

ICANN Transcription
GNSO Review Working Group
Thursday 08 June 2017 at 1200 UTC

Note: The following is the output of transcribing from an audio recording of Registrar Stakeholder Group call on the Thursday, 08 June 2017 at 12:00 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: <https://audio.icann.org/gnso/gnso-review-08jun17-en.mp3> AND <https://participate.icann.org/p6152pibcow/>

Attendees:

Members:

Sara Bockey (RrSG Alternate)
Wolf-Ulrich Knoblen (ISPCP Primary)
Lori Schulman (IPC Primary)
Lawrence Olawale-Roberts (BC Primary)
Rafik Dammak (NCSG Primary)
Victoria Sheckler (IPC Alternate)

Participants:

Avri Dori (NCSG)

Apologies:

Jennifer Wolfe (RySG Primary)

ICANN staff:

Julie Hedlund
Marika Konings
Amr Elsadr
Michelle DeSmyter

Coordinator: Recordings have started.

Michelle DeSmyter: Okay great, one moment. Well good morning, good afternoon and good evening. And welcome to the GNSO Review meeting on 8 June 2017. On the call today we do have Wolf-Ulrich Knoben, Rafik Dammak, Sara Bockey, Avri Doria and Vicky Sheckler, we have a list apologies from Jennifer Wolf. From staff we have Marika Konings, Amr Elsadr, Julie Hedlund and myself Michelle DeSmyter. I would like to remind everyone to please state your name before speaking for transcription purposes. And please keep your phones and microphones on mute when not speaking to avoid any background noise. With this I will turn the meeting back over to Wolf-Ulrich Knoben.

Wolf-Ulrich Knoben: Yes thanks Michelle. This is Wolf-Ulrich Knoben speaking. So I'm supposed to chair this call today. And so we have Julie has sent out an agenda any questions, amendments suggestions for the agenda? I see none so let's follow the agenda. Any further updates of SOIs anywhere? This is also not the case. Thank you.

So we have then to continue discussion on Recommendations 24 and 25. But before that let me just come back I think in between there was a call for consensus for Recommendation Number 16. And that call was successful. So we have each as I understand from Julie from the mailing list that we have reached full consensus on that. Can you confirm that Julie?

Julie Hedlund: Thank you Wolf-Ulrich. This is Julie Hedlund from staff. Yes there was a call for a consensus. And it ended on I think 29 May. And there were no objections. So we have consensus on Recommendations 16. And I'll note that we have set up a page on the wiki where we're tracking the documents that are out for consensus and those who have - on which we've reached consensus. And we'll continue to track those. And there's also a summary

document that indicates where we are on each of the recommendations.

Thank you.

Wolf-Ulrich Knoben: Thanks very much Julie. So that is done. Thanks very much for that. So let's just move on with Item Number 3 continue discussion on the Recommendation 24 and 25. As I couldn't participate in the last call so I'm - I have led, you know, the recommendation and also the action items coming from that. And I saw the updated document Julie but I would like to ask if you could guide us so just from the start where you ended last time in your discussion so that we can the hook on then discussion continues the discussion. Julie could you do that please?

Julie Hedlund: Yes, thank you Wolf-Ulrich. This is Julie Hedlund from staff. So the discussion last week was on the charter for Recommendations 24 and 25. And we've pulled that document up here in the Adobe Connect room. Just as a reminder this is on the new constituency application process and specifically it's on making sure that the council and stakeholder groups and constituencies adhere to the published process. And that the board in assessing applications ensures that all parties should follow this process, and that applications for new constituencies including historic application are all published and that the council could consider commissioning the development and implementation of guidelines to assist groups.

And so just to recap staff did do an assessment and came to and determine a number of things related to these recommendations. So just moving down to the solution for the implementation and then I'll note where we've addressed some issues that were raised in the last call. So on Recommendation 24 determine whether new constituency application processes are clearly posted an easily accessible.

On this recommendation there was a request to ensure that the Non-Commercial Stakeholder Group and Commercial Stakeholder Group procedures for evaluating constituency applications are available are posted

and to include this information in the revised charter. So if we return to the charter we'll note that if staff did find that the new constituency processes are clearly posted there's a link for current activities and procedures and also a link for the historic activities.

And then as was noted previously links to the new constituency recognition process. So that is the guidelines for how to follow the process, the application for candidacy form, the request for recognition form and a flowchart detailing the process. The only note that staff made was that it might be helpful to have both the current and historic information available on one page.

