GNSO
Operations Steering Committee Community (OSC)
Constituency Operations Work Team
12 February 2010 at 13:00 UTC

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http://audio.icann.org/gnso/gnso-ops-20100212.mp3
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Participants present:
Michael Young – Vice chair
Claudio Digangi – IPC
Chuck Gomes – Registries Stakeholder Group
Tony Harris – ISPCPC
Rafik Dammak – NCSG

ICANN Staff
Julie Hedlund
Glen de Saint Gery

Apologies
SS Kshatriya – Individual
Victoria McEvedy – IPC
Olga Cavalli – NCA – Work Team Chair
Zahid Jamil – CBUC
Krista Papac – Registrar Stakeholder Group
Debra Hughes – NCSG

Glen De Saint Géry: Good morning, good eve - afternoon, good evening everyone. On the call we have Michael Young, Charles Gomes, Claudio Di Gangi, Rafik Dammak. And for staff we have Julie Hedlund and Glen De Saint Géry, myself. And Tony Harris has just joined us.

Tony Harris: Good morning.

Charles Gomes: Morning Tony.

((Crosstalk))

Glen De Saint Géry: So over to you Michael. There is an echo on the call which I will try and ask the Operator to get rid of.

Michael Young: All right thank you. So, I think we're on Subtask 2 if I recall correctly. And that's where we have a series of comments in here. Julie, do you want to walk us through what we've done with the comments that came in over the list?

Julie Hedlund: Yes. This is Julie. Michael I should point out that actually Rafik's comment relates to Subtask 1. Do we want to address that first?

Michael Young: Absolutely. Let's start with that.

Julie Hedlund: Okay. Thank you. Let me bring that up. So Rafik's comment is to Subtask 1, Section 2, Paragraph F. And he has amended the language. Shall I read the paragraph with his amendment?

Michael Young: Please do.

Julie Hedlund: It reads in the case of rejection of an application or a dispute in connection with an application, the applicant may lodge a complaint with the ICANN Ombudsman and the insertive languages if the group accept and valid Ombudsman as neutral and no biased third parties.

And then the rest of the paragraph reads, the process for lodging a complaint with the Ombudsman is set forth in Article 5 of the ICANN bylaws and in the Ombudsman framework available at, and then the link is inserted.

Charles Gomes: So I don't understand the language there. If the group accepts what? And what does it mean valid Ombudsman and it just - the - it may be Rafik that what you're suggesting is fine but it's not making sense to me. Maybe you could explain what you're trying to get at here so we can just fix the wording.

Rafik Dammak: So, as I see the Ombudsman is for kind of arbitration okay in some cases. So I think in arbitration that both parties (walk) directly about a neutral third party. So by default I think if each group will accept the Ombudsman at - as neutral parties that's why what I try to write in that part.

So it just if every group would accept or not so it will depends to the group at the beginning maybe to be return the charter so they accept that job Ombudsman as the third party or not.

Charles Gomes: So what you're suggesting is is that the stakeholder group or constituency involved would have the option to use the Ombudsman as a neutral and non-biased third party. Is that right?

Rafik Dammak: Yes.

Charles Gomes: Okay so, we - just to - if the - we might want to be specific and say if the stakeholder group or constituency because those are the two groups we're talking about right?

Rafik Dammak: Sure.

Charles Gomes: Except the fact we may want to just state this option totally separate to make it as clear as possible. And then the rest of it Rafik, so if the constituency or stakeholder group accepts the Ombudsman as a valid and neutral non-biased third party. Is that the - did I capture that right?

Rafik Dammak: Yes.

Charles Gomes: Okay. All right. Now I understand what you're getting at. That - and so we just I think - does everybody else that - do we - I guess we can discuss whether - the merits of that.

So by the way Rafik, one more question before I let others talk, would - what would happen if they didn't accept the Ombudsman as the neutral third party?

Rafik Dammak: So I think that this idea that we reject provides recommendation to the groups (unintelligible) constrain. So in that case, it is up to each group to choose by default an Ombudsman or to choose another third party if (what they would buy).

We can just recommend like not - so to suggest not to automatic think recommends to - can be kind of (unintelligible) suggest. (Unintelligible) it's up to each group to select the (AC team answer) third - not third party or not.

Charles Gomes: So there wouldn't be - if a constituency or stakeholder group didn't elect to use the Ombudsman as that neutral third party, then it would - there just wouldn't be a neutral third party. Is that correct?

Rafik Dammak: If they get another way for them.

Charles Gomes: Oh. And that would be up to the group to decide?

Rafik Dammak: Yes.

Michael Young: Let me weigh in here Chuck for a second.

Charles Gomes: Sure. I'm done Michael. Sorry to monopolize there but I think I know where he's coming from now. That's helpful.

Michael Young: Yes. Yes. And I worry because - simply because if the Ombudsman is considered insufficient, then we're back to the original problem we were trying to solve by inserting the Ombudsman.

And, you know, Chuck correct me if you think I'm missing that, but that's the way I recall that we want to make sure that something didn't get stalled on the

disagreement on what and who compromises a neutral third party. Because originally I think the statement said something about just, you know, the parties will agree upon a - mutually agree upon a neutral third party.

And we all felt kind of uncomfortable with that so we tried to insert a direction to follow. And that's how we came to the Ombudsman.

Charles Gomes: Yes. It seems possible that the - if a constituency or stakeholder group decided not to use the Ombudsman, that the applicant would have no recourse. And I thought what we were trying to do is to cap some neutral recourse for the applicant.

Claudio Di Gangi: Michael this is Claudio. Could we just maybe add some language in saying that, you know, it could be either the Ombudsman or another neutral third party, you know, that the group would basically determine.

Michael Young: Okay. So we could say may lodge a complaint with the ICANN Ombudsman or a mutually agreed upon neutral third party?

Claudio Di Gangi: Yes. That made sense.

Charles Gomes: So the applicant and the group would have to mutually agree on a neutral third party? That could be hard.

Michael Young: I agree Chuck but I mean I don't understand how else you achieve a, you know, consensus on what's a neutral third party. I mean one party or the other may be feeling...

Charles Gomes: Yes. I know. I understand. No. Yes.

Rafik Dammak: It's the case of arbitration so I think I talk Michael and...

Charles Gomes: Yes.

Rafik Dammak: ...the participants to get good compromise.

Michael Young: Okay. So Julie could we try that language in there?

Julie Hedlund: Sure. This is Julie. I'll go ahead and read it. In the case of unfair treatment resulting in the rejection or an application or dispute, the applicant may lodge a complaint with the ICANN Ombudsman or a mutually agreed upon neutral third party.

And the rest of this reads the process for lodging a complaint with the Ombudsman is set forth in Article 5 of the ICANN bylaws and the Ombudsman framework available at link.

Charles Gomes: Now did you - Julie forgive me but did you have the non-bias third party, a non-biased in there as well as neutral?

Julie Hedlund: No I didn't. So that...

Charles Gomes: I...

Julie Hedlund: ...would be a mutually agreed upon non-biased neutral third party?

((Crosstalk))

Charles Gomes: Well, Rafik had that in there so I don't know if he - if that's important or not. That's why I brought it up.

Michael Young: You know, I think the non-biased doesn't hurt. It might be a little redundant but, you know, so no harm done. Why don't we leave it in there?

Julie Hedlund: I put it in. This is Julie. So now it reads or in mutually agreed upon non-biased neutral third parties.

Michael Young: Okay. Rafik how do you feel about that?

Rafik Dammak: Well that's okay. Okay.

Michael Young: It sounds - any other objections or can we - because if I'm not hearing any we'll move on.

Charles Gomes: And then that'll be tested with the full group...

Michael Young: Right.

Charles Gomes: ...on the list. Yes. Okay.

Michael Young: Okay. And Julie can you flag that on the list that we agreed to that change for now?

Julie Hedlund: I will.

Michael Young: Thank you.

Julie Hedlund: And so also Victoria had sent in comments. She had agreed with the original language we had there but of course all the work team members will have a chance to look at this revised language. And she also had sent in a comment that she preferred the original text in Section 3, Paragraph 2 of Subtask 1. So I don't know how we want to address that comment that she sent. If I...

