GNSO
Operations Steering Committee (OSC) GNSO Council Operations Work Team 1 April 2009 at 15:00 UTC

Note: The following is the output of transcribing from an audio recording of the Operations Steering Committee (OSC) GNSO Council Operations Work Team
teleconference on 1 April 2009 at 15:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:
Please find the MP3 recording of the GNSO Council Operations Work Team teleconference on Wednesday 1 April 2009 at 16:00 UTC at:

http://audio.icann.org/gnso/gnso-council-ops-20090401.mp3
http://gnso.icann.org/calendar/#april

Participants present:
Ray Fasset - Work Team leader Registry c.
Ken Stubbs - Registry c.
Yoav Keren - Registrar c.
Wolf-Ulrich Knoben - ISPC
Ron Andruff - CBUC

ICANN Staff
Julie Hedlund
Rob Hoggarth
Glen de Saint Géry

Absent apologies
Tony Holmes - ISP

Wolf Knoben: Can you just send the link off to me because I'm not on the list.

Coordinator: Okay the recording on this started, you can start your conference.

                 Thank you.

Julie Hedlund: Yes Wolf, I'll be happy to send it to you also. Thanks.

Ray Fassett: Okay everybody the meeting is being recorded. This is Ray Fassett, the Chair of the meeting. It is April 1, 2009. Glen, could you please do a roll call of who is on the call?

Glen Desaintgery: With pleasure. We have on the call Ray Fassett who is the leader of this group, Ron Andruff from the business constituency, Wolf Knoben from the ISP, and from staff we have Rob Hoggarth, Julie Hedlund and Glen Desaintgery.

Ray Fassett: Thank you Glen.

Yoav Keren: Hi, Yoav is here.

Glen Desaintgery: And Yoav has just joined this moment, he is a registrar.

Ray Fassett: Welcome Yoav.

Yoav Keren: Hi.

Ray Fassett: Okay, Ray Fassett here. I'll give a brief update. We've had one call up till now as a work team, it was one week ago today. As a plan of attack on that call, and I'll be brief, I chose to look at the existing GNSO rules of procedure document to see as that did fall under our jurisdiction.

To see where we could look at that document to advance our overall mission of having the GNSO council act as an administrator of policy rather than a legislative body.

Now what happened soon after the close of that meeting was my finding out that there's actually quite a bit of work going on with ICANN

staff with regards to the rules of procedure document and how it interplays with the bylaws, the ICANN bylaws.

Because there is an association between those two documents and then how the results of the inner working of those two documents may then affect our work team.

So to make a long story short, there are sections with the rules of procedure document that Julie and I believe Rob are looking at -- and Ken Bour -- and they will as they go through and identify certain areas that seem to fit within our purview, they will edit some of those sections of the rules and procedures document.

Submit them to us as a work team to then review comment and offer our opinion of any additional edits or changes or what it is they're thinking exactly.

Now Julie have I captured that fairly well?

Julie Hedlund: Yes, I think so Ray. Can I just interrupt to ask Wolf, could you please give me your email? I realize I don't have it and I do want to send you that charter.

Wolf Knoben: It's just - okay the email is knoben, like the name, knobenw...

Glen Desaintgery: I'll send it to you Julie.

Julie Hedlund: Oh thank you so much, I appreciate that.

Wolf Knoben: Thanks Glen.

Julie Hedlund: But yes Ray, you're correct I think.

Ray Fassett: Great, thank you. So what that means for today, I think, and actually what Yoav had suggested in the last meeting, was to focus the group's attention, the work team's attention now back over to this charter document. Which is we do have a - versus the other work teams, relatively speaking we do have a little bit more of a sense of urgency to complete our charter.

So - to assist the other work teams in completing their charters and their work. So hopefully we have - we are able to have this document up, the most recent document in the Wiki is where I'm talking.

Because I've noticed again the fine work, the support work that we're getting from Julie and Rob and others. There is down there a - if you scroll down a little bit on the page there is a priority action items list.

Ken Stubbs: Ray, could you do me a favor, this is Ken. Could you send me a link to the Wiki please if possible?

Ray Fassett: Absolutely, in fact Julie...

Glen Desaintgery: I'll send it to Ken.

Ken Stubbs: Thank you Glen.

Ron Andruff: Ray, this is Ron Andruff, are you referring then to these three numbered points specifically when you say there's a number of things we need to work on, on that Wiki, we're talking about those three

points, GNSO operations, stakeholder group and constituency operations and communications?

Or are you talking about something more specific?

Ray Fassett: I think more specific. If we're on the same page, if we page down a little bit there's a bolded area.

Wolf Knoben: Glen, can you send the link to everyone because I didn't get a link to the Wiki until now.

Glen Desaintgery: I will do that.

Wolf Knoben: Okay, thank you. Sorry for the interruption.

Ron Andruff: The bolded process, OSC operations then, is that it Ray?

Ray Fassett: That's it. Do you see - does it say right below next meeting to see the recent notes click here, the next meeting is scheduled for April 1 2009?

Ron Andruff: No, I'm looking at an older version then. Okay, Julie's has just come through. Thank you Julie.

Ray Fassett: Now we're spending a little bit of time on this so maybe it's worthwhile looking at how - what we've - because I'm going forget the URL, I'm like anybody else.

So you know how do you get here? Well how do I get here is I - you know I go to the gnso.icann.org Website, I get to the council and new

procedures, from there that's a Wiki page and what we're called is the GNSO operations team.

That's what we're called. So there's the - and it gets a little confusing because you know there's the operations steering committee, alright, so we're the GNSO operations team.