So in addition at the request of the working group and this is new text that staff has added to the charter request of the working group staff provides the following links to the procedures relating to membership in the Commercial Stakeholder Group in the Non-Commercial Stakeholder Group. So here we have for the Commercial Stakeholder Group the link to the charter. Section 2 addresses membership of the CSG. And then also there's another link on the CSG page that notes that membership to the CSG is coordinated through membership with one of its constituencies please see the constituency page for more details.

So as noted here the process that a constituency is to follow for the Commercial Stakeholder Group is the process for the applicable constituency. And so that would bring the applicant up to the page on forming new constituencies and then the various processes. And also the constituency could the applicant pardon me could also then reference the pages for the applicable constituency within that Commercial Stakeholder Group.

And then for the noncommercial stake the Non-Commercial Stakeholder Group -- and I see there's a typo there -- should be NCSG. Also there's a link

to the charter. Section 2.0 details the organization and membership. And then there is the membership application process link as well.

So this information has been added to the charter as requested. And also the other action items from last week was that staff would determine if they're public available - publicly available links to all constituency applications. And staff did confirm that all of the applications are publicly available at the links that are currently provided in the charter. Another action item relating to this section was for staff to provide information on how the registry and registrar stakeholder groups evaluate request for membership and to provide that information also to the working group as well as to add it to the Google Document where staff is tracking overarching questions because it's noted staff noted in the last meeting that the constituency process relates to the process for new constituencies for the Commercial Stakeholder Group and the Non-Commercial Stakeholder Group.

And I see Avri Doria has a question. So I'll pause here. Perhaps this is off topic but why do we have a staff board imposed process for new constituencies in the Non-Contracted Parties House but not in the Contracted Party House. I've never understood this imbalance. And actually Avri I think that does relate to the question that we had from last week and that is what is the process for the registrar and Registry Stakeholder Groups? And staff did capture those two processes and then added them to the Google Doc.

I'll just put this into the notes window here but I have to say with respect to your question Avri I don't - I'm assuming that because of the nature of the fact that because they are contracted parties then they - the application process has to be conducted via the contracted party as opposed to a separate process with the board. But frankly I don't know the origin of why a process was created and published specifically for the Non-Contracted Parties House the and, you know, Commercial Stakeholder Group Non-Commercial Stakeholder Group as opposed to specifically setting aside a page for the processes for the registrars and registries and why their processes are

covered only by those parties and that it is not then also a board imposed process.

Certainly staff can take that question back to find an answer as I don't have the answer. I do see that we have Marika and Amr on the call. I don't know if they have any insight there or Wolf-Ulrich I don't know if you've heard either why this was the case. I see Marika is typing here so let us see what she has to say.

Wolf-Ulrich Knoblen: Thanks Julie, Wolf-Ulrich speaking so I don't have also an answer to that. I wasn't aware, you know, that there's a different kind of process here on both sides. But that might be interesting. It's interesting well to know what is the rationale for that? So if there is something which you could provide or might go others or that would help us. Thanks very much.

By the way I have to say I do have a little bit problem with my Adobe Connect here. So and I don't know how to - because I can't see it first in the main screen the charter. I see the notes and the others but sometimes it may happen that I kind of cannot see, you know, if someone raises his hand. So please if that is the case and I can't follow please raise your voice yes and tell us or Julie help me because there is some problem here.

So following from that what you have said on Recommendation 24 and 25 so far it seems to be so that is the - to me the essence from the outcome and from what you have amended so far in recommendations that the work has been done so far and the question is whether it's accepted or not. Well I have just for my understanding one question because, you know, you are referring to all these available documents in a GNSO Web site with regard to the process itself and supplementing documents.

I was briefly looking at the process. And the question for me came - went up would it be necessary -- that is the question then to the group --to dive into the process itself more deeply in - with regards for example the duration of

the process itself or somethings or what do we think because I had - I would like to get a feeling at first with regards to durations.

And maybe a minimum duration of the process and the maximum also so which - depending on the outcome of the different steps of the process so it would be on the one side helpful to know to let people know let me say also applicants know what they have to expect with regards to that process. So my question is if there's some additional work to be done is that something already underway on staff side or how shall we handle that?

Maybe the hardest question as well. We start the question from my side maybe Julie have a comment on that or others have also additional comments or questions. It's open to the floor here please. I don't see any hands so I'm not sure whether there is - there are hands.