((Crosstalk))

Michael Young: I think we need to put both of those frankly out to the group and, you know, I thought we had agreed upon consensus in the call which she was on originally when we made those changes. Was she on that call or not Julie?

Julie Hedlund: Actually yes that is the issue Michael as I understand it. She was on the call and the language that was agreed on that call is language she agreed to. But Claudio has presented a new version that we discussed on last week's call that Victoria objects to.

So she has recommended we go back to the language that was agreed on in the previous call, the call on the 29th of January.

Michael Young: Okay.

Julie Hedlund: (Prefer) that over Claudio's new language.

Michael Young: And she wasn't on last week's call?

Julie Hedlund: She was indeed on last week's call and objected to the new language that Claudio had provided.

Michael Young: Well that's what I remember but I'm just making sure we have this all officially stated out. Okay, you know, I don't like bringing things down to necessarily, you know, voting on this, but it sounds like the rest of the group came to a acceptance of those changes last week.

And I think what we should do is specifically ask on the list Julie if anyone else wants to join Victoria's point of objection. If she's the only one then I think we have to note that. And I think we still achieved rough consensus with one person objection.

Julie Hedlund: I should note Michael - this is Julie - that (Christa) was not on the call last week. And I don't think she's weighed in on this particular issue.

Michael Young: Okay. So can we actually raise that then on the list and seek clarification?

Julie Hedlund: Certainly. I'll flag both of these in the actions that I send out today for asking people to specifically comment.

Michael Young: Right. Okay. Trying really hard to wrap up that document so we can at least say we've knocked one more off.

Charles Gomes: Yes Michael could I - this is Chuck again - the yes, just a comment, and we're talking about Section 3, Paragraph 2, that - and I also have a comment on 2F or a question on 2F. But the, you know, I thought we came to a fairly reasonable conclusion because, I mean, the working group model isn't designed for constituencies and stakeholder groups. It's worse - work - designed for policy development teams.

And so I also - didn't I request that we look at the - and I didn't have time to do it, but that we - another thing we could do would be to list the principles associated with the working group model rather than say, you know, function on the GNSO working group model, because it really isn't designed for it - that purpose. Anyway, I did think we - the compromise was fairly reasonable and that's just a comment.

Back to 2F and Victoria's - I'm not sure what she's suggesting there. It looks like that's what we had already. What am I missing? And then, of course then since then we've added Rafik's suggestion. But if we ignore Rafik's suggestion for the moment, isn't what Victoria submitted what was in the document already?

Julie Hedlund: This is Julie Chuck, yes. She's simply - she responded to Rafik's suggestion for changed language by recommending that we stay with the original language.

Charles Gomes: Oh okay. That's the piece I was missing. So that was in response to Rafik's suggestion. So she would - will likely oppose Rafik's suggestion. Okay. All right. Thanks Julie. That erases my confusion.

Julie Hedlund: You're welcome.

Claudio Di Gangi: Michael can I get in the queue?

Michael Young: Go right ahead.

Claudio Di Gangi: I actually just on Chuck's first point, I just a few minutes ago sent around some proposed language to the list on Section 3.

Michael Young: Great. So we can - Julie do you have that?

Julie Hedlund: I do. I'll be happy to read it Michael.

Michael Young: Great.

Julie Hedlund: To improve accessibility, transparency and accountability, all groups should establish and publish a consensus building model or a process in their bylaws or charter. The process or model should be based on the principles of participation, representativeness, process integrity, flexibility, transparency and openness and other norms common to the GNSO working group model.

Charles Gomes: That's good. And I probably saw that and I apologize for not remembering that Claudio as this past week has been a really crazy for me.

Claudio Di Gangi: Oh no, not at all. Actually I just sent it this morning, so.

Charles Gomes: Oh you did. Okay. Well I haven't caught up on my email yet this morning. So, oh there it is. Yes.

Michael Young: I have to say I like this a lot better than the language we have there currently.

Charles Gomes: Yes, I do too.

Claudio Di Gangi: All right.

Michael Young: So Julie why don't we test this to the list as well.

Julie Hedlund: I will. Thank you Michael. I'll do that.

Michael Young: Thank you Claudio. That was - that's a great addition.

Claudio Di Gangi: Sure.

Charles Gomes: It is. Thanks, thank you very much. That's great.

Claudio Di Gangi: My pleasure.

((Crosstalk))

Michael Young: Do we have anything else?

Julie Hedlund: And so Michael, there was - we had asked Victoria to respond to a couple of - to questions on a couple of sections in Subtask 2. Shall I move on to Subtask 2 because these would be questions relating to what we discussed last week?

Michael Young: Well let me just ask the floor Julie, if - is there anything that people would like to discuss on Subtask 1? Okay, hearing nothing let's move onto the other document Julie.

Julie Hedlund: Okay great. So on Subtask 1, let's see 1.5 in Subtask 2, we had asked for Victoria to explain what, you know, the meaning of that. And if I could remind people, 1.5 was a sentence that the sentence is the 1.5 process issues, we note that steering processes conducted by common membership of the steered and steering groups by individuals also representing and advocating

for interested parties is very far from ideal indeed. We suggest in future a formal channel of communication with the collective steering entity to the collective work group.

And Victoria's comment to our question as to the meaning of that paragraph, she says as to 1.5 this is self-explanatory, and a formal written and transparent method of communicating from Chair to Chair is recommended in future.

Michael Young: I'm trying to find the email or did she just send that you Julie?

Julie Hedlund: No. I thought she sent it to the team.

Michael Young: Well let's...

Julie Hedlund: I have - I took those comments from her as well as Rafik's comments and sent them all to the group just this morning in a...

Michael Young: Okay. Let me look at your email then, that's easier.

Julie Hedlund: Competing, right.

Michael Young: Thank you. Okay. It's just...

Charles Gomes: Well I thought those were the two of the comments that we just looked at.

Michael Young: Yes. I don't see the thing that you were just discussing.

Julie Hedlund: She was responding to my action items. And so I, you know, the action items that we sent - that I had sent out from last week's call. And we had specifically asked her in the action items to respond to changes in Subtask 2. And in particular with respect to 1.2 improvements in Subtask 2, we deleted -

the work group deleted the second paragraph there. And so in responding to that in her email she says as to 1.2 I have no comments as to the edits so far.

And then we asked her to clarify the meaning of 1.5. And she has - and then she responded to that. So she was going down...

Michael Young: Yes.

Julie Hedlund: ...the line and responding to, in her message, responding to each of the action items that we had specifically requested her to.

((Crosstalk))

Michael Young: Julie...

Charles Gomes: Julie was that sent to the list?

Michael Young: Yes. The email guys is on February 10th. I have it at 10:36 am Eastern.

Julie Hedlund: Right.

((Crosstalk))

Charles Gomes: Oh okay. So it's Saturday. Oh, well, okay.

Julie Hedlund: Sent it to the list and then what I did was just for ease of today's meeting, rolled it up into the message with Rafik so we could run down them. But she did send it to the list.

Charles Gomes: Oh so it's as to 1.5? Is that the one we're talking at one dot five and...

Julie Hedlund: Correct. One point five in Subtask 2. And that was...

((Crosstalk))

Charles Gomes: Yes. Okay.

Man: Because she called it...

Charles Gomes: I see it. I see it. Okay.

Tony Harris: Yes. Its processes used is the title.

Julie Hedlund: It's the one we discussed last week where we felt it was unclear and we
                           asked her for clarification.

Tony Harris: I still don't understand it, although, you know, she may say it's very clear, but
                           unfortunately my understanding is a little limited.

Charles Gomes: Well you're not alone I don't think Tony.

Tony Harris: Yes, I mean...

Michael Young: Julie I think we need to clarify with her again since she's not on the call,
                           clarify with her again that I appreciate her feeling that it's straight forward and
                           understood but the - but she's going to - I think we should schedule on the
                           next call for her to run us through and explain it to us.

Julie Hedlund: Yes that's fine Michael. This is Julie. I will note that we will discuss this item
                           on the next call when Victoria's available.

Michael Young: Yes. I - because I'm with everybody else. I don't understand what this
                           sentence means or two sentences I guess.

Charles Gomes: Yes.

Julie Hedlund: Okay.