And so there's a link over there that says GNSO operations team and by clicking on that link is what gets me over to the most updated version of the charter.

Wolf Knoben: It's Wolf Knoben speaking, so it would be helpful if I may say that Glen for the future if you could add to the invitation email just the link.

Glen Desaintgery: Okay, I'll do that Wolf.

Ray Fassett: I think that's an excellent suggestion. Good idea. And if I was thinking I would have sent around the link before we even started so thank you Glen for helping.

Okay, so once we get there, okay focusing in on progress we've made to date even though it's not substantial, what we have identified again with the help of ICANN staff which I agree with at my request was to come up with some what may be considered more priority action items.

So I thought that would be a place for us to have a discussion if we could all review what those are today. Yoav do you have anything you would like to discuss if we don't - before doing that?

Anything involving our purpose, our mission or anything along those lines? Is there anything you would like to throw out there for discussion Yoav?

Yoav Keren: Well something that I'm missing here and I did talk about it in our last phone call and it would be very helpful if the entire group will get an email from someone from the ICANN team of all the relevant links to I would say current papers already written, published comments or whatever.

Things that w should take into consideration when we discuss all these issues because I'm kind of missing some information here in order to discuss some of these issues.

And I know that some of them were discussed in other working groups or other - or by the council or by the board. And it would be very helpful if we could get a set of links with all the information.

Ken Stubbs: As am I Ray, if there's a reference you made to action items and I don't - I went back through my email list and I can't find anything that is addressed that specifically calls out action items.

So I'm going to ask whoever sent that out to resend it to myself and I guess Yoav.

Ray Fassett: And just to be clear Ken it wasn't communicated through an email, it's being - the Wiki you know being a living document if you will is being updated.

Ken Stubbs: Okay. I guess my point is the only thing I'm looking at is a Website page that says GNSO operations team, so I apologize for being somewhat of a (nurch) because I'm not used to using Wiki.

                So you know I'm in the previous century. I'm still using squirrels in round cages to generate electricity and so forth.

Ray Fassett: Yeah, Mr. (Voip) here is previous century, yeah sure. But if you page down from that link Ken that you're at, I think you'll see a bolded area and it's going to say priority action items.

                Now Yoav to address your question, it's a little daunting to say give me everything that could possibly relate to what we might be talking about.

                But if we talk through some of the items then I think we can ask okay where did that come from or what's the origination or what's the source document of that so you know I'm not sure which way to go about it.

                But you know I think it might be helpful to start with this list of priority item, action items. First of all even discuss whether these are priority action items, okay.

                And before we even get started on that I would like to impose on Ken who has a long history that goes back to the DNSO to give - just to give us his thinking on you know the importance or how we get the GNSO council to this concept of being a manager of policy process versus a legislative body.

                Ken can you give a few words on what you might be thinking?

Ken Stubbs: Well unfortunately over the last ten years there has been an undercurrent of kind of an us versus them type of mentality that has existed in the GNSO.

And sadly originally it started out primarily based on intellectual property rights and so forth. And concerns that that related in various constituencies towards that.

And over a period of years they got more and more bitter and sadly that undercurrent is to some extent still there. Another one of the issues that takes months to recover from and a lot of these we worked - we're working towards limiting them.

Another one of the issues that takes months to recover from was elections for board members, you know. And so there was a methodology that was developed as a result of perceived problems in the previous iteration of the council that was - it modified the voting process and there were some very close elections.

And there was a lot of bitter feelings and sadly in many cases personalities tend to manifest themselves in council meetings. And what it boils down to is that people just literally shut off the ability to really take into consideration other people's perspectives.

It was always agendas back there and so I think we have to really work hard when we move forward to realize we're all trying to move in the same direction and that we need to put a lot of this behind us number one.

Number two is in the early years we did not have the resources and frankly we're getting closer, but we're still not really where we need to be and as a result a massive amount of burden for work was put on Glen and those people that were available to help support the council.

And over the years council has raised hell about this and I think they're starting to get some things done and I'm seeing more support.

The biggest mistake that the council has right now is it's still very difficult for the council to deal in (a) environment that is more open for immediate change.

They need to develop some good conferencing software that allows people to be able to take information onto their laptops or computers while in a real time basis and I think you all know exactly what I'm talking about.

And ICANN really ahs not addressed that issue. It needs to be done both from a remote standpoint and also for direct private conferences that are monitored like the council.

And the last thing that needs to be done is there needs to be a greater concern on the part of some of the more highly structured constituencies to acknowledge the fact that many constituencies like the ISPs and the - some of the other constituencies, it's very difficult for them to meet and deliberate.

And there needs to be a little more consideration. I'm still seeing it and I'm going to use names not because of the names but because the only way I'll get familiarization real quickly people - there are some

people like Mike Rodenbaugh that tend to put things in at the 11th hour that are really significantly material.

And it creates a certain amount of angst there because there hasn't been enough opportunity to assess the impact of some of these things.

And I'm not blaming Mike, that's just maybe Mike's burdened with a lot of things and he budgets time for this at the 11th hour. But people get very upset about that, it's not fair.

And I think those - we need to be a little bit more considerate of each other and the way that they operate and we need to be able to provide a framework that doesn't leave people frustrated because they can't get to everything.

Yoav's comments at the beginning of this call were very important, and that is that sometimes there is a presumption that everybody has an immediate command of all the technologies number one, and that number two, everything is sitting there in front of them.

When I was on the council, Glen did a wonderful job when we first arrived at an ICANN meeting of giving us a pamphlet, a brochure, a folder that was filled with information that related directly to relevant actions.