Julie Hedlund: Wolf-Ulrich Knoben this is Julie Hedlund I did raise my hand. I don't see other hands at the moment.

Wolf-Ulrich Knoben: Okay, Julie please.

Julie Hedlund: So with respect to the diving into the process I'm not sure that in scope of these two recommendations I'm just looking back I mean that, you know, that what I'm saying is that, you know, for this working group to review the process and to, you know, to look at how long the process takes and so on if I look at the two recommendations the Recommendation 24 relates to whether or not the applicants are adhering to the process and whether or not the board is satisfied that parties follow the process. You know, is that part of the process that, you know, that, you know, there's an evaluation by the board that the parties are following the process.

Then the other piece of the recommendation is that applications are published and available so that the decision making is transparent. And then Recommendation 25 is for the council to develop and implement guidelines to

provide assistance for groups. Staff had determined that there actually are already guidelines to assist groups leading them through the process.

There's the New Constituency Recognition Process Guide. There's the form. There's - there are the forms for the process. And then as further guidance there's the flowchart of the process. And I'm wondering if maybe I should pull up the flowchart and that might also give us an idea of the - if that speaks to your question about the duration of the process. I just have to remind myself what's in there. But let me see if I can quickly pull that up and put it on the screen. I'll just have to quickly save it as a PDF and put it on the screen if that's acceptable to you Wolf-Ulrich?

Wolf-Ulrich Knoben: Yes it is. And well I guess I have it already on my screen with my own documents and there are some indications of duration so with regards to the evaluation periods and well the action periods and these things. So - and that is gets, you know, if the case is very clear and it goes just through then in might be a very short period. So not more than let me say relatively short so a minimum period of three months or so. But in - if it comes to discussions and board ratifications going forward and backwards it might be- it might take a long time a brief period of time.

And while I would like just to get a feeling that our - well this is the question. But at all the flowchart and the both of them should be checked or whether there are some specific criteria to which they are in with respect they should be checked like timing and these things. So that was just my observation here. But are there any others raising your hands so I can't see I'm sorry but if that is please raise your voice.

Julie Hedlund: Wolf-Ulrich Knoben this is Julie Hedlund. I don't see any other hands raised. I do note that there has been - that Marika had responded to Avri Doria's question with respect to why there is no board or staff process for the Contracted Party House constituency applicants as opposed to the -

Contracted Parties House. If you don't mind perhaps I can read those responses into the - for the transcript pardon me?

Wolf-Ulrich Knoben: Sure, sure go ahead Julie please.

Julie Hedlund: Thank you. This is Julie Hedlund. And we have a comment from Marika Konings responding to why there's not a process for Contracted Parties House constituencies. She says my recollection is similar because the contracted aspect creates an automatic qualifying criteria it was deemed not necessary to create a process. Either you have a contract and you can join through a set membership process or you don't.

Avri Doria notes this relates to membership in the stakeholder groups but not the creation of constituencies. Marika says correct. But I believe linked to that on the Contracted Party side the view was that there was no need for constituencies as everyone is a contracted party registry or registrar. But to get the real insight into this we may need to dig into history and ask those directly involved in that decision. So I guess going back to Avri if what we provided - what Marika has provided sufficient to answer your question or should staff take the action to delve further?

I note that this since this is these two recommendations relate to the board constituency process for the Non-Contracted Parties House we could track the action and question as we did from last week as an overarching question. It's not perhaps in the scope of this particular charter but is a question that's of interest to this working group nonetheless. So then question to the working group to Avri in particular would you like us as staff to look more deeply into the decision concerning Contracted Parties House application processes?

Wolf-Ulrich Knoben: Well before Avri answers maybe still Wolf-Ulrich speaking. My comment my understanding of if I'm correct Avri of your question is with regard to that only it seems to me from the angle of Marika giving that there is no process on the Contracted Parties House side at the time being. So the question is

then well at all so how are they going to - are they dealing with any discussion with regards if somebody or a group comes up in their house trying to establish their own surroundings like let me say for example if plans or what other kind of things could happen. So just how this is dealt with how they are dealing with that, that might be of interest so what for me for example.

But maybe I've - that's not the full understanding of that but this meaning and in this regard it is of interest. So Avri I see your comment. I read that. They call it an interest group instead of a constituency yes but NCPH is not allowed to have interest groups instead of constituencies. Yes so okay what does it mean? Well it could be so from my point of view it could be put to this extra list Julie. I'm not sure how we should deal with it so it's just more question to you to how the Contracted Parties House and so to find any more information so that's what I understand. Thanks.

