ICANN
Transcription
Standing Committee on Improvements Implementation (SCI) meeting
Thursday 6 December 2012 at 20:00 UTC

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http://audio.icann.org/gnso/gnso-sci-20121206-en.mp3

on page http://gnso.icann.org/en/calendar/#dec

Attendees:
Ray Fassett – RySG
Ronald Andruff – Commercial and Business Users Constituency - Primary
Wolf-Ulrich Knoben – ISPCP – Primary
J. Scott Evans – IPC Primary
Avri Doria – Non Commercial SG – Primary
Anne Aikman-Scalese – IPC Alternate

Apologies :
Angie Graves – Commercial and Business Users Constituency – Alternate
Mary Wong -NCUC
James Bladel – Registrar Stakeholder Group - Alternate
Jennifer Standiford

ICANN Staff:
Marika Konings
Julie Hedlund
Glen De Saint Gery
Julia Charvolen

Coordinator: Excuse me, I'd like to remind all participants this conference is being recorded, if you have any objections you may disconnect at this time, you may begin.

Julia Charvolen: Thank you, good morning, good afternoon, good evening, this is the Standing Committee on Improvements Implementation Meeting on Thursday, 6 December. On the call today we have Ron Andruff, Wolf-Ulrich Knoben, J. Scott Evans and Anne Aikman-Scalese and Avri Doria. We have apologies from Mary Wong, James Bladel, Jennifer Standiford and Angie Graves. And from staff we have Marika Konings, Julie Hedlund, Glen DeSaintgery and myself Julia Charvolen.

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

Wolf-Ulrich Knoben: Thank you very much and let's step into the agenda, anything to disclose regarding the statements of interest (agenda), so let's ask for the approval of agenda, is there anything to amend, anything to add? Everybody satisfied, thank you. So let's step into the agenda so the first point which is chair and vice chair election that you have been talking sometime about.

There is a proposal at the table for the process to elect chair and vice chair and at the time being we have so far two candidates for the chair, the one is Avri and the other one is Ron Andruff. So I put a proposal to the table how we could proceed with the election which mainly should be under (Sue Bellington), so Glen and so we could talk about how we - if that is what you expect, how to deal with it and if you have any comments then what is proposed here at the table I can briefly go through.

It means everybody else as it was in the first - at the first time when we had elections everybody else, the members and the alternate member shall have a vote which means we have 13 votes at the time being and a simple majority

should be for the winner of the election and the one who gets the simple majority should be the one elected and the other candidate should be then the elected vice chair. There's a draft for ballot that you can see on the screen and so that is how we should proceed.

Only the question is we could start if you agree immediately after the meeting so that again we send out the ballots and we should start a deadline we could talk about normally it would be put I think almost one week or so, you know, for that to be sent and but that is open and any comment is welcome. Is there any comments from your side to that, any question, any comment, any additional proposal? So that seems to be...

Julie Hedlund: Wolf-Ulrich this is Julie Hedlund I'm sorry, I see Ron Andruff has his name...

Wolf-Ulrich Knoben: Yes I just saw him, on please.

Ron Andruff: Thank you Wolf, I was just considering the role of chair, vice chair no one knows how this looks here in the goal, but I did want to ask Avri if she was - because she's now already been two years as vice chair if in fact, if this were to go out of the way and she (would be) happy to put in another two years in either role just to concern that, I assume that's the case but, you know, I would assume just wanted to confirm that with Avri, thank you.

Avri Doria: Hi this is Avri.

Wolf-Ulrich Knoben: Avri yes?

Avri Doria: Yes I mean I don't - I guess it's only one year unless it gets renewed and so yes in agreeing to Ron, you know, I guess there's an assumption that I'd loose but assuming I'd loose, yes I'll do another year as vice chair, that's not a problem.

Wolf-Ulrich Knoben: Okay so yes okay for our understanding what we agreed upon last time is we would like to elect a chair for one year with the option of an extension to a second year, so that's (unintelligible). Okay anything else?

Julie Hedlund: Wolf-Ulrich this is Julie Hedlund, I would just note an easy change to the ballot form that I or Glen could make, we do say the ballot form would list the two nominees in alphabetical order currently there or not, Avri is listed first and Ron is listed second, unless you are counting them as being listed by their first name in which case it would be in alphabetical order, not by last name.

Wolf-Ulrich Knoben: So - oh yes I did it only just on the first name so is that agreed? Okay I don't see any problem with that, so how about - (and then) Julie, how about the election period (of this) usually to be done, so do we have one week - so we have one week so I thought that would be let me say by Thursday of next week to send back if it's okay.