We've now taken that folder and put it up on the internet. But we need to make sure that everybody understands how this works. And I think it's also extremely important that we provide for a good system to bring new council members up to speed as quickly as possible.

There's one other thing that we need to do and we're talking about operations here. If I'm going overboard just let me know. We need to ensure that the technologies that are available for participation are non-discriminatory.

I used to remember maybe Glen you've gotten a lot of this straightened out but people like Norbert Klein and people who are remote participants, it was incredibly difficult for them to be able to participate.

And you know some of the things, I think there needs to be more flexibility given to the secretariat, to Glen to be able to - and a much broader budget for her to make decisions.

You know I mean for God's sake, she's been doing it for almost ten years now and does a wonderful job. The idea that ICANN couldn't give her a discretionary budget so if she wants to go out and buy 20 USB thumb drives so she can dump a whole bunch of data on and hand one to each one of the reps when they check in.

She ought to be able to do that without going through a Chinese fire drill. I think ICANN has to realize that they need to be a little bit more fluid in the way that they support the council.

That's to me those are the things that were really frustrating as a council member, you know.

Ray Fassett: Well thank you Ken, this is Ray, actually that's exactly what I was kind of looking for given your background and experience.

Ken Stubbs: Well I don't know whether Tony Holmes is on here, on the call because Tony's been around for a long, long time as well.

                And you know I think he could also give some additional perspective there as well.

Ray Fassett: Okay. Because if - are we all at the Wiki page now?

Ken Stubbs: I'm not really sure. I can give you the URL, Glen sent me a link the top of the page says GNSO operations team but I cannot find a hot link to priority action items.

Ray Fassett: Let me ask it differently. Can everybody who is at the link page down on that link and see if there's a bolded area that says priority action items.

Man: Yes it is.

Ken Stubbs: Yes, I see a bolded area but not a hot link.

Ray Fassett: Okay. Now Julie, here's a suggestion for you, let's move that section that we call priority action - are you planning on keeping the priority action items as a part of the Web - of this Wiki Julie?

Julie Hedlund: Yeah, it can be on this Wiki page or it can be a separate page.

Ray Fassett: I think we should just move it off because you know we call it priority.

Julie Hedlund: Well it's part of the charter so the way it stands right now is the way it is - you know the way it is listed in the charter. So while I can't - you know unless we edit the charter to...

Ray Fassett: Yeah, Julie, I understand.

Julie Hedlund: But what we can do however is we can take these priority action items and put them into a table and you know we can have a link you know as Ken mentioned a hot link to that table which could be a separate Wiki page.

But we can then just look at those items. Right now there is a link to a table which if you look at priority action items number one, number two ICANN board recommendations and then right underneath that it says COSC GNSO operations team draft checklist table.

That is a link to a table which has these action items in it.

Ron Andruff: Ladies and gentlemen, this is Ron Andruff, if I may, we're spending a lot of time talking about where we put documents, let's move on. I think this is very important when I'm reviewing these board recommendations suggested projects.

What I'm seeing if I may Ken and Ray is there are some very difficult tasks here. You know the first three are difficult enough - the first two are difficult enough.

Statements of interest and declaration of interest is a very easy one that we might just get knocked off the list as quickly as we can. But when you start to look at things like develop curriculum for training,

prepare clear rules for new constituencies, recommend methods of introducing new constituencies, these are very serious tasks to be undertaken.

So where the documents have wound I think we just have to get up to speed. A Wiki is a Wiki, we scroll down, find where we're working and get on with it.

It's critical that we get after these things because they're very serious topics and I'm not sure our little group here is prepared to - is capable of developing curriculums for training for example.

Ray Fassett: Right, Ron I fully agree with you. You know we have to do a little bit of housekeeping so that everybody can be looking at the same documents but I agree 100% with everything you said.

So now that some basic housekeeping has been done and I want to go back to some of the things Ken was sharing with us I think are important.

Because when we look at the priority items I want to focus in here again if you go - if you look at it there's a bullet point that says determine what steps are needed to establish the role of the council, the strategic manner of policy process.

And right below that there is create a set of operating principles. Okay, so Ken just went off and explained a lot of the issues that have gone on over the years with the council and the old DNSO.

And what I would like to try to get to and understand that our role here is to sort of stay high level is what our - what are a set of operating principles that can put together and discuss to allow - to enable the council to move towards this goal, this rather intangible goal if you will of being a strategic manager of the policy process.

So I was wondering if anybody has any suggestions of what could be an operating principle. For example now to Ron's point, he's exactly correct, we could look at the statement of interest and come up with what these documents should say.

Meanwhile you go off in to some of these other areas such as the standing committees.

I think that becomes very difficult but - so it's all in how we want to prioritize. So we have a list of priority items and then within this list of priority items there are items that are more difficult than others.

But I don't think that tackling a set of operating principles is overly difficult for us to do. So I'm choosing to sort of pick that as a place to start and discuss you know what are - what could be a set of high level operating principles that we can start to put together and frame where we're heading?

Is everybody in agreement with that approach?

Wolf Knoben: Let me ask a question, Wolf Knoben speaking, I just went through very briefly through the priority action items and there is a - you have been looking on that already and put up that list. I'm wondering you know

when I look back to the upper text there was also from ICANN included and I wonder where they are.

Or are they still valid or not under the priority? For example there was an item prepare clear rules for the establishment of new constituencies within stakeholder groups.

That was an item put on the upper text so I wonder, is that still an item that this group is dealing with or is not?

Because it seems to me this item is also would have a rank of priority here because there are new constituencies knocking the door and we have to establish some rules.