Charles Gomes: Yes. It's very obtuse for me. That may be me - maybe it's me that's obtuse but...

Michael Young: Well then there's at least two of us Chuck.

Tony Harris: Three of us actually.

Charles Gomes: Anybody on the call understand what...

Julie Hedlund: Yes.

Charles Gomes: ...what the language says?

Claudio Di Gangi: Yes Chuck this is Claudio. I am not sure for certain but I can interpret it. And I think she's referring to the OSC and the fact that there's common membership on the OSC and our work group team. And I think her second sentence is referring to having a formal way of communicating with I guess the OSC or whoever...

((Crosstalk))

Charles Gomes: Oh okay. So she's - that might make sense. The - I don't know if we're in agreement that that's a concern or not. Certainly the common membership has to be dealt with appropriately, but I thought that it had been...

Man: Yes.

Charles Gomes: ...in the one action that went forward but maybe she disagrees with that.

Claudio Di Gangi: Yes. I agree with that Chuck. I didn't have any of these process concerns and but, you know, I mentioned that to Victoria but I guess she still - she does apparently.

Charles Gomes: Yes. Okay.

Michael Young: Okay. Well I mean...

((Crosstalk))

Charles Gomes: Well if that's what it is, I would still support removing Section 1.5.

Claudio Di Gangi: So would I.

Tony Harris: Yes. I'm on the same page too.

Man: Yes, I agree.

Charles Gomes: Rafik? What do you think?

Rafik Dammak: Really I don't know.

Charles Gomes: Okay. Okay. That's okay.

Rafik Dammak: (Unintelligible).

Michael Young: Yes, I mean, I understand these recommendations to be recommendations for ongoing work.

Charles Gomes: Well, and if something was left in, it would have to be made much clearer. I mean, if that's...

Michael Young: Yes.

Charles Gomes: ...a concern with the common membership between the OSC and the CSG, that should be said.

Michael Young: Yes - language.

Charles Gomes: You know, I don't necessarily agree with it, but it should - that's what should be said and then it might be easier for us to see whether we have at least rough consensus in the working team in that regard.

Michael Young: Okay. Julie could we ask her if this is what she means and if so could she clarify the language, take a shot at clarifying the language?

((Crosstalk))

Charles Gomes: It's already...

Julie Hedlund: Oh...

Charles Gomes: Sorry.

Julie Hedlund: Michael this is Julia. I can ask but we have asked and she feels that it's clear. I think your first suggestion that we discuss it with her and...

Michael Young: Yes you're right. We - let's just discuss it with her and ask her if that's what she means verbally. It'll go faster - well maybe. Okay.

((Crosstalk))

Julie Hedlund: I just don't if we ask again we're going to get a different response than what she, you know, what she has given.

Michael Young: Well an email anyways, sure.

Julie Hedlund: Email I mean, an email I mean. Yes.

Michael Young: Right.

Charles Gomes: So just - we need to discuss it because at least I haven't heard anybody, you know, the only plausible explanation has been the one Claudio gave so we should test that and see if that's what she's getting at.

Michael Young: Okay. So Julie where did we get to in 1.2 if you can - sorry, in Subtask 2?

Julie Hedlund: Right. So we went through Section - Part 2 I should say, Part 2 recommendations and we covered in that section one, Subsection 1 executive committees, and two, committees, and we now would be starting with three, communications.

Claudio Di Gangi: Julie actually I think - well I'm not sure if we want - if we made it all the way through two or if we did I might not have had a chance to make it...

Julie Hedlund: Yes, this is Julie. I see that we have changes through two (unintelligible). Perhaps we did not discuss C and D. I - my sense was that we did but I'm happy to read those through again.

Michael Young: Yes. Let's pick up from C, 2C then just to be safe Julie. But let's actually - the language change in B, was that accepted by everybody?

Julie Hedlund: It was accepted in last week's call. Since not all team members were on the call, I have it in curly brackets.

Michael Young: Okay. And has - before we go on with new review, the comments that are in this document from last week, has anyone explicitly objected to these changes?

Charles Gomes: Well, I'm having...

((Crosstalk))

Charles Gomes: ...a little trouble with what the change is in B. It doesn't seem to flow. So it says the formation of all committees should be made known to the entire constituency membership and eligibility to participate open - oh, oh, an eligibility to participate should be open to all members.

Claudio Di Gangi: Yes.

Charles Gomes: So maybe there's a should - is there a should missing?

Claudio Di Gangi: Yes.

Charles Gomes: Yes, okay. All right. If you add that should in there it makes sense.

Michael Young: Actually should be I think. Should be or...

Charles Gomes: Yes, should be, yes, correct, yes, yes.

Julie Hedlund: I've added that. This is Julie.

Michael Young: Okay.

Julie Hedlund: So shall I start with C?

Michael Young: Does anyone want to comment on any of the pre - the changes further up the document or? Okay, hearing nothing, let's continue with 2C.

Julie Hedlund: That reads, the fact the committee has been established and the membership of it shall be published on the constituency Web site and action points decisions and any resolutions and final work products should be made

available to the entire constituency membership within a reasonable period of any given meeting.

Michael Young: I don't have any objections to that one. Does anyone else?

Claudio Di Gangi: Just Michael, you know, I'm okay with this concept here. My concern is just it's a little detailed. It's saying that action points should be made available to the entire constituency membership within a reasonable period of any given meeting.

I'm just wondering like, you know, how practical that is if we're just talking about a small, you know, group that a team is for - I'm sorry, a constituency or stakeholder group is formed maybe to look at some policy issue or something like that.

Michael Young: Well I don't know. It seems to me that action points are what we typically assume are the highlights in an open meeting minutes.

Claudio Di Gangi: Right.

Michael Young: So if you have another suggestion, another phrase rather than action points to capture, you know, key elements of things that should be in minutes, I think that'd be great if you could offer it. But, you know, really some of these smaller groups or smaller committees sometimes are smaller because they're working on difficult things.

I can give you an example in our own stakeholder's group where we had a relatively small group of people working on elements of our new charter. And in, you know, one particular area that was quite complicated and difficult was how we were going to do our own voting arrangements.

And that was actively four, five people working on that. But you can bet the entire group was very vested in understanding, you know, what we were

covering and what actions we were taking, what we were deciding because it had - that small group had an incredible piece of work and influence - that work had incredible influence over the entire stakeholder's group.

So use a point in an example I don't think that, you know, when we say it could be a small group or a small committee, that may have no correlation with how important the outcome of their work is.

Claudio Di Gangi: No that's true. And I didn't mean to focus it on the size of the group. Maybe I just should have said if it was a committee that was formed on a maybe an issue not as important as the one that you're talking about. I just worry practically asking them to put all their minutes, action points, all these items up on a Web site, just the administrative element of that.

Charles Gomes: Well it's really asking, isn't it Claudio, just asking that any action items, decisions or resolutions or - and final work products - published. So it doesn't mean that they have to report, I don't think, every detail of their work but rather when they do make some act - take some just agree on some action items, make some decisions or resolutions or produce a final work product, that should be made available to the entire membership. If that's what it means, that doesn't - that seems pretty basic.

Claudio Di Gangi: Yes. No I just...

Charles Gomes: Now maybe we could wordsmith it. I don't know.

Claudio Di Gangi: No that's true. When I was reading it the first time, I thought all that had to go up on the Web site, so...

Charles Gomes: Well it does say that but only action items, decisions, resolutions, final work products, not every detail of what they're doing.

Claudio Di Gangi: Right.

Michael Young: Yes, or the discussion that led to the action point. I mean if you had to post, you know, forty minutes of active discussion to come to one action point then I would agree that would be very onerous. But, you know, all we're looking for is the actual action point which, you know, could be seven or eight words.

Claudio Di Gangi: Yes.

Michael Young: I mean if you've got - if it's still bothering you, I mean maybe you want to take a little bit of time and try wordsmithing and post that to the list.

Claudio Di Gangi: Okay. Yes, I'll give it some more thought.

Michael Young: Julie, you want to go on to the next one? Sorry, does anyone else have any other comments on C? Okay, let's do D Julie.

Julie Hedlund: Right. That reads, it is recommended constituencies publish to the constituency membership and maintain a list of all active and inactive committees and their final decisions, resolutions and final work products.