Glen DeSaintgery:Wolf-Ulrich this is Glen.

Wolf-Ulrich Knoben: Yes?

Glen DeSaintgery:It normally shouldn't be shorter than one week.

Wolf-Ulrich Knoben: Okay.

Glen DeSaintgery:That seems to me that Thursday of next week would be all right.

Wolf-Ulrich Knoben: Okay so let's put the date from - of next Thursday with a ballot and then please Glen you should send it out to the 13 voters, yes?

Glen DeSaintgery:Yes I'll do that straight off the call board for voting.

Wolf-Ulrich Knoben: Okay thank you very much.

Glen DeSaintgery: And I'll put in the date.

Wolf-Ulrich Knoben: Yes please, yes okay so then it's this item is done right now, so the next item on the agenda is if this regards to the fill of motions - I remember from the last time that we had this already agreed upon because there was just an addition which is done by J. Scott, you can see it in red in the affirmative or the negative.

And it was decided that I the chair, I should write to the Council what in - so just as the result of our discussion it was account there should be no motion to the contrary to discuss that, but it's just a report from us to the council about this resolve and then okay leave it, that recommendation leave it to the Council. So that is still open that is what I have to do, I will do that so it shall be available to the Council for the next meeting on the 20th of December.

Do we have anything to talk about with regards to that item? I don't think so, there's also no comment on that, no, so that basically I will do that and circulate that and send it to the Council. Let's go to the next item which is the outtake on public comments on the changes to the PDP manual for suspension of a PDP and Julie will just (bate) us about the update.

Julie Hedlund: Thank you Wolf-Ulrich, this is Julie Hedlund the reply comment period closed on the 3rd of December, there was only one comment from the registry stakeholder group, it was in support of the change. So the next step would be that the (SEI) would consider whether to send a motion to the GNSO Council for consideration at its next meeting on the 20th of December. The motion deadline is next Wednesday the 12th of December.

I have drafted a draft motion, the motion would provide the background for the change that would indicate that the (SEI) deliberated on this change and came to a consensus and proposed a revision of the PDP manual that was put out for public comment and listing a public comment period I have this

motion which may be difficult for you to read because it's fairly small type up in the Adobe Connect Room.

And of course all changes are welcome and the result would be if the, you know, would be whether the Council would then adopt a motion in which case the PDP manual would be revised, it forms part of the GNSO operating procedures, so those also would be revised and posted if the motion was approved.

Wolf-Ulrich Knoben: Okay thank you very much, indeed my question is so we need at the end a motion, the Council needs to approve a motion about that because it's PDP related isn't it - is that the reason why?

Julie Hedlund: This is Julie Hedlund, I need the motion because I need changes to the GNSO Council operating procedures require a motion because the PDP manual forms part of the procedures the GNSO Council has to move to adopt those changes.

Wolf-Ulrich Knoben: Okay.

Julie Hedlund: And I see Anne has her hand up.

Wolf-Ulrich Knoben: Yes, Anne please.

Anne Aikman-Scalese: Yes this is Anne Aiman-Scalese with IPC, my question is what is the mechanism by which a PDP is resumed in the PDP manual after being suspended or deferred - what does it just require a vote of the Council, are there instructions from the Board - how is the PDP resumed?

Wolf-Ulrich Knoben: I think that there are maybe several steps but Marika is the expert please, Marika please.

Marika Konings: Yes this is Marika, I think there is something in the PDP manual as well that
                    talks about it, it should indicate when it would be resumed, so basically if you
                    suspend or I think we've done it in the previous occasion as well that if you
                    don't immediately start you need to extend a clear date as well when you
                    recommence, I don't think it requires a interim vote, but basically a motion to
                    suspend should include anything that's been done with the previous motion
                    as well should include a clearer date, why the Council either reviews the
                    situation or commences again.

Julie Hedlund: And I - this is Julie Hedlund I am in the process of trying to bring up that
                    section of the GNSO Council - of the PDP manual which does speak directly
                    to this and if you'll give me a moment hopefully I can quickly find that.

Wolf-Ulrich Knoben: Oh yes thanks Julie, that would be helpful thank you very much because
                    that's what - what would I need would be this valve so in explaining about
                    because normally I understand if I put it forward to the Council not everybody
                    is very deeply informed about the PDP and so specialties about that. So that
                    would be helpful if you put that to the (create) screen and then it is (sent) for
                    me.