So this - my question is, is that an item for the group still or not? Maybe Yoav could tell us something about that.

Ray Fassett: This is Ray, yes I think that's a good suggestion. We talked about this briefly on the last call. Rob, could you provide a background on that?

Rob Hoggarth: I will certainly try, thank you. The issue I think that you have is the GNSO council operations team does involve the relationship between the council and the constituencies.

And the broader issue of providing operational rules of procedures for how those new constituencies are brought into the fold. Obviously the bylaws create a mechanism right now for approval of those new constituencies by the board.

You know the petition process and the review that the board makes, but there is a subset of issues arguably that this group would need to address which talks about how those constituencies relate to the council and how they operate within that structure.

Now you know I don't recommend immediately tackling that although Wolf noted that there are a number of new constituencies potentially knocking at the door.

That's a broader issue that I think the council or the steering committee would need to give this team advice on in terms of coordinating that effort.

Because it's obvious given some of the discussions that have taken place over the last several days about some of the by-law provisions that are going to need to be developed.

A lot of those decisions are likely to take place much sooner than this work team will get to the issue. So my suggestion is that there will be elements of constituency involvement and work with the council, and how those interrelate should certainly be on the checklist for discussions at the hearing committee level.

But it's probably one that you guys want to try to tackle immediately just because there are going to be decisions made by other bodies that will affect that work down the road.

Ken Stubbs: Ray?

Ray Fassett: Yes, please.

Ken Stubbs: Yeah, getting back to one thing that Ron was emphasizing. As I'm
                sitting here looking through the list of various things, I think that what
                we could do, I'm not trying to distract but rather to enhance here, to
                make our next meeting more productive for ourselves.

                Is there specific references in these various action items for instance
                the forms - the standardized format for forms and so forth that are
                required for board members.

                If their current standards that are being referred to here we should get
                that information. Statements of interest, the board has developed a
                clear statement of interest policy and forms and statements of interest.

                It would be easy if we got those forms, sent them out to the board
                members and if we buy into them we could knock that out almost right
                away.

                Anything like that I know for a fact that there - Glen had a - developed
                a primer for new council members and maybe what we could do is take
                information that's been accumulated over a period of time here to
                enhance and educate new council members.

                Let's lift these various items to see how we can get those out to the
                members, give the members of this committee an opportunity to review
                them and maybe we can sign off and get some of this stuff knocked off
                relatively quickly so we can focus on the high level stuff in the future.

Ron Andruff: Fair enough, Ray it's Ron.

Ray Fassett: Yes.

Ron Andruff: Sorry, this is exactly what I meant in my previous, what I said before.

Ray Fassett: Sure, and that's a good example of that Yoav, thank you.

Ron Andruff: Ron here, it seems to me that Rob coming back to your comments, there was a document that Denise Michel had prepared regarding new constituencies.

So following along the same line of what Ken just mentioned, there already is some drafts out there regarding statement of interest, declaration of interest and we should probably just nail that down with one term rather than two.

But that's - there seems to be something circulating. We all submitted a declaration of interest so I'm not sure that we couldn't just refine that document or review that document and see if it needs any refinement.

And then Denise Michel has put forward if I'm not mistaken something along the lines of new constituencies and how they would form.

So I'm not sure if we're developing these things or just doing a review of these things to see if there's anything that needs to be added. Am I correct there or incorrect Rob?

Rob Hoggarth: Ron, this is Rob. I believe it's a combination of all those. You know a lot of preliminary work has been done by staff and now may be a good time to clarify sort of the staff role versus your role.

We are here to assist, to support, to provide background and anything you guys need as you develop this work.

So please throw that burden on us as much as possible. But anything that we are generating or providing for your review is merely in the spirit of recommendations or suggestions to make the decisions that you all do.

And you make those recommendations to the steering committee and then ultimately the council will review and rule on.

So I just wanted to confirm that general overview. In terms of the constituency process as I noted just a little bit earlier there is a bylaw process, it's not very specific.

The board in approving the or endorsing the BGC recommendations for GNSO improvements instructed staff in the short term to put together a process by which new constituencies could come forward.

Announce their intentions and ultimately petition the board. At the appropriate point in time it's certainly a potential jurisdictional item for you guys to review that process, to say gee, do we think that works, do we have recommendations or suggestion how that might be reviewed or changed or modified.

So again as I said earlier I think it needs to be on your checklist. It will be incumbent upon you all in establishing your priorities whether you get to that first, second, tenth, you know wherever it fits in appropriately in the process.

My sense is, based upon comments that Chuck Gomes made in the last call, his capacity as chairman of the OSC, the general sense from the steering committee level was that you know the operating rules and procedures were the best place to start. And perhaps the best framework for tackling some of the issues that you all will be dealing with.

But that's ultimately something that as we get more documents together, as Yoav has asked for it will help you guys I think not only identify what the list is but then prioritize those action items.

And if I can suggest one way to approach it may be to have certain work team volunteers step forward and say hey, I'm willing to take an attempt at the straw man for this.

I want staff to the be the straw man for that, you know basically dividing and conquering some of these issues so you don't all feel like you have to address them consecutively.

But that a number of efforts can be going in parallel.

Ken Stubbs: Ray?

Ray Fassett: Yes, go ahead please.

Ken Stubbs: I think as I sit here and look at this thing, one of the things we should try to do here as a takeaway is to stratify these items to find out which - for instance some of these are incredibly esoteric.

Begin a constructive dialogue with a broad range of internet stakeholders, that is incredibly esoteric and something that needs to be very carefully thought out and it's not something we're going to get done in one day.