Michael Young: Okay. So this to me just sounds like a simplified version of C in reference to constituency versus committee. And do we have to change constituency to constituency slash stakeholder group?

Julie Hedlund: This is Julie. Actually I believe last week that Chuck noted as a general change throughout the document to change constituency to constituency and stakeholder group which is something that I have noted to do.

Michael Young: Okay. I personally don't have any issues with this. Does anyone else want to raise anything with D?

Claudio Di Gangi: Michael my only comment with D is in reference in inactive committees. And it seems like this is suggesting that an archive of inactive committees be

maintained and all their work product etcetera. I'm just wondering again what - if it's inactive and, you know, is that an administrative problem to have to maintain an ongoing list of all that material. I'm just, you know...

Michael Young: Yes, I mean I hear what you're saying. I think once you've posted up, you know, the results of an active committee and it's completed its work and folded itself, the way I read this is just that what was posted up remain and somewhere on some on - available to the rest of the constituency.

I have to say I think that's valuable because sometimes, you know, we have new members coming in or people that weren't involved in a particular decision working on a subsequent, you know, or a secondary decision that does refer back to previous decisions. And they'd like to know, you know, many times I've, well okay for example I'm - I've started getting involved with the stakeholder's group, I guess Chuck almost a couple years ago now.

But when I came in, although I've been in the industry since, you know, 2001, there were a lot of decisions made around those groups that really had an influence on what position in thought I should take on things we were currently discussing. And it would have really helped me if I'd known, you know, who, where, why certain decisions had been made.

The only way I was able to achieve that was to go back and, you know, ask a bunch of people fortunately who've been around longer than I and pull from the collective memory. That's really less than ideal. And I think, you know, we've been very fortunate, you know, in these ICANN groups that there is a continuity of people that have been here almost really since the beginning of ICANN.

But I think over the next few years, we're going to see a lot of them, you know, rolling off these responsibilities and doing other things with their lives. And if we aren't recording these kind of things, we're going to lose that continuity.

Charles Gomes: And I'm one who has been around since before the GNSO was formed. And the - I also look back at things. I think what would be onerous on this is if we required constituencies or stakeholder groups to retroactively do this because that would be a lot of work and I don't think I'd wish that on anybody. It'd be nice but, you know, we're all volunteers and have limited time.

So I think if this was going forward a practice, it's much less onerous and easy to do because if you report the outcome of the committee, then you can just move that to an archived section of the site. It's a pretty simple task. Asking people to go back and do this over past years would be very difficult.

Michael Young: Yes. So what if we added a little bit of language here, just after the constituency membership so it would read something like it's recommended constituencies publish to the constituency membership and going forward maintain a list of active and inactive committees.

Charles Gomes: It's fine with me. I think it's - Claudio would that work? Would that help?

Claudio Di Gangi: Yes. I mean I think that's helpful. You could even say and for, you know, for future reference or balance forward like you said Michael. I think either one would work. Yes, I mean, you know, I could live with these sections. I was just, you know, I just had those general concerns...

((Crosstalk))

Charles Gomes: Sure.

Claudio Di Gangi: ...admin burning.

Michael Young: Yes. And I guess one of the things that I'm - when you raised the concern about the admin, I think the tools and the commitment we have to actually provide, you know, in our other document that there's going to be some

centralized tools and capabilities available to these groups, you know, such as wikis and so forth, I think that should ease the burden quite a bit.

I mean my understanding with those - that tool set that will be put together for them will - should be that, you know, it becomes a trivial burden to be able to self-serve and post things up like this.

Man: Yes.

Claudio Di Gangi: Michael I actually had a question about that. I think I recall the Council approved, the GNSO Council approved the toolkit. And I just wasn't sure what the next - if that's been sent to the Board or what the next step in that...

Charles Gomes: Sure Claudio. It doesn't need to be sent to the Board. It doesn't require Board approval. Once the Council approved it, it had - that was fine. It was reported to the Board...

Claudio Di Gangi: Right.

Charles Gomes: ...okay, so that they're aware of the progress. That is now in implementation stage and staff is working on that.

Claudio Di Gangi: Oh okay. Thank you.

Julie Hedlund: Great. Yes this is Julie. I can comment on that.

Man: Yes.

Julie Hedlund: Rob Hoggarth and I have the duty to the task to move this forward and we are working on the next steps.

Claudio Di Gangi: Great. Thank you.

Michael Young: Julie, as a side note, if, you know, obviously I've - we worked in associated (administries) for a long time and pretty familiar with a lot of these type of tools, you know, I'm happy to give you guys opinions or help out if it's useful.

Julie Hedlund: Michael that's very helpful. I appreciate that. We may indeed call on you.

Michael Young: Okay. So anything else on D, 2D? Okay. Shall we go on to 3A?

Julie Hedlund: Right. Three A, Section 3 communications, all constituency, mailing and discussion groups shall be open to the entire constituency membership and at the election of the constituency in any given case to the public. It is recommended each constituency should have at least one publicly archived mailing list.

Charles Gomes: Boy that's really broad.

Claudio Di Gangi: Yes.

Charles Gomes: I'm not really opposed to the general concept, but I'm wondering if it would become ridiculously complex to comply with that. So it...

((Crosstalk))

Claudio Di Gangi: I agree.

Charles Gomes: You know, we do lots of things that are informal and stuff like that. And it's not to be non-transparent, it's just to facilitate things happening. And boy that could make our lives really challenging.

Tony Harris: I agree with that.

Charles Gomes: I mean the mailings that - the mailing list I think that's already accepted and I think that's something that is archived. Is that right for all - I'm not even sure that's true. I don't know.

Claudio Di Gangi: No I don't think every group has a publicly archived...

((Crosstalk))

Charles Gomes: We probably don't.

((Crosstalk))

Claudio Di Gangi: I mean...

Charles Gomes: I mean open to the entire constituency membership, I think is a no brainer.

Man: Yes.

Charles Gomes: The public posting is where it gets...

Michael Young: Well first of all having a publicly archived mailing list is, I mean it can be done but then it requires a lot of management and oversight. You really have to continue - then you need also policies of what if somebody in a publicly available mailing list, what if somebody posts - outside the membership posts something that's highly inappropriate for example. Who's responsibility is it to A, decide that it's, you know, offensive and B, remove it.

                 And then you leave, you know, yourself open to questions of what's a valid policy for when you remove a publicly said statement.

Tony Harris: It - there's another issue also if I might chip in here which is privacy because the publicly archived mailing lists would have the email addresses of all the people in the constituency.

Claudio Di Gangi: Right.

Charles Gomes: Yes.

Michael Young: So...

((Crosstalk))

Michael Young: ...this whole area's a bit complicated.

Claudio Di Gangi: Yes.

Charles Gomes: Well Julie.

Julie Hedlund: Yes.

Charles Gomes: With regard to the charters that have been approved and the ones that are still being worked, what has staff recommended to constituencies and stakeholder groups in regard to what is included in this statement?

Julie Hedlund: I don't know off the top of my head I'm sorry to say, but I can easily check on that.

Charles Gomes: That's...

Julie Hedlund: I should mention...

Charles Gomes: That would be helpful information I think.

Julie Hedlund: Yes. I will check on that, but I should note that with respect to the current, you know, discussion list, you know, all of the various working groups and so on, all of those lists, you know, within ICANN are publicly archived but are not

available to the public, meaning that not anyone can send to a list although one can read the traffic on those lists on the ICANN Web site.

And I should note that in those cases the emails are redacted. So I mean of course there does need to be a mechanism in place for that. But if you'll note, the personal emails are redacted.

((Crosstalk))

Michael Young: You know what guys? I'm - I'd like to suggest on 3A that we just strike the last sentence.

Tony Harris: Yes, I'd go with that too.

Charles Gomes: Well Michael, I mean that may be fine, but the first sentence is still terribly broad. All constituency mailing and discussion groups, I mean we can form a two-person discussion group that - or a drafting team or whatever, just to get something going. And we're making - I think we're putting in a terrible administrative burden as broad as that even the first sentence is.

Michael Young: Well do we drop the word discussion Chuck and discussion groups?

((Crosstalk))

Michael Young: ...mailing lists?