Julie Hedlund: Thank your Wolf-Ulrich. This is Julie Hedlund from staff. So actually there - both of the, you know, both the stake - I'm sorry the - both the Registry Stakeholder Group and the Register Group have published procedures for their membership. And I believe in looking over them they do address what Avri notes at the, you know, the formation of interest groups since they do not have constituencies.

If you'd like in addition to the fact that, you know, staff has pulled out the links to those membership guidelines for each of those groups and we've put them here also into the notes staff could pull out the relevant sections with respect to how each stakeholder group deals with what they call interest groups. And I'm not sure if both of them if registrars and registries both call them interest groups but we could call out those sections if that's helpful?

Wolf-Ulrich Knoben: Yes. So this is Wolf-Ulrich speaking. So I'm - I agree to that. Thanks very much. If...

Julie Hedlund: Thank you Wolf-Ulrich. This is Julie Hedlund. Perhaps I could go back to the charter. I think there was one more area where we had added text or notes based on discussion last week. So perhaps I can pick up where we were. We - looking at - yes so there's the - so moving into Item Number 2 actually this was - there was no action item from last week for number two but just as a reminder what was there was to determine what steps are taken to ensure compliance with those processes whether or not those steps are adequate?

Staff found that the determination of whether those steps are adequate could be the evaluation of applications. You know, one could evaluate the applications received thus far and in particular an example was the TIA CC application where an evaluation was conducted. And it was determined that, that particular candidate did not meet the required criteria so here was an example of a constituency not being accepted.

And this also ties into the question that staff brought forward for this working group to consider. And that is a particular aspect of Recommendation 24 which says that the whether or not the question of whether or not there is a presumption of admission the default outcome and whether or not that assumption is appropriate? Just looking back up again to Recommendation 24 just to remind ourselves that the ICANN Board in assessing an application satisfied itself that all parties have followed the public process subject to which the default outcome is that a new constituency is admitted.

And then the question that was raised by the GNSO Review Working Party was whether or not this presumption of a default outcome was appropriate. I mean is it since we do have a process for evaluating constituencies and constituencies have to meet that process and that's that requirement it appeared to staff that there is not a presumption of admission. You know, that the process doesn't appear to be subject to the default outcome that is that if the board or the stakeholder group deems that the applicant has not met the criteria then the default outcome does not apply the applicant just, you know, can fail the process.

And I know Wolf-Ulrich you had made a note that you also agreed that it did not seem presumptive since the board could ratify or reject a candidacy. So the question for this working group that we raised from the previous call is does this working group feel that it's appropriate that the default outcome would not apply or that the decision is not subject to the default outcome meaning that the constituency, even if it follows the procedure, if it does not meet the criteria it could - it may not be accepted as a constituency.

Wolf-Ulrich Knoben: Yes thanks for the explanation, Julie. That was the second point we have to come to, also with regard to the question of presumption. So while the - my last question is well with regard to the point we just discussed before, the site question or additional question from Avri. So that is taken here into some notes, I understand, yes? That is one thing, yes?

Julie Hedlund: Yes that's correct. We've taken on that action item to build out some more information into the separate question Google document, and that relates to the procedures for - why there are no procedures from the board for this Contracted Party House and also what are the procedures for so-called interest groups in the Contracted Party House.

Wolf-Ulrich Knoben: Okay. I would like just to be sure, so thanks very much. So when coming to the - to this question of the presumption of the outcome of the process, that was just my take from that so we're in this other process and the flow chart, but maybe there's something more behind and I would like now to give the floor to anybody who is - who would like to chime in here and have an opinion on that or a feeling or what should be done or if it's - how would you see that. Is there anybody now who would like to raise his hands, her hands in this regard?

So if not, Julie, what is the official result if we say yes or no or take it as it is here? What is the impact on the work having been done or to be done?

Julie Hedlund: This is Julie Hedlund from staff. So as staff understands it, the two options, then this working group could agree that or could decide that it is appropriate that there is not a presumption of acceptance of an application, that it's appropriate that there is an evaluation process that even if the applicant follows the process, if the applicant does not meet the criteria, as deemed them not to have met the criteria as a constituency, either by the stakeholder group in its evaluation process or by the board, this working group could decide that that's appropriate.