There are certain things that have you know in terms of stratifying those can be done easily and put away quickly so that we can concentrate and let's decide if we need additional resources such as this constructive dialogue thing.

We may need to sit down with staff and say you know exactly what the hell do they mean by constructive dialogue? What constitutes that? How much planning do we need to do?

Do we start initiating a dialogue like this at a major ICANN meeting like Sydney or something like this? And if so we need to plan for that because those things need to be done six, eight weeks out you know.

And I think if we stratify these various action items it will help us get a better idea on what we can tackle and accomplish in a reasonable time period, what takes additional resources and what items we may even need additional clarification from either from board members through staff or something along that line.

Ray Fassett: Yes, I think that's a good point Ken and as I've looked at these priority items myself, I really looked at that middle one there as one that if I had to rank...

Ron Andruff: Which middle one Ray?

Ray Fassett: It says define and develop scope and responsibilities of any other standing committees, analyze trends, begin constructive dialogue, establish committees of four to five members.

Now while that is in this priority action item list, you know I would probably drop that down in terms of how we look at this whole list of priority items and decide which ones we attack.

We already - we spent some time saying that the statement of interest and declaration of interest forms could be where the low hanging fruit is.

I've tried to identify that creating a set of high level operating principles could be a place of low hanging fruit for us to start putting together some deliverables.

I wouldn't look at that middle one which is develop and define scoping responsibilities as what we can do right away.

You know that's not the place I would start if that makes sense and I think I'm agreeing with Ken, with what Ken was saying.

Ron Andruff: I think we're all in agreement. You know the statement of interest is easy, that's one that we've already - we all had to fill out one to get here so it's something we could define it and put to bed.

Ray Fassett: Right, it's easy to a degree. Now I could come up with a couple questions. First of all somebody explain to me the difference of a statement of interest and a declaration of interest.

You know Ron mentioned collapse the two, I'm thinking well there must be a reason why there's two different ways of saying it. Are these two different forms?

Julie Hedlund: Ray this is Julie. That was the wording that was used in the BGC report, that the board had accepted as a - you know as a recommendation. But the report which is linked on the Wiki talked about two separate documents.

But I think that the team could discuss whether or not there needs to be two documents or one that accomplishes you know what we're trying to do.

Ray Fassett: Okay. Let's focus in on that for a minute if nobody minds. Is - for the reasons Ron said earlier, should we just collapse this into one or the other so we're talking - everybody knows what we're talking about the same thing, whether we want to call it declaration of interest or statement of interest?

Let's....

Ken Stubbs: There is a difference. I'm on the board of a couple of organizations, and it's my understanding a statement of interest is something that's provided prior to commencement of an activity.

The declaration of interest is normally made at the time of a vote and it implies that there is an interest and an action that's being considered by an entity.

So I might say I am abstaining from this vote because I am an applicant for a new TLD or something along this line. But you know a statement of interest is something that the board members all have to fill out prior and then the declaration would explain why they're doing that action specifically if there's an interest if they have an interest in the action.

Ron Andruff: Knowing what you know, Ken would you see that we could not- would you suggest that we maintain it that way, or would you consider the fact that we could try to create a terminology that goes forward from here?

Ken Stubbs: Well I think it's important that based on what's happened in the past Ron, there needs to be a need for declaration of an interest if somebody stands to have a material benefit from an action.

So I think that there needs to be an allowance in the process, in the council process for declarations of interest as opposed - I think it could be done very, very simply.

We could use the board guidelines because the board guidelines have been vetted by Jones Day and all those people, you know.

And if they are too complicated then we can ask the staff to dumb it down to a level that makes sense because we don't have the liabilities a board member might have.

Ron Andruff: I was about to just say that. Chair if I could put forward a recommendation that the support staff right up a statement of interest

and declaration of interest definition, one of each so that we can now move forward and say that we've given some framework to that.

I agree with what Ken has said 100% that in a vote a declaration is very critical so people know exactly where people stand and everyone has to declare their interest every time they stand at a public microphone.

Every time they join a committee so the statement of interest to part is very clear and the declaration of interest could be very clear as well if we can instruct staff to come up with a very clean and simple text so we can move forward with that item.

Ray Fassett: Does anybody want to second that?

Wolf Knoben: Yes. It's Wolf speaking so if you go down the text (unintelligible) also it is outlined there, statement, the difference between declaration of interest and declaration of interest means more specific matters under the discussion.

What Ken was saying as well and we should take it as it is here.

Ray Fassett: Okay. If I understand Ron's motion correctly, he would like to see staff prepare a definition of the statement of interest and a definition of a declaration of interest in the context of what their purposes are.

Ron Andruff: That's right, so that we can go forward and say that these are documents that we recommend as a committee going forward.

Ray Fassett: Should I add to that recommendation an existing example of something used in the ICANN framework now for both purposes such as at the board level?

Ron Andruff: Well I think what Ken was suggesting is they could look at what that is. But the board as he mentioned, there's no liability issues here. But it really is important that each person within the community declare their interest before they speak so that everyone understands where they're coming from.

But because there's no liability it doesn't have to be a board - an ICANN board existing document. I think it could be something very simple.

Ken Stubbs: I would task staff with developing those two guidelines and any related forms because you know.

Ray Fassett: Okay, let me ask staff if they would be willing to provide the definitions as we asked and for the forms. Would they be willing to supply those two up for review?

Julie Hedlund: Yes Ray this is Julie, I'll be happy to do that. And I could supply as an example for the statement of interest the series - the question form that all of you filled out before you joined these committees if that would be a useful starting point for the statement of interest.