Charles Gomes: It's also all constituency, what does it mean, mailing lists...

Michael Young: Yes.

Charles Gomes: ...shall be open to the entire constituency membership and at the election of the constituency (unintelligible) to the public. And that's probably - that's

probably okay. I think that discussion groups just is so broad that it would be an administrative nightmare.

Michael Young: Right. I don't even know what discussion group means in terms of electronic conveyance. I mean does that mean you and I talking in the hallway?

Charles Gomes: It could. So that's one of my concerns, or, you know, I mean even if we more formally in a stakeholder group or constituency form a small little group to get something started, you know, having to administratively make sure all of that is recorded and distributed, we're going to be spending so much time just managing these things that it'll be counterproductive.

Michael Young: Yes.

Tony Harris: Exactly.

Michael Young: Okay.

Claudio Di Gangi: Michael this is Claudio.

Michael Young: Can we...

((Crosstalk))

Michael Young: Sorry, go ahead Claudio.

Claudio Di Gangi: I was going to say, you know, if I remember the Board report correctly, I think that it - as far as mailing lists and items like this, I think their main recommendation was that there be one public list for each group. You know, I know some of the constituencies have expressed previously that they've had them and they - I guess just sort of the nature of the list they haven't been very active. They haven't really be used. And I know those concerns were expressed.

But I think if I recall correctly, that was really what the main recommendation was here that there just at least one public list.

Michael Young: Right. Well, so let's take a step back and let's say for instance what if, you know, ten years from now for the sake of argument, no one uses email anymore. It's replaced by a much more effective electronic conveyance? You know, humor me for a second. It may probably take a lot longer than ten years for email to die, but sometimes technology can transform incredibly fast if something really appealing to the masses comes out.

So, you know, being focused on the conveyance, I think, is the wrong point. I think the intent of that was the way I would interpret it, I think the intent was that the constituency or stakeholder's group share with the public what they're doing to a reasonable level so that the public can follow along with that and understand, you know, the constituencies or the stakeholders' positions as a group and what they may or may not be advocating for as a group.

And so I would almost say, you know, the changes we just suggested are - to A are okay. And to capture the intent of what I just mentioned, by rewriting B because B seems to be all about some method of making sure the public knows what's going on and opening up, you know, mailing lists, which frankly have a ton of noise.

And unless you're involved in the day to day activities of a group, you know, I - most emails you think about it on these mailing lists are out of context and would make a whole lot of sense to a public member trying to read through them. And, you know, even if they were to try and make any sense of them, they'd have to read through pretty much every single email.

Perhaps the right thing in B is to supple - is to replace B with a recommendation for the constituency or stakeholders group to make a page

on their Web site or wiki publicly available where they post their decisions and policy positions or recommendations or general agreed upon activities.

Tony Harris: Yes. It's the output of the constituency work that should be made known. I don't see the value in people following every single word that was said or written.

Michael Young: Right. And (unintelligible) does everyone else feel about that?

Man: Okay with it.

Michael Young: Okay. Chuck we - I remember it was (Ken) and some other people in our group worked on a statement sort of to that effect that we would make a recommendation or commitment to posting things in that sort of fashion.

Charles Gomes: Yes we did. I don't recall the details. I wonder if it would - if two tasks would be helpful for us before we finalize this item if Julie can do it without too much trouble. If she could kind of list the key elements of the recommendations that the Board made in regard to this issue for us so that we make sure because over time, we've been working with this for so long it's hard to keep track of what the Board recommended and what we recommended and so forth without doing a lot of backtracking.

So if Julie could do that and then Michael if, you know, if you could, you know, go back, it's probably pretty easy to find the stuff that we ended up with. You could probably just get it out of our charter in terms of what we agreed to or something.

Michael Young: Right. And so, so I can...

Charles Gomes: The Board approved our charter, so.

Michael Young: Yes. I can beg, borrow and steal from our charter and maybe get some language, some suggested language for a new B for everyone to consider.

Charles Gomes: Yes.

Michael Young: Okay. Is everyone okay with those two action items?

Man: Yes.

Julie Hedlund: That's fine. I'll do that. This is Julie. So you mention - so 3B, I mean we were talking about 3A and 3B as related. Are there an - we discussed changes to 3A but are those held in abeyance until we go ahead and check on these, you know, these two items, I mean, we're checking with - in the Board recommendations and Michael looking at the charter?

Michael Young: I don't know. I thought we were okay with the edit so far to 3A. The problem was is that, you know...

Julie Hedlund: I just want to be clear because...

Michael Young: ...3B's connected.

Julie Hedlund: ...they are related.

Michael Young: Yes.

Julie Hedlund: It's very sort of - A and B are very similar so I just wanted to be sure that we are okay with it. I have recorded the changes that we discussed in A.

Michael Young: All right.

Julie Hedlund: And then I have the two action items with respect to B. Okay.

Michael Young: Yes. Does anyone have anyone have any objections to those? Okay. Julie I
                   think we're good to go.

Julie Hedlund: Great, thanks. Okay. Moving onto C, information as to constituency business
                   and work product and finance and accounts and submissions to staff and
                   other ICANN entities shall be made available to the entire constituency
                   membership unless there are valid grounds for restricting distribution in
                   accordance with the constituency disclosure policy.

Charles Gomes: Well is this - the only thing this is saying is just making it available to your
                   membership, right?

Michael Young: Well, that's the way I read it.

Charles Gomes: Well I mean that seams okay unless I'm missing something.

Claudio Di Gangi: This is Claudio. It's - I think it's the language is a little vague because I'm not
                   sure, I mean it says shall be made available and that's just a little ambiguous
                   to me exactly what that means.

                   My other comment is with this - with the establishment of the constituency
                   disclosure policy which I don't recall this in detail, but I think that if the
                   establishment of this constituency disclosure policy which I think is what is
                   being proposed here is - might get complicated, and I'm not sure if that's a
                   direction we all want to go in really.

Michael Young: Well I think at this point, yes. But I don't know. I mean, it's just - can - I think
                   the idea with that comment - yes, I'm trying to remember back to previous
                   discussions A, because I was in this subtask group.

                   I think the idea was that if there were privacy elements or concerns that had
                   been articulated in the constituency disclosure policy that they would
                   basically, you know, they would rule over this consideration. If there was

privacy issues, we didn't want to step on them by accident. Anyone have any suggested language changes to address the concern?

Charles Gomes: Well what if we just deleted in accordance with the constituency disclosure policy?

Tony Harris: Yes. That would make sense. We'd end up with restricting distribution.

Charles Gomes: I mean that's what a - if a group had a constituency disclosure policy that's probably the way they would restrict it. They could have it or not. The point is that if there were valid grounds for restricting distributions...

Tony Harris: Yes.

Charles Gomes: ...they could do it whether they do it through a documented policy or not.

Tony Harris: Well but this ties into D which follows. If you look at it it's only a sentence. It says we all have to have a constituency disclosure policy.

Charles Gomes: So what is a constituency disclosure policy? Maybe that's a basic question.

Tony Harris: I have no idea.

Charles Gomes: Is that a, hmm, yes.

Michael Young: Well then we look at E which elaborates. I almost feel like E's out of sequence.

((Crosstalk))

Tony Harris: Hmm. Does the BGC and the recommendations call for constituencies to have a disclosure policy or is this sort of being come out of creativity?

Charles Gomes: Who was on the subtask team that developed these?

Claudio Di Gangi: I was on this one Chuck.

Charles Gomes: Was there agreement in the group on a constituency disclosure policy?

Claudio Di Gangi: Not - I mean I did not agree with it. I'm not sure ultimately, you know, that was assessed or what the outcome of that was but I did not for some of the reasons we're saying right now.

Charles Gomes: I mean it's very hard to write a policy that covers everything you're going to disclose and not disclose. There's so many factors that come into play on things like that that if that would be a very challenging task to cover all your bases. And so what you end up is having to have an exception clause. And we're right back to the idea of, you know, if, you know, if there are valid grounds for restricting distribution, you know, they can do it.

                 If somebody wants to challenge that, you know, they can, but yes, I don't even know if it's realistic to write such a thing.

Michael Young: Well we could try something a little more radical and see how the old group responds Chuck. We could strike D, E and F and strike C after valid grounds.