Julie Hedlund: Yes I think it is - this is Julie Hedlund again, I think it is indicated in the same
                    section where the suspension appears, that is in the section termination for
                    PDP prior to final report. Let me see what it says here if I can quickly, okay
                    and this may not be exactly your question Anne, I may have to have you
                    repeat it but that section does say, if there is no recommendation from the
                    PDP team for its termination, the Council's required to conduct a public
                    comment forum first prior to conducting a vote on the termination of the PDP.

                    But your question was a little bit different - would you mind Anne repeating it
                    for me?

Anne Aikman-Scalese: The question - this is Anne again, relates to the mechanism in the
                    PDP manual that we would be proposing for resumption of a PDP that is

suspended. In other words - and I'm sorry if I don't really remember our exact language about the suspension and the cause for the suspension...

Julie Hedlund: Yes let me...

Anne Aikman-Scalese: ...resumption of the PDP may occur.

Julie Hedlund: Let me - this is Julie Hedlund again, let me put that language from that section into the Adobe Connect Room quickly, let me try to put it in a document and save it.

Wolf-Ulrich Knoben: Okay Julie in-between Avri has a comment please.

Avri Doria: Yes hi this is Avri, I think it's actually an extremely good question and in fact I don't remember us having actually dealt with that issue. I mean when we had the last one - the one example that we had that brought this question up of how does one do it, I think it was actually put in the motion of when it would be reviewed or when it would restart.

And I confess I didn't reread the PDP section before this meeting to check but I don't remember us actually having anything in there specifically about resuming a PDP, so either my mind has gone blank with age or we don't have something.

Julie Hedlund: Anne this is Julie Hedlund just for everyone's record I've put the terminology of that Section 15 termination of a PDP prior to final report in the Adobe Connect Room, this includes the new language on suspend, I'm sorry I don't have it highlighted in this section but essentially wherever you see the word terminate it says terminate or suspend or termination or suspension and then there's a footnote which I haven't reproduced here that describes what a termination is.

Maybe it's that - I should put that footnote in too, sorry for this but I see there's - Wolf-Ulrich, while I'm doing this there's - I see Marika has her hand up as well.

Wolf-Ulrich Knoben: Well I - yes before Marika if you look to the footnote maybe that is kind of something because it says that all activities in case of suspension all activities are halted upon a decision of the General Council until further notice, so maybe Marika can explain what does this mean.

Marika Konings: Yes this is Marika and I think exactly it's right, I think the footnote gives the basic indication that it talks about suspensions of time intervals and the assumption there is that indeed the motion for suspension and exactly what Avri says it is well previous occasion where we had that specifically called out, you know, what will be the timeframe at which point the Council would, you know, resume it again.

The assumption here is and, you know, it's not specifically spelled out but I think it's a indirect as well following from the footnote where it's basically until further notice and that notice is basically included in the motion because I think the normal occasion would be where you suspend as said, it's calling out specific reason so it's either, you know, circumstances have changed so either broader information needs to be gathered or changes need to be made when you want to - and then you indicate by when that happens.

Lack of community volunteers, again there you might build, you know, until more resources are available to do so. So I think its as Wolf-Ulrich said, it's basically contained in the footnote that it says time intervals or it needs to be indicated as well - the Council takes - basically decides when the further notice happens.

Julie Hedlund: This is Julie Hedlund, I put the footnote in the Adobe Connect Room for our reference.

Wolf-Ulrich Knoben: Yes thank you, thanks very much so that's what I understand, normally what I would understand so is okay it's - the activities (a hold on them) and if somebody comes up from the Council at anytime and would like to pick out again or to reissue the PDP then it's going to be done. Or the other way as you mentioned Marika, if the Council by suspending the PDP already includes in that motion a timeline, so what time it could - it should be assumed then its clear enough.

But okay anyway I see two, Anne at first and then Avri and then Ron please, Anne.

Anne Aikman-Scalese: I got - this is Anne again, what I'm questioning procedurally is that there appears to be a bit of a gap in particular because the GNSO could suspend and then the ICANN Board would be stuck with respect to policy matters of its directing the GNSO to address and it doesn't, you know, appear even that the ICANN Board would have any authority to direct GNSO to resume the PDP - or they probably would have the authority.

But we haven't acknowledged that or provided for it, so in other words does it take a super majority - I mean it doesn't say that you have to specify a date for resumption, it doesn't say that, you know, you can't suspend impermeably, it doesn't say that it's subject to direction from the ICANN Board and so it seems to me that it creates the possibility of a total stalemate or total blocking, a total inability to get work done that the Board may need.