Ken Stubbs: I'll ask Glen a simple question, or you, Julie. And that is, is the statement of interest that you asked us for consistent in (requests) to the statement of interest that's currently required for names council members?

Julie Hedlund: Ken, I don't know the answer to that. Glen do you know?

Glen Desaintgery: Yes Ken, this is Glen, the statement of interest required names council members is slightly longer and has not been put into any template form.

Because up to now there has not been a decision on what that template should look like.

Ken Stubbs: Okay.

Glen Desaintgery: You will find on the....yes?

Ray Fassett: If I may pick up on that Glen, is that something we should be defining here or working towards defining that template?

Glen Desaintgery: That would probably be a very good idea because it has been discussed for a very long time that there should be a template and that there should be a standardized form of statements of interest.

You will see the ones that are up on the Website for all council members currently. Some three or four lines and others reaching to a page and a half.

Ron Andruff: Well that is exactly – Chair, that's exactly what I was requesting really. Definitions of these things and sort of laying out what the form should look like. So maybe we can expand the task for the staff to actually come back to us with a form that rationalizes the two that are out there now and give some kind of sense for us to move forward.

Ken Stubbs: Not only that, I think it works out very well for Glen, it sets a tone and makes it much clearer that participating has certain responsibilities that go with it and that's exactly what we're trying to develop here in terms of these guidelines.

Ray Fassett: So if I understand correctly we would like Julie to look at what the name's council members have to fill out now or however it is that they communicate and peel it back or make additions and then recommend to us what that might look like moving forward.

                 Is that - am I understanding you correctly?

Ron Andruff: We'll vote for the statement of interest and then the declaration if interest. So look at existing and try to - we'll rationalize those and that will be our first order of business.

Ray Fassett: Okay, so the starting point is what they're doing now. Staff will review those, make recommendations of edits to those for us to discuss.

Ron Andruff: Exactly.

Ray Fassett: And we will then from there once we come up with what this document may look like, we will then come up with how this document gets assimilated out to the members in the future, whether it's online, real time, whatever these recommendations are that pertain to this that came from the BGC.

                 Or are there suggestions such as forms should be real time, updated, similar to what is required for members of the board, etcetera.

So I think there's two sides of the coin here, a, what is the - well first of all what is the purpose of the form, b, what does the form look like and then c, how does it get assimilated out there in a standardized format if you will.

Assuming we want to do a standardized format but I'll make that assumption for now.

Ron Andruff: Agreed.

Ray Fassett: Julie, any comment on that concept?

Julie Hedlund: No, that sounds great, I'll take that on as my action item.

Rob Hoggarth: Mr. Chair, this is Rob, I'd like to make one comment.

Ray Fassett: Yes, please Rob.

Rob Hoggarth: And I would incorporate into your last category there you know not only how it gets assimilated but we'll also take a stab at how is it utilized going forward.

You know I think some of the community have expressed concerns that people throw something over the transom, it's never really considered or addressed again and a lot of that will be handled with a standard form.

But we also may want to make a shot at some straw man suggestions as to how things are reinforced going forward as well.

Ray Fassett: So if I understand that concern correctly, people may fill out the forms but then no one bothers to - shouldn't say bothers to, but there's not a mechanism in place to come back and check for completeness but perhaps ask additional questions of what might be being referred to in the document. Is that what you're referring to Rob?

Rob Hoggarth: Yes. And then, you know, ultimately while Avri is very good as the Chair of the GNSO for, you know, asking for updates. You know, it's just a general process. And you guys will discuss and your ultimate recommendation to the Steering Committee and the Council will be everything you've talked about. So I think you've all set it up very nicely. And then it's just a matter of talking about - then actually have it implemented.

Ron Andruff: Chair?

Ray Fassett: Yes.

Ron Andruff: This is Ron.

Ray Fassett: Yes.

Ron Andruff: So Rob, I think that's a very important point. And if I understand what you've said, Avri actually makes that call from time to time. So maybe we might - we might look at this from the point of view of saying that the Chair of any meeting - that when they begin the meeting they will take a role call and then they will ask if there's any change or declarations of interest to be made with regard to the topic.

So that people go on record right from the get go. Because things are - it is a very - things are always in flux. You know, what I may have to put in my statement of interest today might change six months from now.

So I think that would be a good point of order for the chairs of committee's to be asking right after role call if there's any change of your statements of interest of this committee or any declarations that need to be made.

Ray Fassett: Good point Ron. Thanks. Now let's talk about time deliverables here. We have our next call in two weeks. Is it reasonable to say that as far as completion on this particular bullet point we will have a document, we will have the purpose and what we will be discussing is really completing this step, if you will, in two weeks; the completion of this step. Does that make - does that sound fair and reasonable?

Ron Andruff: Would it be possible for staff to circulate something, let's say, within the next week to ten days so we can review that so when we get on the call we can - rather than seeing it for the first time we can actually make those determinations?

Julie Hedlund: Yeah. This is Julie. I certainly could do that and I - yeah, I totally agree that would be most useful.

Ray Fassett: Now I want to qualify here because we're, you know, as much as it's Julie's role here to assist us and do these things, it's not going to be helpful if we aren't offering input. So when Julie sends something out and says okay here's my first rendition of this for you guys. We can

communicate via email. You know, we don't have to wait for the phone call to go through the finer points.

So I'm asking, you know, as the Chair that we - when we get input back from the people we ask to do this, being Julie in this case, that we have a - that we make the time. I know we all are pressed for time. But I'm just stressing that we spend the time to look at it, review it. If we have comments, if we like it just say we like it. That's helpful communications.