Tony Harris: Yes. That would be a way to do it.

Charles Gomes: Valid grounds for restricting distribution, yes.

Tony Harris: Yes.

Michael Young: Right.

Charles Gomes: Yes.

Michael Young: The new period is just after valid grounds.

Tony Harris: Um-hmm.

Charles Gomes: That would be my inclination. Now, I would, you know, and maybe along with that, it would be helpful to understand that a constituency disclosed - for those who supported this concept, what is a constituency disclosure policy and is it really realistic to even create such a thing.

Michael Young: Well and one more question maybe Julie can research this. Again going back to the Board directives, did we - was it part of the initiative that we were requested, I mean was this alluded to very strongly in some way?

Charles Gomes: I don't think so, at least not a constituency disclosure policy. But Julie that doesn't mean you shouldn't look for it. I'm just telling you that...

Tony Harris: I don't remember reading that when reading through the BGC document but I may have missed it though.

Michael Young: Okay. So, let me just roll through what we talked about and Julie's going to investigate whether or not there was anything in the BGC document that it - that (unintelligible) a disclosure policy. And we're going to for now, and we'll see how the rest of the group reacts in the mailing list, but we'll strike - we'll create a new period after valid grounds and strike D, E and F. Do I have that right?

((Crosstalk))

Charles Gomes: Anybody on...

Tony Harris: But we talked about...

Charles Gomes: ...anybody on this call - anybody on this call object to that?

Tony Harris: Just one thing. I think we said we'd put a period after valid grounds for restricting distribution, right?

Charles Gomes: Yes. I think you said that. Didn't you say that? Yes. I agree Tony.

((Crosstalk))

Tony Harris: That was - we just now we said period after valid grounds, but I think...

((Crosstalk))

Charles Gomes: Oh yes.

Michael Young: Oh yes, sorry, I'm tired and losing my mind. That's where I meant to put...

Tony Harris: Yes, yes.

Michael Young: ...the period. I don't know why...

Charles Gomes: Yes, yes.

Tony Harris: After distribution, okay?

Charles Gomes: You were listening more closely than I was Tony.

Michael Young: Sorry guys.

Tony Harris: Okay.

Michael Young: Okay. So yes, the period after restricting distribution, strike D, E and F and Julie's got an action item to make sure that we weren't supposed to come up with something specifically in regards to a disclosure policy.

Julie Hedlund: This is Julie. I've noted the changes in the document and also the action
                  items to look at the BGC report with respect to constituency disclosure
                  policies. I don't recall seeing one there but I will definitely look.

Michael Young: Sorry Julie.

Charles Gomes: Okay.

Michael Young: I think we're making a lot of work for you today.

Julie Hedlund: That's all right. Not a problem. I can't - I cannot guarantee it will be done
                  today.

Michael Young: Okay. Shall we move onto G?

Julie Hedlund: Yes.

Michael Young: Okay, if there's no other objections?

Julie Hedlund: G states all constituencies shall have a published privacy policy provided for
                  the protection of the personal data of individual members and shall restrict
                  publication of classes of information on the same.

Claudio Di Gangi: This is Claudio Michael. I think my only comment here might be I'm not sure if
                  we want to, you know, if we support this, I'm not sure if we want to limit it to
                  just individual members or maybe that is sort of inherent this whole idea that
                  it's personal data. But I just wasn't sure if we're just saying this is just to
                  protect personal individual members or is it - would apply to an organization
                  or things like that.

Michael Young: Yes, I 'm not sure I understand really what and shall restrict publication of
                  classes of information on the same. Is the same the individual? Is the same...

Charles Gomes: No.

Michael Young: ...the data?

Charles Gomes: No, the classes. I think it means the classes.

Michael Young: Okay. What defines the class - a class of information as personal?

Charles Gomes: That would be in...

Michael Young: Who does - who defines that and all...

((Crosstalk))

Charles Gomes: That would be in - that would be defined in the privacy policy wouldn't it?

Michael Young: Okay. So, I think it's one challenge to find personal data for an individual. I think defining an entire class of information and calling that and deciding whether or not a class of information constitutes personal data or not is a much bigger challenge.

Tony Harris: Maybe if we put a period after individual members and struck the rest out.

Michael Young: Yes. I'm personally more comfortable with that.

Claudio Di Gangi: I'm okay with that.

Michael Young: Chuck? Anyone else?

Charles Gomes: Yes. Let me just - I'm taking a look at it again. And what - now so - clarify again what's being suggested.

Tony Harris: I just proposed that we end the sentence where it says personal data of individual members and strike out the rest, the one that refers to the classes of information.

Charles Gomes: No - yes, I guess I don't see a lot of problem with the rest of it, but I'm not opposed to striking the rest. I think it's covered anyway.

Michael Young: Yes. I mean, member or individual member we've previously defined - could be a corporate entity for that matter.

Charles Gomes: Except corporate entities don't have personal data.

Michael Young: Right. So, hmm. Maybe do need a little bit more there though.

Charles Gomes: Well it says of individual members and end of, of course what...

Michael Young: What if we swap personal for private?

Charles Gomes: Now by the way, yes, it does need some fixing Michael. You're right because think of ourselves. We don't have individual members.

Michael Young: Right. So what if we...

Charles Gomes: We have...

Michael Young: We have members.

Charles Gomes: ...organizational members only.

Michael Young: Exactly.

Rafik Dammak: Chuck sorry butt in, but in all commercial stakeholder group there are individual members, so.

Charles Gomes: Yes. Right Rafik. I guess we just need to fix the language so maybe it's not a personal data of individual members or individual delegates of members, something like that.

Michael Young: Well why don't we use your earlier term Chuck, the personal data of individual or organizational members?

Charles Gomes: Well, is there such a thing as personal data of organizations?

Michael Young: Well and then...

Charles Gomes: Well...

Michael Young: ...swap personal for private data.

Charles Gomes: Oh. Yes that might work. What do you guys think?

Claudio Di Gangi: Yes, I think that's good.

((Crosstalk))

Rafik Dammak: Tony I want to be in the...

Charles Gomes: Private data of members period, no individual in there.

Tony Harris: Yes.

Michael Young: Yes.

Rafik Dammak: Yes.

Claudio Di Gangi: Okay.

Charles Gomes: Does that work Rafik?

Rafik Dammak: Okay.

Michael Young: Okay so we have all constituencies shall have a published private policy provided for the protection of the private data of members period.

Tony Harris: Yes.

Charles Gomes: That's good. Nice work guys.

Michael Young: Just to pace things out Julie, are we scheduled to - for another 20 minutes or another 50 minutes today?

Julie Hedlund: We're scheduled for another 20 minutes. I believe Chuck has a...

Michael Young: Okay, right.

Charles Gomes: Well my - actually my conflict was removed. So if the group wants to go further, I can go a little further.

Julie Hedlund: Unfortunately I would not be able to go past 9:30. I have preparations for a meeting that will start at 10:00 and go until 4:00 so...

Charles Gomes: Whoa.

Julie Hedlund: ...so I need just that little bit of time, sorry to say.

Charles Gomes: So it's not my fault.

Julie Hedlund: Sorry.

Charles Gomes: That - no that - we understand Julie.

Michael Young: If there's no other comments on three, we've finished three and we can go onto four.

Julie Hedlund: Right. Section 4 elections, A, all constituency offices including representatives to stakeholder groups and the GNSO Council shall have a maximum two-year limit and a maximum of two consecutive terms.

An officer who has served two consecutive terms must remain out of office for one full term prior to serving any subsequent term as an officer. Constituencies can elect terms and term limits below these maximums at their discretion.

Charles Gomes: It probably should be may instead of can.

Claudio Di Gangi: Yes.

Tony Harris: There's something missing here. It's - when you're talking about the maximum and consecutive terms, it should be tied to some specific function and not overall, you know, officers, stakeholder groups, GNSO Council. Because you could have the case of somebody who's an officer in the constituency for two years or four years and then he steps down from that position but they need him to be on the GNSO Council. So he effectively steps on into another function and does not perpetuate in the one he was involved in previously. Okay?

Right now what it's saying, it's two years - two years plus two for any of these different functions. And I think the two plus two should be for a specific function...