Wolf-Ulrich Knoben: Okay thank you very much for this comment, Avri please.

Avri Doria: Yes hi this is Avri, I think she's absolutely right it sounds like we need to take this back to the writing board and act not that the Board - I mean to the drawing board, but I said writing instead of drawing and basically deal with those questions of, you know, A, one has to put something in that indicates a restart date or, B, it's upon a majority vote or whatever of the Council, or C, etc., but I think she's absolutely right, I think we do have to put away for

resuming it into what we're doing in the moment and I'm really glad you brought them up, thanks.

Wolf-Ulrich Knoben: Uh-hum, next Ron please.

Ron Andruff: Thank you very much I just had to get off mute, thank you Anne for bringing that up that is - it sounds funny we all kind of lined up very quickly to support Anne's recommendation because in fact there really are a couple of elements there that - Avri brought up, you know, this open-ended ability to suspend a PDP really you got to expose that with so - as much as I thought we'd more or less check this one off the list, I think it really has to come back again and I think the rest of the language looks fine, particularly this footnote.

It's just the issue of now of nailing down exactly what we mean, when a suspension takes place how long that suspension can happen until I brought back onto the table. And I for one am anxious to not see this as a way for one constituency or stakeholder group to lock something that has meaningful import to the rest of the community. So I'm not sure how we handle it but I do know we need to take this back and get more thought to it, so thank you for bringing that to the table Anne that was really precious, appreciate it - thank you.

Wolf-Ulrich Knoben: So from what I understand right now is that it seems to us here that this explanation in the footnote which means until further notice this is the one good point which should be more defined, so in that sense to get the guideline how and which way and to what extent and at what time the PDP maybe to assume this (ballot) - let me refer to Marika.

Marika Konings: Yes this is Marika, I think we're slightly over thinking this because I mean if the Council wouldn't want to do the work why would they suspend, they would just terminate. And the reason why this is such a high vote or why the voting pressure (lists all of those) specifically for that reason. So if there is

super majority support or support across the Council that it needs to be terminated or needs to be suspended for various valid reasons.

I think if there's a question that the Council doesn't want to do the work my - I would suspect they would just terminate PDP and I think that's more of a question of a dialog between the Board and the Council, I don't think you can write a case like that into the procedures. Again I think the same thing with the suspension, I think it's implicit, you know, the PDP manual are guidelines, those are not requirements.

It's a guideline on how the follow the process, so I think of course we can write in that suspension needs to include a timeline for when it resumes, but I think it's as said, as Wolf also said I think it's implicit in the footnote - you have a time interval so you need to identify the time interval and again if there's super majority support you would hope as well if people really want to do the work but there are very specific reasons why it can't proceed at that point in time that those that have initiated work will actually process well for a specific timeline or indicate well we don't need to do this now, let's look at it again in two years time.

And I think trying to write all the details in here I think it's not going to be very helpful because I think you take away the flexibility that the guidelines currently provide and again I think we're trying to foresee circumstances and I'm not really sure you can buy into the PDP manual as is. And on top of that, you know, I find this a pity that we've come to this discussion now after we've worked on this for so long, this has been for public comment and we're basically, you know, about to send this issue out but it's - I don't know, a surprise that it comes at such late moment in time.

Wolf-Ulrich Knoben: I understand, well it's really maybe so its okay, it helps us well, this discussion. Anyway but so, you know, let's just previous think back, you know, why we did that, you know, we put in the suspension because we had a - there was a feeling that there is something which doesn't mean

termination and this is suspension. All that means - a suspension means okay it's kind of (haulting) which should be taken up so I also I really understand that.

And I would also see because we have these two elements in the PDP which now means termination or suspension and so then there is a difference. So suspension in itself means that there should be something to be assumed again so that's - from my personal understanding so everybody should understand that there is something, the only person is what does he mean, how long and so on. And the question is then, should we put that into that PDP or not but that is just coming from my part here and so different use.

And it's further that you did agree also you don't have your hands up - hands raised but do you have any comments on that again?

Marika Konings: Thank you Wolf-Ulrich, no more than I've already made. I think it requires clarity in that we should get it right rather than be concerned about whether it's been out for public comment before or not.

Wolf-Ulrich Knoben: Okay Ron Andruff and then J. Scott.

Ron Andruff: Thank you, my point is just simply that I appreciate Marika's comment because this is one of those things that we thought we had kind of dusted, but the reality is here all I would like to see is some timeframes so that no one can get in the system. I figure we close that loop we're good to go, but it's really a discussion about timeframes in my view and once we have a handle on that and I think on the next call we can probably nail that down it will just be some thought between now and then.