Alternatively, if this working group decided that it is not appropriate that an applicant could follow the process but perhaps not meet the criteria but still must be accepted as a constituency by the board or by the stakeholder group. I think from a staff point of view that's sort of the two options. And I see that Lori Schulman has her hand up.

Wolf-Ulrich Knoben: Yes, Lori. Please go ahead.

Lori Schulman: Yes. Hi. Yes I have some thoughts about this. They're not fully baked. I didn't raise my hand before. But I think just in the interest of discussing this topic, because I actually was part of a group that went through getting certified or whatever you call it about six years ago through the constituency process, and with not having a default, if you fill out the forms and then you're subjected to a test phase, where's the bar in terms of this idea of participating in policy development activities?

Because there's such a broad range of participation and what does that really mean? That you're - does that mean you're speaking? Does that mean you've actually drafted something? Does that mean you've got to wait till the end of an entire PDP to figure out whether or not a new constituency's effective, which could be years? I think there's some perils with not having objective criteria that once you meet (unintelligible).

Otherwise it becomes very subjective in terms of effectiveness or active. You know, what - is there a floor or a feeling on active? I see a lot of pitfalls in that. But at the same time, I understand there's a danger in defaulting. You don't want to make it so easy that constituencies proliferate all over the place without a real commitment to ICANN's mission, and I'm not sure but if you ask me to say something today about it, I would say that IGOs' active participation is just too loose.

Wolf-Ulrich Knoben: Yes thanks, Lori. So if I took that right, when you were referring to your own processes some years ago, so there have been questions at that time or was it questions just for yourself, for the applicant in this regard on how to fulfill these criteria, what is behind that, what is meant for that, or was it some, let me say, some doubt throughout the discussion with the organization itself here when it came to the approval process and so, well, in a common understanding of the criteria? Are you missing some criteria or is the understanding of the criteria so different that you maybe of the opinion that there should be some work to be done? That's a question to you, Lori, to understand.

Lori Schulman: Yes. Wolf-Ulrich, I will also reveal I was - yes I was the beginning of the process. Towards the end of the process, I was ill for the final stages of the approval. I was actually in the beginning stages of the approval where there was a lot of documentation, a lot of discussion, a lot of back and forth, which was useful. I can't speak directly to whether or not at the end of the phase, you know, at the end of the application process where, you know, I don't know (unintelligible) and Rafik were involved in the discussions about the NPOC formation or not, they might have better insight.

But I can certainly look back or ask those who were involved because those who were involved, interestingly enough, most of them are not involved in NPOC anymore. So that's also an interesting thing about the formation of the constituency. Sometimes the biggest movers in the beginning may end up not being the long-term members of a group. So I don't know.

I just think it's an interesting point to think (unintelligible). It's been a long time since I looked at the criteria. That's why I'm a little hesitant to speak directly to them. But I can certainly look back and ask and see what the impressions were because I think NPOC was the last constituency formed, if I'm right, in the GNSO.

Wolf-Ulrich Knohen: Okay. Thanks. Julie, go ahead.

Julie Hedlund: Thank you, Wolf-Ulrich. I see Avri Doria has her hand up. I'll defer to Avri.

Avri Doria: Thanks. This is Avri speaking. No need to defer to me but since you did, yes in fact NPOC is the only new constituency and those rules grew out of the fresh intention at the time of trying to create a new constituency.

What is now the Non-Commercial Stakeholder Group wanted to remain just a stakeholder group with interest groups but that was contraindicated by other powers that be within ICANN that we should have a new constituency and therefore those rules were part of a year-long, very tortuous process of trying to accommodate the need for a group that said they wanted a constituency and had strong backing from people in other stakeholder groups for a constituency and a stakeholder group that wanted to just do interest groups and remain a coherent stakeholder group, very much as the Registry Stakeholder Group managed to achieve several years later when they said no we don't really want to do constituencies, we want to do interest groups.

They succeeded at that. We failed at that. So that's part of why we're left in this imbalance and that's part of why we have a set of rules that were created and have only been used once. And actually that's not true. There were another couple applicants that didn't make it through the process largely because they weren't, you know, just purely non-commercial versus also being commercial or something like that.

I don't think there's any - been any attempt to for a constituency in the contracted - in the - not contracted, in the Commercial Stakeholder Group, only within the non-commercial. So. But yes, that is the only one that's ever made it through the process is NPOC and that's because they were at the creation of the process and it was pretty much created to make their creation possible. Thanks.