Charles Gomes: Well I...

Tony Harris: ...leaving the person open to assume another function after the four years.

Charles Gomes: I thought that that would be allowed under this wording. Are you thinking it's not Tony?

Michael Young: Yes. I don't think it is either Tony.

Tony Harris: I don't - I don't think it's allowed because it says all constituency officer - offices...

Michael Young: Right.

Tony Harris: ...including representatives of stakeholder groups and the GNSO Council. These are all different functions, right?

Charles Gomes: So we could add at the end of that first sentence for any one - any one office or something like...

((Crosstalk))

Tony Harris: Yes.

Michael Young: You might have an inner edit in the next sentence where it says an officer who has served two consecutive terms must remain out of office for one full term prior to serving a subsequent term, it says right now as an officer. We could say in the same role and function or in any...

Tony Harris: Yes. That's what I'm getting at.

Charles Gomes: Or in that position, either one of them works I think, yes.

Michael Young: Yes.

Michael Young: In that same position probably.

Tony Harris: I think it might be useful because it's confusing on top of it's talking about three functions and then it says just officer. What you just mentioned I think would make it clear that the limit is for any specific function or activity or role.

Charles Gomes: And I think we ought to do the fix in both sentences, the first and second sentence...

Tony Harris: Yes. I'll fix it in both.

Charles Gomes: ...because the second one is just talking about remaining out of office and...

Tony Harris: Yes.

Michael Young: So do we switch in all constituency offices to all constituency elected positions, and then we - in the second sentence at the end instead of subsequent term as an officer, subsequent in the same position?

Tony Harris: Yes.

Charles Gomes: You know, that I think that covers it Michael but I don't really see it as a problem to include specific references to representatives to stakeholder groups and the GNSO Council. And some people may like to have that level of detail.

So if they do, I would say that's fine. I don't have any problem with us making the change you suggested, but I would say that if people come back and would like to have that reference, I don't think it creates any problems because those are two key roles, especially the Council one, the stakeholder group one...

Man: Yes.

Charles Gomes: ...doesn't necessarily apply on the contracted side but that's okay.

Michael Young: It's still there though Chuck. What I'm suggesting is all constituency elected positions comma, including representatives...

Charles Gomes: Oh you didn't take that out. Oh okay, good. Good.

Michael Young: Yes.

Charles Gomes: Yes. I think that's good. I thought you were taking that part out, okay? And I...

((Crosstalk))

Charles Gomes: ...actually think that if we did, it would say that, but the clarity is probably nice.

Michael Young: Yes. So, Julie I think that's all constituency elected positions, comma, is the change, first change. Everything else - everything stays and then you go to the second sentence and the next change is prior to serving any subsequent term in the same position.

Charles Gomes: Well you need that...

Michael Young: Yes.

Charles Gomes: ...in the same position in the first sentence too I think Michael. That's the point I was making.

Tony Harris: Yes. I agree with Chuck. It should be clear on both.

Michael Young: And is that at the end of the sentence?

Charles Gomes: Yes, at the end of the - for a maximum of two consecutive years in any one position or I'm not sure if in that position works there, but...

Michael Young: Yes.

Tony Harris: In the same position.

Charles Gomes: Yes.

Michael Young: In the same position.

Charles Gomes: Yes, in the same position, yes.

Michael Young: Let me - we do those edits on both. Okay.

Julie Hedlund: Right. And I've note those - this is Julie. I've noted those edits in both sentences.

Michael Young: Okay. Now here's where I'm going to throw something out. I actually disagreed with how firm this 4A is and it's somewhere in this document that I disagreed. I think there needs to be a safety outlet because in some cases, you can't find somebody who - new to take over the elected position. And volunteers in some cases are very dear and hard to come by.

So if somebody is gracious enough and willing enough to fulfill a position and the rest of the stakeholders group or constituency is really happy for them to do that, then right now, this disallows them to make that decision. So I think...

Charles Gomes: And did you propose some additional language in that regard Michael?

Michael Young: I suggested that it - a super majority as defined as 80% of the group agrees to bypass this restriction, that they can do so at their own discretion.

Charles Gomes: Super majority in most cases in the ICANN world means two-thirds.

Michael Young: Okay.

((Crosstalk))

Charles Gomes: So I don't think I would say 80%, but I think that, I mean, you've at least got to have quite strong membership support to do it. I think that's okay.

Tony Harris: I support that.

Claudio Di Gangi: So do I.

Charles Gomes: What about Rafik?

Rafik Dammak: It's okay.

Charles Gomes: Okay.

Julie Hedlund: So, I'm sorry, this is Julie. What - how will that read then? What is the language?

Michael Young: Julie we'll add a sentence on the end that says in the event that a super majority of the stakeholder slash constituency group agrees, they can at their discretion I guess lift or lift these - the term limitations.

Charles Gomes: How about something like this? Exceptions to this requirement may only be made with a two-thirds support from the full membership.

Michael Young: Oh that's beautiful.

Claudio Di Gangi: Yes, that's good.

Charles Gomes: I guess it should be exceptions may only be made, not can like I said.

Julie Hedlund: Okay. Thank you. I just...

Tony Harris: Well perhaps I would start that sentencing when circumstances of let's say forced majority, the French term, demand exceptions to this, and then the rest just what it said. Sort of, you know, pointing out to the fact that this would be really a case of major, or a major requirement and not just because people grab this clause as a means to bypass the term limit and it becomes a habit.

Charles Gomes: Yes. That's a good point.

Tony Harris: In other words, when extenuating circumstances are render it impossible to apply the term limit, then we would proceed as you were saying.

Julie Hedlund: So this is Julie. Then I have an additional sentence that reads when circumstances demand exceptions to this requirement, exceptions to this requirement may only be made with two-thirds majority of the membership.

Charles Gomes: With, yes, with support from two-thirds majority of - or two-thirds of the membership, yes.

Tony Harris: That sounds okay.

Claudio Di Gangi: Sounds good to me.

Julie Hedlund: I've noted that. Thank you. Shall we move onto B?

Michael Young: Yes.

Julie Hedlund: B, it is recommended that constituencies publish and maintain a list of all office holders, past and present since inception, to inform new members of

the experience of other constituency members and to provide transparency for term limits.

Charles Gomes: I would just make one edit on that. It's similar to what we did before. Instead of saying since inception, I would say from this point forward or something like that. I think it's nice if they can go back and easily pro, you know, produce the whole history. And some have already done that on their sites if you look at them.

But if somebody hasn't done it, do we want them to go back and do that? Maybe it's easy. I don't know. It's probab- you know, what do you guys think?

((Crosstalk))

Claudio Di Gangi: Yes, Chuck I...

Tony Harris: I like it.

Claudio Di Gangi: Yes I agree what you said Chuck. I had raised the same concern.

Tony Harris: Yes, me too.

Rafik Dammak: Sorry Chuck. I did not understand what you say before.

Charles Gomes: Well, the - in some constituencies, it probably doesn't apply to stakeholder groups because they're new. Going back to 1999 when the GNSO was formed and, you know, and listing all their past officers might be not an easy task.

Now for some of us I don't think it would be a very hard task, but I'm concerned Rafik about retroactively applying some of these things and causing some administrative work on a group to go back and do that.

Most of us may be able to do it. I don't know. But I don't want - I'd rather people be focusing on forward looking things rather than doing a lot of administrative work to comply with something like this in the past. Did that make sense?

Tony Harris: Yes.

Rafik Dammak: (Unintelligible).

Charles Gomes: I meant Rafik does that make sense to you?

Rafik Dammak: Ah yes, yes.

Charles Gomes: Okay. Now to the extent that groups can do that, I mean if they've already got it, I wouldn't remove it, you know, because it is nice information. That's another thing that sometimes I look back at and refer to, not too often but...

Michael Young: So with the edit B, it is recommended that going forward constituencies publish and maintain a list of all office holders past and present. I would drop since inception at that point and just go to to inform new members of the experience blah, and so forth?

Charles Gomes: Yes. I think that addresses my concern.

Tony Harris: I agree.

Michael Young: Is everyone else okay with that?

Claudio Di Gangi: Michael this is Claudio. I'm just - we're still referencing the listing of past office holders.