So as soon as that has been done and the timeframe has been established then I think we check (ourselves), so that's really my question and I just wanted to reiterate that it's (just a timing) question for our side, thank you

Wolf-Ulrich Knoben: Okay Ron timeframe is your item and J. Scott please.

J. Scott Evans: Thank you Wolf-Ulrich, this is J. Scott Evans, I think that it's implicit, I don't think we need to micromanage every detail, I think it - I see in point but it seems to me the footnote says that if suspension is a temporary succession of the PDP and a mirror, you know, and it says - it seems to be a simple motion from somebody who wanted to reengage the - resolve would be needed at the point whenever point it would be needed.

And I think there would be different timeframes depending on the situation, so that's sort of what I think, I don't think there's a need to micromanage this and put down exactly how it's done because then people just fall over themselves when things are done incorrectly. I think we just say a suspension is a possibility, well how do you get a suspension, someone's going to have to move (or I suppose to) suspend it and that's going to have to be approved by the Council. It seems to me that the same procedure would be followed to lift a suspension.

Wolf-Ulrich Knoben: Uh-hum, thank you J. Scott I have Julie and then Anne.

Julie Hedlund: Thank you Wolf-Ulrich this is Julie, I just want to note that if we make, you know, if this group decides on any type of change that is substantive and I think that really means anything more than perhaps a correction or dotting an I or crossing a T meaning that if we put in a specific time - limiting timeframe then it's my understanding this would have to go out for public comment again.

The public comment minimum time is 21 days which actually brings us into the Christmas Holidays, we would probably want to do a longer comment period to take into the account that people will not be around probably like 30 days, so that would not start until after the end of our next meeting which is December 20 and would probably go into mid - next year before we have a

determination and then there would be a reply comment period if we had any substantive comments, just a point of procedure.

Wolf-Ulrich Knoben: Yes thank you very much Julie, it's helpful so to see that and to look at this as well, anyway but we have to be clear between us here so about the content so everybody is on the same level so and so if we come to that point we have to think about okay should we or should we not modify that, then okay we will come to that point maybe but anyway let's just (cut it first). And you were next Anne, yes.

Anne Aikman-Scalese: Yes thank you Wolf-Ulrich, this is Anne again, with respect to assuming how this might be resumed, Avri raised earlier the question of whether it would be resumed by a super majority or by a majority. It sounded as though what J. Scott was saying is that we all assume that it would be resumed by a super majority vote, I don't think that's necessarily clear.

And then the other thing I keep struggling with here is assume that there is no agreement to ever resume it, that there's no for example super majority vote to resume but this puts the GNSO in the position of simply saying no to the ICANN Board if it's a Board initiated PDP the Board says to the GNSO develop this policy-wise, give us the results. If there's a super majority vote to suspend and that's indefinite "until further notice," this puts the Board in the position of having no response from the GNSO, its policymaking advisor, I don't see how that is workable.

Wolf-Ulrich Knoben: Did we see that correctly with regards to the voting threshold in this case so that means suspending needs super majority and assuming (as well), so from my understanding was - I was understanding J. Scott that means okay a simple motion could be the one which is - which for assumption and a motion means normally a majority. But okay maybe I'm wrong, so if there is someone else, you know, who could clarify that (but we go to that), Avri please.

Avri Doria: Yes I don't know whether you're right or wrong and that's just the issue without - I think these are both - I think it's easy to solve in a sense if we make a decision, I think Julie's right we do have to put it back through. I think we just, you know, admit that, you know, at the last minute somebody - Anne basically saw a hole in it, I think it's easy to say it should either include, you know, a time for resumption or resumption is by a majority vote and if that's what we think is the right answer.

But I think if we don't say something then exactly it gets to the question of, okay how do we do this and then if you have part of the Council assuming well to stop it took a super majority so it must take a super majority to restart it as opposed to but no, no, no, no, no, it really should just be a majority if the - why create that problem for them if we see the problem now and it is a relatively easy thing to fix, yes it does take another pass through the review and, you know, too bad we sent something out before it was cooked, nobody saw it in review.

Its good that somebody caught it before it got stuck in there and all of a sudden we had created a problem for the Council. So I think it's unfortunate we got here I agree, but we got here.

Wolf-Ulrich Knoben: Uh-hum, uh-hum, uh-hum, okay maybe Marika can please.

Marika Konings: Yes this is Marika, maybe just to explain to indeed what happened with the previous instance where we had a suspension where we need - had a vote of the Council, that's when we didn't have these rules yet so I think a simple majority vote and I think they basically said we're - this PDP will continue I think at the end of November, they put a date in there.

