does stay involved in the IRTs and attends call and participate more, you know, as the other participants.

And at least in that role, you know, for example, on the mocking of a domain name - and, you know, I have provided input as well in saying, look, I recall that we actually discussed this and here are, you know - is the information.

So I think that would hope that all of that provides some continuity and some, you know, historical memory from at least the policy staff person that wasn't involved.

And that, you know, can then be backed up as well by - if there are any IRT members that were involved in the policy conversation. So, again, it will depend on the composition of the IRT itself. But I think, you know, an additional resource in that aspect is also the policy staff person, which I think the idea is that that person would also be involved in the IRT conversations, particularly from that perspective to provide that - the historical background and knowledge from when the policy recommendations were developed.

Chuck Gomez: Thanks, Marika. This is Chuck. And before I turn it to Greg - and of course, we're talking about having at least one member from the working group on the IRT. So that would help there. And the IRT could always decide to refer it back to the working group chair or something if that was needed. Greg, please.

Greg Shatan: This is Greg Shatan. I think that the suggestion you raise is an interesting issue in that the working group will have been disbanded. So there - you know, one could go back to kind of the working group list, but it doesn't really exist anymore. And I think that, you know, in my mind, the idea of the IRT is to kind of carry on the work of the working group.

And I suppose, you know, one could encourage the IRT if it felt, you know, that - the question of whether this was a policy question or not was, you know, beyond - you know, above their head, to go back to the working group or the working group chair. But the - even then, they - they're really - in essence, there's no working group to go back to at least technically.

And I guess there's the question of whether the IRT should always be the first touchstone to go back to rather than kind of bypassing the IRT and going back to, you know, some ghost of the working group under certain

circumstances. I would suggest that the IRT should always be the first step and that it should be, you know, up to the IRT - and maybe with some recommendations of - to seek further council on a question of - that relates to, you know, whether something, you know, is or may be policy.

Maybe it actually has to go back to the council rather than to the working group because the working group - again, because the working group doesn't exist. Thanks.

Chuck Gomez: Thanks, Greg. This is Chuck. And I think some of what you said probably can fit into the decision-making principles that we talked about in the previous bullet. We're just about out of time. I'm going to turn it to Marika. And then, let's do a wrap-up with action items and next steps and the - talk about the meeting next week.

And Marika, you took your hand down. So, okay. I'll give you a chance to talk when we're talking about the action items. The - so, on this particular bullet, additional mechanisms, please be thinking about that. We'll maybe briefly come back to that in the week - in the meeting next week if needed.

But if you can put anything on the list - if you think of additional mechanisms, that would be great to communicate on the list. I really, myself, like Greg's idea that the IRT be the first touch point there and that maybe going to the council, since the working group doesn't exist, would be appropriate, although, we don't want to make it too bureaucratic again so we have some flexibility and the IRT can respond in a timely manner.

So, let's talk about the action items. And help me out, (Mary) and Marika on this. One of them is certainly to - if you haven't done so - to look through the IRT principles and guideline step document and provide any additional suggested edits, comments, or questions on the list. And last week, after our meeting, I put my thoughts and suggestions on one of the documents that staff created.

But there's been no follow-up discussion on that. And I think staff's going to send out a reminder to comment on that along with another document that they've just about finished. And so you'll get a reminder on that. Let me turn it over to Marika.

Marika Konings: Yes, this is Marika. I think, Chuck, you basically already said it all. And just want to apologize again that we had a bit of delay on getting those documents out. As Chuck said, I think the next one is coming to you shortly after this meeting. And then will be the manual for the expedited PDP.

I think we're almost nearly done as well on the GNSO input process. So hopefully we'll have the three documents soon. And when we send those out, we'll also include the version that Chuck annotated on the GNSO guidance process. So hopefully, people can use that version to review and maybe add, you know, comments to the one that Chuck made or even look at suggested edits to that document.

Because, I think, once we have all the three documents out, we'll probably need to see it - what would be the appropriate time frame for setting up a call or dedicating one of the working group meetings to reviewing those documents and seeing if we can get them into a state that they're ready for inclusion in the initial report.

Chuck Gomez: Thanks, Marika. So as - just before we close - I will not be able to chair the call next week, but (Jay Scott) said he could. I will probably be in-between flights or maybe on a flight. So I may not even be able to participate, but (Jay Scott) will take the lead there.

The - and so, our meeting, same time, same station next Wednesday. And hope that we can get - let's really try to get some work done on the list so that when we have our meeting, we can use the hour in the most effective way

possible. Thanks, again, for everyone's participation and for your - in advance, for your participation on the list.

And a special thanks to - because everybody is so busy right now that it's crazy. So I recognize that and I'm experiencing the same thing myself. So have a good rest of the week. And we'll talk again. Meeting adjourned.

Group: Bye.

Terry Agnew: (Tony), if you can please stop the recording.

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