Wolf-Ulrich Knochen: Thanks, Avri. So I think, well, the history is clear about that and there as other question in the review whether the - it is transparent enough, you know, for the - to look at the historical applications and the processes. So the question here is also, and I just took that from the recommendations here from the review under number six, the question if there are any proposals suggestions for amendments or in the process itself, but whatever that means with regards to procedural things or with regards to criteria or what else.

If there are business requests for that to be seen, so it should be put together, then we should give a number to that. But before I do - I saw Lori. Lori, you had your hand up but. Okay, no it isn't.

Lori Schulman: Yes I did. Yes, I was wondering because, like I said, I in there at the beginning and I do - I'm quite (unintelligible) of the stress and the tension that Avri refers to. As I said, I was in the beginning of the process and, disclosure, I had cancer at the end. That's why I didn't participate. Otherwise I would have.

But that being said, at the time, I remember being in a lot of the calls and a lot of the discussions remotely and I'm wondering if we set the bar so high that it creates a deterrent for others to try to create new constituencies and whether or not that's a good thing because it keeps the system entrenched in a way that maybe we don't want it so entrenched. Maybe we do need it to be more flexible and evolutionary. I mean I think these are critical questions to think about.

I mean right now the GNSO, the way it's designed, there's - in some ways there's balance and in other ways there's imbalance. And I think it's worth thinking about. You know, do we want to make it so hard for people and are we doing it because -- and I'm not calling out any group, I'm saying any entrenched group, whether it's on the commercial side, the non-commercial side, the contracted side, the non-contracted side (unintelligible) -- is it a good idea to keep things the way they are?

I mean now we have new bylaws. It's basically the bylaws itself entrench this structure. So maybe the answer is, well, that's the way they are in the GNSO but I don't know if that's so good for ICANN in the long run because I think that this process should be inclusive, not exclusive.

Wolf-Ulrich Knoben: Thanks very much, Lori. So that is in a certain kind well interrelated to, well, to what is missing in this GNSO review is that structural side and the part, the discussion about part, which you all know. And so that may be on a different page to be discussed either with a future review or kind of early structure review.

It's been under discussion since several time, you know, and I think here so we can just refer to what was from the outcome of this review to the recommendations we had and the question whether this process is under these circumstances well then transparent enough and beneficial, we should choose requirements to that process or not.

The question for me is then, well, I can give it first to Rafik before I sum up this one, try to sum up. And, Rafik, I see your hand.

Rafik Dammak: Thanks. So I wanted to comment to what I heard from Lori. So I think we set the criteria even if they look at it may be high. I think they have a value in that it's more easy to create a constituency than to, let's say, disband one. I don't think that's happened ever or it will happen any time soon. So I think that it's

quite important when we accept to have a new constituency within GNSO with all that fragile balance we have there is to ensure that they will be active.

And I think the experience for NPOC and for the people involved in NPOC, they faced several issues in terms of how they had to grow and to find their mission and why they are within GNSO. Even though leadership's changed several times in a few years, that doesn't really kind of - I think the most, let's say, the best way to evolve. They are evolving, maybe, but it's right along the kind of issues that any new constituency faced. It's always important to have a high bar in the beginning.

At NCSG we had three applications with the different level of I think progress. NPOC it was the most successful because they were created, but we have the consumer constituency where even the I'd say the opponent is (unintelligible) at the end of the process and nobody kind of followed up. So we have the cyber (unintelligible) case that raises another problem. They are commercial, non-commercial where they fit within the GNSO with the current structure we have.

So this criteria maybe they can get - improve it. And the way the process, how it's designed it, I think it helps the applicant to elaborate and develop. I recall when we did the review there was some issues like about diversity. Some applicants, he or she, they were bringing mostly their kind of membership from only one region. So there are a lot of issues that can rise, and that process helps the applicant, the candidate applicant, to elaborate and improve the verifications.

That's I think my understanding there for the process. I know that this can be painful (unintelligible). We have - how the GNSO is designed it's now kind of really fragile. If you are the new player and so we changed the dynamics. And we forget at the end there is something that is still more complicated is how you will kind of (unintelligible) in that matter. For example at the NCSG level, kind of some of the issues that we said the council representation is we are

stakeholder group. So that's maybe a long lived, let's say, problem in that regard. So.