And that was actually sought on the assumption that on that date it would just restart, but then circumstances had changed and then the Council actually decided to start earlier. They didn't need to take a vote on that, they basically

just decided with, you know, consensus going around the room does anyone object that we actually start earlier that you go ahead.

So my understanding of the rules as mentioned here is indeed that there would be a vote that has a super majority on the suspension of the PDP and as I think the footnote spells out it says clearly suspension is a time interval, so that implies to me that you suspend for a certain time interval and a time interval would be indicated in the motion you put forward as that interval.

And of course the Council has another opportunity to say it needs to be suspended for a longer time for whatever reasons or maybe for that point in time they - there's no more need for the PDP so they might decide to actually to terminate or if nothing else it would automatically start again based on the time interval that has been set.

So again, you know, my view is I think it's already contained in the footnote that the suspension is a time interval and that of course needs to be specified then when the vote is taken on the suspension, but if people feel very strongly that that is not clear enough, you know, it's up to you then to suggest some additional language to further clarify that.

Wolf-Ulrich Knoben: Uh-hum, thank you very much Marika, so we have still as I understand some uncertainty here, so basically we got to what could happen in the case so if something is suspended it's a real let me say chance given or to assume that and to what extent and how is it done. So I - on the one hand so I personally I understand so if well what is written so that okay it is suspension in itself is something which means it should be resumed again so that's clear, that's clear for that.

So the only question is shall we describe here that the Council should put in a time interval or a timeframe at what time this PDP should be assumed again? So this is the specific question I have - should that be put in or should be more specific details put into that description? J. Scott please.

J. Scott Evans: How about if we just insert the term stated in the footnote so it now reads, suspension is a stated time integral during which there is a temporary suspension of the PDP? I don't think that would need to have to go back out to public comment because it's merely clarifying and it clearly states that that has to be stated.

Wolf-Ulrich Knoben: Okay.

J. Scott Evans: So in other words at the end of that stated period it would resume.

Wolf-Ulrich Knoben: I understand, so that means suspension is a stated time interval during which - and so that's your proposal. What do others mean - Anne please.

Anne Aikman-Scalese: If we do that how do we clarify the issue of majority or super majority to resume or it doesn't matter at that point because...

J. Scott Evans: I think it automatically resumes when the stated time period comes in, it's suspended for six months from the super majority vote and then after six months it starts again.

Wolf-Ulrich Knoben: So if, you know, I understand - I would understand the same Anne, so in this respect so otherwise, you know, if somebody is looking for okay to terminate that that it should look for a termination vote on that. On the other hand if it's a stated time it means the Council has a stated time (involved in that) - six months or a number of months and then automatically it's going to be assumed or the Council is extending that suspension period as well.

Woman: Is that period in any way subject to direction from the ICANN Board or not at all subject to direction from the ICANN Board?

Wolf-Ulrich Knoben: Well in any case well if that is, you know, if there is an originator outside the GNSO I understand in any case that something has to be communicated

to the originator of that what is going on in-between and why we are doing that. So if it's a rational has to be given anyway but okay others - J. Scott are you still - do you have your hand up? J. Scott, no - then Ron please.

Ron Andruff: Thank you Chair, no I certainly agreed with the path that we're taking right now, if there is - if J. Scott's suggestion that minor edit doesn't have to go back to public comment as far as I see it and adding the word stated of, you know, (is not an) issue for me, it's really a question here about making sure that no one then can move to get a PDP suspended indefinitely. And (I think that) all of the language we have is there, I also agree we shouldn't over-think this and try to over engineer it to - there's too many things that are not functional.

Our job is to (around it) - not be - to resolve to make this thing round and I think that's a simple way forward, it's a light approach and it solves the problem we need. The key here is obviously nobody should be able to capture or push this thing off because they don't happen to like what's coming down the pike and I think we've got that. So for my part I fully support what J. Scott said.

Wolf-Ulrich Knoben: Okay I see also on the chat (unintelligible) going to do that, are there principally objections to that or of any - or any other proposal say from others who could be in a way which we could say think about it should be done. Otherwise I - if there is nothing, so I do not see an objection to that. I would suggest that we put then into the footnote that what J. Scott was saying, so amending that to the suspension is a stated time interval during which there is a temporary sensation of the PB, etc., etc.

Julie Hedlund: Wolf-Ulrich this is Julie Hedlund, if you like I can send that language to the list and ask if there are any objections and then we can proceed accordingly or not with the motion.