Rob Hoggarth: Agreed.

Ray Fassett: Okay Julie with that said, please go ahead and put some time into that okay?

Julie Hedlund: Will do.

Ray Fassett: Okay. Okay, now I'm going to ask another request and I'm going to double back to the other one that I think is rather low bearing fruit. And I've gone down this path a couple times, is I want - we need to set, and if we can recall what Ken was (off) saying earlier which is the experience he brings to this and of course Tony as well, though he's not on the call today; high level operating principles.

Where, how, what - you know, high level operating principles basically all associations of organizations have of how the council is to act, if you will, or follow or keep in mind as they're moving along in the nitty gritty of their day to day duties as council members.

So I would ask that we consider what could be a set of high level operating principles. I would encourage looking at ICANN's bylaws. I don't know - I don't believe ICANN itself - I'm not sure if they have a set of operating principles, you know, ICANN, you know, the entity if you will.

But there are many organizations out there. Like kind of organizations that have operating principles. But we need, you know, but they're tailored to what their purpose and mission is of their own organization.

So, you know, I would recommend that we start to think about what these high-level operating principles can be towards the goal of the council becoming a strategic manager of the policy process.

You know, I was trying to take some notes as Ken was talking. But, you know, support and encourage remote participation. That is a, you know, know, it could be a high level operating principle for us to, you know, to put into this - into our - into our approach. Does that make sense to everybody?

Rob Hoggarth: Yes.

Ray Fassett: Okay.

Rob Hoggarth: Mr. Chair, we would be happy as staff to take on the role, if over the next week or so work team members wanted to just write out email messages saying here are some principles I think that we should consider. We could then collect all of them and put them into a format for you next meeting. So you'd have, you know, the list of 5, 15, 25 so

you could then sort of edit or work through, if you think that would be helpful?

Ray Fassett: Rob that's exactly what I was thinking and it would be very helpful for our next call in two weeks if we were hitting the ground running with 5, 10, 15 - that has actually been discussed on a list even to some degree.

I think these two - you don't have to come up with five. Come up with one and then we can discuss why, you know, that is a good operating principle or not a good operating principle or - I don't there are any wrong answers by the way to this.

Now, but with all that said, you know, I am - I'm going to look over here at Ken okay and say hey Ken, you've been through this how long now - you've even - are you able to identify granular issues?

Go one step removed now and help me with understanding what could be some high-level principles, operating principles for this council to, you know, to have as a guide and towards the goal of being a manger of the process rather than the legislative body.

You know, you mentioned Ken put, you know, put the old behind us. Let's start new. We've had, you know, in fights in the past. How do we avoid that in the future? What high level principle addresses that thinking? Does that make sense Ken?

Ken Stubbs: Yes it does. I'm sorry I was on mute Ray.

Ray Fassett: No that's okay.

Ken Stubbs: It does.

Ray Fassett: But I am - I'm kind of leaning on you a little bit here because of your background and experiences. I don't need you to come up with 10 or 15. Come up with one; come up with three. Ones that you think, you know, are consistent to the goals of why were here.

And that future members of the council will look back and say boy I'm glad somebody did that, you know, came up with this for us as a guide. And I think you're just, you know, unfortunately for you I think you a person that can really help us out with this one.

Ken Stubbs: I'll be happy too. The only thing I would ask you to do would be I would like - I heard what you said, but I'd like a little more clarity in terms of, you know...

Ray Fassett: I'll draft it.

Ken Stubbs: ...yeah, just, you know...

Ray Fassett: I'll draft it.

((Crosstalk))

Ray Fassett: I'll draft it for everybody.

Ken Stubbs: ...action item or something along that line. It would really be helpful. And please understand a couple of things. I will use examples as I did with my - not to point fingers at anybody but to point out issues that the

public or the community may have been aware of that were - may have been created by weaknesses in either the structural or the way that the council, the operations or whatever it was. I've seen this happen before and we've had terrible problems with communications that were greatly related to issues like this.

And there have been some people like for instance (Marilyn Kate) who suffered badly for it and yet she was doing what she thought was best. It's just that sometimes they didn't give her clear enough guidelines or they didn't require everybody else to do. Whatever it may be.

And I think it's extremely important that - it makes it easier for me, you know, to point out and to use examples. But you have to understand how I use examples is not meant in any way whatsoever to disparage anyone. But rather sometimes I will disparage a situation that occurred because of a weakness in the operation...

((Crosstalk))

Ray Fassett: Exactly Ken.

Ken Stubbs: ...of the council as it's currently...

Ray Fassett: Exactly. And as you were describing that example and, you know, mentioning Mike in that example and I understood exactly the context, not derogatory, just showing as a real live example.

What I took from that was a high-level principle of, you know, try to attempt to delegate. You know, don't introduce the work at the council level. Delegate down to the working groups. Delegate to - always be

mindful of delegating the work down to the working groups, you know, that sort of approach.

And then accountability at the working group level that if something that is introduced at the, you know, at the last minute and, you know, make sure everybody's in, you know, in the communication process to understand it at that level before it ever gets to the council level. That was my take away. So I know you have it up there. We just need to draw it out of you if that makes sense.

Ken Stubbs: Yeah. Yeah. I guess that's the case, you know, and I will use this one more example and I'm going to shut up because sometimes I talk too much and somebody has to slap me down and Ron don't be afraid to do it.

If you look at the traffic on the names council list, in the last two weeks there has been more traffic on the names council list that relates to travel subsidies than there were - was traffic on the names council list during some of the major decisions that were being made on new TLDs. That's scary. That's really scary.