Wolf-Ulrich Knoben: Thanks very much, Rafik, for this. I think we have, well, we have to some extent discussed that, well, the feasibility of the existing process and so that is okay. I was just wondering, Julie, where we are right now with regards to open questions here with the - with respect these both recommendations. To my understanding, so the question of presumption of an outcome of this process is not deemed so very important in the discussion. So how do you see that? So what is - what do we still need as - to consider as open questions here? Julie, please.

Julie Hedlund: Yes. Thank you, Wolf-Ulrich. This is Julie Hedlund from staff. So we've had now some discussion in two meetings on this question of presumption of admission. I think staff is hearing that there does not seem to be a presumption. It may not be the case, I mean - because there is an evaluation process. And as has been shown, an applicant can fail the evaluation by not meeting the criteria that has happened.

And yet it appears, at least to staff, that there is some support for there being an evaluation process, as long as it's not too onerous. And so there are published criteria, as staff had briefly now just brought up the criteria, you know, so that we can see what those are.

You know, we've had some who are concerned that if the bar is too high, it this is a deterrent, but others, like Rafik, who noted that there needs to be some bar, not just a presumption that if the process is followed that a constituency would be accepted because there needs to, you know, we need to ensure that there are going to be active and grow and have, you know, have a mission. And so it's important to have at least some kind of bar.

So I think that what we could possibly do, if this working group agrees, is staff could accept the changes that are in the document now but also put in some

text indicating that the working group has discussed the issue of the presumption of a default outcome and has determined that it's appropriate that there is some evaluation criteria and that because there is an evaluation process, it cannot be presumed that an applicant that simply follows the process but does not meet the criteria, it can't be presumed that applicant would be accepted.

And so we could put out a revised version of this charter calling out that text and see if there's consensus around that text and the charter in general. So suggesting that we could do a call for consensus for this charter, particularly given that in both of these calls there have been a small number of people participating and so it might be good to get the consensus call out to the list and see if there are any objections or concerns.

Wolf-Ulrich Knochen: Thanks, Julie. Well, anyway, that's right. Because of participation, any consensus call should be shared within the constituency as well for distributing the information as far as possible. So well I've - I personally would agree to do so and well we should have - we should see then the very last version of the draft charter then in that. And if you would like to circulate that, I wouldn't say directly as consensus for that but just because with the new language, just circulate that after the meeting.

And then, well, if there are, let me say, no comments in between then you will after a week or so then call for the consensus for that (unintelligible) to do so. But maybe that some constituencies may have some (unintelligible). So it's not clear to me whether it's still already consensus or not. So I would say just a small step in between to send it out and then ask for comment, and then afterwards to go for a consensus call.

It could in between then but by the next time because time is just gone, then start immediately with the other recommendations this charter's intending for the recommendation in order to continue that. Well if I don't see any further hand or is this, Julie, your hand please? I see your hand.

Julie Hedlund: Sorry. This is Julie Hedlund. I have my hand up. I have an action to we'll revise the wording, as you indicate, and we'll call that out in redline. We'll put the document out, circulate it for comments for a week, and then if there are no comments then we'll initiate a call for consensus. And then we'll note also we'll send around again the charter for recommendations 10, 11 and we can do initiate discussion on the list on that charter. Hopefully then have some discussion going prior to the next call on the 22nd.

Wolf-Ulrich Knoben: Yes. That's good. That's a good plan to do so. We have just arrived at the end. Well are there any other questions, any comments, any AOB? To that I see the very last comment from Avri in the chat. A presumption of acceptance would be hard for everyone but even harder for CSG. That would change the number of seats each constituency could hold in council seats and then just based on a (CUI) selection process. It more we can support in multiple constituencies if saying met the conditions without any change to a council seating except there - so elections on the SG level.

Yes, Avri, I understand you are advertising for SG views and well there are pros and cons and problems. Okay, accepted. So thank you very much for your participation and, Julie, thank you very much for preparing. And the next call shall be in two weeks from now, same time. It's just - it's a week before the ICANN meeting. Thank you very much. Bye.

Julie Hedlund: Thank you everyone. Thank you, Wolf-Ulrich, for chairing also. And I'm just noting Lori is asking to send the criteria for forming constituency, a link to the criteria, and staff will send that along with the revised document as well. And, no, Rafik, there is no meeting in Johannesburg since we're meeting just the week before. Thank you.

Wolf-Ulrich Knoben: Thank you. Bye-bye.

Woman: Thank you everyone. Operator, would you mind stopping the recording for us and disconnect all remaining lines. Have a great day everyone.

END