Wolf-Ulrich Knoben: Yes that would be helpful - so when is the motion deadline for the next Council meeting, Julie?

Julie Hedlund: This is Julie Hedlund, the motion deadline is next Wednesday, December 12.

Wolf-Ulrich Knoben: Next Wednesday so that would be helpful if you could send it out immediately so and ask let me say any objection or comments on that by I would say the Monday - by Monday next week. So if there is no objection then I would put it forward to the Council as a motion then, okay?

Good then let's do it that way, thank you. It was helpful though and it shows me that we have to really to think about in some more detail sometimes, but it's also helpful if somebody looking into that once again, thank you very much. So the next point was writing an issue which was to my understanding was also solved because we were of the opinion to support and maintain the status quo - anybody else want to comment?

I don't see any comment on that so that's what I would like to then put forward as well to the Council. And yes Ron thank you very much, so then let's go to the last point is the status update on the working group survey. So Julie provided us and put it on the Web and then (it out to us) to check the surveys we have so far, I've tried to (under) that - I don't know whether others did and maybe Julie can update us, please Julie.

Julie Hedlund: I thank you Wolf-Ulrich, I have to apologize I realize I did not go in and see who actually has taken the survey thus far but my point in putting that out there was that it would be useful if the members of the (SEI) could test the survey and see if there are any amendments or changes or clarifications that I could make to it before we put it out to one of the working groups. I think we had suggested the IRTP Part B and Marika can correct me if I'm wrong with the part that was.

But I thought it might be useful if members of this group could test it out before we put it to a wider audience, but that's certainly up to all of you to decide if it's necessary.

Wolf-Ulrich Knoben: Okay I will do that already and Ron please.

Ron Andruff: Thank you Chair, the - I went back and looked at that - I'm sorry, I went to the SCI page that we use our Wiki and then I went to look for the latest guidelines and for some reason and I'm not sure if I've found the right ones or not, but it seems to me these guidelines are coming from Version 5, February 2010, is that our latest guidelines for working groups?

That's my first question to staff and my second question is if in fact this is the working group guidelines that is our standard issue at this point in time then why are we not emailing this to everyone in a working group when they join that working group right from the get go? Or maybe we are and I'm just not aware of it, but I've worked on - have been on many working groups and I'm not aware of having received the working group guidelines in the past when I joined a working group, so those are the two comments I wanted to bring to the table Chair, thank you.

Wolf-Ulrich Knoben: Okay thanks Marika can clarify please.

Marika Konings: Yes this is Marika when working groups start - I think that is the latest version you're referring to if it's from the GNSO Web site. And basically what we do when a working group (can't solve), we typically send them all the required materials for reading which include the working group guidelines.

And in addition to that at the first meeting we take them through all the required reading materials, so for PDP working group that includes as well taking them through the PDP manual and the requirements, also outlining to them the working group guidelines and which sections are in there and of relevance to their work.

So we do try to do that at the start of the working group, you know, of course we cannot force them to read it but we do point out to them that they should read it and as well and in the first meeting everybody try to, you know, go through it and, you know, point the main elements because some parts in there of course are focused on developing charters which are many relevance when we have drafting teams so then we focus on that part.

If it's a working group, for example a PDP working group we focus on those sections that are more focused on the workings of the working group and how consensus, it's effect and how they can, you know, object to, you know, voting of the chair and those kinds of things, so that is being done.

Wolf-Ulrich Knoben: Okay Marika and there was a question when we got a diversion (unintelligible) instruction.

Ron Andruff: So Chair may I just make one more comment, I'm sorry it's Ron.

Wolf-Ulrich Knoben: Yes Ron I just added your question with regards to the - actually of the Version 5, Number 5...

Ron Andruff: (Unintelligible) Version 5.

Wolf-Ulrich Knoben: Marika?

Ron Andruff: So...

Marika Konings: Yes this is Marika, the latest version and I'm not really sure because I don't think if you have Version 5 maybe that was one of the versions we're actually reviewing, but the latest version and I'll post a link for you now, yes it's actually - no it's Operating Procedures, Version 5.5 and then annex was Working Group Guidelines. So I'll post the link now in the Wiki here but for those kinds of documents the best place for final versions is actually to check

the GNSO Council Web site I think under Ongoing Work, Council Activities, Procedures.

And that's where you have the Operating Procedures, the PDP manual, the Working Group Guidelines and those are basically the latest versions of those documents.

Wolf-Ulrich Knoben: Okay thank you very much, Ron please.