Ray Fassett: Right.

Ken Stubbs: You know. And you wonder, well now wait a minute. First of all what s important and everybody immediately thinks well that's the only thing the council's thinking about. And I'm saying no, that wasn't the case.

In the other processes prior to this, there have been situations where there was not as much of an opportunity for a public engagement on lists, because either they didn't have the resources available to them.

Or it was because of the short staffing in ICANN's case when the working groups were done, the ones (Bruce) chaired and we, you know, the old December '06, '07 type things.

The work that was necessary to get to the council members came in at the eleventh hour so they - too much was done sometimes orally on teleconferences, you know.

Ray Fassett: Yes. Well let me make a suggestion here and we'll see if the group agrees. When in two weeks we want to hit the ground running on two action items. One of them is the templates for the statement of interest and the declaration of interest as we discussed on this call. Hit the ground running almost to the point were we look to complete that step hopefully in two weeks with the input Julie is going to help us with.

The other one is going to be to hit the ground running on our call next - in two weeks on what can constitute as a good set of operating, high level operating principles. Is this a fair and reasonable approach?

Ron Andruff: Agreed.

Rob Hoggarth: Yes

Ray Fassett: Okay. And then after the call in two weeks, you know, where that call will be taken up by these - primarily by these two subject items. It won't be until after that call that we start to look at this third priority item and really start to vet it out. That has to do with the finely developed skills and responsibilities, analyze trends, begin constructive dialog with broad range constituencies et cetera. Are we agreed on that point?

Ron Andruff: Let me ask one question Chair. Ron Andruff speaking. With regard to the other charter goals, were these three initial goals then the - prioritized as being the most important three to get started? And then we'll address those others or - because there are six charter goals, we're talking about three here. Can you please give me some - shed some light on that?

Ray Fassett: That's a good - it's a good question, Ron, and Julie can correct me where I'm wrong - and Rob. But we had a call last week and trying to get our hands around a starting point. We came up with where - what to look at to potentially prioritize. And then I asked staff to Julie to compile that based on what we talked about last week. Now did we talk - did we address it all correctly last week? I'm not sure but this is what popped out of that.

Ron Andruff: That's fine. No, from my point of view I just wanted clarification.

Ray Fassett: Right.

Ron Andruff: And I'm in agreement with the three you've identified...

((Crosstalk))

Ray Fassett: But you've raised a great point because perhaps, you know, there are others in the, you know, in the charter that we should maybe move up ahead of what we have in there now. So it's a great point Ron.

Ron Andruff: Well as I say, I concur with what you - the ones you've selected. And I agree with the process you've just described. Knock off these first - first we clear the one of declaration statements absolutely. Hopefully we'll

shape the second one that we've just discussed and then we can finish up the next call by selecting what our next activity item is. I think that's a good way to chip away at it from my point of view.

Ray Fassett: And I know that - again I want to stress, I know we're all busy and et cetera, but it's only going to work if we take the time. You know, our own volunteer time on list in between the calls to get the bulk of the work done. And then clarify; then use the voice, the verbal approach, the real time verbal approach to clarify.

If we're vetting during the calls, you know, entirely relying on that, these calls are not going to be productive, as productive as they otherwise could be. And then meanwhile we're not utilizing the resource that the staff is giving us to the best of our ability as well.

So we have to make the commitment to get on the list, get on - you know, there are - me running the Chair of this, there are no bad things - nothing wrong could possibly be said. It can only be good. So I'm asking for that commitment from the group.

Rob Hoggarth: Agreed.

Ron Andruff: Agreed.

Ray Fassett: Okay. With that, I think I would like to adjourn the call unless there are any other issues?

Ron Andruff: Just what is the date and time for the next call?

Ray Fassett: Glen could you (on) that one?

Glen Desaintgery: Yes. The date and time for the next call will be the 15th of April. We are missing the week of the 8th because it's Passover and we're going to the 15th of April. And then calls will be every two weeks. So after that the next call will be on the 29th of April. But before each call you will be sent out a notice as you have been for this one and I will also include the weekly references.

Ron Andruff: And then if I may in terms of the call time it will remain the same is that correct?

Glen Desaintgery: The call time will remain the same it is at 15 UTC, which works out at this time for all of you wherever you are.

(Crosstalk)

Ken Stubbs: I would make a comment and that is it's going to be hard to get me out of the depressive funk I will be in on the April 15, as that is our tax day in the United States.

Ray Fassett: Right.

Glen Desaintgery: Shouldn't be so bad Ken.

Rob Hoggarth: We'll have ICANN send over a bottle of scotch, Ken. That'll...

((Crosstalk))

Rob Hoggarth: ...ease the pain.

Glen Desaintgery: Yes exactly.

Ken Stubbs: Yeah. Well, what we'll do is we'll have Sarkozy come over and organize one of these protestor walkouts because that's what's going to happen in London today or tomorrow I'm afraid.

Ray Fassett: Very good. Well I think we had a positive call today. Again I want to stress, you know, going - whether we like the Wiki or not like the Wiki, that's what we have right now. Let's use that. Get familiar with it. You know, what's our page. That'll help us in these calls efficiency wise. You know, let's use email to our advantage. Let's use staff to our advantage.

So with that said, your cooperation is appreciated, very much appreciated. And I think we can adjourn this call and look forward to talking on the 15th. Thank you all.

Ken Stubbs: Thank you.

Glen Desaintgery: Great

Ray Fassett: Thank you everybody.

Man: Bye.

                            END