((Crosstalk))

Michael Young: Yes, but we've clarified saying going forward. So if it's five years from now, there should be a past list that started, you know, this year.

Claudio Di Gangi: I see.

Michael Young: We're not ask - go back and do research on history. See what we mean?

Claudio Di Gangi: Yes. I mean I understand what you're saying. I'm just trying to grasp if it's clear.

Michael Young: Well how about this Claudio. Would you mind taking an action item and trying to suggest a bit of language to clean that up?

Claudio Di Gangi: Sure.

Charles Gomes: By the way, I think your site does this already if I remember correctly. I was looking at it the other day.

Claudio Di Gangi: Yes. Well that's true. I think it does have a lot of that information on it. I didn't realize that.

Charles Gomes: Yes. It's pretty good. It's pretty complete I think.

Michael Young: All right. So, any other comments on Section 4 because I think we're coming up on 9:30 and rather than start a, you know, one element of another section, I think we probably should do a little housekeeping and then close the call.

Tony Harris: That makes sense, yes.

Michael Young: Anything further on four? All right. So the housekeeping item really is just about making sure we're firm on the schedule for the next meeting. Next week, can we repeat the same timeframe again? Does anyone have any reason why we should change it again at this point?

Charles Gomes: No I will not be able to make it next week. I will be on an airplane.

Michael Young: All right. So...

((Crosstalk))

Charles Gomes: ...or getting ready...

Michael Young: ...if we're changing the date, we're not going to be able to help you with that one I guess.

Charles Gomes: No. Uh-uh.

Michael Young: Anyone else?

Charles Gomes: But you guys will do fine without me. I'm not - it's not as if I have to be there.

Michael Young: Well and then there's every opportunity to look over the changes on the list afterwards too.

((Crosstalk))

Charles Gomes: Yes, yes.

Claudio Di Gangi: We were having the call at this time was it in part for Chuck's schedule?

Charles Gomes: Yes it was to my disadvantage. And I have a standing meeting at 9:30 Eastern time which is right after this takes. By the way, I do want to submit a comment on number 5. And I've made this on the list many times. Five B just doesn't work.

Man: Yes.

Charles Gomes: So and I know that some of you will, I mean should an organizational member that has 5000 members have the same voting rights as an individual member? I...

Michael Young: Yes.

Charles Gomes: ...think not.

Michael Young: No, we'll have to tackle that one for sure.

Rafik Dammak: Okay.

Claudio Di Gangi: Yes. I mean I have some pretty broad concerns just with the whole, you know, getting into the voting issue I feel like - is - it's really a representational issue and I'm, you know I'm not...

Charles Gomes: I do believe that all members should have some voting rights. But as soon as you start saying equal voting rights, it becomes terribly problematic.

Claudio Di Gangi: Well, you know, I still - conceptually Chuck I still have the same - I still feel like it's still opening up the same issue once you get in there and saying who could vote and who doesn't.

It's almost, you know, you're getting into that issue. And I have the same concerns there as I would be getting into the level of, you know, should the voting rights be equal or become some other process because I feel both of those issues involve representational matters.

Charles Gomes: But don't you think...

((Crosstalk))

Michael Young: So I'm going to play traffic cop...

Charles Gomes: ...don't you think that every member should have some voting privileges?

Michael Young: Right. Can I...

((Crosstalk))

Charles Gomes: It doesn't have to be tailored.

Michael Young: I'm going to play traffic cop here, sorry, because we're really...

Charles Gomes: Okay.

Michael Young: ...at 9:29 and this - I feel five - the reason I didn't want to start five today was because I feel there's going to be a lot of discussion around five and there are a lot of issues with it. So if we can - Chuck if you want to make sure that we've covered certain elements, perhaps you should post your thoughts to the list prior to Friday's call?

Charles Gomes: I already did months ago.

Michael Young: Yes. I think it would help to refresh that.

Charles Gomes: All right. I don't know if I'll have time. If I do I will.

Michael Young: Okay. But, you know, I think a few of us, including myself, share your concerns. So, you know, I think rest assured they'll get discussed. So the problem is we don't have that many people on the call today. So if we shift the time to a new timeslot, I'm worried we're going to come up against a new conflict. Can we maintain this 90 minutes again next week?

Tony Harris: It's okay with me.

Michael Young: Okay.

Claudio Di Gangi: Michael as far as the time is - would it still make sense to keep it at 8:00 or 8:00 Eastern or do we...

Michael Young: Julie, I think Julie has, the last the couple of calls has had to go at 9:30 as well.

Julie Hedlund: Right. I actually - I have a meeting - I could do 9:30, I'm sorry, I can do 8:30 to 10:00. I have a standing meeting that starts at 10:00. But I typically have some preparation for that so 9:30 is (unintelligible) if we can go 8:00 to 9:30.

Michael Young: Okay. I mean I know that that time slots not ideal for everybody and I apologize. We really are only doing it so that we can, you know, get an extra 30 minutes and, you know, get through this call. We still have a fair bit of ground to cover, you know, to finish our work here.

Man: Yes.

Michael Young: Okay. When we have - hopefully we'll have a little better of attendance next week and we can revisit the timeframe Claudio and see if there's something else we can come up with?

Claudio Di Gangi: Sure.

Michael Young: because I'm fairly, myself I'm fairly flexible on Friday mornings. I try and - I'm clear of meetings until 11:00 o'clock Eastern.

Tony Harris: Yes. I have a question.

Michael Young: Yes. Go ahead.

Tony Harris: Will we - when I say we, those who will be in Nairobi, will be holding a face to face meeting or is this not necessary?

Michael Young: That's a good question. I don't think we've...

((Crosstalk))

Charles Gomes: There is a - there is a meeting scheduled.

Michael Young: You sure?

Julie Hedlund: Yes this is Julie. Olga has asked for a scheduled meeting and there is a meeting scheduled.

Charles Gomes: No I can tell you just if you bear with me a second, I'll tell you when it is. It's on Sunday from 9:00 to 11:00.

Tony Harris: Oh that's a good idea. We had one in Korea.

Michael Young: Right. Can we make sure we post the call information as early as possible Julie to the list for that? I'm going to have to dial in myself.

Julie Hedlund: Right. I think Glen will be handling that because I don't personally know what the dial in information will be, but I'm sure that, you know, she'll be handling that very well as usual.

Glen De Saint Géry: Michael this is Glen. Yes I will be sending out those details this coming week.

Michael Young: That's fantastic Glen. Thank you very much.

Glen De Saint Géry: And there will be remote participation for all the calls.

Michael Young: That's fantastic. I think in this meeting a lot of us that would normally come are not because of those security concerns. So, remote participation is going to be even more important in this particular meeting I think.

Glen De Saint Géry: Yes. And I think that we're aware of that and we are making extra efforts.

Michael Young: Fantastic. All right, if there's no further business then, we'll be having another call next Friday, same timeframe. And, you know, one last opening to the floor, does anyone want to bring up any last items? Great. Hearing nothing, we'll close the meeting. Thank you everyone.

Julie: Great.

((Crosstalk))

Charles Gomes: Thanks Michael. Have a good weekend everybody.

Tony Harris: Thank you Michael.

Claudio Di Gangi: Yes, bye-bye.

Tony Harris: Bye-bye.

Rafik Dammak: Bye-bye.

Glen De Saint Géry: (Louise)?

Coordinator: Hi there Glen. Sorry, I was just...

((Crosstalk))

Glen De Saint Géry: Hi (Louise). Thank you very much indeed for taking such good care of us.

Coordinator: Oh you're welcome. No problem.

Glen De Saint Géry: And for solving the problem with Tony Harris. It was very fantastic.

Coordinator: Okay. You're welcome.

((Crosstalk))

Glen De Saint Géry: Because the other day we had an audio - we had the same thing on the phone and we practically couldn't get rid of it for the whole call.

Coordinator: Right. Okay. Well I appreciate it.

((Crosstalk))

Glen De Saint Géry: Thank you so much (Louise)...

Coordinator: You're welcome.

Glen De Saint Géry: ...and have a nice weekend.

Coordinator: You too. I'll speak to you soon. Bye-bye.

Glen De Saint Géry: Thanks - thank you, bye.

                              END