Ron Andruff: Thank you Marika that's excellent because I think that's the tricky part and the document I saw was about 63 pages so that is not - I think if you read it I think it's for people who come in new to ICANN, so I'm not sure I'm going to get that reading and come back our next call and bring more to the table, but mainly there's something we can do to edit that somewhat and bring that down to a more manageable piece of documentation.

On the other hand if in fact we need 53 pages to explain to people what their job is in these working groups than by all means we need to keep it, but thank you for putting that to the list and I will be looking at that and coming back with comments on it in the future time, thank you very much.

Wolf-Ulrich Knoben: Okay thank you very much, (unintelligible).

Marika Konings: And this actually just post as well because exactly to that point but what we did do is prepare a summary of that. So I posted that link as well and that really focuses on working group members. So sorry if you look at that I think that document is only four pages that tries in a nutshell to, you know, summarize the main sections in the document, but so emphasize it of course, you know, people really should look as well at the full document.

But again I think this is indeed exactly what, you know, the (SEI) is past with this as well if you feel that indeed working group guidelines are too long, things should go out, they're out of date, you know, is the summary is that

sufficient, should a change be made, should we look at, you know, developing this special training for it? I think that those are all things that are within the (SEI)'s remit to look at and, you know, make suggestions on how we can improve that.

Because, you know, I do agree we do take working group members through it at the start of each working group but, you know, it's very difficult to make this more interesting or more, you know, lively and from what I'm reading to encourage (unintelligible) to read it so, you know, any suggestions there I think that the (SEI) should be - from what (I'm seeing) to take those off.

Wolf-Ulrich Knoben: Uh-hum, uh-hum, uh-hum, okay any further comment? Not yet, so then the question is what shall we do with that survey, those of us a proposal to send it out to the IRTPC working group members or in addition to others. Why shouldn't we start right now within this (PCI) IRTPC or if Julie well what is your deadline - did you give us a deadline for answering the survey - I mean the (SEI) members when you would like to have an overview about...

Julie Hedlund: This is Julie Hedlund, I did not - I just hope we could discuss whether or not the (SEI) members here today thought it was necessary for them to cast a survey to make sure they thought it was clear. If people would prefer we can simply send it out to the IRTPC members and in the case that we would like to get their feedback on it, whatever is your preference.

Wolf-Ulrich Knoben: Yes okay it's my personal preference to say okay let's start because we have also to learn starting and doing things, but okay I'm open also to others and let's see Ron with a comment please on.

Ron Andruff: Thanks Chair, I would suggest that it might be a good idea for all of use on the (SEI) to actually review the guidelines themselves and then fill in this form before it goes anywhere else. Our job is to really do the - as I keep saying, you know, the light touch but knock the rough edges off, so I think before we send this on to anyone we need to do our homework.

And so I would recommend that we post this out for our committee to review between now and the next call so that when that - when we get on the next call we've all read the guidelines and we've had a chance to do the survey and we'll have concrete examples of things we like and don't like to try to find a better document or perhaps just sign off on the one we have and hopefully that's what we're going to do. But I think it's really important that we do that exercise before we send to someone else, thank you.

Wolf-Ulrich Knoben: Okay thanks Ron it's a good proposal actually personally I found someone to do that already so mine is in the hands of Julie and I would like to encourage you all to do that. So well then let's do that in that respect, so under the next meeting then Julie shall come back with the results of that and so then we can send it out after the next meeting, that would be helpful.

So that brings me to that point, the question when the next meeting shall be - we still have right now it's the 6th today on the 20th there shall be a Council meeting, is that - would that also be feasible for the other? For me it could be - could be done on the 20th as well to have a meeting, but I have to check when the Council meeting should take place, what time is it.

Julie Hedlund: Wolf-Ulrich this is Julie Hedlund, the Council meeting is at 1500 UTC.

Wolf-Ulrich Knoben: Okay yes so and then the (SEI) could be later on.

Julie Hedlund: That's right, this is Julie - the (SEI) then would be later in the day or in the evening for (unintelligible).

Wolf-Ulrich Knoben: Yes and is that agreed any other proposal to that? So then lets fix that for the 20 - same time as now and coming back with the - this survey, yes. Okay and then also we can also close the other items, so I will provide for the deferral of motions and for the - one of the other items that was the creating

an issue I would give a report to the Council on that and then the other items can be closed for next time I think so.

Okay so is there anything else so that would like to discuss? I don't see anything so now it's time then - then thank you very much and good bye.

Man: Thank you all.

Woman: Thank you.

END